

**AGENDA**

**MAPLEWOOD CITY COUNCIL**  
7:00 P.M., Monday, May 8, 1995  
Council Chambers, Municipal Building  
Meeting No. 95-09

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL**

**D. APPROVAL OF MINUTES**

1. Minutes of Meeting 95-07, (April 10, 1995)
2. Minutes of Meeting 95-08, (April 24, 1995)

**E. APPROVAL OF AGENDA**

**EA. PRESENTATIONS**

1. Proclamation: Bill Fernholz Day
2. 1995 City Recycling Logo Contest
3. Appointment of Craig Brannon to the Park & Recreation Commission

**F. CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion on these items. If a member of the City Council wishes to discuss an item, that item will be removed from the Consent Agenda and will be considered separately.

1. Approval of Claims
2. Surplus Property Disposal
3. Above Ground Hoist Budget Change
4. Open Space site #116 - Purchase Agreement Condition
5. Accept letter of resignation from Park & Recreation Commissioner Susann Kraemer

**G. PUBLIC HEARINGS**

1. 7:00: Tax-Increment Financing (Carefree Cottages of Maplewood-Phase III)\_\_\_\_\_

**H. AWARD OF BIDS**

1. Sterling/Schaller Improvements - Project 93-08\_\_\_\_\_
2. Truck Bodies and Accessories\_\_\_\_\_
3. Western Hills and Timber Park Construction\_\_\_\_\_

**I. UNFINISHED BUSINESS**

1. Appeal of Staff Denial of Site Plan - Beam Avenue (Johnson)\_\_\_\_\_
2. Assessment Objections Sterling/Schaller Improvements Project 93-08\_\_\_\_\_

**J. NEW BUSINESS**

1. Stop Sign Request \_\_\_\_\_
2. Erosion Control \_\_\_\_\_
3. Alarm System Licenses \_\_\_\_\_
4. Open Space Site #116 \_\_\_\_\_
5. Carver Avenue - Shoulder Paving \_\_\_\_\_
6. Minnesota Youth Baseball Application for Gambling Permit \_\_\_\_\_
7. Heritage Theater Application for Gambling Permit \_\_\_\_\_
8. Community Center Staffing Levels \_\_\_\_\_
9. Curfew Ordinance \_\_\_\_\_
10. Primary Election \_\_\_\_\_

**K. VISITOR PRESENTATIONS**

**L. COUNCIL PRESENTATIONS**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

**M. ADMINISTRATIVE PRESENTATIONS**

1. Open Space Progress
2. \_\_\_\_\_
3. \_\_\_\_\_

**N. ADJOURNMENT**



WHEREAS, in early 1994, the City of Maplewood contracted with The Trust For Public Land for assistance with its new Open Space Acquisition Program; and

WHEREAS, Ms. Margaret A. Kohring as Midwest Regional Manager and Special Project Manager for The Trust For Public Land worked very closely with the Maplewood City Council, Open Space Committee, and staff in the identification, negotiation, and acquisition of open space sites; and

WHEREAS, the Maplewood City Council and staff came to depend on Ms. Margaret Kohring for her experience in land negotiations, her environmentally sensitive point of view, and her commitment to the preservation of open space.

NOW, THEREFORE, BE IT RESOLVED, that the City of Maplewood, its elected officials, residents, employees, business owners, and visitors thank Peg Kohring for her role in the City's Open Space Program; and since Peg has left The Trust For Public Land to pursue other life goals, we do hereby wish her success and happiness in all of her future endeavors.

Seconded by Councilmember Allenspach                      Ayes - all

c. The Open Space Committee made a presentation to Peg Kohring.

**2. Proclamation: Stars of the North: Maplewood Volunteers**

a. Manager McGuire presented the staff report.

b. Mayor Bastian moved to proclaim the following:

**PROCLAMATION**

**STARS OF THE NORTH: MAPLEWOOD VOLUNTEERS  
Volunteer Recognition Week  
April 23 - 29, 1995**

WHEREAS, Minnesota Governor Arne Carlson has proclaimed April 23 - 29, 1995 as Minnesota Volunteer Recognition Week to celebrate the more than two million volunteers who serve throughout Minnesota; and

WHEREAS, to recognize the spirit of giving that exists in each volunteer's heart, the theme of this year's event is **Stars of the North: Minnesota Volunteers**; and

WHEREAS, Minnesotan's of all ages serve as volunteers throughout the year by making their communities better places in which to live and work; and

WHEREAS, Maplewood residents deserve special recognition for their volunteer efforts which include providing support to the hungry, homeless, elderly, and persons with disabilities; assisting schools in classrooms and special events; providing a leadership role for young people through scouting programs; augmenting City staff in various projects in the Parks and Recreation department as well as the Police Reserve and Cadet programs; City fire fighters; members of Maplewood's various commissions, boards, and committees; and many other dedicated people; and

WHEREAS, Maplewood wants to take this opportunity to thank the **Stars of the North** in our community who shine throughout the year with their strong sense of community loyalty and commitment to reach out and help others.

**NOW, THEREFORE, BE IT RESOLVED**, that on behalf of the City Council of the City of Maplewood, I do hereby proclaim the week of April 23 - 29, 1995 as **Stars of the North: Maplewood Volunteers Week** in the City of Maplewood to recognize all volunteers within our City for their contributions to the community.

Seconded by Councilmember Allenspach                      Ayes - all

**3. Proclamation: Earth Day**

- a. Manager McGuire presented the staff report.
- b. Mayor Bastian moved to proclaim the following:

**PROCLAMATION**

**EARTH DAY  
APRIL 22, 1995**

WHEREAS, Saturday, April 22, 1995 is the 25th Anniversary of Earth Day; and

WHEREAS, the Silver Anniversary of this important day is an appropriate time to reflect upon and renew our commitment to preserving our environment; and

WHEREAS, Earth Day has become a national symbol for programs and events which stress the significance of our environment and our responsibility to preserve the natural beauty, innocence, purity of our air, water, and greenscapes; and

WHEREAS, since our increasing rates of growth and consumption are outpacing the Earth's ability to recycle wastes and renew the supply of energy resources, we are looking for ways to reduce energy consumption, conserve our natural resources, and use renewable energy sources and alternative energy technologies; and

WHEREAS, community and individual efforts can and do make a difference in our environment including recycling, plantings, waste reduction, composting, beautification projects, use of products composed of recycled products, wetland and shoreline buffers, educational programs, Nature Center, and the Open Space Preservation Program.

THEREFORE, BE IT RESOLVED, that the City of Maplewood does hereby proclaim Saturday, April 22, 1995 as Earth Day in the community, and with the nation, celebrates its Silver Anniversary.

Seconded by Councilmember Allenspach                      Ayes - all

**F. CONSENT AGENDA:**

Councilmember Carlson moved, seconded by Councilmember Rossbach; ayes - all, to approve the consent agenda items F-1 thru F-8 as recommended.

**1. Approval of Claims**

Approved the following claims:

<u>ACCOUNTS PAYABLE:</u>	\$ 388,531.19	Checks #4108 - #4228
		Dated 3-16-95 thru 3-30-95
	\$ <u>156,588.06</u>	Checks #17315 - #17457
		Dated 4-10-95
	\$ 545,119.25	Total Accounts Payable
<u>PAYROLL:</u>	\$ 254,754.07	Payroll Checks #80010 thru #80287
		Dated 3-24-95
	\$ <u>50,502.82</u>	Payroll Deduction Checks #80292 thru
		#80310 dated 3-24-95
	\$ 305,256.89	Total Payroll
	\$ <u>850,376.14</u>	GRAND TOTAL

**2. Preliminary Plat Time Extension - Maplewood Estates Third Addition**

Approved a one-year time extension for the Maplewood Estates Third Addition preliminary plat. This time extension shall be subject to the March 22, 1993 conditions of approval.

**3. Conditional Use Permit Review - 9 North Century Avenue (Century Avenue Service)**

Reviewed and renewed the Conditional Use Permit at 9 North Century Avenue, allowing the addition of a fuel station canopy and replacement of the two existing pump islands with four smaller pump islands. This CUP will not be reviewed again unless a problem develops.

**4. Conditional Use Permit Review - 2194 Van Dyke Street (Launderville)**

Reviewed and renewed for one year the Conditional Use Permit at 2194 VanDyke Street, allowing the home owner to keep a one-ton tow truck on the property.

**5. Ambulance Bill: Application for Cancellation (N. DeYoung)**

Authorized cancellation, on the basis of hardship, of a remaining balance \$193.25 on an ambulance bill issued to Nellie DeYoung.

**6. Ambulance Bill: Application for Cancellation (D. Early)**

Authorized cancellation, on the basis of hardship, of a remaining balance \$268.12 on an ambulance bill issued to Dale Early.

**7. Data Processing\General Fund Budget Adjustment**

Authorized budget adjustments in the Data Processing and General Funds to finance the modem pool telephone charges of \$7,200.

**8. Budget Transfer: Finance Department**

Authorized a transfer of \$1,260 from the General Fund Contingency Account to cover the cost of additional checks required because of the Community Center operations.

## G. PUBLIC HEARINGS

### 1. 7:00 P.M. (7:11 P.M.): Registered Land Survey - Kohlman Lake Basin (Ramsey-Washington Metro Watershed District)

- a. Mayor Bastian convened the meeting for a public hearing regarding a request from the Ramsey-Washington Watershed District, the Registered Land Survey would divide the area east of Highway 61 and South of County Road D into five tracts.
- b. Manager McGuire presented the staff report.
- c. Associate Planner Ekstrand presented the specifics of the report.
- d. Commissioner Fischer presented the Planning Commission report.
- e. Cliff Eichinger, Ramsey-Washington Watershed District presented details of the request.
- f. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:

A letter was read from Donald Sjostrom, the attorney representing Hale D. Carr, 3090 Maplewood Drive

Keith Venberg, owner of Venberg Tire, 2990 Maplewood Drive

- g. Mayor Bastian closed the public hearing.
- h. Councilmember Rossbach moved to approve the Registered Land Survey for the Ramsey-Washington Metro Watershed District, dividing the area east of Highway 61 and south of County Road D into five tracts.

Seconded by Councilmember Koppen

Ayes - all

## H. AWARD OF BIDS

### 1. Bid Award: Truck Box and Equipment (7:22 P.M.)

- a. Manager McGuire presented the staff report.
- b. Director of Public Works Haider presented the specifics of the report.
- c. Councilmember Carlson introduced the following Resolution and moved its adoption:

95 - 04 - 44

#### **AWARD OF BID - HEAVY-DUTY DUMP TRUCK BODY**

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, the quotation received from MacQueen Equipment, Inc. in the amount of \$19,179 is the lowest responsible quote for the purchase of heavy-duty dump truck body and related equipment and the authorized representative of the City shall enter into a contract with MacQueen Equipment, Inc. for and on behalf of the City.

Seconded by Councilmember Koppen

Ayes - all

**I. UNFINISHED BUSINESS**

**1. Project 93-02: TH61 Frontage Road - Assessment Objections**

- a. Manager McGuire presented the staff report.
- b. Director of Public Works Haider presented the specifics of the report.
- c. Assessment appeal for PIN 04-29-22-44-0016 was presented.
- d. Councilmember Allenspach moved to deny Marjorie Benkovic's assessment appeal.

Seconded by Councilmember Carlson

Ayes - Councilmembers Allenspach,  
Carlson, Koppen, Rossbach  
Nays - Mayor Bastian

**2. Release of Retainage - Doody Mechanical (Community Center)**

- a. Manager McGuire presented the staff report.
- b. Assistant City Manager Maglich presented the specifics of the report.
- c. Mayor Bastian asked if anyone wished to speak before the Council regarding this matter. No one appeared.
- d. Councilmember Carlson introduced the following Resolution and moved its adoption:

95 - 04 - 45

**RETURN OF RETAINAGE  
FOR A COMMUNITY CENTER PROJECT CONTRACT FOR MECHANICAL CONSTRUCTION**

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered the construction of a City-owned community center, Community Center Project, and has let a contract with Doody Mechanical, Inc. for mechanical construction; and

WHEREAS, the Architect and Construction Manager evaluated the construction and acknowledged substantial completion on September 23, 1994 and the completion of the contracted work as of February 20, 1995 with the exception of the ozone system in the swimming pools.

WHEREAS, the City released \$97,251.22 to Doody Mechanical, Inc. on March 13, 1995 and retained \$10,000 until such time that the City was satisfied with the operations of the swimming pools systems; and

WHEREAS, as of March 31, the City is satisfied with the operation of the swimming pools and the ozone system.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA that the Mayor and City Clerk are hereby authorized and directed to release the remaining retainage in the amount of \$10,000 to Doody Mechanical, Inc.

Seconded by Councilmember Rossbach

Ayes - all

3. Keller Parkway: Reconsideration

- a. Mayor Bastian moved to reconsider the vote on the Keller Parkway Construction and to place this item on the next Agenda, April 24, 1995.

Seconded by Councilmember Allenspach

Ayes - Mayor Bastian, Councilmembers Allenspach, Koppen, Rossbach  
Nays - Councilmember Carlson

- b. Council directed staff to invite a representative of Ramsey County to attend the next Council Meeting, April 24, 1995.

G. PUBLIC HEARINGS (Continued)

2. 7:30 P.M.: Ice Arena Task Force Recommendation

- a. Mayor Bastian convened the meeting for a public hearing regarding the need and proposed location for an additional ice arena.  
b. Manager McGuire presented the staff report.  
c. Dennis Schuts, Ice Arena Task Force, presented the Committee's report.  
d. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:

Jerry Hanson, 1783 Howard, presented a petition requesting support for the proposed ice arena

Sheryl Theno, 1771 Helena Road N., Oakdale, Task Force Member  
Kevin Berglund, 1929 Kingston Avenue  
Bob Zick, 5158 Granada, Oakdale, spoke in opposition to funding proposal  
Scott Wasiluk, 1747 Frank Street, Chair of Ice Arena Task Force  
Julie Whitman, Oakdale  
Rick Petschel, Oakdale  
Andrea Simmer, 1605 Myrtle Street

- e. Mayor Bastian closed the public hearing.  
f. Councilmember Allenspach introduced the following Resolution and moved its adoption:

95 - 04 - 46

RESOLUTION OF SUPPORT - ICE ARENA PROPOSAL

**WHEREAS**, The Cities of Maplewood, Oakdale, and North St. Paul and School District 622 have organized a task force to study the need for an additional sheet of ice within the School District.

**WHEREAS**, this task force has recommended pursuing the feasibility of locating and constructing such an arena at the Tartan High School site.

**WHEREAS**, the State of Minnesota is exploring the option of offering assistance to help pay for the costs of construction of new sheets of ice throughout the state.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Maplewood hereby supports, in concept, the funding of such an arena with the following contingencies in place.

1. The State of Minnesota approves legislation appropriating funds to construct additional sheets of ice in the state.
2. The Ice Arena Levy of the School District is not repealed.
3. The joint partnership of the Cities of Maplewood, Oakdale, North St. Paul and School District 622 are successful in receiving \$250,000 of the State money.
4. School District 622 donates the land for the arena.
5. Tartan Area Youth Hockey Association contributes \$250,000 up front to assist with construction costs and pledges \$50,000 annually for the first five years.
6. All four entities, (The Cities of Maplewood, Oakdale, North St. Paul and School District 622) are equal partners in paying for operating expenditures of the arena.
7. During the first five years, each public entity would not be responsible for more than \$15,000 of operating expenditures. The final 15 years of debt service, each public entity would not be responsible for operating expenditures of more than \$30,000.

Seconded by Councilmember Koppen

Ayes - all

**3. 7:50 P.M. (8:30 P.M.): 1357 Cope Avenue - Corner Kick Soccer Center**

- a. Mayor Bastian convened the meeting for a public hearing regarding a request from the owners of Corner Kick Soccer Center for a Conditional Use Permit which would allow them to build a one-story building addition, as well as approval of building design plans and a waiver of parking space requirements.
- b. Manager McGuire presented the staff report.
- c. Associate Planner Ekstrand presented the specifics of the report.
- d. Boardmember Vidyashankar presented the Community Design Review Board report.
- e. Commissioner Fischer presented the Planning Commission report.
- f. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:  

Tom Hope, Corner Kick Soccer, the applicant
- g. Mayor Bastian closed the public hearing.

**Conditional Use Permit**

- h. Councilmember Koppen introduced the following Resolution and moved its adoption:

**CONDITIONAL USE PERMIT - CORNER KICK BUILDING ADDITION**

WHEREAS, Sue and Tom Hope applied for a conditional use permit to build a 3,000-square-foot addition to the Corner Kick Soccer Center.

WHEREAS, this permit applies to 1357 Cope Avenue. The legal description is:

EXCEPT THE W 398 FT; THAT PART SOUTH OF HWY 36 AND WEST OF RY RW OF THE NW 1/4 OF THE SW 1/4 (SUBJECT TO RD) IN SEC 10; TN 29, R22.

WHEREAS, the history of this conditional use permit is as follows:

- 1) On March 14, 1995, the Planning Commission recommended that the City Council approve this permit.
- 2) The City Council held a public hearing on April 10, 1995. City staff published a notice in the paper and sent notices to the surrounding property owners as required by law. The council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council approve the above-described conditional use permit, because:

- 1) The use would be located, designed, maintained, constructed and operated to be in conformity with the city's Comprehensive Plan and Code of Ordinances.
- 2) The use would not change the existing or planned character of the surrounding area.
- 3) The use would not depreciate property values.
- 4) The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water runoff, vibration, general unsightliness, electrical interference or other nuisances.
- 5) The use would generate only minimal vehicular traffic on local streets and would not create traffic congestion or unsafe access on existing or proposed streets.
- 6) The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
- 7) The use would not create excessive additional costs for public facilities or services.
- 8) The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.

9) The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions:

- 1) All construction shall follow the site plan approved by the city. The Director of Community Development may approve minor changes.
- 2) The proposed construction must be substantially started within one year of council approval or the permit shall become null and void. The council may extend this deadline for one year.
- 3) The City Council shall review this permit in one year.

Seconded by Councilmember Carlson

Ayes - all

### Parking Reduction Authorization

- i. Councilmember Koppen moved to authorize the reduction of parking spaces by 149 from the requirement of 256, based on the following reasons:
- 1) The proposed addition is support-oriented and would not generate additional traffic.
  - 2) The City Council approved a parking authorization for 151 fewer spaces in 1989.

If a parking shortage develops, the City Council may require that the applicant restripe part of the parking lot with nine-foot-wide spaces for employee parking and add six more spaces west of the proposed addition.

Seconded by Councilmember Carlson

Ayes - all

### Design Review

- j. Councilmember Koppen moved to approve the design plans (stamped February 15, 1995) for the Corner Kick Soccer Center, subject to the findings required by the Code. Approval is subject to the property owners doing the following:
- a. Repeat this review in two years if the City has not issued a building permit for this project.
  - b. Provide a revised landscape plan for the area along Cope Avenue showing at least two, six-foot-tall evergreen trees between each shrub grouping. The evergreens must be a dense variety like spruce, not airy such as norway pine. This plan shall be submitted for staff approval before the city issues a building permit.
  - c. Complete the following before occupying the building:
    - 1) Screen any new roof-mounted equipment visible from streets or adjacent property. (code requirement)
    - 2) Plant the new trees that are required.

- d. If any required work is not done, the City may allow temporary occupancy if :
  - 1) The City determines that the work is not essential to the public health, safety or welfare.
  - 2) The City receives a cash escrow or an irrevocable letter of credit for the required work. The amount shall be 150% of the cost of the unfinished work.
  - 3) The City receives an agreement that will allow the City to complete any unfinished work.
- e. All work shall follow the approved plans. The Director of Community Development may approve minor changes.

Seconded by Councilmember Carlson

Ayes - all

**4. 8:00 P.M. (8:42 P.M.): 759 County Road B - Arlington Hills Methodist Church**

- a. Mayor Bastian convened the meeting for a public hearing regarding a request from Arlington Hills Methodist Church for approval of a Conditional Use Permit for two one-story additions to their building, a variance from the in-ground lawn irrigation system requirement and approval of design and landscape plans.
- b. Manager McGuire presented the staff report.
- c. Associate Planner Ekstrand presented the specifics of the report.
- d. Commissioner Fischer presented the Planning Commission report.
- e. Boardmember Vidyashankar presented the Community Design Review Board report.
- f. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:
  - Ken Benson, 2282 Howard Street, No. St. Paul, representing the church.
- g. Mayor Bastian closed the public hearing.

**Conditional Use Permit**

- h. Councilmember Rossbach introduced the following Resolution and moved its adoption:

95 - 04 - 48

**CONDITIONAL USE PERMIT RESOLUTION - ARLINGTON HILLS METHODIST CHURCH**

WHEREAS, Arlington Hill United Methodist Church applied for a conditional use permit to build an addition onto the church.

WHEREAS, this permit allows a church and a day care/preschool.

WHEREAS, this permit applies to 759 East County Road B. The legal description is:

The West 412.5 feet of the East 825 feet of the South 825 feet of the SE 1/4 of the SE 1/4 of Section 8 Township 29 Range 22, subject to public highway of record.

WHEREAS, the history of this conditional use permit is as follows:

1. On March 20, 1995, the Planning Commission recommended that the City Council approve this permit.
2. The City Council held a public hearing on April 10, 1995. City staff published a notice in the paper and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council approve the above-described conditional use permit, because:

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.
2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water runoff, vibration, general unsightliness, electrical interference or other nuisances.
5. The use would generate only minimal vehicular traffic on local streets and would not create traffic congestion or unsafe access on existing or proposed streets.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
9. The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions:

1. All construction shall follow the site plan approved by the City. The Director of Community Development may approve minor changes.

2. The proposed construction must be substantially started within one year of Council approval or the permit shall become null and void. The Council may extend this deadline for one year.
3. The City Council shall review this permit in one year.

Seconded by Councilmember Koppen

Ayes - all

### **Underground Lawn Irrigation Variance**

- k. Councilmember Rossbach introduced the following Resolution and moved its adoption:

95 - 04 -49

### **IN-GROUND LAWN IRRIGATION VARIANCE**

WHEREAS, Arlington Hills United Methodist Church applied for a variance from the zoning ordinance.

WHEREAS, this variance applies to 759 East County Road B. The legal description is:

The West 412.5 feet of the East 825 feet of the South 825 feet of the SE 1/4 of the SE 1/4 of Section 8 Township 29 Range 22, subject to public highway of record.

WHEREAS, Section 36-28(c)(9) of the Maplewood Code of Ordinances requires installation of an in-ground lawn irrigation system.

WHEREAS, the church is not proposing to install such a system.

WHEREAS, this requires a variance.

WHEREAS, the history of this variance is as follows:

- 1) On March 20, 1995, the Planning Commission recommended that the City Council approve this variance.
- 2) The City Council held a public hearing on April 10, 1995. City staff published a notice in the Maplewood Review and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing an opportunity to speak and present written statements. The Council also considered reports and recommendations from the City staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council approve the above-described variance for the following reasons:

- 1) The spirit and intent of the ordinance would be met since the church has a maintenance staff to water the lawns when needed.
- 2) The church property is well maintained.

Seconded by Councilmember Koppen

Ayes - all

## Design Review

1. Councilmember Rossbach moved to approve the plans (stamped February 2, 1995 for the narthex and Christian education area addition and landscaping at Arlington Hills United Methodist Church, 759 East County Road B. This approval is subject to the church doing the following:
  - a) Repeat this review in two years if the City has not issued a building permit for this project.
  - b) Complete the following before the City issues a building permit:
    - (1) Provide a plan for screening any new roof-top equipment that may be added. This plan shall be submitted for Board approval. (code requirement)
    - (2) Submit a grading, drainage, utility and erosion control plan to the City Engineer for approval. The erosion control plan shall be consistent with the Ramsey Soil and Water Conservation District Erosion Control Handbook.
    - (3) Provide a revised landscaping plan for staff approval showing an evergreen planting screen to block headlight glare east of the pick-up/drop-off area.
  - c) Complete the following before occupying the building:
    - (1) Screen all new roof-mounted equipment visible from streets or adjacent property.
    - (2) Construct a trash dumpster enclosure. The enclosure must match the color of the building. Wooden enclosures must be protected in front with concrete-filled steel-pipe bollards. (code requirement)
  - d) If any required work is not done, the City may allow temporary occupancy if :
    - (1) The City determines that the work is not essential to the public health, safety or welfare.
    - (2) The City receives a cash escrow or an irrevocable letter of credit for the required work. The amount shall be 150% of the cost of the unfinished work.
    - (3) The City receives an agreement that will allow the City to complete any unfinished work.
  - e) All work shall follow the approved plans. The Director of Community Development may approve minor changes.

Seconded by Councilmember Koppen

Ayes - all

## H. AWARD OF BIDS

### 1. Bid Award: Truck Box and Equipment

MOVED TO FOLLOW G-1

## I. UNFINISHED BUSINESS

### 1. Project 93-02: TH61 Frontage Road - Assessment Objections

MOVED TO FOLLOW H-1

### 2. Release of Retainage - Doody Mechanical (Community Center)

MOVED TO FOLLOW I-1

### 3. Keller Parkway: Reconsideration

MOVED TO FOLLOW I-2

### 4. ISD 622 Policy for Naming of District Facilities

a. Manager McGuire presented the staff report.

b. Councilmember Carlson moved a letter be sent to School District 622 requesting a Committee be established to determine a name for the new high school.

Seconded by Councilmember Rossbach

Ayes - Mayor Bastian, Councilmembers  
Allenspach, Carlson, Rossbach  
Nays - Councilmember Koppen

### 5. Update of Carver Elementary School Bid Opening

a. Manager McGuire presented the staff report.

b. Councilmember Carlson moved to table this item until the April 24, 1995 meeting.

Seconded by Councilmember Koppen

Ayes - all

## J. NEW BUSINESS

### 1. Ken Gervais Request

a. Manager McGuire presented the staff report.

b. Director of Public Works Haider presented the specifics of the report.

c. Councilmember Koppen moved to endorse staff recommendation and take no action.

Seconded by Councilmember Carlson

Ayes - all

**MAYOR BASTIAN LEFT THE MEETING - ACTING MAYOR CARLSON ASSUMED THE CHAIR**

**2. Appeal of Staff Denial of Site Plan: Johnson (Beam Avenue)**

- a. Manager McGuire presented the staff report.
- b. Associate Planner Ekstrand presented the specifics of the report.
- c. Acting Mayor Carlson asked if anyone wished to speak before the Council regarding this matter. The following were heard:

Mr. & Mrs. Floyd Johnson, the applicants

- d. Acting Mayor Carlson moved to table for two weeks to obtain further clarification of the Johnson's request.

Seconded by Councilmember Koppen

Ayes - all (4)

**3. Wetland and Stream Protection Ordinance (1st Reading)**

- a. Manager McGuire presented the staff report.
- b. Director of Public Works Haider presented the specifics of the report.
- c. Commissioner Fischer presented the Planning Commission report.
- d. Acting Mayor Carlson asked if anyone wished to speak before the Council regarding this matter. No one appeared.
- e. Councilmember Koppen moved to approve first reading of an ordinance relative to wetland setback.

Seconded by Councilmember Allenspach

Ayes - all (4)

**4. Approve Final Plans and Specifications, Set Bid Opening Date (Construction of Timber and Western Hills Park)**

- a. Manager McGuire presented the staff report.
- b. Director of Parks & Recreation Anderson presented the specifics of the report.
- c. Councilmember Rossbach moved to approve the final plans and specifications for Western Hills Park and Timber Park, and to set a bid opening for May 2, 1995 at 2:00 P.M.

Seconded by Councilmember Koppen

Ayes - all (4)

**5. Open Space Site #161B**

- a. Manager McGuire presented the staff report.

- b. Assistant City Manager Maglich presented the specifics of the report.
- c. Acting Mayor Carlson asked if anyone wished to speak before the Council regarding this matter. The following was heard:

Dominic Ramacier, 865 Lakewood Drive

- d. Councilmember Rossbach moved to consider the purchase of Parcels 1 and 3 of Open Space Site #161B and direct staff to forward the item to the Planning commission to consider its compatibility with the Comprehensive Land Use Plan and to the Parks & Recreation Commission for its recommendation.

Seconded by Councilmember Koppen

Ayes - all (4)

#### 6. Charitable Gambling Request - First Quarter, 1995

- a. Manager McGuire presented the staff report.
- b. Assistant City Manager Maglich presented the specifics of the report.
- c. Mayor Bastian asked if anyone wished to speak before the Council regarding this matter. The following were heard:

#### Tartan Fast Pitch Booster Association

Tom Nemo, Tartan Fast Pitch Booster Association

- d. Councilmember Koppen moved to deny the request of the Tartan Fast Pitch Booster Association.

Seconded by Councilmember Allenspach

Ayes - all (4)

#### North High Graduation Committee

Ron Lyman, 2534 Ryan, representing the North High Graduation Committee

- e. Councilmember Koppen moved to approve the request of the North High Graduation Committee for a \$1,000 donation.

Seconded by Councilmember Rossbach

Ayes - all (4)

#### Maplewood Seniors and Persons With Disabilities Advisory Committee

- f. Councilmember Rossbach moved to approve the request of the Maplewood Seniors and Persons with Disabilities Advisory Committee for a \$500 donation.

Seconded by Councilmember Koppen

Ayes - all (4)

### **North High's Shades of Youth Group**

Diane Sandberg, advisor to North High Shades of Youth Group

- g. Councilmember Koppen moved to approve a donation of \$700 to the North High Shades of Youth Group.

Seconded by Councilmember Rossbach                      Ayes - all (4)

### **Parks & Recreation Department Scholarship Fund**

- h. Councilmember Koppen moved to approve a donation to \$2,000 to the Parks & Recreation Department Scholarship Fund.

Seconded by Councilmember Rossbach                      Ayes - all (4)

### **Parks & Recreation Department Marketing Services**

- i. Councilmember Koppen moved to approve a donation of \$15,000 for Parks & Recreation Department Marketing Services.

Seconded by Councilmember Rossbach                      Ayes - all (4)

### **Parks & Recreation Department Adopt-A-Park Program**

- j. Acting Mayor Carlson moved to approve a donation of \$3,200 for the Parks & Recreation Department Adopt-A-Park Program.

Seconded by Councilmember Koppen                      Ayes - all (4)

### **Parks & Recreation Department White Bear Avenue Flower Planting**

- k. Acting Mayor Carlson moved to approve a donation of \$1,500 to the Parks & Recreation Department's White Bear Avenue Flower Planting program.

Seconded by Councilmember Koppen                      Ayes - all (4)

### **Maplewood Police Cadets**

- l. Councilmember Rossbach moved to approve a donation of \$2,000 for the Maplewood Police Cadets.

Seconded by Councilmember Koppen                      Ayes - all (4)

## **7. Schedule Meeting to Review 1994 Annual Financial Report**

- a. Manager McGuire presented the staff report.  
b. Director of Finance Faust presented the specifics of the report.

c. Councilmember Koppen moved to schedule the meeting to review the 1994 Annual Financial Report for April 24, 1995 at 6:30 P.M.

Seconded by Councilmember Rossbach

Ayes - all (4)

**K. VISITOR PRESENTATIONS**

NONE

**L. COUNCIL PRESENTATIONS**

NONE

**M. ADMINISTRATIVE PRESENTATIONS**

NONE

**N. ADJOURNMENT OF MEETING**

10:16 P.M.

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Lucille E. Aurelius, City Clerk



**EA. APPOINTMENTS/PRESENTATIONS**

**1. 1995 City Recycling Logo**

**TABLED FOR 2 WEEKS - TO MAY 8, 1995**

**2. Concordia Arms - Petition for Stop Sign**

- a. Manager McGuire presented the staff report.
- b. Ceil Starezny presented a petition requesting a stop sign be installed on Lydia Avenue near the Concordia Arms Apartments.
- c. Councilmember Rossbach moved to direct staff to investigate alternatives regarding the request of the residents of Concordia Arms and forward the information to Ramsey County.

Seconded by Councilmember Carlson

Ayes - all

**F. CONSENT AGENDA:**

Councilmember Carlson moved, seconded by Mayor Bastian; ayes - all, to approve the Consent Agenda, Items F-1, F-3, F-4, and F-5 as recommended. (Item F-2 to be voted on separately).

**1. Approval of Claims**

Approved the following claims:

ACCOUNTS PAYABLE:     \$ 921,987.89

                              \$ 97,331.18

                              \$1,019,319.07

PAYROLL:                 \$ 260,085.09

                              \$ 50,847.14

                              \$ 310,932.23

\$1,330,251.30

Checks #4229 - #4312

Dated 4-1-95 thru 4-12-95

Checks #17468 - #17643

Dated 4-24-95

Total Accounts Payable

Payroll Checks #80322 thru #80600

Dated 4-7-95

Payroll Deduction Checks #80605 thru #80624 dated 4-7-95

Total Payroll

GRAND TOTAL

**2. Amendment of Resolution Designating Depository**

Approved the following Resolution amending Resolution 95 - 03 - 32 of March 13, 1995:

**95 - 04 - 50**

**RESOLUTION DESIGNATING NORWEST BANK AS DEPOSITORY**

BE IT RESOLVED, that Norwest Bank Minnesota, National Association and each bank now or hereafter affiliated with it, is hereby designated as depository for demand deposits of the City of Maplewood, and

BE IT FURTHER RESOLVED, that an agreement is hereby approved with Norwest Bank for checking account services based upon the terms in their proposal, and

BE IT FURTHER RESOLVED, that funds deposited in said bank may be withdrawn by check when signed by the signature, or by the facsimile signature, of the Mayor, City Manager and Finance Director, and

BE IT FURTHER RESOLVED, that funds in said bank may be wire transferred at the request of the Finance Director, Assistant Finance Director, or Accountant, and

BE IT FURTHER RESOLVED, that deposits in said bank shall not exceed the amount of F.D.I.C. insurance covering such deposits unless collateral or a bond is furnished as additional security, and

BE IT FURTHER RESOLVED, that this depository designation shall be effective no later than June 1, 1995 and continue to be effective until a new depository is designated.

VOTE:

Ayes - Mayor Bastian, Councilmembers  
Carlson, Koppen  
Nays - Councilmembers Allenspach,  
Rossbach

**3. Preliminary Plat Time Extension (Goff's Mapleview Fifth Addition)**

Approved a one-year time extension for Goff's Mapleview Fifth Addition preliminary plat. This time extension shall be subject to the April 26, 1993 conditions for the Mapleview Fourth Addition preliminary plat.

**4. Surplus Property Disposal**

Declared the following as surplus property and authorizes disposal of the items at State auction to be held May 20, 1995 at the Oakdale MnDOT facility:

1. V.E.M. Unit#680, 1989 Chevrolet Caprice, S/N 1G1BL5174K184455 - Mileage 96,000
2. V.E.M. Unit#687, 1990 Chevrolet Caprice, S/N 1G1BL547XLA156011 - Mileage 96,000
3. V.E.M. Unit#679, 1989 Chevrolet Caprice, S/N 1G1BL5174K1718344 - Mileage 95,000
4. V.E.M. Unit#534, 1981 single axle dump/plow truck with snow plow, snow wing and sander, S/N 1FDYR80U78VJ22766 (replacement unit is on order) Mileage 88,494

**5. Digital Marquee Sign: Approve Plans and Specifications**

Approved plans and specifications for purchase of a digital electronic sign for the Maplewood Community Center and set a formal bid opening date of May 9, 1995 at 2:00 p.m., with the bid to be awarded on Monday, May 22, 1995.

## G. PUBLIC HEARINGS

1. 7:00 P.M. (7:15 P.M.) Assessment Hearing - Sterling-Schaller Improvements - Project 93-08
  - a. Mayor Bastian convened the meeting for a public hearing regarding the assessment roll for Project 93-08, Sterling Street-Schaller Drive Utility and Street Improvements.
  - b. Manager McGuire presented the staff report.
  - c. City Attorney Kelly explained the procedure for public hearings.
  - d. Director of Public Works Haider presented the specifics of the report.
  - e. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:

Dick Doree, 2588 East Linwood (left an appeal)  
Joe Jugovich, 857 O'Day Street  
Bill Dolan, JVD Development, (thanked the Council and Staff)  
Written appeals filed: David Gobran, 2594 Schaller Drive  
Douglas Duan, 2603 Schaller Drive  
David Seidenkranz, 2602 Schaller Drive
  - f. Mayor Bastian closed the public hearing.
  - g. Councilmember Carlson introduced the following Resolution and moved its adoption:

95 - 04 - 51

### ADOPTION OF ASSESSMENT ROLL - PROJECT 93-08

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met and heard and passed on all objections to the proposed assessment for the construction of Sterling Street-Schaller Drive Utility and Street Improvements as described in the files of the city clerk as Project 93-08, and has amended such proposed assessment as it deems just,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA:

1. Such proposed assessment, as amended, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 20 years, the first of the installments to be payable on or after the first Monday in January, 1996, and shall bear interest at the rate of 7.0 percent per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 1995. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

3. It is hereby declared to be the intention of the Council to reimburse itself in the future for the portion of the cost of this improvement paid for from municipal funds by levying additional assessments, on notice and hearing as provided for the assessments herein made, upon any properties abutting on the improvement but not made, upon any properties abutting on the improvement but not herein assessed for the improvement, when changed conditions relating to such properties make such assessment feasible.
4. To the extent that this improvement benefits nonabutting properties which may be served by the improvement when one or more later extensions or improvements are made, but which are not herein assessed, therefore, it is hereby declared to be the intention of the Council, as authorized by Minnesota Statutes Section 420.051, to reimburse the City by adding any portion of the cost so paid to the assessments levied for any of such later extension or improvements.
5. The Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Seconded by Councilmember Koppen

Ayes - all

#### **ASSESSMENT APPEAL REPORT TO BE ON MAY 8, 1995 COUNCIL AGENDA**

2. 7:20 P.M. (7:30 P.M.): 1201 Frank Court (Keogh) - Conditional Use Permit
  - a. Mayor Bastian convened the meeting for a public hearing regarding a request from James Keogh for a permit to add a porch and deck on the rear of the house, which would be nearer the rear property line than the code allows.
  - b. Manager McGuire presented the staff report.
  - c. Associate Planner Ekstrand presented the specifics of the report.
  - d. Commissioner Kittridge presented the Planning Commission/Community Design Review Board report.
  - e. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:
    - Jim Keogh, 1201 Frank Court, the applicant
    - Bob DeYoung, neighbor of the applicant
  - f. Mayor Bastian closed the public hearing.
  - g. Councilmember Koppen introduced the following Resolution and moved its adoption:

## CONDITIONAL USE PERMIT - 1201 FRANK COURT

WHEREAS, James Keogh is requesting that Maplewood approve a conditional use permit to put an addition on the rear of his house at 1201 Frank Court.

WHEREAS, this permit applies to the property at 1201 Frank Court. The legal description is:

Lot 11, Block 1, Kohlman Lake Overlook (PIN 4-29-22-13-0016)

WHEREAS, the history of this conditional use permit is as follows:

1. On April 3, 1995, the Planning Commission recommended that the City Council approve this permit.
2. On April 24, 1995, the City Council held a public hearing. The City staff published a notice in the paper and sent notices to the surrounding property owners. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council approve the above-described conditional use permit based on the building and site plans. The City approves this permit because:

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.
2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water runoff, vibration, general unsightliness, electrical interference or other nuisances.
5. The use would generate only minimal vehicular traffic on local streets and would not create traffic congestion or unsafe access on existing or proposed streets.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.

9. The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions:

1. All construction shall follow the plans dated January 23, 1995 as approved by the City. The Director of Community Development may approve minor changes.
2. The proposed construction must be started within one year after Council approval or the permit shall end. The Council may extend this deadline for one year.
3. The City Council shall review this permit only if a problem develops.

Seconded by Councilmember Carlson

Ayes - all

#### **H. AWARD OF BIDS**

1. Flusher Truck

- a. Manager McGuire presented the staff report.
- b. Director of Public Works Haider presented the specifics of the report.
- c. Councilmember Rossbach introduced the following Resolution and moved its adoption:

95 - 04 - 53

#### **AWARD OF BID - STREET FLUSHER**

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of Ruffridge-Johnson Equipment Company in the amount of \$83,400.00 is the lowest responsible bid for the Street Flusher and the Mayor and Clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the City.

Seconded by Councilmember Koppen

Ayes - all

2. TH61 Frontage Roads - Project 93-02

- a. Manager McGuire presented the staff report.
- b. Director of Public Works Haider presented the specifics of the report.
- c. Councilmember Allenspach introduced the following Resolution and moved its adoption:

**AWARD OF BID - PROJECT 93-02**

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of T. A. Schifsky and Sons, Inc. in the amount of \$459,662.43 is the lowest responsible bid for the construction of TH61 Frontage Roads Improvements, City Project 93-02, and the Mayor and Clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the City.

The Finance Director is hereby authorized to make the financial transfers necessary to implement the financing plan for the project.

Seconded by Councilmember Koppen

Ayes - all

**I. UNFINISHED BUSINESS**

**1. Appeal of Staff Denial of Site Plan (Johnson) - Beam Avenue**

**TABLED TO MAY 8 AT REQUEST OF APPLICANT**

**2. Wetland and Stream Protection Ordinance (2nd Reading)**

- a. Manager McGuire presented the staff report.
- b. Associate Planner Ekstrand presented the specifics of the report.
- c. Councilmember Rossbach introduced the following Ordinance and moved its adoption:

**ORDINANCE NO. 734**

**AN ORDINANCE ABOUT WETLAND AND STREAM PROTECTION**

THE MAPLEWOOD CITY COUNCIL APPROVES THE FOLLOWING CHANGES TO THE MAPLEWOOD CODE OF ORDINANCES:

SECTION 1. This section changes the organization of Section 9-193 by renumbering and relettering as follows:

- 1. Delete the first sentence and subheading as follows:

~~Any request to alter a significant natural feature must meet the following standards:~~

~~(1) General standards.~~

- 2. Reletter and renumber Subsections a.-e. according to the system used in the Code.
- 3. Change Subsection "(2) Slopes" as follows and reletter and renumber Subsections a.-f. according to the system used in the Code:

**Sec. 9-194. Slopes.** ~~(2) Slopes.~~

4. Change Subsection "(3) Erosion control and soils" as follows and reletter and renumber Subsections a.-e. according to the system used in the Code:

Sec. 9-195. Erosion control and soils. ~~(3) Erosion control and soils.~~

5. Change Subsection "(5) Trees" as follows and reletter and renumber Subsections a.-f. according to the system used in the Code:

Sec. 9-197. Trees. ~~(5) Trees.~~

SECTION 2. This section replaces Subsection 9-193(4) with the following:

**Sec. 9-196. Wetlands and streams.**

(a) Findings and purposes.

(1) Wetlands serve a variety of beneficial functions. Wetlands maintain water quality, reduce flooding and erosion, provide food and habitat for wildlife, provide open space and are an integral part of the City's environment. Wetlands are an important physical, educational, ecological, aesthetic, recreational and economic asset to the City. They are critical to the City's health, safety, and general welfare. Surrounding development may degrade, pollute, accelerate the aging of or eliminate wetlands. Regulating land use around wetlands is therefore in the public interest.

(2) Streams are also significant elements of the City's hydrologic system. Streams flow into wetlands and lakes, provide food and habitat for wildlife, provide open space, and are an integral part of the City's environment. Like wetlands, streams are an important physical, educational, ecological, aesthetic, recreational and economic asset. Surrounding development may degrade, pollute or damage streams, and in turn, degrade other surface waters downstream. Requiring buffers recognizes that the surrounding uplands relate to the woodland and stream quality and function and, therefore, are in the public interest.

(3) Buffers are the lands that surround wetlands and streams. They are integral to maintaining the valuable functions many wetlands perform. Buffers reduce the impacts of surrounding land use on wetlands and streams by stabilizing soil to prevent erosion by stormwater; filtering suspended solids, nutrients and harmful substances; and moderating water level fluctuations during storms. Buffers also provide essential wildlife habitat. Finally, buffers reduce the adverse impacts of human activities on wetlands and streams. Requiring wetland buffers recognizes that the surrounding uplands relate to the wetland and stream's quality and function and, therefore, are in the public interest.

(4) The purposes of this ordinance are as follows:

- a. To preserve the beneficial functions of wetlands and streams by regulating the surrounding land use.
- b. To stabilize the soil around wetlands to prevent storm water erosion.
- c. To filter suspended solids, nutrients and harmful substances from reaching wetlands, streams and public waters.

- d. To reduce human disturbances of wetlands and streams by visually separating wetlands from yards.
- e. To prevent flooding and the costs of reclaiming water quality.
- f. To protect beneficial plant and wildlife habitat.
- g. To educate the public, including appraisers, owners, potential buyers or developers, to the development limitations of wetlands, streams and associated buffers.

(b) Definitions. The following words shall have the following meanings:

**Alteration:** Any human action that adversely affects a buffer. Alterations include, but are not limited to the following: grading, filling, dumping, dredging, draining, cutting, pruning, topping, clearing, relocating or removing vegetation, applying herbicides or pesticides or any hazardous or toxic substance, discharging pollutants except stormwater, paving, construction, application of gravel or any other human activity that adversely effects the vegetation, hydrology, wildlife or wildlife habitat. Alteration does not include the following:

1. Walking, passive recreation, fishing or other similar activities
2. Planting that enhances native vegetation
3. The selective clearing or pruning of trees or vegetation that are dead, diseased, noxious weeds or hazards

**Average buffer width:** The average width of a buffer within a single development, lot or phase.

**Buffer:** A stream or wetland buffer or protective zone.

**Clearing:** The cutting or removal of vegetation.

**Enhancement:** An action that increases the functions and values of a wetland, stream or wetland buffer.

**Mitigation:** An action that reduces, rectifies, eliminates or compensates for the alteration of a buffer, wetland or stream.

**Native vegetation:** Tree, shrub, grass or other plant species that are indigenous to the Twin Cities metropolitan area that could have been expected to naturally occur on the site. Native vegetation does not include noxious weeds.

**Ordinary high water mark (OHWM):** A mark delineating the highest water level maintained for enough time to leave evidence upon the landscape. The ordinary high water mark is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial.

**Restoration:** Returning a wetland, stream or buffer to a condition that is similar to that before development of the surrounding area.

Stream: Those areas where surface waters produce a defined channel or bed. A defined channel or bed is land that clearly contains the constant passage of water under normal summer conditions. This definition shall not include drainage swales or ditches that channel intermittent stormwater runoff.

Stream buffer: Land that is in direct drainage to a stream and within the boundary described by this ordinance. A person shall measure all buffers from the ordinary high water mark (OHWM) as identified in the field. If a person cannot determine the OHWM, the stream buffer shall be from the top of the stream bank.

Variance: A deviation from the standards of this chapter that are not specifically allowed.

Vegetation: Any organic plant life growing at, below or above the soil surface.

Wetland buffer: Land that is in direct drainage to a wetland within the boundary described by this ordinance. All buffers shall be measured outward from the wetland edge.

Wetland classes: The City defines the wetland classes used in this section as follows:

- (1) Class 1 wetlands: Wetlands assigned the Unique/Outstanding rating in the Ramsey-Washington Metro Watershed District Wetlands Inventory, 1995. Class 1 wetlands are those with conditions and functions most susceptible to human impacts, are most unique, have the highest community resource significance and similar characteristics.
- (2) Class 2 wetlands: high value (definition based on Watershed wetlands inventory results)
- (3) Class 3 wetlands: wildlife habitat value
- (4) Class 4 wetlands: moderate value impacts
- (5) Class 5 wetlands: wetlands assigned the highly impacted rating in the Ramsey-Washington Metro Watershed District Wetlands Inventory, 1995. Class 5 wetlands are those with conditions and functions most affected by human activities, with the least diverse vegetation communities, least community resource significance and similar characteristics.

For the purposes of this section, the U.S. Fish and Wildlife Service's Classification of Wetlands and Deepwater Habitats of the United States, FWS/OBS-79/31 (Cowardin et al, 1979) contains the descriptions and photographs of wetland classes and subclasses.

Wetland easement: A designated area that includes the wetland or buffer where disturbance from mowing, cutting or similar activities is excluded.

Wetland edge: The line delineating the outer edge of a wetland. One shall establish this line by using the Federal Manual for Identifying and Delineating Jurisdictional Wetlands dated January 10, 1989, and jointly published by the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers and the U.S. Soil Conservation Service. The applicable watershed board must verify this line.

Wetland functions: The natural processes performed by wetlands, such as helping food chain production, providing wildlife habitat, maintaining the availability and quality of water such as purifying water, acting as a recharge and discharge areas for groundwater aquifers and moderating surface water and storm water flows and performing other functions including, but not limited to those set out in U.S. Army Corps of Engineers regulations at 33 C.F.R. Section 320.4(b)(2)(1988).

Wetlands: Those areas of the City inundated or saturated by ground or surface water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. (Army Corps of Engineers Regulation 33 CFR 328.3) (1988). Where a person has removed or mostly changed the vegetation, one shall determine a wetland by the presence or evidence of hydric or organic soil, and other documentation of the previous existence of wetland vegetation such as aerial photographs.

(c) Applicability.

- (1) This section shall apply to any person or use that would alter a wetland, stream or wetland buffer after April 24, 1995 (date of ordinance).
- (2) When any provision of any ordinance conflicts with this section, the provision that provides more protection for buffers, wetlands or streams shall apply unless specifically provided otherwise in this section.
- (3) Public and semipublic streets, utilities or trails, whether built by a public agency or private developer, shall be subject to this section.

(d) General exemptions.

- (1) This section shall not apply to the following:
  - a. Structures, vegetation and maintenance activities and practices in existence on the date this ordinance becomes effective. A contractor or owner may remodel, reconstruct or replace affected structures if the new construction does not take up more buffer land than the structure used before the remodeling, reconstruction or replacement.
  - b. The construction or maintenance of public drainage facilities, sedimentation ponds or erosion control facilities.
  - c. The maintenance of public or semipublic facilities including streets, utilities and trails.

- d. Where the City Council waives these requirements for the construction of public and semipublic utilities or trails, whether built by a public agency or private developer. The City Council may waive the requirements where there would be a greater public need for the project than to meet the requirement of this section. In waiving these requirements, the City Council shall follow the standards in Section 9-196(e). The City Council shall hold a public hearing before declaring such a waiver. The City shall notify the property owners within 350 feet of the buffer at least ten days before the hearing.
- e. Where this ordinance would deny all reasonable use of a lot of record. In such case, the owner or contractor shall construct any building to maximize the setback from a buffer. Federal, State or Watershed District rules and regulations shall apply. Alterations to a buffer shall be the minimum necessary to allow for the reasonable use of the property. Where feasible, the City may require the mitigation of any alteration of a buffer.
- f. Where the watershed district has approved a wetland filling permit. The City shall require mitigation for any disturbed buffer land.

(e) Standards for utility and trail exemptions.

(1) The City may only allow the construction of utilities through buffers where there is no other practical alternative and the following requirements are met:

- a. Utility corridors shall not be allowed when a buffer is used by species listed as endangered or threatened by the federal or state government.
- b. Utility corridors, including any allowed maintenance roads, shall be as far from the wetland or stream as possible.
- c. Utility corridor construction and maintenance shall protect the wetland, stream or buffer and avoid large trees as much as possible. The City shall not allow the use of pesticides, herbicides or other hazardous or toxic substances in buffers, streams or wetlands.
- d. The owner or contractor shall replant utility corridors with appropriate native vegetation, except trees, at preconstruction densities or greater after construction ends.
- e. Any additional corridor access for maintenance shall be provided as much as possible at specific points rather than by parallel roads. If parallel roads are necessary they shall be no greater than fifteen feet wide.

(2) The City may allow public or private trails in buffers, subject to the following guidelines:

- a. The trail shall not be of impervious materials. (An elevated boardwalk shall not be considered an impervious surface.)
- b. Buffers shall be expanded, where possible, equal to the width of the trail corridor.
- c. The owner or contractor shall replant all disturbed areas next to the trail after completing the trail.

(f) Variances

(1) The City Council may approve variances to the requirements in this section. Before the City Council acts on a variance, the Planning Commission shall make a recommendation to the City Council. The City Council shall hold a public hearing before approving a variance. The City staff shall notify the property owners within 350 feet of the buffer at least ten days before the hearing. The City may require the applicant to mitigate any buffer alteration.

(2) To approve a variance, the Council must make the following findings:

- a. Strict enforcement would cause undue hardship because of circumstances unique to the property under consideration.
- b. The variance would be in keeping with the spirit and intent of the ordinance.

“Undue hardship” as used in granting a variance means the owner of the property in question cannot put it to a reasonable use if used under conditions allowed by the official controls. The plight of the landowner is due to circumstances unique to his property, not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone are not an undue hardship if reasonable use for the property exists under the terms of the ordinance.

(g) Wetland or stream easement required. The property owner of any property affected by this ordinance shall record wetland or stream easements with Ramsey County. The easements shall cover any wetlands, streams or wetland buffers. These easements shall describe the boundaries of the buffer and prohibit any building, mowing, cutting, filling or dumping within the buffer, stream or wetland. The owner or developer shall record such easements with a final plat, with deeds from a lot division or before the City issues a building permit for an effected property. The applicant shall submit proof that the owner or developer has filed the notice.

(h) Buffer standards.

- (1) An affected property owner shall maintain a buffer. Any planting in a buffer shall be from native vegetation.
- (2) The City prohibits the alteration of buffers. The City may waive this requirement where the watershed district has approved a permit for filling all or part of a wetland.
- (3) The following are the minimum required buffer widths<sup>^</sup> and building foundation setbacks:

Wetland Classes	Class 1	Class 2 & Streams	Class 3	Class 4	Class 5
Average buffer width	100 ft.	100 ft.	50 ft.	25 ft.	0 ft.
Minimum buffer width	100 ft.	50 ft.	25 ft.	20 ft.	0 ft.
Building foundation setback from outer edge of buffer	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.*

<sup>^</sup>See the definitions of buffer, wetland buffer and stream buffer.

\*Setback measured from a wetland or stream boundary.

- (4) The minimum buffer widths shall apply to all wetlands, including those created, restored, relocated, replaced or enhanced.
- (5) The City may require a variable buffer width to protect adjacent habitat that the City determines is valuable to the wetland, stream, wildlife or vegetation.

(i) Fencing and signs.

- (1) Before grading or construction, the owner or contractor shall place snow fencing and erosion control fencing around the borders of buffers. Such fencing must remain in place until the owner and contractors have finished all development activities that may affect the buffer.
- (2) Before starting construction, the boundary between a buffer and adjacent land shall be identified using permanent signs. These signs shall mark the edge of the buffer and shall state there shall be no mowing, cutting, filling or dumping beyond this point.
- (3) When platting or subdividing property, the plat or subdivision must show the wetland boundaries as approved by the Watershed District.

- (j) Mitigation and restoration of buffers. The City requires mitigation when a property owner or contractor has, or will alter a buffer. The property owner or contractor shall submit a mitigation plan to the City staff for their approval. In reviewing the plan, the City may require the following actions in descending order of preference:

- (1) Reducing or avoiding the impact by limiting the degree or amount of the action, such as by using appropriate technology.
- (2) Rectifying the impact by repairing, rehabilitating or restoring the woodland buffer.
- (3) Reducing or eliminating the impact over time by prevention and maintenance operations during the life of the actions.
- (4) Compensating for the impact by replacing, enhancing or providing substitute buffer land at up to a one to one ratio.
- (5) Monitoring the impact and taking appropriate corrective measures.

Where the City requires restoration or replacement, the owner or contractor shall replant the buffer with native vegetation at a similar density to the amount before alteration.

**Section 3.** This ordinance shall take effect after the City Council approves it and the official newspaper publishes it and it shall end on May 1, 1996.

Seconded by Councilmember Carlson

Ayes - all

### 3. Purchase of Open Space - Site #108

- a. Manager McGuire presented the staff report.
- b. Assistant City Manager Maglich presented the specifics of the report.
- c. Councilmember Allenspach moved to approve the acquisition of Site #108 with the condition that if there are any easements, other than the County Ditch, found on the property, the report will be brought back to the Council; and to authorize staff to provide a letter of condemnation to the Seller as part of the purchase.

Seconded by Councilmember Koppen

Ayes - all

### 4. Carver Elementary School Gymnasium Addition

- a. Manager McGuire presented the staff report.
- b. Director of Parks & Recreation Anderson presented the specifics of the report.
- c. No action taken.

## J. NEW BUSINESS

### 1. Keller Parkway

- a. Manager McGuire presented the staff report.

- b. Director of Public Works Haider presented the specifics of the report.
- c. Mayor Bastian asked if anyone wished to speak before the Council regarding this matter. The following were heard:

Tim Mayasich, Senior Planner, Ramsey County  
Dan Schacht, Maintenance Supervisor, Ramsey County  
Bill Knutson, 2424 Keller Parkway  
Bud Philbrook, 2634 Keller Parkway  
Steve Laumer, 2764 Keller Parkway  
Dave Taklo, 2770 Keller Parkway  
Kathy Benker, 2786 Keller Parkway (presented a petition)  
John Filipovich, 2480 Keller Parkway  
Jeanne Ewald, Maplewood Park & Recreation Commission  
Bill Rethke, 2828 Keller Parkway  
Theresa Hanson, 2726 Keller Parkway  
Rick Stauffer, 2756 Keller Parkway  
Steve Simmons, 454 East Brooks

- d. Councilmember Koppen moved approval of two (2) 11-foot lanes and two (2) 3-foot shoulders, for a total of 28 feet, paved surfacing, intersection reconstruction with signage, no retaining walls; accept the road, but no discussion on the bridge.

Seconded by Councilmember Carlson

Ayes - all

## 2. Comprehensive Sign Plan Approval (Maplewood Retail)

- a. Manager McGuire presented the staff report.
- b. Associate Planner Ekstrand presented the specifics of the report.
- c. Mayor Bastian asked if anyone wished to speak before the Council regarding this matter. The following was heard:

Greg Madsen, representing Ryan Companies, the applicant

### Architectural Plans:

- d. Councilmember Koppen moved to approve the architectural plans date-stamped March 31, 1995 for the Maplewood Retail Addition, subject to the developer meeting the following conditions:
  - 1) Revise the brick design on Home Depot for staff approval to match the brick detail shown on Petsmart.
  - 2) Submit the video store building elevations to the CDRB for approval.
  - 3) Reduce the amount of red on the front of Cub Foods. The revised scheme shall be submitted to the review board for approval.

Seconded by Councilmember Carlson

Ayes - all

## Comprehensive Sign Plan:

- e. Councilmember Koppen moved approve the comprehensive sign plan for the Maplewood Retail Addition with the following conditions:
- 1) Signage shall be installed as shown on the plans-stamped by the city March 31, 1995. Staff may approve changes if the sign sizes and design are compatible with other signs within this shopping center and comply with code. Additional tenant signs, such as TCF on Cub Foods, may be approved by staff.
  - 2) All wall signs shall be internally-lit, individual letter signs, with the exception of the square-shaped Home Depot sign on the front of the building which may be a cabinet-type sign.
  - 3) The 40-foot-tall pylon signs shall be setback 45 feet from street right-of-ways to meet setbacks.
  - 4) This plan allows Cub Foods and Home Depot to display their store identification on each other's site since:
    - (a) The number of pylon signs in the shopping center, as a whole, is under the maximum allowed by the code. Seven are proposed - the code allows nine.
    - (b) The use of sign space on each others sign does not increase the number of signs.

Seconded by Councilmember Carlson

Ayes - all

## Waiver of Screening Requirement:

- f. Councilmember Koppen moved to waive the screening requirement from the east for the rooftop mechanical equipment on Cub Foods and Home Depot because:
- 1) It would not improve the building's appearance or affect property values.
  - 2) The grade elevation of the adjacent land to the east would be higher than the top of these buildings making the screening ineffective.
  - 3) The developer shall meet the following conditions:
    - (a) Paint the new mechanical equipment to match the upper-most part of the building. (code requirement)
    - (b) Submit the roof-equipment screen plans for the west, north and south sides of Cub Foods and Home Depot to staff for approval.

Seconded by Councilmember Carlson

Ayes - all

## 3. Ken Gervais Reconsideration

- a. Manager McGuire presented the staff report.
- b. Council took no action on this item.

## 4. Striping Equipment

- a. Manager McGuire presented the staff report.
- b. Director of Public Works Haider presented the specifics of the report.

- c. Mayor Bastian moved to authorize a 1995 Budget adjustment in the amount of \$4,600 from the V.E.M. Fund to the V.E.M. Operating Budget to allow the purchase of pavement striping equipment.

Seconded by Councilmember Carlson

Ayes - all

## 5. Engineering Aid

- a. Manager McGuire presented the staff report.
- b. Director of Public Works Haider presented the specifics of the report.
- c. Councilmember Carlson moved to approve hiring an Engineering Aide for a three-month period during the summer months and authorize advertising for the position.

Seconded by Councilmember Koppen

Ayes - all

## 6. 1995 Community Survey

- a. Manager McGuire presented the staff report.
- b. Mayor Bastian asked if anyone wished to speak before the Council regarding this matter. No one appeared.
- c. Mayor Bastian moved to authorize a 1995 Community Survey, with funding to be provided from the General Fund Contingency Account.

Seconded by Councilmember Carlson

Ayes - all

## 7. Community Fund Task Force

- a. Manager McGuire presented the staff report.
- b. Councilmember Carlson moved to advertise for participants to serve on a Community Fund Task Force.

Seconded by Mayor Bastian

Ayes - All

## 8. Acquisition of Open Space Property, South of Highwood at Sterling

- a. Manager McGuire presented the staff report.
- b. Director of Parks & Recreation Anderson presented the specifics of the report.
- c. Mayor Bastian asked if anyone wished to speak before the Council regarding this matter. The following were heard:

Jeanne Ewald, Park and Recreation Commission  
Dominic Ramacier, 865 Lakewood Drive South

Bill Poppert, 2433 Highwood  
Letter from Randall Lewis, 2450 Highwood Avenue  
Joanna Fink, 888 South Lakewood  
XX XX , 930 South Lakewood Court

- d. Councilmember Rossbach moved to authorize use of \$49,500 of P.A.C. Funds to acquire the 5.5 acre site by the Amber Hills Development.

Seconded by Councilmember Koppen

Ayes - all

**K. VISITOR PRESENTATIONS**

NONE

**L. COUNCIL PRESENTATIONS**

NONE

**M. ADMINISTRATIVE PRESENTATIONS**

NONE

**N. ADJOURNMENT OF MEETING**

9:58 P.M.

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Lucille E. Aurelius, City Clerk

**PROCLAMATION**

*WHEREAS, this spring, Mr. Bill Fernholz is retiring from a rich and full teaching career with the North St. Paul, Maplewood, and Oakdale School District; and*

*WHEREAS, Mr. Bill Fernholz graduated from St. Cloud State College in 1962 and started with Independent School District 622 that same year; and*

*WHEREAS, since 1962, he has lovingly taught young people at John Glenn Middle School, Webster Elementary, and Maplewood Middle School; and*

*WHEREAS, in addition to his duties as a classroom instructor, Bill Fernholz has served on several School District Committees including one year as Webster's P.T.A. President; and*

*WHEREAS, other occupations have kept him and his wife, Dorothy, busy during the last thirty-three years including raising three children, grandparenting two young toddlers, farming, meat packing, sales, karate, and serving in the Army Reserves; and*

*WHEREAS, following his retirement from I.S.D. 622 this spring, Bill will have the time and energy to continue grandparenting, walleye fishing, hunting, cruising the Caribbean, and shopping for antiques.*

*NOW, THEREFORE, BE IT RESOLVED, that the I and the Maplewood City Council do hereby proclaim Wednesday, May 10, 1995, the **BILL FERNHOLZ DAY** in the City of Maplewood; and hereby extend our deepest appreciation to Bill for his years of dedicated service to our children in the classroom and send our warmest wishes to Bill for a healthy and happy retirement.*

\_\_\_\_\_  
Mayor Gary Bastian

\_\_\_\_\_  
Date

## AGENDA REPORT

**TO:** City Manager  
**FROM:** Assistant City Manager *Gretchen Maglich*  
**RE:** 1995 CITY RECYCLING LOGO  
**DATE:** April 24, 1995

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

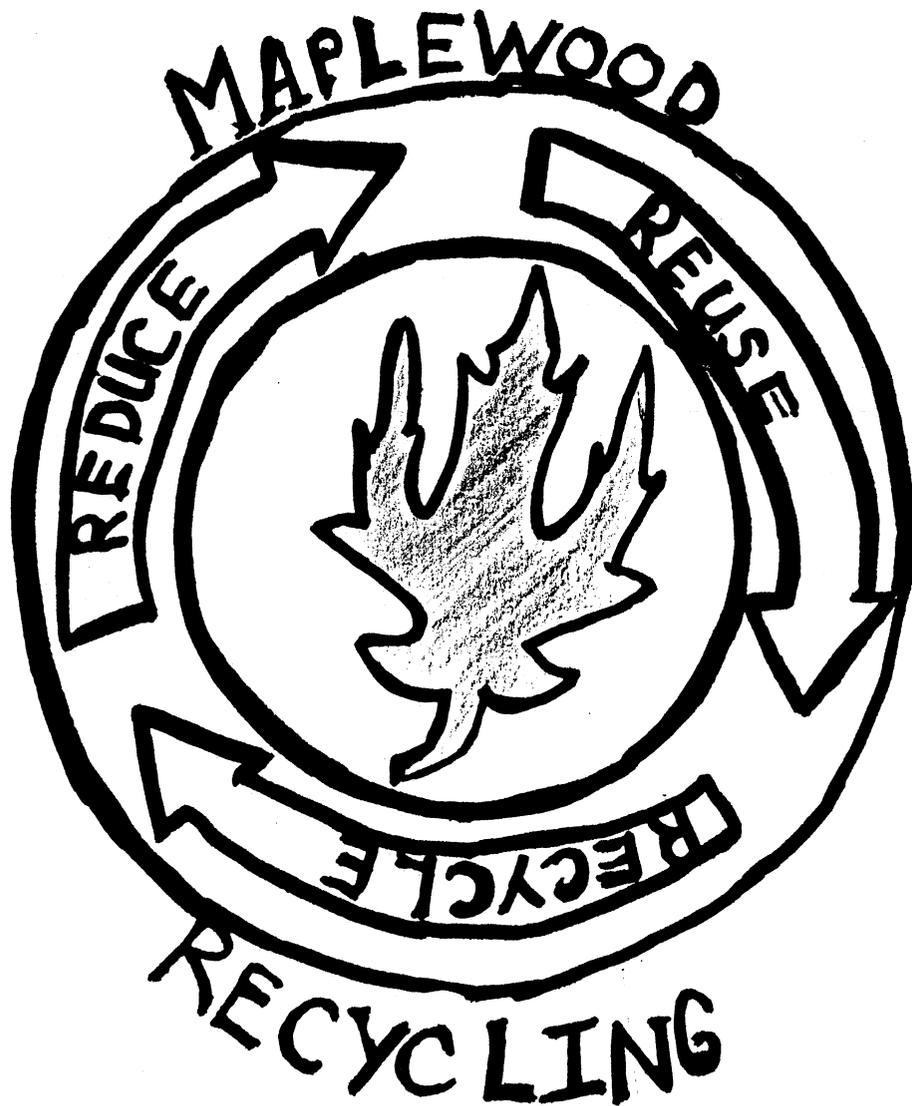
Date \_\_\_\_\_

**INTRODUCTION**

Gopher Disposal is the contractor responsible for the curbside recycling program with the City. Each spring, Gopher sponsors a contest for the selection of the 1995 recycling logo. This logo is painted on all of the recycling trucks that collect the curbside materials with Maplewood. The contestants are elementary schools within the City.

Fourteen posters were received and are on display in the Maplewood Room for Council consideration. The Council voted on the posters, and the winning poster is from Mrs. Romanchuk's 5th grade class at Webster Elementary.

Mr. Michael Hinz from Gopher Disposal will be present at the meeting to make a presentation.



Webster Elementary 5th Grade  
Mrs. Romanchuk's Class

MEMORANDUM

To: Michael A. McGuire, City Manager  
From: Bruce K. Anderson, Director of Parks & Recreation  
Subj: Park and Recreation Commissioner Appointment  
Date: May 2, 1995  
For The May 8, 1995, City Council Meeting



Action by Council:

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

Enclosed is a copy of a resignation letter from Park and Recreation Commissioner Susan M. Kraemer dated April 20, 1995. Ms. Kraemer has submitted her resignation effective immediately due to the birth of her child, which is due in May 1995.

The Park and Recreation Commission reviewed the pending resignation at their regular scheduled meeting on April 17, 1995. It was the unanimous recommendation of the Park and Recreation Commission to appoint Craig Brannon to fill Ms. Kraemer's position. Craig Brannon was interviewed by both the Park and Recreation Commission and the City Council in March, and was the second applicant being considered.

I concur with the Park and Recreation Commission recommendation. I have spoken with Mr. Brannon and he has indicated his willingness to serve in this capacity.

Should you have any questions, contact me directly at 770-4573.

April 20, 1995

Maplewood Park and Recreation Commission

Dear Commission

As some of you may already know, I have spoke to Mr Peter Fischer and have resigned as a Comissioner. When I accepted this position I had not planned to extend my family. We are expecting our child in May 1995. I have very much enjoyed participating in the commission. I have always given 100 percent in what I do and I feel that I would not be able to do this with my new child. If in time a spot is to open up, and the timing is right for me I would hope you would reconsider me as a commissioner.

Sincerely,

A handwritten signature in cursive script that reads "Susann M. Kraemer".

Susann M Kraemer

- a . The draft and plan are based on an Eco-System approach.
- b. Organize Volunteer Committee to work as advisory group and also work with funding and foundations. Staff has been asked to clarify who they are responsible to.  
P.A.C. monies will not be used to develop Open Space parcels.
- c. The surrounding properties will be looked at, both private and public.
- d. Look at increased usage and how that can be implemented without negative impact.

2. PARK DEDICATION ORDINANCE

Director Anderson stated that the Park Dedication Ordinance will be be looked at philosophically and investigate moving away from using a percentage of market value of the land to a set price for commercial property.

The Policy Committee discussed using Park Districts for use of P.A.C. Neighborhood Funds.

B. PARK SYSTEM STANDARDS COMMITTEE

Commissioner Qualley stated that she had met with Director Anderson on April 10 to discuss playground equipment and role of the committee. She requested a copy of the Adopt-A-Park assignments in order to update them.

Chairperson Fischer volunteered to assist on this committee.

Director Anderson stated that committee meetings will be scheduled at 6:00 p.m. before the regular monthly meeting. Meetings will be scheduled in the summer months only when necessary.

10) NEW BUSINESS

A. 1995 MEETING SCHEDULE

1. REGULAR COMMISSION MEETING

The next regular Park and Recreation Commission meeting is scheduled for May 15.

2. SPRING PARK TOUR - APRIL 29

Previously addressed.

B. RESIGNATION OF COMMISSIONER

Chairperson Fischer stated that Susan Kraemer will be submitting a letter of resignation from the Park and Recreation Commission.

Chairperson Fischer questioned whether the Commission would like to consider appointing the other candidate Craig Brannon , who was interviewed recently. Other Commissions have made appointments in this manner.

Commissioner Fischer MOVED that the Park and Recreation Commission recommends that once the official resignation letter has been received and accepted by the Commission, that the City Council be requested to appoint Craig Brannon, since it was very recent that they interviewed him. Craig Brannon will be contacted to see if he is still interested. ; second by Peterson; Ayes: All.

11) COMMISSIONER COMMENTS

Commissioner Peterson stated the Bonsell Open Space site in the southern part of Maplewood has had no response to the offer made by the City. He was asked to get his own appraisal. She asked if the Schlomka Open Space property west of the freeway would be considered.

Commissioner Peterson MOVED that the Park and Recreation Commission recommends that if the Bonsell property negotiations are not succesful that the Schlomka property be considered for purchase; second by Christianson; Ayes: All.

**CITY OF MAPLEWOOD  
BOARDS AND COMMISSIONS  
APPLICANT INFORMATION FORM**

NAME Craig Brannon PHONE NO. 490-5064  
ADDRESS 2927 Walter St. ZIP 55109

1) How long have you lived in the City of Maplewood? 2 yrs.

2) Does your employment require travel or being away from the community which would make regular attendance at meetings difficult? Yes  No

3) On which Board or Commission are you interested in serving? (please check)

- |  |  |
|--|--|
| <input type="checkbox"/> Community Design Review Board     | <input checked="" type="checkbox"/> Park & Recreation Commission |
| <input type="checkbox"/> Housing & Redevelopment Authority | <input type="checkbox"/> Planning Commission                     |
| <input type="checkbox"/> Human Relations Commission        | <input type="checkbox"/> Police Civil Service Commission         |

4) Do you have any specific areas of interest within this Board's or Commission's scope of responsibilities? I am interested in the planning & development of neighborhood parks with particular interest in the Kohlman Overlook area.

5) List other organizations or clubs in the Community in which you have been or are an active participant: Co-chair of the Harmony Parent Teacher Organization and active participant in the Weaver Association of Parents and Teachers.

6) Why would you like to serve on this Board or Commission?

I would like to be involved in the local community by assisting in the planning and improvement of parks and recreational programs.

ADDITIONAL COMMENTS:

AGENDA REPORT

TO: City Manager  
 FROM: Finance Director  
 RE: **APPROVAL OF CLAIMS**  
 DATE: April 28, 1995

It is recommended that the Council approve payment of the following claims:

ACCOUNTS PAYABLE:

\$ 921,754.09	Checks # 4308 thru # 4423 Dated 4-13-95 thru 4-27-95
\$ <u>128,026.10</u>	Checks # 17652 thru # 17825 Dated 5-8-95
\$ 1,049,780.79	Total Accounts Payable

PAYROLL:

\$ 255,786.73	Payroll Checks # 80636 thru # 80910 Dated 4-21-95
\$ <u>50,573.67</u>	Payroll Deduction check # 80915 thru # 80932 Dated 4-21-95
\$ 306,360.40	Total Payroll
<u>\$ 1,356,140.59</u>	GRAND TOTAL

Attached is a detailed listing of these claims.

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	CHECK DATE	VENDOR NUMBER	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
<del>4221</del> 4421	04/27/95		BLUME, GENEVIEVE	REFUND REC. FEES	50.00	50.00
4308	04/13/95	541400	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	13,527.93	13,527.93
4309	04/13/95	541400	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	718.50	718.50
4313	04/13/95	510750	MAPLEWOOD POLICE CADETS	EXPLORERS CONFERENCE	2,000.00	2,000.00
4314	04/13/95	020400	AIR SIGNAL, INC.	PAGER RENTAL	20.98	20.98
4315	04/13/95	380300	I.I.M.C.	TRAVEL & TRAINING	390.00	390.00
4316	04/13/95	010160	A.A.R.P.	FEES FOR SERVICE	120.00	120.00
4317	04/13/95		LODMILL, SUE	DRAMA CLASSES	300.00	300.00
4318	04/14/95	070580	BENEDICTINE CENTER	TRAVEL & TRAINING	100.00	100.00
4319	04/14/95	031300	APPLIED MICROCOMPUTER SYSTEMS	REPAIRS & MTNCE./EQUIPMENT	288.00	288.00
4320	04/14/95	900825	UNIVERSITY OF MINNESOTA	TRAVEL & TRAINING	195.00	195.00
4321	04/14/95	720600	POSTMASTER	POSTAGE	32.00	32.00
4322	04/14/95	890400	U.S. REGIONAL ASSOC-INTERNAT'L	SUBSCRIPTIONS & MEMBERSHIPS	20.00	20.00
4323	04/14/95	750550	REINHART INSTITUTIONAL FOODS	MISCELLANEOUS COMMODITIES	1,485.81	1,485.81
4324	04/14/95	660100	NORTH HIGH GRADUATION COMMITTEE	CHARITABLE GAMBLING AWARDS	1,000.00	1,000.00
4325	04/14/95	800850	SHADES OF YOUTH	CHARITABLE GAMBLING AWARD	700.00	700.00
4326	04/14/95	210325	DOODY MECHANICAL, INC.	FINAL RELEASE OF RETAINAGE	10,000.00	10,000.00
4327	04/14/95		O'MEARA, HELEN	REFUND - SENIOR MEMBERSHIP	85.00	85.00
4328	04/14/95		SCHNAITH, GENEVIENCE	REFUND - PARTIAL MEMBERSHIP	45.78	45.78
4329	04/14/95	190400	DEPT. OF NATURAL RESOURCES	DNR TITLES	35.00	35.00
4330	04/14/95	190400	DEPT. OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	855.00	855.00
4331	04/14/95	541400	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	754.50	754.50
4332	04/14/95	541400	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	12,998.99	12,998.99
4333	04/17/95	231400	EDELSON, ROBERT PH.D.	TRAVEL & TRAINING	21.00	21.00
4334	04/17/95	511280	MARTIN, MARY LOU	CLASSES ON 3/28 & 4/04	200.00	200.00
4335	04/17/95	550200	MN CHIEFS OF POLICE ASSOC	TRAVEL & TRAINING	250.00	250.00



VOUCHRE2  
04/28/95 09:32

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	CHECK DATE	VENDOR NUMBER	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				TELEPHONE	57.40	
				TELEPHONE	71.78	
				TELEPHONE	75.58	
				TELEPHONE	55.66	
				TELEPHONE	53.57	
				TELEPHONE	123.04	
				TELEPHONE	32.46	
				TELEPHONE	32.46	
				TELEPHONE	118.25	
				TELEPHONE	57.33	
				TELEPHONE	692.91	
				TELEPHONE	65.14	
				TELEPHONE	57.33	
				TELEPHONE	296.18	7,030.61
4343	04/18/95	541400	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	12,328.85	12,328.85
4344	04/18/95	541400	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	834.25	834.25
4345	04/19/95	020870	ALLIED MEDICAL ACCOUNT CONTROL	COMMISSION COLLECTION AGENCY	675.68	675.68
4346	04/19/95	980700	LINDA ZICK	SUPPLIES - OFFICE	15.04	
				SUPPLIES - JANITORIAL	25.93	
				SMALL TOOLS	13.99	
				SUPPLIES - OFFICE	.75	
				TRAVEL & TRAINING	6.00	
				SUPPLIES - OFFICE	2.13	
				BOOKS	20.28	
				PROGRAM SUPPLIES	15.53	
				TRAVEL & TRAINING	2.00	
				SUPPLIES - EQUIPMENT	3.16	
				PROGRAM SUPPLIES	51.98	
				SUPPLIES - JANITORIAL	5.03	
				PROGRAM SUPPLIES	16.35	
				REPLENISH PETTY CASH	15.46	193.63
4347	04/19/95	661750	NORTHERN STATES POWER	UTILITIES 217	3.14	
				UTILITIES 220	3.14	
				UTILITIES 771	3.14	
				UTILITIES 1540	3.14	
				UTILITIES 2501	4.72	
				UTILITIES 2741	3.14	
				UTILITIES 2516	8.81	
				UTILITIES 2701	8.81	
				UTILITIES 2725	105.80	
				UTILITIES 63	7.08	
				UTILITIES 203	16.69	
				UTILITIES 1845	33.70	
				UTILITIES 2001	316.22	
				UTILITIES 2101	7.10	
				UTILITIES 2133	7.10	

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	CHECK DATE	VENDOR NUMBER	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				UTILITIES 700	32.89	
				UTILITIES 2287	771.64	
				UTILITIES 1944	497.84	1,834.10
4348	04/19/95	080900	BOARD OF WATER COMMISSIONERS	UTILITIES - WATER	40.15	
				UTILITIES - WATER	15.44	
				UTILITIES - WATER	81.85	
				UTILITIES - WATER	4.63	
				UTILITIES - WATER	4.35	
				UTILITIES - WATER	864.78	1,011.20
4349	04/19/95	410429	KELLY, ANNA	SPANISH CLASS - MARCH	80.00	80.00
4350	04/19/95	750300	REGION 18	TRAVEL & TRAINING	100.00	100.00
4351	04/19/95	541400	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	528.50	528.50
4352	04/19/95	541400	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	11,700.47	11,700.47
4353	04/19/95	610320	MUNICI-PALS	TRAVEL & TRAINING	20.00	
				TRAVEL & TRAINING	80.00	
				TRAVEL & TRAINING	80.00	
				TRAVEL & TRAINING	80.00	
				TRAVEL & TRAINING	40.00	
				TRAVEL & TRAINING	20.00	
				TRAVEL & TRAINING	80.00	400.00
4354	04/20/95	010290	A.K.R.W.	EQUIPMENT - OFFICE	847.44	847.44
4355	04/20/95	842000	STAMPS, SHEILA	MUSIC CONSORT FOR LONIE LINE	100.00	100.00
4356	04/20/95	862670	TIME LINE PRODUCTIONS	LONIE LIN E PERFORMANCE	2,000.00	2,000.00
4357	04/20/95	650000	NITE LITES ENTERTAINMENT	EQUIP RENTAL-SET UP LONIE LINE	550.00	550.00
4358	04/20/95	010465	A T & T	WIRELESS SERVICE	58.39	58.39
4359	04/20/95	540880	MINN. DEPT. OF REVENUE	SALES TAX - MARCH	5,454.32	
				SALES TAX - MARCH	8.68	5,463.00
4360	04/20/95	721260	PROFESSIONAL FACE PAINTING	PROFESSIONAL FACE PAINTING	25.00	25.00
4361	04/20/95	010160	A.A.R.P.	55 ALIVE/MATURE DRIVING CLASS	16.00	16.00
4362	04/20/95	010295	A.M. HEALTH	AEROBIC CLASSES	5,120.00	
				HPS-FITNESS STAFF	5,358.00	
				PERSONAL TRAINING	396.00	10,874.00
4363	04/20/95	541400	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	14,961.25	14,961.25
4364	04/20/95	541400	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	516.00	516.00

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	CHECK DATE	VENDOR NUMBER	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
4365	04/21/95	380210	ICMA HOUSING BUREAU	TRAVEL & TRAINING	259.38	259.38
4366	04/21/95	021460	AMERICAN RED CROSS	PROGRAM SUPPLIES	674.60	674.60
4367	04/21/95	531650	METRO WASTE CONTROL COMMISSN	MARCH 1995 METRO WASTE MARCH 1995 METRO WASTE	25,850.00 258.50	25,591.50
4368	04/21/95		BYRNE, TONY	REFUND - PARTIAL MEMBERSHIP	187.48	187.48
4369	04/21/95		MORGAN, JOHN	REFUND - PARTIAL MEMBERSHIP	189.61	189.61
4370	04/21/95	230200	EKCC	LEASE PMT 52 DUPLICATING COSTS LEASE PMT 52 DUPLICATING COSTS	119.85 4.19 74.90 169.29 108.74 56.66 280.37 161.20	975.20
4371	04/21/95	531400	METRO SALES INC.	EQUIPMENT - OFFICE	5,391.12	5,391.12
4372	04/21/95	260295	FASTERFRAME	MISCELLANEOUS COMMODITIES	731.66	731.66
4373	04/21/95	190400	DEPT. OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	779.00	779.00
4374	04/21/95	190400	DEPT. OF NATURAL RESOURCES	DNR TITLES	10.00	10.00
4375	04/21/95	541400	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	12,665.25	12,665.25
4376	04/21/95	541400	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	275.50	275.50
4377	04/21/95	722200	PUBLIC EMPLOYEE	4/7/95 P/R DEDUCTION 4/7/95 P/R DEDUCTION	13,255.48 16,920.80	30,176.28
4378	04/24/95	720768	PREMIER BANK	4/21/95 P/R DEDUCTION 4/21/95 P/R DEDUCTION 4/21/95 P/R DEDUCTION	13,096.73 27,003.73 13,096.73	53,197.19
4380	04/24/95		CADY, NINA	REFUND - PARTIAL MEMEBERSHIP	187.47	187.47
4381	04/24/95	861670	THE REVELATORS	PERFORMANCE ON 4/21/95	850.00	850.00
4382	04/24/95	061485	BARNES, KEVIN	PERFORMANCE APRIL 14 & 15	2,419.50	2,419.50
4383	04/24/95	070500	BELLAIRE SANITATION	RECYCLING SERVICE	10.50	10.50
4384	04/24/95	620295	MURPHY, DEB	PRESCHOOL ENRICHMENT	60.00	60.00
4385	04/24/95		JACOBSEN, ED	REFUND - ADULT MEMBERSHIP	150.00	150.00

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4386	04/24/95	541400	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	546.50	546.50
4387	04/24/95	541400	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	14,673.25	14,673.25
4388	04/24/95	610320	MUNICI-PALS	TRAVEL & TRAINING	40.00	40.00
4389	04/24/95	943500	WISCONSIN DEPT. OF REVENUE	APRIL 95 WI SWT	685.14	685.14
4390	04/24/95	341706	HERITAGE BANK	4/7 & 4/21/95 US SAVINGS BONDS	900.00	900.00
4391	04/24/95	260500	FERNELIUS, JAN	SEVERANCE PAY-TERMINATION 3/18	82.41	82.41
4392	04/25/95		MOUNDS PARK ACADEMY	REFUND - DAMAGE DEPOSIT RENTAL	200.00	200.00
4395	04/25/95	541400	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	9,125.76	9,125.76
4396	04/25/95	541400	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	613.75	613.75
4397	04/26/95	541400	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	558.50	558.50
4398	04/26/95	541400	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	12,369.63	12,369.63
4399	04/26/95		MONNO, MAXINE	REFUND - CLASS	50.00	50.00
4400	04/26/95		MAJZNER, MABEL	REFUND - CLASS	50.00	50.00
4401	04/26/95		KUNSHIER, THOMAS J.	REFUND - ADULT VOLLEYBALL	100.00	100.00
4402	04/26/95		SENESE, KARLA	REFUND - ADULT VOLLEYBALL	100.00	100.00
4403	04/26/95		WIDERSKI, BOB	REFUND - ADULT VOLLEYBALL	100.00	100.00
4404	04/26/95		HERMES, RICHARD JR.	REFUND - ADULT VOLLEYBALL	100.00	100.00
4405	04/26/95		MADSEN, DIANE	REFUND - ADULT VOLLEYBALL	100.00	100.00
4406	04/26/95		BOSSHART, GLEN	REFUND - ADULT VOLLEYBALL	100.00	100.00
4407	04/26/95	661450	NORTHERN FRAMES & GALLERY	SUPPLIES - OFFICE	18.53	18.53
4408	04/26/95	910500	VASKO RUBBISH REMOVAL	APRIL 95 SERVICES	1,056.74	1,056.74
4409	04/26/95	410429	KELLY, ANNA	SPANISH CLASSES - APRIL	80.00	80.00
4411	04/27/95	820100	SIERRA DIGITAL	SOFTWARE SUPPORT	339.00	339.00
4412	04/27/95	950330	WORLD WIDE FOOT LOCKER	TENNIS SHOES	386.75	386.75
4413	04/27/95	320250	GRAFF, DAVE	PAYMENT FOR SERVICES PAYMENT FOR SERVICES	117.60 192.00	309.60

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4414	04/27/95	661790	NORTHLAND REFRIGERATION	SUPPLIES EQUIPMENT	525.75	525.75
4415	04/27/95	861660	THE JEFFREY GROUP	PUBLISHING MCC BROCHURE	3,660.00	3,660.00
4416	04/27/95	541400	MINN. STATE TREASURER	STATE DRIVERS LIC. FEES PBL.	681.00	681.00
4417	04/27/95	541400	MINN. STATE TREASURER	MOTOR VEH LIC. PBL.	15,182.76	15,182.76
4418	04/27/95	722200	PUBLIC EMPLOYEE	LIFE INS. PBL.	345.00	345.00
4419	04/27/95	459001	LAND TITLE, INC.	LAND PURCHASE	587,745.50	587,745.50
4420	04/27/95		CUSICK, FLORENCE	REFUND REC. FEE	50.00	50.00
4422	04/27/95		STAPLES PAULINE	FOOD FOR APR. 26TH MCC	97.34	97.34
4423	04/27/95		HEISLER, HELEN	REFUND AMB.	168.00	168.00
				TOTAL CHECKS		921,754.09

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17652	05/08/95		DICKSON, CHRISTINA	REFUND -- RENTAL FEE BANQUET RM	15.00	15.00
17653	05/08/95		HANSON, ALLAN	REFUND -- PROGRAM FEE DEF DRIVE	16.00	16.00
17654	05/08/95		KRAMER, MARY	REFUND -- PROGRAM FEE SWIMMING	25.00	25.00
17655	05/08/95		INS. SCHOOL DIST. 2144	REFUND -- GROUP ADMISSION	17.55	17.55
17656	05/08/95		KOSEL, MARY	REFUND -- PROGRAM FEE T-BALL	5.00	5.00
17657	05/08/95		CUSICK, FLORENCE	REFUND -- DEPOSIT FEE BRANSON	50.00	50.00
17658	05/08/95		BLUME, GENEVIEVE	REFUND -- DEPOSIT FEE BRANSON	50.00	50.00
17659	05/08/95		CHANTRY, EILEEN	REFUND -- PARTIAL MEMEBERSHIP	106.25	106.25
17660	05/08/95		BOTHWELL, MARY	REFUND -- THEATRE TICKETS	26.00	26.00
17661	05/08/95		PERRAULT, JOAN	REFUND -- THEATRE TICKETS	16.00	16.00
17662	05/08/95		ROSSBACH, GEORGE	REFUND -- THEATRE TICKETS	40.00	40.00
17663	05/08/95		BERGQUIST	REFUND -- THEATRE TICKETS	8.00	8.00
17664	05/08/95		KRAEMER, SUSAN	REFUND -- THEATRE TICKETS	30.00	30.00
17665	05/08/95		JOHNSON, GLENN E.	REFUND -- THEATRE TICKETS	16.00	16.00
17666	05/08/95		MOHRLANT, MARIANNE	REFUND -- THEATRE TICKETS	34.00	34.00
17667	05/08/95		BERGERON, GAIL	REFUND -- PROGRAM FEE WALLYBALL	60.00	60.00
17668	05/08/95		MOORE, RICHARD	REFUND -- PARTIAL MEMBERSHIP	72.17	72.17
17669	05/08/95		BATES, BONNIE	REFUND -- DAILY ADMISSION FEE	5.00	5.00
17670	05/08/95		LILLY LAKE ADVENTURE CLUB	REFUND -- ADMISSION	41.05	41.05
17671	05/08/95		BJORK, NANCY	REFUND -- PARTIAL MEMBERSHIP	112.50	112.50
17672	05/08/95		LEDESMA, CHRIS	REFUND -- DAILY ADMISSION	4.00	4.00
17673	05/08/95		WARNER, TERRY	REFUND -- GYM RENTAL	180.00	180.00
17674	05/08/95		HENSLER, CAROL	REFUND -- AEROBICS	30.00	30.00
17675	05/08/95		WEHLAGE, ALLISON	REFUND -- T-BALL	10.00	10.00
17676	05/08/95		MCGRANE, DANIEL	REFUND -- PRESCHOOL 2	24.00	24.00
17677	05/08/95		MCDONOUGH, MARY JO	REFUND -- PRESCHOOL 2	27.00	27.00

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17678	05/08/95		ENGSTROM, GINGER	REFUND - FLOOR HOCKEY	13.00	13.00
17679	05/08/95		VERHULST, MARTIN	REFUND - FLOOR HOCKEY	13.00	13.00
17680	05/08/95		FULLER, GARY	REFUND - FLOOR HOCKEY	13.00	13.00
17681	05/08/95		BOTHWELL, SUSAN	REFUND - FLOOR HOCKEY	18.00	18.00
17682	05/08/95		COYLE, JIM	REFUND - FLOOR HOCKEY	13.00	13.00
17683	05/08/95		KITTELSON, KATHLEEN	REFUND - FLOOR HOCKEY	13.00	13.00
17684	05/08/95		THOMPSON, KELLY	REFUND - FLOOR HOCKEY	13.00	13.00
17685	05/08/95		O'NEILL, MIKE	REFUND - FLOOR HOCKEY	13.00	13.00
17686	05/08/95		ESCH, KIM	REFUND - FLOOR HOCKEY	13.00	13.00
17687	05/08/95		BRADLEY, WENDY	REFUND - FLOOR HOCKEY	13.00	13.00
17688	05/08/95		BRUCKNER, TERESA	REFUND - FLOOR HOCKEY	13.00	13.00
17689	05/08/95	010230	A.J. SCHAAKE COMPANY	REPAIR & MAINT/EQUIPMENT	23.40	23.40
17690	05/08/95	010575	ACE HARDWARE	MISCELLANEOUS COMMODITIES	4.55	4.55
17691	05/08/95	020825	ALL RITE ELECTRIC COMPANY	REPAIRS & MTNCE./EQUIPMENT	436.02	436.02
17692	05/08/95	021200	AMERICAN FASTENER	SUPPLIES - VEHICLE MAINTENANCE MATERIAL	23.91 163.08	186.99
17693	05/08/95	021700	AMOCO OIL COMPANY	FUEL & OIL	18.88	18.88
17694	05/08/95	030420	ANDERSON, EVERETT A	BLDG INSPECTIONS MARCH 95	850.00	850.00
17695	05/08/95	030950	APOLLO EQUIPMENT & LEASING INC	SMALL TOOLS SMALL TOOLS	162.76 27.63	190.39
17696	05/08/95	040725	ARLINGTON COMPUTER PRODUCT INC	SUPPLIES - EQUIPMENT	110.00	110.00
17697	05/08/95	040915	ARNALS AUTO SERVICE	REPAIR & MAINT/VEHICLE REPAIR & MAINT/VEHICLE	100.11 487.43	587.54
17698	05/08/95	061100	BANNIGAN & KELLY P.A.	MARCH LEGAL SERVICES MARCH LEGAL SERVICES	5,387.65 1,400.00	6,787.65
17699	05/08/95	061800	BATTERIES PLUS	REPAIR & MAINT/EQUIPMENT	319.96	319.96
17700	05/08/95	070100	BEACON BALLFIELDS	MAINTENANCE MATERIAL	2,160.00	2,160.00
17701	05/08/95	081150	BOHL, JOHN	FOOD FOR K-9	35.00	35.00

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17702	05/08/95	110285	CALIBRE PRESS, INC.	TRAVEL & TRAINING	465.00	465.00
17703	05/08/95	110505	CARLSON STORE FIXTURE CO.	SUPPLIES - OFFICE	71.23	71.23
17704	05/08/95	110510	CARLSON TRACTOR & EQUIP. CO.	SUPPLIES - VEHICLE SUPPLIES - VEHICLE	42.88 538.54	581.42
17705	05/08/95	120325	CELLULAR ONE	CELLULAR PHONE USE CELLULAR PHONE USE CELLULAR PHONE USE	111.41 29.36 148.28	289.05
17706	05/08/95	120515	CENTRAL STORES	SUPPLIES - OFFICE	84.77	84.77
17707	05/08/95	120650	CERTIFIED LABORATORIES	SUPPLIES - JANITORIAL SUPPLIES - JANITORIAL SUPPLIES - JANITORIAL SUPPLIES - JANITORIAL SUPPLIES - JANITORIAL	499.96 284.84 499.96 284.82 518.90	2,088.48
17708	05/08/95	131100	CHIPPEWA SPRINGS LTD	BOTTLED WATER SERVICE	143.19	143.19
17709	05/08/95	152300	COPY DUPLICATING PROD.	COPIER LEASE COPIER LEASE COPIER LEASE	457.67 543.29 391.73	477.35
17710	05/08/95	152400	COPY EQUIPMENT, INC.	SUPPLIES - EQUIPMENT SUPPLIES - EQUIPMENT SUPPLIES - EQUIPMENT	48.31 107.94 69.38	225.63
17711	05/08/95	170150	CURTIS 1000 INC	SUPPLIES - OFFICE SUPPLIES - OFFICE SUPPLIES - OFFICE	144.09 1,055.09 874.43	2,073.61
17712	05/08/95	180100	D.C.A., INC.	DENTAL CLAIMS RUN-041395	1,313.90	1,313.90
17713	05/08/95	180800	DALCO	SUPPLIES - JANITORIAL	118.13	118.13
17714	05/08/95	181852	DAVIS LOCK & SAFE	SUPPLIES - EQUIPMENT	10.65	10.65
17715	05/08/95	230500	EAST COUNTY LINE FIRE DEPT.	FUEL & OIL	27.12	27.12
17716	05/08/95	230935	ECLIPSE CONCERT SYSTEMS, INC.	REPAIRS & MTNCE./EQUIPMENT	188.00	188.00
17717	05/08/95	231650	EGGHEAD DISCOUNT SOFTWARE	SUPPLIES - OFFICE	36.21	36.21
17718	05/08/95	250060	ENGRAPHICS, INC.	SIGNS & SIGNALS	9.08	9.08
17719	05/08/95	260280	FAIRCHILD	TELEPHONE MAINT MAY 95	618.75	618.75
17720	05/08/95	260400	FAUST, DANIEL	VEHICLE ALLOWANCE	39.47	39.47

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17721	05/08/95	260450	FEED-RITE CONTROLS INC.	CHEMICALS	552.95	552.95
17722	05/08/95	260800	FIRST SIGNS OF FIRE	SUPPLIES - EQUIPMENT	140.00	140.00
17723	05/08/95	280460	FOSTER, PAT	SPEAKER FOR FISHING WALLEYES	30.00	30.00
17724	05/08/95	300800	G.F.O.A.	SUBSCRIPTIONS & MEMBERSHIPS	120.00	120.00
17725	05/08/95	301650	GENERAL OFFICE PRODUCT	SUPPLIES - OFFICE	65.10	65.10
17726	05/08/95	302575	GLADSTONE CATERING	CATERING	509.28	509.28
17727	05/08/95	302900	GLENWOOD INGLEWOOD	BOTTLE WATER MARCH 95	299.50	299.50
17728	05/08/95	320265	GRAFIX SHOPPE	REPAIR & MAINT/VEHICLE	260.93	260.93
17729	05/08/95	320266	GRAINGER	SUPPLIES - EQUIPMENT	93.65	93.65
17730	05/08/95	320281	GRANDMA'S BAKERY, INC.	PROGRAM SUPPLIES	153.00	
				PROGRAM SUPPLIES	140.25	
				PROGRAM SUPPLIES	127.50	
				PROGRAM SUPPLIES	76.50	497.25
17731	05/08/95	330650	HEALTH PARTNERS	PHYSICAL	176.00	176.00
17732	05/08/95	380190	ICMA	SUBSCRIPTIONS & MEMBERSHIPS	100.00	100.00
17733	05/08/95	391600	INTERNATIONAL INSTITUTE	SUBSCRIPTIONS & MEMBERSHIPS	45.00	45.00
17734	05/08/95	400625	J.L. HAMMETT CO.	MISCELLANEOUS COMMODITIES	13.10	13.10
17735	05/08/95	400950	JEANE THORNE TEMPORARY SERVICE	TEMP SERVICES MGRS OFFICE	205.24	205.24
17736	05/08/95	401620	JOHNSON, KEVIN ARTHUR	TRAVEL & TRAINING	42.75	
				TRAVEL & TRAINING	37.90	80.65
17737	05/08/95	410340	KASTA, JAMES AND ASSOC.	AD FOR MIS COORD ON INTERNET	75.00	75.00
17738	05/08/95	410420	KELLER ELECTRIC INC.	REPAIR & MAINT/BLDG & GROUNDS	40.00	40.00
17739	05/08/95	410700	KIDS FUN, INC.	DANCERCISE CLASSES MARCH	140.00	140.00
17740	05/08/95	420108	KIMBALL MIDWEST	MAINTENANCE MATERIAL	90.12	90.12
17741	05/08/95	430350	KNOX LUMBER CO #212	MAINTENANCE MATERIAL	89.77	89.77
17742	05/08/95	430970	KRECH'S BUSINESS SYSTEMS, INC.	REPAIRS & MTNCE./EQUIPMENT	65.00	
				SUPPLIES - OFFICE	84.35	
				REPAIRS & MTNCE./EQUIPMENT	130.00	279.35
17743	05/08/95	450125	L.E.T.N.	TRAVEL & TRAINING	488.00	488.00

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17744	05/08/95	460000	LE, L. SHERRIE	REFUND - THEATRE TICKETS	20.00	20.00
17745	05/08/95	460451	LEAGUE OF MINN. CITIES	SUBSCRIPTIONS & MEMBERSHIPS	18.00	18.00
17746	05/08/95	470700	LILLIE SUBURBAN NEWSPAPERS	BRANSON AD AD FOR MIS COORDINATOR AD FOR AD PROGRAM ASST	105.00 165.50 165.50	436.00
17747	05/08/95	500310	M.A.M.A.	TRAVEL & TRAINING	13.50	13.50
17748	05/08/95	500650	M.R.P.A.	TRAVEL & TRAINING	110.00	110.00
17749	05/08/95	501225	MAC QUEEN EQUIPMENT	SUPPLIES - VEHICLE SUPPLIES - VEHICLE	167.64 1,038.38	1,206.02
17750	05/08/95	501600	MAILE, MICHAEL F.	MAINTENANCE MATERIAL	425.69	425.69
17751	05/08/95	530500	MENARDS	SUPPLIES - VEHICLE	54.87	54.87
17752	05/08/95	531300	METRO INSPECTION SERVICE	ELECT INSPECTIONS MAY 95 ELECT INSPECTIONS MAY 95 ELECT INSPECTIONS MAY 95	2,048.40 2,560.50 2,560.50	2,048.40
17753	05/08/95	542308	MINNESOTA MONTHLY PUBLICATIONS	AD IN MAG MONTHLY FOR THEATRE	1,675.00	1,675.00
17754	05/08/95	640640	NELSON, ROBERT	TRAVEL & TRAINING	21.00	21.00
17755	05/08/95	640810	NEWMAN SIGNS	SIGNS & SIGNALS	424.30	424.30
17756	05/08/95	660800	NORTH ST. PAUL CITY OF	UTILITIES UTILITIES UTILITIES	386.44 1,558.08 1,309.74	3,254.26
17757	05/08/95	661108	NORTH STAR WIPER & INDUSTRIAL	SUPPLIES - JANITORIAL	380.84	380.84
17758	05/08/95	661175	NORTHERN AIR CORP	REPAIRS & MTNCE./EQUIPMENT	132.50	132.50
17759	05/08/95	661181	NORTHERN AIRGAS	SUPPLIES - EQUIPMENT	70.16	70.16
17760	05/08/95	661600	NORTHERN HYDRAULICS, INC.	MAINTENANCE MATERIALS	91.56	91.56
17761	05/08/95	661772	NORTHERN WATER WORK SUPPLY INC	MAINTENANCE MATERIAL	19.17	19.17
17762	05/08/95	661785	NORTHLAND BUSINESS	SUPPLIES - VEHICLE	57.25	57.25
17763	05/08/95	670950	NYSTROM PUBLISHING COMPANY INC	PUBLISHING	1,160.74	1,160.74
17764	05/08/95	681150	OFFICEMAX INC.	SUPPLIES - EQUIPMENT SUPPLIES - EQUIPMENT SUPPLIES - OFFICE	170.19 46.84 6.34	223.37

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17765	05/08/95	690600	OLYMPIC POOLS, INC.	REPAIRS & MTNCE./EQUIPMENT	301.94	301.94
17766	05/08/95	692800	OXYGEN SERVICE	MAINTENANCE MATERIAL	147.33	147.33
17767	05/08/95	700675	PAKOY, GENE	INSPECTION MARCH 6 - APRIL 17 INSPECTION MARCH 6 - APRIL 17 INSPECTION MARCH 6 - APRIL 17	3,201.06 4,001.33 4,001.33	3,201.06
17768	05/08/95	700735	PALMA, STEVEN T	FOOD FOR K-9	35.00	35.00
17769	05/08/95	700800	PAPER WAREHOUSE	PROGRAM SUPPLIES	29.40	29.40
17770	05/08/95	700900	PARK SUPPLY, INC.	SUPPLIES - EQUIPMENT	413.69	413.69
17771	05/08/95	701200	PARTS CO.	SUPPLIES - EQUIPMENT	145.02	145.02
17772	05/08/95	710100	PEAT MARWICK	AUDIT OF FIRE DEPT FINANCIAL	500.00	500.00
17773	05/08/95	710800	PET CONNECTION	PROGRAM SUPPLIES	17.87	17.87
17774	05/08/95	711500	PHOTOS TO GO	PHOTOS PROGRAM SUPPLIES DEVELOPMENT OF PHOTOS	21.36 41.49 10.87	73.72
17775	05/08/95	712108	PIZZA HUT OF AMERICA INC.	SUPPLIES - OFFICE	57.06	57.06
17776	05/08/95	712111	PLAZA TIRE AND SERVICE INC	REPAIR & MAINT/VEHICLE	12.90	12.90
17777	05/08/95	720760	PRECISION BUSINESS SYSTEMS	SUPPLIES - OFFICE	149.25	149.25
17778	05/08/95	721200	PRO SOURCE FITNESS	RECUMBANT BIKES	4,686.00	4,686.00
17779	05/08/95	729200	QUEBLO	SUPPLIES - OFFICE SUPPLIES - EQUIPMENT	179.12 133.66	312.78
17780	05/08/95	740600	R.M. BRODIN STUDIOS, INC.	PROGRAM SUPPLIES	414.00	414.00
17781	05/08/95	740800	RADIO SHACK	PROGRAM SUPPLIES	72.77	72.77
17782	05/08/95	741200	RAINBOW FOODS	PROGRAM SUPPLIES SUPPLIES - OFFICE SUPPLIES - OFFICE MDSE. FOR RESALE SUPPLIES - OFFICE SUPPLIES - OFFICE	15.85 79.20 30.57 6.23 79.00 34.75	245.60
17783	05/08/95	741300	RAMSEY CLINIC	PRE-EMPLOYMENT PHYSICALS FEES FOR SERVICE FEES FOR SERVICE	450.00 214.00 940.00	1,604.00
17784	05/08/95	741310	RAMSEY CLINIC ASSOCIATES	TRAVEL & TRAINING	100.00	100.00

VOUCHER/ CHECK NUMBER	CHECK DATE	VENDOR NUMBER	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
17785	05/08/95	741600	RAMSEY COUNTY	86-27 LAND EASEMENT	10,495.00	
				89-12 OTHER CONSTRUCTION COSTS	2,048.58	
				87-05 OTHER CONSTRUCTION COSTS	2,473.88	
				REPAIR & MAINT/EQUIPMENT	1,650.29	
				MARCH 95 DATA PROCESSING	8.75	
				PROJECT 93-02	13.59	
				PROJECT 93-08	14.30	
				MARCH 95 DATA PROCESSING	181.07	16,885.46
17786	05/08/95	741601	RAMSEY COUNTY	PROPERTY TAX-FOUR SEASONS PARK	40.42	40.42
17787	05/08/95	780300	S&T OFFICE PRODUCTS INC.	SUPPLIES - OFFICE	37.56	
				SUPPLIES - OFFICE	135.52	
				MISCELLANEOUS COMMODITIES	204.31	
				SUPPLIES - OFFICE	27.71	
				SUPPLIES - OFFICE	14.61	
				SUPPLIES - OFFICE	86.03	
				SUPPLIES - OFFICE	40.85	
				MISCELLANEOUS COMMODITIES	33.20	
				SUPPLIES - OFFICE	26.04	
				SUPPLIES - OFFICE	36.55	
				SUPPLIES - OFFICE	175.18	
				SUPPLIES - OFFICE	4.85	
				SUPPLIES - OFFICE	202.31	
				SUPPLIES - OFFICE	12.18	
				SUPPLIES - OFFICE	7.31	
				SUPPLIES - OFFICE	177.98	
				SUPPLIES - OFFICE	18.28	
				SUPPLIES - OFFICE	16.44	1,187.47
17788	05/08/95	780500	SALUTATIONS	SUPPLIES - OFFICE	70.82	70.82
17789	05/08/95	780600	SAM'S CLUB DIRECT	MDSE. FOR RESALE	907.70	
				COFFEE & CREAMERS	157.70	
				PROGRAM SUPPLIES	57.13	1,122.53
17790	05/08/95	820100	SIERRA DIGITAL	TRAVEL & TRAINING	750.00	750.00
17791	05/08/95	830250	SOKKIA MEASURING SYSTEMS	MISCELLANEOUS COMMODITIES	68.10	68.10
17792	05/08/95	831400	SPARTAN PROMOTIONAL GROUP INC.	MDSE. FOR RESALE	4,196.79	
				MISCELLANEOUS COMMODITIES	8,246.80	12,443.59
17793	05/08/95	831650	ST. CROIX FIREWORKS	FIREWORKS 4TH OF JULY	12,000.00	12,000.00
17794	05/08/95	840405	ST. PAUL, CITY OF	MAINTENANCE MATERIAL	2,385.81	2,385.81
17795	05/08/95	840800	ST. PAUL RAMSEY MEDICAL CENTER	SUPPLIES - EQUIPMENT	3,043.87	3,043.87
17796	05/08/95	842200	STAPLES, PAULINE	REIMBURSEMENT THEATER TICKETS	40.00	40.00

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 05

VOUCHER/ CHECK NUMBER	CHECK DATE	VENDOR NUMBER	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
17797	05/08/95	843300	STEICHENS	PROGRAM SUPPLIES	146.01	
				PROGRAM SUPPLIES	292.02	
				PROGRAM SUPPLIES	5,204.04	5,642.07
17798	05/08/95	843575	STREICHER'S PROF. POLICE EQUIP	TOMAR LIGHT	860.16	
				UNIFORMS & CLOTHING	619.45	1,479.61
17799	05/08/95	850317	SUBURBAN RATE AUTHORITY	1ST HALF 1995 MEMBERSHIP ASSES	1,400.00	1,400.00
17800	05/08/95	850330	SUMMIT ENVIROSOLUTIONS, INC.	PHASE I WPEN SPACE SITE 116	1,800.00	1,800.00
17801	05/08/95	850380	SUNDAY'S COOKIES	MDSE. FOR RESALE	189.60	189.60
17802	05/08/95	850395	SUNRAY AUTO PARTS	SUPPLIES - EQUIPMENT	111.06	
				SUPPLIES - VEHICLE	52.76	
				SUPPLIES - VEHICLE	43.27	
				SUPPLIES - VEHICLE	2.26	204.83
17803	05/08/95	851575	SYSTEMS SUPPLY, INC.	SUPPLIES - OFFICE	160.05	
				SUPPLIES - EQUIPMENT	95.30	
				SUPPLIES - EQUIPMENT	48.88	
				SUPPLIES - EQUIPMENT	73.33	
				SUPPLIES - EQUIPMENT	13.25	
				SUPPLIES - EQUIPMENT	13.25	
				SUPPLIES - EQUIPMENT	89.24	
				SUPPLIES - EQUIPMENT	50.99	544.29
17804	05/08/95	860080	T.A. SCHIFSKY & SONS, INC	MAINTENANCE MATERIAL	708.76	708.76
17805	05/08/95	860305	T.J.T. - SHIRTS	PROGRAM SUPPLIES	453.80	453.80
17806	05/08/95	860320	T.R.F. SUPPLY CO.	SUPPLIES - JANITORIAL	87.53	
				SUPPLIES - EQUIPMENT	177.65	265.18
17807	05/08/95	860650	TARGET STORES-CPC, A/R	SUPPLIES - EQUIPMENT	59.55	
				SUPPLIES - EQUIPMENT	4.52	
				PROGRAM SUPPLIES	153.17	
				SUPPLIES - VEHICLE	19.99	237.23
17808	05/08/95	880200	TRACY/TRIPP FUELS	U/L FUEL	5,822.34	5,822.34
17809	05/08/95	880501	TREADWAY GRAPHICS	PROGRAM SUPPLIES	499.24	499.24
17810	05/08/95	880554	TRIPLEX SYSTEMS, INC.	SUPPLIES - EQUIPMENT	53.00	53.00
17811	05/08/95	880750	TROY CHEMICAL INDUSTRIES	SUPPLIES - EQUIPMENT	384.03	
				SUPPLIES - JANITORIAL	193.72	577.75
17812	05/08/95	880800	TRUCK UTILITIES MFG.	REPAIR & MAINT/VEHICLE	532.50	
				REPAIR & MAINT/VEHICLE	106.02	
				REPAIR & MAINT/VEHICLE	47.07	685.59

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 05

VOUCHER/ CHECK NUMBER	CHECK DATE	VENDOR NUMBER	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
17813	05/08/95	881500	TWIN CITY FILTER SERVICE	SUPPLIES - EQUIPMENT	66.45	66.45
17814	05/08/95	900100	UNIFORMS UNLIMITED	UNIFORMS & CLOTHING	53.93	
				UNIFORMS & CLOTHING	49.50	
				UNIFORMS & CLOTHING	84.51	
				UNIFORMS & CLOTHING	40.45	
				UNIFORMS & CLOTHING	129.93	
				UNIFORMS & CLOTHING	96.25	
				UNIFORMS & CLOTHING	80.95	
				UNIFORMS & CLOTHING	76.58	
				UNIFORMS & CLOTHING	169.06	
				UNIFORMS & CLOTHING	82.71	
				UNIFORMS & CLOTHING	669.87	
				UNIFORMS & CLOTHING	179.86	
				UNIFORMS & CLOTHING	197.35	
				UNIFORMS & CLOTHING	24.25	1,935.20
17815	05/08/95	900170	UNITED ELECTRIC COMPANY	MAINTENANCE MATERIAL	42.75	
				SUPPLIES - EQUIPMENT	163.80	206.55
17816	05/08/95	901300	UPPER MIDWEST SALES CO.	SUPPLIES - JANITORIAL	474.77	474.77
17817	05/08/95	901720	V-N-ELLIE DELI	MDSE. FOR RESALE	133.75	133.75
17818	05/08/95	911600	VIKING SAFETY PRODUCTS	UNIFORMS & CLOTHING	59.50	59.50
17819	05/08/95	912100	VIRTUE PRINTING	SUPPLIES - OFFICE	39.94	
				SUPPLIES - OFFICE	39.94	
				SUPPLIES - OFFICE	27.04	
				SUPPLIES - OFFICE	122.07	174.91
17820	05/08/95	931300	WALSH, WILLIAM P.	COMMERCIAL PLUMBING 2/14-4/24	278.00	
				COMMERCIAL PLUMBING 2/14-4/24	347.50	
				COMMERCIAL PLUMBING 2/14-4/24	347.50	278.00
17821	05/08/95	937000	WEARGUARD	UNIFORMS & CLOTHING	74.14	
				UNIFORMS & CLOTHING	88.15	
				UNIFORMS & CLOTHING	89.15	251.44
17822	05/08/95	940500	WEBER-TROSETH INC.	REPAIR & MAINT/EQUIPMENT	11.45	11.45
17823	05/08/95	940700	WESCO DISTRIBUTION, INC.	SUPPLIES - EQUIPMENT	80.51	80.51
17824	05/08/95	941550	WHITE PINE GRAPHICS, INC.	PUBLISHING	2,946.86	2,946.86
17825	05/08/95	960450	XEROX CORPORATION	MAINT AGREEMENT 1/1-3/30/95	25.00	
				MAINT AGREEMENT 1/1-3/30/95	37.81	
				MAINT AGREEMENT 1/1-3/30/95	72.19	
				MAINT AGREEMENT 1/1-3/30/95	19.69	
				MAINT AGREEMENT 1/1-3/30/95	103.75	
				MAINT AGREEMENT 1/1-3/30/95	54.06	312.50

TOTAL CHECKS

128,026.10

CITY OF MAPLEWOOD  
 EMPLOYEE GROSS EARNINGS AND PAYROLL DEDUCTION CHECKS  
 FOR THE CURRENT PAY PERIOD

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0080636	04/21/95	DALE CARLSON	301.92
0080637	04/21/95	GEORGE ROSSBACH	301.92
0080638	04/21/95	SHERRY ALLENSPACH	301.92
0080639	04/21/95	GARY W BASTIAN	343.12
0080640	04/21/95	MARVIN KÖPPEN	301.92
0080641	04/21/95	SHERYL LE	2,173.72
0080642	04/21/95	MICHAEL A McGUIRE	3,636.37
0080643	04/21/95	THERESE CARLSON	1,873.39
0080644	04/21/95	GRETCHEN MAGLICH	2,263.53
0080645	04/21/95	GINA CASAREZ	1,093.91
0080646	04/21/95	DAVID J JAHN	1,146.71
0080647	04/21/95	DANIEL MALLOCK	333.00
0080648	04/21/95	MICHAEL ENGSTROM	40.00
0080649	04/21/95	LARRY J CUDE	337.60
0080650	04/21/95	ANDREA J OSTER	1,301.91
0080651	04/21/95	WILLIAM MIKISKA	210.40
0080652	04/21/95	JAMES BEHAN	881.91
0080653	04/21/95	DANIEL F FAUST	2,731.93
0080654	04/21/95	LINDA ZICK	1,275.11
0080655	04/21/95	WENDY KLAGER	1,277.11
0080656	04/21/95	DEBORAH DEHN	781.52
0080657	04/21/95	RICHARD HANGSLEBEN	1,648.31
0080658	04/21/95	ALANA K MATHEYS	1,369.91
0080659	04/21/95	MARGARET GIBBS	575.93
0080660	04/21/95	DELGRES A VIGNALO	1,351.26
0080661	04/21/95	CAROLE J ANDERSON	306.55
0080662	04/21/95	JUDY DeBILZAN	473.49

CITY OF MAPLEWOOD  
 EMPLOYEE GROSS EARNINGS AND PAYROLL DEDUCTION CHECKS  
 FOR THE CURRENT PAY PERIOD

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0080663	04/21/95	LUCILLE E AURELIUS	2,271.74
0080664	04/21/95	PATRICIA FRY	775.85
0080665	04/21/95	LOIS BEHM	1,345.91
0080666	04/21/95	CONNIE L KELSEY	729.90
0080667	04/21/95	BONNIE JOHNSON	700.89
0080668	04/21/95	LORRAINE S VIETOR	1,238.72
0080669	04/21/95	CAROL JAGOE	1,225.85
0080670	04/21/95	JEANETTE E CARLE	1,245.03
0080671	04/21/95	SANDRA OLSON	807.66
0080672	04/21/95	MARY KAY PALANK	1,182.71
0080673	04/21/95	KENNETH V COLLINS	2,591.48
0080674	04/21/95	CAROLE L RICHIE	1,205.11
0080675	04/21/95	JOANNE M SVENDSEN	1,665.48
0080676	04/21/95	PHILIP POWELL	1,264.80
0080677	04/21/95	ELAINE FULLER	591.35
0080678	04/21/95	CAROL F MARTINSON	1,205.11
0080679	04/21/95	ANTHONY G CAHANES	2,233.86
0080680	04/21/95	ROBERT D NELSON	2,233.86
0080681	04/21/95	VERNON T STILL	2,308.19
0080682	04/21/95	DONALD W SKALMAN	1,971.51
0080683	04/21/95	STEVEN HIEBERT	1,040.00
0080684	04/21/95	SCOTT L STEFFEN	1,855.51
0080685	04/21/95	JOHN J BANICK	1,958.07
0080686	04/21/95	STANLEY BELDE	1,072.31
0080687	04/21/95	JOHN C BOHL	2,038.55
0080688	04/21/95	RICHARD M MOESCHTER	1,745.91
0080689	04/21/95	LAURA ST. GEORGE	1,648.31

CITY OF MAPLEWOOD  
EMPLOYEE GROSS EARNINGS AND PAYROLL DEDUCTION CHECKS  
FOR THE CURRENT PAY PERIOD

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0080690	04/21/95	JAMES YOUNGREN	2,326.14
0080691	04/21/95	THOMAS J SZCZEPANSKI	1,695.52
0080692	04/21/95	CABOT V WELCHLIN	1,851.44
0080693	04/21/95	RICHARD J LANG	546.39
0080694	04/21/95	PAUL THIENES	1,040.00
0080695	04/21/95	DALE RAZSKAZOFF	1,745.92
0080696	04/21/95	MICHAEL RYAN	2,098.77
0080697	04/21/95	MICHAEL J HERBERT	2,195.73
0080698	04/21/95	MARK ALDRIDGE	1,072.31
0080699	04/21/95	TIMOTHY FLOR	1,072.31
0080700	04/21/95	RICHARD C DREGER	2,053.44
0080701	04/21/95	KEVIN JOHNSON	1,312.31
0080702	04/21/95	ALICE DUNN	1,516.31
0080703	04/21/95	GREGORY L STAFNE	2,002.95
0080704	04/21/95	RONALD D BECKER	1,745.91
0080705	04/21/95	KEVIN R HALWEG	2,329.05
0080706	04/21/95	DERRELL T STOCKTON	1,745.91
0080707	04/21/95	RICK A BOWMAN	2,266.38
0080708	04/21/95	FLINT D KARIS	2,181.54
0080709	04/21/95	STEPHEN J HEINZ	1,866.61
0080710	04/21/95	JOHN FRASER	1,749.91
0080711	04/21/95	DAVID J THOMALLA	1,971.64
0080712	04/21/95	KEVIN RABBETT	1,917.06
0080713	04/21/95	VIRGINIA DOWDLE	2,006.31
0080714	04/21/95	STEVEN PALMA	2,225.66
0080715	04/21/95	PAUL EVERSON	1,127.97
0080716	04/21/95	MELYNDA BJORKMAN	1,017.65

CITY OF MAPLEWOOD  
EMPLOYEE GROSS EARNINGS AND PAYROLL DEDUCTION CHECKS  
FOR THE CURRENT PAY PERIOD

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0080717	04/21/95	SCOTT A ANDREWS	2,204.98
0080718	04/21/95	ROBERT E VORWERK	1,870.75
0080719	04/21/95	JOSEPH A BERGERON	2,396.53
0080720	04/21/95	JAMES MEEHAN	2,358.39
0080721	04/21/95	JON A MELANDER	1,825.91
0080722	04/21/95	SARAH SAUNDERS	1,354.91
0080723	04/21/95	JAMES M EMBERTSON	1,903.44
0080724	04/21/95	DUANE J WILLIAMS	1,643.64
0080725	04/21/95	JANET L RABINE	1,301.91
0080726	04/21/95	JULIE A STAHNKE	1,301.91
0080727	04/21/95	SCOTT K BOYER	1,301.91
0080728	04/21/95	LINDA ADELSON	621.35
0080729	04/21/95	DAVID L ARNOLD	1,971.51
0080730	04/21/95	WALTER LAFFERTY	1,120.31
0080731	04/21/95	JOSEPH FEHR	1,277.11
0080732	04/21/95	JILL PETERS	763.03
0080733	04/21/95	JAYME L FLAUGHER	1,349.91
0080734	04/21/95	RENEE BODINE	634.50
0080735	04/21/95	KENNETH G HAIDER	2,591.48
0080736	04/21/95	JUDY M CHLEBECK	1,349.91
0080737	04/21/95	WILLIAM PRIEFER	1,534.71
0080738	04/21/95	GERALD W MEYER	1,668.50
0080739	04/21/95	MICHAEL R KANE	1,712.31
0080740	04/21/95	BRYAN NAGEL	1,746.19
0080741	04/21/95	DAVID P LUTZ	1,714.77
0080742	04/21/95	JAMES DARST	1,462.91
0080743	04/21/95	LANCE LUNDSTEN	1,665.11

CITY OF MAPLEWOOD  
 EMPLOYEE GROSS EARNINGS AND PAYROLL DEDUCTION CHECKS  
 FOR THE CURRENT PAY PERIOD

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0080744	04/21/95	JOHN SCHMOECK	1,734.44
0080745	04/21/95	RONALD J HELEY	1,595.83
0080746	04/21/95	ERICK D OSWALD	1,519.59
0080747	04/21/95	RONALD L FREBERG	1,613.11
0080748	04/21/95	DOUGLAS EDGE	1,188.31
0080749	04/21/95	RANDAL LINDBLOM	1,378.71
0080750	04/21/95	JAMES G ELIAS	1,621.91
0080751	04/21/95	RUSS MATTHYS	1,829.11
0080752	04/21/95	JOHN DU CHARME	1,378.71
0080753	04/21/95	DENNIS L PECK	1,621.91
0080754	04/21/95	WILLIAM PRIEBE	1,563.51
0080755	04/21/95	WALTER M GEISSLER	1,621.91
0080756	04/21/95	LOIS J BRENNER	1,325.91
0080757	04/21/95	BARBARA A KRUMMEL	693.44
0080758	04/21/95	BRUCE ANDERSON	2,255.29
0080759	04/21/95	ROBERT S ANDERSON	1,338.71
0080760	04/21/95	DENNIS P LINDORFF	1,346.27
0080761	04/21/95	ROLAND B HELEY	1,363.51
0080762	04/21/95	MARK A MARUSKA	1,775.31
0080763	04/21/95	JAMES SCHINDELDECKER	1,313.91
0080764	04/21/95	MYLES R BURKE	1,388.31
0080765	04/21/95	GARY HINNENKAMP	1,152.31
0080766	04/21/95	MICHAEL LAVAQUE	1,152.31
0080767	04/21/95	JANET M GREW HAYMAN	820.30
0080768	04/21/95	LUTHER JONES	75.00
0080769	04/21/95	MARGARET KUNDE	175.00
0080770	04/21/95	JEAN NELSON	775.30

CITY OF MAPLEWOOD  
 EMPLOYEE GROSS EARNINGS AND PAYROLL DEDUCTION CHECKS  
 FOR THE CURRENT PAY PERIOD

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0080771	04/21/95	SARA QUICK	196.88
0080772	04/21/95	JUDITH A HORSNELL	659.47
0080773	04/21/95	ANN E HUTCHINSON	1,434.71
0080774	04/21/95	RITA MACY	148.00
0080775	04/21/95	MARIE BARTA	1,209.17
0080776	04/21/95	NANCY MISKELL	473.08
0080777	04/21/95	JUDITH A WEGWERTH	1,241.11
0080778	04/21/95	JOYCE L LIVINGSTON	840.34
0080779	04/21/95	KENNETH ROBERTS	1,659.78
0080780	04/21/95	THOMAS G EKSTRAND	1,813.20
0080781	04/21/95	MARJORIE OSTROM	1,933.91
0080782	04/21/95	NICHOLAS N CARVER	1,603.51
0080783	04/21/95	ROBERT J WENGER	1,593.11
0080784	04/21/95	RONALD HOGAN	149.50
0080785	04/21/95	PAUL HILLESTAD	28.00
0080786	04/21/95	JENNY SHAFFER	133.00
0080787	04/21/95	SUSANNE HILLESTAD	56.00
0080788	04/21/95	ROBERT DAMIANI	128.50
0080789	04/21/95	RYAN BOOG	30.00
0080790	04/21/95	KARI SINGER	93.00
0080791	04/21/95	NATHANIEL RENTERIA	35.00
0080792	04/21/95	JOSEPH CHLEBECK	127.75
0080793	04/21/95	MANDY ANZALDI	94.78
0080794	04/21/95	PAULINE STAPLES	1,973.91
0080795	04/21/95	ROY G WARD	476.00
0080796	04/21/95	DOUGLAS J TAUBMAN	1,620.31
0080797	04/21/95	RICHARD NORDQUIST	1,169.91

CITY OF MAPLEWOOD  
 EMPLOYEE GROSS EARNINGS AND PAYROLL DEDUCTION CHECKS  
 FOR THE CURRENT PAY PERIOD

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0080798	04/21/95	EDWARD A NADEAU	1,663.51
0080799	04/21/95	STEVEN THOMAS, JR	965.11
0080800	04/21/95	ROGER W BREHEIM	1,359.51
0080801	04/21/95	DAVID B EDSON	1,442.89
0080802	04/21/95	DAVID GERMAIN	1,359.51
0080803	04/21/95	KATHLEEN M DOHERTY	1,325.72
0080804	04/21/95	ROBIN WARMAN	457.77
0080805	04/21/95	KAYLENE PETERSON	381.88
0080806	04/21/95	SHEILA HOIUM	374.60
0080807	04/21/95	JULIE CORCORAN	650.35
0080808	04/21/95	MICHAEL GRAF	632.31
0080809	04/21/95	LISA KELLY	354.67
0080810	04/21/95	THOMAS E EASTMAN	1,723.51
0080811	04/21/95	JEAN GLASS	464.77
0080812	04/21/95	DARLENE SALITROS	528.46
0080813	04/21/95	MICHAEL ANDERSON	560.00
0080814	04/21/95	KERI SLAGLE	90.00
0080815	04/21/95	JEAN VERNER	196.00
0080816	04/21/95	PHILIP COLEMAN	315.13
0080817	04/21/95	DENISE BARTEL	1,189.11
0080818	04/21/95	HELENE KIRWIN	472.22
0080819	04/21/95	STEVEN FISCHER	1,184.31
0080820	04/21/95	BRIAN OSWALD	180.38
0080821	04/21/95	DIANE HELMEN	29.25
0080822	04/21/95	JENNY MEINKE	105.63
0080823	04/21/95	KATHERINE ATKINS	428.39
0080824	04/21/95	RICHARD PETERSON	454.29

CITY OF MAPLEWOOD  
 EMPLOYEE GROSS EARNINGS AND PAYROLL DEDUCTION CHECKS  
 FOR THE CURRENT PAY PERIOD

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0080825	04/21/95	JENNIFER FRAZER-JOHN	326.77
0080826	04/21/95	DEBORAH BAUERS	136.50
0080827	04/21/95	DANIEL JUTZ	147.88
0080828	04/21/95	JOLENE CHLEBECK	93.50
0080829	04/21/95	DIANA COLO'N	61.75
0080830	04/21/95	JILL HUGHES	149.50
0080831	04/21/95	MELISSA COONS	509.09
0080832	04/21/95	RUSSELL SCHMIDT	175.50
0080833	04/21/95	DIANE ESTEVEZ	175.50
0080834	04/21/95	BRIAN OLSON	803.91
0080835	04/21/95	AMBER FISCHER	177.00
0080836	04/21/95	CANDY GRIMSLEY	26.25
0080837	04/21/95	THERESA GRAFF	14.00
0080838	04/21/95	TIMOTHY BRUND	277.25
0080839	04/21/95	NATHANIEL STIEN	138.00
0080840	04/21/95	CHRISSY LYSTIG	48.00
0080841	04/21/95	ALISHA DOTSON	156.00
0080842	04/21/95	DEBBIE HASSINGER	158.00
0080843	04/21/95	BECKY HAGGLUND	84.00
0080844	04/21/95	DOUGLAS GERICK	82.43
0080845	04/21/95	MATTHEW JENSEN	122.25
0080846	04/21/95	KELLY LIVINGSTON	144.00
0080847	04/21/95	LINDA CROSSON	133.00
0080848	04/21/95	DEAN JENSEN	497.56
0080849	04/21/95	DENNIELLE HANDT	259.50
0080850	04/21/95	JOSEPH STRUB	72.00
0080851	04/21/95	CHAD ABRAHAMSON	275.20

CITY OF MAPLEWOOD  
 EMPLOYEE GROSS EARNINGS AND PAYROLL DEDUCTION CHECKS  
 FOR THE CURRENT PAY PERIOD

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0080852	04/21/95	JONATHAN SELIN	163.50
0080853	04/21/95	DANIEL UNGER	391.50
0080854	04/21/95	JESSICA HOSCH	145.50
0080855	04/21/95	RYAN SINGER	61.76
0080856	04/21/95	SARAH ANDERSON	138.00
0080857	04/21/95	WENDY DAVIS	235.50
0080858	04/21/95	JESSICA JOHNSON	117.00
0080859	04/21/95	ANNA KLETT	36.00
0080860	04/21/95	KEVIN LONG	84.00
0080861	04/21/95	MELISSA MURRAY	46.50
0080862	04/21/95	JEFFREY MIERSCH	187.20
0080863	04/21/95	JENNIFER FINNE	714.71
0080864	04/21/95	BRADLEY KRUSCHWITZ	18.75
0080865	04/21/95	JESSICA POWERS	175.50
0080866	04/21/95	MICHELLE LINDER	121.50
0080867	04/21/95	TAMMIE NEUDENFELDT	186.00
0080868	04/21/95	JOHN ZENDER	57.00
0080869	04/21/95	LISA DOOLEY	75.00
0080870	04/21/95	STEPHEN RYMER	650.35
0080871	04/21/95	KEVIN KUPFERSCHMIDT	118.75
0080872	04/21/95	KATHLEEN SCHROEDER	161.00
0080873	04/21/95	RITA RENSLOW	126.75
0080874	04/21/95	CAROL BOSLEY	65.00
0080875	04/21/95	ARIEL JOHNSON	56.88
0080876	04/21/95	COLLEEN DIRKSWAGER	650.35
0080877	04/21/95	HELEN SANCHEZ	58.50
0080878	04/21/95	SYLVIA DOLINSKI	243.13

CITY OF MAPLEWOOD  
 EMPLOYEE GROSS EARNINGS AND PAYROLL DEDUCTION CHECKS  
 FOR THE CURRENT PAY PERIOD

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0080879	04/21/95	MICHELE TROST	73.13
0080880	04/21/95	NANCY BEHR	37.38
0080881	04/21/95	CATHLEEN CASEY	73.13
0080882	04/21/95	KATHLEEN MOREFIELD	19.50
0080883	04/21/95	LORI LEHNNEN	149.50
0080884	04/21/95	VIRGINIA OLEARY	29.25
0080885	04/21/95	TENA SAGER	21.13
0080886	04/21/95	JODIE CHRISTENSEN	212.88
0080887	04/21/95	JOAN FROEMMING	35.75
0080888	04/21/95	BRIAN VALENTINE	49.50
0080889	04/21/95	CHERI NESS	60.50
0080890	04/21/95	PAUL SCHLINGMAN	1,299.51
0080891	04/21/95	GINA DEMIKE	110.00
0080892	04/21/95	JILL HOFFMAN	66.00
0080893	04/21/95	RONALD SOFIE	154.00
0080894	04/21/95	DANIEL AUER	339.92
0080895	04/21/95	RICK SARBS	16.50
0080896	04/21/95	DANIEL KINNEY	494.83
0080897	04/21/95	BRIAN PAVEL	16.50
0080898	04/21/95	JANET CHRISTENSEN	258.98
0080899	04/21/95	MARTIN JAQUES, JR	272.56
0080900	04/21/95	LYLE SWANSON	1,254.80
0080901	04/21/95	BETTY LATHAM	312.32
0080902	04/21/95	TIMOTHY COTTERELL	183.36
0080903	04/21/95	CARL D. CURTIS	905.81
0080904	04/21/95	STEVEN DEHMER	91.67
0080905	04/21/95	STEVEN DEHMER	176.81

CITY OF MAPLEWOOD  
 EMPLOYEE GROSS EARNINGS AND PAYROLL DEDUCTION CHECKS  
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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0080906	04/21/95	NEIL KOTOSKI	246.13
0080907	04/21/95	DENNIS M MULVANEY	1,491.51
0080908	04/21/95	GEORGE C SPREIGL	1,367.51
0080909	04/21/95	CONNIE WERMAGER	1,023.26
0080910	04/21/95	ELIZABETH J WEILAND	1,066.92
0080911 VOID	04/21/95	FIRST MINNESOTA (FICA)	13,096.73
0080912 VOID	04/21/95	PUBLIC EMP RETIREMENT ASSOC	6,768.10
0080913 VOID	04/21/95	MAPLEWOOD STATE BANK #1	27,003.73
0080914 VOID	04/21/95	MN STATE COMM OF REVENUE	11,487.71
0080915 /	04/21/95	ICMA RETIREMENT TRUST-457	6,610.68
0080916 VOID	04/21/95	FIRST MINNESOTA	676.69
0080917 VOID	04/21/95	CITY OF MAPLEWOOD (HCMA)	4,583.90
0080918 /	04/21/95	MN STATE RETIREMENT SYSTEM	4,383.22
0080919 /	04/21/95	GREAT WEST LIFE	1,610.00
0080920 /	04/21/95	CITY & COUNTY EMP CR UNION	33,599.00
0080921 VOID	04/21/95	UNITED WAY OF ST. PAUL AREA	177.60
0080922 /	04/21/95	MN. MUTUAL LIFE INS. 19-3988	2,646.00
0080923 VOID	04/21/95	COMMERCIAL LIFE INSURANCE	288.24
0080924 VOID	04/21/95	PUBLIC EMP. RETIREMENT ASSOC.	172.50
0080925 /	04/21/95	AFSCME 2725	762.72
0080926 /	04/21/95	AFSCME 2725	38.89
0080927 /	04/21/95	METRO SUPERVISORY ASSOC	26.00
0080928 /	04/21/95	MN BENEFIT ASSOCIATION	567.16
0080929 VOID	04/21/95	PUBLIC EMP RETIREMENT ASSOC	186.96
0080930 VOID	04/21/95	PUBLIC EMP RETIREMENT ASSOC	6,339.04
0080931 VOID	04/21/95	DCA	7.87
0080932 /	04/21/95	WASHINGTON COUNTY	330.00

CITY OF MAPLEWOOD  
 EMPLOYEE GROSS EARNINGS AND PAYROLL DEDUCTION CHECKS  
 FOR THE CURRENT PAY PERIOD

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0080933 VOID	04/21/95	VACATION CHECK	692.19
0080934 VOID	04/21/95	FIRST MINNESOTA (FICA)	13,095.66
0080935 VOID	04/21/95	PUBLIC EMP RETIREMENT ASSOC	7,168.13
0080936 VOID	04/21/95	PUBLIC EMP RETIREMENT ASSOC	243.76
0080937 VOID	04/21/95	PUBLIC EMP RETIREMENT ASSOC	9,508.50
GROSS EARNINGS AND DEDUCTIONS			407,857.71

AGENDA REPORT

TO: Ken Haider, Public Works Director  
FROM: Lance Lundsten, Public Works Coordinator  
SUBJECT: Surplus Property Disposal  
DATE: April 28, 1995

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

Declare as surplus property and authorize disposal at state auction to be held May 20, 1995, at the Oakdale MnDOT facility:

1. 1980 I. H. tractor w/3 flail type mowers, S/N 2340121B101256-X. This unit has been kept as a "stand by". There is no current record of use, and has no further value for mowing duties.



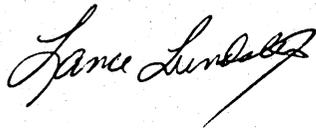
AGENDA REPORT

Action by Council:

TO: Ken Haider, Director of Public Works  
 FROM: Lance Lundsten, Public Works Coordinator  
 SUBJECT: Above ground hoist  
 DATE: April 28, 1995

Endorsed \_\_\_\_\_  
 Modified \_\_\_\_\_  
 Rejected \_\_\_\_\_  
 Date \_\_\_\_\_

In the 1994 V. E. M. budget, an amount of \$7670.00 was allocated for the purchase of an above ground hoist for the vehicle maintenance area. Before evaluations of availability and costs comparisons could be completed the large truck hoist failed and was replaced. This caused postponement of the purchase and installation of the above ground hoist. Due to an oversight the money was not carried over to the 1995 budget as was intended. Consequently I would request council approval of a budget adjustment in the amount of \$7670.00 from the V. E. M. fund to the V. E. M. operating budget for purchase and installation of the needed equipment.



AGENDA REPORT

Action by Council:

TO: City Manager

FROM: Assistant City Manager *Gracien Maglich*

RE: **OPEN SPACE SITE #116 - PURCHASE AGREEMENT CONDITION**

DATE: May 1, 1995

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

**INTRODUCTION**

On March 27, the City Council approved the purchase of 17 acres of Open Space Site #116. The City negotiated with Mr. Dennis Gonyea for the purchase of Parcel 21 and a portion of Parcel 35. Mr. Gonyea had an option on the property from the property owner, Ms. Lineal Falk. The purchase agreement is being prepared, and the City will be buying the property from Ms. Falk. For tax and reinvestment purposes, Ms. Falk is requesting that the City provide a letter of condemnation. This is the same request that was granted to Mr. Richard Pearson on Open Space Site #108. There is no cost to the City for providing this documentation.

**RECOMMENDATION**

It is recommended that the City Council adopt the attached resolution which states that the City agrees to provide Ms. Falk with a letter of condemnation for Parcel 21 and a portion of Parcel 35 in Open Space Site #116.

## RESOLUTION

WHEREAS, the City entered into negotiations with Ms. Lineal Falk to purchase approximately 9 acres south of Brooks Court and west of Highway 61 for the City's Open Space Program; and

WHEREAS, the property owned by Ms. Falk is Parcel 21 and a portion of Parcel 35 contained in Open Space Site #116; and

WHEREAS, as part of the negotiations, Ms. Falk has requested a letter of intent for acquisition of the property through condemnation; and

WHEREAS, Ms. Falk has requested that said letter of intent be a part of the purchase agreement for the open space acquisition.

NOW, THEREFORE, BE IT RESOLVED that the City shall issue a letter of intent for the acquisition of the property through condemnation for property owned by Lineal Falk which is part of Open Space Site #116. In the event that the property is not purchased for open space by the City, the letter of intent may be withdrawn.

## MEMORANDUM

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

TO: City Manager  
 FROM: Ken Roberts, Associate Planner  
**SUBJECT: Tax-Increment Financing**  
 PROJECT: Carefree Cottages of Maplewood (Phase III)  
 LOCATION: Gervais Avenue, West of White Bear Avenue  
 APPLICANT: The Carefree Cottages of Maplewood III Partnership  
 DATE: April 26, 1995

**INTRODUCTION**

The applicant is requesting that the city council approve the use of tax-increment financing (TIF). The request is for Phase III of the Carefree Cottages of Maplewood. This project is on the north side of Gervais Avenue, west of White Bear Avenue. The proposed site is between the existing Carefree Cottages and the Rainbow Foods store. (See the maps on pages 6 and 7.) The applicant is proposing to develop about 142 senior housing units on about 15.17 acres. They are proposing 110 units in a 3-story apartment building and 32 cottage-style senior housing units. (See the proposed site plan on page 8.)

The applicant is requesting that the city approve the use of 90 percent of the TIF for fifteen years. In return for this financing, the developer would keep the rents affordable for low and moderate income seniors.

**BACKGROUND**

The city approved tax-increment financing for two senior housing projects in 1982 (Hazel Ridge and the Harmony School site [never built]), for the Village on Woodlynn in 1988 and for the Carefree Cottages (Phases I and II) in 1991.

On March 27, 1995, the city council approved the final agreement for \$8.24 million in tax-exempt housing revenue bond financing for this project.

**DISCUSSION****Tax-increment Financing**

Tax-increment financing uses the increase in taxes from a development to finance projects with a public purpose. Tax increment is the difference in taxes between the current amount and the amount after a project is completed. The developer is requesting 90 percent of the first fifteen years of tax-increment from this project. The financial consultant estimates that the increment from this project would be \$219,903 each year. The actual amount would vary because actual future year tax rates and tax capacities will vary.

Tax increment money would normally go to the various taxing jurisdictions. The largest recipients would be the city, county and school district. The following table shows the taxes from this project that each governmental unit would receive if the developer built this project without TIF.

<u>Unit of Government</u>	<u>Tax Impact (1995 Rate and Values)</u>
City of Maplewood	\$31,824
Ramsey County	\$66,971
I.S.D. #622	\$111,029
<u>Others</u>	<u>\$10,079</u>
TOTAL	\$219,903

To approve this financing, the city must determine that the developer would not have built this project without TIF. These agencies may not have received this money if the city did not approve the use of TIF. Since this is a senior housing project, there would be no children to add costs to the school district.

### **Need for Senior Housing**

The developer told me they have a waiting list of at least 500 people for the existing Carefree Cottages. The other "cottages" in the area have much smaller waiting lists. Sixteen people are on the waiting list for the Cottages of North St. Paul and 12-13 people for the Cottages at Hillcrest.

This project may have a problem if the growing trend in "cottages" for seniors continues. Maplewood has two "cottages" projects, North St. Paul has one, Oakdale has one and there is a 32-unit "cottages" project in St. Paul (south of Larpenteur Avenue and east of White Bear Avenue) called the Cottages of Hillcrest. In 1990, the Cottages of Stillwater could not fill their units with seniors, so they opened them up to non-seniors. They now have only about 2/3 of their units rented to seniors. The Stillwater project is not as accessible to commercial facilities as the Maplewood, North St. Paul and St. Paul projects are. The developer should provide a market study to determine the long-term demand for these units.

### **Zoning Approvals**

Normally, the city does not approve tax-exempt or TIF unless the city has approved the proper zoning. This avoids neighbors criticizing the city for approving the financing before holding the public hearing for the zoning changes. Neighbors may claim that the city has approved the project before the zoning hearing by approving TIF. In order to alleviate this concern, we have notified the neighbors of the TIF hearing.

The city has planned and zoned this property for LBC (limited business commercial) use. This zoning district is for offices, clinics and day care centers. The city will have to change its land

use plan and zoning ordinance, and approve site and building plans. The developer recently applied for these approvals. The developer is requesting TIF approval now to ensure they can have it in place before the state law about TIF changes.

## **RECOMMENDATION**

Adopt the resolution starting on page 9. This resolution approves the use of tax-increment financing for Phase III of the Carefree Cottages of Maplewood for up to 15 years. The resolution shall be amended to include the following conditions:

1. The city shall determine the amount of tax-increment financing at the time the city approves the developer's agreement.
2. The city council must approve a comprehensive plan amendment, a conditional use permit for a planned unit development or a rezoning, and the site and building design plans.
3. The developer shall give the city a market study. This study must document that there will be enough demand from seniors (62 years or older) to keep this a senior housing project. The city must approve this study.

## REFERENCE

### Past Actions on other Senior Housing Financing

- 1982: Council gave concept approval to using tax-increment financing to help with the development of a seniors housing project. This project would have used about \$150,000 of tax-increment funds for each of two senior housing developments (Hazel Ridge and Bennington Woods). The developer abandoned the program.
- 1-14-85: The council gave preliminary approval for \$5.8 million of tax-exempt financing for up to 100 units for the Hazel Ridge Seniors Residence at 2696 Hazelwood Avenue.
- 11-25-85: The council gave preliminary approval for \$6.5 million of tax-exempt financing for the 116-unit Harmony School (Casey Lake) Seniors Residence (County Road C and White Bear Avenue). This was subject to construction beginning within one year. (The developer never built this project.)
- 1987-88: The council approved \$2,448,100 of tax-exempt housing revenue bonds for the 60-unit Cottages of Maplewood (Village on Woodlynn) project. The council also approved \$275,000 of tax-increment financing.
- 1988: The city received a federal grant (CDBG) of \$252,500 for the Village on Woodlynn. The developer used this money toward the purchase of the land.
- 1991: The city council approved tax-exempt and tax-increment financing for the Carefree Cottages of Maplewood (Phases I and II). In 1993, the council asked the county to approve a low-interest loan for this project. The county approved the loan.

### Competitiveness with Existing Senior Residences

This project will not compete with the nursing homes and assisted living facilities. This project will attract younger and more independent seniors (transportation and socially) than the nursing homes and assisted living facilities. Nursing homes and assisted living facilities charge more and offer more services. As an example, Hazel Ridge's rents range from \$700 to \$900 for one bedroom and \$980 to \$1300 for two-bedroom units.

The Carefree Cottages project competes with the other "cottages" projects in the area, such as the Cottages of North St. Paul, the Village on Woodlynn, the Cottages of Hillcrest and the Cottages in Oakdale. The applicant has not given the city any rent information yet for Phase III.

The current rents for Phases I and II are as follows:

\$435 plus gas and electric for a one-bedroom unit  
\$535 plus gas and electric for a two-bedroom unit  
\$575 plus gas and electric for a three-bedroom unit

Garage rentals are extra.

The waiting lists and rents for some existing senior residences in the area are as follows:

(1) Cottages of North St. Paul: (waiting list of 16 people)

1 bedroom = \$425 (does not include garage or utilities)  
2 bedroom = \$505 (does not include garage or utilities)

(2) Cottages of Stillwater:

1 bedroom = \$470–\$490 (does not include garage or utilities)  
2 bedroom = \$570–\$600 (does not include garage or utilities)

(3) Cottages of Hillcrest: (waiting list of 12-13 people)

1 bedroom = \$558 (includes garage and utilities)  
2 bedroom = \$669 (includes garage and utilities)

(4) Cottages of Aspen in Oakdale:

1 bedroom = starts at \$525 (includes garage and utilities)  
2 bedroom = starts at \$614 (includes garage and utilities)

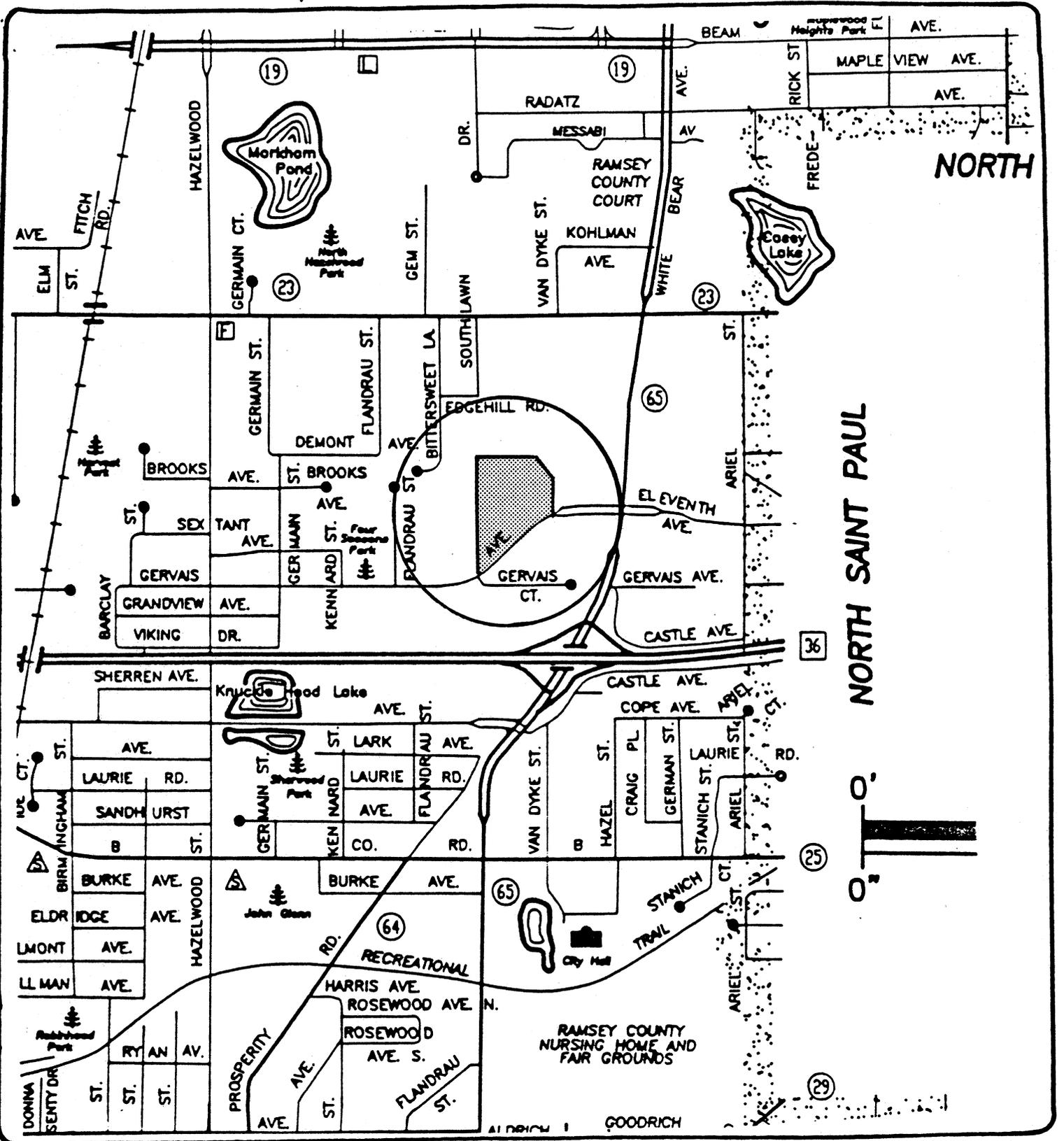
### **Income Limits**

The income limits for Phases I and II of the Carefree Cottages are \$20,800 for singles and \$23,800 for two or more residents of a unit.

kr/p:Sec 11/Cottif.mem

Attachments

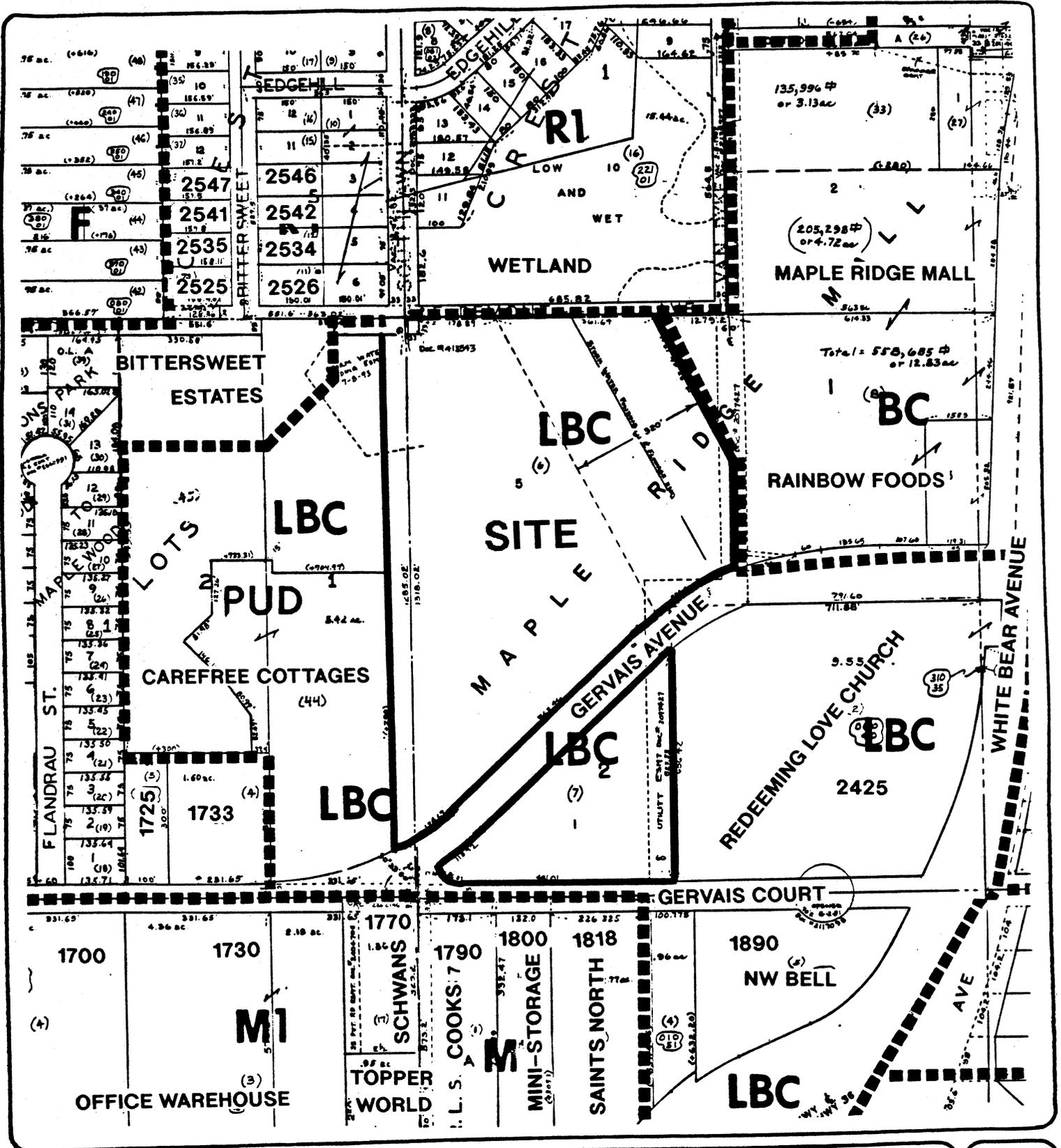
1. Location Map
2. Property Line/Zoning Map
3. Proposed Site Plan
4. Resolution: Tax-increment financing



NORTH SAINT PAUL

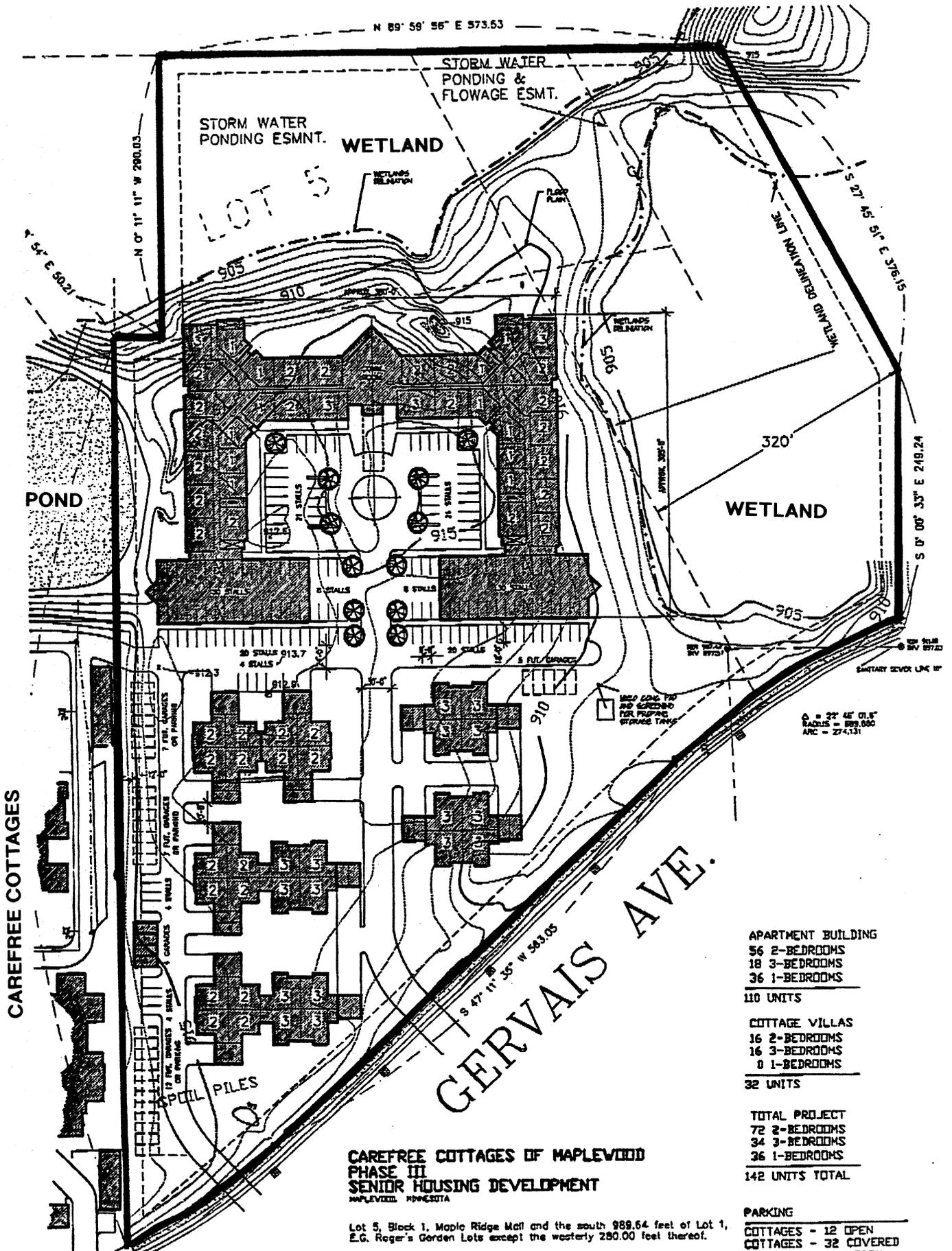
# LOCATION MAP





# PROPERTY LINE / ZONING MAP





PROPOSED SITE PLAN

EXTRACT OF MINUTES OF A MEETING OF THE  
CITY COUNCIL OF THE CITY  
OF MAPLEWOOD, MINNESOTA

HELD: May 8, 1995

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Ramsey County, Minnesota, was duly held on the 8th day of May, 1995, at 7:00 p.m.

The following members of the Council were present:

and the following were absent:

Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

RESOLUTION APPROVING THE MODIFIED  
DEVELOPMENT PROGRAM RELATING TO  
DEVELOPMENT DISTRICT NO. 1,  
AND ESTABLISHING HOUSING  
DISTRICT NO. 1-6 AND THE TAX INCREMENT  
FINANCING PLAN RELATING THERETO

WHEREAS:

A. The City of Maplewood (the "City") has heretofore created Development District No. 1 and it has been proposed that the City modify the development program with respect thereto, and establish Housing District No. 1-6 within Development District No. 1 and adopt a Tax Increment Financing Plan with respect thereto under the provisions of Minnesota Statutes, Sections 469.124 to 469.134 and 469.174 to 469.179 (collectively, the "Act");

B. The City Council has investigated the facts and has caused to be prepared a Modified Development Program for Development District No. 1, and has caused to be prepared a proposed Tax Increment Financing Plan for Housing District No. 1-6; and

C. The City has performed all actions required by law to be performed prior to the creation of Housing District No. 1-6 and the adoption of the proposed Modified Development Program and the adoption of the Tax Increment Financing Plan relating thereto, including, but not limited to, notification of Ramsey County, Independent School District No. 622 and Special Intermediate School District No. 916 having taxing jurisdiction over the property to be included in Housing District No. 1-6, and the holding of a public hearing upon published and mailed notice as required by law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Maplewood as follows:

1. Modified Development Program. The Modified Development Program for Development District No. 1, a copy of which is on file in the office of the City Clerk, is adopted as the Modified Development Program for Development District No. 1.

2. Housing District No. 1-6. There is established in the City of Maplewood within Development District No. 1 Housing District No. 1-6, the initial boundaries of which are fixed and determined as described in the Tax Increment Financing Plan.

3. Tax Increment Financing Plan. The Tax Increment Financing Plan is adopted as the tax increment financing plan for Housing District No. 1-6, and the City Council makes the following findings:

(a) Housing District No. 1-6 is a housing district as defined in Minnesota Statutes, Section 469.174, subd. 11, the specific basis for such determination being that the multifamily rental housing development to be undertaken by Care Free Cottages of Maplewood Limited Partnership III consists of a project, or a portion of a project, intended for occupancy, in part, by persons or families of low and moderate income, as defined in chapter 462A, Title II of the National Housing Act of 1934, the National Housing Act of 1959, the United States Housing Act of 1937, as amended, Title V of the Housing Act of 1949, as amended, any other similar present or future federal, state, or municipal legislation, or the regulations promulgated under any of those acts.

(b) The proposed redevelopment in the opinion of the City Council, would not occur solely through private investment within the reasonably foreseeable future and therefore the use of tax increment financing is deemed necessary.

The reasons supporting this finding are that:

Carefree Cottages of Maplewood Limited Partnership III has represented to the City that they would not undertake the project in Maplewood without the City's use of tax increment financing. Private investment will not finance these development activities because of prohibitive costs. It is necessary to finance these development activities through the use of tax increment financing so that other development by private enterprise will occur within Development District No. 1.

(c) The Tax Increment Financing Plan for Housing District No. 1-6 will conform to the general plan for development or redevelopment of the City of Maplewood as a whole if the zoning for Housing District No. 1-6 is changed from commercial to residential.

The reasons supporting this finding are that:

The Developer proposes to request the City for a zoning change upon notification that it has received tax credits for the Project.

(d) The Tax Increment Financing Plan will afford maximum opportunity, consistent with the sound needs of the City of Maplewood as a whole, for the development or redevelopment of Development District No. 1 by private enterprise.

The reasons supporting this finding are that:

The development activities are necessary so that development and redevelopment by private enterprise can occur within Development District No. 1.

4. Public Purpose. The Modified Development Program for Development District No. 1, and the adoption of the Tax Increment Financing Plan for Housing District No. 1-6 conforms in all respects to the requirements of the Act and will help fulfill a need to develop an area of the City which is already built up to provide employment opportunities to improve the tax base, and to improve the general economy of the State and thereby serves a public purpose.

5. Filing. The City Clerk is further authorized and directed to file a copy of the Modified Development Program and Tax Increment Financing Plan for Housing District No. 1-6 with the Commissioner of Revenue.

6. Administration. The administration of Development District No. 1 is assigned to the City Clerk who shall from time to time be granted such powers and duties pursuant to Minnesota Statutes, Sections 469.130 and 469.131 as the City Council may deem appropriate.

The motion for the adoption of the foregoing resolution was duly seconded by member \_\_\_\_\_ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA  
COUNTY OF RAMSEY  
CITY OF MAPLEWOOD

I, the undersigned, being the duly qualified and acting Clerk of the City of Maplewood, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated, insofar as such minutes relate to the Modified Development Program for Development District No. 1, and the establishment of Housing District No. 1-6 in the City.

WITNESS my hand this 8th day of May, 1995.

\_\_\_\_\_  
City Clerk

AGENDA ITEM H-1

AGENDA REPORT

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

TO: City Manager

FROM: Assistant City Engineer *Russ*

SUBJECT: Project 93-08, Sterling Street/Schaller Drive Utility & Street  
Improvements - Award of Bid

DATE: May 1, 1995

Attached is the proposed resolution awarding the bid for said project. The low bid is from Ryan Contracting, Inc., for \$750,359.09. Staff has administered construction projects in which the contractor has performed respectably and has confidence in the contractor's ability to successfully complete the project.

The city clerk received six appeals in regard to the assessments for said project. The appeals totalled \$3150.00. The total assessment amount for the project is \$707,280.00. Regardless of the council's decision on the assessment appeals, staff would urge the council to proceed with the project.

Staff recommends that the council approve the award to Ryan Contracting, Inc., in the amount of \$750,359.09.

## RESOLUTION FOR AWARD OF BIDS

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of Ryan Contracting in the amount of \$750,359.09 is the lowest responsible bid for the construction of Sterling Street & Schaller Drive Utility and Street Improvements, City Project 93-08, and the mayor and clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the city.

The finance director is hereby authorized to make the financial transfers necessary to implement the financing plan for the project.

AGENDA REPORT

TO: Ken Haider, Director of Public Works  
FROM: Lance Lundsten, Public Works Coordinator  
SUBJECT: Truck Equipment Quotes  
DATE: April 28, 1995

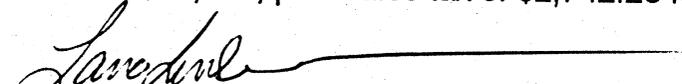
Action by Council:

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

For 1995 an amount of \$118,440 was budgeted for the purchase of four one-ton trucks and related equipment. The cab/chassis have been ordered through the Hennepin County bid at a cost of \$71,884. Quotes for the equipment (boxes, plow, sander, lift gates and hydraulic systems) were evaluated on April 27, 1995. Tabulation of the received quotes are as follows:

<u>Vendor</u>	<u>Total of Four Quotes</u>
Twin City Truck	\$51,948
Crysteel Truck Equipment	42,653
Truck Utilities	42,189

Recommended award of quotes to Truck Utilities, 2370 English Street at Highway 36, Maplewood, Minnesota in the amount of \$42,189, plus sales tax of \$2,742.28 for a total of \$44,931.28.

  
LAL

jc

## RESOLUTION FOR AWARD

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the quotation received from Truck Utilities Manufacturing Company in the amount of \$42,189.00 plus tax is the lowest responsible quote for the purchase of dump bodies, plow, sander, and lift gates and the authorized representative of the city shall enter into a contract with Truck Utilities Manufacturing Company for and on behalf of the city.

Action by Council:

MEMORANDUM

To: Michael A. McGuire, City Manager  
From: Bruce K. Anderson, Director of Parks & Recreation  
Subj: Award Bids For Timber and Western Hills Parks  
Date: May 3, 1995  
For The May 8, 1995, City Council Meeting



Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

Introduction

The City Council approved plans and specifications and authorized staff to solicit bids for the reconstruction of Timber and Western Hills Parks on April 10, 1995. The total budget for the two projects is \$318,000; broken down as \$68,000 for Timber Park and \$250,000 for Western Hills Park.

Bids were formally opened by City staff on Tuesday, May 2, at 2:00 p.m. in the City Hall Council Chambers. There were seven formal bids that were received that ranged from a low bid of \$308,344.80 to a high bid of \$383,939.75.

Background

Both Western Hills and Timber Park were initially constructed and designed in the early to mid-1970's. The parks have had no major modification or renovation during the past twenty years and were in need of repair and redesign.

The proposed redesign of both sites was coordinated by the City Park and Recreation Commission and Neighborhood Public Meetings were held during the Fall and Winter of 1994.

The plans and specifications were prepared to award the contract to one bidder to encourage better bids and improve coordination of the projects under one contractor. Attached is a copy of the seven bid proposals broken down by Base Bid and the three Bid Options for Western Hills Park.

The architect's estimate for the project is \$335,015. The final plans and specifications includes approximately \$20,000 for soil corrections under the hardcourt surface at Western Hills Park and also the gazebo structure at Timber Park. Each of the seven bids met all aspects of the bid proposal and 5% Bid Bonds were submitted by each of the contractors.

Recommendation

Staff would recommend that the City award the contract for construction of Western Hills and Timber Parks to the low responsible bidder of Barber Construction in the amount of \$308,344.80.

**MAPLEWOOD PARKS & RECREATION DEPARTMENT**  
**1830 EAST COUNTY ROAD B**  
**MAPLEWOOD, MINNESOTA 55109**

**BID OPENING**  
**TUESDAY, MAY 2, 1995**  
**2:00 P.M.**  
**CITY HALL COUNCIL CHAMBERS**

<b>CONTRACTOR</b>	<b>WESTERN BASE BID</b>	<b>#1</b>	<b>#2</b>	<b>#3</b>	<b>TIMBER BASE BID</b>	<b>TOTAL</b>
AERO ASPHALT	\$263,167.00	\$3,200	\$8,000	\$1,050	\$82,527.50	\$357,944.50
ODLUND	\$259,892.00	\$2,300	\$2,950	\$ 750	\$61,559.00	\$327,451.00
HOFFMAN	\$266,360.00	\$2,700	\$3,000	\$ 750	\$61,573.00	\$334,383.00
FRATTALONE	\$298,234.75	\$2,580	\$3,500	\$1,350	\$85,705.00	\$391,369.75
BARBER CONST.	\$242,799.80	\$1,880	\$2,600	\$ 300	\$60,765.00	\$308,344.80
LAKE LAND	\$252,376.80	\$1,800	\$2,400	\$1,380	\$51,636.50	\$309,593.30
SUNRAM	\$249,925.00	\$2,600	\$3,000	\$ 600	\$57,559.00	\$313,684.00

**MEMORANDUM**

Action by Council:

TO: City Manager  
 FROM: Thomas Ekstrand, Associate Planner  
 SUBJECT: **Appeal of Staff Decision – Increased Front Setback Request**  
 LOCATION: Beam Avenue, between White Bear Avenue and Frederick Street  
 APPLICANT: Floyd and Badri Johnson  
 DATE: April 17, 1995

Endorsed \_\_\_\_\_  
 Modified \_\_\_\_\_  
 Rejected \_\_\_\_\_  
 Date \_\_\_\_\_

**INTRODUCTION**

On April 10, 1995, the city council tabled Floyd and Badri Johnson's appeal of a staff decision. Staff had denied their proposed front setback of 165 feet. Refer to the letter on pages 11-12. The maximum front setback the code allows is 35 feet. At the April 10th meeting, Mrs. Johnson explained that they actually wanted a 97-foot front setback, not 165 feet as shown on their site plan. Refer to the proposed site plan on page 6 and the previous plan on page 7. The city council tabled this review to give the Johnsons time to submit a revised site plan.

**BACKGROUND**

On January 13, 1995, staff approved an increased front setback for the Johnsons to place their house off of Radatz Avenue. This first request was to build the house 97 feet from the Radatz Avenue right-of-way. Refer to the map on page 5. After building the basement and first floor, the Johnsons decided that they wanted their house to face Beam Avenue. They then asked staff to approve their revised site plan with the house 165 feet from the Beam Avenue right-of-way.

On March 15, 1995 staff denied the requested 165-foot front setback.

On April 10, 1995, the city council tabled their review to give the Johnsons time to revise their site plan.

**CODE REQUIREMENT**

Code requires a front setback of 30 to 35 feet, unless the predominant setback is different (there is no predominant front setback in this area). Staff may approve a different setback if it would not adversely affect the drainage of surrounding properties and if any of the following conditions apply:

1. The proposed setback would not affect the privacy of adjacent homes.
2. The proposed setback would save significant natural features, as defined in Section 9-188.
3. The proposed setback is necessary to meet city, state or federal regulations, such as the pipeline setback or noise regulations.
4. The proposed setback is necessary for energy-saving, health or safety reasons.

## **DISCUSSION**

Mr. Murphy feels the Johnson's revised house placement would be more of an infringement on his privacy than the previous setback proposal of 165 feet. Not only would he lose privacy on their deck, the revised placement of the Johnson house would block their afternoon and evening sunlight.

Staff has not changed our recommendation. The proposed 97-foot front setback would still adversely affect the privacy of the Murphys. If the city council agrees with the staff, Mr. and Mrs. Johnson would have three alternatives:

### **1. Meet setback requirements.**

The house would have to be set back 35 feet from the front lot line along Beam Avenue. This would comply with the code, but would not be the most desirable location for the Murphys.

### **2. Request approval for a greater front setback to place the house near the center of the lot – approximately 300 feet back from the front lot line.**

This was suggested by Mr. Murphy. The Johnson house would then be screened from the Murphy house by a stand of mature evergreen trees. Refer to map on page 5.

### **3. Finish building the house at the south end of the lot near Radatz Avenue.**

This alternative would be the least disruptive for the neighborhood.

Staff does not favor one alternative over another. Our only concern is upholding the intent of the ordinance by not adversely affecting the privacy of the Murphys at 2030 Beam Avenue by approving a front setback different than the code allows.

## **Other Concerns**

### **Fencing**

Section 9-3(2) states that a fence in the front yard that is at least 80% opaque must be approved by the director of community development. The director must determine that the fence does not significantly impair views. I inspected the proposed fence location with the Johnson's fence installer from Able Fence Company. To avoid blocking traffic visibility, the proposed fence line should be kept 20 feet back from the front lot line. This would allow the Murphys to see oncoming traffic when backing out onto Beam Avenue. Refer to the site plan on page 6.

### **Easement Encroachment**

The proposed retaining wall in front of the house would encroach two feet into the city's utility easement. Refer to the site plan on page 6. The city engineer said that there should not be any encroachment into this easement except for driveway paving.

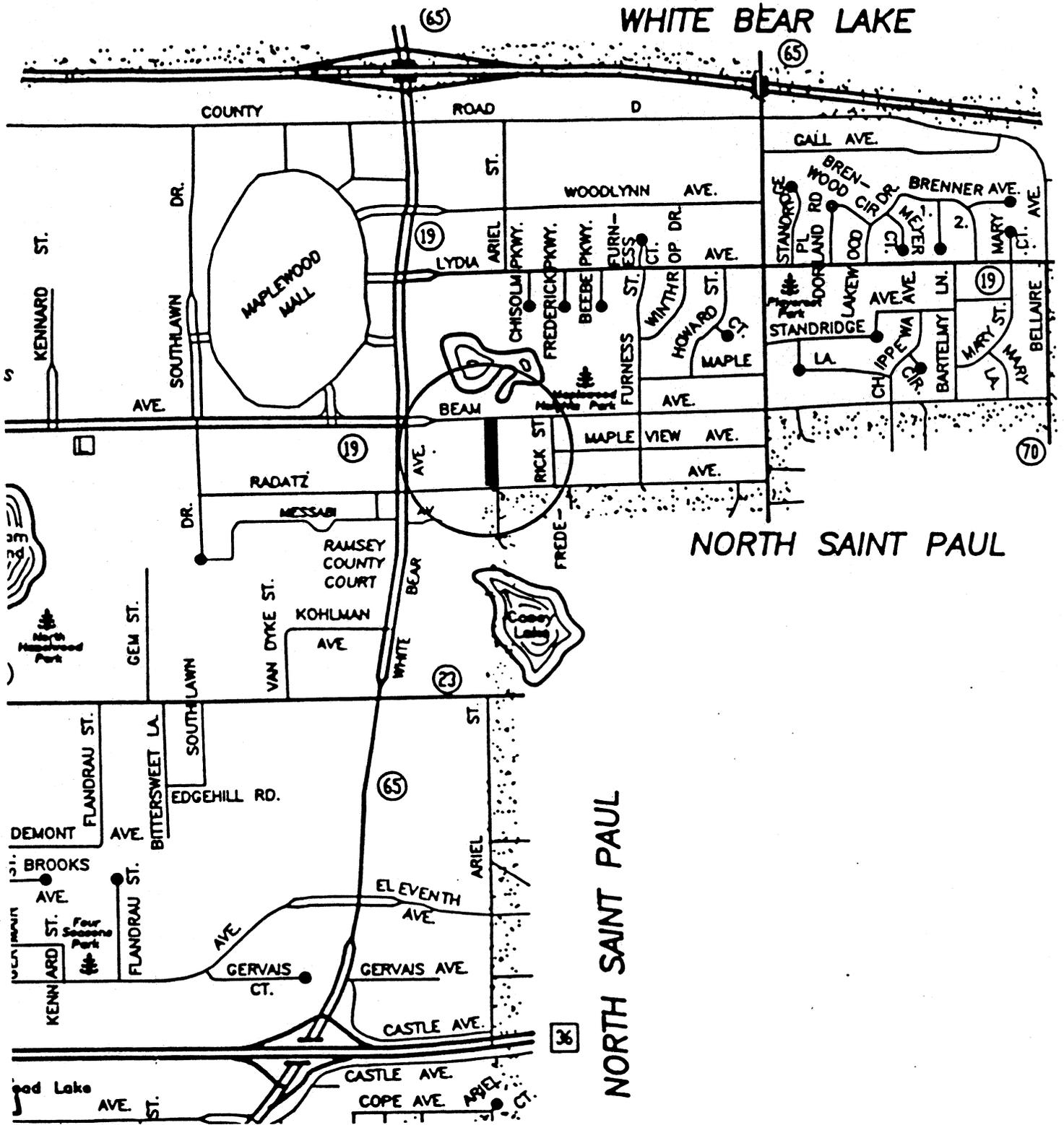
## **RECOMMENDATION**

Deny the proposed 97-foot front setback as shown on the site plan dated April 17, 1995. Denial is because the proposed setback would adversely affect the privacy of the neighbors at 2030 Beam Avenue.

p:sec2S\15dayjohnson3.mem

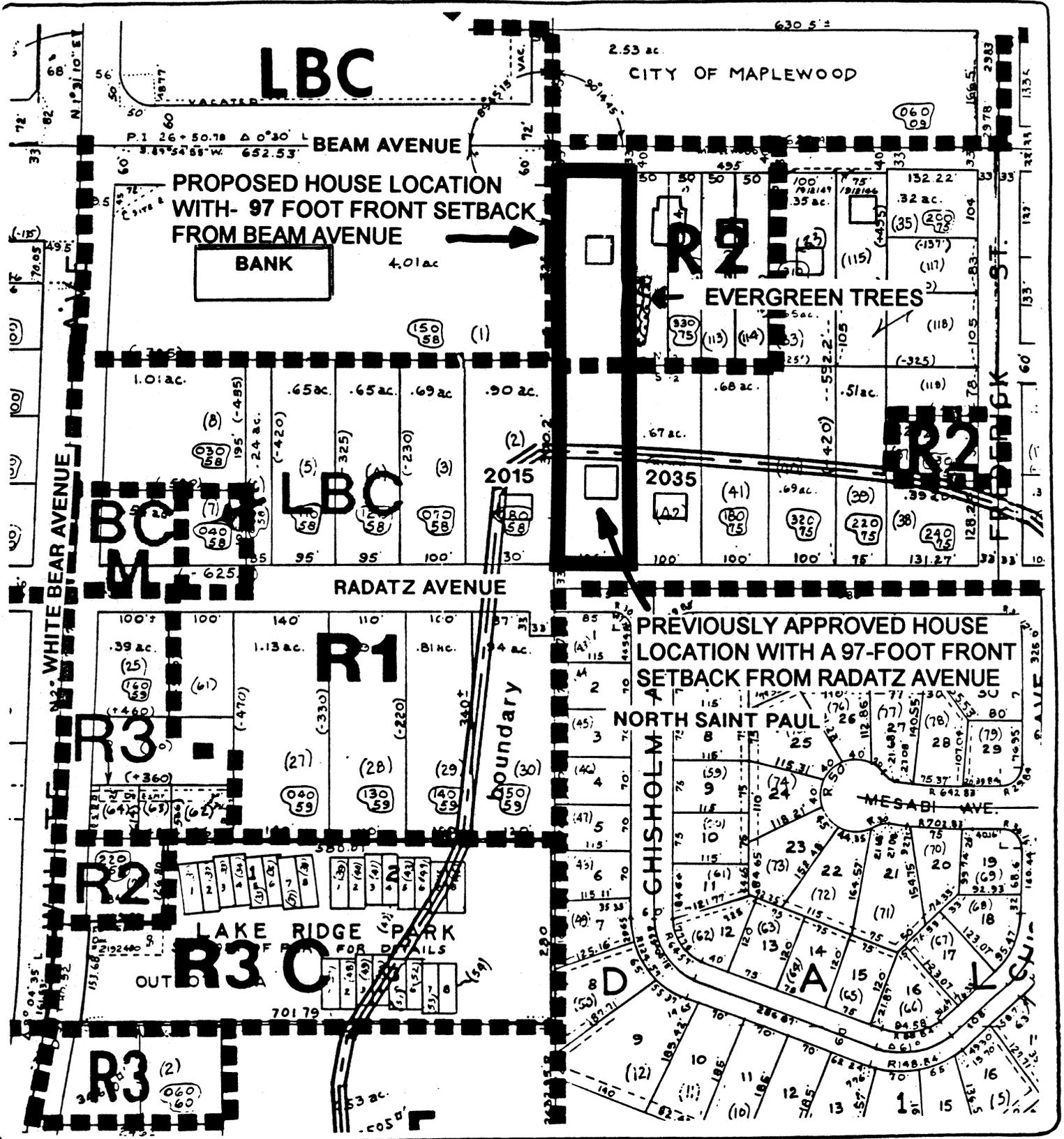
### **Attachments:**

1. Location Map
2. Property Line / Zoning Map
3. Site Plan Dated April 17, 1995
4. Previous Site Plan Dated March 6, 1995
5. Building Elevation
6. Letter from Floyd M. Johnson dated March 21, 1995
7. Letter to Max Norton dated March 15, 1995



### LOCATION MAP



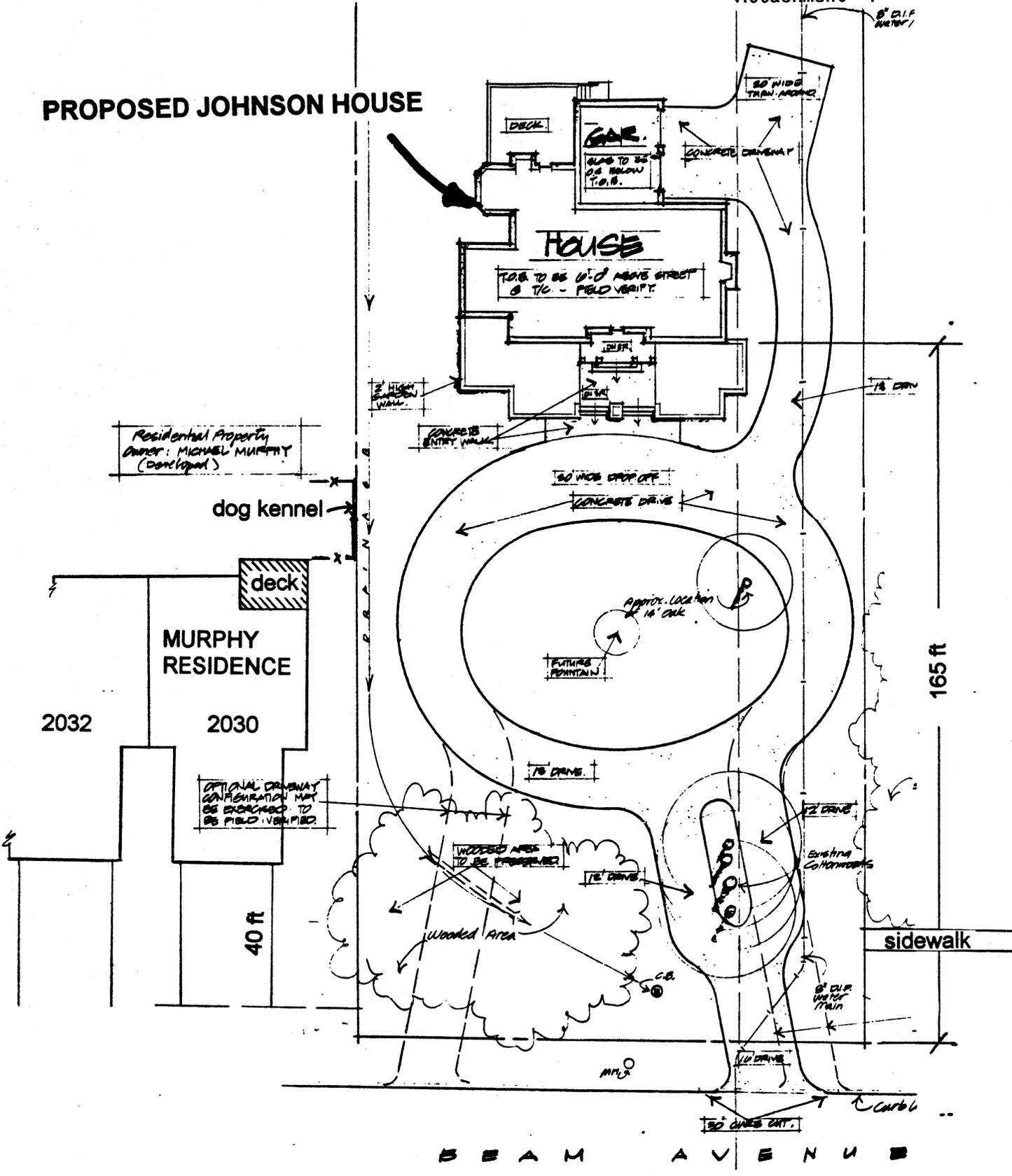


PROPERTY LINE / ZONING MAP





# PROPOSED JOHNSON HOUSE

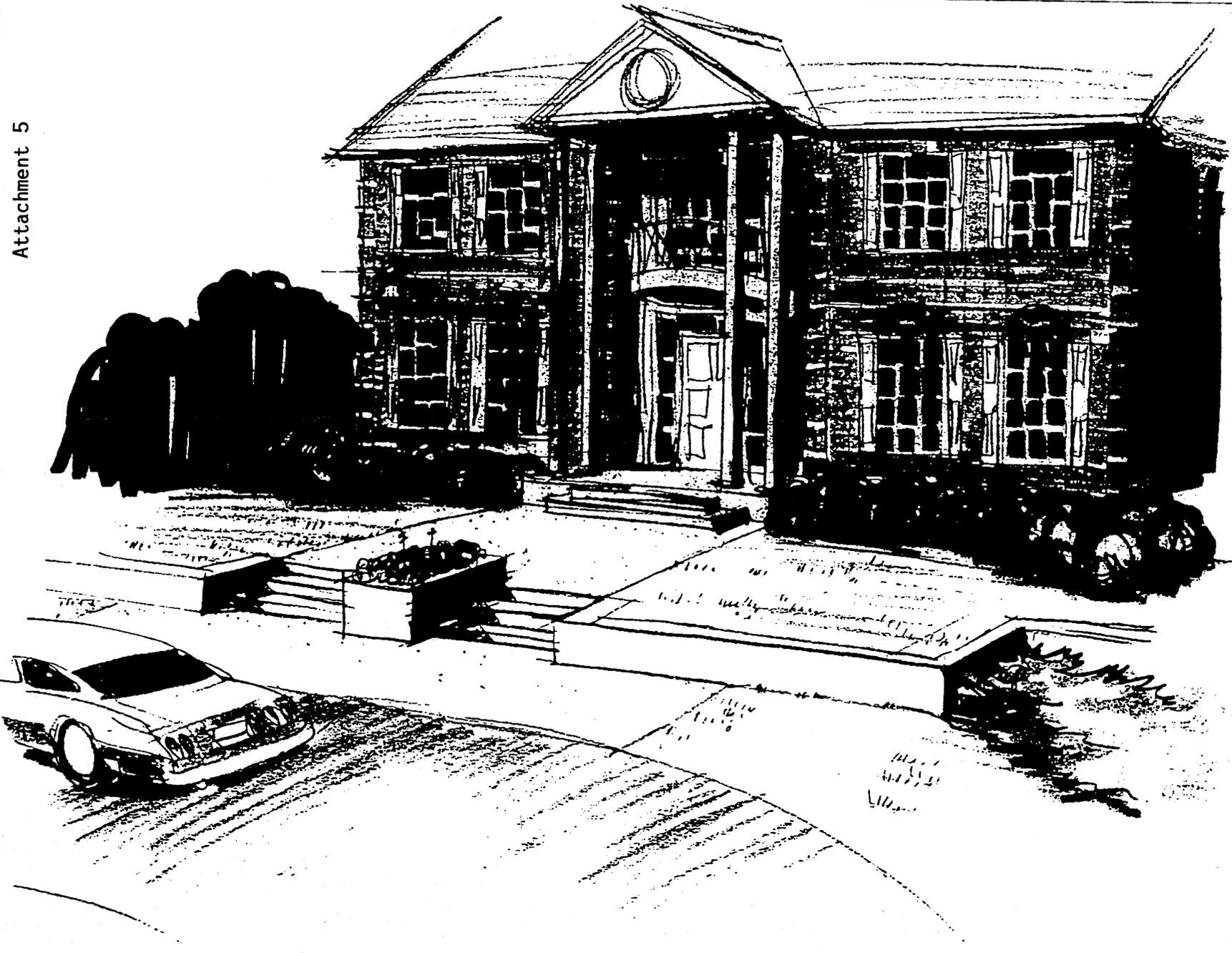


PREVIOUS  
SITE PLAN

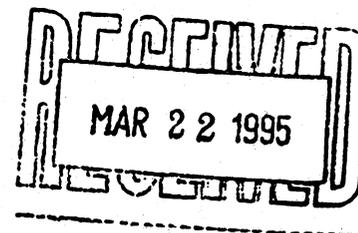
March 6, 1995



Attachment 5



FRANKLIN



Mrs. Floyd M. Johnson  
1726 E. Iowa Avenue  
St. Paul, Minnesota 55106-1334

March 21, 1995

Mr. Tom Ekstrand  
1830 East County Road B  
City of Maplewood  
Maplewood, Minnesota 55109

RE: Application for Building Permit  
2026 Beam Street  
Maplewood, Minnesota

Dear Mr. Ekstrand:

This letter is an appeal for reconsideration of the denial of our application to build a beautiful, two-story home on Beam Avenue.

We have asked for a variance of, I believe, ninety-seven feet set-back from the sidewalk, and I can assure you that in no way this is going to block the neighbors view or infringe on his privacy. As a matter of fact we are going to build a privacy fence before the construction takes place and if your department will allow us, we will make the fence taller than the code allows so that we would in no way infringe on the privacy of the neighbor. And in addition, we believe that this house will increase the value of the properties adjacent to it and the general neighborhood.

We hope and pray that you will look at our application again and if necessary, you will present it to the city council or any other procedure you deem necessary in order for us to be able to build this house.

Thank you for the kind attention given this request and this letter.

Yours very truly,

Mrs. Floyd M. Johnson



# CITY OF MAPLEWOOD

1830 E. COUNTY ROAD B    MAPLEWOOD, MINNESOTA 55109

OFFICE OF COMMUNITY DEVELOPMENT

612-770-4560

March 15, 1995

Mr. Max E. Norton  
Charles Cudd Co.  
1802 Wooddale Drive  
Woodbury, MN 55125

## **PROPOSED INCREASED FRONT SETBACK FOR FLOYD AND BADRI JOHNSON**

As we discussed on Tuesday, March 14, 1995, I cannot approve the proposed 165-foot front yard setback for the Johnson house on Beam Avenue as shown on the attached site plan. This decision is based on the following reasons:

1. The proposed setback would adversely affect the privacy of the adjacent neighbors at 2030 Beam Avenue. A criteria for approving an increased setback is that there be no adverse affect on the privacy of adjacent homes.
2. A grading/drainage plan has not been submitted, so the city could not determine if there would be any adverse affect to 2030 Beam Avenue because of runoff. Code requires that to approve a different front setback, we must determine that there would not be any adverse affect caused a neighbor due to drainage from the proposed building site.

I have enclosed a copy of the ordinance for your information.

As I explained to you, I spoke to Mike Murphy, the owner of 2030 Beam Avenue, on March 13, 1995 about your proposal. Mr. Murphy said that, as an alternative, he would accept an increased setback if the Johnson house could be placed further back in the middle of their lot. Mr. Murphy did not feel that this greater setback would detract from his privacy because of the evergreen trees.

Mr. Max E. Norton  
Page 2  
March 15, 1995

Your options at this time are to:

1. Appeal the staff decision to the city council. To do this, send me a letter requesting the appeal. I will then schedule this item for review by the council. Please give an explanation why the city council should approve your request, specifically addressing items one and two above.
2. Revise the site plan with an alternate location. Any alternate location, that is different from the permitted front setback would have to go through the 15-day review process again.
3. Comply with the code. This option would not require any special approval, only review of the site plan by staff.

Please call me at 770-4563 if you have any questions.



THOMAS EKSTRAND - ASSOCIATE PLANNER

Enclosures:

1. Site Plan
2. Code Section 36-84.4

MINUTES OF MAPLEWOOD CITY COUNCIL  
7:00 P.M., Monday, April 10, 1995  
Council Chambers, Municipal Building  
Meeting No. 95-07

A. CALL TO ORDER

A regular meeting of the City Council of Maplewood, Minnesota was held in the Council Chambers, Municipal Building, and was called to order at 7:00 P.M. by Mayor Bastian.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL:

Gary W. Bastian, Mayor	Present
Sherry Allenspach, Councilmember	Present
Dale H. Carlson, Councilmember	Present
Marvin C. Koppen, Councilmember	Present
George F. Rossbach, Councilmember	Present

J. NEW BUSINESS

2. Appeal of Staff Denial of Site Plan: Johnson (Beam Avenue)

- a. Manager McGuire presented the staff report.
- b. Associate Planner Ekstrand presented the specifics of the report.
- c. Acting Mayor Carlson asked if anyone wished to speak before the Council regarding this matter. The following were heard:

Mr. & Mrs. Floyd Johnson, the applicants

- d. Acting Mayor Carlson moved to table for two weeks to obtain further clarification of the Johnson's request.

Seconded by Councilmember Koppen

Ayes - all (4)

## AGENDA REPORT

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

TO: City Manager

FROM: Assistant City Engineer *Russ*

SUBJECT: Project 93-08, Sterling Street and Schaller Drive Utility and Street Improvements—Assessment Hearing Appeals

DATE: May 1, 1995

Six appeals were filed with the city clerk in regard to the assessments for said improvements. All of the appeals were in regard to storm sewer assessments at the rate of \$525 per unit. The notice of objection letters have been attached for your information. Staff has reviewed the appeals and makes the following recommendations:

PIN 13-28-22-12-0001, Harold and Andrea D. Johnson

Said property was proposed to be assessed the following:

Storm sewer (residential) 1 unit @ \$525 each = \$525  
Total = \$525

The appeal of the assessment is based on a perceived lack of benefit. The owners correctly state that the drainage from their property contribute to some existing ponds. These existing ponds overflow to the west and onto the proposed improvement area in storm events and under saturated or frozen soil conditions. The large pond on the Kayser property that the owners reference will have an outlet improvement constructed as part of the project. Based on the council's current storm sewer assessment policy, the assessment of said property should remain as proposed.

PIN 13-28-22-12-0003, Richard and Karen Doree

Said property was proposed to be assessed the following:

Storm sewer (residential) 1 unit @ \$525 each = \$525  
Total = \$525

The owners co-signed the objection letter from the Johnsons. Staff's recommendation is the same, the assessment should remain as is.

PIN 13-28-22-12-0004, James and Adele English

Said property was proposed to be assessed the following:

Storm sewer (residential) 1 unit @ \$525 each = \$525  
Total = \$525

The owners opposition to the assessment is based on an assumed lack of benefit. They refer to the arguments stated in the Johnson letter regarding the ponds. As mentioned previously, overflow drainage does occur to the west and the area to be improved. Also, improvements will be constructed to specifically receive the drainage to the Kayser property pond. The assessment should stay as proposed.

PIN 13-28-22-13-0068, Douglas and Linda Dunn

Said property was proposed to be assessed the following:

Storm sewer (residential) 1 unit @ \$525 each = \$525  
Total \$525

The objection to the assessment is based on a lack of benefit from the proposed project. The owners detail the flow of the drainage from their property fairly accurately and base their reasoning on their knowledge of the existing storm sewer system. The proposed improvements include an outlet for one of the ponds referred to in the objection letter. These storm sewer improvements will control the level of the pond and direct the drainage from Highwood Third Addition to Pond 12 and the rest of the storm sewer system in this part of the city. Based on the council's storm sewer assessment policy, the assessments should remain as proposed.

PIN 13-28-22-13-0071, David Seidenkranz

Said property was proposed to be assessed the following:

Storm sewer (residential) 1 unit @ \$525 each = \$525  
Total = \$525

The assessment appeal requests a rejection of said assessment due to an apparent lack of benefit. It appears as though the owner believes his assessment is being applied to the street and utility construction on Sterling Street and Schaller Drive. It seems he is unaware of the proposed storm sewer outlet for the Highwood Third Addition pond, which his property's drainage contributes to. Staff recommends that said assessment remains as is.

PIN 13-28-22-13-0072. David A. Gobran

Said property was proposed to be assessed the following:

Storm sewer (residential) 1 unit @ \$525 each = \$525  
Total = \$525

The owner is protesting the assessment of his property based on his understanding that the developer was to have paid all of the assessable costs for street and utility improvements prior to the sale of the property. While the owner makes a good point, his property does contribute drainage that will be directed into the city's storm sewer system by way of improvements associated with the project. Based on current assessment policy, the assessment should remain as proposed.

RAM

jc  
Attachments

*Reid 4/24/95*

City of Maplewood  
1830 East County Road B  
Maplewood, Minnesota 55109  
DEPARTMENT OF PUBLIC WORKS

Subject: D/P No. 6421 Project No. 93-08 Sterling/Schaller  
Reference: Notice of Assessment Hearing  
Notice of Pending Public Improvement  
Statement of Assessment

Members of the Council;

We have now received two (2) of each of the above reference documents and would at this time like to record our formal protest on being required to pay for this assessment. It is doubtful that our property will benefit in any way as there are ponds between our property and the so-called PUBLIC IMPROVEMENT. The run-off would have to reach flood proportions, at which point the Mississippi River would have its own problems. There seems to be no question that the main benefitter (probably the only benefitter) would be the developer who stands to gain more profit on this PUBLIC IMPROVEMENT than any of the home-owners located east of this project. Initially, on the first Notice of Assessment Hearing the total amount to be assessed was \$731,000 with a \$525.00 assessment on our property. Now, 7 months later the second Notice of Assessment Hearing reduces the total amount to \$707,280 AND WE ARE STILL ASSESSED FOR \$525.00 !!! Evidently, there is a logical explanation for the \$24,000 not being reflected in a lower assessment for our property.

Our family has been living at this site for over 22 years and, the good Lord willing, we hope to be here many more. But escalating property taxes and numerous special assessments are taking a bigger chunk of our income and producing no benefits whatsoever. Like the assessment we paid for the new water tower. It was explained to us that we'd have better fire protection! Hardly likely as there is no water on the street (or a fire hydrant) so the only protection is with water on the fire truck..... And if they navigate carefully with their truck, they can avoid the many potholes now existing on Linwood (which is maintained by our tax dollars).

Thank you for reading and considering this letter.

PROPERTY DESCRIPTION

Section 13, Town 28, Range 22  
E. 216.44 ft of N 300 ft of NW 1/4  
of NE 1/4 (subj to road) in Sec 13  
Tn 28 Rn 22

Dated April 24, 1995

Sincerely,

*Harold Johnson Andrea D Johnson*

Harold & Andrea D Johnson  
13-28-22-12-0001  
2616 Linwood Ave E  
Maplewood, MN 55119-5806  
Phone 735-4442

*Karen & Richard Doree*  
2588 Linwood Ave E  
Maplewood MN 55119  
733-9272

PIN #

13-28-22-12-003

Rec'd 4/24/95

4/24/95

I am opposing the \$525.00  
storm sewer assessment for the  
same reasons as Dick & Karen  
Dore. I am their next door  
neighbor. I own the property at  
2548 Linwood Ave. E. identified  
as Pin 13-28-22-12-0004 and  
my run off water runs to the  
south so I would not get  
any benefit from the storm sewer.

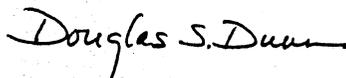
Thank you  
Adelle F. English  
James A. English

2603 Schaller Drive  
Maplewood, Minnesota 55119  
April 20, 1995

Lucille E. Aurelius  
City Clerk  
Maplewood Municipal Building  
1830 East County Road B  
Maplewood, Minnesota 55109

The purpose of this letter is to object to the assessment of one storm sewer unit at \$525.00 to the property located at 2603 Schaller Drive, parcel identification number 13-28-22-13-0068, as part of the Public Improvement Project 93-08, Sterling Street South and Schaller Drive East. The aforementioned property is outside of the general area to be assessed, being located approximately 0.15 miles to the east of O'Day Street South. Since the property is outside of and not immediately adjacent to the general assessed area it will certainly not receive any direct benefit from the storm sewer component of the proposed project. In addition, since the property is 0.15 miles distant from the eastern boundary of the area directly benefiting from the proposed project, storm run-off from the property at 2603 Schaller Drive would find its way to the proposed new storm sewer structure only after traversing two intervening storm sewer holding ponds. It, therefore, seems tenuous to propose that the property at 2603 Schaller Drive receives any measurable benefit whatsoever from this proposed project. We object to the storm sewer assessment on this property and ask that parcel number 13-28-22-13-0068 be removed from the assessment.

Sincerely,

  
Douglas S. Dunn

  
Linda L. Dunn

*Rec'd 4/24/95*

David J. Seidenkranz  
2602 Schaller Drive  
Maplewood, MN 55119  
(612) 735-7260

To whom it may concern:

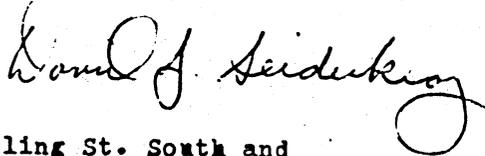
On March 6, 1992 I purchased a new home from Gagne Homes. Storm and sanitary sewers, water main and streets were all the things needed to complete the development called "Highwood Third Addition". It was my understanding that as part of the lot purchase, I had paid for my portion of the costs of installing these utilities.

During these three (3) years, I have been able to move about quite nicely with the streets the city has provided. I see no need to complete or add new roads and more costs.

I reject having to pay an assessment that I feel is the responsibility of the city or the developer of "Amber Hills".

Thank your for listening.

Sincerely,



Public Improvement Project 93-08 Sterling St. South and  
Schaller Drive East.

Parcel I. D. # 13-28-22-13-0071

cc - K. Gaidler  
4-24-95

April 21, 1995

City Clerk  
City of Maplewood  
1830 E. County Road B  
Maplewood, MN 55109

APR 24 1995

Re: Project # 93-08 Parcel ID #: 13-28-22-13-0072

I am writing to protest the recent reassessment of my property for Storm Sewers in the amount of \$525. It is my understanding that this assessment is being made to existing homes in my area even though no work is actually being done directly involving our homes. Apparently the city neglected to charge the developer of this region when it was developed so now the homeowners are being assessed. I paid the market value for my house and lot when it was constructed in 1992 and I logically assumed that this price included all required city service assessments. My lot was priced at a comparable level to other lots that I assume were properly assessed. If the city forgot to assess the developer for storm sewer construction at that time I do not feel that I should be assessed now since I have effectively already paid the developer. If anyone should pay this assessment it should be the developer not the homeowners since he received the benefit of selling lots that had the storm sewer service without his having to pay for the service installation.

Sincerely,

*David A. Gobran*

David A. Gobran  
2594 Schaller Drive  
Maplewood, MN 55119  
612-739-2813

AGENDA REPORT

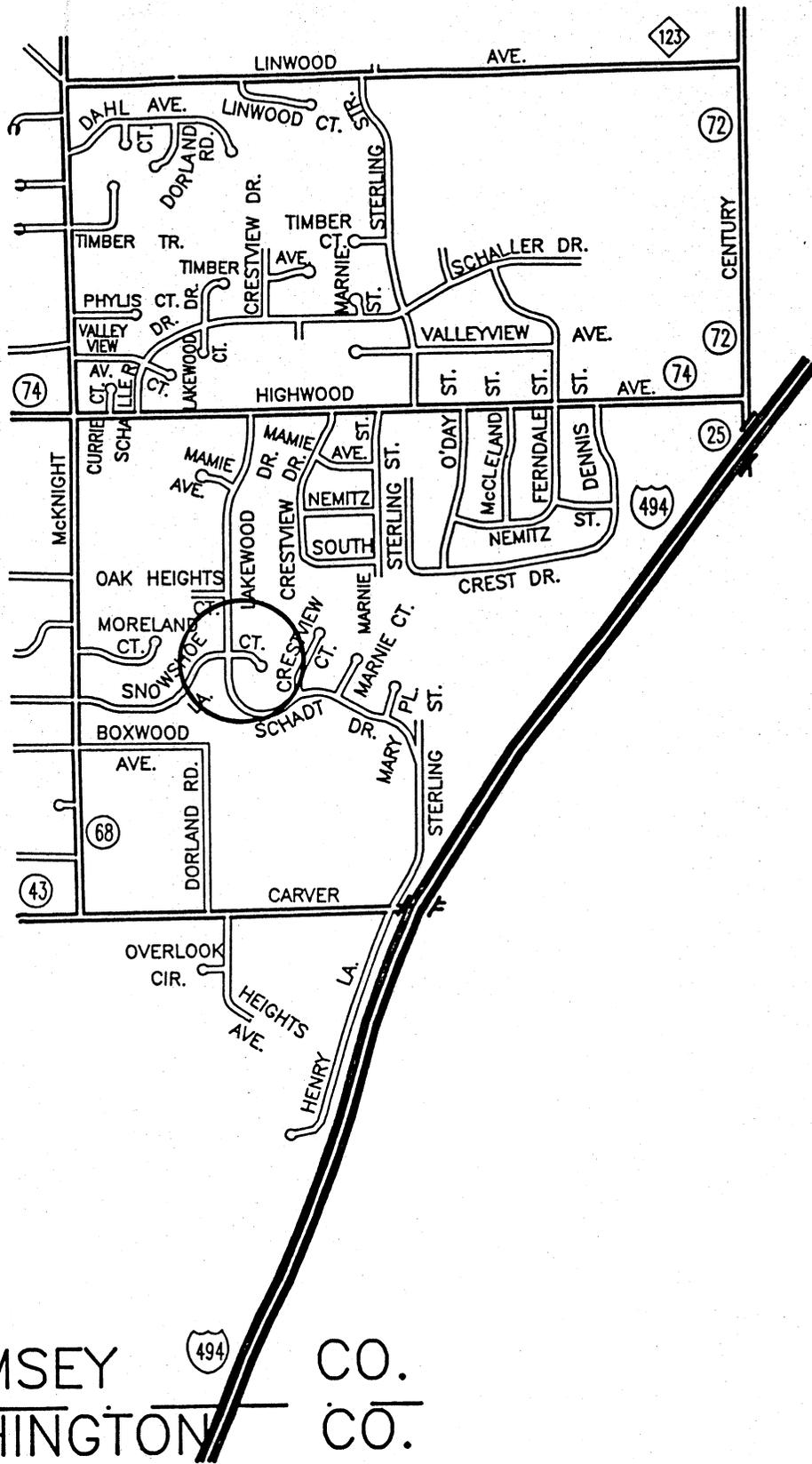
Action by Council:

TO: City Manager  
 FROM: City Engineer  
 SUBJECT: Stop Sign Request  
 DATE: May 1, 1995

Endorsed \_\_\_\_\_  
 Modified \_\_\_\_\_  
 Rejected \_\_\_\_\_  
 Date \_\_\_\_\_

In response to the neighborhood stop sign policy article in the March, 1995, Maplewood in Motion, the public works department received a petition requesting stop signs at the intersection of Lakewood Drive and Showshoe. A location map and the petition with a minimum of 12 property owner signatures are attached.

In accordance with the stop sign policy, the issue of neighborhood stop signs is considered once a year during the month of May. Petitioners have been notified by mail and via the May issue of Maplewood in Motion that their stop sign request will be considered at the May 8, 1995, council meeting.

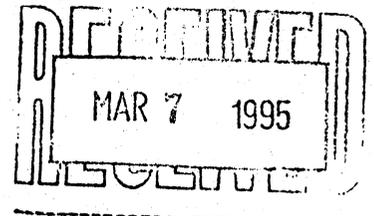


RAMSEY CO.  
 WASHINGTON CO.

no scale

HILLWOOD  
 NEIGHBORHOOD





THE RESIDENTS IN THE NEIGHBORHOOD NEAR THE INTERSECTION OF LAKEWOOD AND SNOWSHOE ARE INTERESTED IN HAVING THE CITY OF MAPLEWOOD PUT STOP SIGNS AT THIS INTERSECTION FOR THE SAFETY OF OUR CHILDREN AND THE USERS OF THE NEARBY PARK.

SIGNATURES:

- Louis & Dwayne Berg 2387 Snowshoe Ct. 738-8918
- Rhoda Ehardt 2379 Snowshoe Ct. 730-9004
- Hebbie Mauer 1122 Lakewood Dr. S. 730-9586
- Mary Salvioletti 1112 Lakewood Dr. S. 739-8102
- Kori Sandell 1123 Lakewood Dr S 739-3343
- Judy Goodner 1133 Lakewood Dr S 735-0227
- Paul & Jessica Stempko 2341 Snowshoe Lane 735-7214
- Martin & Nancy Coughlin 1151 Lakewood Dr. 739-4932
- Rosslyn Culp 1170 Lakewood Dr. S 578-1582
- Martha & Greg Orko 1152 Lakewood Dr S. 735-8621
- Wm. Oldman 1132 Lakewood Dr S. 731-2641
- Fita Ash 1142 Lakewood Dr. 735-8735
- Janet & Glenn 2329 Snowshoe 738-8442
- John & Kathy Britz 1169 Lakewood Dr S 738-6675
- Cindy + Paul Hammler 2380 Snowshoe CT 739-0670

Thank you for your consideration!!!

Requested by Paul Hammler Home # 739-0670  
Work # 221-2180

AGENDA REPORT

Action by Council:

**TO:** City Manager  
**FROM:** Assistant City Manager *Gretchen Maglich*  
**RE:** EROSION CONTROL  
**DATE:** May 1, 1995

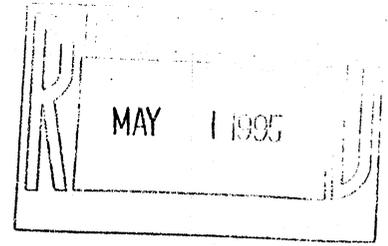
Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

**INTRODUCTION**

Ms. JoAnn Funk requested to be placed on the Council's agenda. The attached letter was received last Monday regarding erosion associated with Amber Hills and Ken Gervais' Budd Kolby Fourth Addition development.

Ms. Funk will be at the meeting to make a presentation.

# JoAnn Funk



April 26, 1995

Gretchen Maglich, Assistant City Manager  
Maplewood City Hall  
1830 County Road B  
Maplewood, Minnesota 55109

Dear Gretchen Maglich,

A group of concerned citizens from the neighborhood surrounding the Amber Hills development in South Maplewood will be attending the City Council Meeting on Monday, May 8, 1995. We would like to be placed on the agenda and scheduled as new business.

Our topic:

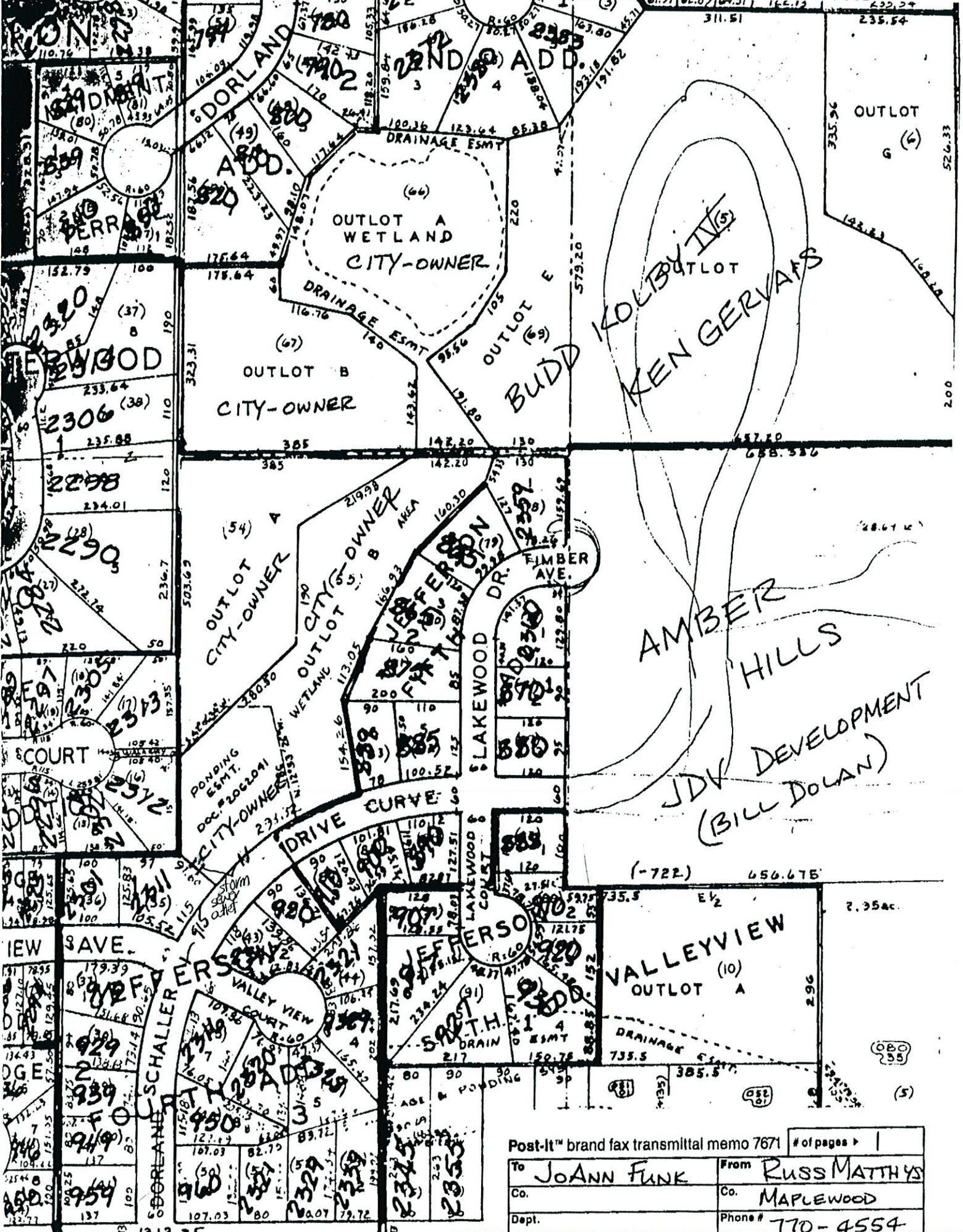
Damage to the city owned wetlands (see map) as a result of the erosion from the Amber Hills development. We will be discussing the effect of the erosion from both the JDV Development/Bill Dolan property and the Budd Kolby/Ken Gervais property.

I've enclosed a map of the wetlands (a chain of three connected ponds). Also, Russ Matthys' most recent instructions to both parties. Part of Dolan's work might have been completed, but none of Gervais' has. Gervais' deadline was yesterday, April 26. Thank you.

Sincerely,



JoAnn Funk



Post-It™ brand fax transmittal memo 7671 # of pages > |

To	JOANN FUNK	From	RUSS MATTHYS
Co.		Co.	MAPLEWOOD
Dept.		Phone #	770-4554



# CITY OF MAPLEWOOD

1830 E. COUNTY ROAD B MAPLEWOOD, MINNESOTA 55109

DEPARTMENT OF PUBLIC WORKS

612-770-4550

April 20, 1995

Ken Gervais  
K.D. Homes, Inc.  
2576 7th Avenue  
North St. Paul, Minnesota 55109

Post-It™ brand fax transmittal memo 7671		# of pages	2
To	Joanne Furrk	From	R. Matthews
Co.		Co.	Maplewood
Dept.		Phone #	770 4550
Fax #	738-2848	Fax #	770 4506

### BUDD KOLBY FOURTH ADDITION, PROJECT 94-07—EROSION CONTROL AT SITE

I am writing in regard to a site review of said project made by Pat Conrad, of the Ramsey-Washington metro Watershed District, and me on April 19, 1995. This review was a follow up to the review I had made on March 17, 1995, and the discussion you and I had on March 20, 1995 regarding the erosion control improvements needed on site. It appears that none of the requested improvements were made.

The following items need to be addressed immediately:

1. Maintenance of the existing silt fence at the southwest corner of the proposed lots.
2. Excavation of the sedimentation basin in the center island, according to the erosion control/grading plan. Installation of an outflow pipe from said sedimentation basin to the toe of the fill slope. The existing pipe is not acceptable.
3. Maintenance of silt fence at the northeast corner of the west wetland. Maintenance includes the removal of the silt and the proper re-establishment of the silt fence.
4. Excavation of the sedimentation basin at the northeast corner of the west wetland. Said basin should be east of the silt fence and west of the toe of the fill slope.

Ken Gervais  
Page 2  
April 20, 1995

5. The entire site must be vegetated, with proper anchoring of all seeding.
6. A floating silt curtain must be installed at the north end of the first pond downstream of said west wetland.

Due to the saturated soil conditions on site, it may be necessary to have some of the work completed by hand. It is extremely important that the existing site conditions are not deteriorated by the completion of these improvements. I want to be notified of the schedule for said improvements prior to their completion.

This work should be completed by the end of the day, Wednesday, April 26, 1995. Please contact me with any questions.



**RUSS A. MATTHYS, P.E. - ASSISTANT CITY ENGINEER**

Jc

cc: Pat Conrad  
Ken Haider  
Kathy Hamm, DNR



# CITY OF MAPLEWOOD

1880 E. COUNTY ROAD B MAPLEWOOD, MINNESOTA 55109

DEPARTMENT OF PUBLIC WORKS

612-770-4500

April 20, 1995

William R. Dolan, C.E.  
Meadowood Engineering, Inc.  
1521 Highway 13 East  
Burnsville, Minnesota 55337-2917

Post-It™ brand fax transmittal memo 7671		# of pages > 1
To <i>Joanne Funk</i>	From <i>R. Matthys</i>	
Co.	Co. <i>Maplewood</i>	
Dept.	Phone # <i>770 4550</i>	
Fax # <i>738-2848</i>	Fax # <i>770 4506</i>	

## AMBER HILLS, EROSION CONTROL AT SITE

I reviewed said project site with Pat Conrad of the Ramsey-Washington Metro Watershed district on April 19, 1995. The following erosion control items need to be address immediately:

1. Maintenance and re-establishment of the existing silt fence/bale checks at the rear lot lines north of Schaller Drive and east of Crestview Drive.
2. Maintenance and re-establishment of the existing silt fence on the south property line, east of the south Crestview Drive stub.
3. Clean the street in the Lakewood cul-de-sac. Remove all silt material immediately.

The silt fence items shall be completed by the end of the day, Friday, April 21, 1995. please contact me with any questions.

*Russ Matthys*

RUSS A. MATTHYS, P.E. - ASSISTANT CITY ENGINEER

jc  
cc: Pat Conrad  
Ken Halder  
Dean Johnson

## AGENDA REPORT

**TO:** City Manager  
**FROM:** Assistant City Manager *Erathen Mojich*  
**RE:** **ALARM SYSTEM LICENSES**  
**DATE:** April 28, 1995

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

**INTRODUCTION**

The City has received several inquiries from residents about the City's required annual permit for buildings with security systems. The cost of a residential permit is \$40 per year. The purpose of this report is to provide information to the Council for discussion purposes.

**BACKGROUND**

The most recent letter of inquiry about the permit fee is attached to this report. In addition, Chief Collins prepared a memo with background information and the basis for the alarm license.

May 1, 1995

MEMORANDUM

To: Assistant City Manager Gretchen Maglich  
From: Director of Public Safety Kenneth V. Collins *KVC*  
Subject: Alarms

When our alarm ordinance was established in 1980, an annual fee was established for each person owning or using an alarm system within the City.

While I was not involved in the establishment or writing of this ordinance, it has been my understanding that this fee is used to help defray the costs for police services in answering alarm calls.

An example would be that in 1994 the Maplewood Police Department responded to over 1,300 alarm calls. Of these, approximately 80% were false alarms. Figuring the officers' time for responding to these alarms and the fact that each false alarm requires at least two officers being out of service for several minutes, it is estimated that it cost over \$6,500 to answer these false alarms.

That is about the best justification that I can give for the annual fee that is charged.

Another alternative would be to assess a higher fee for every false alarm call received and handled by the department. We currently charge \$25 for the third and subsequent false alarms that are received in a six-month period. This charge has remained at this level since the ordinance was enacted in 1980.

I am sure that there are other alternatives that we could consider, and I would be happy to discuss them with you.

Should you have any further questions, please feel free to contact me.

KVC:js



# CITY OF MAPLEWOOD

1830 E. COUNTY ROAD B    MAPLEWOOD, MINNESOTA 55109

OFFICE OF THE MAYOR

612-770-4524

April 12, 1995

Mr. Naimul Karim  
2360 Linwood Court  
Maplewood, MN 55119

Dear Mr. Karim:

I received your letter about the \$40 permit for a residential security system. I would like to take this opportunity to respond to your questions and comments.

The Police Department responds to approximately 1,800 alarm calls a year. Ninety percent of these calls are false alarms. A minimum of two patrol cars respond to each of the alarms. There is a tremendous amount of personnel time consumed by false alarms within the City.

The City's ordinance allows three false alarms within a six month period of time. If the Police respond to a fourth false alarm within that six month period, the resident is charged a fee of \$25. The charge covers a small portion of the cost to respond to a false alarm. It's main purpose is to motivate a person or business to eliminate the false alarms whether that means being more careful in setting the system or maintaining a top quality system which has few mechanical problems.

The licensing requirement and fee accomplish two things. The resident must notify City Hall that a residential alarm exists at a certain address. If there is a report of an alarm in a certain neighborhood, the City records are accessed by the Police Department to determine possible addresses to which to respond. Secondly, the fee covers the costs associated with the application and the personnel costs associated with responding to the allowable three false alarms.

Mr. Naimul Karim  
Page 2  
April 11, 1995

I can understand your frustration with the fee if you are a conscientious alarm user. You have chosen to invest in an electronic system which should reduce the cost of police protection. However, there are additional costs associated with these systems, and the fee is intended to cover those costs.

Since other residents have asked the same questions that you are, I am scheduling this subject to be discussed by the City Council at our May 8 meeting. Council meetings are held at City Hall and begin at 7:00 p.m. The agenda for that meeting will be available Wednesday afternoon, May 3. If you call the City Manager's office at 770-4524, they will be able to give you an approximate time that this item will be heard by the Council. I hope to see you there. If you have cable tv, our City Council meetings are cable cast live on Channel 64 (or Channel 56 if you have a cable ready television.)

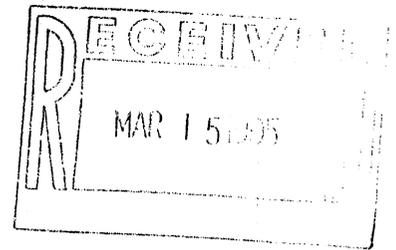
Sincerely,



Gary Bastian  
Mayor

c: Director of Public Safety Ken Collins

Terrie- attach  
please ~~copy~~ to Gary's letter  
with awaiting his signature.



gm

March 12, 1995

Maplewood City Council  
1830 E. County Road B

Recently I received the attached note regarding license fee for my residential security system. Before paying \$40.00 per year I would appreciate your help in understanding the rationale behind this fee. I fail to understand what services I am getting from the city that I am being charged for. As a matter of fact, by installing the security system I am probably helping the city cut it's expenses for crime prevention. The private business appreciates this fact by decreasing the fees for home owner's insurance if a security system is installed. Is the city of Maplewood run by other rules of economics ? This fee is certainly not meant to cover expenses related to false alarms. As I understand such expenses are charged to the homeowner anyway.

Thank you very much for your patience and for helping me understand the situation better.

Sincerely,

A handwritten signature in cursive script, appearing to read "Naimul Karim".

Naimul Karim  
2360 Linwood Court  
Maplewood, MN 55119

Background  
for answer

Enclosure

First three alarms are free -

23 cars 95% false chged after 3 in 6mos

punitive where alarm is - registered

C: Mike McGuire



CITY OF  
MAPLEWOOD

1830 E. COUNTY ROAD B    MAPLEWOOD, MINNESOTA 55109

OFFICE OF CITY CLERK

612-770-4520

March 2, 1995

Mr. Naimul Karim  
2360 Linwood Ct.  
Maplewood, MN 55119

RE: ALARM LICENSE

It has come to the City's attention that you have an alarm system. All alarm systems are required to be licensed with the City yearly, in January.

Enclosed please find the Alarm License Application form that you need to fill out and return to us, along with the \$40.00 license fee.

Your prompt attention to this matter will be appreciated.

Sincerely,

CITY OF MAPLEWOOD

A handwritten signature in cursive script that reads "Patricia Fry".

Patricia Fry  
Secretary

pf

Enclosure

Chapter 4

ALARMS AND ALARM SYSTEMS\*

- Art. I. In General, §§ 4-1—4-40
  - Div. 1. Generally, §§ 4-1—4-20
  - Div. 2. False Alarms, §§ 4-21—4-40
- Art. II. Licenses, §§ 4-41—4-49

ARTICLE I. IN GENERAL

DIVISION 1. GENERALLY

Sec. 4-1. Definitions.

For the purposes of this chapter, the following words, terms and phrases shall have the following respective meanings ascribed to them.

*Alarm agent:* "Alarm agent" shall mean any person who is employed by an alarm business, either directly or indirectly, whose duties include any of the following: Selling, maintaining, leasing, servicing, repairing, altering, replacing, moving or installing on any building, place or premises, any alarm system in the city.

*Alarm, audible:* "Audible alarm" shall mean a device designed for the detection of unauthorized entry on premises or for smoke or fire detection, and, when actuated, generates an audible sound on or near the premises.

*Alarm business:* "Alarm business" shall mean any person in the city engaged in selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, installing or monitoring any alarm system or causing to be sold, maintained, serviced, repaired, altered, replaced, moved, installed or monitored an alarm system in or on any building, place or premises.

*Alarm, false:* "False alarm" shall mean the activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or of his employes or agents. It does not include activation of the alarm by acts of God or by utility company power outages.

\*Cross reference—Fire prevention and protection, Ch. 12.  
State law reference—Alarm transmission telephone devices, M.S. § 237.47.

**Alarm, proprietor:** "Proprietor alarm" shall mean an alarm which is not serviced by an alarm business.

**Alarm system:** "Alarm system" shall mean an assembly of equipment and devices (or a single device such as a solid state unit which plugs directly into a 110 volt AC line) arranged to signal the presence of a hazard requiring urgent attention and to which public safety personnel are expected to respond.

**Person:** "Person" shall mean any individual, partnership, corporation or other entity.

**Subscriber:** "Subscriber" shall mean a person contracting with an alarm business for the leasing, servicing or maintaining of an alarm system. (Ord. No. 483, § 1216.010, 3-6-80)

**Cross reference**—Rules of construction and definitions generally, § 1-41 et seq.

#### Sec. 4-2. Exemptions.

The provisions of this chapter are not applicable to audible alarms affixed to automobiles or owner-installed audible alarms when used in a single-family private dwelling. (Ord. No. 483, § 1216.010, 3-6-80)

#### Sec. 4-3. Standards for alarm systems, proprietor alarms and audible alarms.

The director of public safety may prescribe minimum standards for the construction and maintenance, and may require inspection and approval, of all alarm systems, proprietor alarms and audible alarms installed within the city. These regulations shall become effective upon adoption by council resolution, and all devices shall meet or exceed such standards before licenses may be issued under this chapter. Such standards shall not exceed the requirements specified by Underwriters Laboratories, Inc., or Factory Mutual Research Corporation. (Ord. No. 483, § 1216.020, 3-6-80)

#### Sec. 4-4. Audible alarm requirements.

All audible alarms in the city shall meet the following requirements:

- (1) Every person maintaining an audible alarm shall post a notice containing the name and telephone number of the persons to be notified to render repairs or service during any hour of the day or night that the burglar alarm rings. Such

notice shall be posted at the main entrance to such premises or near the alarm in such a position as to be legible from the ground level adjacent to the building or kept currently corrected and on file with the public safety dispatcher.

- (2) Audible alarms that sound like police or fire sirens are forbidden.
- (3) Such audible alarms shall have an automatic shut off which will silence the audible alarm within a period not to exceed twenty (20) minutes. (Ord. No. 483, § 1216.020, 3-6-80)

#### Sec. 4-5. Alarm agents.

No person shall engage in, conduct or operate as an alarm agent in the city, unless he is employed by an alarm company licensed under the provisions of this chapter. (Ord. No. 483, § 1216.030, 3-6-80)

#### Sec. 4-6. Alarm transmission telephone devices.

No person shall install an alarm system, or use and possess an operative alarm system, which utilizes taped or prerecorded messages which deliver a telephone alarm message to the city public safety communications center. (Ord. No. 483, § 1216.030, 3-6-80)

**State law reference**—Alarm transmission telephone devices, M.S. § 237.47.

#### Secs. 4-7—4-20. Reserved.

### DIVISION 2. FALSE ALARMS\*

#### Sec. 4-21. Reports required.

A report shall be filed with the director of public safety within ten (10) working days after alarm for each and every alarm transmitted to the police department and if requested by the director of public safety, such report shall contain all information specified by the director of public safety. (Ord. No. 483, § 1216.020, 3-6-80; Ord. No. 491, § 1, 7-24-80)

\*State law references—Falsely reporting crime, M.S. § 609.505; false fire alarms, M.S. § 609.686.

**Sec. 4-22. Responses by city to false alarms; written reports required; inspections; fees; excusable false alarms; etc.**

(a) No fee shall be charged for a response by the city to a false alarm from an alarm system in the city at which no false alarm has occurred within the preceding six-month period, but the person having or maintaining the alarm system shall make a written report thereof to the director of public safety, as provided in section 4-21 of this division.

(b) No fee shall be charged for a second false alarm response by the city to an alarm system in the city within six (6) months after the first response, but in addition to the requirement of a written report thereof, as provided in section 4-21 of this division, the director of public safety shall be authorized to inspect or cause to be inspected the alarm system, prescribe necessary corrective action and shall give notice to the person having or maintaining such alarm system of the conditions and requirements of this chapter.

(c) For a third false alarm response by the city to an alarm system in the city within six (6) months after a second such response, and for all succeeding such responses within six (6) months of the last response, a fee of twenty-five dollars (\$25.00) may be charged, and if such third false alarm or any such succeeding false alarm is the result of the failure to take necessary corrective action prescribed by the director of public safety, the provisions of section 4-49 of this chapter shall be applicable.

(d) The director of public safety may excuse false alarms when there is evidence that they are the result of an effort or order to upgrade, install or maintain an alarm system or if one or more false alarms result from the same malfunction within a seven (7) day period of time. (Ord. No. 483, § 1216.060, 3-6-80)

**Secs. 4-23—4-40. Reserved.**

**ARTICLE II. LICENSES\***

**Sec. 4-41. Required for alarm business, alarm system, proprietor alarm or audible alarm.**

(a) Effective March 15, 1980, a license under this article shall be required for each alarm business, alarm system, proprietor alarm or audible alarm in the city.

(b) No person or company shall engage in, conduct or carry on an alarm business in the city without first applying for and receiving a license therefor in accordance with the provisions of this article.

(c) No person shall install an alarm system, proprietor alarm or audible alarm, or use and possess an operative alarm system, proprietor alarm, or audible alarm, in the city, without first applying for and receiving a license in accordance with the provisions of this article. (Ord. No. 483, §§ 1216.010, 1216.030, 3-6-80)

**Sec. 4-42. Approving authority.**

The approving authority for all licenses under this article shall be the director of public safety. (Ord. No. 483, § 1216.040, 3-6-80)

**Sec. 4-43. Issuing authority.**

The issuing authority for all licenses under this article shall be the city clerk upon receipt of approval from the director of public safety. (Ord. No. 483, § 1216.040, 3-6-80)

**Sec. 4-44. Applications—Generally.**

Applications for all licenses required under this article shall be filed with the city clerk. The city clerk shall prescribe the form of the application and request such information as is necessary to evaluate and act upon the license application. (Ord. No. 483, § 1216.040, 3-6-80)

**Sec. 4-45. Same—Alarm business; investigations; basis for denial of license.**

(a) The director of public safety shall conduct an investigation of the applicant for an alarm business license under this article to

\*Cross reference—Licenses generally, Ch. 17.

determine his character, reputation and moral integrity; provided that, the director of public safety, at his discretion, may dispense with the investigation upon being furnished with an authenticated copy of a current alarm business license issued by another governmental agency located in the county.

(b) The license shall be denied if the character, reputation or moral integrity of the applicant is determined to be inimical to the safety or the general welfare of the community, or if the applicant falsifies any information in the license application. (Ord. No. 483, § 1216.040, 3-6-80)

**Sec. 4-46. Same—Alarm systems, proprietor alarms and audible alarms.**

(a) The application for licenses for alarm systems, audible alarms and proprietor alarms required by this article shall require the name, address and telephone number of the person or alarm business who will render service or repairs during any hour of the day or night.

(b) Licenses shall be issued to the person owning, using or possessing the alarm system, proprietor alarm or audible alarm. Alarm businesses shall assist in the processing of applications for their subscribers. The subscribers shall forward the completed application and the license fee to the city clerk. When a proprietor alarm or audible alarm is in operation and not serviced by an alarm business, the application for the license and payment of the license fee shall also be made directly to the city clerk. A copy of such application and license shall be forwarded by the city clerk to the director of public safety. (Ord. No. 483, § 1216.040, 3-6-80; Ord. No. 491, § 1, 7-24-80)

**Sec. 4-47. Required bonds from alarm businesses.**

(a) Each alarm business shall furnish to the city clerk, prior to the issuance of the license under this article, evidence of a corporate surety bond in the principal amount of five thousand dollars (\$5,000.00). The bond shall be conditioned as follows:

(1) Upon the observance by the applicant and each operator of the business of all the provisions of this chapter; and

(2) Upon the truth of all the representations made in connection with the application for the license under this article.

(b) Such bond shall inure to the benefit of the city, but any person injured or aggrieved or who sustained loss or damages through fraud, deception, negligence or tortious conduct on the part of the alarm business, or its alarm agent, shall have a right to recover against the bond in the event of the bankruptcy or insolvency of the licensee. (Ord. No. 483, § 1216.050, 3-6-80)

**Sec. 4-48. Fees.**

(a) *Alarm business licenses.* An annual license fee of fifty dollars (\$50.00) shall be due and payable on March 15, 1980, and on January first of each subsequent year for each alarm business engaging in business within the city. Such license fee shall not be prorated.

(b) *Responses to false alarms:*

(1) No fee shall be charged for a response to an alarm system at which no false alarm has occurred within the preceding six (6) months' period, but the person having or maintaining the alarm system shall make a written report thereof to the director of public safety as provided in section 4-21.

(2) No fee shall be charged for a second false alarm response to an alarm system within six (6) months after the first response, but in addition to the requirement of a written report thereof as provided in section 4-21, the director of public safety shall be authorized to inspect or cause to be inspected the alarm system, prescribe necessary corrective action, and shall give notice to the person having or maintaining such alarm system of the conditions and requirements of this chapter.

(3) For a third false alarm response to an alarm system within six (6) months after such a second response, and for all succeeding responses within six (6) months of the last response, a fee of twenty-five dollars (\$25.00) may be charged, and if such third false alarm or any such succeeding false alarm is the result of the failure to take necessary corrective

action prescribed by the director of public safety, the provisions of section 4-49 shall be applicable.

- (4) The director of public safety may excuse false alarms when there is evidence that they are the result of an effort to order to upgrade, install or maintain an alarm system or if one or more false alarms result from the same malfunction within a seven-day period of time. (Ord. No. 483, § 1216.060, 3-6-80; Ord. No. 491, § 1, 7-24-80; Ord. No. 587, § 1, 1-13-86)

**Sec. 4-49. Suspension and revocation of licenses.**

(a) The following shall constitute grounds for revocation or suspension of licenses issued under this article:

- (1) The violation of any of the provisions of this chapter or failure to comply with same.
- (2) Where the character or moral integrity of the license holder or his employees is determined inimical to public safety or the general welfare of the community.
- (3) An alarm system, proprietor alarm or audible alarm license may be revoked where such device actuates excessive false alarms (more than six (6) in a six (6) month period) and thereby constitutes a public nuisance.

(b) Upon the suspension or revocation of an alarm system, proprietor alarm or audible alarm license, the director of public safety may order the disconnection of such alarm system; provided that, no disconnection shall be ordered as to any premises required by law to have an alarm system in operation. (Ord. No. 483, § 1216.070, 3-6-80)

may order the disconnection of such alarm system; provided that, no disconnection shall be ordered as to any premises required by law to have an alarm system in operation. (Ord. No. 483, § 1216.070, 3-6-80)

AGENDA REPORT

Action by Council:

TO: City Manager  
FROM: Assistant City Manager *Ernest Maglich*  
RE: OPEN SPACE SITE #116  
DATE: April 28, 1995

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

**INTRODUCTION**

Negotiations with the third property owner involved with Open Space Site #116 have been completed. The purpose of this report is to present the negotiated purchase agreement to see if the Council would like to pursue the acquisition. The property owner is willing to sell the City 10.5 acres for a total cost is \$280,710.

**BACKGROUND**

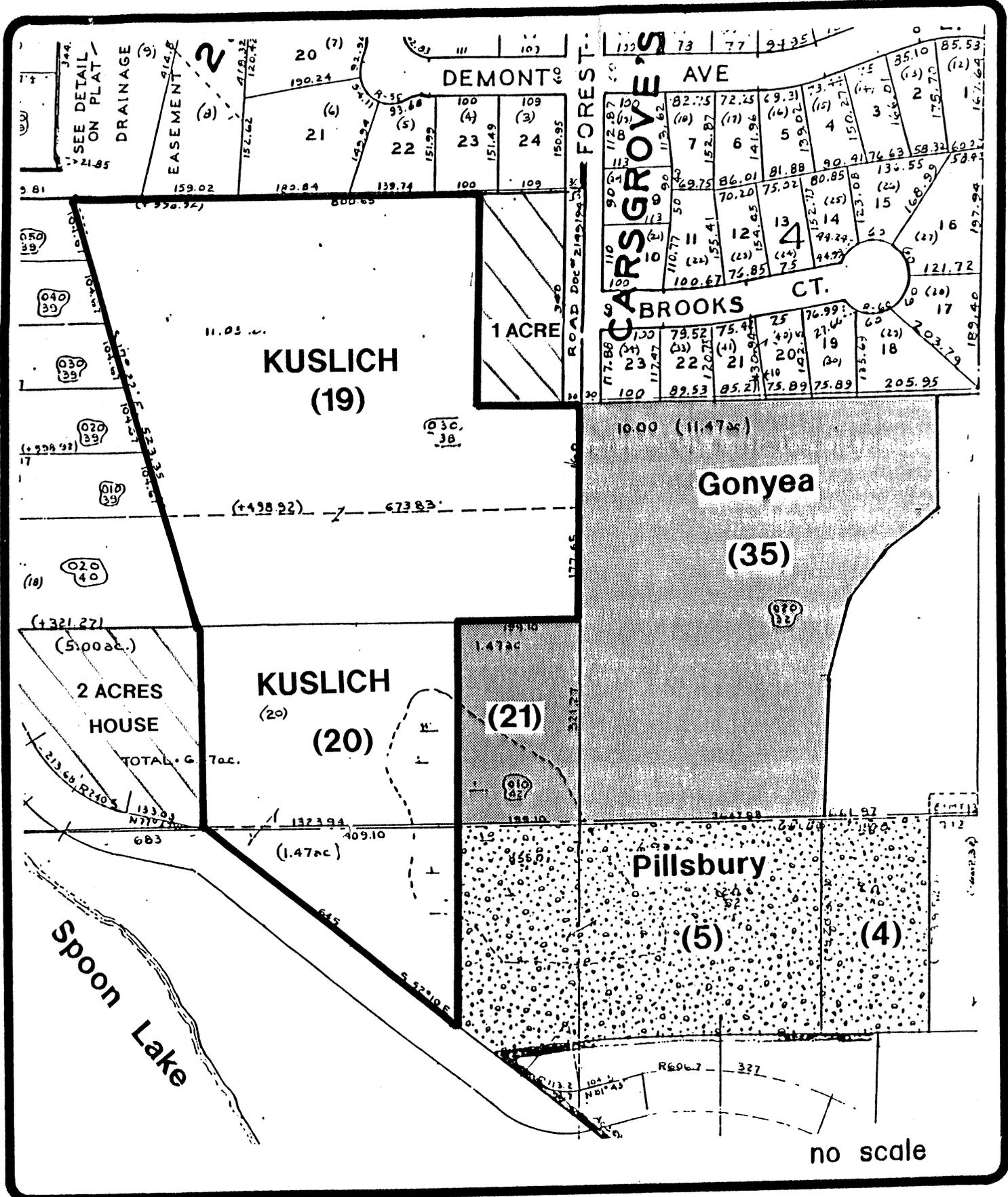
Open Space Site #116 is a combination of three different property owners and six different parcels. A location map identifying the owners is attached to this report.

On March 27, the City Council approved the purchase of Parcels 4, 5, 21, and a portion of 35. The total package approved at that meeting was 17 acres for \$408,000. Dr. Stephen Kuslich owns Parcels 19 and 20. He is willing to sell 10 acres of Parcel 19 and 4.5 acres of his homesteaded property, Parcel 20. If the City Council approved this acquisition, the total acreage of Open Space Site #116 will be 28 acres, and the total investment will be \$688,710.

The Planning Commission and Parks & Recreation Commission review of Open Space Site #116 included Dr. Kuslich's property. Therefore, the City Council does not need to forward this item to them for review. The next step in the acquisition process is to consider the purchase. If the Council decides not to purchase the property, direct staff to notify the property owner. If the Council decides to purchase the property, direct staff to proceed with the closing after title is determined to be clear and the environmental review is satisfactory.

**RECOMMENDATION**

It is recommended that the City Council consider the acquisition of an additional 14.5 acres of Open Space Site #116. If the Council is interested in pursuing the purchase, direct staff to close on the property.



**LOCATION MAP  
PROPOSED OPEN SPACE**



AGENDA REPORT

TO: City Manager  
FROM: City Engineer  
SUBJECT: Carver Avenue—Shoulder Paving Agreement  
DATE: May 1, 1995

Action by Council:

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

Attached is an agreement with Ramsey County for the city to participate in the cost of shoulder paving on Carver Avenue from Century avenue to McKnight Road. The proposal is to provide two 12 foot driving lanes and two 4 foot paved shoulders. The city cost is \$11,342 and has been budgeted for 1995.

It is recommended that the city council authorize executing of Agreement 95015 for shoulder paving on Carver Avenue

KGH

jc  
Attachment

Agreement for Construction of Paved Road Shoulders

THIS AGREEMENT, by and between the County of Ramsey, a political subdivision of the State of Minnesota, hereinafter referred to as the "County", and the City of Maplewood, a political subdivision of the State of Minnesota, hereinafter referred to as the "City";

WHEREAS, In 1995 the County plans to improve Carver Avenue from McKnight Road to Century Avenue via pavement recycling and overlay; and

WHEREAS, The improvement work is proposed to include the installation of bituminous shoulder paving; and

WHEREAS, Under the County cost participation policy as outlined in Resolution 9-1272 the City is to pay 75% of the cost of shoulder paving within the City.

The parties mutually agree as follows:

1. The County will construct four foot width paved shoulders on Carver Avenue from McKnight Road to Century Avenue as part of the recycling and overlay improvement of this roadway.
2. The estimated cost of the portion of added shoulder paving in the City is \$15,122 for 10,666 lineal feet.
3. The 75% City share of the shoulder paving cost shall be \$11,342. In the event the actual cost of the added shoulder paving exceeds the estimated cost stated in paragraph 2, the City shall pay any such excess upon notification by the County.
4. The City shall pay its share of the shoulder paving costs to the County after completion of the shoulder paving and upon submission of a bill to the City.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their respective duly authorized officers.

CITY OF MAPLEWOOD

COUNTY OF RAMSEY

By \_\_\_\_\_

By \_\_\_\_\_

County Manager

Its \_\_\_\_\_

Date \_\_\_\_\_

By \_\_\_\_\_

Approved as to Form:

Its \_\_\_\_\_

\_\_\_\_\_  
Assistant County Attorney

Date \_\_\_\_\_

\_\_\_\_\_  
Director of Public Works and  
County Engineer

AGENDA REPORT

Action by Council:

To: City Manager Michael McGuire  
From: Director of Public Safety Kenneth V. Collins *KVC*  
Subject: Gambling Permit - Minnesota Youth Baseball Association  
Date: May 2, 1995

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

Introduction

The Minnesota Youth Baseball Association has applied for a permit to run a pull-tab gambling operation at Bleacher's Bar & Grill, 2220 White Bear Avenue.

Background

Ron Rosendahl, president of the Minnesota Youth Baseball Association, Inc., has applied for a gambling permit.

An extensive background investigation has been done on him and the organization.

The organization currently has an office at 2225 White Bear Avenue. They have been at this location less than three years. The association has held regular meetings since July 1990, however, it is unknown exactly where these meetings were held. In speaking with Mr. Rosendahl, he advises that the meetings were held at his residence. However, in reviewing the minutes of their meetings, it often talks about their office, but a location is never given. Mr. Rosendahl has never satisfactorily explained this discrepancy.

Under Section 15-37 (Subd. 2) of our ordinance, an organization must have 15 active members. The membership list submitted shows only nine members, two of whom are residents of the City of Maplewood. Again, in reviewing the minutes of MYBA, they rarely list anyone other than four-six members in attendance. A list of total membership has not been supplied to me or Police Department investigators.

Also, under Section 15-37 (Subd. 2) of our ordinance, it states that an organization must demonstrate that during the immediate three years prior to the date of application, the organization has to have performed substantial services within the City or on behalf of the residents of Maplewood. I asked Mr. Rosendahl to supply me with verifiable information demonstrating this. He advised me that they have not currently performed such services in the City or on behalf of the City at present, however, they would once they were given the gambling permit.

Recommendation

Based on the results of the investigation, I do not believe that the Minnesota Youth Baseball Association meets the requirements of our ordinance and would recommend denial of a lawful gambling permit at this time.

Action Required

Submit to City Council for their review and handling.

KVC:js

cc Gambling File  
95-001977

AGENDA REPORT

TO: City Manager  
FROM: City Clerk  
SUBJECT: GAMBLING PERMIT - HERITAGE THEATRE  
DATE: May 2, 1995

Action by Council:

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

The Heritage Theatre Group has requested approval of a gambling permit to hold a raffle at the Maplewood Community Center.

As of yet, they have not submitted proof that they are under a 501(C)3 plan.

The application was filed on April 28, 1995 and is being reviewed. Maplewood Code Section 15-39 (5) states the application be submitted 30 days before the date of the raffle. This requirement can be waived by the Council.

Another issue regarding this application is if the Council wishes to set policy as to whether gambling should be conducted in the Maplewood Community Center.

LEA

pf  
Attachments

CITY OF MAPLEWOOD  
LAWFUL GAMBLING LICENSE APPLICATION

INFORMATION REQUIRED WITH APPLICATION FOR PERMIT TO CONDUCT LAWFUL GAMBLING IN MAPLEWOOD

1. Full and complete name of organization which is applying for license: HERITAGE THEATRE CO. INC.
2. Does your organization meet the requirements as defined in Maplewood Ordinance Sections 15-34 to 15-42? yes
3. Address where games will be held 2100 WHITE BEAR AVE, MAPLEWOOD, MN 55109  
Number Street City Zip Code
4. Name of manager signing this application who will conduct, operate, and manage gambling games ROBERTA STARK Date of birth 7/10/56  
Length of time manager has been a member of applicant organization 14 YEARS
5. Address of manager 33 McCLELLAND AVE, MAPLEWOOD, MN 55119  
Number Street City Zip Code
6. Day, dates, and hours this application is for RAFFLE TICKET SALES MAY 5 - MAY 21  
DRAWING MAY 21, 1995 6:00 pm
7. Is the applicant or organization organized under the laws of the State of MN? YES
8. Date of incorporation 12/27/82
9. Date when <sup>(Certified)</sup> registered with the State of Minnesota 12/27/82
10. How long has organization been in existence? 14 YEARS
11. How long has organization been in existence in Maplewood? 14 YEARS
12. What is the purpose of the organization? PROVIDE FAMILY THEATER  
PRODUCTIONS OF MUSICALS & PLAYS.

13. Officers of applicant organization:

Name DON WIEGERT  
Address 2119 DULUTH PL.  
Phone # 484-4216 (H) — (W)  
Title PRESIDENT DOB 5/17/19  
Name ROBERTA STARK  
Address 33 McCLELLAND AVE.  
Phone # 730-9491 (H) 304-6670 (W)  
Title TREASURER DOB 7/10/56

Name JEAN VERNER  
Address 12685 170th St. N.  
Phone # 433-2008 (H) 779-3555 (W)  
Title VICE PRESIDENT DOB 11/10/58  
Name KRIS SATLER  
Address 1855 BIRMINGHAM  
Phone # 770-9496 (H) — (W)  
Title SECRETARY DOB 7/10/59

14. Give names of officers or any other persons who paid for services to the organization:

Name ROBERTA STARK

Name KRIS SATLER

Address 33 McCLELLAND AVE.

Address \_\_\_\_\_

Title TREASURER

Title \_\_\_\_\_

(Attach separate sheet for additional names.)

15. Attached hereto is a list of names and addresses of all members of the organization.

16. In whose custody will organization's records be kept?

Name ROBERTA STARK

Address 33 McCLELLAND AVE

MARLEWOOD, MN 55119

17. List all persons with the authority to sign checks for dispersal of gambling proceeds:

Name DON WIEGERT

Name \_\_\_\_\_

Address 2119 DULUTH PL

Address \_\_\_\_\_

DOB 5/17/19 Member of organization? Y

DOB \_\_\_\_\_ Member of organization? \_\_\_\_\_

Name ROBERTA STARK

Name \_\_\_\_\_

Address 33 McCLELLAND

Address \_\_\_\_\_

DOB 7/10/56 Member of organization? Y

DOB \_\_\_\_\_ Member of organization? \_\_\_\_\_

18. Have you read and do you thoroughly understand the provisions of all laws, ordinances, and regulations governing the operation of Charitable Gambling games? yes, for those you gave copies of

19. Will your organization's lawful gambling operation be operated/managed solely by members of your organization? Yes X No \_\_\_\_\_

20. Has your organization signed, or does it intend to sign, a consulting agreement or a managerial agreement with any person or company to assist your organization with the lawful gambling sales and/or record keeping? Yes \_\_\_\_\_ No X

If the answer is yes, give the name and address of the person and/or company contracted:

Name \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

If the answer is yes, how will such a consultant be paid (percentage, flat fee, gambling funds, general funds, etc.)? Attach a copy of said contract to this application.

21. Operator of premises where games will be held:

Name MARLEWOOD COMMUNITY CENTER

Business address ~~33 McClelland Ave~~ 2100 WHITEHEAD AVE

Home address \_\_\_\_\_

22. Does your organization pay or intend to pay accounting fees out of gambling funds?  
Yes \_\_\_\_\_ No ✓ \_\_\_\_\_

If you do pay accounting fees, to whom will such fees be paid? \*

Name \_\_\_\_\_ Address \_\_\_\_\_

Date of birth \_\_\_\_\_ Member of organization? \_\_\_\_\_

How are the accounting fees charged out (flat fee, hourly, etc.)?  
\_\_\_\_\_

What do you anticipate will be your average monthly deduction for accounting fees?  
\_\_\_\_\_

23. Amount of rent paid by applicant organization for rent of the hall NOT APPLICABLE  
FOR THIS EVENT - DRAWING & RAFFLE SALES WILL BE DONE IN CONJUNCTION

24. The proceeds of the games will be disbursed after deducting prize layout costs and operating expenses for the following purposes and uses:  
WITH THE CAMELOT PLAY

TO HELP COVER SHOW EXPENSES FOR THE  
PRODUCTION OF CAMELOT  
\_\_\_\_\_

25. Has the premises where the games are to be held been certified for occupancy by the City of Maplewood? YES

26. Has your organization filed federal form 990-T? \_\_\_\_\_ If the answer is yes, please attach a copy with this application. If the answer is no, explain why:

NO BECAUSE <sup>UNTIL</sup> ~~FOR THE~~ NOW WE HAVE NOT  
EXCEEDED 25,000 IN REVERSIBLE EARNINGS FOR ANY GIVEN  
(WILL BE FILING IN MAY) YEAR

Any changes desired by the applicant association may be made only with the consent of the City Council.

HERITAGE THEATRE CO. INC.  
Organization Name

Date 4/27/95

By: Roberta L. Stark  
Manager In Charge Of Game

Donald J. Wiegert  
Organization President Or CEO

State of Minnesota )  
                          ) ss  
County of Ramsey   )

---

being duly sworn, says/say that he/she/they is/are the petitioner/petitioners in the above application; that he/she/they has/have read the foregoing petition and knows/know the contents thereof; that the same is true of his/her/their own knowledge.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

---

Notary Public, Ramsey County, Minnesota

My commission expires \_\_\_\_\_

PLEASE COMPLETE THIS LIST PRIOR TO MAKING APPLICATION

Charitable Gambling Checklist

Date 4/27/95

Manager ROBERTA STARK

Phone 304-6670 (W) 730-9491 (H)

Name HERITAGE THEATRE CO, INC (HTC)

Game Address 2100 WHITE BEAR AVE (MAPLEWOOD COMMUNITY CENTER)

Gambling Applications \_\_\_\_\_

Birthdates Of Workers & Officers \_\_\_\_\_

? Copy Of Bond \_\_\_\_\_

? Lease \_\_\_\_\_

? Compensation Schedule \_\_\_\_\_

Membership List \_\_\_\_\_

? Internal Controls \_\_\_\_\_

990 or 990T N/A

? Scale Drawing you have it on file

Financial/Organizational Records Of The Organization To Confirm Status \_\_\_\_\_

Note: Copies of your monthly Minnesota Gambling Tax Return must be filed with the City of Maplewood Finance Director each month, along with a check for 10% of the net profit.

TO BE COMPLETED BY ORGANIZATION PRESIDENT AND GAMBLING MANAGER

I understand and will uphold Maplewood Ordinance Sections 15-34 to 15-42 relating to lawful gambling in bars.

Further, I understand that my gambling booth must meet City standards; that 10% of the net profit from lawful gambling sales must be returned to the City on a monthly basis; that monthly financial statements must be filed with the City of Maplewood Finance Director; and that 51% of net proceeds must remain in Maplewood or be used to support Maplewood residents.

Robert L. Stahl  
Signature - Manager

\* Donald J. Krieger  
Signature - Organization President

HERITAGE THEATRE CO, INC (HTC)  
Organization Name

MAPLEWOOD COMMUNITY CENTER  
2100 WHITE BEAR AVE  
Gambling Location

4/27/95  
Date

Please retain the attached ordinance for your records.

**TO BE COMPLETED BY THE ORGANIZATION**

Minnesota Tax Identification Number

Pursuant to Laws of Minnesota, 1984, Chapter 502, Article 8, Section 2 (270.72) (Tax Clearance; Issuance of Licenses), licensing authorities are required to provide to the Minnesota Commissioner of Revenue the Minnesota business tax identification number and the Social Security number of each license applicant.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we are required to advise you of the following regarding the use of this information:

- (1) This information may be used to deny the issuance or renewal of your license in the event you owe Minnesota sales, employer's withholding, or motor vehicle excise taxes;
- (2) Upon receiving this information, the licensing authority will apply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement, the Department of Revenue may supply this information to the Internal Revenue Service;
- (3) FAILURE TO SUPPLY THIS INFORMATION WILL JEOPARDIZE OR DELAY THE PROCESSING OF YOUR LICENSE ISSUANCE OR RENEWAL APPLICATION.

Minnesota Tax Identification Numbers (Sales & Use Tax Number) may be obtained from the State of Minnesota, Department of Revenue, Mail Station 4442, St. Paul, Minnesota, 55146-4442, phone number 296-6181.

<u>STARK</u>	<u>ROBERTA</u>	<u>LEA</u>
Applicant's Last Name	First Name	Middle Name
<u>33 McCLELLAND AVE</u>	<u>55119</u>	<u>304-6670 (W)</u>
Applicant's Address	City, State, Zip Code	Phone Number
<u>469-72-2511</u>	<u>TREASURER</u>	<u>730-9491 (A)</u>
Applicant's Social Security Number	Position (Officer, Partner, Etc.)	
<u>HERITAGE THEATRE CO. INC.</u>		
Business Name	<u>55109</u>	<u>773-1455</u>
<u>P.O. Box 9344</u>	<u>MAPLEWOOD MD</u>	
Business Address	City, State, Zip Code	Phone Number

Minnesota Tax Identification Number: 41-1457624

(If a Minnesota Tax Identification Number is not required for the business being operated, indicate that by placing an "X" in the box to the right.) \_\_\_\_\_  
\_\_\_\_\_

TO BE COMPLETED BY THE ORGANIZATION

Workers' Compensation

Pursuant to the Minnesota State Legislature by Chapter 332, Section 47, Laws of 1987, every state and local licensing agency is required to withhold the issuance or renewal of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirements of Section 176.181, Subdivision 2.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if the information is not provided and/or falsely reported, it may result in a \$1,000.00 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry, payable to the Special Compensation Fund.

Upon request, licensing authorities are required to furnish workers' compensation insurance coverage information to the Department of Labor and Industry to check for compliance with Minnesota Statute Section 176.181, Subdivision 2.

Any questions regarding workers' compensation should be directed to the Minnesota Department of Labor and Industry, Special Fund Section, phone number 297-4777.

Insurance Company Name  
(NOT The Insurance Agent) \_\_\_\_\_

Policy Number Or Self-Insurance Permit Number \_\_\_\_\_

Dates Of Coverage: Effective \_\_\_\_\_ Expiration \_\_\_\_\_

\*\*\* OR \*\*\*

I am not required to have workers' compensation liability coverage because:

I have no employees covered by the law.

Other (Specify) \_\_\_\_\_

I HAVE READ AND UNDERSTAND MY RIGHTS AND OBLIGATIONS WITH REGARD TO BUSINESS LICENSES, PERMITS, AND WORKERS' COMPENSATION COVERAGE, AND I CERTIFY THAT THE INFORMATION PROVIDED IS TRUE AND CORRECT.

*Ronald J. Megeath*  
Signature

4/28/95  
Date

# HERITAGE THEATRE BOARD MEMBERS

## (April '95)

### EXECUTIVE BOARD MEMBERS

**President:** Don Wiegert, 2119 Duluth Pl.,  
Maplewood, MN 55109 484-4216 (h)

**Vice President:** Jean Verner, 12685 170th St. N.  
Marine, MN 55047 433-2008 (h)

**Secretary:** Kris Sattler, 1855 Birmingham St.  
Maplewood, MN 55109 770-9496 (h)

**Treasurer:** Bobbi Stark, 33 McClelland Ave.,  
Maplewood, MN 55119 730-9491 (h) 334-6670(w)

Ralph Booton  
165 N. McKnight Rd. #320  
St. Paul, MN 55119  
338-1809

Steven Carlson  
1890 Barclay St.  
Maplewood, MN 55109  
777-6440

Jim Del Vecchio  
404 E. Haskell  
W. St. Paul, MN 55118  
457-7330

James Denno  
2795 Chishom Ave.  
No. St. Paul, MN 55109  
777-9683

Bev Gelao  
2194 E. Maple Ln.  
Maplewood, MN 55109  
777-7735

Maureen Gosselin  
1806 N. Mytle  
Maplewood, MN 55109  
777-2965

Dorothy Hejny  
1829 White Bear Ave.  
Maplewood, MN 55109  
777-3055

John Ivory  
1802 E. Mannehaha  
St. Paul, MN 55119  
738-2399

Judy Monk  
3675 Highland Ave. #D-17  
WBL, MN 55110  
653-3581(h)

Judith Permann  
118 N. Third St.  
River Falls, WI 54022  
(715) 425-5456

George Rossbach  
1406 E. County Rd. C  
Maplewood, MN 55109  
484-3081

Ray Rossbach  
2005 Radatz  
Maplewood, MN 55109  
777-4507

Norma Seashore  
364 Christine Ln.  
W. St. Paul, MN 55118  
457-1808

Mike Wilke  
1152 E. Co. Rd. B  
Maplewood, MN 55109  
481-4946 484-4366

# HERITAGE THEATRE BOARD MEMBERS

## (April '95)

### EXECUTIVE BOARD MEMBERS

**President:** Don Wiegert, 2119 Duluth Pl.,  
Maplewood, MN 55109 484-4216 (h)

**Vice President:** Jean Verner, 12685 170th St. N.  
Marine, MN 55047 433-2008 (h)

**Secretary:** Kris Sattler, 1855 Birmingham St.  
Maplewood, MN 55109 770-9496 (h)

**Treasurer:** Bobbi Stark, 33 McClelland Ave.,  
Maplewood, MN 55119 730-9491 (h) 334-6670 (w)

Ralph Booton  
165 N. McKnight Rd. #320  
St. Paul, MN 55119  
338-1809

Steven Carlson  
1890 Barclay St.  
Maplewood, MN 55109  
777-6440

Jim Del Vecchio  
404 E. Haskell  
W. St. Paul, MN 55118  
457-7330

James Denno  
2795 Chishom Ave.  
No. St. Paul, MN 55109  
777-9683

Bev Gelao  
2194 E. Maple Ln.  
Maplewood, MN 55109  
777-7735

Maureen Gosselin  
1806 N. Mytle  
Maplewood, MN 55109  
777-2965

Dorothy Hejny  
1829 White Bear Ave.  
Maplewood, MN 55109  
777-3055

John Ivory  
1802 E. Mannehaha  
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Lu -

4/28/95 9:24AM CC: Ken Calliab  
sent 5-2-95

Attached is our application to conduct a raffle among the patrons of Heritage theater for the performances of CAMELOT, That starts tonight and if we received approval from the City, it would be too late to supply tickets to the first week ~~end~~ audience. We have the tin statue of a knight, Rusty Charlie, which was to be our only prize - estimated value \$200.

There are some questions we don't understand:

#14 - "officers' names who paid for services to the organization". None, I think, same answer if "were" was omitted inadvertently after "who".

#18

#22 we intended to do it ourselves  
check list

Road blocks we see: #15-30 (b) our Treasurer, Bobbie Stark, would not be eligible to conduct the raffle. We could probably find another member to do it - hopefully for nothing, as Bobbie does. #15-37 (4) manager must have had the Gambling Board's course. we could not get this done in time.

#15-39 (i) wants \$50 per day permit fee. we are running the length of the show (30) days - which is \$1,500, more than we expected to gross. #15-42 (c) wants 10% of the net, but 15-39 (i) already took that.

All we wanted to do was raffle off Charlie,  
maybe get enough to rent a dumpster to clean  
(out)

the water tower<sup>as requested</sup>. But we need a lot more than that to cover our debts, and are working on methods to do that - after this show is over. We have also revised some methods of operation effective next season (opening October) that could not be changed this year.

We believe this ordinance did not contemplate the kind of two-bit operation we were contemplating, whereas the State does, it would seem. A one-page application, ready in 2 days, for the kind of thing we wanted to do. We would like you to submit this to the Council - Mgr meeting, because some of them are expecting to see it. If they can think of no way to accomodate us, we will go on, as we always have, until we have overcome, one way or another, obstacles encountered - unintended or not, unforeseen or not. We think what we are doing is good for the community.

P.S. <sup>Lu</sup> We have no copy of the application or of this note. If you want us to have one and have time, we'd like it. Also would appear Monday if desired.

Sincerely

Don Wreget

484-4216

2119 Duluth Place, 55109

MEMORANDUM

To: Michael A. McGuire, City Manager  
From: Bruce K. Anderson, Director of Parks & Recreation  
Subj: Community Center Staffing  
Date: May 2, 1995  
For The May 8, 1995, City Council Meeting



Action by Council:

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

Introduction

The Maplewood Community Center currently has four Recreation Program Assistants. The four Program Assistants provide recreation program services in the area of Child Care, Aquatics, Youth Athletics and General Recreation programming. Their current status does not permit the City to pay them for any hours worked beyond 35 hours and does not provide any benefits. The current pay rate is \$9.00 per hour. During the past month, two Recreation Program Assistants have left the City's employment and the remaining two individuals are looking for full-time employment.

Background

The recreation program offerings for our department have increased two to three fold during the past nine months, not only in number of programs being offered, but participation as well with the advent of the Maplewood Community Center. The current staffing levels of four individuals appears to be sufficient, but it has become clear that the lack of benefits and sense of permanency to the positions does not encourage tenure or commitment to the position.

It is my recommendation that the City upgrade two of the Recreation Program Assistants to full-time status, which would in affect provide full-time benefits for two of the employees. The cost for increasing the benefits would be \$2,232 to \$3,780 for each position, depending upon single or dependent health care coverage. This would reflect an increase of 11.5% to 19.5% over their existing wages. The salary would remain the same as defined by the union contract.

The increased cost of benefits would be paid for through the Maplewood Community Center Enterprise Fund. I would propose to reduce the hours of the remaining two Program Assistants to balance the increased costs for benefits.

It should be noted that I make this recommendation as the "best of two evils". We are currently experiencing a shortage of staff hours for programming. This change will necessitate a possible reduction of program offerings at a time of increased demand. The need for greater staff stabilization and/or tenure is greater than meeting the identified program needs. I perceive this as an issue of quality and stability, as contrasted with quantity and inconsistency.

Recommendation

It is my recommendation that the Recreation Program Assistant positions remain at the wage as approved by the Local Union and that benefits be provided for two of the positions. The projected increase in benefits would be 11.5% to 19.5%, depending upon single or dependent health coverage, with the understanding that the increase monies would be borne from the Maplewood Community Center Enterprise Fund through the reduction of existing part-time staff hours.

## Memorandum

To: Bruce Anderson - Director Parks and Recreation  
From: Pauline Staples - Recreation Manager  
Re: Status of Recreation Program Assistants  
Date: May 1, 1995

### Introduction:

The Recreation Program Assistant position is an entry level position that is currently staffed by two part time individuals. This position is extremely important to the overall success and operation of the Maplewood Parks and Recreation Department. This position currently conducts direct program development and oversees the operation of the MCC gym and recreation programs not only in the Maplewood Community Center but also and outside the Community Center in the local schools, parks and community.

### Background:

Maplewood Parks and Recreation Department currently has two Recreation Program Assistants employed at entry level part time status with no benefits. The responsibilities of these two individuals are divided between the Maplewood Community Center and Recreation Department and their work schedule is not to exceed 35 hours per week.

When the positions were developed their job duties were to oversee use of the MCC gym and assist the Recreation Program Coordinators in the development and operation of recreation programs. Over the past eight months the job responsibilities of these two employees has grown considerably and changed where they now program and oversee youth athletic programs, after school programs, summer playground and special event programs, sport clinics, winter skating, youth soccer, senior citizens programs, puppet wagon, birthday party program at MCC, youth softball, MCC gym special events, tennis program, racquetball courts and lessons program and also monitor the MCC gym and supervise the gym monitors and other seasonal employees.

With the addition of the Carver and Edgerton school gyms in 1995-96 additional duties will be required for recreation/athletic programming and supervision of these programs. To keep these two positions part time and require additional programming is not feasible.

### Recommendation:

I would like to recommend that the two Recreation Program Assistants be promoted to full time status and that benefits also be included. I feel that full time status is needed to keep continuity for this position, otherwise we will continually be filling this position due to the constant turnover of employees.

## JOB DESCRIPTION

POSITION TITLE: PROGRAM ASSISTANT ORIGINAL DATE: MAY 1994  
INCUMBENT: \_\_\_\_\_ REVISION DATE: \_\_\_\_\_  
DEPARTMENT: PARKS & RECREATION APPROVED BY: *[Signature]*  
ACCOUNTABLE TO: PROGRAM COORDINATOR/MANAGER *[Signature]*

---

### PRIMARY OBJECTIVE

Performs entry level supervisory and paraprofessional work to support and assist with scheduling, coordinating and overseeing recreational activities and programs; performs related duties as required.

### SUPERVISION RECEIVED

Works under the general and/or technical supervision of the Recreation Program Manager or a program coordinator.

### SUPERVISION EXERCISED

Provides day-to-day supervision over parks and recreation part-time and seasonal staff.

---

### MAJOR AREAS OF ACCOUNTABILITY

- \* 1. Coordinates, schedules, and assists in promoting athletics and recreation programs and activities.
- \* 2. Assists in hiring temporary and part-time staff and monitoring operations to ensure a positive and safe environment.
- \* 3. Implements and monitors training for seasonal, part-time and volunteer recreation staff.
- \* 4. Providing day-to-day work direction and schedules staff.
5. Provides feedback to staff on coaching methods.
- \* 6. Acts as a liaison between parents and instructors or coaches on program content, teaching or coaching methods and other concerns.
7. Assists in record keeping and documentation.
8. Ensures policies and procedures are followed.
9. Monitors facilities and grounds to ensure they are prepared for scheduled events; brings concerns and issues to the attention of the supervisor.

MAJOR AREAS OF ACCOUNTABILITY (cont.)

- \*10. Assists with special events programming or in development of new team and individual sports programs to meet the needs of the community.
- \*11. Assists in monitoring expenditures to ensure programs stay within budget.
- 12. Purchases equipment and supplies as authorized.
- 13. Designs, implements and oversees winter skating programs and rinks and the elementary after-school programs.
- 14. Conducts training clinics for youth sports coaches.
- 15. May conduct league meetings for City-sponsored programs.
- 16. Acts as a backup for program coordinators as needed.
- 17. Performs other duties as needed or assigned.

KNOWLEDGE, SKILLS, AND ABILITIES

- \* • Considerable knowledge of occupational hazards and safety precautions of recreation and sports programs and activities.
- Working knowledge of a variety of recreation and sports programs, activities, equipment, facilities and rules.
- Working knowledge of Parks and Recreation and Community Center programs, operations, policies, and procedures.
- \* • Considerable skill in scheduling, coordinating and monitoring staff and activities.
- \* • Considerable ability to maintain records and monitor operations and expenditures in accordance with established criteria and policies.
- \* • Considerable ability to sit, stand and walk, sometimes for long periods when working on the computer or monitoring activities.
- \* • Considerable ability to work outside, sometimes in inclement weather or temperatures extremes.
- \* • Considerable ability to see and hear to monitor activities and communicate with participants, parents and staff.
- Working ability to supervise staff and oversee volunteers.
- Working ability to safely operate a variety of sporting equipment and instruct others in safe and appropriate use.
- Working ability to use fine motor skills and manual dexterity to operate a computer and write.

MINIMUM QUALIFICATIONS

Requires two years experience in recreation. (College can be substituted for experience on a two-for-one basis.)

Asterisked items are essential to the job.

AGENDA REPORT

Action by Council:

To: City Manager Michael McGuire  
From: Chief of Police Kenneth V. Collins *KVC*  
Subject: Update of Curfew Ordinance  
Date: May 2, 1995

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

Introduction

Quite some time ago, all Ramsey County police departments developed a county-wide curfew ordinance.

Background

Maplewood's curfew ordinance was used as a model in developing the new Ramsey County juvenile curfew ordinance.

The major changes in the ordinance were in the areas of parental responsibility and definitions, and these changes are being incorporated into our current ordinance.

Recommendation

It is recommended that this ordinance be reviewed, approved, and given its first reading.

Action Required

Submit to the City Council for their review and approval.

KVC:js

**Sec. 20-32. Curfew--Generally.**

(a) It shall be unlawful for any minor under the age of sixteen (16) years to ~~loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, places of entertainment and amusement, vacant lots, and other unsupervised places in~~ be in any public place within the city, daily, between the hours of 10:00 p.m. and 5:00 a.m. of the following day.

(b) It shall be unlawful for any minor who is sixteen (16) or seventeen (17) years of age to ~~loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, places of entertainment and amusement, vacant lots, and other unsupervised places in~~ be in any public place within the city, daily, between the hours of 12:00 midnight and 5:00 a.m. of the following morning.

(c) ~~The provisions of subsections (a) and (b) of this section do not apply to a minor accompanied by his parent or guardian or other adult person having the care and custody of the minor, or where the presence of said minor in said place is connected with and required by some legitimate business directed by his parent or guardian or other adult person having the care and custody of the minor, or where the presence of said minor in said place is connected with and required by some legitimate business directed by his parent or guardian or other adult person having the care and custody of the minor, or where the presence of said minor in said place is connected with and required by some legitimate business, trade, profession, or occupation in which said minor is permitted by law to be engaged.~~ It shall be unlawful for a parent or authorized adult of a minor to knowingly, or by inefficient control, permit a minor, subject to their control, to be in any public place within the City during the hours prohibited by paragraph (a) and (b) of this subdivision, under circumstances not constituting an exception to this ordinance as set forth herein.

(d) It shall be unlawful for any person operating, or in charge of, any place of amusement or refreshment, which is open to the public, to knowingly permit any minor to remain in such place during the hours prohibited by paragraphs (a) and (b) of this subdivision, under circumstances not constituting an exception under paragraph (e) of this Ordinance.

(e) The following shall constitute valid exceptions to the prohibitions in paragraphs (a) and (b), above:

(1) At any time, if a minor is accompanied by his or her parent or authorized adult;

(2) At any time, if a minor is upon an emergency errand;

(3) At any time, if the minor is upon some necessary errand by permission or direction of said parent, guardian or other adult person having the care and custody of the said minor, which permission shall be in written form, signed by such parent, guardian, or other adult person having the care and custody of said minor.

(4) At any time, where the presence of said minor in said place or places is connected with, or required by, some legitimate business, trade, or profession or occupation in which said minor is lawfully employed.

(5) If the minor is lawfully employed, for a period from forty-five (45) minutes before or after work, while going directly between his or her home and place of employment.

(6) At any time the minor is married in accordance with the law or had disability of nonage removed by a court of competent jurisdiction.

(7) At any time the minor is on property immediately abutting the juvenile's residence or abutting the residence of a next door neighbor, if the neighbor has not complained to the police department about the juvenile's presence.

(8) At any time the minor is enroute directly to, attending, or returning directly to his or her current residence from, a specific activity at a public or semi-public place which is open to the general public and supervised by adults at least twenty-one (21) years of age; provided further, that the juvenile possesses written permission from his or her parent or legal guardian authorizing the juvenile to attend or engage in that specific activity.

(9) While attending a school, religious, or recreational activity, supervised by adults at least twenty-one (21) years of age and sponsored by the City, a school, church, civic organization, or other similar entity, which organization takes responsibility for the juvenile as an invitee, or while going directly to, or returning directly from, any such activity; provided further, that the juvenile possesses written permission from his or her parent or legal guardian authorizing the juvenile to attend or engage in that specific activity.

(f) Enforcement of this Ordinance shall be by citation or arrest of the subject parties as provided for misdemeanor offenses in Minnesota Rules of Procedure, with the following provisions:

(1) At the commencement of any enforcement action under this section, the peace officer shall ask the apparent offender's age and reason for being in a public place. The officer shall issue a citation or make an arrest for violations of this Ordinance or take other appropriate action, only on reasonable belief, based on the offender's response, refusal thereof, or other persuasive evidence, that a violation, not subject to paragraph (e) exceptions, has occurred.

(2) It is a defense to prosecution under paragraph (d) of this Ordinance that the owner, operator, or employee of an establishment promptly notified the police department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

(3) Violation of this Ordinance shall be a misdemeanor.

(g) For the purposes of this Ordinance, the following definitions apply:

(1) "Authorized adult" shall mean any person who is at least eighteen (18) years of age and authorized by a parent of such minor person to take said parent's place in accompanying said minor for a designated period of time.

(2) "Emergency errand" shall mean an errand necessary to avoid, or seek help for, a harm or peril that is immediate, overwhelming, or physical, provided the minor could not have avoided the necessity of the errand by taking reasonable advance precautions.

(3) "Minor" shall mean any unemancipated person under the age of eighteen (18) years.

(4) "Parent" shall mean any person having legal custody of a minor, either as natural or adoptive parent, or as legal guardian, or as a person to whom legal custody has been given by order of the court.

(5) "Public Place" shall mean any public street, highway, roadway, park, public recreation, entertainment or civic facility, or other place open to the public within the City.

(6) "Knowingly", includes knowledge which a parent or authorized adult shall reasonably be expected to have concerning the whereabouts of a minor under such person's care.

(Code 1965, §1250.010; Ord. No. 268, §1,8-6-70)

## AGENDA REPORT

TO: City Manager  
FROM: City Clerk  
SUBJECT: PRIMARY ELECTION  
DATE: May 2, 1995

## Action by Council:

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

The State legislature have passed legislation that requires a uniform primary election date by 1996.

The City's primary date is the first Tuesday after the first Monday in October.

Also passed was legislation that requires absentee ballots be available 30 days before an election.

With the primary election in October and the general election in November, the City cannot meet that requirement.

An ordinance is being presented that would change the primary election date from October to September. It is recommended that the Council pass this ordinance.

One other consideration could be that the primary election in Maplewood be eliminated. This could result in a savings of between \$11,000 and \$12,000.

LEA

pf  
Attachments

**Bannigan & Kelly, P.A.**

A T T O R N E Y S A T L A W

1750 NORTH CENTRAL LIFE TOWER  
445 MINNESOTA STREET  
SAINT PAUL, MINNESOTA 55101JOHN F. BANNIGAN, JR.  
PATRICK J. KELLY  
JAMES J. HANTON  
JANET M. WILEBSKI  
JOHN W. QUARNSTROM(612) 224-3781  
FAX (612) 223 8019

May 3, 1995

Ms. Lucille Aurelius  
City Clerk  
City of Maplewood  
1830 E. County Road B  
Maplewood, MN 55109*RE: Primary Election*

Dear Ms. Aurelius:

Enclosed please find the following:

- 1) A "redlined" version of the existing City Code §2-22;
- 2) A "clean" version of the proposed revision to City Code §2-22.

Please keep in mind that Minn. Stat. §205.065, Subd. 2 states that the municipal clerk **shall** notify the Secretary of State and the County Auditor within **30 days** after the adoption of a resolution or ordinance relative to the scheduling of primary elections.

Please contact me immediately with any questions or comments you might have.

Sincerely yours,

BANNIGAN &amp; KELLY, P.A.

  
James J. Hanton

JJH:cge

Enclosures

C: Mr. Michael McGuire

**§2-22. PRIMARY ELECTIONS**

The ~~Tuesday following the first Monday in October, 1973~~ and the Tuesday following the ~~first~~ second Monday in ~~October~~ September and each odd-numbered year thereafter in which a municipal general election is to be held for the purpose of electing officers are hereby designated as primary election days for the City. (Code 1965, §203.020; Ordinance No. 291, §1, 8-19-71).

State law reference - municipal primary elections, MS ~~§205.11~~, 205.065.

**§2-22. PRIMARY ELECTIONS**

The Tuesday following the second Monday in September and each odd-numbered year thereafter in which a municipal general election is to be held for the purpose of electing officers are hereby designated as primary election days for the City. (Code 1965, §203.020; Ordinance No. 291, §1, 8-19-71). State law reference - municipal primary elections, MS 205.065.