

## **AGENDA**

**MAPLEWOOD CITY COUNCIL**  
7:00 P.M., Monday, April 25, 1994  
Council Chambers, Municipal Building  
Meeting No. 94-09

### **A. CALL TO ORDER**

### **B. PLEDGE OF ALLEGIANCE**

### **C. ROLL CALL**

### **D. APPROVAL OF MINUTES**

1. Minutes of Council/Manager Meeting of April 4, 1994
2. Minutes of Meeting 94-08 (April 11, 1994)

### **E. APPROVAL OF AGENDA**

#### **EA. PRESENTATIONS**

1. Proclamation: Amy Peterson
2. Human Relations Commission 1993 Annual Report
3. Proclamation: League of Women Voters

### **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. 1994 Budget for Community Center Construction Fund
3. 1994 Budget for Open Space Land Acquisition Fund
4. 1994 Budget for Street Construction State Aid Fund
5. Disposal of Old Financial Records
6. Time Extension: Goff's Mapleview Fifth Addition
7. CUP Termination & Home Occupation License: 2405 Carver Ave. (Grand)
8. Donation to Nature Center
9. Community Center Positions
10. State Aid Designation - TH 61 and TH36 Frontage Roads (Project 93-02)
11. Budget Transfer to Close Project 90-11
12. Agreement With The Trust For Public Land
13. Sewer Charges - 2442 Keller Parkway

**G. PUBLIC HEARINGS**

1. 7:00 P.M.: Conditional Use Permit: Amusement City

    Conditonal Use Permit\_\_\_\_\_

    Design Review\_\_\_\_\_

2. 7:20 P.M.: Preliminary Plat Time Extension and Revisions: Amber Hills\_\_\_\_\_

**H. AWARD OF BIDS**

**I. UNFINISHED BUSINESS**

1. Maplewood Inn Assessments\_\_\_\_\_

2. Community Center Fees\_\_\_\_\_

3. Moratorium on Clinics\_\_\_\_\_

4. Charitable Gambling Request - Public Relations\_\_\_\_\_

**J. NEW BUSINESS**

1. Schedule Meeting to Review 1993 Annual Financial Report\_\_\_\_\_

2. Gladstone Fire Department Contract\_\_\_\_\_

**K. VISITOR PRESENTATIONS**

**L. COUNCIL PRESENTATIONS**

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

**M. ADMINISTRATIVE PRESENTATIONS**

1. Open Space Progress

2. \_\_\_\_\_

3. \_\_\_\_\_

**N. ADJOURNMENT**

CITY COUNCIL/MANAGER WORKSHOP  
OF THE  
CITY COUNCIL OF THE CITY OF MAPLEWOOD

5:00 p.m., Monday, April 4, 1994  
Maplewood Room, City Hall

MINUTES

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**A. CALL TO ORDER**

The Council/Manager meeting of the Maplewood City Council was held in the Maplewood Room, City Hall. The meeting was called to order by Mayor Bastian at 5:00 p.m.

**B. ROLL CALL**

Mayor Gary Bastian	Present
Councilmember Sherry Allenspach	Present
Councilperson Dale Carlson	Present
Councilperson Marv Koppen	Present
Councilperson George Rossbach	Present

Others Present:

City Manager Michael McGuire  
Assistant City Manager Gretchen Maglich  
Community Center Manager Tom Eastman

**C. APPROVAL OF AGENDA**

The following item was added to the agenda:

**H. OTHER BUSINESS**

**1. Fire Department Update**

Mayor Bastian moved that the agenda be approved as presented and that the City Council amend the agenda to discuss H. OTHER BUSINESS before D. COMMUNITY CENTER THEATER FEES AND STAFFING. The motion was seconded by Councilmember Carlson and was approved.

Ayes: All

## H. OTHER BUSINESS

### 1. Fire Department Update

There was considerable discussion about the Mayor's Forum on April 2 at the Parkside Fire Station; budgets; public relations; and negotiations with the three fire departments. It was the consensus of the City Council that a letter of response not be prepared for the public, and the City's response to inquiries about the fire department negotiations would be that the City is continuing to negotiate in good faith and is requesting contract language that calls for annual detailed budgets and year-end audits.

## D. COMMUNITY CENTER THEATER FEES AND STAFFING

Community Center Manager Eastman presented material about fees for use of the theater component. Following some discussion it was the consensus of the Council that some flexibility be part of the fee schedule to allow the Community Center Manager to review requests on an individual basis.

Assistant City Manager Maglich and Community Center Manager Eastman presented material about the organizational chart for the facility, new positions, job descriptions, and how these fit with the reorganization of the Parks & Recreation department. There was some discussion about the City establishing a cooperative aquatics program with area school districts and neighboring cities.

## E. REORGANIZATION UPDATE

City Manager McGuire stated that he had been directed to review the organizational structure, consider changes, and bring any recommendations back to the City Council for input prior to implementation. City Manager McGuire stated that he received input from department heads at several staff meetings, spoke with individual staff members and Councilmembers. He feels that, generally speaking, the current structure is very efficient, and he is recommending no major changes. Mr. McGuire reviewed six minor changes in the organizational structure including:

1. Combine the sewer utility with the newly created water utility, place it in the Public Works department, and establish a close working relationship with Finance.
2. Rehire a Director of Parks & Recreation and move the Community Center to the Parks & Recreation department. The new Director would be responsible for park maintenance and development, open space, and Nature Center. All recreation and programming will be consolidated under the Community Center Manager who would report directly to the Parks & Recreation Director.
3. Establish the position of Public Safety Administrative Assistant when one of the current captains retires. The new position will report directly to the Director of Public Safety and will

handle all administrative detail in the Police department including budget, purchasing, and supervision of the clerical staff. The remaining captain will supervise all police-related activities.

4. Move sewer and water permits from the City Clerk to the Public Works department.
5. Train counter personnel in Community Development to issue contractor licenses and permits when they are being purchased as part of other applications.
6. A new position of Building Maintenance Supervisor will be established to supervise building maintenance for all City buildings. This position will be a part of the Parks & Recreation department and will report directly to the Community Center Manager.

No formal action was required before implementation, but any further discussion with the City Manager was welcomed. Councilmember Carlson moved that the City Manager's reorganization report be accepted. The motion was seconded by Councilmember Koppen and was approved.

Ayes: All

#### F. CABLE FRANCHISE RENEWAL

Mayor Bastian stated that the existing joint powers agreement which created the Ramsey/Washington Counties Suburban Cable Commission (R/WCSCC) expires in 1998, and he presented information about the current situation. Mr. Tim Finnerty, Executive Director of R/WCSCC was introduced. Mr. Finnerty stated that for the Commission to comply with deadlines established by Federal law for renewal negotiations, the Commission is asking member cities for their thoughts on renewal of the current agreement and recommended changes. Mr. Finnerty provided information on what services the Commission currently provides including franchise administration and government programming services. It was the consensus of the City Council that Council questions or comments about franchise renewal should be directed to the City Manager, and this matter would be placed on a regular City Council meeting for Council consideration.

Community Center Manager Eastman left the meeting at 6:57 p.m.

#### G. OPEN SPACE COMMITTEE REPORT

Open Space Committee Members Char Brooker, Ed Vitek, Alan Singer, Carolyn Peterson, Greg Juenemann, and Chairman Dominic Ramacier joined the meeting at 7:00 p.m. Chairman Ramacier distributed information about the criteria and the system which was established by the Committee in 1992 to objectively rate all open space properties. He explained the point system for rating, the subsequent ranking of sites, and the need to re-evaluate a site if changes are made in its originally-rated condition. Other issues discussed were neighborhood apportionments, the property condemned by MnDOT, and quality open space. No action was taken by the City Council.

**H. OTHER BUSINESS**

This item was discussed earlier in the meeting.

**I. FUTURE TOPICS**

This item was not discussed.

**J. ADJOURNMENT**

The meeting was adjourned at 7:17 p.m.

MINUTES OF MAPLEWOOD CITY COUNCIL  
7:00 P.M., Monday, April 11, 1994  
Council Chambers, Municipal Building  
Meeting No. 94-08

**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

**D. APPROVAL OF MINUTES:**

1. Minutes of Meeting 94-07 (March 28, 1994)

Councilmember Rossbach moved to approve the minutes of Meeting No. 94-07 (March 28, 1994) as presented.

Seconded by Councilmember Allenspach                      Ayes - all

**E. APPROVAL OF AGENDA**

Mayor Bastian moved to approve the Agenda as amended:

- L1 Fire Department Dinner
- L2 Mayor's Update

Seconded by Councilmember Koppen                      Ayes - all

**EA. PRESENTATIONS**

1. Volunteer Recognition Week Proclamation

- a. Manager McGuire presented the staff report.
- b. Councilmember Carlson introduced the following Proclamation and moved its adoption:

**VOLUNTEER RECOGNITION WEEK  
April 17-23, 1994**

WHEREAS, volunteers have enriched the life of our communities through their concern, commitment and generosity of spirit; an

WHEREAS, volunteers are an essential component of that quality of life as they serve the health, education, recreation, social service, environmental and cultural needs of our communities; and

WHEREAS, volunteers of all ages and from all backgrounds are stepping forward to meet and to solve the increasingly complex problems that have confronted our communities; and

WHEREAS, individuals and groups serving as volunteers at the local, state, national and international levels have impacted our communities and world through service to others; and

WHEREAS, volunteers serve the community of Maplewood in many ways including City commissions, boards and committees; police cadets and reserves; parks programs; fire fighters; and many individuals who help all of the City departments maintain a high quality level of service for our residents; and

WHEREAS, recognition should be given to those special people who serve their fellow citizens and communities.

NOW, THEREFORE, BE IT RESOLVED, that I, Gary W. Bastian, Mayor of the City of Maplewood, do hereby proclaim the week of April 17-23, 1994 to be

**VOLUNTEER RECOGNITION WEEK**

in Maplewood.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Maplewood to be affixed this 11th day of April in the year of our Lord one thousand nine hundred and ninety-four.

Seconded by Councilmember Koppen

Ayes - all

**2. Recycling Poster Contest**

- a. Michael Hinz, Gopher Recycling, spoke on behalf of the recycling program and updated the Council regarding recycling.
- b. Manager McGuire presented the staff report regarding the Poster Contest.
- c. Councilmember Rossbach moved to award the Recycling Poster Award to John Robideau, a 5th grade student at Castle Elementary.

Seconded by Councilmember Allenspach

Ayes - all

**3. Proclamation: DARE**

- a. Manager McGuire presented the staff report.
- b. Councilmember Rossbach introduced the following Proclamation and moved its adoption:

**NATIONAL D.A.R.E. DAY  
April 21, 1994**

WHEREAS, D.A.R.E. (Drug Abuse Resistance Education) is a semester-long program that teaches young people ways of resisting peer pressure to experiment with drugs and alcohol; and

WHEREAS, D.A.R.E. targets young people when they are most vulnerable to peer pressure and teaches the skills to make positive decisions, as well as resist the pressure to engage in negative behaviors; and

WHEREAS, over 25 million students worldwide and over 100,000 Minnesota students in more than 150 communities, including over 1,000 students in Maplewood, have been reached through D.A.R.E.; and

WHEREAS, the D.A.R.E. curriculum helps students understand self-image, recognize and manage stress without taking drugs, evaluate risk-taking behavior, resist gang pressure, apply decision-making skills and evaluate the consequences of the choices available to them; and

WHEREAS, the D.A.R.E. program has achieved outstanding success, teaching positive and effective approaches to one of the most difficult problems facing our young people today--drug abuse; and

WHEREAS, April 21, 1994, has been proclaimed National D.A.R.E. Day by the President and United States Congress;

NOW, THEREFORE, I, Gary Bastian, Mayor of the City of Maplewood, do hereby proclaim Thursday, April 21, 1994, to be

**NATIONAL D.A.R.E. DAY**

Seconded by Councilmember Koppen

Ayes - all

**F. CONSENT AGENDA**

Councilmember Carlson moved, seconded by Councilmember Koppen; ayes - all, to approve the consent agenda items F-1 thru F-7 as recommended.

**1. Approval of Claims**

Approved the following claims:

<u>ACCOUNTS PAYABLE:</u>	\$ 540,418.73
	\$ <u>135,542.24</u>
	\$ 675,960.97
<u>PAYROLL:</u>	\$ 212,377.04
	\$ <u>47,004.87</u>
	\$ 259,381.91
	\$ <u>935,342.88</u>

Checks #2229 - #2303
Dated 3-16-94 thru 3-31-94
Checks #13166 - #13272
Dated 4-11-94
Total Accounts Payable
Payroll Checks #39750 thru #39930
Dated 3-25-94
Payroll Deduction Checks #39935 thru
#39953 dated 3-25-94
Total Payroll
GRAND TOTAL

**2. Donation to Nature Center**

Accepted a \$50.00 donation from Bob and Carolyn Odegard in memory of former Park and Recreation Commissioner John Chegwyn, to be credited to 101-604-000-4630 (Office Equipment).

**3. Conditional Use Permit Termination: Atlantic St. (Monette Construction)**

Approved the following Resolution:

94 - 04 - 40

**CONDITIONAL USE PERMIT TERMINATION RESOLUTION**

WHEREAS, the Maplewood City Council granted a conditional use permit on March 8, 1993 for an outside storage yard.

WHEREAS, this permit applies to the lot at the southwest corner of Atlantic Street and the Gateway Trail. The legal description is:

VACATED ALLEY ACCRUING AND FOLLOWING: EXCEPT THE SOUTH 10 FEET; THE EAST 8.57 FEET OF LOT 14 ALSO THE EAST 8.57 FEET OF LOTS 11 THRU 13 ALSO EXCEPT THE SOUTH 10 FEET OF PART WEST OF THE EAST 103.57 FEET; LOT 6 AND ALL OF LOTS 7 THRU LOT 10 BLOCK 3 LINCOLN PARK.

WHEREAS, the applicant, Mr. Tom Monette, no longer plans to use the permit.

NOW, THEREFORE, BE IT RESOLVED that the City Council ends the above-described Conditional Use Permit.

**4. Conditional Use Permit Review: 2720 Maplewood Drive (Yankovic)**

Reviewed and approved for five (5) more years, the Conditional Use Permit at 2720 Maplewood Drive allowing Joseph Yankovic (A-Gem Auto) to sell used cars by appointment.

**5. Conditional Use Permit Review: 2194 Van Dyke Street (Launderville)**

Reviewed and approved for one (1) year the Conditional Use Permit issued for 2194 Van Dyke Street, allowing Ronald and Connie Launderville to keep a one-ton tow truck on the property.

**6. Preliminary Plat Time Extension: Maplewood Estates Second Addition**

Granted a one-year time extension to North Suburban Development, Inc. (Jack Menkveld, President) for a 45-lot preliminary plat for the Maple Woods Estates Second Addition to in the area south of Ripley Avenue between MdKnight Road and Sterling Street.

**7. Final Plat: Pedro Addition**

Approved the Pedro Addition final plat for four-lots for single dwellings east of Payne Avenue on the south side of Viking Drive.

**G. PUBLIC HEARINGS**

NONE

**H. AWARD OF BIDS**

NONE

## I. UNFINISHED BUSINESS

### 1. Sign Variance: Leaps and Bounds (Birch Run Station)

- a. Manager McGuire stated he had received a letter from Leaps and Bounds requesting this item be tabled indefinitely.
- b. Councilmember Koppen moved to table Item I-1 indefinitely as requested.

Seconded by Councilmember Carlson                      Ayes - all

### 2. Building Relocation Ordinance (2nd Reading)

- a. Manager McGuire presented the staff report.
- b. Director of Community Development Olson 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 Koppen introduced the following Ordinance for second reading and moved its adoption:

#### ORDINANCE NO. 723

#### AN ORDINANCE ABOUT HOUSE RELOCATIONS

The Maplewood City Council approves the following Ordinance:

Section 1. This section changes Subsection 9-64(b). There are no changes to subsections 2-4.

(b) The following conditions shall apply to all building relocations in the City. The City may waive any of these requirements that do not apply to a specific situation. The City may add additional conditions.

- (1) An irrevocable letter of credit or cash escrow shall be submitted to the City. This surety shall be for one and one-half (1 1/2) times the estimated cost of all yard work or exterior remodeling required by the City. The City shall not release this surety until this work is completed. This work shall be completed within ninety (90) days of the permit date. The Director of Community Development may extend this deadline for 60 days if there has been a reasonable construction delay. The City Council may approve additional time extensions.

Section 2. This section adds new Subsections 9-64(b)(5)-(7)

- (5) The property owner shall sign an agreement to convey title. If the required work is not completed within the City's deadline, this agreement shall allow the City to take possession of the house and property. The City may complete the construction or demolish and remove the structure.
- (6) A grading, drainage and erosion control plan shall be submitted to the City Engineer. The City shall not issue a moving permit until the Engineer approves these plans. All construction shall follow these plans. The erosion control plan shall be consistent with the Ramsey/Washington Soil and Water Conservation Erosion Control Handbook.

- (7) The mover shall move the house between 12:01 a.m. and 6:00 a.m. The mover shall leave the house in the street until at least 7:00 a.m., but no later than 10:00 a.m. There shall be no excessive noise or work on the house until after 7:00 a.m. (noise ordinance requirement).

Section 3. This Ordinance shall take effect after the City approves it and the official newspaper publishes it.

Seconded by Councilmember Carlson

Ayes - all

## J. NEW BUSINESS

### 1. Ramsey County Trail Access Agreement

- a. Manager McGuire presented the staff report.
- b. Director of Public Works Haider presented the specifics of the report.
- c. Councilmember Rossbach moved to approve the access agreement between Ramsey County and Maplewood as presented, introduced the following Resolution and moved its adoption.

94 - 04 - 41

### APPROVING PLANS AND ADVERTISING FOR BIDS

WHEREAS, pursuant to Resolution passed by the City Council on April 11, 1994, plans and specifications for BN Regional Trail, SP 62-590-05 have been prepared under the direction of the County Engineer, who has presented such plans and specifications to the Council for approval.

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

Such plans and specifications, a copy of which are attached hereto and made a part hereof, are hereby approved and ordered placed on file in the office of the City Clerk.

Seconded by Councilmember Koppen

Ayes - all

### 2. Charitable Gambling Requests

- a. Manager McGuire presented the staff report.

Choral Department of North High School (\$1,000)

- b. Councilmember Carlson moved to take no action on this request.

Seconded by Councilmember Koppen

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

Tartan Fast Pitch Booster Association (\$1,500)

- c. Councilmember Allenspach moved to take no action on this request.

Seconded by Councilmember Carlson

Ayes - all

**Human Relations Commission (\$300)**

- d. Councilmember Carlson moved to approve the request for \$300 to purchase key chains for distribution at the City Hall Open House on May 19th.

Seconded by Councilmember Koppen                      Ayes - all

**Maplewood Police Cadets (\$7,000)**

- e. Councilmember Koppen moved to approve the request for \$7,000 to allow Maplewood Police Cadets to attend two conferences.

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

**1994 Tartan Senior Graduation Party (\$1,000)**

- f. Councilmember Rossbach moved to approve the request for a \$1,000 donation for gifts for attendees at the Tartan Senior graduation party.

Seconded by Councilmember Koppen                      Ayes - all

**Maplewood Parks & Recreation (\$13,800)**

- g. Commissioner Jeff Carver explained why the Parks and Recreation brochure was proposed.

**Summer Youth Events Transportation**

- h. Councilmember Rossbach moved to approve \$2,000 for transportation costs.

Seconded by Councilmember Koppen                      Ayes - all

**Youth Safety Program**

- i. Councilmember Rossbach moved to approve up to \$4,200 for the Youth Safety Program.

Seconded by Councilmember Koppen                      Ayes - all

**Adopt-A-Garden**

- j. Councilmember Rossbach moved to approve \$600 to the Adopt-A-Garden program.

Seconded by Councilmember Allenspach                      Ayes - all

**Parks & Recreation Brochure**

- k. Councilmember Carlson moved to table the request for \$7,000 for the Parks & Recreation brochure.

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

**1994 North Senior Graduation Party (\$1,000)**

1. Councilmember Rossbach moved to approve a donation of \$1,000 for the 1994 North Senior graduation party.

Seconded by Councilmember Koppen                      Ayes - all

**3. Community Center/City Hall Trail Extension**

- a. Manager McGuire presented the staff report.
- b. Councilmember Carlson moved to approve the contract with AKRW in an amount not to exceed \$12,000 for completion of the trail design and construction documents with approval to use Commercial PAC funds for the contract.

Seconded by Councilmember Koppen                      Ayes - all

**4. DNR Agreement: Connection to DNR Trail**

- a. Manager McGuire presented the staff report.
- b. Mayor Bastian moved to the access agreement between the City and DNR for the completion of the ISTEPA trail project.

Seconded by Councilmember Carlson                      Ayes - all

**5. Maplewood Inn Assessments**

- a. Manager McGuire presented the staff report.
- b. Councilmember Carlson moved to table this item in order to contact Maplewood Inn for more information.

Seconded by Councilmember Carlson                      Ayes - all

**K. VISITOR PRESENTATIONS**

**1. John Scully and Jim Pogreba**

- a. Mr. Scully and Mr. Pogreba, owners of property on Maplewood's westerly boundary with Little Canada, discussed a drainage problem on this property caused by new development on Walter Street.
- b. Council referred the matter to staff for a report back within 30 days.

**L. COUNCIL PRESENTATIONS**

**1. Fire Department Dinner**

- a. Councilmember Rossbach questioned whether the full Council could attend the Parkside Fire Department dinner.
- b. City Attorney Kelly cautioned the Council that since they are in negotiations with the Parkside Fire Department, he advises the Council not to attend the dinner.

## **2. Mayor's Update**

### **a. Mayor Bastian commented on:**

- 1) An informational meeting regarding the compost site on Beam Avenue to be held April 19, 1994 at City Hall.
- 2) A letter from the Mayor of Woodbury regarding the 494 Interchange.
- 3) The AMM Innovation Award program has been announced. Applications are to be accepted until May 5, 1994.
- 4) The AMM Annual Meeting will be May 25, 1994 at Brooklyn Park.
- 5) League Conference will be in St. Paul June 7 - 10, 1994.
- 6) A request from a resident that an ordinance be enacted stating trees, bushes, etc. must be planted 10 feet from the property line (Referred to staff.), also, that the only cars which can be parked on property are those owned by the owner of that property.
- 7) April 25 - 29, 1994 - Conference week "Prevent Kids From Killing Kids".
- 8) Community Clothing Collection Program.

## **M. ADMINISTRATIVE PRESENTATIONS**

### **1. Open Space Progress**

- a. City Manager McGuire presented the staff report.
- b. Assistant City Manager Maglich provided an update on the Open Space Program. It was the consensus of the City Council that the open space properties would not be re-rated by the Open Space Committee, a staff recommendation would be included in the process, and care should be taken to distribute the acquired properties throughout the City.

## **N. ADJOURNMENT OF MEETING**

9:54 P.M.

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Lucille E. Aurelius  
City Clerk

**PROCLAMATION***April 25, 1994*

*WHEREAS, Miss Amy Peterson is a member of the 1994 Olympic Speed Skating Team; and*

*WHEREAS, Miss Amy Peterson won two bronze medals in Lillehammer, Norway--one in the Olympic Women's 500 Meter Short-Track with a time of :46:76 and one in the 3000-Meter Relay; and*

*WHEREAS, Miss Amy Peterson has three career Olympic medals, including a 1992 Albertville silver medal; and*

*WHEREAS, Miss Amy Peterson's medals are the result of years of ardent training and practice; and*

*WHEREAS, the City of Maplewood is proud of her efforts, and believes that her victory is an inspiration to everyone;*

*NOW, THEREFORE, BE IT RESOLVED, that I, Gary W. Bastian, Mayor of the City of Maplewood, on behalf of the City Council and all residents within the City, do hereby congratulate Miss Amy Peterson for her spectacular achievement.*

*AND, BE IT RESOLVED, that April 25th be proclaimed Amy Peterson Day, and that copies of this proclamation be transmitted to Miss Amy Peterson as evidence of our pride and esteem.*

*IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of April in the year of our Lord one thousand nine hundred and ninety-four.*

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MAYOR

AGENDA REPORT

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

**TO:** City Manager  
*sl*  
**FROM:** Sherrie Le, Human Resource Director  
**RE:** HUMAN RELATIONS COMMISSION ANNUAL REPORT  
**DATE:** April 15, 1994

INTRODUCTION

Attached is the 1993 Human Relations Commission Annual Report for your information and review. Marie Koehler, Chair, will be present at the April 25 Council meeting to answer any questions.

RECOMMENDATION

Approval of the 1993 Human Relations Commission Annual Report.

tmc

Attachment

**PROCLAMATION ON THE 35TH/40TH ANNIVERSARY  
OF THE LEAGUE OF WOMEN VOTERS  
OF ROSEVILLE, MAPLEWOOD AND FALCON HEIGHTS  
April 25, 1994**

*WHEREAS, the League of Women Voters of Maplewood was founded in 1959 and is now celebrating its 35th anniversary as part of the merged League of Women Voters of Roseville, Maplewood and Falcon Heights which is now celebrating its 40th anniversary; and*

*WHEREAS, the League has worked to promote a well-informed citizenry through the preparation of community government booklets and studies of community development issues for the Village and City; and*

*WHEREAS, the League has facilitated citizen participation in local government by conducting nonpartisan candidate forums, voter registration programs and encouraging informed voting; and*

*WHEREAS, the League strives to provide an ongoing forum for constructive discussion of ideas in the City of Maplewood.*

*NOW, THEREFORE, BE IT RESOLVED, that I, Gary W. Bastian, Mayor of the City of Maplewood, on behalf of the City Council and all citizens of Maplewood, recognize the contributions of the League of Women Voters of Roseville, Maplewood and Falcon Heights to this community on the occasion of its anniversary celebration.*

*IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of April in the year of our Lord one thousand nine hundred and ninety-four.*

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MAYOR

AGENDA REPORT

**TO:** City Manager  
**FROM:** Finance Director *R. O. Hurst*  
**RE:** **APPROVAL OF CLAIMS**  
**DATE:** April 18, 1994

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

ACCOUNTS PAYABLE:

\$ 486,567.94	Checks # 2304 thru # 2367 Dated 4-1-94 thru 4-13-94
<u>\$ 825,504.06</u>	Checks # 13288 thru # 13391 Dated 4-25-94
\$ 1,312,072.00	Total Accounts Payable

PAYROLL:

\$ 216,192.86	Payroll Checks # 39964 thru # 40154 Dated 4-08-94
<u>\$ 48,506.50</u>	Payroll Deduction check # 40159 thru # 40177 Dated 4-08-94
\$ 264,699.36	Total Payroll
<u>\$ 1,576,771.36</u>	GRAND TOTAL

Attached is a detailed listing of these claims.

VOUCHREG  
04/18/94 11:01

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

PAGE 1

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
2304	320500	04/01/94	GROUP HEALTH INC.	HCMA DEDUCTION PAY	4,112.04	
				HEALTH-LIFE-DENTAL INS.	14,875.53	
				A/R INSURANCE CONTINUANCE	920.27	19,907.84
2305	530100	04/01/94	MEDICA CHOICE	HCMA DECDUCTION PAY	3,118.50	
				HEALTH-LIFE-DENTAL INS.	17,499.00	
				A/R INSURANCE CONTINUANCE	1,270.50	21,888.00
2306	180100	04/01/94	D.C.A., INC.	FEES FOR SERVICE	315.00	315.00
2307	551100	04/01/94	MN MUTUAL LIFE INSURANCE	HCMA DEDUCTION PAY	324.72	
				LIFE INSURANCE PAYABLE	486.02	
				HEALTH-LIFE-DENTAL INS.	995.65	
				A/R INSURANCE CONTINUANCE	71.24	1,877.63
2308	501400	04/01/94	MADISON NATIONAL LIFE	L.T.D. INSURANCE	1,980.07	1,980.07
2309	120325	04/01/94	CELLULAR ONE	TELEPHONE	25.96	
				TELEPHONE	85.05	
				TELEPHONE	63.69	
				TELEPHONE	16.86	
				TELEPHONE	95.84	287.40
2310	330406	04/01/94	TRICIA HAYNES	ARTIST FOR JULY 4TH CELEBRATION	100.00	100.00
2311	660910	04/01/94	NORTH STAR WORKS INC.	FIREWORKS FOR JULY 4TH CELEBRATION	11,000.00	11,000.00
2312	860320	04/01/94	T.R.F. SUPPLY CO.	SUPPLIES-JANITORIAL	138.53	138.53
2313	450870	04/01/94	LAKWOOD COMMUNITY COLLEGE	TRAVEL & TRAINING	185.00	185.00
2314	722450	04/01/94	TIM PUTZIER	REC. REG. FEES	280.00	280.00
2315	900825	04/01/94	UNIVERSITY OF MINNESOTA	REGISTRATIONS FOR WATER MGT. COURSE	550.00	550.00
2316	661750	04/01/94	NORTHERN STATES POWER	UTILITIES	4,655.81	
				UTILITIES	1,266.35	5,912.16
2317	190400	04/01/94	DEPT. OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	309.00	309.00
2318	541400	04/01/94	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	17,824.25	17,824.25
2319	541400	04/01/94	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	839.50	839.50
2320	350100	04/04/94	JAMES HIDY	A/R RETURNED CHECKS	95.50	95.50
2321	042200	04/04/94	ASSOCIATED BUREAUS, INC.	FEES FOR SERVICE	129.25	129.25
2322	540800	04/04/94	MINN. DEPT OF HEALTH	TRAVEL & TRAINING	160.00	160.00
2323	661750	04/04/94	NORTHERN STATES POWER	UTILITIES	2,322.87	2,322.87

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2324	661750	04/04/94	NORTHERN STATES POWER	UTILITIES UTILITIES UTILITIES	5,681.32 1,641.27 412.66	7,735.25
2325	541400	04/04/94	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	19,684.25	19,684.25
2326	541400	04/04/94	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	743.50	743.50
2327	540801	04/05/94	MINN. DEPT. OF HEALTH-ENVIRON.	SUBSCRIPTIONS & MEMBERSHIPS	45.00	45.00
2328	541400	04/05/94	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	12,238.58	12,238.58
2329	541400	04/05/94	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	671.75	671.75
2330	310850	04/06/94	GOVERNMENT TRAINING SERVICE	TRAVEL & TRAINING	35.00	35.00
2331	040670	04/06/94	ARDEL MANAGEMENT INC	TRAVEL & TRAINING	245.00	245.00
2332	910500	04/06/94	VASKO RUBBISH REMOVAL	FEES FOR SERVICE	572.58	572.58
2333	541400	04/06/94	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	574.50	574.50
2334	541400	04/06/94	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	22,107.75	22,107.75
2335	140400	04/06/94	CLERK OF DISTRICT COURT	CNTY DRIVERS LIC FEES PAYABLE	126.00	126.00
2336	410610	04/07/94	KENTUCKY FRIED CHICKEN	PROGRAM SUPPLIES	84.93	84.93
2337	722200	04/07/94	PUBLIC EMPLOYEE	PERA DEDUCTION PAYABLE PERA CONTRIBUTIONS	11,596.90 15,005.01	26,601.91
2338	610310	04/07/94	MUNICI-PALS HOPKINS	TRAVEL & TRAINING TRAVEL & TRAINING TRAVEL & TRAINING	42.00 21.00 21.00	84.00
2339	640410	04/07/94	BRUCE NELSON	DEPOSITS PAYABLE	1,000.00	1,000.00
2340	541400	04/07/94	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	18,465.98	18,465.98
2341	541400	04/07/94	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	317.75	317.75
2342	010200	04/08/94	A.G.C. OF MINNESOTA	TRAVEL & TRAINING	17.00	17.00
2343	460555	04/08/94	LEAGUE OF MINN.HUMAN RIGHTS	PROGRAM SUPPLIES	10.00	10.00
2344	750530	04/08/94	REGION 18 FIELD TRIALS	TRAVEL & TRAINING	100.00	100.00
2345	450300	04/08/94	LAKE COUNTRY CHAPTER	TRAVEL & TRAINING	125.00	125.00
2346	531650	04/08/94	METRO WASTE CONTROL COMMISSN	SEWAGE TREATMENT	166,843.00	166,843.00

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2347	420108	04/08/94	KIMBALL MIDWEST	MAINTENANCE MATERIAL	70.64	70.64
2348	190400	04/08/94	DEPT. OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	42.00	42.00
2349	190400	04/08/94	DEPT. OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	518.00	518.00
2350	541400	04/08/94	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	779.00	779.00
2351	541400	04/08/94	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	17,637.75	17,637.75
2352	230200	04/08/94	EKCC	DUPLICATING COSTS	272.96	
				DUPLICATING COSTS	31.30	
				DUPLICATING COSTS	281.44	
				DUPLICATING COSTS	567.86	
				DUPLICATING COSTS	362.48	
				DUPLICATING COSTS	206.55	
				DUPLICATING COSTS	710.63	
				DUPLICATING COSTS	492.38	2,925.60
2353	230900	04/08/94	EASTMAN KODAK COMPANY	DUPLICATING COSTS	181.18	
				DUPLICATING COSTS	20.78	
				DUPLICATING COSTS	186.82	
				DUPLICATING COSTS	376.93	
				DUPLICATING COSTS	240.61	
				DUPLICATING COSTS	137.10	
				DUPLICATING COSTS	471.70	
				DUPLICATING COSTS	326.83	1,941.95
2354	661750	04/08/94	NORTHERN STATES POWER	UTILITIES	1,233.35	1,233.35
2355	720768	04/11/94	PREMIER BANK	F.I.C.A. PAYABLE	10,117.58	
				FEDERAL INCOME TAXES PAYABLE	22,997.21	
				FICA CONTRIBUTIONS	10,117.58	43,232.37
2356	900825	04/11/94	UNIVERSITY OF MINNESOTA	TRAVEL & TRAINING	60.00	
				TRAVEL & TRAINING	60.00	
				TRAVEL & TRAINING	120.00	
				TRAVEL & TRAINING	30.00	
				TRAVEL & TRAINING	120.00	
				TRAVEL & TRAINING	150.00	540.00
2357	541400	04/11/94	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	428.75	428.75
2358	541400	04/11/94	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	24,318.25	24,318.25
2359	390315	04/12/94	INFORMATION CENTER SERVICES CO	TRAVEL & TRAINING	170.00	170.00
2360	541400	04/12/94	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	818.50	818.50
2361	541400	04/12/94	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	13,154.00	13,154.00

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2362	980700	04/12/94	LINDA ZICK	PROGRAM SUPPLIES	14.00	
				TRAVEL & TRAINING	4.75	
				SUPPLIES-JANITORIAL	5.81	
				SUPPLIES-EQUIPMENT	3.79	
				PROGRAM SUPPLIES	20.00	
				SUPPLIES-OFFICE	20.96	
				SUPPLIES-EQUIPMENT	14.37	
				SUPPLIES-EQUIPMENT	2.02	
				FEES FOR SERVICE	3.50	
				PROGRAM SUPPLIES	9.58	
				SUPPLIES-EQUIPMENT	3.60	
				TRAVEL & TRAINING	15.00	
				REPAIRS & MTNCE EQUIPMENT	12.99	130.37
2363	101861	04/13/94	BUSINESS CHOICE NETWORK	TELEPHONE	142.73	
				A/R PERSONAL PHONE CALLS	17.38	160.11
2364	510100	04/13/94	MAPLE LEAF OFFICIALS ASSN.	FEES FOR SERVICE	2,085.00	
				WAGES/PART-TIME & TEMP	40.00	2,125.00
2365	541400	04/13/94	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	669.25	669.25
2366	541400	04/13/94	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	11,030.32	11,030.32
2367	140400	04/13/94	CLERK OF DISTRICT COURT	CNTY DRIVERS LIC FEES PAYABLE	112.00	112.00
13288	010290	04/25/94	A.K.R.W.	OUTSIDE ENGINEERING FEES	10,180.89	10,180.89
13289	010575	04/25/94	ACE HARDWARE	SUPPLIES-EQUIPMENT	26.46	
				REPAIRS & MTNCE/EQUIPMENT	211.33	
				MAINTENANCE MATERIAL	429.42	
				PROGRAM SUPPLIES	43.06	710.27
13290	020025	04/25/94	ADOLFSON & PETERSON, INC.	AWARDED CONSTRUCTION CONTRACTS	314,505.00	314,505.00
13291	020400	04/25/94	AIR SIGNAL, INC.	FEES FOR SERVICE	67.08	
				FEES FOR SERVICE	18.21	
				FEES FOR SERVICE	21.04	106.33
13292	021220	04/25/94	AMERICAN HEART ASSOCIATION	BOOKS	220.50	220.50
13293	021570	04/25/94	AMERICAN VIDEO TRAINING	TRAVEL & TRAINING	386.40	386.40
13294	030655	04/25/94	ANDREWS, SCOTT A.	TRAVEL & TRAINING	31.95	31.95
13295	030660	04/25/94	ANIMAL CONTROL SERVICES, INC.	FEES FOR SERVICE	2,943.13	2,943.13
13296	040860	04/25/94	ARMSIRONG MEDICAL INDUSTRIES	SUPPLIES-EQUIPMENT	364.25	364.25
13297	040915	04/25/94	ARNALS AUTO SERVICE	REPAIR & MAINT/VEHICLE	434.92	434.92

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13298	071200	04/25/94	BEST BUY CO.	SUPPLIES-EQUIPMENT SUPPLIES-OFFICE	216.02 6.06	222.08
13299	080900	04/25/94	BOARD OF WATER COMMISSIONERS	UTILITIES	15.08	15.08
13300	081203	04/25/94	BORLAND INTERNATIONAL	SUPPLIES-OFFICE	10.00	10.00
13301	091455	04/25/94	BRUEN, WILLIAM H.	FEES-CONSULTING	375.00	375.00
13302	101350	04/25/94	BUILDERS SQUARE	MAINTENANCE MATERIAL	31.75	31.75
13303	110290	04/25/94	CAMPBELL, ANNA MAE	REC. REG. FEES	32.00	32.00
13304	110300	04/25/94	CANFIELD, DAVID	REC. REG. FEES	100.00	100.00
13305	110470	04/25/94	CARLE, JEANETTE	VEHICLE ALLOWANCE	22.88	22.88
13306	120515	04/25/94	CENTRAL STORES	SUPPLIES-OFFICE	36.11	36.11
13307	150175	04/25/94	COLLINS ELECTRICAL CONST.	REPAIR & MAINT/UTILITY	104.78	104.78
13308	152400	04/25/94	COPY EQUIPMENT, INC.	SUPPLIES-EQUIPMENT SUPPLIES-EQUIPMENT SUPPLIES-EQUIPMENT	87.22- 46.67 46.74	5.19
13309	160810	04/25/94	COURIER DISPATCH GROUP INC.	FEES FOR SERVICE	44.92	44.92
13310	180110	04/25/94	D.C.A.	MISC. CONTRACTUAL SERVICES	2,479.92	2,479.92
13311	180800	04/25/94	DALCO	SUPPLIES-JANITORIAL	185.91	185.91
13312	180900	04/25/94	DALEY, PAT	FEES FOR SERVICE DEFERRED REVENUE-PLBG PERMIT PLUMBING FEES FOR SERVICE	1,868.00 2,335.00 2,335.00- 88.00	1,956.00
13313	181852	04/25/94	DAVIS LOCK & SAFE	REPAIR & MAINT/BLDG. & GROUNDS	42.80	42.80
13314	181854	04/25/94	DAVIS LOCK & SAFE	SUPPLIES-EQUIPMENT	11.20	11.20
13315	190960	04/25/94	DESIDER, DONALD	BUILDING SURCHARGE TAX PAYABLE COMM DEV-PLAN CHECK FEES	15.00 .50 9.75	25.25
13316	210325	04/25/94	DOODY MECHANICAL, INC.	AWARDED CONSTRUCTION CONTRACTS AWARDED CONSTRUCTION CONTRACTS CONTRACTS PAYABLE-RETAINAGE	270,873.50 14,256.50 14,256.50-	270,873.50
13317	230675	04/25/94	EAST SIDE CARQUEST	SUPPLIES-VEHICLE	44.77	44.77
13318	230900	04/25/94	EASTMAN KODAK COMPANY	DUPLICATING COSTS	91.74	

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				DUPLICATING COSTS	10.52	
				DUPLICATING COSTS	94.59	
				DUPLICATING COSTS	190.85	
				DUPLICATING COSTS	121.83	
				DUPLICATING COSTS	69.42	
				DUPLICATING COSTS	238.84	
				DUPLICATING COSTS	165.48	983.27
13319	240375	04/25/94	EMERGENCY APPARATUS MAINT.	REPAIR & MAINT/VEHICLE	96.40	96.40
13320	300500	04/25/94	G & K SERVICES	UNIFORMS & CLOTHING	348.69	
				UNIFORMS & CLOTHING	258.40	
				UNIFORMS & CLOTHING	198.44	
				UNIFORMS & CLOTHING	82.68	
				UNIFORMS & CLOTHING	23.32	911.53
13321	302900	04/25/94	GLENWOOD INGLEWOOD	FEES FOR SERVICE	127.00	127.00
13322	302935	04/25/94	GLOBAL EQUIPMENT CO	PURCHASE OF PALLET TRUCK	478.15	478.15
13323	310650	04/25/94	GOPHER DISPOSAL	FEES FOR SERVICE	13,101.79	13,101.79
13324	320250	04/25/94	GRAF, DAVID	TRAVEL & TRAINING	394.85	394.85
13325	320265	04/25/94	GRAFIX SHOPPE	REPAIR & MAINT/VEHICLE	574.82	574.82
13326	320266	04/25/94	GRAINGER	SUPPLIES-EQUIPMENT	147.08	147.08
13327	330360	04/25/94	HARCO WATERWORKS	FEES FOR SERVICE	460.00	460.00
13328	340110	04/25/94	HEJNY RENTALS, INC	FEES FOR SERVICE	42.60	
				OUTSIDE RENTAL-EQUIPMENT	28.69	71.29
13329	350700	04/25/94	HIRSHFIELDS	SUPPLIES-JANITORIAL	36.28	36.28
13330	351550	04/25/94	HUBCAP WAREHOUSE INC	SUPPLIES-VEHICLE	65.00	65.00
13331	370080	04/25/94	HUNT ELECTRIC	AWARDED CONSTRUCTION CONTRACTS	163,790.00	
				AWARDED CONSTRUCTION CONTRACTS	8,620.50	
				CONTRACTS PAYABLE-RETAINAGE	8,620.50-	163,790.00
13332	400735	04/25/94	JWP TELECOM INC.	TELEPHONE	34.25	34.25
13333	400950	04/25/94	JEANE THORNE TEMPORARY SERVICE	FEES FOR SERVICED	207.90	207.90
13334	401100	04/25/94	JET PRINT	PROGRAM SUPPLIES	106.23	106.23
13335	430300	04/25/94	KNOWLAN'S	SUPPLIES-JANITORIAL	19.92	
				PROGRAM SUPPLIES	33.33	53.25
13336	460541	04/25/94	LEAGUE OF MINNESOTA CITIES	PAYMENT FOR INSURANCE CLAIM	825.70	825.70

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13337	470700	04/25/94	LILLIE SUBURBAN NEWSPAPERS	PUBLISHING PUBLISHING PUBLISHING	119.80 114.40 98.02	332.22
13338	500580	04/25/94	M.P.H. INDUSTRIES, INC.	SUPPLIES-VEHICLE	114.87	114.87
13339	501225	04/25/94	MAC QUEEN EQUIPMENT	MAINTENANCE MATERIAL SUPPLIES-VEHICLE	22.25 102.37	124.62
13340	511600	04/25/94	MASYS CORP	REPAIRS & MTCE EQUIPMENT	2,031.39	2,031.39
13341	520100	04/25/94	MCGINLEY ASSOCIATES, P.A.	CONSULTING FEES-RAMSEY COUNTY COMPOST SITE	510.00	510.00
13342	520489	04/25/94	MCGOUGH CONSTRUCTION CO., INC.	FEES-CONSULTING OTHER CONSTRUCTION COSTS	14,647.06 943.90	15,590.96
13343	520500	04/25/94	MCGUIRE, MICHAEL	VEHICLE ALLOWANCE	450.00	450.00
13344	530150	04/25/94	MEIDLINGER'S, INC.	REPAIRS & MTNCE/EQUIPMENT	71.88	71.88
13345	530250	04/25/94	MEISTER PUBLISHING COMPANY	BOOKS	69.00	69.00
13346	530650	04/25/94	METAL DOCTOR	MAINTENANCE MATERIAL	158.58	158.58
13347	531675	04/25/94	METZ, TERRY	TRAVEL & TRAINING	4.21	4.21
13348	540180	04/25/94	MIDWEST SIREN SERVICE	REPAIR & MTCE EQUIPMENT	78.00	78.00
13349	640550	04/25/94	NELSON, JEAN	VEHICLE ALLOWANCE	29.51	29.51
13350	660067	04/25/94	NORTH MEMORIAL MED CTR	TRAVEL & TRAINING	400.00	400.00
13351	660275	04/25/94	NO. ST. PAUL-MAPLEWOOD ROTARY	REGISTRATIONS FOR EMG. COM. SEMINAR	115.00	115.00
13352	661181	04/25/94	NORTHERN AIRGAS	SUPPLIES-EQUIPMENT SUPPLIES-EQUIPMENT	97.35 76.80	174.15
13353	661600	04/25/94	NORTHERN HYDRAULICS, INC.	MAINTENANCE MATERIAL	58.54	58.54
13354	662250	04/25/94	NORTHWESTERN SERVICE INC	REPAIR & MAINT/BLDG. & GROUNDS REPAIR & MTCE/BLDG. & GROUNDS	1,098.91 110.00	1,208.91
13355	680600	04/25/94	OCTOPUS CAR WASH	REPAIR & MAINT/VEHICLE REPAIR & MAINT/VEHICLE REPAIR & MAINT/VEHICLE REPAIR & MAINT/VEHICLE	120.00 15.00 15.00 7.50	157.50
13356	700675	04/25/94	PAKOY, GENE	FEES FOR SERVICE DEFERRED REVENUE-HTG. PERMIT HEATING	2,640.14 3,300.17 3,300.17-	2,640.14

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13357	701290	04/25/94	PATRICK, BILL	REC. REG. FEES	100.00	100.00
13358	710100	04/25/94	PEAT MARWICK MAIN	FEES FOR SERVICE	1,800.00	1,800.00
13359	712111	04/25/94	PLAZA TIRE AND SERVICE INC	REPAIR & MTCE. VEHICLE	18.64	
				REPAIR & MAINT/VEHICLE	82.97	
				REPAIR & MAINT/VEHICLE	70.08	
				REPAIR & MAINT/VEHICLE	260.50	
				REPAIR & MAINT/VEHICLE	12.90	445.09
13360	720765	04/25/94	PREFERRED RISK CONSULTANTS	FEES-CONSULTING	170.00	170.00
13361	740800	04/25/94	RADIO SHACK	PROGRAM SUPPLIES	14.50	14.50
13362	741200	04/25/94	RAINBOW FOODS	PROGRAM SUPPLIES	62.43	62.43
13363	741331	04/25/94	RAMSEY COUNTY	POSTAGE	54.05	54.05
13364	761300	04/25/94	ROADRUNNER	FEES FOR SERVICE	16.85	16.85
13365	780300	04/25/94	S&T OFFICE PRODUCTS INC.	SUPPLIES-OFFICE	34.12	
				SUPPLIES-OFFICE	314.08	
				SUPPLIES-OFFICE	81.97	
				SUPPLIES-OFFICE	41.09	
				SUPPLIES-OFFICE	14.31	
				SUPPLIES-OFFICE	2.09	487.66
13366	780402	04/25/94	SPS OFFICE PRODUCTS	EQUIPMENT-OTHER	133.13	
				SUPPLIES-EQUIPMENT	128.87	
				SUPPLIES-EQUIPMENT	74.55	
				PROGRAM SUPPLIES	64.86	401.41
13367	780460	04/25/94	SAFETY KLEEN CORP	FEES FOR SERVICE	96.12	96.12
13368	790520	04/25/94	SCOTT, KIMBERLY	REC. REG. FEES	24.00	24.00
13369	800075	04/25/94	SEARS	SMALL TOOLS	124.58	
				SMALL TOOLS	63.23	187.81
13370	800290	04/25/94	SENESE, KARLA	REC. REG. FEES	200.00	200.00
13371	840405	04/25/94	ST. PAUL, CITY OF	FEES FOR SERVICE	72.44	72.44
13372	840800	04/25/94	ST. PAUL RAMSEY MEDICAL CENTER	DRUG & AMBULANCE SUPPLIES	1,263.68	1,263.68
13373	842450	04/25/94	STATE CHEMICAL MANUFACTURING	SUPPLIES-JANITORIAL	126.93	
				SUPPLIES-JANITORIAL	170.93	297.86
13374	843537	04/25/94	STRATUS	REPAIRS & MTNCE EQUIPMENT	1,934.00	1,934.00
13375	843575	04/25/94	STREICHERS GUNS	UNIFORMS & CLOTHING	272.32	

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				SUPPLIES-RANGE	79.87	
				SUPPLIES-VEHICLE	144.67	496.86
13376	860100	04/25/94	T.J. AUTO PARTS	SUPPLIES-VEHICLE	2.73	
				SUPPLIES-VEHICLE	113.61	
				SUPPLIES-EQUIPMENT	8.05	
				SUPPLIES-VEHICLE	46.88	171.27
13377	860650	04/25/94	TARGET STORES-CPC, A/R	SUPPLIES-OFFICE	45.78	
				SUPPLIES-OFFICE	91.57	
				SUPPLIES-JANITORIAL	33.07	170.42
13378	862650	04/25/94	THOMALLA, DAVID	TRAVEL & TRAINING	115.16	115.16
13379	890510	04/25/94	T.R.F. SUPPLY CO.	UNIFORMS & CLOTHING	32.82	
				SUPPLIES-JANITORIAL	99.51	132.33
13380	880675	04/25/94	TROPHIES UNLIMITED	PROGRAM SUPPLIES	1,924.39	1,924.39
13381	881500	04/25/94	TWIN CITY FILTER SERVICE	SUPPLIES-EQUIPMENT	117.09	117.09
13382	900100	04/25/94	UNIFORMS UNLIMITED	UNIFORMS & CLOTHING	87.30	
				UNIFORMS & CLOTHING	50.74	
				UNIFORMS & CLOTHING	127.75	265.79
13383	900105	04/25/94	UNIFORM UNLIMITED	UNIFORMS & CLOTHING	66.60	
				UNIFORMS & CLOTHING	69.70	
				UNIFORMS & CLOTHING	9.53	145.83
13384	910200	04/25/94	VALS BODY SHOP	REPAIR & MAINT/VEHICLE	178.00	178.00
13385	911350	04/25/94	VIKING ELECTRIC SUPPLY	MAINTENANCE MATERIAL	199.37	199.37
13386	930550	04/25/94	WAGERS INC.	SUPPLIES-EQUIPMENT	47.40	47.40
13387	931850	04/25/94	WARNING LITES OF MN	SIGNS & SIGNALS	433.35	433.35
13388	940500	04/25/94	WEBER-TROSETH INC.	SUPPLIES-VEHICLE	115.62	115.62
13389	940655	04/25/94	WERMAGER, CONNIE	VEHICLE ALLOWANCE	18.98	
				TRAVEL & TRAINING	10.20	29.18
13390	941330	04/25/94	WHITACRE, R.B. & CO., INC.	MISC. COMMODITIES	26.75	26.75
13391	950290	04/25/94	WORD PERFECT CORP.-5.0 UPDATE	REPAIRS & MTNCE/EQUIPMENT	21.30	21.30
				TOTAL CHECKS		1,312,072.00

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
0039964	04/08/94	DALE CARLSON	294.00
0039965	04/08/94	GEORGE ROSSBACH	294.00
0039966	04/08/94	SHERRY ALLENSPACH	294.00
0039967	04/08/94	GARY W BASTIAN	334.08
0039968	04/08/94	MARVIN KOPPEN	294.00
0039969	04/08/94	SHERYL LE	2,000.67
0039970	04/08/94	MICHAEL A McGUIRE	3,521.17
0039971	04/08/94	THERESE CARLSON	1,435.66
0039972	04/08/94	PATRICIA HENSLEY	29.88
0039973	04/08/94	GRETCHEN MAGLICH	2,092.96
0039974	04/08/94	GINA CASAREZ	953.20
0039975	04/08/94	DAVID J JAHN	1,105.80
0039976	04/08/94	LYLE SWANSON	1,197.66
0039977	04/08/94	KEN TILLGES	40.38
0039978	04/08/94	GREGORY J. PIEKARSKI	44.63
0039979	04/08/94	LARRY J CUDE	326.40
0039980	04/08/94	ANDREA J OSTER	1,233.20
0039981	04/08/94	WILLIAM MIKISKA	203.20
0039982	04/08/94	DANIEL F FAUST	2,589.83
0039983	04/08/94	LINDA ZICK	1,081.20
0039984	04/08/94	WENDY KLAGER	1,099.60
0039985	04/08/94	DEBORAH DEHN	726.23
0039986	04/08/94	RICHARD HANGSLEBEN	1,648.31
0039987	04/08/94	ALANA K MATHEYS	1,565.20
0039988	04/08/94	MARGARET GIBBS	427.84
0039989	04/08/94	DELORES A VIGNALO	1,298.80
0039990	04/08/94	CAROLE J ANDERSON	287.03

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
0039991	04/08/94	LUCILLE E AURELIUS	2,195.14
0039992	04/08/94	BETTY D SELVOG	172.00
0039993	04/08/94	PATRICIA FRY	715.32
0039994	04/08/94	LOIS BEHM	1,345.91
0039995	04/08/94	CONNIE L KELSEY	707.76
0039996	04/08/94	BONNIE JOHNSON	909.47
0039997	04/08/94	LORRAINE S VIETOR	1,184.40
0039998	04/08/94	CAROL JAGOE	1,146.41
0039999	04/08/94	JEANETTE E CARLE	1,189.73
0040000	04/08/94	SANDRA OLSON	1,130.10
0040001	04/08/94	MARY KAY PALANK	1,145.85
0040002	04/08/94	KENNETH V COLLINS	2,504.14
0040003	04/08/94	CAROLE L RICHIE	1,263.69
0040004	04/08/94	JOANNE M SVENDSEN	1,513.90
0040005	04/08/94	ELAINE FULLER	598.38
0040006	04/08/94	CAROL F MARTINSON	1,502.64
0040007	04/08/94	ANTHONY G CAHANES	2,158.06
0040008	04/08/94	ROBERT D NELSON	2,158.06
0040009	04/08/94	VERNON T STILL	1,690.01
0040010	04/08/94	DONALD W SKALMAN	1,846.90
0040011	04/08/94	CAROL NELSON	1,846.90
0040012	04/08/94	RAYMOND J MORELLI	1,690.00
0040013	04/08/94	SCOTT L STEFFEN	1,825.68
0040014	04/08/94	JOHN J BANICK	1,940.45
0040015	04/08/94	JOHN C BOHL	1,920.34
0040016	04/08/94	DALE K CLAUSON	1,690.00
0040017	04/08/94	RICHARD M MOESCHTER	1,760.14

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
0040018	04/08/94	LAURA ST. GEORGE	1,066.03
0040019	04/08/94	JAMES YOUNGREN	1,915.12
0040020	04/08/94	DAVID KVAM	1,111.60
0040021	04/08/94	WILLIAM F PELTIER	1,846.90
0040022	04/08/94	THOMAS J SZCZEPANSKI	1,684.05
0040023	04/08/94	CABOT V WELCHLIN	1,638.81
0040024	04/08/94	RICHARD J LANG	1,690.00
0040025	04/08/94	DALE RAZSKAZOFF	1,690.00
0040026	04/08/94	MICHAEL RYAN	2,000.40
0040027	04/08/94	MICHAEL J HERBERT	2,164.76
0040028	04/08/94	SCOTT A ANDREWS	1,111.60
0040029	04/08/94	RICHARD C DREGER	1,846.90
0040030	04/08/94	KEVIN JOHNSON	1,034.80
0040031	04/08/94	ALICE DUNN	1,034.80
0040032	04/08/94	GREGORY L STAFNE	1,721.13
0040033	04/08/94	RONALD D BECKER	1,767.81
0040034	04/08/94	KEVIN R HALWEG	2,409.72
0040035	04/08/94	DERRELL T STOCKTON	1,721.13
0040036	04/08/94	RICK A BOWMAN	1,774.54
0040037	04/08/94	FLINT D KARIS	2,069.70
0040038	04/08/94	STEPHEN J HEINZ	1,742.00
0040039	04/08/94	JOHN FRASER	1,691.61
0040040	04/08/94	DAVID J THOMALLA	1,716.40
0040041	04/08/94	GAIL BERGERON	312.91
0040042	04/08/94	KEVIN RABBETT	1,618.14
0040043	04/08/94	VIRGINIA DOWDLE	2,008.29
0040044	04/08/94	STEVEN PALMA	1,925.26

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

0004

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0040045	04/08/94	PAUL EVERSON	447.79
0040046	04/08/94	ROBERT E VORWERK	1,933.76
0040047	04/08/94	JOSEPH A BERGERON	1,779.64
0040048	04/08/94	JAMES MEEHAN	2,006.74
0040049	04/08/94	JON A MELANDER	1,767.60
0040050	04/08/94	SARAH SAUNDERS	1,141.20
0040051	04/08/94	JAMES M EMBERTSON	1,839.17
0040052	04/08/94	DUANE J WILLIAMS	1,678.18
0040053	04/08/94	JANET L RABINE	1,394.37
0040054	04/08/94	JULIE A STAHNKE	1,256.40
0040055	04/08/94	SCOTT K BOYER	1,325.39
0040056	04/08/94	LINDA ADELSON	685.14
0040057	04/08/94	DAVID L ARNOLD	2,068.62
0040058	04/08/94	WALTER LAFFERTY	1,081.20
0040059	04/08/94	JOSEPH FEHR	1,233.20
0040060	04/08/94	JILL PETERS	648.28
0040061	04/08/94	JAYME L FLAUGHER	1,302.80
0040062	04/08/94	JUDITH WEGWERTH	612.72
0040063	04/08/94	KENNETH G HAIDER	2,504.14
0040064	04/08/94	JUDY M CHLEBECK	1,302.81
0040065	04/08/94	WILLIAM PRIEFER	1,481.20
0040066	04/08/94	GERALD W MEYER	1,356.24
0040067	04/08/94	MICHAEL R KANE	1,712.31
0040068	04/08/94	BRYAN NAGEL	1,307.08
0040069	04/08/94	DAVID P LUTZ	1,306.48
0040070	04/08/94	JAMES DARST	1,111.60
0040071	04/08/94	HENRY F KLAUSING	1,339.60

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
0040072	04/08/94	JOHN SCHMOCK	1,275.05
0040073	04/08/94	RONALD J HELEY	1,315.60
0040074	04/08/94	ERICK D OSWALD	1,298.25
0040075	04/08/94	RONALD L FREBERG	1,354.59
0040076	04/08/94	RANDAL LINDBLOM	1,330.80
0040077	04/08/94	JAMES G ELIAS	1,565.20
0040078	04/08/94	JOHN DU CHARME	1,330.80
0040079	04/08/94	DENNIS L PECK	1,565.20
0040080	04/08/94	WILLIAM PRIEBE	1,509.20
0040081	04/08/94	WALTER M GEISSLER	1,565.20
0040082	04/08/94	THERESA METZ	1,330.80
0040083	04/08/94	JOHN R LOFGREN	1,394.51
0040084	04/08/94	LOIS J BRENNER	1,373.32
0040085	04/08/94	BARBARA A KRUMMEL	625.05
0040086	04/08/94	PAULINE STAPLES	2,070.71
0040087	04/08/94	JULIE CORCORAN	932.50
0040088	04/08/94	ROBERT S ANDERSON	1,291.60
0040089	04/08/94	DENNIS P LINDORFF	1,291.60
0040090	04/08/94	ROLAND B HELEY	1,315.60
0040091	04/08/94	MARK A MARUSKA	1,806.81
0040092	04/08/94	JAMES SCHINDELDECKER	1,270.72
0040093	04/08/94	MYLES R BURKE	1,339.60
0040094	04/08/94	GARY HINNENKAMP	916.40
0040095	04/08/94	MICHAEL LAVAQUE	916.40
0040096	04/08/94	JANET M GREW HAYMAN	705.40
0040097	04/08/94	ANNE HANSON	71.25
0040098	04/08/94	LUTHER JONES	41.60

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
0040099	04/08/94	MARGARET KUNDE	145.60
0040100	04/08/94	JEAN NELSON	619.22
0040101	04/08/94	JUDITH A HORSNELL	705.40
0040102	04/08/94	ANN E HUTCHINSON	1,384.40
0040103	04/08/94	RITA MACY	93.75
0040104	04/08/94	KATHLEEN M DOHERTY	1,256.40
0040105	04/08/94	MARIE BARTA	1,162.80
0040106	04/08/94	GEOFFREY W OLSON	2,253.64
0040107	04/08/94	NANCY MISKELL	456.48
0040108	04/08/94	JOYCE L LIVINGSTON	795.84
0040109	04/08/94	CHRISTOPHER McGLINCEY	425.00
0040110	04/08/94	KENNETH ROBERTS	1,686.29
0040111	04/08/94	THOMAS G EKSTRAND	1,619.90
0040112	04/08/94	MARJORIE OSTROM	1,843.51
0040113	04/08/94	NICHOLAS N CARVER	1,518.80
0040114	04/08/94	ROBERT J WENGER	1,593.72
0040115	04/08/94	AMANDA ENGWER	100.00
0040116	04/08/94	DANIEL FEUCHT	30.00
0040117	04/08/94	NATE ROSCKES	70.00
0040118	04/08/94	BRIAN KARALUS	60.00
0040119	04/08/94	RONALD HOGAN	160.00
0040120	04/08/94	TANIA CHASE	161.50
0040121	04/08/94	DENIS JOHNSON	110.00
0040122	04/08/94	BERNARD ANDERSON	51.50
0040123	04/08/94	MELISSA SMITH	140.00
0040124	04/08/94	BRIAN McDONOUGH	91.00
0040125	04/08/94	CONNIE VERHULST	84.00

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
0040126	04/08/94	JAMIE BENEDICT	26.00
0040127	04/08/94	DAVID ECKSTROM	225.94
0040128	04/08/94	SCOTT DANIELSON	90.00
0040129	04/08/94	RYAN BOOG	26.00
0040130	04/08/94	MARCUS BOOG	80.00
0040131	04/08/94	DEDRIE WAGY	480.00
0040132	04/08/94	LAURIE ZABEL	110.50
0040133	04/08/94	DENISE BALDWIN	28.00
0040134	04/08/94	ERICK LATVALA	53.00
0040135	04/08/94	ANNA MARTINUCCI	65.00
0040136	04/08/94	ANGELA RADEMACHER	94.50
0040137	04/08/94	KEVIN LEISEN	110.00
0040138	04/08/94	MANDY ANZALDI	50.18
0040139	04/08/94	MATHIAS BADEN	169.00
0040140	04/08/94	JUSTIN PIEHOWSKI	70.00
0040141	04/08/94	CHRISTY SUMMER	91.00
0040142	04/08/94	HEIDI TUERK	52.00
0040143	04/08/94	ROY G WARD	460.00
0040144	04/08/94	DOUGLAS J TAUBMAN	1,620.31
0040145	04/08/94	THOMAS E EASTMAN	1,650.71
0040146	04/08/94	RICHARD NORDQUIST	930.80
0040147	04/08/94	EDWARD A NADEAU	1,640.02
0040148	04/08/94	ROGER W BREHEIM	1,312.40
0040149	04/08/94	DAVID B EDSON	1,358.00
0040150	04/08/94	DAVID GERMAIN	1,312.40
0040151	04/08/94	DENNIS M MULVANEY	1,439.60
0040152	04/08/94	GEORGE C SPREIGL	1,319.60

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
0040153	04/08/94	CONNIE WERMAGER	796.34
0040154	04/08/94	ELIZABETH J WEILAND	1,000.67
0040155 VOID	04/08/94	FIRST MINNESOTA (FICA)	10,117.58
0040156 VOID	04/08/94	PUBLIC EMP RETIREMENT ASSOC	5,313.11
0040157 VOID	04/08/94	MAPLEWOOD STATE BANK #1	22,997.21
0040158 VOID	04/08/94	MN STATE COMM OF REVENUE	9,797.69
0040159 /	04/08/94	ICMA RETIREMENT TRUST-457	8,022.31
0040160 VOID	04/08/94	FIRST MINNESOTA	543.75
0040161 VOID	04/08/94	CITY OF MAPLEWOOD (HCMA)	4,619.55
0040162 /	04/08/94	MN STATE RETIREMENT SYSTEM	4,751.00
0040163 /	04/08/94	CITY & COUNTY EMP CR UNION	32,551.00
0040164 VOID	04/08/94	UNITED WAY OF ST. PAUL AREA	144.80
0040165 VOID	04/08/94	COMMERCIAL LIFE INSURANCE	243.01
0040166 VOID	04/08/94	PUBLIC EMP. RETIREMENT ASSOC.	184.50
0040167 /	04/08/94	MN. MUTUAL LIFE INS. 19-3988	963.00
0040168 /	04/08/94	AFSCME 2725	688.20
0040169 /	04/08/94	AFSCME 2725	7.99
0040170 /	04/08/94	METRO SUPERVISORY ASSOC	18.00
0040171 VOID	04/08/94	PUBLIC EMP RETIREMENT ASSOC	290.91
0040172 VOID	04/08/94	PUBLIC EMP RETIREMENT ASSOC	6,088.03
0040173 VOID	04/08/94	VACATION CHECK	112.20
0040174 /	04/08/94	L.E.L.S.	725.00
0040175 /	04/08/94	L.E.L.S.	200.00
0040176 /	04/08/94	GREAT WEST LIFE	180.00
0040177 /	04/08/94	RAMSEY CO SUPPORT & COLLECT	400.00
0040178 VOID	04/08/94	FIRST MINNESOTA (FICA)	10,116.96
0040179 VOID	04/08/94	PUBLIC EMP RETIREMENT ASSOC	5,627.15

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
0040180 VOID	04/08/94	PUBLIC EMP RETIREMENT ASSOC	379.28
0040181 VOID	04/08/94	PUBLIC EMP RETIREMENT ASSOC	9,132.11
GROSS EARNINGS AND DEDUCTIONS			350,407.20

AGENDA REPORT

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

TO: City Manager

FROM: Finance Director *Olust*

RE: **1994 BUDGET FOR COMMUNITY CENTER CONSTRUCTION**

DATE: April 8, 1994

**PROPOSAL**

It is proposed that the 1994 Budget for the Community Center construction project be increased from \$6,316,000 to \$6,831,730.

**BACKGROUND**

When the 1994 Budget was prepared, it was anticipated that 1993 expenditures would be \$4,978,600. However, the 1993 expenditures were less than anticipated and the 1994 expenditures will be more than anticipated. The total project costs will still be \$13,032,000 as originally anticipated.

To account for the change in the timing of the expenditures, the 1994 Budget should be increased to \$6,831,730. The breakdown of expenditures by year for the project are:

1990 - \$	22,205
1991 -	1,081,595
1992 -	183,602
1993 -	4,398,625
1994 -	6,831,730
1997 -	<u>500,000</u>
	\$13,032,000

The above amounts do not include bond issuance costs and investment management fees as they were not part of the construction budget. These costs totaled \$61,247 through the end of 1993. Revenues from interest on investments also were not included in the construction budget. These revenues totaled \$107,813 through the end of 1993.

**RECOMMENDATION**

It is recommended that the 1994 Budget for the Community Center construction project be increased to \$6,831,730.

AGENDA REPORT

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

TO: City Manager

FROM: Finance Director *[Signature]*

RE: **1994 BUDGET FOR OPEN SPACE LAND ACQUISITION FUND**

DATE: April 18, 1994

PROPOSAL

It is proposed that a 1994 Budget be established for the Open Space Land Acquisition Fund.

BACKGROUND

Proceeds from the \$5.0 million Open Space Bonds were \$4,935,000 as the bonds were sold at a discount. Investment interest will be earned on the bond proceeds which will increase the amount available for purchase of land for open space. However, the investment interest is impossible to predict at this time due to the uncertainties involved in the purchase of many parcels of land.

The amounts planned to be spent over the next three years are anticipated to be as follows:

1994 - \$ 935,000  
 1995 - \$3,000,000  
 1996 - \$1,000,000

The bond issuance costs were \$27,730 which leaves \$907,270 available for 1994 land purchases. If more money is needed for 1994 land purchases, staff will request the necessary budget adjustments.

RECOMMENDATION

It is recommended that the Council approve the following 1994 Budget for the Open Space Land Acquisition Fund:

\$4,935,000 Bond sale proceeds  
 907,270 Land purchases  
 27,730 Bond issuance costs

AGENDA NO. F-4

Action by Council:

AGENDA REPORT

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

TO: City Manager

FROM: Finance Director *R. O. Gust*

RE: 1994 BUDGET FOR STREET CONSTRUCTION STATE AID FUND

DATE: April 18, 1994

In 1993 the Council authorized the use of municipal state aid to finance bills totaling \$30,479.43 for resurfacing 11th Avenue. The final bill for this project has now been received from North St. Paul. It is recommended that the budget for the Street Construction State Aid Fund be increased by \$6,775 to finance the final bill for resurfacing 11th Avenue.

AGENDA REPORT

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

TO: City Manager

FROM: Finance Director *Baust*

RE: **DISPOSAL OF OLD FINANCIAL RECORDS**

DATE: April 13, 1994

Annually the City disposes of financial records that have passed their legally required six-year retention period. However, before the records can be destroyed, the City is required by law to submit the attached resolution and application for approval to the State. It is recommended that the attached resolution be adopted so that the appropriate financial records can be destroyed.

lz

FINANCE/RECDISP1.AGN

Attachments

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

WHEREAS, M.S.A. 138.17 governs the destruction of city records; and

WHEREAS, a list of records has been presented to the Council with a request in writing that destruction be approved by the Council;

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

1. That the Finance Director is hereby directed to apply to the Minnesota State Historical Society for an order authorizing destruction of the records as described in the attached list.
2. That upon approval by the State of the attached application, the Finance Director is hereby authorized and directed to destroy the records listed.

**APPLICATION FOR AUTHORITY  
 TO DISPOSE OF RECORDS**

For use by Records Panel	
Application No.	Date

► INSTRUCTIONS

1. This form does not provide continuous authority to dispose of similar records and cannot be used to approve a records retention schedule.
2. Complete original and three copies. Photocopies are acceptable.
3. Complete items 1 through 6 and item 8. Use reverse side to continue records description. If more space is needed, use plain paper.
4. Send original and two copies to the address above.
5. Retain one copy until your approved copy is returned. The approved copy will be your authority to dispose of records. It should be retained permanently.
6. Additional copies of this form are available at the address above.

**NOTE: Laws of 1971, Chapter 529, Section 3 reads as follows: "It is the policy of the legislature that the disposal and preservation of public records be controlled exclusively by Minnesota Statutes, Chapter 138 and by this act, thus, no prior, special or general statute shall be construed to authorize or prevent the disposal of public records at a time or in a manner different than prescribed by such chapter or by this act and no general or special statute enacted subsequent to this act shall be construed to authorize or prevent the disposal of public records at a time or in a manner different than prescribed in chapter 138 or in this act unless it expressly exempts such records from the provisions of such chapter and this act by specific reference to this section."**

1. Agency or Office <b>CITY OF MAPLEWOOD</b>	2. Division or Section <b>Finance Department</b>	3. Quantity of Records <u>10.26</u> Cubic Feet
4. Location of Records <b>Maplewood Public Works Building</b>	5. Laws other than M.S. 138.17 that relate to the destruction or safekeeping of the records: <b>None to our knowledge</b>	
6. I certify that the records listed on this application are accurately described, and that they have no further administrative, legal, or fiscal value for this agency.		<b>AUTHORIZATION: Under the authority of M.S. 138.17, it is hereby ordered that the records listed on this application be destroyed, except as shown in item 7.</b>
Authorized Signature (Type name below)		
Name <b>Daniel F. Faust</b>	Date <b>April 13, 1994</b>	
Title <b>Finance Director</b>	Phone <b>770-4513</b>	Director, Minnesota Historical Society      Date
		Legislative or State Auditor      Date
		Attorney General      Date

7. Exceptions to Destruction. (For use by Records Disposition Panel).

8. Description of Records. Describe each record series or type of record separately. Number each series, beginning with "1".

a. Item No.	b. Name of record, form numbers, content, usage, arrangement, original, duplicate, or microfilmed.	c. Inclusive Dates
1	<b>FINANCIAL RECORDS:</b> Treasurer's Cash Report Bank Statements/Bank Reconciliation Deposit Slips Budget Change Documentation Receipt Books Ambulance Billing Reports	Original 1987 Original 1987 Original 1987 Original 1987 Original 1987 Original 1987

a. Item No.	b. Name of record, form numbers, content, usage, arrangement, original, duplicate, or microfilmed	c. Inclusive Dates
(1 cont.)	<p><b><u>FINANCIAL RECORDS, cont.:</u></b></p> <p>Accident Reports Original 1987</p> <p>Pay Rate Documentation Original 1987</p> <p>Health Insurance Books Original 1987</p> <p>Cancelled A/P Checks Original 1987</p> <p>Journal Entry Books Original 1987</p> <p>Workman's Comp Claims Original 1987</p>	
2	<p><b><u>PAYROLL RECORDS:</u></b></p> <p>Cancelled Payroll Checks Original 1987</p> <p>P/R Deduction Registers Original 1987</p> <p>Leave Hour Report Original 1987</p> <p>Time Sheets Original 1987</p> <p>Check Register Original 1987</p> <p>Quarterly P/R Reports Original 1987</p> <p>Garnishments Original 1987</p>	
3	<p><b><u>ORIGINAL OF ITEMS WHICH HAVE BEEN MICROFICHERD:</u></b></p> <p>YTD Reports (Detailed -Exp/Rev/GL) Original 1987</p> <p>A/P Check Register Original 1987</p> <p>G/L Balance Sheet Original 1987</p> <p>Bi-Weekly P/R Journals Original 1987</p> <p>Bi-Weekly P/R Deduction Register Original 1987</p> <p>Employee Master File Original 1987</p> <p>PERA/Pension Reports Original 1987</p> <p>Workers Comp Claim Register Original 1987</p> <p>Chart of Account Original 1987</p>	

**MEMORANDUM**

Action by Council:

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

TO: City Manager  
FROM: Ken Roberts, Associate Planner  
SUBJECT: Preliminary Plat Time Extension  
LOCATION: Duluth Street, west of Edgehill Court  
PROJECT: Goff's Mapleview Fifth Addition  
DATE: April 15, 1994

**INTRODUCTION**

Pat Goff is requesting a one-year time extension for a preliminary plat. The name of the plat is Goff's Mapleview Fifth Addition. Mr. Goff represents Goff Homes, Inc. This plat would be on the south side of Duluth Street, west of Edgehill Court. (See the maps on pages 3-4.) Mr. Goff plans to build two double dwellings (four units) on four lots. (See the plan on page 6.)

**BACKGROUND**

On April 26, 1993, the City Council approved rezonings and the preliminary plat (subject to seven conditions) for Goff's Mapleview Fourth Addition. (See the preliminary plat on pages 5-6 and the minutes on page 7.)

On July 26, 1993, the City Council approved the final plat for Goff's Mapleview Fourth Addition. This plat was for a single dwelling and two double dwellings. The plat is on the west side of Duluth Street, south of County Road C. (See page 5.)

**DISCUSSION**

Mr. Goff is making progress on this plat. He has platted the first phase of the preliminary plat and is constructing the buildings. The time extension is for the final phase of the preliminary plat. There have not been any changes to the City Code or neighborhood that warrant changing or ending the plat.

**RECOMMENDATION**

Approve 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.

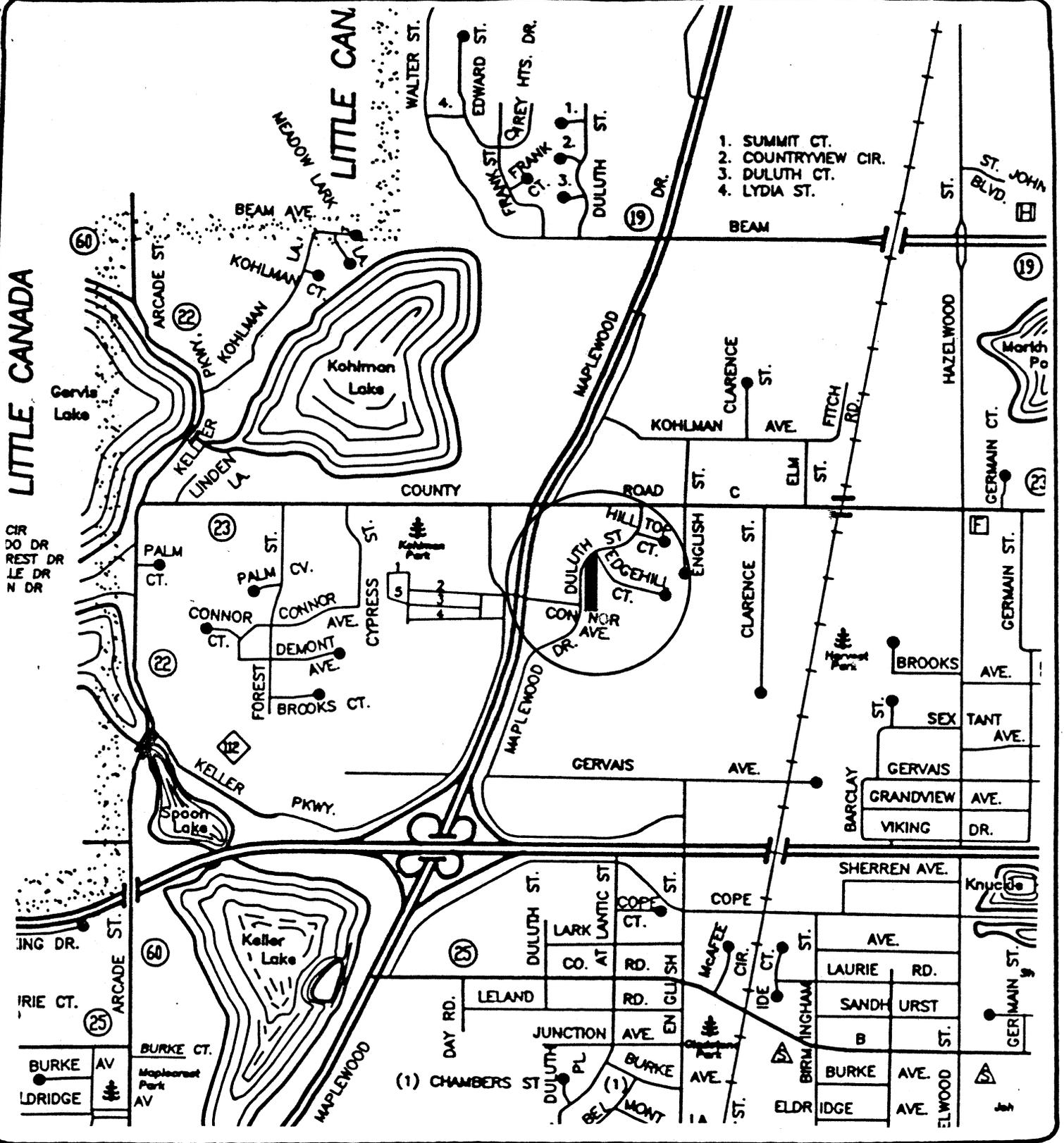
go/B-6:memo46t.mem (9)

Attachments:

1. Location Map
2. Property Line/Zoning Map
3. Preliminary Plat-Phase 1
4. Preliminary Plat-Phase 2
5. 4-26-93 Council minutes

LITTLE CANADA

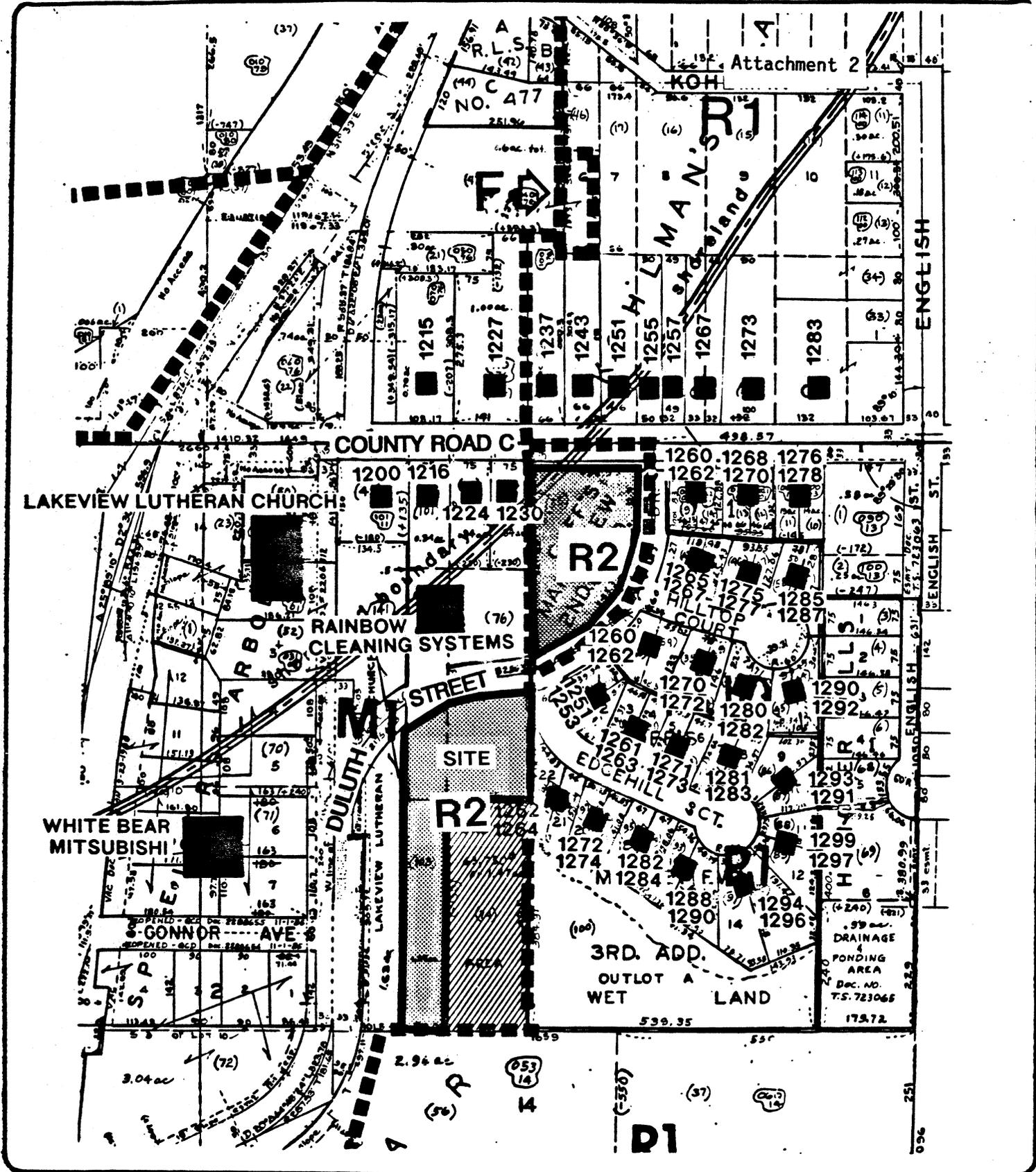
LITTLE CAN.



1. SUMMIT CT.
2. COUNTRYVIEW CIR.
3. DULUTH CT.
4. LYDIA ST.

# LOCATION MAP

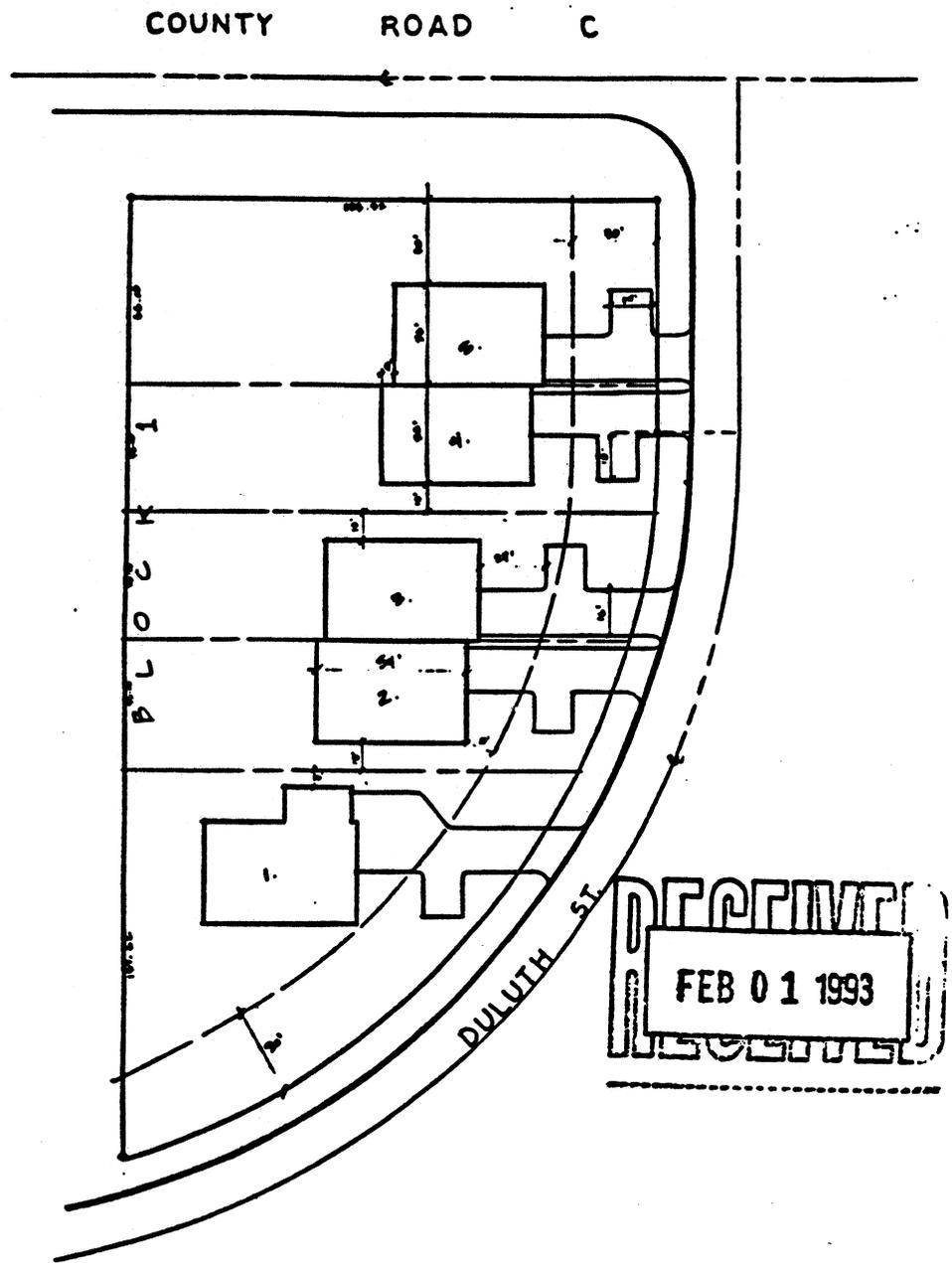




# PROPERTY LINE / ZONING MAP

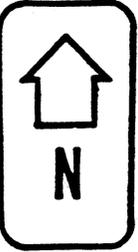
-  Goff's Property to R-2
-  City Property to R-2

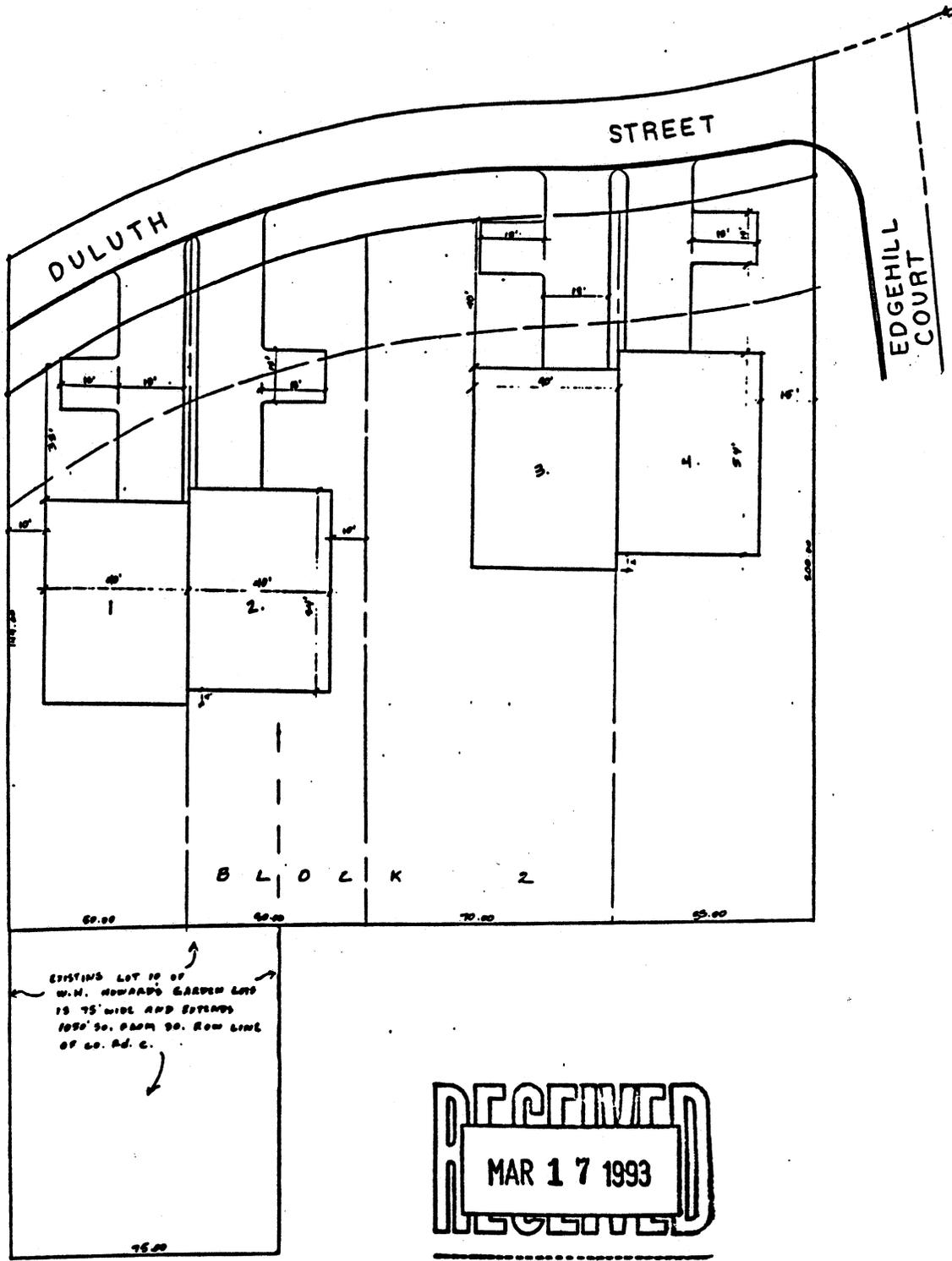




# PRELIMINARY PLAT

PHASE 1





# PRELIMINARY PLAT

PHASE 2



- j. Councilmember Juker moved to amend the Resolution, to zone the adjacent property as "farm".

Seconded by Councilmember Zappa

Upon advice of the City Attorney, the motion to amend was ruled out of order as that action would require appropriate notice and a public hearing.

- k. Councilmember Juker withdrew the motion.

**VOTE IS ON ORIGINAL RESOLUTION AS INTRODUCED**

**Ayes - all**

**Plat**

1. Councilmember Zappa moved to approve the preliminary plat for Maplevue 4th Addition subject to the developer doing the following:

- 1) Obtain the City Engineer's approval of final construction plans. These plans shall include grading, utility, drainage and erosion control plans. The utility plan shall show individual utility services to each double dwelling unit. The erosion control plan shall be consistent with the Ramsey Soil and Water Conservation District Erosion Control Handbook.
- 2) Give the City a wetland buffer zone easement over Lots 1-4, Block 2. This easement shall prohibit mowing, cutting, filling or dumping within twenty feet of the wetland.
- 3) Show drainage and utility easements along all property lines in Block One, except along the common property lines for the double dwellings. Show drainage and utility easements along all property lines in Block Two, except along the common property lines for the double dwellings and around Lot Five. These easements shall be ten feet wide along the front and rear property lines and five feet wide along the side property lines.
- 4) Sign an agreement with the City that guarantees that the developer will complete all public improvements and meet all City requirements. This agreement shall include permanent signs along the wetland buffer zone. These signs shall state that there shall be no mowing, cutting, filling or dumping beyond this point.
- 5) Label the fifth lot in Block Two as an outlot and deed it to the City.
- 6) Revise the plat to show a thirty-foot-wide right-of-way dedication for Duluth Street at the northwest corner of Block Two.
- 7) Show the wetland boundaries on the plat.

4-26-93

If the developer decides to final plat part of the preliminary plat, the Director of Community Development may waive any conditions that do not apply to the final plat.

**MEMORANDUM**

Action by Council:

TO: City Manager  
FROM: Ken Roberts, Associate Planner  
SUBJECT: CUP Termination and Home Occupation License  
LOCATION: 2405 Carver Avenue  
DATE: April 15, 1994

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

**INTRODUCTION**

The CUP at 2405 Carver Avenue is due for review. This CUP is for a home beauty shop. The operator, Charlene Grand, wants to continue the business. The staff is recommending that the City replace the CUP with a home occupation license.

**BACKGROUND**

On January 12, 1987, the City Council granted a CUP for a beauty shop at 2405 Carver Avenue. This permit was subject to three conditions. The Council also approved a variance to allow a ground sign for the business. (See the minutes on page 5.)

On January 11, 1988, the Council renewed this CUP for one year. The renewal was subject to the original permit conditions and Ms. Grand moving the ground sign to a fifteen-foot setback by May 1, 1988.

On February 13, 1989, the Council renewed the CUP for this home business for five years. The renewal was subject to the original permit conditions and Ms. Grand moving the ground sign to a fifteen-foot setback by May 1, 1989.

**DISCUSSION**

As CUPs for home occupations come up for renewal, the Council has been replacing them with home occupation licenses. The City issues licenses to individuals, but conditional use permits go with the property.

Ms. Grand is meeting the original CUP conditions and the criteria for a home occupation license. The sign is gone, and staff is not aware of any problems with her business.

**RECOMMENDATIONS**

- A. End the conditional use permit at 2405 Carver Avenue.

B. Approve a home occupation license for Charlene Grand. This license is to operate a beauty shop at 2405 Carver Avenue. The license is subject to the following conditions:

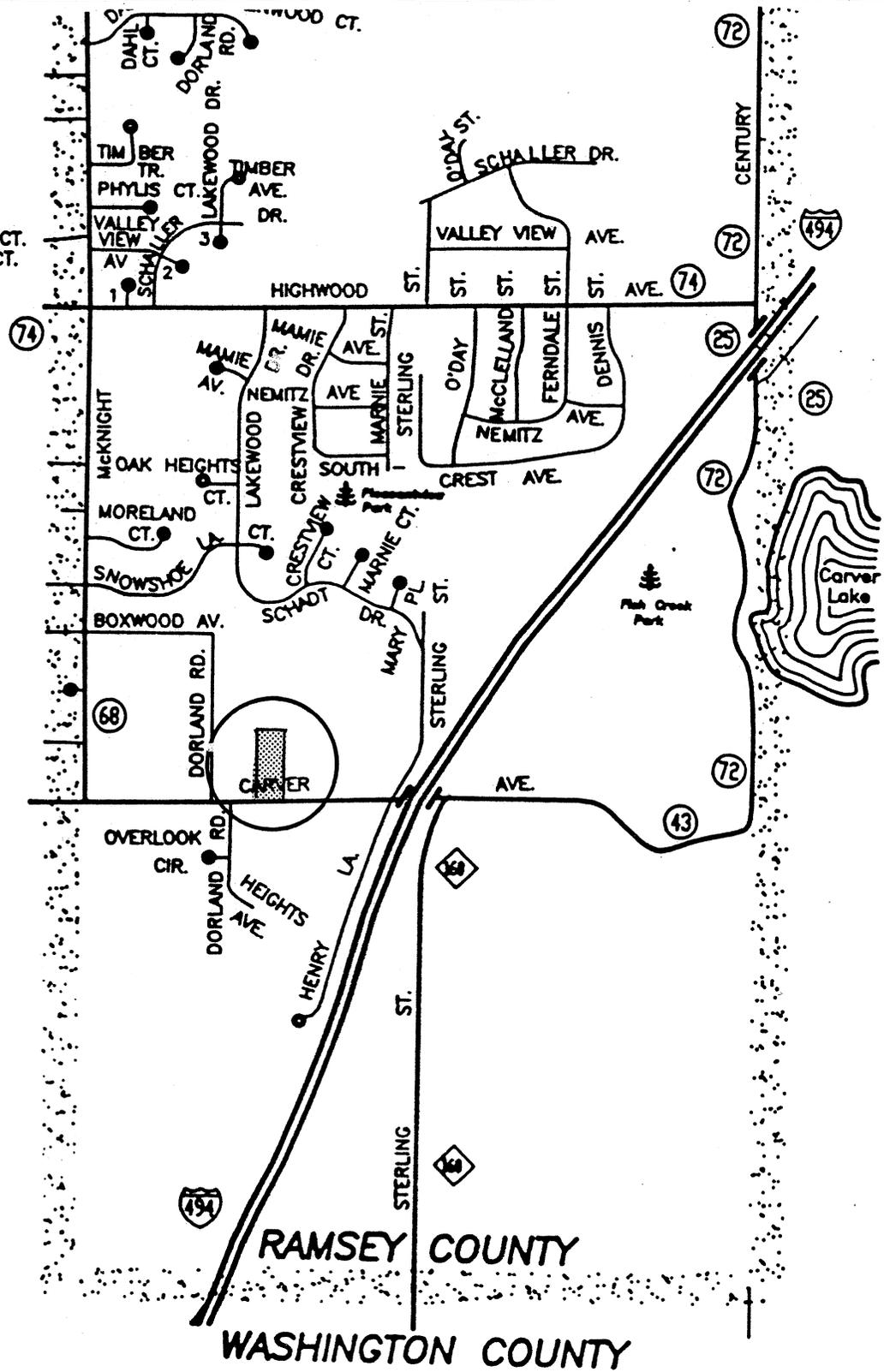
1. Ms. Grand shall meet the City's requirements for home occupations. (See the requirements on page 8.)
2. Ms. Grand must renew her license each January with the City Clerk.
3. This license shall end when the business ends.

go/b-6:grand.mem (24-28)

Attachments:

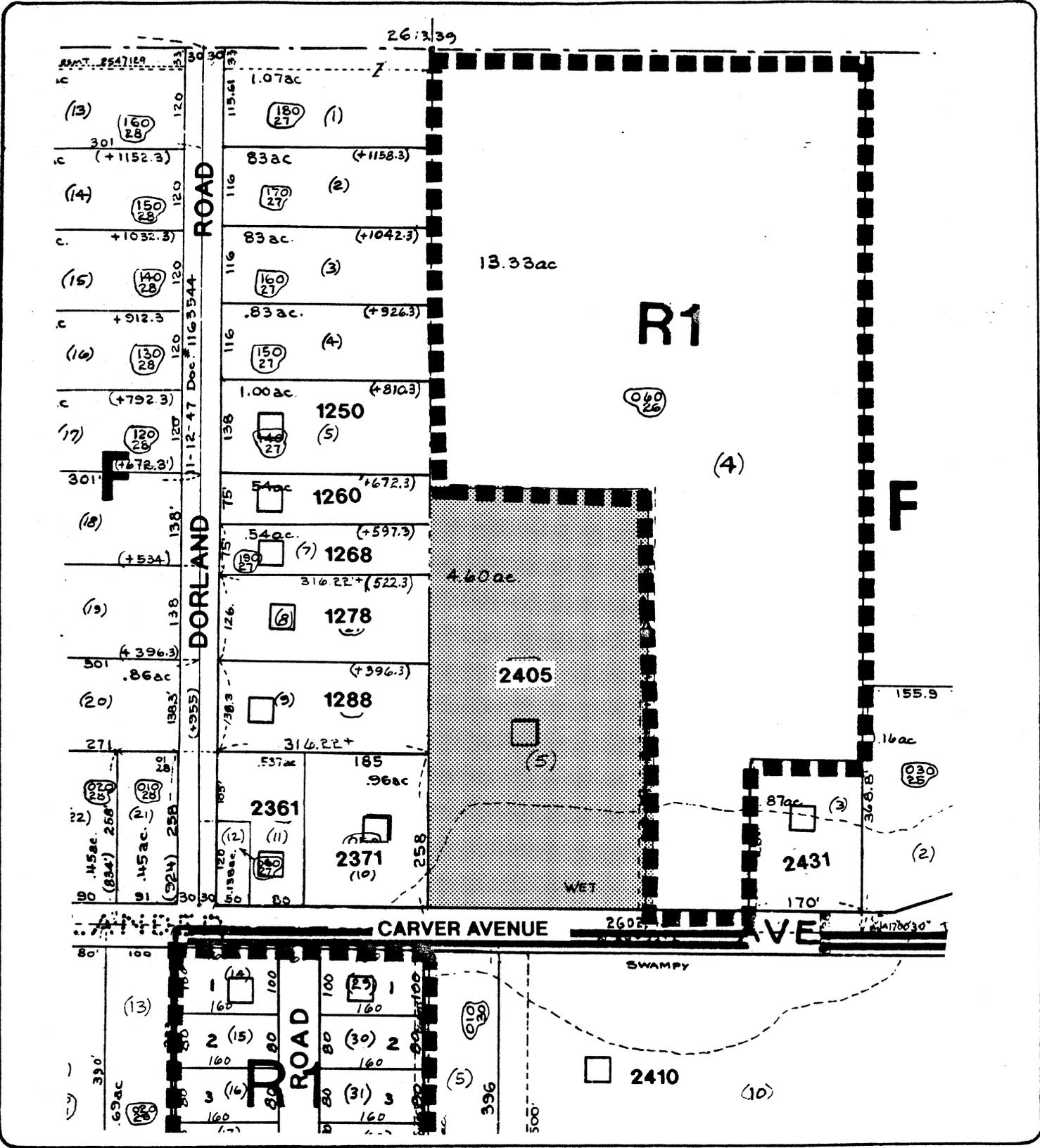
1. Location Map
2. Property Line/Zoning Map
3. 1-12-87 Council minutes
4. Home Occupation License Requirements

- 1. CURRIE CT.
- 2. VALLEY VIEW CT.
- 3. LAKEWOOD CT.

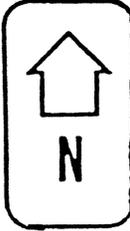


# LOCATION MAP





PROPERTY LINE / ZONING MAP



2. 7:10 P.M., Conditional Use Permit and Variance : 2405 Carver (Grand)

1-12-87  
Grand

- a. Mayor Greavu convened the meeting for a public hearing regarding the request of Charlene Grand for approval of a conditional use permit to operate a beauty shop as a home occupation and approval of a variance to allow a free-standing sign for the home occupation, rather than a sign attached to the dwelling.
- b. Associate Planner Johnson presented the Staff report.
- c. Commissioner George Rossbach presented the Planning Commission recommendation.
- d. Ms. Charlene Grand, the applicant, spoke on behalf of her request.
- e. Mayor Greavu called for proponents. The following were heard:  
  
Mr. Frismanis, 2431 Carver
- f. Mayor Greavu called for opponents. None were heard.
- g. Mayor Greavu closed the public hearing.
- h. Councilmember Wasiluk introduced the following resolution and moved its adoption:

87 - 1 - 4

WHEREAS, Charlene Grand initiated a conditional use permit to operate a beauty shop as a home occupation at the following-described property:

West 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 24, Township 28, Range 22.

This property is also known as 2405 Carver Avenue, Maplewood;

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

- 1. This conditional use permit was initiated pursuant to the Maplewood Code of Ordinances.
- 2. This conditional use permit was reviewed by the Maplewood Planning Commission on December 15, 1986. The Planning Commission recommended to the City Council that said permit be approved.
- 3. The Maplewood City Council held a public hearing on January 12, 1987. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City Staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described conditional use permit be approved on the basis of the following findings-of-fact:

1/12 /87

1. The use is in conformity with the City's Comprehensive Plan and with the purpose and standards of this chapter.
2. The establishment or maintenance of the use would not be detrimental to the public health, safety or general welfare.
3. The use would be located, designed, maintained and operated to be compatible with the character of that zoning district.
4. The use would not depreciate property values.
5. The use would not be hazardous, detrimental or disturbing to present and potential surrounding land uses, due to the noises, glare, smoke, dust, odor, fumes, water pollution, water run-off, vibration, general unsightliness, electrical interference or other nuisances.
6. The use would generate only minimal vehicular traffic on local streets and shall not create traffic congestion, unsafe access or parking needs that will cause undue burden to the area properties.
7. The use would be serviced by essential public services, such as streets, police, fire protection, utilities, schools and parks.
8. The use would not create excessive additional requirements at public cost for public facilities and services; and would not be detrimental to the welfare of the City.
9. The use would preserve and incorporate the site's natural and scenic features into the development design.
10. The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions:

1. At the end of one year, if there is no unresolved complaint or nuisance, Council may renew this permit.
2. Compliance with the requirements in Section 36-66 (4) (b) pertaining to the operation of a home occupation, except for the sign location requirement.
3. Obtaining a building permit for all improvements.

Seconded by Mayor Greavu.

Ayes - all.

i. Mayor Greavu introduced the following resolution and moved its adoption:

87 - 1 - 5

WHEREAS, Charlene Grand applied for a variance for the following-described property:

West 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 24, Township 28, Range 22.

This property is also known as 2405 Carver Avenue, Maplewood;

WHEREAS, Section 36-66 (4) (b) (3), 36-316 (2) and 36-230 of the Maplewood Code of Ordinances require signs for home occupations to be attached to the dwelling.

WHEREAS, the applicant is proposing a free-standing sign.

WHEREAS, the procedural history of this variance is as follows:

1. This variance was applied for on October 7, 1986.
2. This variance was reviewed by the Maplewood Planning Commission on December 15, 1986. The Planning Commission recommended to the City Council that said variance be approved.
3. The Maplewood City Council held a public hearing on January 12, 1987, to consider this variance. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City Staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that a variance is approved to locate a two-square foot home-occupation sign at least 15 feet north of the Carver Avenue right-of-way.

Approval is on the basis that:

1. Strict enforcement would cause an undue hardship because:
  - a. A two-square foot sign would be unreadable if attached to the dwelling.
  - b. Other area property owners are using similar-sized signs to identify their properties.
2. Approval would be in keeping with the spirit and intent of the Code, which is to provide unobtrusive identification for a home occupation.

Seconded by Councilmember Wasiluk.

Ayes - Mayor Greavu, Councilmembers  
Juker and Wasiluk

Councilmember Bastian abstained.

1/12/87

**HOME OCCUPATION LICENSE REQUIREMENTS**

1. No traffic shall be generated by a home occupation in greater volumes than would normally be expected in a residential neighborhood. The need for off-street parking spaces shall not exceed more than three off-street parking spaces for home occupation at any given time, in addition to the parking spaces required by the residents.
2. No more than one nonresident employee shall be allowed to work on the premises. Nonresident employees who work off premises may be allowed to visit the premises. If an on-site employee is parking on site, off-site employees shall not leave their vehicles on site. If there is no on-site employee vehicle parked on site, one off-site employee vehicle may be parked on site.
3. No vehicle associated with the home occupation, including customers or employees, shall be parked on the street or block sidewalks or public easements. Private vehicles used by the residents shall not be included in this requirement.
4. An area equivalent to no more than twenty (20) percent of each level of the house, including the basement and garage, shall be used in the conduct of a home occupation.
5. There shall be no change visible off premises in the outside appearance of the building or premises that would indicate the conduct of a home occupation, other than one sign meeting the requirements of the City sign code.
6. No more than 20% of business income shall come from the sale of products produced off site unless approved by the City Council.
7. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
8. There shall be no fire, safety or health hazards.
9. A home occupation shall not include the repair of internal combustion engines, body shops, machine shops, welding, ammunition manufacturing or other objectionable uses as determined by the City. Machine shops are defined as places where raw metal is fabricated, using machines that operate on more than one hundred twenty (120) volts of current.

MEMORANDUM

Action by Council:

**Date:** Wednesday, April 13, 1994

**From:** Ann Hutchinson

**To:** City Manager\City Council

**Subject:** Donation to Nature Center

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

---

We have received a \$200.00 dollar donation from the Maplewood Garden Club for a bulletin board and blooming calendar for our lobby. Please credit these funds to our program supplies budget line 101-604-000-4120 for the purchase of this bulletin board, plaque and wildflower photographs. A Thank-you has been sent to Terry Stahnke, a garden club member.

**AGENDA REPORT**

Action by Council:

**DATE:** April 11, 1994  
**TO:** Mike McGuire  
City Manager  
**FROM:** *SL*  
Sherrrie Le  
Human Resource Director  
**RE:** Community Center Positions

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

**INTRODUCTION**

At the April 4, 1994 Council/Manager meeting, staff made a presentation on the Community Center organization and staffing. New positions needed for the Community Center have been determined and job descriptions have been prepared. The job descriptions include features needed for compliance with the American's with Disabilities Act (ADA).

I have attached a list of the positions needed to staff the Community Center. The positions are identified by job title, FT/PT status, and estimated number of staff needed.

We are in the process of determining job evaluation points. The next step would be to negotiate the wages with the designated collective bargaining representatives. The positions requiring more than 14 hours of work per week will be covered by one of three bargaining units: AFSCME Clerical, AFSCME Maintenance, or Metro Supervisors, depending on the job responsibilities.

We would like to post the positions as soon as wages have been established. We are proposing start dates for three supervisory positions in mid-July. The remainder of the positions are targeted for an August 31 start date.

Proposed salaries for the non-represented positions (those that are less than 14 hours per week) are as follows:

<b>Job Title:</b>	<b>Start Rate:</b>
Child Care Provider	\$6.50/hr.
Building Attendant	\$5.50/hr.
Customer Service Assistant	\$6.50/hr.
Lifeguard	\$6.00/hr.
Water Safety Instructor	\$7.00/hr.

**RECOMMENDATION**

It is recommended that the City Council approve the establishment and filling of the new positions for the Community Center and direct staff to negotiate wages for Council approval at a later date.

## Community Center Job Classes

<u>Job Class Title</u>	<u># FT/PT</u>	<u>New?</u>
Community Center Manager	1 FT	N
Secretary	1 FT	Y
Recreation Program Coordinator	1 FT	Y
Program Assistant (current incumbent plus one new)	2 PT	1 Y
Aquatics Assistant	1 PT	Y
Water Safety Instructor	15-20 <14 hrs.	Y
Lifeguard	25-35 <14 hrs.	Y
Child Care Coordinator	1 PT	Y
Child Care Provider	6-8 <14 hrs.	Y
Customer Service Coordinator	1 FT	Y
Customer Service Representative	7-9 PT	Y
Customer Service Assistant	20-25 <14 hrs.	Y
Building Maintenance Supervisor	1 FT	Y
Building Maintenance Worker (3 current incumbents plus 1-2 new)	4-5 FT	1-2 Y
Building Custodian	2 PT	Y
Building Attendant	10-15 <14 hrs.	Y

FT = Full-time with full benefits

PT = Between 14 and 39 hours per week (some pro-rated benefits;  
no insurance except LTD)

<14 hrs. = less than 14 hours per week (no benefits)

AGENDA ITEM F-10

Action by Council:

AGENDA REPORT

TO: City Manager

Endorsed \_\_\_\_\_

FROM: Public Works Administrative Assistant

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

SUBJECT: State Aid Designation—TH 61 and TH 36 Frontage Roads (Project 93-02)

Date \_\_\_\_\_

DATE: April 18, 1994

Introduction

The attached map shows two segments of frontage road that have been requested to be designated as part of the city's state-aid system. Segment A is the TH 36 frontage road from Atlantic to County Road B, and Segment B is the TH 61 frontage road from County Road C north 1,850 feet.

Recommendation

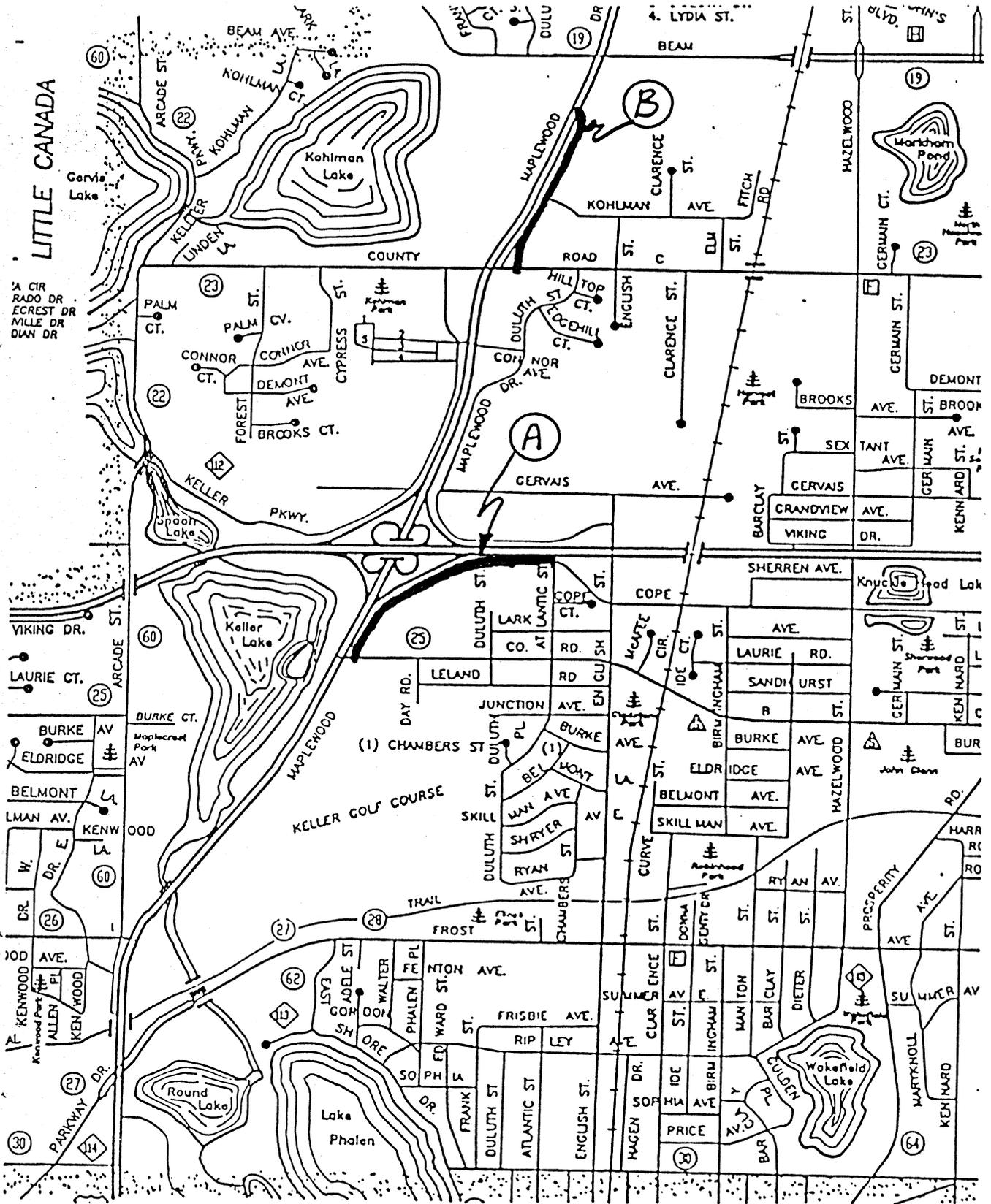
It is recommended the city council adopt the attached resolutions designating both frontage road segments as state aid streets.

WJP

jw  
Attachments

LITTLE CANADA

A CIR  
RADO DR  
ECREST DR  
MILLE DR  
DIAN DR



KELLER GOLF COURSE

(1) CHAMBERS ST

(1) BELMONT

LITTLE CANADA

## RESOLUTION ESTABLISHING MUNICIPAL STATE AID HIGHWAYS

WHEREAS, it appears to the City Council of the City of Maplewood that the street hereinafter described should be designated municipal state aid street under the provisions of Minnesota law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Maplewood that the road described as follows, to-wit:

TH 36 frontage road from Atlantic Street to County Road B

be, and hereby is established, located, and designated a municipal state aid street of said city, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED that the city clerk is hereby authorized and directed to forward two certified copies of this resolution to the commissioner of transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, the same be constructed, improved, and maintained as a municipal state aid street of the City of Maplewood, to be numbered and known as Municipal State Aid Street 138-125-010.

## RESOLUTION ESTABLISHING MUNICIPAL STATE AID HIGHWAYS

WHEREAS, it appears to the City Council of the City of Maplewood that the street hereinafter described should be designated municipal state aid street under the provisions of Minnesota law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Maplewood that the road described as follows, to-wit:

TH 61 frontage road from County Road C north 1,850 feet

be, and hereby is established, located, and designated a municipal state aid street of said city, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED that the city clerk is hereby authorized and directed to forward two certified copies of this resolution to the commissioner of transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, the same be constructed, improved, and maintained as a municipal state aid street of the City of Maplewood, to be numbered and known as Municipal State Aid Street 138-126-010.

AGENDA REPORT

Action by Council:

TO: City Manager  
FROM: Public Works Administrative Assistant  
SUBJECT: Budget Transfer to Close Project 90-11  
DATE: April 18, 1994

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

Introduction

A feasibility study and a budget of \$16,000 were approved by council on April 7, 1990, for Project 90-11, Condor-East Storm Sewer. This project has not gone forward and will not be considered in the near future.

Recommendation

It is recommended that Project 90-11 be closed. It is also recommended that funds be transferred from the general fund to finance the project-to-date expenditures of approximately \$300.

WJP

jw

AGENDA NO. F-12

AGENDA REPORT

Action by Council:

TO: City Manager  
FROM: Assistant City Manager *Gretchen Maglich*  
RE: AGREEMENT WITH THE TRUST FOR PUBLIC LAND  
DATE: April 19, 1994

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

INTRODUCTION

At the February 28, 1994 meeting, the City Council approved a plan to establish an Open Space Acquisition plan. This is to be done with assistance of The Trust For Public Land. Attached is the agreement with that organization. The agreement establishes the consulting relationship between the City and TPL to a maximum of \$5,000. In addition, the agreement describes TPL's and the City's responsibilities in negotiations, appraisals, and environmental assessments based on the value of properties.

RECOMMENDATION

It is recommended that the City Council approve the agreement with TPL and direct the Mayor and City Manager to execute the document on behalf of the City.

## PROFESSIONAL SERVICES AGREEMENT

This is an Agreement, dated \_\_\_\_\_, 1994, (the "Agreement") between CITY OF MAPLEWOOD, a municipal corporation, ("Maplewood") and THE TRUST FOR PUBLIC LAND, a nonprofit California public benefit corporation ("TPL").

### RECITALS

A. The addresses and telephone numbers of the parties are:

MAPLEWOOD:

City of Maplewood  
1880 E. County Road B  
Maplewood, MN 55109  
Attn: Gretchen Maglich  
Tel: (612) 770-4500  
FAX: (612) 770-4506

TPL:

The Trust for Public Land  
Midwest Regional Office  
510 1st Avenue North,  
Suite 210  
Minneapolis, MN 55403  
Attn: Margaret J. Madden  
Tel: (612) 338-8494  
FAX: (612) 338-8467

Copies of any notice to  
Maplewood should also be sent  
to:

Patrick J. Kelly  
Bannigan & Kelly  
1750 North Central Life Tower  
445 Minnesota Street  
Saint Paul, MN 55101  
Tel: (612) 224-3781  
FAX: (612) 223-8019

B. On November 2, 1993 the Open Space Referendum was passed by the voters in the City of Maplewood authorizing Maplewood to issue and sell its general obligation bonds in an amount not to exceed \$5,000,000 (the "Funds") to purchase open space land within the boundaries of the City of Maplewood for preservation as open space.

C. Maplewood is desirous of developing an open space acquisition program (the "Acquisition Program") and seeks TPL's professional land conservation planning services to facilitate development of the Acquisition Program.

D. Maplewood has identified \_\_\_\_\_ parcels (collectively the "Key Parcels" and individually a "Key Parcel") as priority for acquisition with the Funds. These properties are identified on Exhibit A attached hereto and made a part hereof.

E. TPL is a conservation organization having experience in the acquisition on behalf of the public of open space, scenic and recreation lands. TPL is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

F. Maplewood has the Funds available for and is desirous of purchasing the Key Parcels and seeks the assistance of TPL in accomplishing that objective.

G. The parties intend that the Key Parcels be preserved and used eventually primarily for public, open space and recreational purposes. The eventual acquisition of the Key Parcels by Maplewood will economically benefit Maplewood and benefit the people of, and visitors to, the City of Maplewood and the State of Minnesota.

H. Maplewood and TPL acknowledge that TPL has and will expend significant time, money and expertise in assisting Maplewood in (1) developing the Acquisition Program and (2) negotiating for the acquisition and subsequent conveyance in a simultaneous closing to Maplewood of the Key Parcels. Maplewood intends to compensate TPL for the provision of professional land conservation planning services to facilitate development of the Acquisition Program. Except as set forth in Section 8, Maplewood will not compensate TPL for its time and expense in acquiring the Key Parcels and conveying them to Maplewood. Rather, TPL will earn support for itself from the landowners who will sell the Key Parcels to TPL.

In consideration of the matters recited above, the mutual promises set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. The above recitals are true and correct.
2. TPL agrees to provide up to 100 hours of staff time to provide land conservation planning services to facilitate the development of Maplewood's Acquisition Program. The services to be provided may include but not be limited to:
  - a. Meeting with Maplewood's staff and the members of the Open Space ~~Commission~~ to review the resource value of the Key Parcels.
  - b. Working with Maplewood's staff to contact the owners of the Key Parcels and determine their willingness to sell their interest in the Key Parcels.
  - c. Assisting Maplewood in assembling a team of consultants to include an environmental engineer, appraiser, surveyor

and title company to help Maplewood analyze and resolve the issues typically associated with a land acquisition.

d. Assisting Maplewood with the performance of due diligence in evaluating the title to and the physical condition of each Key Parcel that TPL successfully obtains site control of and has entered into an agreement of sale to sell to Maplewood. Maplewood shall be solely responsible for making its own independent determination as to the acceptability of each Key Parcel in these and all other respects.

3. Maplewood agrees to pay TPL a professional services fee (the "Fee") in the amount of \$50.00 for each hour spent by TPL personnel in providing the land conservation planning services set forth in Section 2 above from and after March 1, 1994. TPL agrees to provide Maplewood with a monthly invoice commencing May 1, 1994 identifying the staff person who has provided the services, the number of hours spend by that person in providing the services and a general description of the work provided. The invoice shall be due and payable in full within thirty (30) days of receipt by Maplewood.

4. TPL may pursue the acquisition of any of the Key Parcels in any order and in any manner that it deems appropriate and pursuant to the terms and conditions it deems advisable. Maplewood understands and agrees that TPL's purchase price for a Key Parcel will be a percentage of the fair market value of the Key Parcel as prescribed by an appraisal reviewed and approved by Maplewood in accordance with Section 7 hereof. TPL at its sole discretion shall determine the percentage of the appraised value that it is willing to pay for a Key Parcel and may at any time make a determination that it cannot proceed with the negotiation for acquisition of the Key Parcel. Once TPL obtains site control of a Key Parcel, TPL may make a determination that it cannot proceed with the acquisition of a Key Parcel. TPL agrees to use good faith efforts to facilitate the acquisition of the Key Parcels by Maplewood. However, TPL makes no representation that its efforts to secure eventual acquisition of any of the Key Parcels by Maplewood will succeed.

5. TPL's negotiations with an owner of a Key Parcel and final terms of purchase shall be completely confidential.

6. Should TPL obtain an option to purchase a Key Parcel, Maplewood shall enter into a binding agreement of sale (the "Agreement of Sale") to purchase a Key Parcel from TPL in substantially the form attached hereto as Exhibit B within thirty (30) days of TPL notifying Maplewood that it has site control of a Key Parcel.

7. The purchase price that Maplewood will pay to TPL for a Key

Parcel shall be the fair market value of the Key Parcel. The fair market value shall be determined by an appraisal of the Key Parcel contracted for by TPL and prepared by an appraiser selected by TPL and acceptable to Maplewood; provided that the appraisal is performed in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions (the "Standards"). Maplewood shall review (or cause to be reviewed by an appraiser engaged at its sole cost and expense) each appraisal within fourteen (14) days of TPL delivering to Maplewood an appraisal of a Key Parcel and shall make a determination within said fourteen (14) day period as to whether each appraisal delivered meets the Standards.

8. Maplewood shall reimburse TPL for any costs it has incurred in having (a) an appraisal of a Key Parcel prepared; (b) an investigation of the physical condition of a Key Parcel conducted, including but limited to the cost of a Phase I environmental assessment; (c) a Key Parcel surveyed, if a survey is deemed advisable by TPL and (d) a title commitment on a Key Parcel prepared on its behalf, including but not limited to abstracting fees and the premium for an owner's policy on a Key Parcel if (x) the fair market value of a Key Parcel is equal to or greater than \$400,000 and TPL does not acquire such a Key Parcel for any reason or (y) the fair market value of a Key Parcel is less than \$400,000, regardless of whether TPL acquires such a Key Parcel. Maplewood shall make such reimbursement within thirty (30) days of a receipt of an invoice for any of the above-referenced costs.

9. TPL agrees to provide the services of the following employees to perform the work set forth herein and in the Agreement of Sale:

Margaret A. Kohring	Regional Manager
Margaret J. Madden	Regional Counsel
Al Raymond	Senior Project Manager
Lisa Kugler	Project Manager
Chris Aiken	Field Representative

TPL reserves the right to substitute personnel at its option.

10. Maplewood agrees to provide appropriate personnel, including but not limited to legal counsel and review appraiser adequate to perform the work set forth herein and in the Agreement of Sale. The primary contact for Maplewood will be Gretchen Maglich.

11. The parties acknowledge that the payment to TPL by Maplewood described in this Agreement constitutes payment for professional land conservation planning services and are not payments for brokerage, lobbying or legal services. TPL's legal services are provided solely on its own behalf to achieve a public land conservation purpose and no legal representation or services will

be provided to Maplewood by TPL. Maplewood acknowledges that it is represented by Patrick J. Kelly of Bannigan & Kelly in connection with the transactions contemplated by this Agreement.

12. If any legal action is brought by either party to enforce any provision of this Agreement or is based upon any matter arising out of or related in any way to this Agreement, the prevailing party will be entitled to recover from the other party reasonable attorneys' fees and court costs in such amounts as will be allowed by the court.

13. This Agreement will be binding not only on the parties but also on their respective successors and assigns.

14. Maplewood and TPL agree to sign such additional documents as may be reasonable and necessary to carry out the provisions of this Agreement.

15. No amendment of this Agreement will be binding unless in writing and signed by the parties.

16. No waiver of any term of this Agreement will be considered a waiver of any other term, whether or not similar, nor will any waiver be considered a continuing waiver. No waiver will be binding unless in writing and signed by the party making the waiver.

17. Each term of this Agreement is severable from any and all other terms of this Agreement. Should any term of this Agreement be for any reason unenforceable, the balance will still be of full force and effect.

18. This Agreement will be governed by and interpreted in accordance with the laws of the State of Minnesota.

19. This Agreement may be signed in counterparts, each of which will be considered an original and which together will constitute one and the same agreement.

20. The terms of this Agreement are effective through and including one year from the effective date of this Agreement March 1, 1995 (the "Termination Date"); provided, however, Maplewood and TPL shall be bound by the terms and conditions of any separate agreements, including but not limited to Agreements of Sale, entered into prior to the Termination Date.

21. Each party represents to the other that the person signing this Agreement on behalf of each party is duly authorized by that party to execute this Agreement and bind that party hereto.

22. This Agreement shall be effective on the day last executed by the parties.

IN WITNESS of the foregoing provisions the parties have signed this Agreement below:

**CITY OF MAPLEWOOD, a  
municipal corporation**

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**THE TRUST FOR PUBLIC LAND, a  
nonprofit California public  
benefit corporation**

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**EXHIBIT A**  
**KEY PARCELS**

**EXHIBIT B**

**AGREEMENT OF SALE**

This is an Agreement dated \_\_\_\_\_, 1994 between **THE TRUST FOR PUBLIC LAND**, a nonprofit California public benefit corporation, which shall be referred to as "Seller," and the **CITY OF MAPLEWOOD**, a municipal corporation, which shall be referred to as "Buyer."

**RECITALS**

A. The addresses and telephone numbers of the parties to this Agreement are as follows. Telephone numbers are included for information only.

**SELLER:**

The Trust for Public Land  
510 First Avenue North  
Suite 210  
Minneapolis, MN 55403  
Attn: Legal Department  
Tel: (612) 338-8494  
FAX: (612) 338-8467

**BUYER:**

City of Maplewood  
1880 E. County Road B  
Maplewood, MN 55109  
Attn: Gretchen Maglich  
Tel: (612) 770-4500  
FAX: (612) 770-4506

With copies to:

Patrick J. Kelly  
Bannigan & Kelly  
1750 North Central Life Tower  
445 Minnesota Street  
Saint Paul, MN 55101  
Tel: (612) 224-3781  
FAX: (612) 223-8019

B. Name(s) of current owner(s) is the owner of certain real property located in Ramsey County, Minnesota legally described on Exhibit A attached hereto and made a part hereof. Said real property, together with any improvements thereon shall be referred to in this Agreement as the "Subject Property."

C. Seller has proposed to acquire the Subject Property from Name(s) of current owner(s).

D. Buyer wishes to purchase the Subject Property from Seller and Seller wishes to sell the Subject Property to Buyer

upon Seller's acquisition of the Subject Property from Name(s) of current owner(s) in accordance with the terms and conditions set forth in this Agreement.

NOW THEREFORE, FOR \$10.00 AND OTHER GOOD AND VALUABLE CONSIDERATION THE PARTIES AGREE AS FOLLOWS:

1. **Purchase and Sale.** Seller agrees to sell to Buyer and Buyer agrees to buy from Seller the Subject Property on the terms and conditions set forth herein.

2. **Purchase Terms.**

(a) **Price.** The purchase price for the Subject Property shall be \$ \_\_\_\_\_ (\$ fair market value as determined by an appraisal prepared by an appraiser acceptable to Buyer that has been reviewed and approved by Buyer) (the "Purchase Price").

(b) **Method of Payment.** The Purchase Price shall be payable in cash, at Closing (as defined below).

3. **Condition of the Subject Property.**

(a) Buyer agrees that within \_\_\_\_\_ days (number of days sufficient to City but that will also give TPL ample time to raise objections under its agreement with the current owner) of execution of this Agreement (the "Inspection Period"), Buyer will:

(i) make an independent investigation of the physical condition of the Subject Property including but not limited to termite inspection, the condition of the soil, the presence of hazardous materials or contaminants, other physical characteristics, and compliance with any statutes, ordinances or regulations; and

(ii) study all aspects or circumstances of the Subject Property which Buyer deems material or relevant.

Notwithstanding any applicable law or custom to contrary, Buyer shall be solely responsible for conducting any inspections or tests required by law at their sole cost and expense. Should Buyer determine in its sole discretion based on its investigation of the Subject Property that the condition of the Subject Property is unacceptable to Buyer, within two (2) days of the end of the Inspection Period Buyer shall so notify Seller in writing of their objections ("Objections") and their election to terminate this Agreement in which case Buyer shall have no obligation to purchase the Subject Property and the parties'

obligations hereunder shall terminate. Buyer's failure to make timely Objections will constitute a waiver of their rights hereunder.

Buyer shall obtain (name(s) of the current owner(s)) permission before entering upon the Subject Property to conduct the investigations provided for herein.

Buyer does hereby indemnify and hold (name(s) of the current owner(s)) and Seller, its officers, directors, principals, and employees, as the case may be, harmless from and against any and all liability, loss, cost, claim, action, suit and/or expense (including but not limited to attorney's fees and litigation expenses) which (name(s) of the current owner(s)) or Seller may suffer or incur by reason of Buyer's or their agents presence on the Subject Property for the purpose of making the investigations provided for herein.

(b) Buyer agrees that:

(i) Seller has made no representations or warranties with respect to the Subject Property except as set forth in this Agreement;

(ii) Seller shall not be responsible for any statements, representations or warranties of any kind furnished to Buyer by any real estate broker or any other person, unless the same are specifically set forth in this Agreement; and

(iii) no materials, brochures, or documents delivered by Seller to Buyer or any other person shall be, or be deemed, a representation, warranty, or agreement of Seller under, or with respect to, this Agreement; and Buyer has, and shall have, the exclusive responsibility for verifying any facts or conditions set forth or described in any such materials, brochures, or documents.

(iv) Buyer has not undertaken any activity and will not undertake any activity which will jeopardize Seller's efforts to acquire the Subject Property.

(c) If no Objections are timely raised, Buyer agrees to accept the Subject Property "as is," in its present condition, subject to all reasonable use, wear and tear, and deterioration of any kind in, of, or to the Subject Property.

4. **Closing.** Final settlement of the obligations of the parties hereto shall occur on or before \_\_\_\_\_ (the same

date that TPL is obligated to purchase the property from the current owner) at such date, place and time as the parties shall agree (the "Closing"). At the option of either party this transaction shall be closed in escrow with a party designated by Seller (the "Escrow Holder"). In the event the Closing occurs in escrow, the transaction contemplated hereunder shall be closed by Escrow Holder in accordance with the general provisions of the usual form of deed and money escrow agreement then in use by Escrow Holder, with such additional special provisions inserted in said escrow agreement as may be required to conform with the terms and conditions of this Agreement. It is Seller's intent to close this sale simultaneously with its acquisition of the Subject Property. Buyer will cooperate in coordinating a simultaneous closing.

5. **Title.** Seller shall by limited warranty deed convey to Buyer its interest in the Subject Property subject only to the following:

- (i) any federal, state or local laws, ordinances, regulations and/or orders whatsoever;
- (ii) liens for real estate taxes not yet due and payable and other taxes and assessments of any kind or nature assessed (not yet due and payable) with respect to the Subject Property;
- (iii) outstanding easements, restrictions, reservations and conditions of record;
- (iv) such other title objections and exceptions as may be waived by Buyer; and
- (v) the standard printed exceptions on the form of title insurance issued pursuant to Section 6.

The foregoing shall be referred to collectively as "Permitted Exceptions". Seller shall deliver to Buyer a commitment for title insurance issued by a title company authorized to do business in Minnesota committing the company to issue an Owner's Policy insuring title to the Subject Property in Buyer for the amount of the Purchase Price. Within fifteen (15) days of Buyer's receipt of this title commitment, Buyer shall advise Seller in writing of any exceptions other than the Permitted Exceptions which Buyer will require to be removed on or before Closing (such exceptions which are not Permitted Exceptions being hereafter referred to as "Impermissible Exceptions"). In the event Seller is unable to remove any such Impermissible Exceptions by Closing, Buyer may elect to terminate this Agreement in which case Buyer shall have no obligation to purchase the Subject Property and the parties' obligations hereunder shall terminate. If Buyer fails to notify Seller of

Impermissible Exceptions in the time provided herein, Buyer agrees to accept title to the Subject Property subject to the Impermissible Exceptions.

6. **Title Insurance.** Buyer shall at its option and its sole cost and expense procure a standard owner's policy of title insurance insuring that title to the Subject Property is vested in Buyer upon Closing, subject only to the acceptable exceptions pursuant to Section 5.

7. **Seller's Promise not to Further Encumber.** Seller shall not, without the prior written consent of Buyer, make any leases, contracts, options or agreements whatsoever affecting the Subject Property which would in any manner impede Seller's ability to perform hereunder and deliver title as agreed herein.

8. **Seller's Representations.** Seller makes the following representations:

(a) At Closing, Seller will own and will have the power to sell, transfer and convey all right, title and interest in and to the Subject Property.

(b) Seller represents and warrants that it is not a "foreign person" as defined in Section 1445 of the Internal Revenue Code. Seller's United States Taxpayer Identification Number is 23-7222333.

9. **Prorations, Closing Expenses and Fees.** Real property taxes on the Subject Property due and payable in the year of Closing shall be prorated as of the date of Closing based upon the latest available tax bill. Special assessments, levied, pending or constituting a lien against the Subject Property, if any, shall be assumed by Buyer. If the transaction shall close in escrow, the escrow fee shall be shared equally by Seller and Buyer. Any documentary tax or real property transfer tax arising out of the conveyance of the Subject Property shall be paid by Buyer. Buyer shall pay the premium for any title insurance policy. Other fees and charges shall be allocated in accordance with the customary practice of Ramsey County, Minnesota.

10. **Notices.** All notices pertaining to this Agreement shall be in writing delivered to the parties hereto personally by hand, telecopier, courier service or Express Mail, or by first class mail, postage prepaid, at the addresses set forth in Recital A. All notices shall be deemed given when deposited in the mail, first class postage prepaid, addressed to the party to be notified; or if delivered by hand, telecopier, courier service or Express Mail, shall be deemed given when delivered. The parties may, by notice as provided above, designate a different address to which notice shall be given.

11. **Attorneys' Fees.** If any legal action is brought by either party to enforce any provision of this Agreement, the prevailing party shall be entitled to recover from the other party reasonable attorneys' fees and court costs in such amounts as shall be allowed by the court.

12. **Remedies Upon Default.** In the event Buyer defaults in the performance of any of Buyer's obligations under this Agreement, Seller shall, in addition to any and all other remedies provided in this Agreement or by law or equity, have the right of specific performance against Buyer.

13. **No Broker's Commission.** Each party represents to the other that it has not used a real estate broker in connection with this Agreement or the transaction contemplated by this Agreement. In the event any person asserts a claim for a broker's commission or finder's fee against one of the parties to this Agreement, the party on account of whose conduct the claim is asserted will hold the other party harmless from said claim.

14. **Time of the Essence.** Time is of the essence of this Agreement.

15. **Binding on Successors.** This Agreement shall be binding not only upon the parties but also upon their heirs, personal representatives, assigns, and other successors in interest.

16. **Additional Documents.** Seller and Buyer agree to execute such additional documents, including escrow instructions, as may be reasonable and necessary to carry out the provisions of this Agreement.

17. **Assignment.** Buyer may not assign its interests under this Agreement without the written consent of Seller.

18. **Entire Agreement; Modification; Waiver.** This Agreement constitutes the entire agreement between Buyer and Seller pertaining to the subject matter contained in it and supersedes all prior and contemporaneous agreements, representations, and understandings. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing by all the parties. No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provision, whether or not similar, nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver.

19. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed an original and which together shall constitute one and the same agreement.

20. **Severability.** Each provision of this Agreement is severable from any and all other provisions of this Agreement. Should any provision(s) of this Agreement be for any reason unenforceable, the balance shall nonetheless be of full force and effect.

21. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota.

22. **Acceptance of Deed.** The acceptance by Buyer of the deed shall be deemed to be full performance by Seller of, and shall discharge Seller from, all obligations hereunder and Seller shall have no further liability hereunder.

23. **Risk of Loss.** All risk or loss with respect to the Subject Property shall be borne by Seller. In the event the Subject Property is destroyed or damaged prior to Closing, this Agreement shall terminate and thereupon the parties shall have no further rights hereunder.

24. **Condemnation.** In the event of a taking of all or any part of the Subject Property under the power of eminent domain prior to the Closing, this Agreement shall terminate and the parties shall have no further rights hereunder.

25. **Possession.** Seller shall deliver possession of the Subject Property concurrently with Closing.

26. **Buyer's Representation.** Buyer represents that it has full power and authority to enter into this Agreement and the person signing this Agreement for Buyer has full power and authority to sign for Buyer and to bind it to this Agreement.

27. **Well Disclosure.** Seller certifies and warrants that it does not know of any "Wells" on the Subject Property within the meaning of Minnesota Statute Chapter 103I. [This provision may change if the current owner notifies TPL that there are wells on the property in which case a disclosure statement will be provided.]

28. **Contingency.** Buyer acknowledges that Seller does not presently own the Subject Property and that Seller's duties hereunder and Buyer's rights hereunder are both expressly contingent upon the acquisition by Seller of the Subject Property. In the event Seller does not acquire the Subject Property from [name(s) of current owner(s)], this Agreement shall terminate and neither party shall have any further obligations hereunder.

IN WITNESS of the foregoing provisions the parties have signed this Agreement below:

**SELLER:**

**THE TRUST FOR PUBLIC LAND**

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

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**BUYER:**

**CITY OF MAPLEWOOD**

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

Title: \_\_\_\_\_

Date: \_\_\_\_\_

aos.maplewd

MEMORANDUM

TO: Mayor & Councilmembers
FROM: City Clerk
RE: SEWER CONNECTION - 2442 KELLER PARKWAY
DATE: April 18, 1994

Action by Council:

Endorsed
Modified
Rejected
Date

Council previously approved placement of the cost of Sewer Access Charges and sewer installation at 2442 Keller Parkway on the property taxes.

That installation has now been completed and your approval is required to certify those charges to the property taxes. This can be accomplished with your approval of the following Resolution:

RESOLUTION 94 - 04 -

CERTIFYING SEWER INSTALLATION COSTS TO PROPERTY TAXES

WHEREAS, pursuant to MN Statutes §444.075 and Maplewood Code of Ordinances Section 35-23, the City of Maplewood has authority to charge for connections to sanitary sewer services and has the authority to allow installment payments for such connection charges; and

WHEREAS, Diane M. Lorenz, who resides at 2442 Keller Parkway, Maplewood, has requested to connect to the sanitary sewer; and

WHEREAS, connection to the sanitary sewer is necessary; and

WHEREAS, Diane M. Lorenz has represented to the City of Maplewood that there is financial hardship and is unable to pay for the installation costs and the Sewer Access Charge.

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

The City Clerk shall certify to the Ramsey County Auditor the amount of \$4,220.00 to cover the cost of installation (\$3,423.00) and Sewer Access Charge (\$800.00); and also shall forward to the Ramsey County Auditor the Property Identification Number and Legal Description of Diane M. Lorenz's property, which is:

P.I.N. 09-29-22-23-0016-4
SECTION 9 TOWN 29 RANGE 22 BEG ON E L OF KELLER PKWY AND 498 92/100 FT DUE N FROM S L OF NW 1/4 THE NLY ON SD ST 104 67/100 FT FOR BEG TH CONTINUE NLY ON SD E L 104 67/100 FT TH E 417 FT TH SLY PAR WITH SD E L 104 67/100 FT TH W TO BEG PART OF W 1/2 OF NW 1/4 OF /SUBJ TO ESMTS/

Such charges shall be collected in three installments with eight percent interest with the property taxes beginning in 1995 and each subsequent year until paid in full.

MEMORANDUM

TO: City Clerk  
FROM: Environmental Health Official  
SUBJECT: Sewer Connection, 2442 Keller Parkway  
DATE: April 8, 1994

Attached is the bill from Jeanetta's Excavating for the sewer connection at 2442 Keller Parkway. Please submit it to the City Council for approval of the 3-year assessment period. Also, the \$800 sewer accessibility charge should be included with this assessment:

Sewer installation	\$3,423
SAC charge	<u>800</u>
Total	\$4,220

mb  
Attachment

John Jeanetta

INVOICE

Phone 777-3148

# JEANETTA'S EXCAVATING

Sewer and Water - Grading - Excavating

4689 GENEVA - NORTH ST. PAUL, MINN. 55109

4-8

1994

*Diane Loreny*

*2442 Keller Parkway*

*Maplewood, Mn.*

0313

484-6024

TERMS: Cash within 10 days from date of invoice

<i>Install Sewer</i>	<i>3255</i>	<i>-</i>
<i>Permit</i>	<i>60</i>	<i>-</i>
<i>Rock as Required By City Inspector</i>	<i>108</i>	<i>-</i>
<i>Total</i>	<i>3423</i>	<i>-</i>

1% Interest per month will be charged after 30 days

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Chris McGlincey, Planning Intern
SUBJECT: Conditional Use Permit and Design Review
LOCATION: 1870 Rice Street North
PROJECT: Amusement City—Proposed Golf Driving Range
DATE: April 13, 1994

Endorsed
Modified
Rejected
Date

INTRODUCTION

Request

Daniel Betts is requesting that the City change a conditional use permit (CUP) for 1870 Rice Street. (See the location maps on pages 8 and 10.) The change would allow a golf driving range. Mr. Betts is also requesting that the City approve the site plan.

Description of the Project

Amusement City is a recreation center with go-carts, batting cages, bumper-boats, miniature golf, rides and coin-operated games. Daniel Betts is proposing to add the following:

- 1. A golf driving range
2. A 28- by 28-foot equipment building for the driving range

This building would have vertical cedar siding and a hip roof with asphalt shingles. (See the drawing on page 14.)

- 3. 900 feet of netting

This netting would be along Roselawn Avenue, along the railroad right-of-way and inside the amusement park south of the proposed driving range. The netting would keep golf balls on the site. The netting along Roselawn Avenue would be 50-feet-tall. The rest of the netting would be 40-feet-tall. Some of the netting poles along Roselawn Avenue would have lights. The lights would illuminate the driving range. They would shine southward away from the street.

- 4. A paved path from the parking lot to the proposed tee-off pads

The proposed tee-off area and equipment shed would be on neighboring property. Mr. Betts said that he had a lease agreement to use the neighboring land. (See the maps and plans on pages 10-11, the letter on page 13 and the large attached plans.)

## **Reason for the Request**

The Code requires a CUP to enlarge this center. The Code states that "any change involving structural alteration, enlargement, intensification of use, or similar change not specifically permitted by the conditional use permit shall require an amended permit."

## **DISCUSSION**

### **Parking**

The risk with approving the driving range is that there would not be any land left on the site to expand the parking lot. On March 9, 1982, the Community Design Review Board approved a site plan change that required a future parking lot. The site plan shows this parking lot where Mr. Betts is planning the proposed driving range tee-off area. (See the 1982 plan on page 12.) Mr. Betts told me that his parking lot is only half-full when they are busiest. Chief Collins told me that this business has not caused any parking problems.

If a parking problem develops, overflow customers would park on Roselawn Avenue. The County has not posted Roselawn Avenue for "no parking". However, the County did not design Roselawn Avenue for on-street parking. If a parking problem develops, the City should request that the County put up "no parking" signs and do one of the following options:

1. Amend the CUP to end the driving range approval.
2. Require more on-site parking. This would mean converting part of the amusement center to parking.

### **Design Review**

The proposed building would be compatible with the other buildings at Amusement City. Mr. Betts should stain the siding to match the existing buildings.

### **Railroad Company's Concern**

David S. Drach, representing the Soo Line Railroad, stated his concern that the driving range is too short. He said that Mr. Bett's customers would drive golf balls onto the railroad right-of-way. Mr. Drach suggested a tall fence or netting to keep golf balls off their right-of-way. Mr. Betts is proposing forty-foot-tall netting to solve this problem. As further protection, Mr. Betts will be using low trajectory golf balls.

## RECOMMENDATION

- A. Adopt the resolution on page 15. This resolution amends a conditional use permit at 1870 Rice Street. The amendment allows a golf driving range and the expansion of an amusement center at 1870 Rice Street. Approval is based on the findings required by Code and subject to the following conditions: (I have underlined the additions and crossed out the deletions.)
1. ~~Obtaining of an~~ amusement park and golf driving range licenses from the City.
  2. All construction and use of the property shall follow the site plan approved by the City. The Director of Community Development may approve minor changes.
  3. The proposed construction must be substantially started or the proposed use utilized within one year of Council approval or the permit shall end. The Council may extend this deadline for one year.
  - ~~2. Approval of the site plan by the Community Design Review Board.~~
  - ~~3. All required rights of way (streets and alley) vacation be accomplished.~~
  4. Appropriate maintenance easements for existing sanitary sewers be established in writing.
  5. Applicant agree to provide sufficient off-street parking to serve the needs of the operation. If the City Council determines that on-site parking is insufficient, the park operator shall provide additional parking. For the owner to meet this condition, he or she may have to replace the driving range or the existing uses with parking.
  6. There shall be no inoperable vehicles or vehicles for sale on the site.
  7. The operator shall only allow customers to use low trajectory golf balls
  8. The City Council shall review this permit in one year.
  - ~~6. Applicant agree to the above in writing.~~
- B. Approve the plans (stamped November 30, 1993) for a driving-range expansion to Amusement City (1870 North Rice Street). Approval is based on the findings required by City Code. (See the findings on pages 15 and 16.) The owner of Amusement City shall do the following:

1. Repeat this review in two years if the City has not issued a building permit for this project.
2. Complete the following before occupying the building or using the driving range:
  - (a) Stain the proposed driving range shelter gray to match the other buildings at the center.
  - (b) Provide at least a fifteen-foot setback from the Roselawn Avenue right-of-way for the paved path, the tee-off pads and the lights/netting poles.
  - (c) Install a reflectorized stop sign at the Rice Street driveway.
  - (d) Stripe the parking lot with at least 94 parking spaces as shown on the approved plan. The applicant shall stripe four handicap parking stalls and install handicap-parking signs for each stall. There shall be at least one van-accessible space. (Americans with Disabilities Act requirement)
  - (e) Construct a trash dumpster enclosure for any outside trash dumpsters. The enclosures must match the building color. (code requirement)
  - (f) Direct or shield the lights so the bulbs are not directly visible from any public street. (code requirement)
  - (g) The netting shall be at least fifty feet high on the north and south sides of the driving range with taught steel cables to keep the nets up.
3. If any required work is not done, the City may allow temporary occupancy of the driving range shelter if:
  - (a) The City determines that the work is not essential to the public health, safety or welfare.
  - (b) 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.
  - (c) The City receives an agreement that will allow the City to complete any unfinished work.

## **CITIZENS' COMMENTS**

I surveyed owners of the 17 properties within 350 feet of Amusement City. Of the seven replies, two had no comment, four were in favor and one objected.

### **In Favor**

This proposal looks like a good idea to me. (Cormican, McDonough, 1820 Rice Street)

### **Opposed**

The proposed range is too shallow (200 yards). Golf balls would be driven onto the railroad right-of-way. To make this proposal acceptable, we suggest a high fence or netting to prevent golf balls from being driven onto railroad right-of-way.  
(David S. Drach, Manager Real Estate, CP Rail System)

## **REFERENCE INFORMATION**

### **SITE DESCRIPTION**

Site size (with the additional property): 10.93 acres

### **SURROUNDING LAND USES**

Northwest: Used Car Center

North: Roselawn Avenue, Custom Auto Radio and Tape and undeveloped BC (business commercial) property

South: St. Paul Water Utility property

West: Rice Street, L-Z Company, Inc., Taikwando Center and Renstrom Dental Studio

East: railroad tracks and the St. Paul Water Utility property

### **PAST ACTIONS**

On November 17, 1977, the Council approved the site plan and a conditional use permit (CUP).

On October 22, 1981, the staff approved a race track addition, subject to seven conditions.

On March 9, 1982, the CDRB recommended approval of the bumper boat, mini-golf and batting cage additions with eighteen conditions. Condition Three stated that "the future parking lot shall be provided as soon as it is determined by the City that a parking shortage exists." The future parking lot is part of the area proposed for the driving range.

On April 27, 1982, the CDRB approved plans for a storage building and control tower.

## **PLANNING**

Land Use Plan designation: BC (business commercial)

Zoning: BC (business commercial)

Ordinance requirements:

Section 36-448(b) for "any change involving structural alteration, enlargement, intensification of use, or similar change not specifically permitted by the conditional use permit shall require an amended permit."

Section 36-442(a) states that the City Council must use nine standards to approve a CUP. (See the resolution on page 15.)

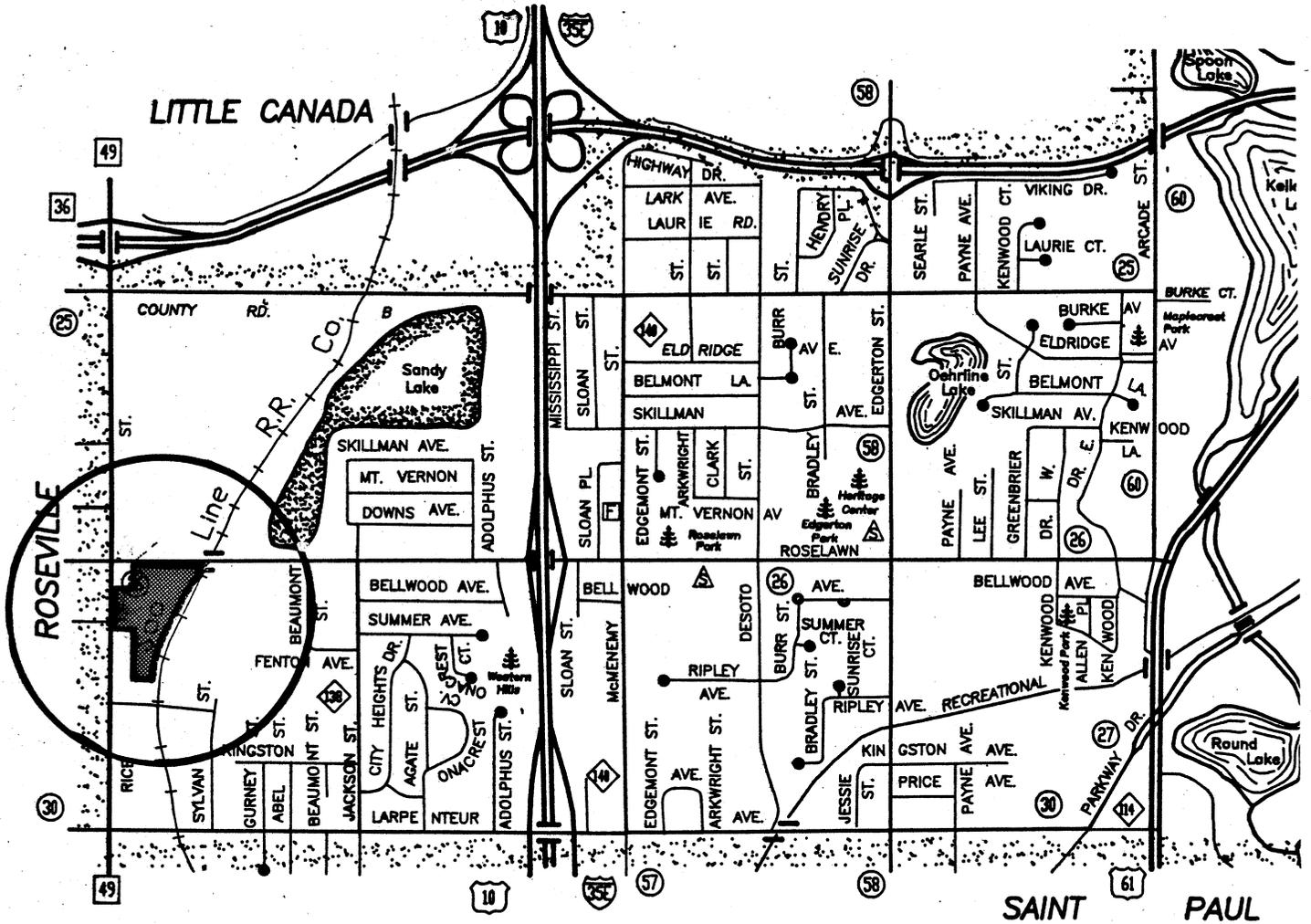
Section 25-70 of the City Code requires that the CDRB make the following findings to approve plans:

1. That the design and location of the proposed development and its relationship to neighboring, existing or proposed developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood; that it will not unreasonably interfere with the use and enjoyment of neighboring, existing or proposed developments; and that it will not create traffic hazards or congestion.
2. That the design and location of the proposed development is in keeping with the character of the surrounding neighborhood and is not detrimental to the harmonious, orderly and attractive development contemplated by this article and the City's comprehensive municipal plan.
3. That the design and location of the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and that it is aesthetically of good composition, materials, textures and colors.

go/b-6:amu-city.mem (18)

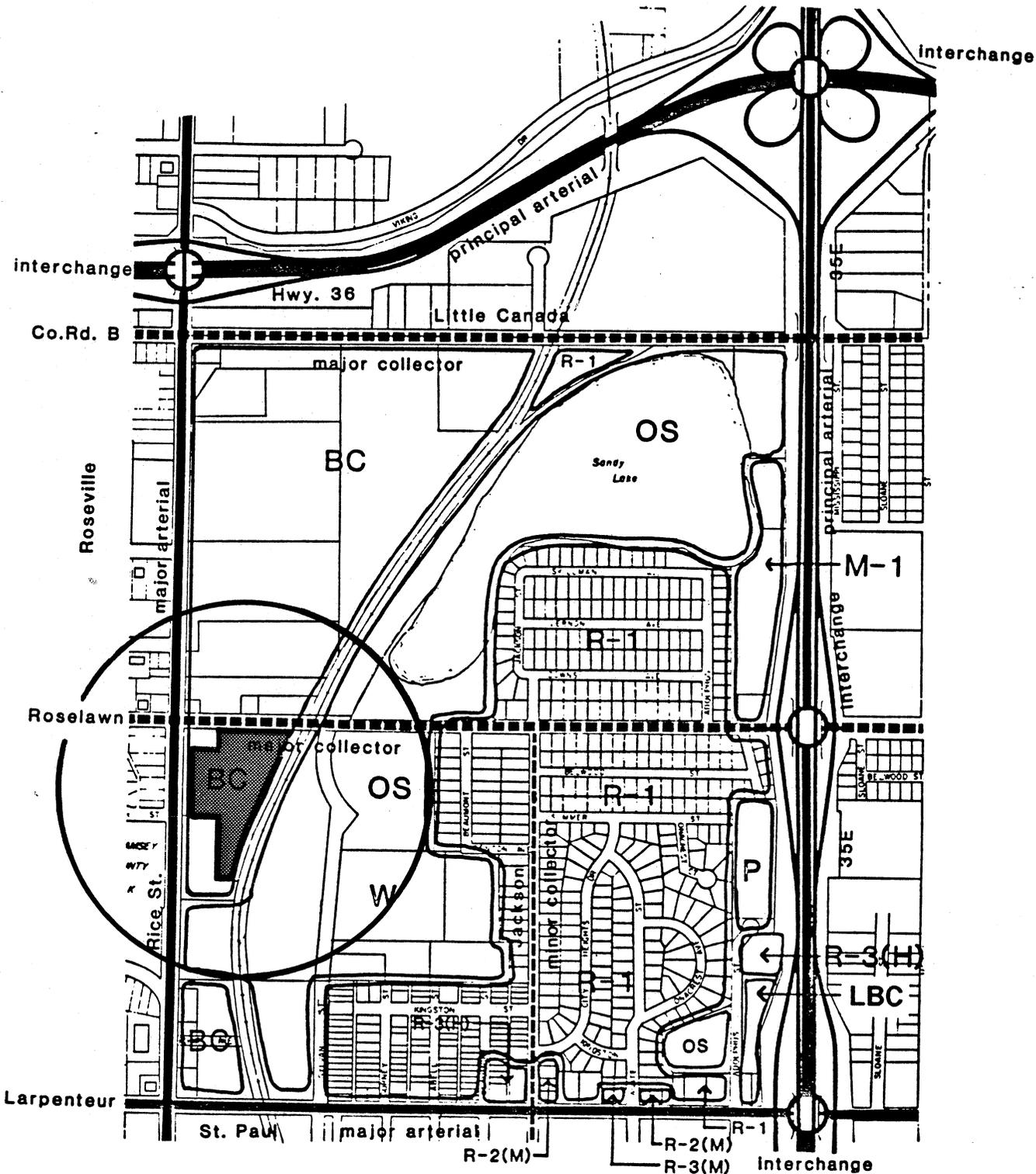
Attachments:

1. Location Map
2. Land Use Plan Map
3. Property Line/Zoning Map
4. Site Plan
5. 1982 Site Plan
6. Architect's Statement of Use
7. Building Elevations
8. Resolution
9. Plans date-stamped November 30, 1993 (separate attachment)



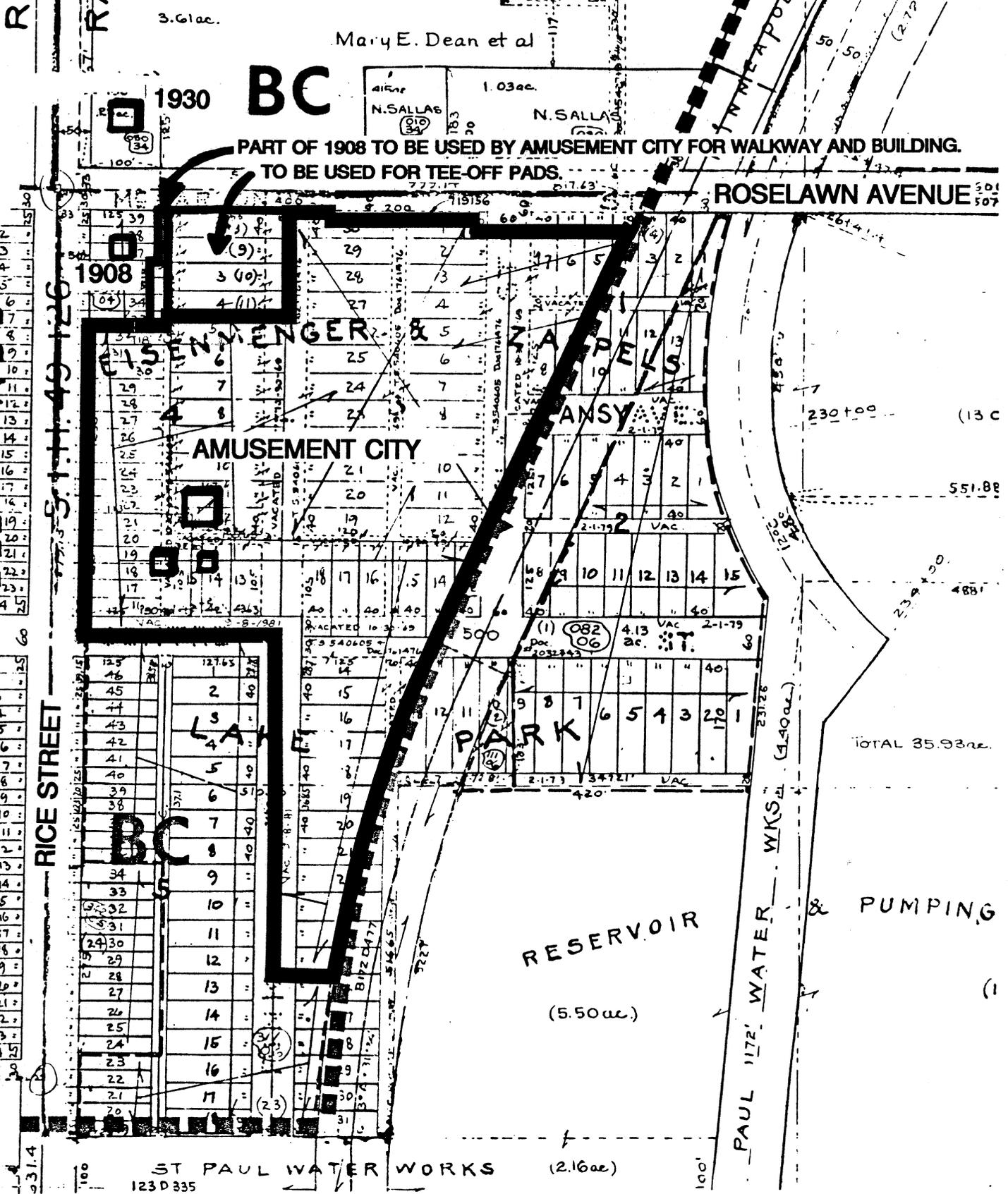
### LOCATION MAP





**WESTERN HILLS  
LAND USE PLAN**



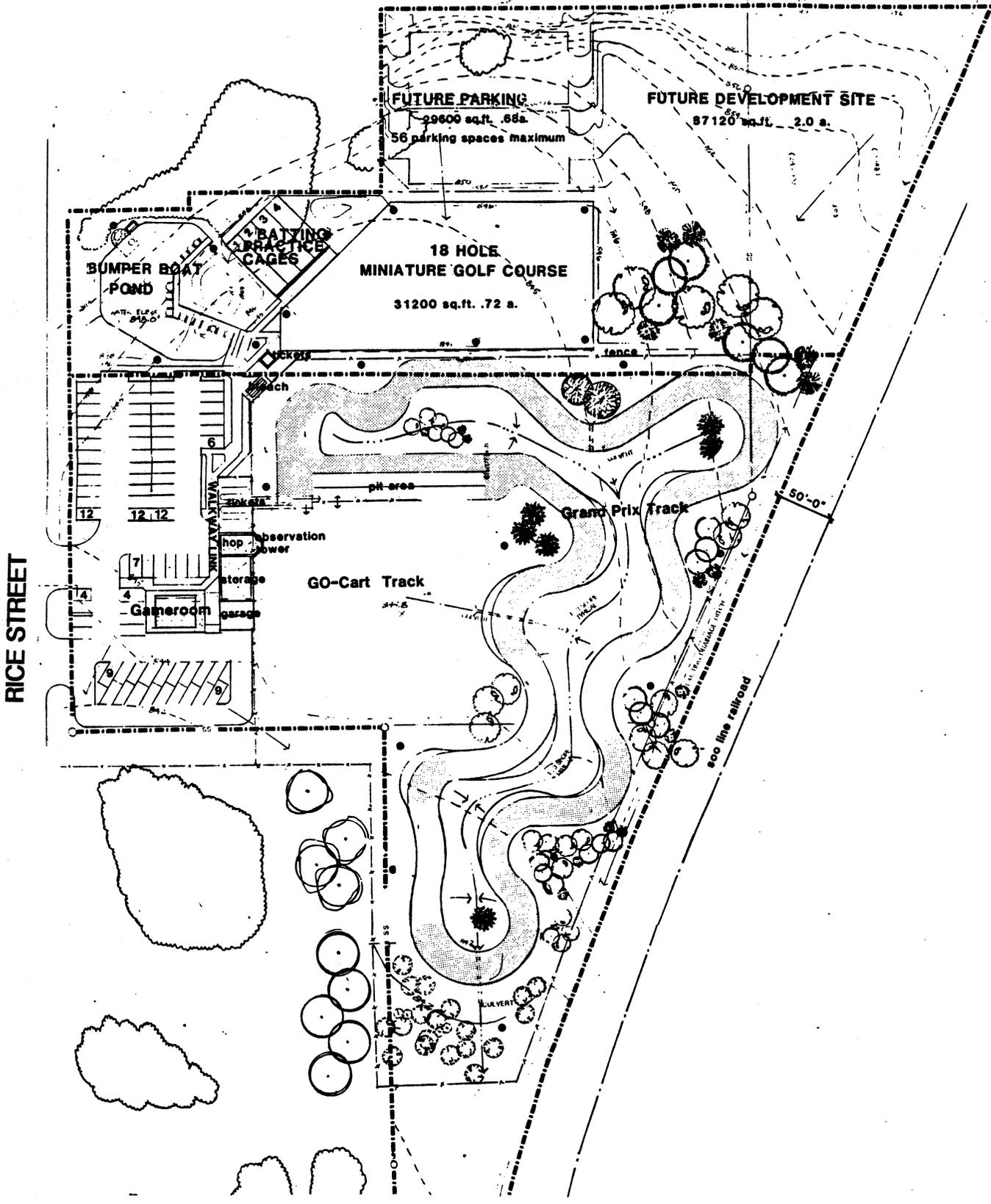


# PROPERTY LINE / ZONING MAP



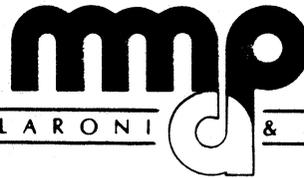


ROSELAWN AVENUE



1982 SITE PLAN






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 MICHAL • MULARONI & ASSOCIATES
 

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**Amusement City  
1870 Rice Street**

**STATEMENT OF USE**

This statement of use in accordance with the Filing Requirements for the review of the existing conditional use permit and an amendment of that conditional use permit dated 03-09-82. In March of 1982 the City Council approved the addition of bumper boats, batting cages and miniature golf to the already existing go-cart tracks and game room. At that time the parking was increased from 37 spaces to 75 spaces. At this time we hereby request the amendment of the 1982 plan to include a driving range for golf in place of the "future parking lot" as referred to in Item #3 of the Conditions for Approval from the 1982 approval.

**NARRATIVE**

Amusement City is located on ten acres of land at 1870 Rice Street. It has been a viable Maplewood business for 18 years. This seasonal business operates spring, summer and fall opening April 1st and closing October 31st. Site lighting is turned on at dusk and turned off by 10:00 pm except in the longer days of summer (lights are always out by 11:00pm). From May through August Amusement City employs one (1) Maplewood police officer seven (7) days per week in the evening from 7:00-11:00pm.

The park now consists of a bumper boat pool with fourteen (14) boats, an 18 hole miniature golf course, two (2) go-cart tracks with ten (10) go-carts each, four (4) batting cages and a video game room with thirty (30) video events. Bumper boats are \$2.50 per 5 minute ride, miniature golf is \$2.50 per round, the pro track is \$2.75 per 4 minute ride, go-carts are \$2.50 per 5 minute ride, batting cages are \$1.00 per 20 balls and video games are \$0.50 each. Existing parking has been increased to 94 spaces from the 75 stated on the 1982 plan some time ago. Amusement City appears to have peaked in the early 1980's and decreased approximately 25% in revenue upon the introduction of the State lottery. Revenue decreased approximately another 20% upon the arrival of gambling casino's in and around the Metro Area. The park has experienced a steady decrease these last two years due to excessive rain. The addition of the driving range will help pick up some of the decrease in revenues.

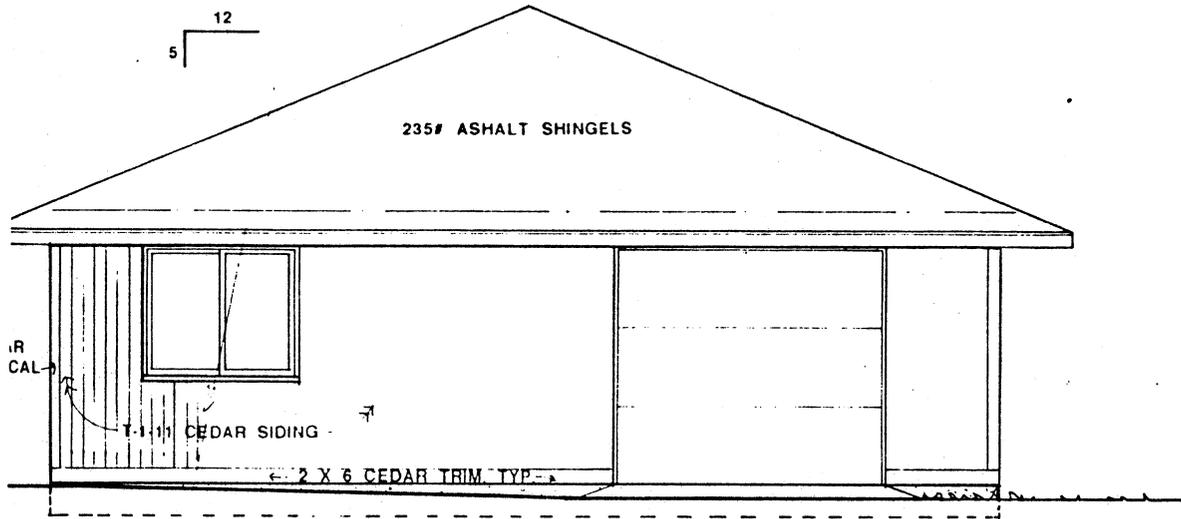
**PROPOSAL**

The driving range will be placed on the remaining FOUR (4) acres of the park. Also, added to this remaining acreage are Lots 1-4, Block 3 and Lots 33-35, Block 4, Eisenmenger & Zaspel's Lake Park. A land lease agreement exists between this fee owner and Amusement City, Inc. for the usage of 31,280 sq.ft. (.72 acres). The driving range will consist of fifteen (15) stations 8'-9" on center. The existing pedestrian bituminous path between the batting cages and the bumper boat pool will continue straight north to Rice Street. A stairway shall be constructed at the grade change. This stair shall be constructed with landscape timbers and either asphalt or concrete treads 12" wide and (24) 7" risers. The driving stations will lie east of the path and the vendor structure will be positioned west of the path. The vendor structure shall consist of a 784 sq.ft. wood frame building on a floating concrete slab similar to the pro track building approved and constructed in 1982. Exterior materials and color will match the existing color scheme. This structure is one (1) story and will resemble a two car garage in scale. There are twenty-three poles at 50 feet on center, 40 and 50 feet high to support netting and light fixtures. Lighting shall be equal to the lighting in the rest of the park in quality and lighting levels (low) and shall be directed onto the driving range and not spill onto Roselawn Avenue. These poles are located per plan. No additional parking is proposed due to excessive existing parking of 94 spaces. No additional rest rooms are required. However, an additional portable toilet will be placed near the stairs to driving range off the pedestrian path in peak summer months as has been the park's practice for years now. The rough and finish grading and turf was completed in summer of 1993 under separate contract.

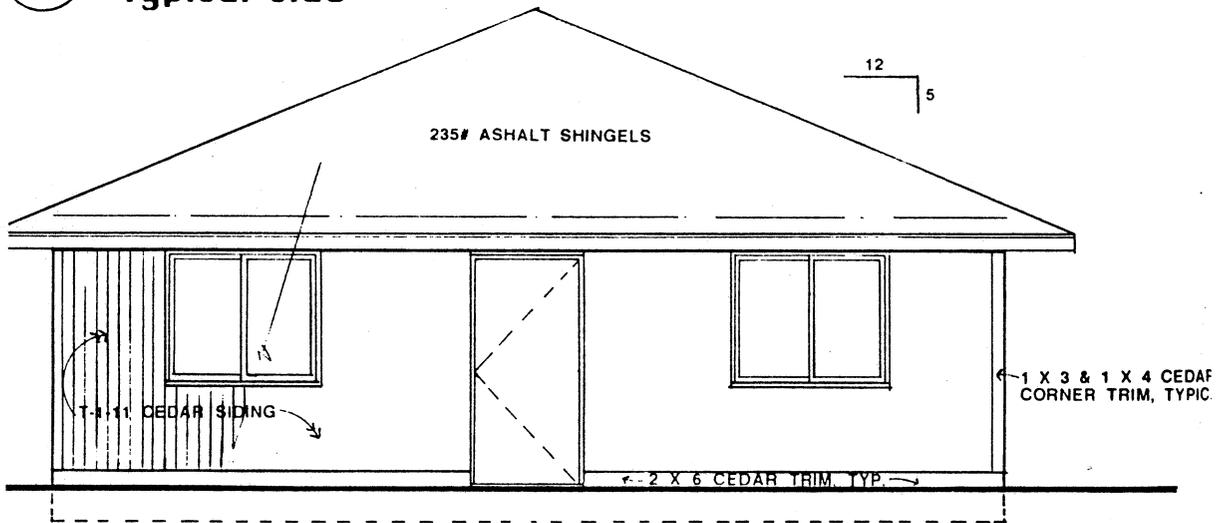
MICHAL • MULARONI

ARCHITECTS & PLANNING CONSULTANTS

7650 Currell Blvd. • Suite 300 • Woodbury MN 55125 • (612) 731-2831 • FAX (612) 731-2307



4  
A-2 **Typical Side**



3  
A-2 **ELEVATION**  
**Front**

**BUILDING ELEVATIONS**

## CONDITIONAL USE PERMIT RESOLUTION

WHEREAS, Daniel Betts applied for a conditional use permit to enlarge his amusement center for a golf driving range.

WHEREAS, this permit applies to 1870 Rice Street North. The legal description is:

EISENMENGER AND ZASPEL'S LAKE PARK, RAMSEY CO., MINN., SUBJECT TO ST AND AVE AND VAC STS AND ALLEYS ACCRUING, THE FOL A TRACT LYING NWLY OF SOO LINE R/W OF THE FOL; LOTS 4 THRU 10 BLK 1, LOT 7 BLK 2, LOTS 5 THRU 32 BLK 4, LOTS 12 THRU 25 BLK 6 AND ALL OF BLK 3.

AND

EISENMENGER AND ZASPEL'S LAKE PARK, RAMSEY CO., MINN., SUBJECT TO HWY THE FOL VAC ALLEY ACCRUING AND LOTS 33 THRU LOT 39 BLK 4.

AND

EISENMENGER AND ZASPEL'S LAKE PARK, RAMSEY CO., MINN. VAC ST AND ALLEY ACCRUING AND LOTS 1 THRU 4 BLK 4.

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

1. On April 4, 1994, the Planning Commission recommended that the City Council \_\_\_\_\_ this permit.
2. On April \_\_, 1994, 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, 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 run-off, 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. Obtain amusement park and golf driving range licenses from the City.
2. All construction and use of the property shall follow the site plan approved by the City. The Director of Community Development may approve minor changes.
3. The proposed construction must be substantially started or the proposed use utilized within one year of Council approval or the permit shall end. The Council may extend this deadline for one year.
4. Appropriate maintenance easements for existing sanitary sewers be established in writing.
5. Applicant agree to provide sufficient off-street parking to serve the needs of the operation. If the City Council determines that on-site parking is insufficient, the park operator shall provide additional parking. For the owner to meet this condition, he or she may have to replace the driving range or the existing uses with parking.
6. There shall be no inoperable vehicles or vehicles for sale on the site.

7. The operator shall only allow customers to use low trajectory golf balls
8. The City Council shall review this permit in one year.

The Maplewood City Council adopted this resolution on \_\_\_\_\_, 1994.

## V. NEW BUSINESS

### A. Conditional Use Permit Revision: 1870 Rice Street (Amusement City) (Section 18)

Ken Roberts, Associate Planner, presented the staff report and answered questions from the Commission. The applicant Daniel Betts, 2030 Eldridge, Roseville, was present at the meeting. Mr. Betts said netting would be installed along the miniature golf area also. Chairperson Axdahl asked for comments from the audience. There were no comments.

Commissioner Rossbach moved the Planning Commission recommend adoption of the resolution which amends a conditional use permit at 1870 Rice Street. The amendment allows a golf driving range and the expansion of an amusement center at 1870 Rice Street. Approval is based on the findings required by code and subject to the following conditions (additions are underlined and deletions are crossed out):

1. ~~Obtaining of an~~ amusement park and golf driving range licenses from the City.
2. All construction and use of the property shall follow the site plan approved by the City. The Director of Community Development may approve minor changes.
3. The proposed construction must be substantially started or the proposed use utilized within one year of Council approval or the permit shall end. The Council may extend this deadline for one year.
- ~~2. Approval of the site plan by the Community Design Review Board.~~
- ~~3. All required right of way (streets and alley) vacaation be accomplished.~~
4. Appropriate maintenance easements for existing sanitary sewers be established in writing.
5. Applicant agrees to provide sufficient off-street parking to serve the needs of the operation. If the City Council determines that on-site parking is insufficient, the park operator shall provide additional parking. For the owner to meet this condition, he or she may have to replace the driving range or the existing uses with parking.
6. There shall be no inoperable vehicles or vehicles for sale on the site.
7. The City Council shall review this permit in one year.
- ~~6. Applicant agrees to the above in writing.~~

Commissioner Kittridge seconded

Ayes--Anitzberger, Axdahl, Fischer, Gerke,  
Kittridge, Martin, Rossbach, Sigmundik

The motion passed.

Commissioner Rossbach moved the Planning Commission recommend to the Community Design Review Board that they gather the necessary data to determine whether or not the 40-foot netting which would be placed at the east end of the property between the tee boxes and the railroad tracks is of sufficient height to stop the golf balls.

Commissioner Martin seconded

Ayes--Anitzberger, Axdahl, Fischer, Gerke,  
Kittridge, Martin, Rossbach, Sigmundik

The motion passed.

B. Conditional Use Permit Review: Beam Avenue Compost Site (Section 3)

Secretary Olson presented the staff report. Chuck McGinley, 13701 30th Street Circle, Stillwater, odor consultant, explained odor measurement and control. Mr. McGinley said some City employees will be trained to measure odors. Secretary Olson said two neighbors of the compost site, Mrs. Luxem at 1390 Kohlman and Mrs. Zrust at 1376 Kohlman, asked him to inform the Commission that they are in favor of the compost site.

Zack Hansen, Ramsey County Department of Health, said an inspection was done at the site after Maplewood forwarded them the odor complaint of January 20, but no odors were detected. Mr. Hansen said it will helpful in the future to have the City of Maplewood assisting with inspection of the site, in order to have an immediate response to a complaint.

Chairperson Axdahl asked for comments from the audience. Mr. Ralph Sletten and Beth Sletten, 2747 North Clarence Street, spoke against the site. Margaret Berens, property owner next to 1389 Kohlman, spoke against the site.

Mr. Hansen addressed the neighbors' concerns. He said he would further review these concerns stated by these neighbors and address them when this item is reviewed by the City Council.

Commissioner Kittridge moved the Planning Commission recommend approval of the resolution which revises the permit conditions as follows (additions are underlined and deletions are crossed out):

1. The two Colorado Spruce trees at the entrance on Holloway Avenue be set back to meet a 25-foot sight triangle setback so not to obstruct drivers' visibility.
2. The developer enlarging the Royal Red Maple and Sugar Maple trees to 2 1/2 inches in caliper.

Boardmember Robinson seconded                      Ayes--all

B. Landscape Review - Carefree Cottages of Maplewood (Section 11)

Jerry Mogren, 2855 Frederick Street, the developer of the Carefree Cottages, was present. Mr. Mogren asked for clarification on the screening required on the west side of the project and behind 1725 and 1733 Gervais Avenue. Mr. Mogren asked for clarification on what type, size and spacing of evergreen trees the Board prefers for the required landscaping on the west lot line in order to meet the 80% opaque requirement. Boardmember Erickson said he should space the evergreens at a common sense spacing.

Boardmember Robinson moved approval of the landscaping plan for the opaque screening required by code for the Carefree Cottages of Maplewood, subject to staff review and approval. If staff is not satisfied, the plan shall be submitted to the Board for review.

Boardmember Anitzberger seconded

Boardmember Erickson told Mr. Mogren that if this plan gets too involved or convoluted, it will be required to come before the Board.

Ayes--all

VI. DESIGN REVIEW

A. Facility Expansion and Conditional Use Permit - Amusement City (Section 18)

There was no representative present for this item. The Board discussed whether the 40-foot netting proposed for the east end of the property between the tee boxes and the railroad tracks will be of sufficient height to stop golf balls. A Boardmember felt that the applicant should install fifty-foot poles for the netting so that if problems developed with the forty-foot netting, an additional 10 feet of netting could be installed. It was suggested that the netting be secured to a steel cable to prevent sagging.

Boardmember Anitzberger moved the Community Design Review Board recommend approval of plans (stamped November 30, 1993) for a driving-range expansion to Amusement City (1870 North Rice Street). Approval is based on the findings required by City code. The owner of Amusement City shall do the following:

1. Repeat this review in two years if the City has not issued a building permit for this project.
2. Complete the following before occupying the building or using the driving range:
  - (a) Stain the proposed driving range shelter gray to match the other buildings at the center.
  - (b) Provide at least a fifteen-foot setback from the Roselawn Avenue right-of-way for the paved path, the tee-off pads and the lights/netting poles. The poles along Roselawn Avenue and the south side shall be at least fifty feet tall. Taut steel cable or the equivalent shall be used to intertwine the netting to withstand the weight of the netting when wet and to prevent the netting from sagging.
  - (c) Install a reflectorized stop sign at the Rice Street driveway.
  - (d) Stripe the parking lot with at least 94 parking spaces as shown on the approved plan. The applicant shall stripe four handicap-parking stalls and install handicap-parking signs for each stall. There shall be at least one van-accessible space. (Americans with Disabilities Act requirement)
  - (e) Construct a trash dumpster enclosure for any outside trash dumpsters. The enclosures must match the building color. (code requirement)
  - (f) Direct or shield the lights so the bulbs are not directly visible from any public street. (code requirement)
3. If any required work is not done, the City may allow temporary occupancy of the driving range shelter if:
  - (a) The City determines that the work is not essential to the public health, safety or welfare.
  - (b) 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.

- (c) The City receives an agreement that will allow the City to complete any unfinished work.

Boardmember Holder seconded      Ayes--all

VII. VISITOR PRESENTATIONS

There were no visitor presentations.

VIII. BOARD PRESENTATIONS

There were no Board presentations.

IX. STAFF PRESENTATIONS

A. Board Member Representative for the April 25 City Council Meeting:  
Boardmember Anitzberger

B. Staff explained the tentative April 26 CDRB agenda: Elmquist office building on Cope Avenue and garages for the Golden Star apartments.

X. ADJOURNMENT

Meeting adjourned at 8:11 p.m.

MEMORANDUM

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

TO: City Manager  
 FROM: Ken Roberts, Associate Planner  
 SUBJECT: Preliminary Plat—Time Extension and Revision of Conditions  
 LOCATION: Highwood Avenue and Sterling Street  
 PROJECT: Amber Hills  
 DATE: April 19, 1994

INTRODUCTION

Bill Dolan is requesting a time extension for the Amber Hills (formerly Highwood Meadows) preliminary plat. Mr. Dolan represents Gold Key Development, Inc. Gold Key Development, Inc. recently bought this property. The plat would be north of Highwood Avenue between O' Day Street and Lakewood Drive. (See the location and property line maps on pages 10 and 11.) This plat would create 74 lots and an outlot. On January 25, 1993, the City Council approved the preliminary plat for one year. Mr. Dolan is requesting a time extension because his company is preparing to develop the property.

The developer also plans to develop the properties to the north and northeast of this plat. The preliminary plat on page 12 includes the land to the north of the Amber Hills plat. The developer is only requesting that the City approve the Amber Hills plat now.

Mr. Dolan is also asking the City to approve changes to the previously approved preliminary plat. (See the approved Highwood Meadows preliminary plat on page 13, the proposed Amber Hills preliminary plat on page 12. ) The changes would:

1. Drop eleven lots. (The developer will use the outlot to create four more lots when he plats the property to the north.)
2. Change Valley View Court from a stub street to a cul-de-sac. This would prevent access to the property that is west of Valley View Court from Valley View Court. The School District owns this property. The developer is proposing access to the School District property over Outlot A from Schaller Drive.
3. Omit a north-south street that would have connected Timber Avenue and Schaller Drive.
4. Shorten Timber Avenue and Deepwoods Court.
5. Omit Matterhorn Drive that is east of Sterling Street. The developers plan to plat Matterhorn Drive along the north property line when they plat the property to the north.

## **BACKGROUND**

On March 25, 1991, the City Council approved the Highwood Meadows preliminary plat, vacated an easement and changed the zoning map.

On March 23, 1992, the Council approved a one-year time extension.

On January 25, 1993 the City Council dropped a plat condition. This condition required City contracts for the construction of Sterling Street and Schaller Avenue. The Council also approved a one-year time extension for the preliminary plat.

On September 13, 1993, the City Council denied a request to narrow the local streets.

## **DISCUSSION**

### **Open Space**

The City's open space committee ranked this site 12 out of 66 sites for open space acquisition. The Committee recommended that the City buy this site. The City Attorney has advised us that we cannot allow plans for open space purchase to affect the City's plat review decisions.

### **Wetlands**

Since the City approved this preliminary plat, the State and Watershed District have adopted stricter wetland rules. There may be a wetland at the northeast corner of Sterling Street and Schaller Drive and between Amber and Deepwoods Courts. The City should require that the developer have a trained wetland delineator determine if these low lands are wetlands. If there are wetlands, the developer may have to revise the plat to accommodate the wetlands.

### **Access to the School District Property**

The School District owns the property west of Valley View Court. The School District plans to sell this property. They planned to sell it to a private developer two years ago. A neighbor objected to the School Board because the neighbor felt that this piece should remain as open space. The School District decided to wait until the City decided whether to buy this property for open space. The City's Open Space Committee ranked the School District property 27 out of 66 sites and 8 out of 19 sites in the neighborhood. They did not recommend that the City buy this site.

Because of the topography, the City engineer agrees with the developer's proposal to provide access to the School District property from Schaller Drive. The engineer is

recommending that the developer move the stub street from Schaller Drive to the east line of Outlot A. The stub street would serve the School District property and Outlot A.

### Double-Fronting Lot

Lot 19 fronts on Highwood Avenue and Valley View Court. Section 30-8 of City Code states that "Double-frontage lots shall not be permitted, except where topographic or other conditions render subdividing otherwise unreasonable. Such double-frontage lots shall have an additional depth of at least twenty feet in order to allow space for a protective plant-screen along the back lot line." Lot 19 has the extra depth. The double-fronting lot is reasonable considering the topography—a drainage channel along Highwood Avenue.

### Timber Avenue

For public safety reasons, the City Code limits the length of dead-end streets to 1,000 feet. This means that a house should never be more than 1,000 feet from a street intersection with two means of ingress and egress. The end of the existing Timber Avenue is about 1,000 feet to the nearest intersection (Valley View Avenue and Schaller Drive). Consequently, the staff is recommending that the City not approve a final plat for Timber Avenue until the City signs construction contracts for Schaller Drive. When the City constructs Schaller Drive, the new Timber Avenue will be within the City's 1,000 foot limit. The City Council will consider this project in late April or early May. If they approve this project, the City should have signed contracts by the end of June.

### Changes Proposed by the City Staff

The staff is recommending changes to the preliminary plat conditions. These changes reflect current policies and requirements and would not have a significant effect on the plat design.

### RECOMMENDATION

Approve a one-year time extension for the Amber Hills preliminary plat (as shown on page 12 of the April 12 staff report). The extension is subject to the January 25, 1993 conditions, revised as follows: (I have underlined the additions and crossed out the deletions.)

- ~~1. Complete a signed developer's agreement, with required surety, for all required public improvements, erosion control and tree planting. This agreement also shall include:~~
  - ~~a. The placement of temporary fencing and signs during construction around woodlots that the developer will save.~~

- ~~b. The installation of street lights in six locations, primarily at street intersections. The exact location and type of light shall be subject to the City Engineer's approval.~~
  - ~~e. The installation of no parking signs along the west side of Sterling Street from Highwood Avenue to the north end of the plat.~~
  - ~~d. The construction of an eight foot wide bituminous walkway and chain link fencing between Lots 32 and 33, Block 3, if the City decides to buy Outlot E, F or G.~~
1. Sign an agreement with the City that guarantees that the developer or contractor will:
    - a. Complete all grading, public improvements and meet all City requirements.
    - b. Place temporary orange safety fencing and signs at the grading limits.
    - c. Have NSP install street lights in six locations, primarily at street intersections. The exact location and type of lights shall be subject to the City Engineer's approval.
    - d. Pay the City for the cost of traffic-control and street identification signs. This shall include the installation of no-parking signs along the west side of Sterling Street.
    - e. Construct an eight-foot-wide paved walkway and fencing between Lots 5 and 6, Block 2 and Lots 22 and 23, Block 3. the developer shall build these trails with the streets.
    - f. Provide all necessary easements.
    - g. Install permanent signs around the edge of any wetland buffer easements. These signs shall mark the edge of the easements and shall state there shall be no mowing, vegetation cutting, filling or dumping.
    - h. Install survey monuments along any wetland boundary.
  2. Change the plat as follows:
    - ~~a. Add a thirty foot wide drainage and utility easement along the west property line of Lot 10, Block 7.~~
    - a. Change the southerly Block One and Two to Blocks Five and Six.

- b. Add ~~four (4)~~ twenty-foot-wide drainage and utility easements in the following locations:
  - (1) Between Lots 16 and 17 ~~8 and 9~~, Block 2
  - (2) Between Lots 22-24 ~~14 and 15~~, Block 3
  - (3) Between Lots 4 and 5 ~~7 and 8~~, Block 6
  - (4) Between Lots 19, 20 and 24 ~~1-4 and 8-10~~, Block 7
  
- c. Dedicate a twenty-foot-wide walkway easement between Lots 5 and 6 of the southerly Block 2, and Lots 22 and 23 of ~~32 and 33~~, Block 3, if the City decides to acquire Outlot E, F, or G.
  
- ~~d. Drop the easement between Lots 1 and 2, Block 6.~~
  
- d. Add thirty-foot-wide drainage and utility easements in the following locations:
  - (1) Between Lots 7,8 and 9, Block 3
  - (2) Between Lots 14 and 15 of the southerly Block 2
  - (3) Between Lots 4 and 5 and 16 and 17 of southerly Block 2
  - (4) Between Lots 18 and 19, Block 2
  
- e. Change the common rear property line of Lots 11 and 12 and 15-17, Block 3 so that it is straight. This property line also shall meet the common rear corner of Lots 18 and 19, Block 3.
  
- f. Show Lots 28-31, Block 3 as an outlot.
  
- g. Change the following street names:
  - (1) Valley View Court to Valley View Avenue
  - (2) Amber Court to Marnie Court
  - (3) Deepwoods Court to Timber Court
  
- h. Label the new street stub that will be south of Schaller Drive as Crestview Drive.
  
- i. Show a drainage easement over the wetland. The easement location shall be subject to the City Engineer's approval.
  
- 3. Grant to the City a three temporary 100-foot-diameter cul-de-sac bulb easements for ~~Valley View Avenue, Sterling Street and Crestview Drive.~~

- ~~4. Submit final grading, utility, drainage, erosion control and street plans to the City Engineer for approval. The erosion control plan shall address the recommendations of the Soil Conservation District and the Ramsey Washington Watershed District. The grading plan shall include proposed building pad elevation and contour information for each home site. It shall also include contour information for the area that the street construction will disturb. The grading plan shall illustrate housing styles which minimize grading on sites that the developer will save. The grading plan shall show the depth and location of the William's Brothers pipeline. The City Engineer may approve deviations from the approved grading plan, provided the changes follow the intent of the overall grading plan.~~
4. Have the City Engineer approve final construction and engineering plans. These plans shall include: grading, utility, drainage, erosion control, tree and street plans. These plans shall meet the following conditions:
- a. The developer shall design the utilities to serve the properties to the east, south and north.
  - b. The erosion control plans shall be consistent with the Ramsey Soil and Water Conservation District Erosion and Sediment Control handbook.
  - c. The grading plan shall:
    - (1) Include proposed building pad elevation and contour information for each home site.
    - (2) Include contour information for the area that the street construction will disturb.
    - (3) Illustrate housing styles that reduce the grading on sites where the developer can save large trees.
- ~~5. Provide a tree planting plan for the plat. This plan shall show the location of trees that the developer will plant. All trees that the developer will plant shall be at least 2 and one half inches in diameter.~~
5. Provide a tree plan for the City Engineer's approval before grading or final plat approval. This plan shall show where the developer will remove, save or replace large trees. This plan also must show the size and species of any trees that the developer will plant as replacement trees. All trees that the developer will plant shall be at least 2 and one-half inches in diameter.
6. Revise the plat to provide a 60 foot wide street right of way from Move the stub street that is south of Schaller Drive to so the new street will be centered on the

east line of Outlot A of Valleyview Estates. The developer shall revise and renumber the lots accordingly. This street shall include public utilities. The sanitary sewer stub shall have an elevation no higher than 958. The plans for this change shall be subject to the approval of the Director of Community Development and the City Engineer.

7. Submit recordable deed restrictions to the City along with the recording fees. These deed restrictions are to prohibit the construction of a dwelling or its attachments within 100 feet of the William's Brothers pipeline. (This affects all lots east of Sterling Street. Lot 1, Block 4 and Lots 1-7, Block 5.) The developer shall also notify the purchasers of the pipeline location.
- ~~8. Change six of the proposed lot lines so they are perpendicular to the street centerline or radial to the center of the cul-de-sacs.~~
- ~~9. Change the names of Birdsong Lane and Crestview Lane to Crestview Drive.~~
- ~~10. Change the names of Wildflower Court and Wildflower Lane to Matterhorn Drive.~~
8. The final plat shall have drainage and utility easements along all property lines. These easements shall be ten feet wide along the front and rear property lines and five feet wide along the side property lines.
9. The developer shall complete all grading for public improvements and overall site drainage, except what the City does as part of the Sterling Street/Schaller Drive project. The City Engineer shall include in the developer's agreement any grading that the developer or contractor has not completed before final plat approval.
10. The developer may final plat the part of the project with Timber Avenue and Crestview Drive only after the City has signed construction contracts for Sterling Street and Schaller Drive.
11. Determine if wetlands are on the site. Show any wetland boundaries on the plat as delineated on the site. A trained and qualified person must delineate the wetlands. This person shall prepare a wetland delineation report. The developer shall submit this wetland information to the Watershed District office. The Watershed District must approve this information before the City approves a final plat. If needed, the developer shall change the plat to conform to wetland regulations.
12. Give the City a wetland buffer easement over any lots that are next to a wetland. This easement shall cover any land within twenty feet surrounding a wetland. The easement shall prohibit any building within twenty feet of the wetland or any mowing, cutting, filling or dumping within ten feet of the wetland or within the wetland itself.

13. Obtain a permit from the Ramsey-Washington Metro Watershed District for any filling of the wetland.

If the developer decides to final plat part of the preliminary plat, the City may waive any conditions that do not apply to the final plat.

## REFERENCE

### **Sterling Street/Schaller Drive Project**

Originally, the Sterling Street/Schaller Drive project was to build Sterling Street from Hillwood Drive to Valley View Avenue, and Schaller Drive from Sterling Street to Lakewood Drive. The City ordered this project in 1987. The school district delayed this project because they could not decide whether to buy land from the former property owner (James Kayser) for a new school. The street alignment depended on the school location. Eventually, the School District decided not to build a school. The project ended because of the delay.

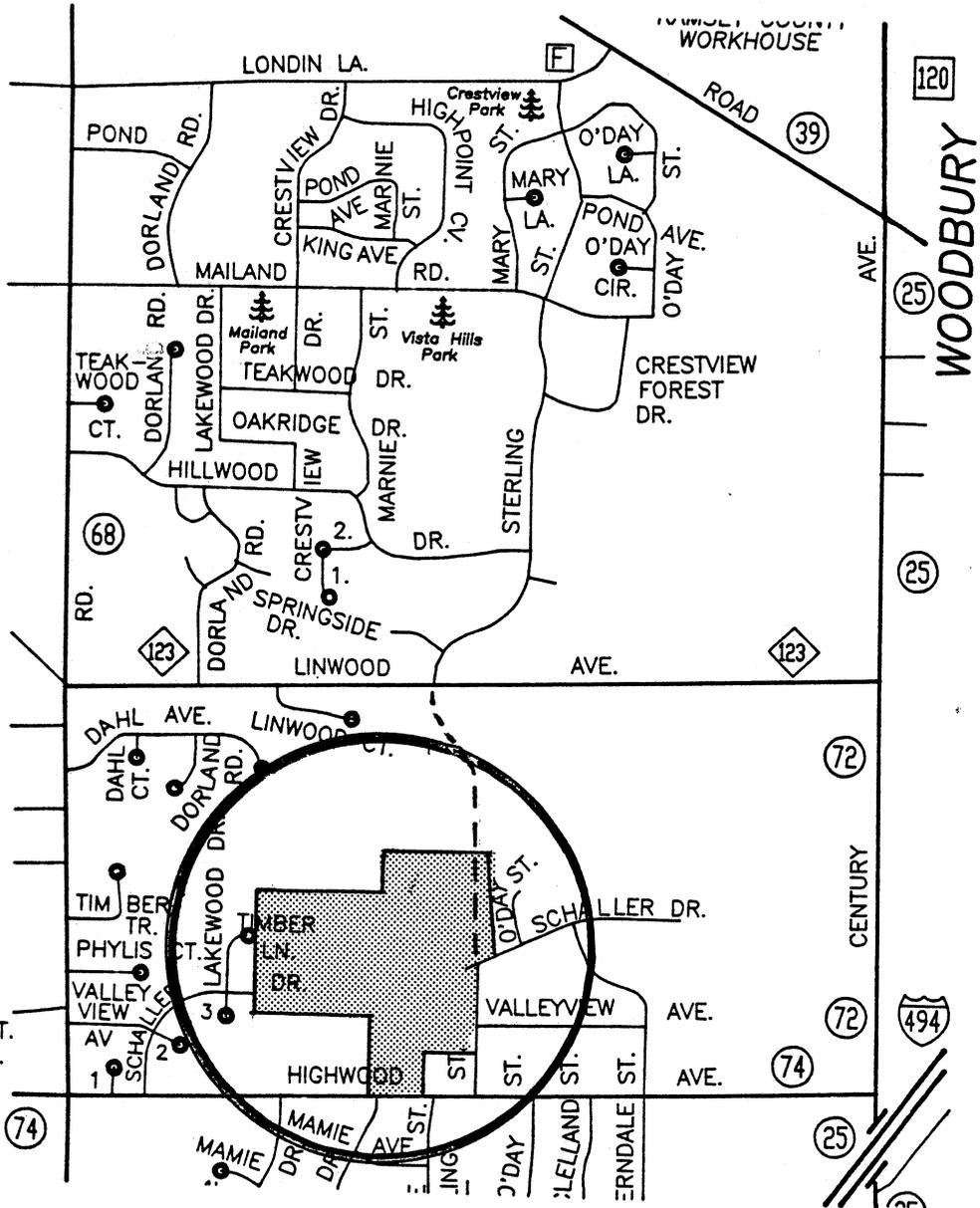
In September of 1991, the Council reordered this project. The City Engineer then started negotiations with the Jirovecs (2480 Linwood Avenue) and the Kaysers (2516 Linwood Avenue). The negotiations were to get right-of-way and easements for the project. The City Engineer and these two property owners were unable to agree about easements for Sterling Street, south of Linwood Avenue. So, the City decided to build only the project north of Linwood Avenue. The contractor completed this project in 1993.

In September of 1993, the City Engineer received a petition from the Jirovecs and the Kaysers. This petition asked the City to build Sterling Street and Schaller Avenue between Linwood and Highwood Avenues. On October 11, 1993, the City Council ordered the City Engineer to prepare a feasibility study for these streets. The feasibility study was subject to the property owners giving the City Engineer easements for the street rights-of-way. The City Engineer has received these easements.

go/b-6::memo84b.mem (12-28)

#### Attachments:

1. Location Map
2. Property Line/Zoning Map
3. Proposed Amber Hills Preliminary Plat
4. Approved Highwood Meadows Preliminary Plat
5. Project Plans (separate attachment)



- 1. HUNTINGTON CT.
- 2. OAKRIDGE LA.

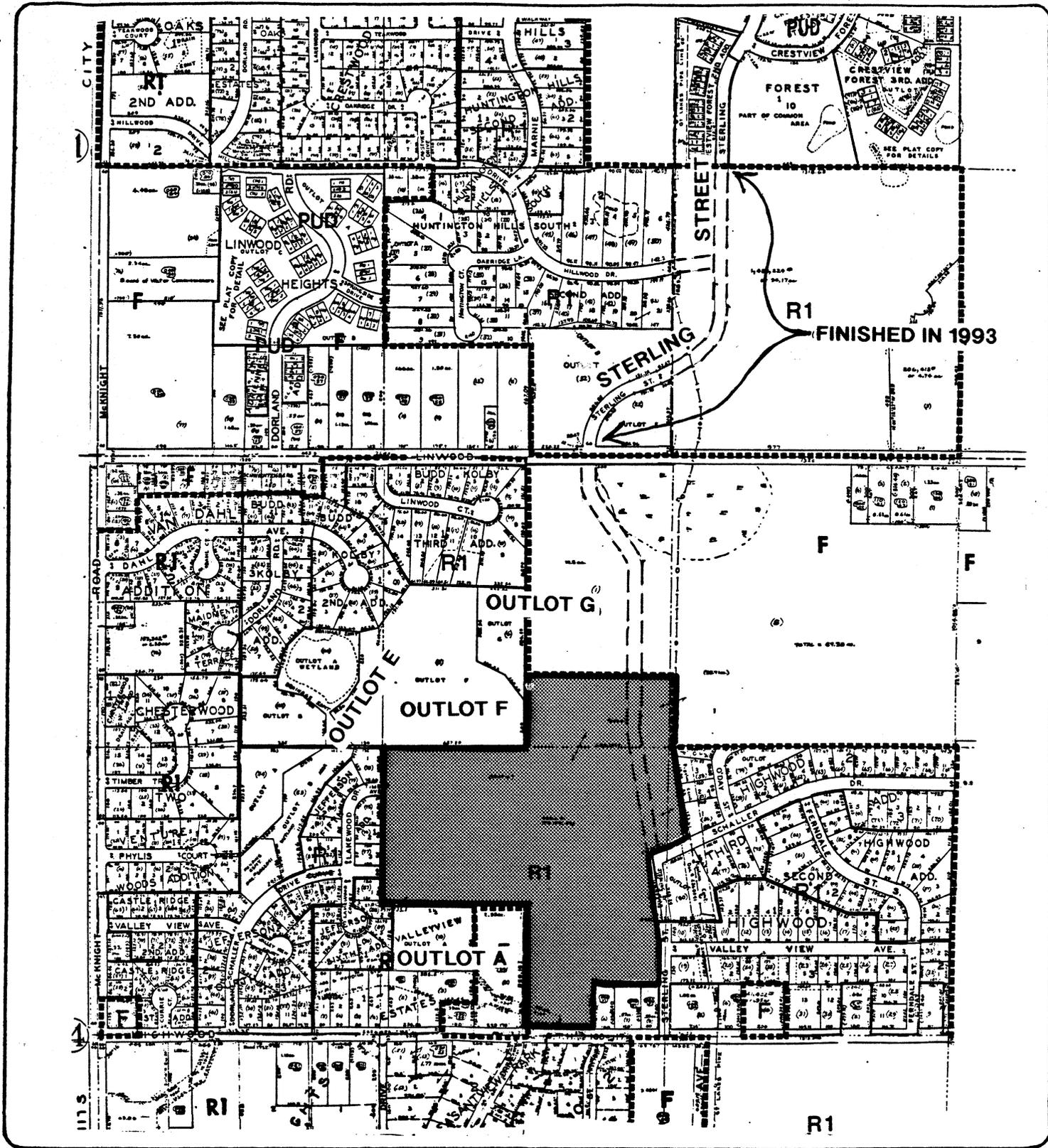
- 1 CURRIE CT.
- 2 VALLEYVIEW CT.
- 3 LAKEWOOD CT.

# LOCATION MAP



**AMBER HILLS PLAT SITE**





# PROPERTY LINE / ZONING MAP



AMBER HILLS PLAT SITE

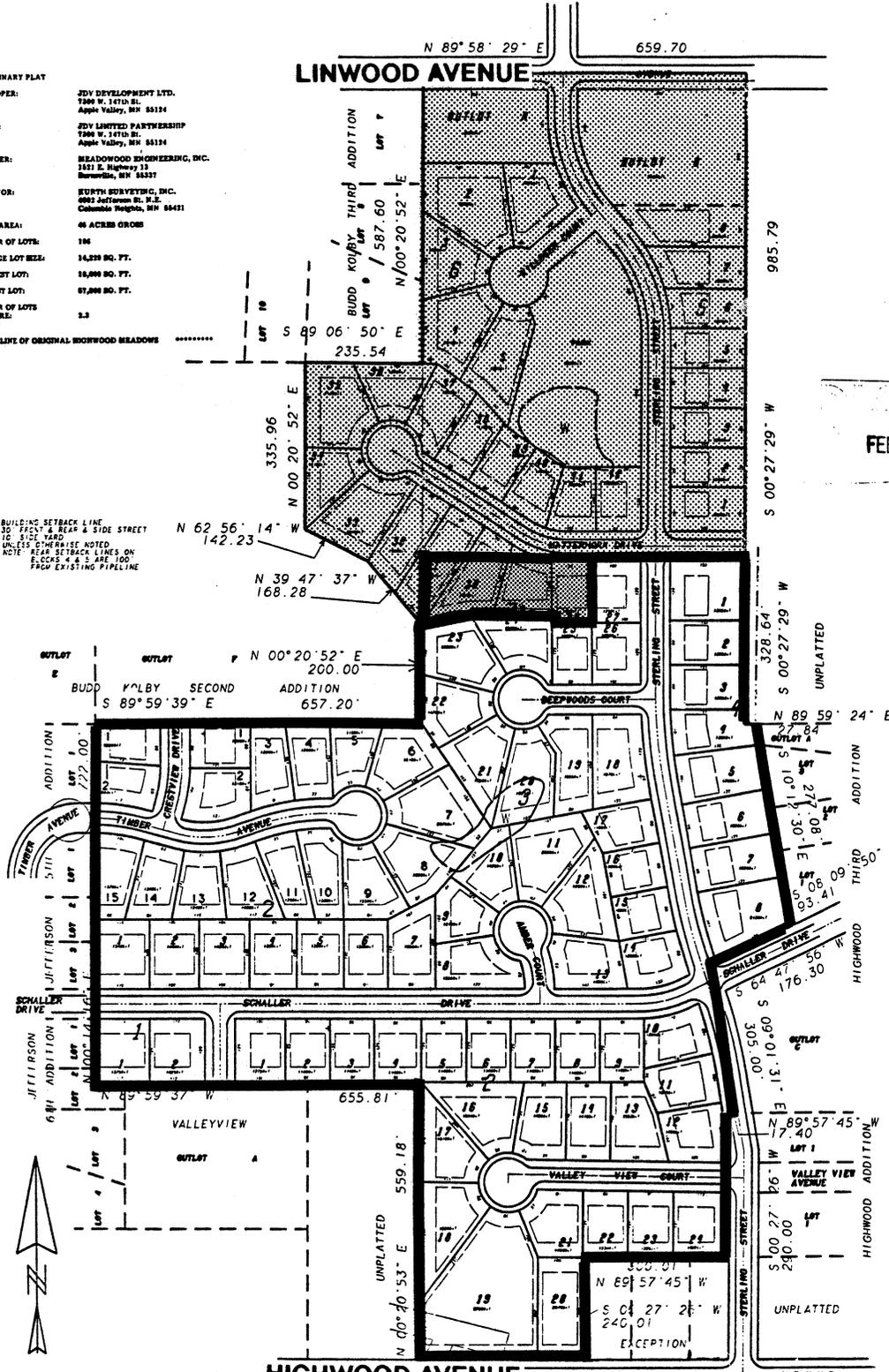


N

1/10/11/11/11

**PRELIMINARY PLAT**  
**DEVELOPER:** JCV DEVELOPMENT LTD.  
 7300 W. 147TH BL.  
 Apple Valley, MN 55124  
**OWNER:** JCV LIMITED PARTNERSHIP  
 7300 W. 147TH BL.  
 Apple Valley, MN 55124  
**ENGINEER:** MEADOWOOD ENGINEERING, INC.  
 1381 E. Highway 11  
 Burnsville, MN 55337  
**SURVEYOR:** KURTH SURVEYING, INC.  
 6802 Jefferson St. N.E.  
 Columbia Heights, MN 55421  
**TOTAL AREA:** 46 ACRES GRASS  
**NUMBER OF LOTS:** 186  
**AVERAGE LOT SIZE:** 14,239 SQ. FT.  
**SMALLEST LOT:** 18,000 SQ. FT.  
**LARGEST LOT:** 67,000 SQ. FT.  
**NUMBER OF LOTS PER ACRE:** 3.3  
**NORTH LINE OF ORIGINAL BIRCHWOOD MEADOWS** .....

— BUILDING SETBACK LINE  
 30' FRONT & REAR & SIDE STREET  
 10' SIDE YARD  
 UNLESS OTHERWISE NOTED  
 NOTE: REAR SETBACK LINES ON  
 PLOTS 4 & 5 ARE 100'  
 FROM EXISTING PIPELINE

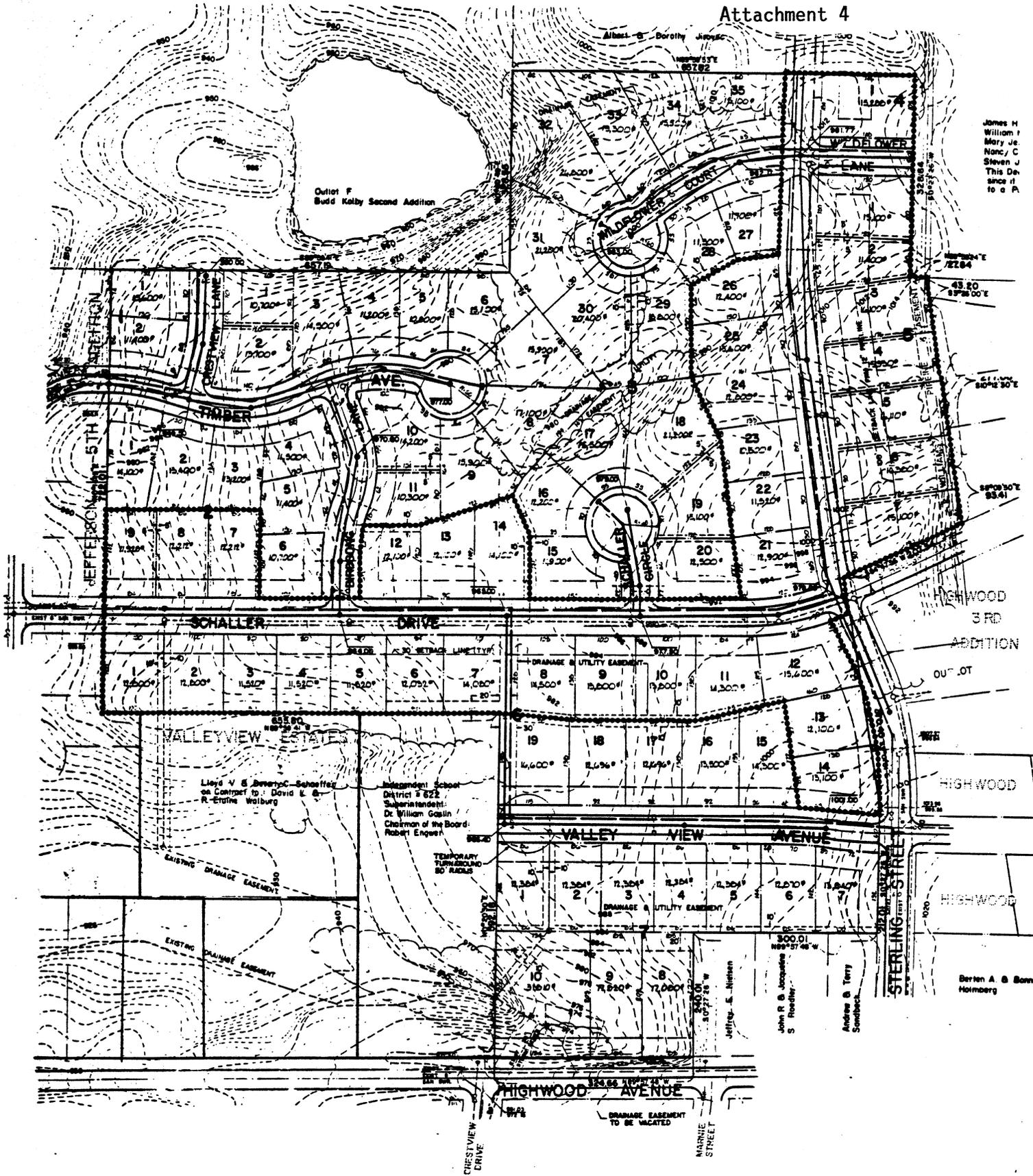


FEB 23 1994

0 100 200 300 400 500  
 SCALE IN FEET

**KEY:**  
 PRELIMINARY PLAT  
 OUTLOT  
 CONCEPT PLAN

1 of 2	sheet no:	revisions:	project no: 2-7-94	date: R. L. K.	checked by: R. J. K.	drawn by: R. J. K.	PRELIMINARY PLAT OF <b>AMBER HILLS</b>	60 E. Highway 11 Burnsville, MN 55337 952-895-8727	<b>MEADOWOOD, INC.</b> Engineering, Planning, Development
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**PRELIMINARY PLAT**  
**HIGHWOOD MEADOWS**  
**APPROVED HIGHWOOD MEADOWS**  
**PRELIMINARY PLAT**

## V. NEW BUSINESS

### A. Preliminary Plat Time Extension and Revisions (Amber Hills)

Ken Roberts, Associate Planner, presented the staff report and answered questions from the Commission. Bill Dolan, 1521 Highway 13, Burnsville, spoke for the applicant.

Commissioner Fischer moved the Planning Commission recommend adoption of a one-year time extension for the Amber Hills preliminary plat. The extension is subject to the January 25, 1993 conditions, revised as follows: (additions are underlined and deletions are crossed out):

Approval of a one-year time extension for the Amber Hills preliminary plat. The extension is subject to the January 25, 1993 conditions, revised as follows (additions are underlined and deletions are crossed out):

- ~~1. Complete a signed developer's agreement, with required surety, for all required public improvements, erosion control and tree planting. This agreement also shall include:~~
  - ~~a. The placement of temporary fencing and signs during construction around woodlots that the developer will save.~~
  - ~~b. The installation of street lights in six locations, primarily at street intersections. The exact location and type of light shall be subject to the City Engineer's approval.~~
  - ~~c. The installation of no parking signs along the west side of Sterling Street from Highwood Avenue to the north end of the plat.~~
  - ~~d. The construction of an eight foot wide bituminous walkway and chain link fencing between Lots 32 and 33, Block 3, if the City decides to buy Outlot E, F or G.~~
1. Sign an agreement with the City that guarantees that the developer or contractor will:
  - a. Complete all grading, public improvements and meet all City requirements.

- b. Place temporary orange safety fencing and signs at the grading limits.
  - c. Have NSP install street lights in six locations, primarily at street intersections. The exact location and type of lights shall be subject to the City Engineer's approval.
  - d. Pay the City for the cost of traffic-control and street identification signs. This shall include the installation of no-parking signs along the west side of Sterling Street.
  - e. Construct an eight-foot-wide paved walkway and fencing between Lots 5 and 6, Block 2 and Lots 22 and 23, Block 3. the developer shall build these trails with the streets.
  - f. Provide all necessary easements.
  - g. Install permanent signs around the edge of any wetland buffer easements. These signs shall mark the edge of the easements and shall state there shall be no mowing, vegetation cutting, filling or dumping.
  - h. Install survey monuments along any wetland boundary.
2. Change the plat as follows:
- ~~a. Add a thirty foot wide drainage and utility easement along the west property line of Lot 10, Block 7.~~
  - a. Change the southerly Block One and Two to Blocks Five and Six.
  - b. Add ~~four (4)~~ twenty-foot-wide drainage and utility easements in the following locations:
    - (1) Between Lots 16 and 17 ~~8 and 9~~, Block 2
    - (2) Between Lots 22-24 ~~14 and 15~~, Block 3
    - (3) Between Lots 4 and 5 ~~7 and 8~~, Block 6
    - (4) Between Lots 19, 20 and 24 ~~1-4 and 8-10~~, Block 7
  - c. Dedicate a twenty-foot-wide walkway easement between Lots 5 and 6 of the southerly Block 2, and Lots 22 and 23 of 32 and 33, Block 3, ~~if the City decides to acquire Outlot E, F, or G.~~

- ~~d. Drop the easement between Lots 1 and 2, Block 6.~~
  - d. Add thirty-foot-wide drainage and utility easements in the following locations:
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    - (2) Between Lots 14 and 15 of the southerly Block 2
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    - (4) Between Lots 18 and 19, Block 2
  - e. Change the common rear property line of Lots 11 and 12 and 15-17, Block 3 so that it is straight. This property line also shall meet the common rear corner of Lots 18 and 19, Block 3.
  - f. Show Lots 28-31, Block 3 as an outlot.
  - g. Change the following street names:
    - (1) Valley View Court to Valley View Avenue
    - (2) Amber Court to Marnie Court
    - (3) Deepwoods Court to Timber Court
  - h. Label the new street stub that will be south of Schaller Drive as Crestview Drive.
  - i. Show a drainage easement over the wetland. The easement location shall be subject to the City Engineer's approval.
3. Grant to the City a three temporary 100-foot-diameter cul-de-sac bulb easements for ~~Valley View Avenue, Sterling Street and Crestview Drive.~~
- ~~4. Submit final grading, utility, drainage, erosion control and street plans to the City Engineer for approval. The erosion control plan shall address the recommendations of the Soil Conservation District and the Ramsey-Washington Watershed District. The grading plan shall include proposed building pad elevation and contour information for each home site. It shall also include contour information for the area that the street construction will disturb. The grading plan shall illustrate housing styles which minimize grading on sites that the developer will save. The grading plan shall show the depth and location of the William's Brothers pipeline. The City Engineer may approve deviations from the approved grading plan, provided the changes follow the intent of the overall grading plan.~~

4. Have the City Engineer approve final construction and engineering plans. These plans shall include: grading, utility, drainage, erosion control, tree and street plans. These plans shall meet the following conditions:
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    - (2) Include contour information for the area that the street construction will disturb.
    - (3) Illustrate housing styles that reduce the grading on sites where the developer can save large trees.
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5. Provide a tree plan for the City Engineer's approval before grading or final plat approval. This plan shall show where the developer will remove, save or replace large trees. This plan also must show the size and species of any trees that the developer will plant as replacement trees. All trees that the developer will plant shall be at least 2 and one-half inches in diameter.
6. Revise the plat to provide a 60 foot wide street right of way from Move the stub street that is south of Schaller Drive to so the new street will be centered on the east line of Outlot A of Valleyview Estates. The developer shall revise and renumber the lots accordingly. This street shall include public utilities. The sanitary sewer stub shall have an elevation no higher than 958. The plans for this change shall be subject to the approval of the Director of Community Development and the City Engineer.

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- ~~9. Change the names of Birdsong Lane and Crestview Lane to Crestview Drive.~~
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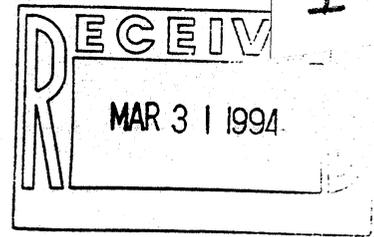
Commissioner Pearson seconded

Ayes--Anitzberger, Axdahl, Fischer, Frost,  
Gerke, Kittridge, Martin, Pearson,  
Rossbach, Sigmundik

The motion passed.



# Maplewood INN



Action by Council:

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

March 28, 1994

Mr. Michael McGuire  
City of Maplewood  
Attn: City Manager  
1830 E. Cty. Rd. B  
Maplewood, MN 55109

Dear Mr. McGuire,

This letter is being written requesting a hearing before the City Council regarding the tax assessment on Project #85-17 Southlawn Improvement, PIN# 02-29-22-22-0010. This request is in lieu of court action for the cities' failure to notify us of their previous action regarding this matter. Please see our previous objection as filed (enclosed), and further note the P.S. at the bottom of that same objection.

I sincerely appreciate your help in trying to find a cost effective, amicable solution to this matter.

Sincerely,

Mark D. Laughlin  
Vice President  
Maplewood Hotel Corporation

kai:MDL

enclosure:



# Maplewood INN

March 10, 1993

City of Maplewood  
Mayor/City Council/City Clerk  
1830 East County Road B  
Maplewood, MN 55109

RE: Statement of Assessment  
D/P No. 6071  
Project No. 85-17  
Southlawn Improvements

Dear Honorable Mayor Bastian, City Council and all Officials concerned:

This letter is notification of total objection of the proposed assessment of \$49,137.60 for the Best Western Maplewood Inn for Project # 85-17 Southlawn Improvement PIN #02-29-22-22-0010.

Maplewood Hotel Corporation D/B/A Best Western Maplewood Inn is and has been located at 1780 East County Road D for better than 15 years of which the whole time never have we requested, much less needed Southlawn Road. Our total frontage is on Ring Road of which is a private road that we are paying \$9,000.00 a year assessment on plus any additional improvements. Southlawn Road is of absolutely no value to us whatsoever. As a matter of fact it has proven to be a total detriment to the property because it has provided a short cut to the Mall through our parking lot. The access which was put in was at the request of the Fire Department, not the hotel. It provides the Fire Department quicker access to the Mall from Southlawn. We put in the sewer, of which we already gave up under Public Domain and the northwest corner of the parking lot as an easement necessary for the city easement. This property has not increased in value due to the road nor has it increased in business.

Southlawn runs behind our property and has caused us to have to make additional cosmetic improvements just because the public can now see the rear of our building. Best Western has no signage on Southlawn and if anything is being forced to have to make additional improvements due to your development of the property behind us.

Your development of Southlawn benefits only the improved property being proposed for that improvement, not an existing business which has been here for fifteen plus years.

Best Western would propose a couple different options to you to be fair to all concerned:

1. Best Western will pay the assessment if you take over Ring Road under public domain thus eliminating us from this current double assessment.
2. The City of Maplewood assess only those who are benefiting from the new development, not existing buildings which receive no benefit.

Why should we pay for something we do not need, want, use or benefit from? Our customers all come by Ring Road where our signage and frontage and entrances are and have been for over fifteen years.

We sincerely appreciate your understanding of this situation and trust that your fair and just judgement will prevail on our behalf. We look forward to a continued good relationship with the city in making it more beneficial and prosperous for all its' citizens and businesses alike.

Sincerely,

Ronald L. Ringling  
Owner - Maplewood Hotel Corporation  
D/B/A/ Best Western Maplewood Inn

P.S. Please advise the properties General Manager, Mark Laughlin, of any further hearings and appeals or court hearings regarding your decisions.

AGENDA REPORT

TO: City Manager  
 FROM: Assistant City Manager *Stephen Maglich*  
 RE: COMMUNITY CENTER FEES  
 DATE: April 18, 1994

Action by Council:

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

**INTRODUCTION**

At the March 28, 1994 meeting, the City Council approved Community Center membership fees, banquet room fees, child care fees, and definitions of user groups. The purpose of this report is to present theater fees and revised banquet room fees for City Council consideration and adoption.

**BACKGROUND**

**Theater Fees**

On March 28, City Council adopted a fee structure without theater usage fees. Staff took this time to research similar operations and interview potential user groups for fees they have paid in the past at other facilities. At the April 4, 1994 Council/Manager meeting, the City Council reviewed the proposed theater fees and directed staff to include some sort of flexibility in the policy that would allow management to negotiate a fee. In addition, a block time rental category has been included to the policy. This category will provide a discount to users renting the facility for more than five hours. The theater fee structure is presented for Council adoption.

**Community Room and Kitchen Fees**

At the March 28 meeting, the City Council adopted a fee structure for this component of the building. The Community Center Manager began taking reservations for the rooms, and he became aware that the adopted fee structure needed some revisions. The weekend rates have been reduced. The new fees and the previously adopted fees are both attached.

**RECOMMENDATION**

It is recommended that the City Council adopt the Community Center fees as presented.

# PROPOSED

## Theater

This theater is available to the public for plays, concerts, seminars, workshops, weddings, lectures, etc. The users of this area may have special requests to assist them with their event. The City will make every attempt to accommodate each request based on how similar groups are accommodated.

Reservations can be made by contacting customer service. A down payment of 20% is required, and a permit must be issued before the reservation is complete. For events that charge an admission or registration fee, an additional 10% of the total gross revenues from those fees will be charged to the renter. The fees listed below will begin when the renters event is scheduled to begin. Additional time for setups will not be charged unless it interferes with other groups being accommodated. When this happens, an additional fee may be charged. Theater fees may be negotiated pending Managements approval.

	<u>Resident</u>	<u>Non-resident</u>
Group A	No Charge	
Group B	\$50/Hr	\$65/Hr
Group C	\$55/Hr	\$70/Hr
Group D	\$75/Hr	\$85/Hr

## **Block Time**

For rental of time between three to five hours, a block fee will charged (see chart below). For additional time over five hours, the chart above will be used.

<b>Hourly</b>	<u>Resident</u>	<u>Non-resident</u>
Group A	No Charge	
Group B	\$125	\$175
Group C	\$150	\$200
Group D	\$200	\$250

# PROPOSED

## Community Room

The Community Room can be divided into 1 large, 2 medium, or 4 small rooms. Uses include banquets, wedding receptions, large and small meetings, and workshops. If the event includes food service, the renter is required to hire a food caterer and rent the kitchen (see description below).

These fees include setups, take downs and cleanup by staff. For any setup time that interferes with the potential for other groups to be accommodated, a minimal fee may be charged. A \$100 refundable deposit and 20% down is required to reserve the banquet room. All necessary permits and fees must be signed and in the possession of management before reservation is final. The costs listed below are for rental of the entire large banquet room. To rent portions of this room, refer to the Meeting Room rental schedule. The fees will begin when the renter's event is scheduled to begin. Community Room fees may be negotiated pending Managements approval.

### Hourly

#### WEEKDAYS (Sunday 6pm - Friday 6pm)

	<u>Resident</u>	<u>Non-resident</u>
Group A	No Charge	
Group B & C	\$50/hour (2 hr. minimum)	\$75/hour (2 hr. minimum)
Group D	\$75/hour (2 hr. minimum)	\$100/hour (2 hr. minimum)

#### WEEKENDS (Friday 6pm - Sunday 6pm)

	<u>Residents</u>	<u>Non-residents</u>
Group A	No Charge	
Group B & C	\$85/hour (2 hr. minimum)	\$100/hour (2 hr. minimum)
Group D	\$100/hour (2 hr. minimum)	\$120/hour (2 hr. minimum)

# PROPOSED

## Kitchen

Anyone wishing to rent the kitchen is responsible for total cleanup of the kitchen area, clearing tables and disposing of trash in the banquet/meeting area before they leave. The deposit money will not be returned if an acceptable cleaning job has not been done. A \$50 refundable deposit and total payment must be paid to reserve the kitchen. All necessary permits, licenses and fees are required before reservation is final. Also, liquor is allowed on the premise (see liquor policy). Kitchen fees may be negotiated pending Managements approval.

	<u>WEEKDAYS</u>	<u>WEEKENDS</u>
Group A	No Charge	No Charge
Group B, C, D	\$50/event	\$75/event

## Meeting Rooms A, B, C, D

The amount shown is the cost for one small room. To determined the cost to use more then one room, take the number of rooms reserved times the amounts listed below up to three. To rent the banquet room total please see banquet room fees. Meeting Room fees may be negotiated pending Managements approval.

	<u>Resident</u>	<u>Non-resident</u>
Group A	No Charge	
Group B & C	\$20/hour	\$35/hour
Group D	\$35/hour	\$50/hour

# PREVIOUSLY ADOPTED

## Community Room

The Community Room can be divided with 1 large, 2 medium, or 4 small rooms. Uses include banquets, wedding receptions, large and small meetings, and workshops. Events when food is served, the renter is required to hire a food caterer and rent the kitchen (see description below). Caterers are required to clean the kitchen. If the kitchen is not cleaned properly, the deposit will not be returned. Also, liquor is allowed on the premise (see liquor policy).

The fees include setups, take downs and cleanup by staff. At management's discretion some groups will be required to do some cleaning of the banquet room such as tables tops, etc. A \$100 refundable deposit and 20% down is required to reserve the banquet room. All necessary permits and fees must be signed and in the possession of management before reservation is final. These costs are to rent the banquet room total. To rent portions of this room, see meeting room rental.

### WEEKDAYS (Sunday 6pm - Friday 6pm)

	<u>Resident</u>	<u>Non-resident</u>
Group A	No Charge	
Group B & C	\$50/hour (2 hr. minimum)	\$75/hour (2 hr. minimum)
Group D	\$75/hour (2 hr. minimum)	\$100/hour (2 hr. minimum)

### WEEKENDS (Friday 6pm - Sunday 6pm)

	<u>Residents</u>	<u>Non-residents</u>
Group A	No Charge	
Group B & C	\$125/hour (2 hr. minimum)	\$175/hour (2 hr. minimum)
Group D	\$150/hour (2 hr. minimum)	\$190/hour (2 hr. minimum)

Wedding receptions will be charged a minimum equivalent to the 4 hour charge plus kitchen rental cost.

# PREVIOUSLY ADOPTED

## Kitchen

Anyone wishing to rent the kitchen is responsible for total cleanup before they leave. The deposit money will not be returned if an acceptable cleaning has not been done in the kitchen. A \$50 refundable deposit and total payment must be paid to reserve the kitchen. All necessary permits, licenses and fees are required before reservation is final.

	<u>WEEKDAYS</u>	<u>WEEKENDS</u>
Group A	No Charge	No Charge
Group B, C, D	\$100/event	\$150/event

## Meeting Rooms A, B, C, D

The amount shown is the cost for one small room. To determine the cost to use more than one room, take the number of rooms reserved times the amounts listed below up to three. To rent the banquet room total please see banquet room fees.

	<u>Resident</u>	<u>Non-resident</u>
Group A	No Charge	
Group B & C	\$20/hour	\$35/hour
Group D	\$35/hour	\$50/hour

Action by Council:

**MEMORANDUM**

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

TO: City Manager  
FROM: Director of Community Development  
SUBJECT: **Moratorium on Clinics**  
DATE: April 19, 1994

**INTRODUCTION**

On November 8, 1993, the City Council passed an ordinance creating a moratorium on new or expanding clinics until February 28, 1994. On February 28 the Council extended the moratorium until April 25. The extension was to give the Planning Commission time to finish a commercial property study. The purpose of the moratorium was to give the City time to complete a broader study of commercial uses around residential neighborhoods.

The Planning Commission has been working on the commercial property study. They will probably need at least two more months to finish. The Council should extend the moratorium until July 11. This should not cause any problems. I do not know of any plans by the Methadone clinic or other clinics to expand.

**RECOMMENDATION**

Extend the moratorium on new or expanding clinics until July 11, 1994.

go\b-6:clinic1.mem (5.1)

AGENDA REPORT

Action by Council:

TO: City Manager  
FROM: Assistant City Manager *Grethen Maglich*  
RE: CHARITABLE GAMBLING REQUEST - PUBLIC RELATIONS  
DATE: April 18, 1994

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

INTRODUCTION

At the April 11 City Council meeting, the Parks & Recreation department's request for \$7,000 to publish a department brochure was tabled. Staff was directed to organize a City-wide public relations plan. This information has been collected for the City Council's review.

DISCUSSION

The City currently produces two general City brochures - **YOUR CITY GOVERNMENT** and **WELCOME - CITY OF MAPLEWOOD**. Both of these brochures are done in-house and distributed at the receptionist's counter.

Each department was contacted about their public relations needs.

**City Clerk**

The City Clerk's department has information in the general publications mentioned above. They also place information in the Maplewood in Motion about pet licensing, permits, Deputy Registrar, and voting. The City Clerk did not feel there was a need for a separate publication about the services they provide.

**Parks & Recreation**

The Parks department submitted their funding request for a brochure. The purpose of the publication is to inform residents about the parks system, increase parks usage, and notify residents about the Community Center and recreation programs. The department is proposing to direct mail the brochure in the June Maplewood in Motion. The brochure can also be included in a larger packet of information.

## Community Development

Community Development has a wide variety of material for distribution. Their customers include:

- \* residents for recycling, home additions, decks, fences and other miscellaneous residential information;
- \* developers who need zoning and application materials;
- \* builders who need code and inspection information; and
- \* miscellaneous census and economic development information.

Since they provide information to such a wide variety of people, a single brochure about their department would not be functional. This department would be better served by a master folder which could hold specific informational sheets.

## Public Works

Public Works does not have any specific handout information. Most of their material is handled by monthly publications in Maplewood in Motion. The published information is about snow plowing, sewer back-ups, erosion control, and water quality.

## Finance

The only publication of the Finance department that is distributed is an abbreviated budget document. Other information that they provide, such as a pie chart describing the distribution of tax dollars, is handled through Maplewood in Motion.

## Administration

Information about administration and the City Council is handled with the two general publications and Maplewood in Motion.

## Public Safety

Public Safety has a tremendous amount of information for different groups of people. Examples of their brochures are: **Burglar Alarms: Do You Need One?**, **Crime on Wheels**, **Be on the safe side - Personal Protection**, and various crime protection publications for residential and commercial readers. The Public Safety department would like to produce a department brochure, but would not conduct a blanket

mailing. Since the services are unique to different parts of the population, they would distribute specific brochures to meet specific requests and needs.

### **SUMMARY**

Most of the departments have material which they distribute to their customers. However, it is very specific information rather than a general brochure. It seems to fit their needs. The one department which would be better served by a single brochure is Parks & Recreation. Parks & Recreation is trying to increase awareness and usage of the facilities. The services of the remaining departments are used by people looking for specific information.

When the City establishes its own water department, new residents will have to visit City Hall to obtain a water meter. At that time, the City can distribute a packet of information about the City which would include a master pocket folder and any relevant material such as residential recycling or commercial zoning material depending on the needs of the customer. Other special distribution times are the Annual Open House and the grand opening of the Community Center.

### **RECOMMENDATION**

It is recommended that the City Council approve the expenditure of charitable gambling funds in the amount of \$7,000 for the production of a Parks & Recreation brochure.

**Parks and Recreation Brochure**

**Article:** 20,000 brochures  
10,000 inserts

**Description:** By Design Publications, Inc., will write copy with cooperation of Maplewood Parks and Recreation Department, produce layout, design and graphics, coordination of production on film, printing, scoring, folding, and delivery to City Hall.

**Stock:** 100# white vellum offset (re-cycled)

**Ink:** Three color over two color

**Size:** 17 1/4" x 10"

**Bindery:** Score and double-gate fold.

**Photography:** By Design will utilize existing photography provided by the City of Maplewood. All photographs will have written permission releases to be used.

**Costs:** \$7,000.00 to include 20,00 brochures, 10,000 inserts, printing, copy, layout design and extra postage for Maplewood in Motion.

Action by Council:

AGENDA REPORT

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

**TO:** City Manager  
**FROM:** Finance Director *Attwood*  
**RE:** SCHEDULE MEETING TO REVIEW 1993 ANNUAL FINANCIAL REPORT  
**DATE:** April 19, 1993

Recently, the City's 1993 Annual Financial Report and audit were completed. Four documents have been prepared and are scheduled for delivery within a few days:

1. General Purpose Financial Report -- contains data extracted from the Comprehensive Annual Financial Report and provides a concise summary of the City's financial condition. Copies of this report will be distributed to the City's advisory boards and commissions. Also, a limited supply will be available to the public.
2. Comprehensive Annual Financial Report -- contains detailed financial and statistical information to provide complete information on all financial transactions during the year. Copies of this report will be distributed to the Council State Auditor, Moody's Investors Service, Standard and Poors, bond investors, and the Maplewood Library.
3. Auditors' Report on Legal Compliance -- contains the auditors' comments on transactions and records tested for compliance with state laws. Copies of this report will be distributed to the Council and management staff.
4. Auditors' Supplemental Report on Federal Financial Assistance -- contains the auditors' comments and Federal Grant Activity Schedule on the Community Development Block Grant monies received in 1993. Copies of this report will be distributed to the Council and Ramsey County.

It is recommended that the Council schedule a meeting with Steve Laible of Peat Marwick to discuss these reports. Steve is available on Monday, May 9th, if a special meeting were to be held at 6:30 p.m. immediately preceding the regular Council meeting. Steve is also available on Thursday, May 19th, if a special Council meeting were to be held at 5:30 p.m. immediately following the "pre-agenda" meeting.