

AGENDA
MAPLEWOOD CITY COUNCIL
7:00 P.M., Monday, April 27, 1992
Council Chambers, Municipal Building
Meeting No. 92-08

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. APPROVAL OF MINUTES

1. Council/Manager Meeting, April 6, 1992
2. Meeting No. 92-07 (April 13, 1992)

E. APPROVAL OF AGENDA

EA. PRESENTATION

1. Human Relations Commission Annual Report
2. Human Relations Commission Appointment

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. Ambulance Bill - Application for Cancellation
3. Budget Transfer - Sewer Fund
4. System Development Fund

G. PUBLIC HEARINGS

H. AWARD OF BIDS

I. UNFINISHED BUSINESS

1. Demont Avenue - Flandrau to Bittersweet_____
2. Conditional Use Permit: 2051 E. Larpenteur Ave. (Mounds Park Academy)_____
3. July 4th Celebration Update_____

J. NEW BUSINESS

1. Stop Signs: DeSoto and Ripley_____
2. Resolution: Support for N.E.S.T._____
3. Proclamation: Community Clean Up Day - May 2, 1992_____
4. Highway 36 Access_____
5. Maplewood Care Center_____

K. VISITOR PRESENTATIONS

L. COUNCIL PRESENTATIONS

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

M. ADMINISTRATIVE PRESENTATIONS

1. _____
2. _____
3. _____

N. ADJOURNMENT

COUNCIL/MANAGER MEETING
OF THE
CITY COUNCIL OF THE CITY OF MAPLEWOOD

4:30 p.m., Monday, April 6, 1992
Maplewood Room, City Hall

MINUTES

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 4:35 p.m.

B. ROLL CALL

Mayor Gary Bastian	Present
Councilperson Dale Carlson	Absent
Councilperson Fran Juker	Present
Councilperson George Rossbach	Present
Councilperson Joseph Zappa	Present

Others Present:

City Manager Michael McGuire
Assistant City Manager Gretchen Maglich
Human Resources Director Gail Blackstone
City Attorney Patrick Kelly

C. APPROVAL OF AGENDA

The following items were added to the agenda:

F. OTHER BUSINESS

1. Work House/Open House Luncheon, April 30, 1992
2. Schedule Meeting with City Auditor
3. SOS T-Shirts

Mayor Bastian moved that the agenda be approved as amended. The motion was seconded by Councilmember Zappa and was approved.

Ayes: Bastian, Juker, Rossbach, and Zappa
Absent: Carlson

D. SEXUAL HARASSMENT TRAINING PROGRAM

Human Resources Director Blackstone and City Attorney Kelly presented a historical background, policy explanation, and purpose of the sexual harassment program which has been used for training management and supervisory City employees. A video was shown followed by the distribution of copies of the City's discrimination/sexual harassment policy as contained in the personnel policies.

Human Resources Director Blackstone left the meeting at 6:00 p.m.

E. MEETING WITH RAMSEY COUNTY LIBRARY BOARD

Ramsey County Library Board members Donna Barnett, David Shupe, Naomi Hochhalter, and Jeri Lou Maus arrived at the meeting at 6:00 p.m. In addition, Library Director Norman Vinnes and Owner's Representative for Library Construction David Nicolai were also present. There was some discussion about the structure and appointment of the Board, library hours, funding, publicity, and local government collection materials.

F. OTHER BUSINESS

Due to time constraints, the discussion of items F.1. and F.2. was postponed.

3. SOS T-shirts

Mayor Bastian reported that the Open Space Committee was requesting seed money from the City to print T-shirts, fliers, and other publicity items to raise money and public awareness to "Save Open Space." It was the consensus of the City Council that additional information is needed from the Fund Raising Committee and that this subject could be discussed at a future Council meeting.

G. ADJOURNMENT

The meeting was adjourned at 6:45 p.m.

G. CONSENT AGENDA:

Councilmember Zappa moved, seconded by Councilmember Rossbach; ayes - all, to approve the consent agenda items 1 thru 12 as recommended.

1. Approval of Claims

Approved the following claims:

<u>ACCOUNTS PAYABLE:</u>	\$ 614,647.35
	\$ <u>129,111.44</u>
	\$ 743,758.79
<u>PAYROLL:</u>	\$ 195,969.67
	\$ <u>39,772.44</u>
	\$ 235,742.11
	\$ <u>979,500.90</u>

Checks #25465 - #25566
Dated 3-12-92 thru 3-31-92
Checks #16669 - #16811
Dated 4-13-92
Total per attached voucher/check register
Payroll Checks #25811 thru #25966
Dated 3-27-92
Payroll Deduction Checks #25971 thru #25986 dated 3-27-92
Total Payroll
GRAND TOTAL

2. Disposal of Old Financial Records

Approved the following Resolution:

92 - 04 - 34

RESOLUTION TO DESTROY CITY RECORDS

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.

3. 1992 Tax Increment Transfers

Authorized consolidation of Tax Increment Fund #1 and Tax Increment Fund #2 into one fund and that \$3,076,590 be transferred from the new fund to the Park Development Fund and the Street Construction State Aid Fund as reimbursement for construction project expenditures.

4. Payment on North St. Paul Well #5 Debt

Authorized payment of \$36,000 from the W.A.C. Fund for the North St. Paul Water District to the City of North St. Paul for Well #5.

5. Donation to Maplewood Nature Center - Rita Brenner

Approved acceptance of a \$700 donation from Rita Brenner and placement of the funds in a separate Maplewood Nature Center Fund for park development projects.

6. Donation to Maplewood Nature Center - Camp Flaming Pine

Approved acceptance of a \$500 donation from the Camp Flaming Pine Board of Directors, to be placed in a special account in the Maplewood Nature Center Budget to be used with the City's allocation to develop a new Maplewood Nature Center brochure.

7. Approval of Easement Agreement - Pedro

Authorized payment of \$21,000 to complete eminent domain proceedings for the purpose of acquiring approximately 42,000 square feet of property owned by Carl Pedro, Jr. for drainage and ponding.

8. Housing & Redevelopment Authority Annual Report

Accepted with thanks the March 1991-February 1992 Housing and Redevelopment Authority Annual Report.

9. Preliminary Plat Time Extension: Gervais Overlook

Approved a one-year time extension for the Gervais Overlook preliminary plat, subject to the February 13, 1984 conditions of approval.

10. Preliminary Plat: Countryview Summit

Approved the Countryview Summit preliminary plat, subject to the following conditions being completed before final plat approval:

1. The developer shall move Duluth Court to the east to increase the setback from the west property line.
2. The City Engineer approving final grading, utility, drainage, erosion control and street plans. The drainage and utility plans shall include a five-foot-high, vinyl-clad chain link fence at the high water mark around the pond in Outlot A. The developer shall revise the drainage and grading plans to direct most of the storm-water run-off to the pond on Outlot A. The erosion control plan shall be consistent with the Ramsey Soil and Water Conservation District Erosion and Sediment Control Handbook.
3. The Director of Community Development approving a tree plan. The Director must approve this plan before any grading begins or the City approves the final plat.
4. The final plat shall have drainage and utility easements along all property lines. These easements shall be 10 feet wide along the front and rear property lines and 5 feet wide along the side property lines.

5. The City Engineer approving a signed developer's agreement and escrow for any uncompleted public improvements, driveway to Highway 61 or landscaping and tree planting required by the City. This agreement shall also include the installation of four street lights, primarily at street intersections. The exact location and type of lights shall be subject to the City Engineer's approval.
6. Provide a driveway and public easement from the end of Duluth Street to Highway 61. The driveway must meet Fire Code standards. The developer shall put posts and a chain across the drive at Duluth Street.
7. Grant to the City a temporary 100-foot-diameter cul-de-sac bulb easement for Duluth Street, unless the developer constructs a driveway to Highway 61.
8. Show a drainage and utility easement on Lot 13, Block 2 for any area planned as part of the storm-water pond.
9. The developer getting easements for all off-site grading and utility work.
10. Show Outlot B as a public right-of-way for Lydia Avenue.
11. Change the name of Countryview Court or Countryview Circle to a name acceptable to the Director of Public Safety.
12. The developer must obtain the approval of the Community Design Review Board for the landscaping of the cul-de-sac islands.

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.

11. 1992 Dispatching Agreement

Approved the 1992 dispatching agreement between the City of Maplewood and the City of North St. Paul.

12. St. Paul Training Facility

Authorized entering into an agreement with the City of St. Paul for the use of its fire training facility.

G. PUBLIC HEARINGS

1. 7:00 P.M. (7:15 P.M.), Utility Easement Vacation: Maplewood Mall

- a. Mayor Bastian convened the meeting for a public hearing regarding vacation of a portion of the City's utility easement at Maplewood Mall.
- b. Manager McGuire presented the staff report.
- c. Director of Community Development Olson presented the specifics of the report.
- d. Chairman Les Axdahl presented the Planning Commission report.
- e. Mayor Bastian opened the public hearing, calling for proponents or opponents. No one appeared.
- f. Mayor Bastian closed the public hearing.

- g. Councilmember Zappa introduced the following Resolution and moved its adoption:

92 - 04 - 35

VACATION OF A PORTION OF A UTILITY EASEMENT AT MAPLEWOOD MALL

WHEREAS, Corporate Property Investors applied for the vacation of the following-described easement:

That part of a utility easement dedicated on the plat of MAPLEWOOD MALL ADDITION variable in width from 40.00 to 50.00 feet lying within Lots 5, 10, and 14, Block 1, of said MAPLEWOOD MALL ADDITION, according to the recorded plat thereof and situate in Ramsey County, Minnesota. The center line of said variable width utility easement is described as follows:

Commencing at the southwest corner of the Northwest Quarter, Section 2, Township 29, Range 22; thence on an assumed bearing of East along the south line of said Northwest Quarter a distance of 647.81 feet; thence North at a right angle to said south line of the Northwest Quarter a distance of 72.00 feet to the south line of said Lot 10, Block 1, said MAPLEWOOD MALL ADDITION; thence East along said south line of Lot 10, a distance of 160.00 feet; thence North a distance of 11.00 feet; thence East a distance of 345.00 feet; thence North 41 degrees 42 minutes 31 seconds East a distance of 103.17 feet; thence East a distance of 36.27 feet to the point of beginning of the center line to be described; thence North 00 degrees 08 minutes 03 seconds a distance of 1152.42 feet; thence North 89 degrees 49 minutes 20 seconds East a distance of 589.68 feet to the easterly line of said Lot 14, Block 1, MAPLEWOOD MALL ADDITION and there terminating.

WHEREAS, the history of this vacation is as follows:

1. A majority of the property owners abutting this easement, signed a petition for this vacation;
2. The Planning Commission discussed this vacation on March 16, 1992. They recommended that the City Council approve this vacation.
3. The City Council held a public hearing on April 13, 1992. City staff published a notice in the Maplewood Review and sent notices to the abutting property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations from the City staff and Planning Commission.

WHEREAS, after the City approves this vacation, public interest in the property will go to the following abutting properties:

Lots 5, 10 and 14, Block 1 of the Maplewood Mall Addition in Section 2, Township 29, Range 22.

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

1. It is in the public interest.

- c. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:

Sam Bongiovanni, the applicant, spoke on behalf of his application.

- d. Mayor Bastian closed the public hearing.

- e. Councilmember Zappa introduced the following Resolution and moved its adoption:

92 - 04 - 36

APPROVAL OF LIQUOR LICENSE

NOTICE IS HEREBY GIVEN that pursuant to action by the City Council of the City of Maplewood on April 13, 1992, an On-Sale Intoxicating Liquor License was approved for Sam Bongiovanni at the Maple Wheel Lounge, 2220 White Bear Avenue.

The Council proceeded in this matter as outlined under the provisions of the City Ordinance.

Seconded by Councilmember Rossbach

Ayes - all

H. AWARD OF BIDS

1. County Road B/T.H.61 Storm Sewer Project 90-14

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

92 - 4 - 36

RESOLUTION FOR AWARD OF BIDS

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of Brown and Cris, Inc. in the amount of \$873,859.55 is the lowest responsible bid for the construction of County Road B/TH 61 Storm Sewer, City Project 90-14, and the Mayor and Clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the City.

FURTHERMORE, the project budget is amended to \$1,090,000, and the project financing is amended as follows:

Special Assessments	\$ 173,000
MSA Off System	394,000
Ramsey-Washington Watershed District	93,000
Sanitary Sewer Fund	20,000
General Obligation	400,000
Ramsey County Agreement	37,000
TOTAL	<u>\$1,117,000</u>

Seconded by Councilmember Rossbach

Ayes - all

- b. Director of Public Works Haider presented the specifics of the report.
- c. Councilmember Rossbach moved to extend the C.U.P. for one year.

Seconded by Councilmember Carlson

Ayes - Mayor Bastian, Councilmembers
Carlson, Rossbach, Zappa
Nays - Councilmember Juker

- d. Councilmember Zappa moved to direct staff to study the number of times Conditional Use Permits can be extended.

Seconded by Councilmember Juker

Ayes - all

4. Rental Housing Maintenance Ordinance (2nd Reading)

- a. Manager McGuire presented the staff report.
- b. Director of Community Development Olson presented the specifics of the report.
- c. Councilmember Zappa introduced the following Ordinance and moved its adoption:

ORDINANCE NO. 701

AN ORDINANCE REVISING THE RENTAL HOUSING MAINTENANCE CODE.

THE MAPLEWOOD CITY COUNCIL DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The City Council changes Article VI of Chapter 9 as follows:

ARTICLE VI. RENTAL HOUSING MAINTENANCE CODE

Sec. 9-91. Purpose and goals.

The purpose of this article is to protect the public health, safety and welfare by enacting a rental housing maintenance code. This code sets the minimum level of maintenance standards for rental housing. The general goals of this code are:

- (1) To protect the character, value and stability of residential properties.
- (2) To correct and prevent housing conditions that adversely affect or may adversely affect residents' lives, safety, general welfare or health.
- (3) To provide minimum standards for cooking, heating and sanitary equipment necessary for the health and safety of occupants of the buildings.
- (4) To provide minimum standards for light and ventilation necessary for health and safety.
- (5) To provide minimum standards for the maintenance of existing residential buildings, to prevent deterioration and blight.

Sec. 9-92. Applicability and scope.

This article shall apply to rental housing only including any construction, repair or alteration. Any changes shall be done according to and zoning codes. The owner shall be responsible for meeting the requirements of this article.

Sec. 9-93 Definitions.

Where this article does not define a term and the building code or zoning code defines the term, the term shall have the meaning given to it in the building code or zoning code. For the purposes of this article, the following words shall have the following meanings:

Approved: Approved by the enforcement officer or by other authority designated by law to give approval in the matter in question.

Building code: The state building code as defined in Section 9-21.

Clean: The absence of dirt, grease, filth, refuse, rubbish, garbage, insects, vermin, junk, abandoned vehicles, dangerous or offensive odors or other unsightly, offensive or extraneous matter.

Common areas: The halls, corridors, passageways, utility and recreational rooms and exterior landscaped areas and yards in or around a rental residential building.

Dead bolt lock: A locking bolt which a person moves by knob, handle or other similar device on the interior side of a door. A person must also be able to lock the dead bolt lock from the exterior. Such a bolt shall have a minimum projection of one inch. The City requires metal strike plates for all locking devices with a minimum thickness of 0.062 inches (1.5 mm). The owner shall mount these plates with a minimum of two No. 8 size screws.

Dwelling unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Enforcement officer: The City manager or his or her authorized representative.

Extermination: The elimination of insects, rodents or other pests. This may be done by eliminating their harborage places or by removing or making inaccessible materials that may serve as their feed. This may also be done by poison spraying, fumigating, trapping or by another recognized and legal pest elimination method.

Functioning: The ability of any structure, any part of a structure, or any fixture or facility or equipment in a structure to perform the service or function for which the manufacturer or builder designed, intended and constructed it.

Garbage: Animal or vegetable waste resulting from the handling, preparation, cooking or consumption of food.

Grade: The vertical location of the ground surface.

Infestation: The presence, within or contiguous to a dwelling or premises, of noxious insects, rodents, vermin or other pests.

Maintenance or maintain: The upkeep of property and equipment in a professional-like condition.

Occupancy: The purpose for which people use or the owner intended people to use a building or structure or part of a building or structure.

Occupied: Being leased or rented for living purposes by an occupant.

Occupant: Any person living or sleeping in a dwelling unit or rooming unit.

Openable area: That part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Operator: Any person who has charge, care or control of a rental residential building or yard.

Permissible occupancy: The number of persons the City permits to live in or occupy a dwelling unit or rooming unit.

Plumbing or plumbing fixtures: Water heating facilities, water pipes, gas pipes, garbage disposal units, toilets, waste pipes, sinks, installed dishwashers, lavatories. This also means bathtubs, shower baths, installed clothes-washing machines or other similar equipment, catch basins, drains, vents, stacks or other similarly supplied fixtures, together with all connections to water, gas, sewer or vent lines.

Premises: A lot or parcel of land which includes a rental residential building.

Professional-like: In a safe, working condition that meets the standards of the associated trade or industry or is in the originally intended condition.

Reasonable care: The treatment of all facilities, fixtures, equipment and structural elements such that depreciation of these objects and other materials is due to their age and normal wear through use, rather than due to abuse, misuse or neglect.

Refuse: Waste materials, except garbage, such rubbish as paper, rags, cardboard, boxes, cans, metal, yard clippings or trimmings and tree branches. The City shall also consider waste wood, rubber, leather, glass, brick, plaster, sheetrock, bedding, crockery and similar materials as refuse.

Repair: The reconstruction or renewal of any part of a building or its utilities, facilities or equipment.

Rental residential building: Any building or portion of a building which is rented or leased for residential purposes.

Rodent Harborage: A place where rodents are likely to live, nest, seek shelter or make their habitat.

Rooming house: Any rental building, containing one or more rooming units.

Rooming unit: Any room or group of rooms forming a single habitable unit that the owner or occupant uses or intends to rent or lease for living and sleeping. A rooming unit does not include standard kitchen facilities.

Safe: The condition of being free from danger and hazards which may cause accidents or disease.

Sanitary: Bactericidal treatment effective in destroying micro-organisms, including pathogens.

Supplied: Installed, furnished or provided by the owner or operator.

Ventilation: The process of supplying and removing air by natural or mechanical means to or from any space.

Yard: All ground, lawn, court, walk, driveway or other open space which is on the same premises as a rental building.

Sec. 9-94. Yards.

- (1) **Cleanliness.** All yards shall be clean and sanitary.
- (2) **Grading and drainage.** There shall be no accumulation of stagnant water, except in approved ponding areas. There shall also be no surface water entering any building or structure.
- (3) **Removal of snow and ice.** There shall be no snow and ice on parking lots, driveways, steps and walkways which may create a hazard.
- (4) **Free from noxious weeds.** The yard shall be free from noxious weeds and tall grass as required in Section 19-7(8) of Code.
- (5) **Insects and rodents.** The owner shall exterminate all noxious insects, rodents, vermin or other pests that are causing a nuisance.
- (6) **Accessory structures.** All accessory structures, including detached garages, fences, signs and retaining walls, shall be structurally sound and in good repair. The owner shall protect all accessory structures, fences, signs and retaining walls against the elements and decay by non lead-based paint or other appropriate protective coverings.
- (7) **Parking lots and driveways.** All parking lots and driveways shall be paved and kept in good condition with no pot holes. Driveways for single and double dwellings are exempt from the pavement requirement but shall be kept in good condition.
- (8) **Yards and landscaped areas.** The owner shall maintain all yards and landscaping and replace all damaged or dead plants required by the City.
- (9) **Exterior storage.** The owner shall not allow the accumulation or storage of building materials, firewood, boxes, machinery, scrap metal, refuse, or garbage anywhere on the premises.

Sec. 9-95. Exteriors of structures.

- (1) **Foundations, walls and roofs.** Every foundation, exterior wall, roof and all other exterior surfaces shall be in a professional-like condition:
 - a. The foundation shall support the building at all points.
 - b. Every foundation, exterior wall and roof shall be free of holes, breaks, loose or rotting boards or timbers, or falling or loose stucco or brick. The owner shall protect every exterior surface from vermin and rodents. Every exterior surface shall also be free from graffiti and large amounts of peeling paint. Every exterior surface shall also be free from conditions which might admit moisture to the interior of the walls or to the interior of the dwelling.

- c. All exterior wood surfaces and lead-based paints, other than decay-resistant woods, shall be covered or replaced with nonlead-based paint or other protective coverings or treatments, as required by State law.
- d. The roof shall be tight and have no defects which admit rain or moisture. Roof drainage shall be adequate to prevent rain water from causing dampness in the walls.
- e. All building exterior surfaces shall meet Section 9-7 of the City Code.

(2) Stairs, porches, decks, balconies and railings.

- a. Every outside stair, porch, deck, balcony or railing shall be in a professional-like condition.
- b. Every flight of stairs which is more than three (3) risers high and every porch shall have guard rails as required by the building code.

(3) Windows, doors and hatchways. Every window, exterior door and hatchway shall be tight and kept in professional-like condition.

- a. Every exterior window, door and hatchway shall be in professional-like condition and fit tightly within its frame.
- b. Every window shall have panes which are without open cracks or holes.
- c. Every openable window, shall:
 - 1. Open easily.
 - 2. Have hardware that will hold the window in an open or closed position.
 - 3. Have a functioning lock.
 - 4. For single and double dwellings have a tight-fitting screen that is not greater than 16-mesh per inch.
- d. Every exterior door shall:
 - 1. Open easily from the inside without a key.
 - 2. Have a functioning dead-bolt lock.
 - 3. For single and double dwellings, have a tight-fitting screen door with a screen that is not greater than 16-mesh per inch.

Sec. 9-96. Interior of structures.

(1) Basements. All basements and crawl spaces shall be dry.

(2) Structural members. The supporting structural members shall be structurally sound and have no evidence of deterioration.

(3) Interior stairs and railings.

- a. All stairs shall be in professional-like condition. The owner shall replace treads and risers that show evidence of excessive wear or are broken, warped or loose.

- b. Every stairwell and every flight of stairs more than three (3) risers high shall have handrails or railings as required by the building code.
 - c. Every handrail or railing shall be firmly fastened and in professional-like condition. The owner shall properly place secured railings on the open portions of stairs, balconies, landings and stairwells. These railings must be able to bear normally imposed loads as determined by the building code.
- (4) **Bathroom floors.** Every toilet room and bathroom floor surface shall be impervious to water. These floor surfaces shall be constructed to permit a person to easily clean them and keep them in a sanitary condition.
 - (5) **Sanitation.** The interior shall be in a clean and sanitary condition. The owner shall provide appropriate storage facilities for refuse, garbage and rubbish.
 - (6) **Insect and rodent harborage.** The owner shall exterminate all noxious insects, rodents, vermin or other pests.
 - (7) **Interior walls, floors, ceilings and woodwork.** All interior walls, floors, ceilings and associated woodwork or trim shall be in a professional-like condition. These surfaces shall be clean and free of graffiti. Floors shall be free of loose, warped, protruding, ripped or rotten materials and coverings. All walls and ceilings shall be free of holes, large cracks and loose plaster and in a tight weatherproof condition.

Sec. 9-97. Basic facilities.

The following facilities shall be in every occupied dwelling unit and rooming house, except as stated in Section 9-102:

- (1) **Kitchen facilities.** A kitchen which includes the following:
 - a. A functioning kitchen sink.
 - b. Cabinets or shelves for the storage of eating, drinking and cooking equipment, utensils and food that does not require refrigeration. There shall also be a counter or table for food preparation. Said cabinets or shelves and counter or table shall be large enough to accommodate the number of people living in the dwelling unit. They shall also be of professional-like construction, finished with surfaces that are easily cleanable and that will not impart any toxic or harmful effect to food.
 - c. A functioning stove and refrigerator large enough to meet the needs of the resident. The owner shall provide enough space and adequate connections for the installation and operation of said stove and refrigerator. The resident or owner shall provide said stove and refrigerator.
- (2) **Toilet.** There shall be a nonhabitable room with an entrance door which gives privacy to a person within said room. This room shall have a functioning toilet in professional-like condition with easily cleanable surfaces.
- (3) **Lavatory sink.** There shall be a lavatory sink in good working condition. It may be in the same room as the toilet. If the lavatory sink is in another room, it shall be near the door leading directly into a room with a toilet. Water inlets for lavatory sinks shall be above the overflow rim of the sink.

- (4) **Bathtub or shower.** There shall be a room which affords privacy to a person within said room which has a bathtub or shower. It shall be in good working condition and may be in the same room as the toilet or in another room. Water inlets for bathtubs shall be above the overflow rim of the bathtub.
- (5) **Connection to water and sewer system.** Every kitchen sink, lavatory sink, bathtub, shower and toilet shall connect to a public water and sanitary sewer system. These facilities may connect to an approved private water and sewer system if no public utility system is available. These plumbing facilities shall have an adequate amount of hot and cold running water. The heated water shall be at a minimum temperature of 120 degrees and a maximum of 165 degrees.
- (6) **Heating system.** Every rental residential building shall have an approved and functioning heating system. This system shall safely heat all habitable rooms, bathrooms and toilet rooms in the building. This system must provide a temperature consistent with state and federal guidelines at three (3) feet above the floor when occupied. The City shall not consider gas or electric appliances designed primarily for cooking or water heating purposes as heating facilities. The City prohibits the use of portable heating equipment which uses flame and liquid fuel as heating equipment for this Section. No owner or occupant shall install, or use a space heater using a flame which is not vented to the outside of the structure. This venting shall only be done with City approval.
- (7) **Refuse and garbage storage and removal.** The owner shall supply approved containers with tight-fitting covers for the storage of refuse and garbage. The owner shall have the refuse and garbage removed from the premises at least once a week.

Sec. 9-98. Maintenance.

- (1) **Plumbing and heating equipment.** The owner shall maintain the plumbing and heating equipment. This equipment shall be free from obstructions, leaks and defects. Heating equipment shall include cooking, water heating and space heating equipment.
- (2) **Electrical service, outlets, fixtures.** All dwelling units and rooming units shall have adequate and safe electrical service. Every electrical outlet and fixture shall connect to the source of electrical power. All dwelling units and rooming units shall have an adequate number of electrical outlets and electrical lighting fixtures for normal usage.
- (3) **All facilities and equipment.** All housing facilities shall be clean and in a sanitary condition.

Sec. 9-99. Light and ventilation.

- (1) **Natural light in dwellings.** Every dwelling unit and rooming unit shall have at least one window of approved size facing directly to the outdoors or to a court. If the dwelling unit or rooming unit is connected to a room or area used seasonably (e.g. porch), then adequate daylight must be possible through this connection.
- (2) **Light in nonhabitable work space.** Every furnace room and all similar nonhabitable work space shall have at least one functioning electric light.
- (3) **Light in halls and stairways.** Every hall and inside stairway shall have at least five (5) lumens per square foot of light in the darkest part.

- (4) **Sleeping space in basements.** No person shall sleep in a basement unless there is natural light from windows. These windows shall meet all building code requirements. At least one-half of the required window area shall be openable to provide natural ventilation.
- (5) **Adequate ventilation.** Every dwelling shall have at least one window which can be easily opened or such other device as will adequately ventilate the dwelling.
- (6) **Ventilation and light in bathroom.** Every bathroom and room with a toilet shall have at least one openable window or an approved ventilation system.

Sec. 9-100. Fire safety standards.

- (1) **Exclusion of rental building from storing flammable liquid.** No dwelling unit or rooming unit shall be located within a building containing any business handling, dispensing or storing flammable liquids with a flash point of one hundred (100) degrees Fahrenheit. This is defined by the Uniform Building Code (U.B.C.) and the Uniform Fire Code (U.F.C.).
- (2) **Smoke alarms.** There shall be approved, functional smoke alarms in all rental residential building and rooming houses as required by state law.

Sec. 9-101. Maintenance responsibilities.

- (1) **Maintenance of private areas.** Occupants shall keep in a clean and sanitary condition that part of the dwelling and premises which they occupy, control or use.
- (2) **Maintenance of shared or public areas.** Every owner, containing two (2) or more dwelling units, shall maintain in a clean and sanitary condition all shared or public areas on the premises.
- (3) **Disposal of garbage and refuse.** Occupants and owners shall dispose of their garbage and refuse in a clean and sanitary manner consistent with Chapter 16 of this Code. Occupants shall put their garbage and refuse in the containers provided by the owner.
- (4) **Use and operation of plumbing fixtures.** Every occupant shall keep the plumbing fixtures clean and sanitary and shall use reasonable care in their proper use and operation.

Sec. 9-102. Rooming houses.

- (1) **Toilet, lavatory and bath facilities.** There shall be at least one functioning toilet, lavatory sink and bathtub or shower for each four (4) rooming units within a rooming house. This is wherever persons share said facilities. The owner shall locate all such facilities within the residence building served and be directly accessible from a common hall or passageway to all persons sharing such facilities. The owner shall supply every lavatory sink bathtub or shower with hot and cold water.
- (2) A kitchen is not required in a rooming house. If a common kitchen is provided, it shall be clean and sanitary.

Sec. 9-103. Vacant dwellings.

The owner of any unoccupied rental building, dwelling unit or rooming unit shall board up or close and lock any open doors or windows.

Sec. 9-104. Access by owner or operator.

Every occupant shall give the owner or operator, or his agent or employee, access to any part of such dwelling unit, rooming unit or its premises. This access is to be at reasonable times, for affecting inspection and maintenance, making such repairs, or making changes to follow this article.

Sec. 9-105. Compliance orders.

Whenever the enforcement officer determines that any dwelling, dwelling unit or rooming unit, or the premises surrounding any of these, fails to meet the provisions of this article, he or she may issue a compliance order. This order shall state the violations of the article and order the owner, occupant or operator to correct such violations. This compliance order shall:

- (1) Be in writing.
- (2) Describe the location and nature of the violations of this article.
- (3) Set the required corrective action and a time for the completion of the correction of such violation. This compliance order shall also let the owner or operator know of appeal recourse.
- (4) Be served upon the owner, his agent or the occupant, as follows:
 - a. Served upon him or her personally, or
 - b. Sent by mail to his or her last known address, or
 - c. Posted at a conspicuous place in or about the dwelling which the notice affects.

Before taking any court action, the enforcement officer shall send a registered or certified copy of the notice to the owner.

Sec. 9-106. Variances.

A person shall make appeals of interpretation or variance under this article to the Director of Community Development. If not satisfied, a person may make further appeal to the City Council according to established City procedures. The City Council will hear requests for variance and interpretation of this article. The City Council may grant variances in instances where the strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration. The City Council must also find that such action will be in keeping with the spirit and intent of this article.

Sec. 9-107 Violations.

Any person, firm or corporation failing to follow this article shall be guilty of a misdemeanor and shall be subject to prosecution.

Secs. 9-108 - 9-129. Reserved.

Section 2. This ordinance shall take effect after its passage.

Seconded by Councilmember Rossbach

Ayes - all

5. Comprehensive Plan Update (4 Votes)

- a. Manager McGuire presented the staff report.
- b. Councilmember Rossbach moved to approve the Comprehensive Plan Update subject to the review of the Metropolitan Council and adjacent cities.

Seconded by Councilmember Zappa

Ayes - Councilmembers Zappa, Rossbach
Nays - Mayor Bastian, Councilmembers
Carlson, Juker

Motion failed.

- c. Councilmember Zappa moved to Council sit in special session in June to discuss the Comprehensive Plan Update.

Motion failed for lack of a second.

- d. Councilmember Carlson moved an informal Council session on June 2, 1992 at 6:00 P.M. to discuss the Comprehensive Plan Update.

Seconded by Mayor Bastian

Ayes - Mayor Bastian, Councilmembers
Carlson, Juker, Zappa

6. Plantings in the Parks

- a. Manager McGuire presented the staff report.
- b. Director of Parks & Recreation Odegard presented the specifics of the report.
- c. Commissioner Rita Brenner presented the Parks & Recreation Commission report.
- d. Councilmember Rossbach moved to authorize the Park & Recreation Commission to interview landscape architects for assistance and cooperation of plantings in the parks.

Seconded by Councilmember Carlson

Ayes - Mayor Bastian, Councilmembers
Carlson, Rossbach, Zappa
Nays - Councilmember Juker

J. NEW BUSINESS

1. Selection of Insurance Agents

- a. Manager McGuire presented the staff report.
- b. Director of Finance Faust presented the specifics of the report.
- c. Mayor Bastian moved to accept the staff and consultant recommendation for selection of the City's insurance agents for 1992.

Seconded by Councilmember Zappa

Ayes - all

Councilmember Juker moved to waive the Rules of Procedure and extend the meeting deadline until the Agenda is completed.

Seconded by Councilmember Zappa

Ayes - Councilmembers Juker,
Rossbach, Zappa
Nays - Mayor Bastian, Councilmember
Carlson

2. **Cooperative Agreement - Rice St. Improvements: Project 90-04**

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

92 - 04 - 38

APPROVING COOPERATIVE AGREEMENT

BE IT RESOLVED that the City of Maplewood enter into Agreement No. 69062 with the State of Minnesota, Department of Transportation for the following purposes, to-wit:

To provide for payment by the City to the State of the City's share of the costs of the storm sewer, and curb and gutter construction and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 49 (Rice Street) from Engineer Station 5+96.86 (Hoyt Avenue in the City of St. Paul) to Engineer Station 111+05.21 (Demont Avenue in the City of Little Canada) under State Project No. 6214-66 (T.H. 49=126), and State Aid Projects No. 138-010-07 and No. 138-020-17.

BE IT FURTHER RESOLVED that the proper City officers are hereby authorized and directed to execute such agreement.

Seconded by Councilmember Juker

Ayes - all

3. **Approval of Agreement - Highwood/McKnight Outlet: Project 90-10**

- a. Manager McGuire presented the staff report.
- b. Director of Public Works Haider and City Attorney Kelly presented the specifics of the report.
- c. Councilmember Zappa moved to approve the agreement between the City of St. Paul and Maplewood pertaining to the Highwood/McKnight Outlet, Project 90-10.

Seconded by Councilmember Juker

Ayes - all

4. **Land Use Plan Change: Maryland Ave. & Lakewood Drive**

- a. Manager McGuire presented the staff report.
- b. Director of Community Development Olson presented the specifics of the report.
- c. Councilmember Rossbach moved to extend the current Land Use Plan for this area for one year before considering a change.

Seconded by Councilmember Juker

Ayes - all

5. Schedule Meeting to Review 1991 Annual Financial Report

- a. Manager McGuire presented the staff report.
- b. Mayor Bastian moved to schedule a meeting with the auditors on April 27, 1992 prior to the regular meeting.

Seconded by Councilmember Juker

Ayes - all

K. VISITOR PRESENTATIONS

1. Jack Phelps, Developer of Maplewood Estates 2nd Addition

- a. Mr. Phelps requested he be placed on the agenda for the next Council meeting.

No action was taken.

L. COUNCIL PRESENTATIONS

1. Council/Manager Meeting

- a. Council Member Juker requested a meeting to established to discuss Public Safety items.
- b. Councilmember Zappa moved the Council/Manager meeting be held at 6:00 p.m. on April 20, 1992.

Seconded by Mayor Bastian

Ayes - all

2. Road Posting

- a. Councilmember Rossbach stated that Hazelwood is posted for 3 tons. Busses are running on that street; he asked who makes the policy.
- b. Staff stated the City posts their own streets.
- c. Councilmember Rossbach moved to instruct staff to prepare a report on load limits.

Seconded by Mayor Bastian

Ayes - all

3. School District No. 623

- a. Mayor Bastian reported he had received a communication from the Roseville School District which he will submit to the Manager to share with staff.

4. Water Project Update

- a. Mayor Bastian inquired about the progress on the City-Wide Water Main Project.
- b. Staff stated the contractor has already started the work.

M. ADMINISTRATIVE PRESENTATIONS

1. Community Center Schedule

- a. Manager McGuire presented the proposed schedule for meetings regarding the proposed Community Center.
- b. Mayor Bastian moved acceptance of the schedule as presented.

Seconded by Councilmember Carlson

Ayes - Mayor Bastian, Councilmembers
Carlson, Juker, Rossbach
Nays - Councilmember Zappa

2. Workhouse Tour

- a. Manager McGuire informed the Council the tour of the Workhouse would be April 30, 1992 at Noon.

N. ADJOURNMENT OF MEETING

Meeting adjourned at 11:11 P.M.

Lucille E. Aurelius
City Clerk

AGENDA NO. E-A-1

AGENDA REPORT

Action by Council:

TO: City Manager
FROM: Human Resource Director *David Blackstone*
RE: HUMAN RELATIONS COMMISSION ANNUAL REPORT
DATE: April 20, 1992

Endorsed _____
Modified _____
Rejected _____
Date _____

INTRODUCTION

Attached is the Human Relations Commission 1991 Annual Report for your information and review. Karla Sand, Chair, will be present at the April 27 Council meeting to answer any questions.

RECOMMENDATION

Approval of the 1991 Human Relations Commission Annual Report.

tmc

Attachments

AGENDA NO. EA-2

Action by Council:

AGENDA REPORT

Endorsed _____

Modified _____

Rejected _____

Date _____

TO: City Manager
FROM: Human Resource Director *Neil Blackstone*
RE: HUMAN RELATIONS COMMISSION APPOINTMENT
DATE: April 21, 1992

At their meeting on April 9, the Human Relations Commission voted to recommend the appointment of Michael LaClair to fill the existing vacancy created by the resignation of Paul Sand. Paul's term was to expire on 12/31/93.

Mr. LaClair will be at the Council meeting on April 27 to answer any questions. I have attached a copy of his application for your review.

RECOMMENDATION

It is recommended that Mr. Michael LaClair be appointed to fill the remainder of the vacant term on the Human Relations Commission.

tmc

Attachment

CITY OF MAPLEWOOD

BOARDS AND COMMISSIONS

FEB 27 1992

APPLICANT INFORMATION FORM

NAME Michael W. LaClair PHONE 773-0681

ADDRESS 2638 Oak Hill Ct. ZIP 55119

1) How long have you lived in the City of Maplewood? 29 yrs.

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

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

Community Design Review Board

Park & Recreation Commission

Housing & Redevelopment Authority

Planning Commission

Human Relations Commission

Police Civil Service Commission

4) Do you have any specific areas of interest within this Board's or Commission's scope of responsibilities?

I would like to make sure that everyone is treated fairly, and has equal opportunity in housing and employment in the City of Maplewood.

5) List other organizations or clubs in the Community in which you have been or are an active participant:

North St. Paul Area Jaycees

Individual Development Vice President

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

As a cancer survivor I have witnessed some forms of discrimination first hand. I would like to help people fight discrimination in our city, and make sure everyone is treated fairly. I would also like to give something back to the community that I have spent 29 of my 31 years in.

ADDITIONAL COMMENTS:

during the week, and 6 different employees on Saturday, writing Merit Reviews, attending daily planning meetings, and helping with Salary Reviews. I was also responsible for keeping my area running smoothly, and handling customer complaints.

Floater- Aug. 85- Nov. 85

Replace people when sick or on vacation. Learning all positions in the area. Keeping track of changes in the various positions.

Mail Clerk- March 82- Aug. 85

Sorting mail on the 216, and 251 racks, sorting checks, maintaining current mail lists and doing morning and afternoon driving runs.

Mail Driver- Oct. 80- March 82

Driving and dropping off mail to various 3M buildings outside of the 3M center.

Mail Messenger- March 80- Oct. 80

Sorting mail on the presort rack and delivering, and picking up mail on various internal runs.

H & R Block- Phalen Shopping Center

Employed from January 1983- April 1983

Tax Preparer- Preparing customers Federal and State Income Tax Returns, cleaning up the shop, handling and keeping track of money collected.

3M Company- St. Paul Tape Plant Bldg. 23

Employed from June 1979 to September 1979.

Machine Helper- Working in the Tape Coating Department helping operators run machines, change rolls, fix breaks in tape, and clean machines.

K-Mart - 3201 White Bear Ave.

Employed from April 1978 - June 1979, Sept. 1979 - April 1980, and October 1983 - June 1984.

Stock Clerk- Toy Dept., Patio Dept., Drug and Cosmetic Dept. The majority of my time was spent in the Toy Dept. My duties were stocking shelves, waiting on customers, ordering merchandise, keeping track of inventory, operating a cash register, and driving a fork lift.

Interests and Hobbies: Softball, Bowling, Hockey, Tennis, Computers, Education, Working with people, Helping people, spending time with my family.

Memberships: North St. Paul Area Jaycees. Held the position of Individual Development Vice President from February 1986 through August 1986.

Awards: District 3 Jaycee Board Member of the Quarter (Winter 85-86)

AGENDA REPORT

Action by Council:

TO: City Manager
FROM: Finance Director *Blust*
RE: APPROVAL OF CLAIMS
DATE: April 17, 1992

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

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

ACCOUNTS PAYABLE:

\$ 587,562.31	Checks # 25567 thru # 25631 Dated 4-1-92 thru 4-14-92
<u>\$ 109,689.16</u>	Checks # 16824 thru # 16947 Dated 4-27-92
\$ 697,251.47	Total per attached voucher/check register

PAYROLL:

\$ 195,546.95	Payroll Checks # 25996 thru # 26153 dated 4-10-92
<u>\$ 40,391.83</u>	Payroll Deduction checks # 26158 thru # 26175 dated 4-10-92
\$ 235,938.78	Total Payroll
<u>\$ 933,190.25</u>	GRAND TOTAL

Attached is a detailed listing of these claims.

VOUCHREG
04/17/92 12:24

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
25567	320500	04/01/92	GROUP HEALTH INC.	HCMA DEDUCTION PAY HEALTH LIFE DENTAL INSURANCE A/R INSURANCE CONTINUANCE	3,115.74 11,779.31 622.85	15,517.90
25568	530100	04/01/92	MEDICA CHOICE	HCMA DEDUCTION PAY PHP INS DEDUCTIONS PAYABLE HEALTH LIFE DENTAL INSURANCE A/R INSURANCE CONTINUANCE	2,045.76 153.52 15,673.31 532.07	18,404.66
25569	180110	04/01/92	D.C.A.	MONTHLY PREMIUM	278.30	278.30
25570	551100	04/01/92	MN MUTUAL LIFE INSURANCE	HEALTH LIFE DENTAL INSURANCE HCMA DEDUCTION PAY LIFE INSURANCE PAYABLE A/R INSURANCE CONTINUANCE	901.90 334.26 374.00 6.63	1,616.79
25571	501400	04/01/92	MADISON NATIONAL LIFE	LTD INSURANCE	1,710.14	1,710.14
25572	661750	04/01/92	NORTHERN STATES POWER	UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES	29.42 163.29 350.92 783.40 243.39 53.16 119.54	1,743.12
25573	661750	04/01/92	NORTHERN STATES POWER	UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES	1,011.93 213.49 116.73 277.00 6.65 6.65 77.70 79.02 24.84 64.73 6.65 113.45 5.36 6.99 5.66 15.65 15.65	2,048.15
25574	531650	04/01/92	METRO WASTE CONTROL COMMISSN	S.A.C. PAYABLE S.A.C. RETAINER	8,400.00 84.00	8,316.00
25575	030660	04/01/92	ANIMAL CONTROL SERVICES, INC.	ANIMAL CONTROL	1,864.00	1,864.00
25576	290475	04/01/92	FRUCCI CATERING	SENIOR PROGRAMS	166.60	166.60

VOUCHREG
04/17/92 12:24

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
25577	110484	04/01/92	CARLSON, CAROL	UTILITY SERVICE CHARGES	51.52	51.52
25578	420728	04/01/92	LYNDALE GARDEN CENTER	PROGRAM SUPPLIES	8.09	8.09
25579	450110	04/01/92	L.M.C.I.T.	WORKERS COMPENSATION INSURANCE	35,010.50	35,010.50
25580	541400	04/01/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	596.50	596.50
25581	541400	04/01/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	24,040.63	24,040.63
25582	140400	04/02/92	CLERK OF DISTRICT COURT	CNTY DRIVERS LIC FEES PAYABLE	136.50	136.50
25583	150175	04/02/92	COLLINS ELECTRICAL CONST.	REPAIR & MAINT/EQUIPMENT REPAIR & MAINT/EQUIPMENT	528.17 10.56-	517.61
25584	150175	04/02/92	COLLINS ELECTRICAL CONST.	EMERGENCY GENERATOR CK.	387.34	387.34
25585	120325	04/02/92	CELLULAR ONE	TELEPHONE	9.65	9.65
25586	661750	04/02/92	NORTHERN STATES POWER	UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES	4.13 2.91 2.91 2.91 2.91 8.23 211.04 97.01 125.83 109.41 11.32 49.74 14.35	642.70
25587	541400	04/02/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAY	431.50	431.50
25588	541400	04/02/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	17,297.63	17,297.63
25589	540860	04/03/92	MINN DEPT OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	102.00	102.00
25590	540860	04/03/92	MINN DEPT OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	145.00	145.00
25591	541400	04/02/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	1,153.00	1,153.00
25592	541400	04/03/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAY	14,987.00	14,987.00
25593	911300	04/03/92	VIETOR, LORRAINE	SALARIES PAYABLE	650.21	650.21
25594	541400	04/06/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	25,219.44	25,219.44
25595	541400	04/06/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAY	695.00	695.00

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
25596	661110	04/06/92	NORTHEAST METRO TECH INSTITUTE	TRAVEL & TRAINING	90.00	90.00
25597	742900	04/07/92	RAY DAVIS & SONS	REPAIR & MAINT/BLDG & GROUNDS	444.50	444.50
25598	720850	04/07/92	PRESENTATION-ST MARY CHURCH	ACCOUNTS PAYABLE CHARITABLE GAMBLING TAXES	4.00 87.00	91.00
25599	541400	04/07/92	MINN. STATE TREASURER	SURCHARGE TAX PAYABLE SURTAX RETAINER	944.83 18.90	925.93
25600	541400	04/07/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAY	695.50	695.50
25601	541400	04/07/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	16,193.93	16,193.93
25602	540855	04/08/92	MINNESOTA DEPT OF HEALTH	OUTSIDE ENGINEERING FEES	150.00	150.00
25603	540855	04/08/92	MINNESOTA DEPT OF HEALTH	OUTSIDE ENGINEERING FEES	150.00	150.00
25604	540855	04/08/92	MINNESOTA DEPT OF HEALTH	OUTSIDE ENGINEERING FEES	150.00	150.00
25605	541400	04/08/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAY	18,623.50	18,623.50
25606	541400	04/08/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAY	647.00	647.00
25607	140400	04/09/92	CLERK OF DISTRICT COURT	CNTY DRIVERS LIC FEES PAYABLE	147.00	147.00
25608	661750	04/09/92	NORTHERN STATES POWER	UTILITIES	80.31	
				UTILITIES	70.61	
				UTILITIES	53.46	
				UTILITIES	26.99	
				UTILITIES	12.12	
				UTILITIES	69.29	
				UTILITIES	32.24	
				UTILITIES	88.34	
				UTILITIES	104.99	
				UTILITIES	91.44	
				UTILITIES	110.47	
				UTILITIES	92.49	
				UTILITIES	99.05	
				UTILITIES	65.12	
				UTILITIES	64.39	
				UTILITIES	127.41	
				UTILITIES	121.53	
				UTILITIES	122.95	
				UTILITIES	133.28	1,566.48
25609	510100	04/09/92	MAPLE LEAF OFFICIALS ASSN.	SPORTS OFFICIALS PAID	4,026.00	4,026.00
25610	551500	04/09/92	MN POLLUTION CONTROL	OUTSIDE ENG FINEERING FEES	240.00	240.00
25611	541400	04/09/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	377.50	377.50

VOUCHREG
04/17/92 12:24

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 04

PAGE 4

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
25612	541400	04/09/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYALE	18,795.40	18,795.40
25613	722200	04/10/92	PUBLIC EMPLOYEE	PERA DEDUCTION PAYABLE PERA CONTRIBUTIONS	11,091.32 14,355.40	25,446.72
25614	541400	04/10/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	960.50	960.50
25615	661750	04/10/92	NORTHERN STATES POWER	UTILITIES UTILITIES	7,555.55 768.10	8,323.65
25616	531650	04/10/92	METRO WASTE CONTROL COMMISSN	SEWAGE TREATMENT	161,811.00	161,811.00
25617	341706	04/10/92	HERITAGE BANK	DEPOSIT-STORM SEWER PERMIT	50,000.00	50,000.00
25618	540860	04/10/92	MINN DEPT OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	37.00	37.00
25619	540860	04/13/92	MINN DEPT OF NATURAL RESOURCES	DNR LIC FEES PAYABLE	291.00	291.00
25620	541400	04/13/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	18,382.93	18,382.93
25621	341706	04/13/92	HERITAGE BANK	FICA PAYABLE FEDERAL INCOME TAXES PAYABLE FICA COMTRIBUTIONS	9,135.03 20,878.95 9,135.03	39,149.01
25622	560100	04/13/92	MN STATE COMMISSIONER	STATE INCOME TAX PAYABLE	8,896.60	8,896.60
25623	500410	04/13/92	M.C.F.O.A.	TRAVEL & TRAINING TRAVEL & TRAINING	10.00 30.00	40.00
25624	450850	04/13/92	LAKEVILLE, CITY OF	TRAVEL & TRAINING TRAVEL & TRAINING TRAVEL & TRAINING TRAVEL & TRAINING TRAVEL & TRAINING	168.00 42.00 63.00 21.00 21.00	315.00
25625	541400	04/13/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	23,442.38	23,442.38
25626	541400	04/13/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	527.50	527.50
25627	820650	04/14/92	SNYDER'S DRUG	PROGRAM SUPPLIES	31.92	31.92
25628	131100	04/14/92	CHIPPEWA SPRINGS	WATER SERVICE	212.40	212.40
25629	010464	04/14/92	AT & T	TELEPHONE A/R MISCELLANEOUS TELEPHONE	203.43 1.38 60.00	144.81
25630	541400	04/14/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAY	620.50	620.50
25631	541400	04/14/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	11,868.17	11,868.17

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
16824	010475	04/27/92	AAA OFFICE PRODUCTS	DUPLICATING COSTS	41.50	41.50
16825	010575	04/27/92	ACE HARDWARE	MAINTENANCE MATERIAL	112.92	
				SUPPLIES-JANITORIAL	8.17	
				SUPPLIES-EQUIPMENT	10.43	
				MAINTENANCE MATERIAL	146.56	
				PROGRAM SUPPLIES	10.73	
				SUPPLIES-EQUIPMENT	8.79	
				SUPPLIES-JANITORIAL	171.76	
				MAINTENANCE MATERIAL	68.45	
				MAINTENANCE MATERIAL	21.36	559.17
16826	020400	04/27/92	AIR SIGNAL, INC.	PAGER	62.11	
				PAGER SERVICE	4.33	
				PAGER SERVICE	15.36	
				PAGER	6.00	87.80
16827	020825	04/27/92	ALL RIIE ELECTRIC COMPANY	REPAIRS & MNCE. EQUIPMENT	98.00	98.00
16828	020883	04/27/92	ALPHA COMPUTERS, INC.	REPAIRS & MTNCE EQUIPMENT	45.00	45.00
16829	021200	04/27/92	AMERICAN FASTENER	SUPPLIES-VEHICLE	24.42	
				SUPPLIES-VEHICLE	73.30	
				SUPPLIES-VEHICLE	85.86	11.86
16830	030660	04/27/92	ANIMAL CONTROL SERVICES, INC.	ANIMAL CONTROL	1,888.00	1,888.00
16831	031100	04/27/92	APPEARANCE PLUS	REPAIR & MAINT VEHICLE	6.00	
				REPAIR & MAINT VEHICLE	18.00	
				REPAIR & MAINT VEHICLE	84.00	108.00
16832	040915	04/27/92	ARNALS AUTO SERVICE	REPAIR & MAINT VEHICLE	1,738.65	
				REPAIR & MAINT VEHICLE	35.90	1,774.55
16833	061100	04/27/92	BANNIGAN & KELLY P.A.	LEGAL FEES	7,048.90	
				LEGAL & FISCAL	62.50	
				LEGAL & FISCAL	212.50	
				LEGAL & FISCAL	212.50	
				LEGAL & FISCAL	42.50	
				LEGAL & FISCAL	1,630.00	
				LEGAL & FISCAL	340.00	
				LEGAL & FISCAL	63.75	
				LEGAL & FISCAL	148.75	
				LEGAL & FISCAL	85.00	
				LEGAL & FISCAL	555.00	10,401.40
16834	061900	04/27/92	BATTERY TIRE WAREHOUSE	SUPPLIES-VEHICLE	3.22	
				SUPPLIES VEHICLE	86.30	
				SUPPLIES-VEHICLE	171.76	261.28
16835	071702	04/27/92	JUANITA BILJAN	PROGRAM REGISTRATION REFUND	19.00	19.00

VOUCHREG
04/17/92 12:24

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 04

VOUCHER/

CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
16836	080900	04/27/92	BOARD OF WATER COMMISSIONERS	UTILITIES	69.27	
				UTILITIES	72.60	
				UTILITIES	138.48	
				UTILITIES	36.12	
				UTILITIES	6.48	
				UTILITIES	12.12	
				UTILITIES	12.12	
				UTILITIES	12.24	
				UTILITIES	14.46	373.89
16837	090568	04/27/92	BRAUER & ASSOCIATES,LTD	FEES-CONSULTING	2,120.92	2,120.92
16838	090573	04/27/92	BRAUN INTERTEC ENGINEERING,INC	OUTSIDE ENGINEERING FEES	322.75	322.75
16839	091200	04/27/92	BRIIGGS & MORGAN	LEGAL & FISCAL	2,147.00	2,147.00
16840	101350	04/27/92	BUILDERS SQUARE	SUPPLIES-EQUIPMENT	47.92	
				MAINTENANCE MATERIAL	157.41	
				MAINTENANCE MATERIAL	91.98	
				MAINTENANCE MATERIAL	53.59	
				MAINTENANCE MATERIAL	50.69	
				MAINTENANCE MATERIAL	140.23	
				MAINTENANCE MATERIAL	5.98	
				SMALL TOOLS	83.97	631.97
16841	101900	04/27/92	BUSINESS RECORDS CORP., MN	PROGRAM SUPPLIES	222.08	222.08
16842	101910	04/27/92	BUTTERWORTH	BOOKS	55.00	55.00
16843	110390	04/27/92	CAPITOL RUBBER STAMP COMPANY	SUPPLIES-OFFICE	25.10	25.10
16844	110450	04/27/92	CAR X	REPAIR & MAINT VEHICLE	65.00	65.00
16845	110470	04/27/92	CARLE, JEANETTE	VEHICLE ALLOWANCE	22.88	22.88
16846	110480	04/27/92	CARLSON EQUIPMENT	SUPPLIES-EQUIPMENT	123.75	
				OTHER CONSTRUCTION COSTS	41.88	165.63
16847	110485	04/27/92	CARLSON STORE FIXTURES	SUPPLIES-OFFICE	68.68	68.68
16848	110550	04/27/92	CARPENTER'S SMALL ENGINE	SUPPLIES-VEHICLE	4.25	4.25
16849	120450	04/27/92	CENTER FOR EXERCISE & HEALTH	FITNESS	54.00	
				FITNESS	1,890.00	
				FITNESS	162.00	2,106.00
16850	140205	04/27/92	CLEAN STEP RUGS	RUG CLEANING	25.90	25.90
16851	152400	04/27/92	COPY EQUIPMENT, INC.	SUPPLIES-EQUIPMENT	22.00	
				SUPPLIES-OFFICE	133.71	155.71

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
16852	180110	04/27/92	D.C.A.	MISC. CONTRACTUAL SERVICES	2,160.03	2,160.03
16853	180800	04/27/92	DALCO	SUPPLIES-JANITORIAL	110.76	110.76
16854	180900	04/27/92	DALEY, PAT	PLMB INSPECTIONS	2,202.00	2,202.00
16855	181800	04/27/92	DAVIES WATER EQUIPMENT	MAINTENANCE MATERIAL	187.82	187.82
16856	181857	04/27/92	DAVIS LOCK & SAFE	SUPPLIES-EQUIPMENT SUPLIES-EQUIPMENT	13.58 28.64	42.22
16857	190125	04/27/92	DEMCO	SUPPLIES-OFFICE	2.40	2.40
16858	231475	04/27/92	ED'S WOOD PRODUCTS	OTHE5R CONSTRUCTION COSTS	163.00	163.00
16859	240450	04/27/92	EMERGENCY MEDICAL UPDATE	SUPPLIES-EQUIPMENT	159.00	159.00
16860	260250	04/27/92	FACILITY SYSTEMS, INC.	EQUIPMENT-OFFICE SUPPLIES-OFFICE	112.07 30.23	142.30
16861	260650	04/27/92	FIANDACA, BEATRICE	PROGRAM REGISTRATION FEES	6.00	6.00
16862	261355	04/27/92	FISHER PHOTO SUPPLY CO.	SUPPLIES-EQUIPMENT	20.00	20.00
16863	300500	04/27/92	G & K SERVICES	UNIFORMS & CLOTHING UNIFORMS & CLOTHING UNIFORMS & CLOTHING UNIFORMS & CLOTHING UNIFORMS & CLOTHING	95.00 21.89 77.61 288.20 221.90	704.60
16864	302900	04/27/92	GLENWOOD INGLEWOOD	WATER & COOLER	66.60	66.60
16865	310300	04/27/92	GOODYEAR TIRE COMPANY	REPAIR & MAINT VEHICLE REPAIR & MAINT/VEHICLE REPAIR & MAINT/VEHICLE	8.00 137.94 195.41	341.35
16866	330300	04/27/92	HARCO WATERWORKS CP	CONTRACT	420.00	420.00
16867	330421	04/27/92	JIM HATCH SALES CO.	MAINTENANCE MATERIAL SMALL TOOLS SMALL TOOLS	53.90 129.43 195.50	378.83
16868	390100	04/27/92	INDEPENDENT SCHOOL DIST. #622	PROGRAM SUPPLIES	67.04	67.04
16869	410420	04/27/92	KELLER ELECTRIC INC.	REPAIR & MAINT/BLDG & GROUNDS	54.00	54.00
16870	430301	04/27/92	KNOWLAN'S	PROGRAM SUPPLIES PROGRAM SUPPLIES PROGRAM SUPPLIES	7.28 9.16 16.54	32.98
16871	430800	04/27/92	KOKESH ATHLETIC	PROGRAM SUPPLIES	9.57	9.57

VOUCHREG
04/17/92 12:24

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 04

VOUCHER/

CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
16872	430850	04/27/92	ED KOSKY	PROGRAM REGISTRATION FEES	8.00	8.00
16873	450132	04/27/92	MARIE L'ALLIER	PROGRAM REGISTRATION REFUND	19.00	19.00
16874	461215	04/27/92	LETN	TRAVEL & TRAINING	488.00	488.00
16875	500800	04/27/92	M.T.I. DISTRIBUTING CO.	ROTARY MOWERS	1,257.00	11,257.00
16876	501520	04/27/92	MAIER STEWART & ASSOC.	OUTSIDE ENGINEERING FEES	12,781.08	12,781.08
16877	511600	04/27/92	MASYS CORP	REPAIRS & MTNCE /E	1,966.00	1,966.00
16878	520500	04/27/92	MCGUIRE, MICHAEL	VEHICLE ALLOWANCE	400.00	400.00
16879	530250	04/27/92	MEISTER PUBLISHING COMPANY	BOOKS	67.00	67.00
16880	530510	04/27/92	MENARD, INC.	MAINTENANCE MATERIAL	179.96	
				SUPPLIES-EQUIPMENT	14.47	
				SUPPLIES-EQUIPMENT	11.47	
				MAINTENANCE MATERIAL	7.74	
				MAINTENANCE MATERIAL	65.48	279.12
16881	530610	04/27/92	MERIT CHEVROLET	SUPPLIES VEHICLE	27.30	27.30
16882	531750	04/27/92	MEYER ENTERPRISES	SUPPLIES-VEHICLE	180.00	180.00
16883	540270	04/27/92	MIDWEST BUSINESS PRODUCTS	SUPPLIES-OFFICE	67.57	67.57
16884	540465	04/27/92	MILLER/DAVIS LEGAL FORMS	SUPPLIES-OFFICE	36.00	
				SUPPLIES-OFFICE	108.00	144.00
16885	570108	04/27/92	GERALDINE MOORE	PROGRAM REGISTRATION REFUND	19.00	19.00
16886	570500	04/27/92	MOTOROLA, INC	REPAIR & MAINT RADIO	963.90	963.90
16887	610400	04/27/92	MUNICILITE CO.	SUPPLIES-VEHICLE	105.00	105.00
16888	630200	04/27/92	NADEAU, EDWARD	VEHICLE ALLOWANCE	45.76	45.76
16889	630206	04/27/92	NAGEL, BRYAN	UNIFORMS & CLOTHING	20.00	20.00
16890	630210	04/27/92	NAPA AUTO PARTS	SUPPLIES-VEHICLE	8.25	8.25
16891	630945	04/27/92	NCR	REPAIRS & MTNCE./EQUIPMENT	65.00	65.00
16892	640550	04/27/92	NELSON, JEAN	VEHICLE ALLOWANCE	26.75	26.75
16893	640805	04/27/92	NELSONS AUTO SERVICE	REPAIR & MAINY/VEHICLE	19.95	19.95
16894	640850	04/27/92	NICKELSONS PLUMBING & HEATING	REFUND-EXTRA PLUMBING CHARGES	95.00	95.00

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
16895	660055	04/27/92	NORDIC TRUCK PARTS	SUPPLIES-VEHICLE	14.95	
				SUPPLIES-VEHICLE	17.03	31.98
16896	660275	04/27/92	NO.ST.PAUL-MAPLEWOOD ROTARY	SUBSCRIPTIONS & MEMBERSHIPS	100.00	100.00
16897	661400	04/27/92	NORTHERN DOOR CO.	BLDG IMPROVEMENT	10,080.00	10,080.00
16898	680600	04/27/92	OCTOPUS CAR WASH	REPAIR & MAINT/VEHICLE	7.50	
				REPAIR & MAINT/VEHICLE	150.00	
				REPAIR & MAINT/VEHICLE	45.00	
				REPAIR & MAINT/VEHICLE	7.50	
				REPAIR & MAINT/VEHICLE	7.50	
				REPAIR & MAINT/VEHICLE	7.50	225.00
16899	692800	04/27/92	OXYGEN SERVICE	MAINTENANCE MATERIAL	159.58	159.58
16900	700650	04/27/92	PACKAGING STORE	MAILING COST & INSURANCE	27.19	27.19
16901	711345	04/27/92	PETERSON,BELL,CONVERSE &JENSEN	PROSECUTION SERVICES MATTER 1046.00001	106.80 5,000.00	5,106.80
16902	711800	04/27/92	PIPE SERVICES INC.	OTHER CONSTRUCTION COSTS	8,822.34	8,822.34
16903	720520	04/27/92	PONSOLLE,JOHN	REC-REG FEES	12.00	12.00
16904	720765	04/27/92	PREFERRED RISK CONSULTANTS	FEES-CONSULTING	170.00	170.00
16905	741200	04/27/92	RAINBOW FOODS	PROGRAM SUPPLIES	10.74	10.74
16906	741330	04/27/92	RAMSEY COUNTY DATA PROCESSING	DATA PROCESSING FEES 92 DATA PROC 2/92 DATA PROC 2/92	105.50 4.85 3.14	113.49
16907	741725	04/27/92	RAMSEY COUNTY	ASSESSMENT RECAP	135.00	135.00
16908	742900	04/27/92	RAY DAVIS & SONS	REPAIR & MAINT/BLDG & GROUNDS	42.50	42.50
16909	761300	04/27/92	ROADRUNNER	DELIVERY-AUDIT PAPERS	27.25	27.25
16910	770304	04/27/92	MAXINE RUSSELL	PROGRAM REGISTRATION REFUND	19.00	19.00
16911	780200	04/27/92	S&S CRAFTS	PROGRAM SUPPLIES PROGRAM SUPPLIES	1,556.79 350.00	1,906.79
16912	780300	04/27/92	S&T OFFICE PRODUCTS INC.	SUPPLIES-OFFICE	210.28	210.28
16913	780579	04/27/92	SANDERS,WACKER,WEHRMAN&BERGLY	FEES-CONSULTING FEES-CONSULTING FEES-CONSULTING	898.00 9.00 501.00	1,408.00
16914	780650	04/27/92	SATELLITE CITY	SUPPLIES-EQUIPMENT	125.95	125.95

VOUCHREG
04/17/92 12:24

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 04

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VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
16915	831050	04/27/92	SOUTHAM BUSINESS COMMUNICATION	LEGAL & FISCAL	76.32	76.32
16916	831600	04/27/92	SPS OFFICE PRODUCTS	SUPPLIES OFFICE	10.78	
				SUPLIES-OFFICE	35.85	
				SUPPLIES-OFFICE	99.06	
				SUPPLIES-OFFICE	24.04	
				SUPPLIES-OFFICE	31.45	
				SUPPLIES-OFFICE	182.30	383.48
16917	840300	04/27/92	ST.PAUL BOOK & STATION	SUPPLIES-EQUIPMENT	4.21	
				UNIFORMS & CLOTHING	4.29	8.50
16918	840400	04/27/92	ST.PAUL CITY OF	CITY OF ST. PAUL	1,755.00	
				REPAIR & MAINT/EQUIPMENT	41.25	1,796.25
16919	842200	04/27/92	STAPLES, PAULINE	PROGRAM SUPPLIES	53.55	
				PROGRAM SUPPLIES	53.55	
				MISCELLANEOUS COMMODITIES	29.59	136.69
16920	842330	04/27/92	STAR BUILDERS	STAR BUILDERS	12,400.00	12,400.00
16921	843537	04/27/92	STRATUS COMPUTER, INC.	REPAIRS & MTNCE/EQUIPMENT	1,482.00	1,482.00
16922	843575	04/27/92	STREICHERS GUNS	SUPPLIES-RANGE	17.75	
				SUPPLIES-VEHICLE	183.40	
				SUPPLIES-VEHICLE	33.50	234.65
16923	860080	04/27/92	T.A. SCHIFSKY & SONS, INC	T.A. SCHIFSKY & SONS	437.58	437.58
16924	860100	04/27/92	T.J. AUTO PARTS	SUPPLIES VEHICLE	122.38	122.38
16925	860650	04/27/92	TARGET STORES-CPC, A/R	PROGRAM SUPPLIES	23.55	
				SUPPLIES-JANITORIAL	45.44	
				SUPPLIES-OFFICE	78.30	
				PROGRAM SUPPLIES	7.99	
				PROGRAM SUPPLIES	5.99	
				PROGRAM SUPPLIES	.49	
				PROGRAM SUPPLIES	5.94	167.70
16926	861700	04/27/92	TESSMER, MABEL	PROGRAM REGISTRATION FEES	8.00	
				PROGRAM REGISTRATION REFUND	34.00	42.00
16927	871250	04/27/92	TOTAL TOOL	SIGNS & SIGNALS	198.75	
				UNIFORMS & CLOTHING	32.75	231.50
16928	880675	04/27/92	TROPHIES UNLIMITED	TROPHIES UNLIMITED	1,297.75	
				PROGRAM SUPPLIES	162.00	
				PROGRAM SUPPLIES	120.00	1,579.75
16929	880750	04/27/92	TROY CHEMICAL INDUSTRIES	SUPPLIES-JANITORIAL	40.00	40.00

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
16930	881320	04/27/92	TWIN CITIES TRANSPORT AND	TOW & STORAGE	134.88	134.88
16931	890600	04/27/92	U.H.L. INC.	SUPPLIES-EQUIPMENT	35.00	35.00
16932	900100	04/27/92	UNIFORMS UNLIMITED	UNIFORMS & CLOTHING UNIFORMS & CLOTHING	89.95 137.43	227.38
16933	900600	04/27/92	UNIVERSAL MEDICAL	SUPPLIES-EQUIPMENT	58.50	58.50
16934	910300	04/27/92	VAN O LITE, INC	SUPPLIES-VEHICLE	191.90	191.90
16935	910690	04/27/92	VERTISOFT SYSTEMS, INC.	SUPPLIES-EQUIPMENT	54.95	54.95
16936	911350	04/27/92	VIKING ELECTRIC SUPPLY	SMALL TOOLS SUPPLIES EQUIPMENT	11.45 84.31	95.76
16937	911500	04/27/92	VIKING INDUSTRIAL CENTER	SUPPLIES-JANITORIAL	78.75	78.75
16938	931150	04/27/92	WALDOR PUMP	SMALL TOOLS	65.10	65.10
16939	931900	04/27/92	JEANNE WARZALA	PROGRAM REGISTRATION FEES	19.00	19.00
16940	934900	04/27/92	MARCELLA WATSON	PROGRAM REGISTRATION FEES	20.00	20.00
16941	940700	04/27/92	WESCO	MAINTENANCE MATERIALS	45.17	45.17
16942	941220	04/27/92	WET PAINT	PROGRAM SUPPLIES	19.09	19.09
16943	941330	04/27/92	R. B. WHITACRE & CO. INC	SUPPLIES-EQUIPMENT SUPPLIES-EQUIPMENT	2.39 50.60	52.99
16944	960450	04/27/92	XEROX CORPORATION	REPAIR & MAINT/EQUIPMENT REPAIR & MAINT/EQUIPMENT REPAIR & MAINT/EQUIPMENT REPAIR & MAINT/EQUIPMENT REPAIR & MAINT/EQUIPMENT REPAIR & MAINT/EQUIPMENT	21.36 32.31 61.68 16.82 88.64 46.19	267.00
16945	980140	04/27/92	ZAHL EQUIPMENT	REPAIR FUEL MONITORING SYS	126.50	126.50
16946	980500	04/27/92	ZEP MANUFACTURING COMPANY	CHEMICALS	150.00	150.00
16947	981851	04/27/92	REGINA WIBLISHAUSER	PROGRAM REGISTRATION REFUND	36.00	36.00
TOTAL CHECKS						697,251.47

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

0001

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0025996	04/10/92	JOSEPH ZAPPA	267.63
0025997	04/10/92	DALE CARLSON	267.63
0025998	04/10/92	GEORGE ROSSBACH	267.63
0025999	04/10/92	GARY W BASTIAN	304.15
0026000	04/10/92	FRANCES L JUKER	267.63
0026001	04/10/92	MICHAEL A McGUIRE	3,286.22
0026002	04/10/92	THERESE CARLSON	1,071.20
0026003	04/10/92	GAIL BLACKSTONE	2,036.93
0026004	04/10/92	GRETCHEN MAGLICH	1,633.99
0026005	04/10/92	GINA CASAREZ	801.31
0026006	04/10/92	DAVID J JAHN	1,152.38
0026007	04/10/92	LYLE SWANSON	1,157.11
0026008	04/10/92	LARRY J CUDE	297.32
0026009	04/10/92	ANDREA J OSTER	1,160.50
0026010	04/10/92	WILLIAM MIKISKA	185.63
0026011	04/10/92	DANIEL F FAUST	2,369.82
0026012	04/10/92	LINDA ZICK	907.70
0026013	04/10/92	DEBORAH DEHN	602.33
0026014	04/10/92	RICHARD HANGSLEBEN	1,405.30
0026015	04/10/92	ALANA K MATHEYS	1,246.10
0026016	04/10/92	DELORES A VIGNALO	1,222.91
0026017	04/10/92	BRUCE ANDERSON	1,034.90
0026018	04/10/92	CAROLE J ANDERSON	688.90
0026019	04/10/92	LUCILLE E AURELIUS	2,069.06
0026020	04/10/92	BETTY D SELVOG	282.13
0026021	04/10/92	PATRICIA FRY	567.45
0026022	04/10/92	LOIS BEHM	1,235.70

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

0002

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0026023	04/10/92	CONNIE L KELSEY	638.87
0026024	04/10/92	LORRAINE S VIETOR	1,116.50
0026025	04/10/92	PATRICIA A HENSLEY	657.90
0026026	04/10/92	CAROL JAGOE	1,045.30
0026027	04/10/92	JEANETTE E CARLE	1,098.61
0026028	04/10/92	SANDRA OLSON	863.33
0026029	04/10/92	EDITH STOTTLEMYER	40.25
0026030	04/10/92	MARY KAY PALANK	943.70
0026031	04/10/92	KENNETH V COLLINS	2,359.94
0026032	04/10/92	CAROLE L RICHIE	1,246.80
0026033	04/10/92	JOANNE M SVENDSEN	1,513.41
0026034	04/10/92	ELAINE FULLER	522.65
0026035	04/10/92	CAROL F MARTINSON	1,380.28
0026036	04/10/92	ANTHONY G CAHANES	2,034.46
0026037	04/10/92	ROBERT D NELSON	2,034.46
0026038	04/10/92	VERNON T STILL	1,522.99
0026039	04/10/92	DONALD W SKALMAN	1,622.37
0026040	04/10/92	RAYMOND J MORELLI	1,546.87
0026041	04/10/92	SCOTT L STEFFEN	2,013.77
0026042	04/10/92	DAVID L ARNOLD	1,622.37
0026043	04/10/92	JOHN J BANICK	1,698.79
0026044	04/10/92	JOHN C BOHL	1,762.37
0026045	04/10/92	DALE K CLAUSON	1,546.87
0026046	04/10/92	RICHARD M MOESCHTER	1,635.61
0026047	04/10/92	JOHN H ATCHISON	1,546.87
0026048	04/10/92	JAMES YOUNGREN	1,718.70
0026049	04/10/92	WILLIAM F PELTIER	1,622.37

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

0003

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0026050	04/10/92	KEVIN RABBETT	874.65
0026051	04/10/92	THOMAS J SZCZEPANSKI	1,572.23
0026052	04/10/92	VIRGINIA DOWDLE	944.44
0026053	04/10/92	CABOT V WELCHLIN	1,473.69
0026054	04/10/92	RICHARD J LANG	1,546.87
0026055	04/10/92	DALE RAZSKAZOFF	1,603.11
0026056	04/10/92	MICHAEL RYAN	1,622.37
0026057	04/10/92	MICHAEL J HERBERT	1,848.51
0026058	04/10/92	RICHARD C DREGER	1,653.51
0026059	04/10/92	GREGORY L STAFNE	1,620.82
0026060	04/10/92	RONALD D BECKER	1,603.11
0026061	04/10/92	KEVIN R HALWEG	1,622.37
0026062	04/10/92	DERRELL T STOCKTON	1,566.66
0026063	04/10/92	PAUL G PAULOS-JR.	1,579.37
0026064	04/10/92	RICK A BOWMAN	1,589.21
0026065	04/10/92	FLINT D KARIS	1,674.26
0026066	04/10/92	STEPHEN J HEINZ	1,569.21
0026067	04/10/92	JOHN FRASER	1,508.35
0026068	04/10/92	DAVID M GRAF	1,672.23
0026069	04/10/92	DAVID J THOMALLA	1,724.09
0026070	04/10/92	STEVEN PALMA	1,544.56
0026071	04/10/92	ROBERT E VORWERK	1,177.42
0026072	04/10/92	JOSEPH A BERGERON	1,544.56
0026073	04/10/92	JAMES MEEHAN	1,868.32
0026074	04/10/92	JON A MELANDER	1,617.74
0026075	04/10/92	SARAH SAUNDERS	1,067.04
0026076	04/10/92	JAMES M EMBERTSON	1,733.70

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

0004

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0026077	04/10/92	DUANE J WILLIAMS	1,499.22
0026078	04/10/92	JANET L RABINE	1,182.90
0026079	04/10/92	JULIE A STAHNKE	1,182.90
0026080	04/10/92	SCOTT K BOYER	1,160.50
0026081	04/10/92	CAROL NELSON	1,596.18
0026082	04/10/92	JOSEPH FEHR	1,168.95
0026083	04/10/92	GWENDOLYN SELL	907.70
0026084	04/10/92	JILL PETERS	1,018.10
0026085	04/10/92	JAYME L FLAUGHER	1,283.11
0026086	04/10/92	JUDITH WEGWERTH	577.74
0026087	04/10/92	KENNETH G HAIDER	2,359.94
0026088	04/10/92	JUDY M CHLEBECK	1,226.90
0026089	04/10/92	WILLIAM PRIEFER	1,222.90
0026090	04/10/92	GERALD W MEYER	1,472.53
0026091	04/10/92	MICHAEL R KANE	1,619.70
0026092	04/10/92	BRYAN NAGEL	1,330.89
0026093	04/10/92	DAVID P LUTZ	1,388.11
0026094	04/10/92	HENRY F KLAUSING	1,446.73
0026095	04/10/92	JOHN SCHMOCK	1,402.77
0026096	04/10/92	RONALD J HELEY	1,442.51
0026097	04/10/92	ERICK D OSWALD	1,247.62
0026098	04/10/92	RONALD L FREBERG	1,424.03
0026099	04/10/92	WILLIAM C CASS	1,900.50
0026100	04/10/92	RANDAL LINDBLOM	1,218.90
0026101	04/10/92	JAMES G ELIAS	1,474.90
0026102	04/10/92	JOHN DU CHARME	1,099.70
0026103	04/10/92	DENNIS L PECK	1,474.90

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

0005

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0026104	04/10/92	WILLIAM PRIEBE	1,422.10
0026105	04/10/92	BRUCE A IRISH	1,974.90
0026106	04/10/92	WALTER M GEISSLER	1,542.74
0026107	04/10/92	THERESA METZ	1,218.91
0026108	04/10/92	JOHN R LOFGREN	1,109.52
0026109	04/10/92	ROBERT D ODEGARD	2,124.27
0026110	04/10/92	LOIS J BRENNER	1,204.50
0026111	04/10/92	BARBARA A KRUMMEL	582.11
0026112	04/10/92	PAULINE STAPLES	1,866.10
0026113	04/10/92	LUTHER JONES	83.20
0026114	04/10/92	MARGARET KUNDE	123.75
0026115	04/10/92	ROBERT S ANDERSON	1,202.67
0026116	04/10/92	DENNIS P LINDORFF	1,222.10
0026117	04/10/92	WILLIAM GARRY	1,165.30
0026118	04/10/92	ROLAND B HELEY	1,245.30
0026119	04/10/92	MARK A MARUSKA	1,619.70
0026120	04/10/92	JAMES SCHINDELDECKER	1,165.30
0026121	04/10/92	MYLES R BURKE	1,267.70
0026122	04/10/92	TODD JAGOE	10.00
0026123	04/10/92	CRAIG MISKELL	194.25
0026124	04/10/92	TANIA CHASE	47.25
0026125	04/10/92	ANDREA HANNEGAN	92.00
0026126	04/10/92	SHANNON MILLER	66.50
0026127	04/10/92	ROY G WARD	419.02
0026128	04/10/92	DOUGLAS J TAUBMAN	1,531.70
0026129	04/10/92	JANET M GREW HAYMAN	664.25
0026130	04/10/92	JEAN NELSON	535.37

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

0006

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0026131	04/10/92	JUDITH A HORSNELL	664.25
0026132	04/10/92	ANN E HUTCHINSON	1,303.70
0026133	04/10/92	RITA MACY	100.10
0026134	04/10/92	KATHLEEN M DOHERTY	1,182.90
0026135	04/10/92	MARIE BARTA	1,096.50
0026136	04/10/92	GEOFFREY W OLSON	2,124.27
0026137	04/10/92	NANCY MISKELL	515.25
0026138	04/10/92	JOYCE L LIVINGSTON	645.43
0026139	04/10/92	TROY LANGER	384.00
0026140	04/10/92	KENNETH ROBERTS	1,334.90
0026141	04/10/92	THOMAS G EKSTRAND	1,539.14
0026142	04/10/92	MARJORIE OSTROM	1,742.90
0026143	04/10/92	NICHOLAS N CARVER	1,430.11
0026144	04/10/92	ROBERT J WENGER	1,448.50
0026145	04/10/92	EDWARD A NADEAU	1,267.09
0026146	04/10/92	GEORGE W MULWEE	1,242.90
0026147	04/10/92	LAVERNE S NUTESON	1,712.50
0026148	04/10/92	ROGER W BREHEIM	1,242.90
0026149	04/10/92	DAVID B EDSON	1,266.10
0026150	04/10/92	DAVID GERMAIN	1,242.90
0026151	04/10/92	DENNIS M MULVANEY	1,362.90
0026152	04/10/92	GEORGE C SPREIGL	1,248.50
0026153	04/10/92	ELIZABETH J WEILAND	849.50
0026154	VOID	MAPLEWOOD STATE BANK #1	20,878.95
0026155	VOID	MN STATE COMM OF REVENUE	9,023.39
0026156	VOID	FIRST MINNESOTA (FICA)	9,135.03
0026157	VOID	PUBLIC EMP RETIREMENT ASSOC	4,998.54

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

0007

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0026158 ✓	04/10/92	ICMA RETIREMENT TRUST-457	10,535.29
0026159 VOID	04/10/92	FIRST MINNESOTA	243.75
0026160 VOID	04/10/92	CITY OF MAPLEWOOD (HCMA)	3,349.27
0026161 ✓	04/10/92	CITY & COUNTY EMP CR UNION	27,330.00
0026162 VOID	04/10/92	UNITED WAY OF ST. PAUL AREA	115.00
0026163 VOID	04/10/92	COMMERCIAL LIFE INSURANCE	187.00
0026164 ✓	04/10/92	MN STATE RETIREMENT SYSTEM	286.00
0026165 VOID	04/10/92	PUBLIC EMP. RETIREMENT ASSOC.	154.50
0026166 ✓	04/10/92	AFSCME 2725	647.54
0026167 ✓	04/10/92	METRO SUPERVISORY ASSOC	20.00
0026168 ✓	04/10/92	MN. MUTUAL LIFE INS. 19-3988	273.00
0026169 VOID	04/10/92	DCA	28.17
0026170 VOID	04/10/92	PUBLIC EMP RETIREMENT ASSOC	430.29
0026171 VOID	04/10/92	VACATION CHECK	650.21
0026172 VOID	04/10/92	PUBLIC EMP RETIREMENT ASSOC	5,579.20
0026173 ✓	04/10/92	L.E.L.S.	700.00
0026174 ✓	04/10/92	L.E.L.S.	200.00
0026175 ✓	04/10/92	RAMSEY CO SUPPORT & COLLECT	400.00
0026176 VOID	04/10/92	MEDICA CHOICE	76.76
0026177 VOID	04/10/92	FIRST MINNESOTA (FICA)	9,134.47
0026178 VOID	04/10/92	PUBLIC EMP RETIREMENT ASSOC	5,293.88
0026179 VOID	04/10/92	PUBLIC EMP RETIREMENT ASSOC	560.99
0026180 VOID	04/10/92	PUBLIC EMP RETIREMENT ASSOC	8,368.70
GROSS EARNINGS AND DEDUCTIONS			314,146.88

AGENDA REPORT

Action by Council:

TO: City Manager
FROM: Finance Director *Lotus*
RE: **AMBULANCE BILL - APPLICATION FOR CANCELLATION**
DATE: April 20, 1992

Endorsed _____
Modified _____
Rejected _____
Date _____

An application for cancellation of an ambulance bill has been received from Edward Saum. On December 13, 1991 this individual was taken to St. Paul-Ramsey Hospital and was suffering from shortness of breath. The original bill was \$275 and there is a remaining balance of \$215 after payments by medicare and the patient. The application is attached for the Council's review.

APPLICATION FOR CANCELLATION OF
PARAMEDIC AMBULANCE SERVICE CHARGES

NAME OF APPLICANT: Edward G. Saum Sr.
ADDRESS OF APPLICANT: 2318 Case Ave
CITY: Maplewood STATE: Mn. ZIP: 55119
PATIENT'S NAME: Edward G. Saum Sr.
DATE OF SERVICE: 12-13-91
AMOUNT OF CHARGES REQUESTED TO BE CANCELLED: \$215.00

REASON FOR REQUEST - CHECK ONE:

1. Financial Hardship (fill out reverse side):

2. Other: Between five and six hundred dollars (and sometimes more) is for a month is paid out for prescriptions and medical supplies for Edward Saum Sr. alone. We also pay for alternative stone care every month so that the wife is relieved so that I can get away for a few hrs.

I certify that the income information I have supplied on this application is true and accurate. I also certify that the amount of the charges requested to be cancelled are not covered by Medical assistance, worker's compensation, Medicare, health insurance or auto insurance.

Signed: Edw. Saum Sr. Date: 4-18-92
Leart C. Saum

INCOME INFORMATION

"INCOME" means any amount received from the following sources by any Resident:

- Any Public Assistance, including but not limited to Welfare, AFDC, SSI, and Unemployment Compensation
- Pensions and Annuities, including PERA and Social Security
- Estate or Trust income
- Gain from the sale of property or securities
- VA Educational Grants
- Salaries, including commissions, bonuses, overtime pay and tips
- Interest and Dividends
- Rental income
- Business Profit--for self-employed individuals, including Farmers
- Payments received from properties being sold on Contracts for Deed

List all residents of your household. Include yourself. Include their ages and their incomes (if any):

- 1) Income listed should include all income which your household can reasonable expect to receive *during the next 12 months.*
- 2) "RESIDENT" means any person, other than a renter, living in the household for at least 9 months of the year, or a person who is claimed as a dependent for income tax purposes.

<u>NAME OF RESIDENT</u>	<u>AGE OF RESIDENT</u>	<u>INCOME OF RESIDENT (per month)</u>	<u>SOURCE OF INCOME (including employer's address, if applicable)</u>
Edward G. Saum	79	673.00 S.S.	Social Security Pension
		154.00	I.A.M. Pension
		827.00	
JOAN A. Saum	67	292.00 S.S.	

TOTAL INCOME: 1,119.00 per month = 13,428.00 per year

AGENDA REPORT

TO: City Manager
FROM: Public Works Administrative Assistant
SUBJECT: Budget Transfer—Payment to City of St. Paul
DATE: April 20, 1992

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

Introduction

The City of St. Paul has completed all work, except final restoration, on the Parkway lift station force main break which occurred late last year. Payment for everything except restoration has been requested.

Background

During late 1991, the Parkway lift station required extensive repairs due to a break in the force main. Our contract with the City of St. Paul requires payment for repairs above and beyond normal maintenance.

Recommendation

It is recommended that \$35,680 be transferred from the sanitary sewer fund contingency account (601-508-000-4910) to pay the City of St. Paul via 601-508-000-4480.

WJP

jc

Endorsed _____

Modified _____

Rejected _____

Date _____

MEMORANDUM

To: Michael A. McGuire, City Manager
From: Robert D. Odegard, Director of Parks & Recreation
Subj: System Development Fund
Date: April 17, 1992

Introduction

For many years the Park Development Fund has included an item referred to as "System Development". Items such as picnic tables, benches, waste receptacles, bike racks, replacement trees, and fencing have been charged to this city-wide Park System account. Funding of the account has been from PAC Commercial monies.

Background

Since the cost of many of the items included in the Systems account are minor, the Park Development Fund has established an account to take care of these items rather than coming to the City Council for each one. The fund has now been depleted and it is requested that it be replenished from Commercial PAC monies.

Examples of what we expect to purchase this spring include:

- Pedestal picnic tables inside Hazelwood shelter and grills outside on cement pads.....\$5,052
- Tables, grills, cement pads for parks
6 @ \$1,375.....\$8,250
- Benches
Six foot benches on cement pads
10 @ \$200/each.....\$2,000
- Waste Receptacles
5 @ \$400/each.....\$2,000
- Bike Racks (Holds 16 Bikes)
6 @ \$220/each.....\$1,320
- Trees
10 @ \$250/each.....\$2,500
- Fence (Harvest Park Diamond #5)
1st & 3rd Base Fence.....\$2,000
- Playground Equipment
12 Sand Diggers @ \$252/each.....\$3,024

The above is merely an indication of items and approximate costs for this spring.

Recommendation

It is requested that the City Council authorize \$35,000 from the PAC Commercial Fund for "System" items in the Park Development Fund.

c: City Clerk

RESOLUTION

Action by Council:

ORDERING PREPARATION OF A FEASIBILITY STUDY

Endorsed _____

Modified _____

Rejected _____

Date _____

WHEREAS, it is proposed to construct Demont Avenue from Flandrau Street to Bittersweet Lane as a public street with appurtenances within the existing right-of-way and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

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

That the proposed improvement be referred to the city engineer for study and that he is instructed to report to the council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

FURTHERMORE, funds in the amount of \$2000 are appropriated to prepare this feasibility report.

AGENDA REPORT

Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

TO: City Manager
FROM: City Engineer
SUBJECT: Mounds Park Academy Traffic
DATE: April 21, 1992

Introduction

The city council requested the engineering division to investigate the traffic around the school and recommend improvements.

Background

At the conditional use permit (CUP) public hearing, local residents had a number of suggestions as to traffic improvements. Additional stop signs, school zones, "No Parking" zones, and other traffic controls have been discussed.

In an effort to compile some meaningful data, a series of traffic counters were installed on the school driveways. The counts were for a 24-hour period from 2 p.m. on April 14, 1992, to 2 p.m. on April 15, 1992. This was a "normal" time when school was in regular session. The following is a list of total traffic for one day:

Larpenteur west drive	304
Larpenteur east drive	210
Price Street drive	1034

In addition, the driveways and surrounding streets were visually observed during a morning "rush hours." The observations and traffic counts confirm the perception that the Price driveway carries most of the traffic. Many of the trips on Price Street are "drop offs."

Establishing speed zones and school zones are regulated by state statutes. Based on current legislation, Maplewood cannot lower the speed limit or establish a school zone on Ruth Street near the school.

Stop signs can be effective to establish right-of-way at intersections and to lower speeds at the intersection. They will not lower the average speed of vehicles a short distance from the

controlled intersection. Placing four-way stop signs at Ruth and Price will slow the traffic near the intersection. It should be noted that there will likely be a certain percentage of drivers that will ignore the signs. In addition during peak periods, traffic may back up slightly at the intersection. This will cause some additional noise and energy consumption.

Recommendation

The only traffic control that could be recommended is all-way stop signs at Ruth and Price. In this situation, however, the pros and cons are difficult to measure. It is therefore recommended that all-way stop signs be installed now and be reviewed in one year to evaluate their effectiveness.

KGH

jc

MEMORANDUM

TO: City Manager
FROM: Director of Community Development
SUBJECT: Conditional Use Permit 2051 Larpenteur Ave.
DATE: April 20, 1992

The City Council tabled this request from the April 13 meeting for a traffic study. I have attached a resolution with the changes from the last meeting. I underlined the additions and crossed out the deletions from the resolution in the March 3 staff report.

go\b-2:mounds.res (14)
attachment: resolution

CONDITIONAL USE PERMIT RESOLUTION

WHEREAS, Mounds Park Academy applied for a revision of the conditional use permit for a school.

WHEREAS, they applied for this revision to allow them to expand the existing school.

WHEREAS, this permit applies to 2051 E. Larpenteur Avenue. The legal description is:

Tracts D, E and H of Registered Land Survey No. 396 as recorded in the office of the Ramsey County Registrar of Titles and a parcel of land described as follows:

Commencing at a point distant 33 feet West of the Northeast corner of the West 1/2 of the Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 29, Range 22; thence running West 26 rods; thence South 22 rods; thence East 26 rods; thence North 22 rods to the point of the beginning, which lies within the West 1/2 of the Southwest 1/4 of the Southeast 1/4 of said Section 14, Ramsey County, MN.

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

1. The Planning Commission discussed this application on February 18, 1992. They recommended that the City Council approve said permit.
2. The City Council held a public hearing on April 13, 1992, 1992. City staff published a notice in the paper and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

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

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. All construction must comply with the site plan, date-stamped January 14, 1992. The City Council may approve major changes, after a public hearing and recommendation from the Community Design Review Board. The Director of Community Development may approve minor changes. The Academy may phase the development plan.
2. The City Council shall review this permit one year from the date of approval, based on the procedures in City code.
3. The school shall turn the tennis court lights off by 9:00 ±0 p.m. Only the school shall use the tennis court lights. ~~Lighting shall not be directly visible from any residential area or public street.~~ (Refer to condition 3 of the CDRB approval on lighting.)
4. The school shall only use the area between the tennis courts and pond and the west lot line as a track or route for running during fall and spring cross-country meets.
5. The City Council may require that the Academy build a driveway to Beebe Road through the School District's property if the Academy buys the School District's building.

6. The City Council may require that the school chain the westerly access for evening events if they become a problem.
7. There shall be no snow plowing between 11:00 p.m. and 5:30 a.m.

Adopted _____ , 1992.

go\res\mounds.res (13-29)

MEMORANDUM

TO: City Manager
FROM: Thomas Ekstrand, Associate Planner
SUBJECT: Conditional Use Permit
LOCATION: 2051 Larpenteur Avenue
APPLICANT: Mounds Park Academy
DATE: March 3, 1992

SUMMARY

INTRODUCTION

Mounds Park Academy is requesting a conditional use permit (CUP) to build two additions and expand their recreation areas. They propose to:

- a. Add a 16,300-square-foot, two-story addition on the west side of the building. This addition would have a gymnasium, 690-seat auditorium and classrooms.
- b. Add new a 4,040-square-foot, one-story entry on the south side of the building. This addition would have classrooms and offices.
- c. Expand the parking lot and bus access on the south side of the building and extend the west parking lot 58 feet to the north. The parking and drive areas would have concrete curbing. The applicant would build a six-foot-tall wooden screening fence on the west and south sides of the westerly parking lot.
- d. Improve the soccer fields to make two regulation-size fields, build a new softball field, build four new tennis courts and a hockey rink. The applicant proposes to install lights around the tennis courts and north soccer field for night play.
- e. Add landscaping in and around the parking lots and driveways.

Code requires a CUP for schools. There has not been a CUP issued for Mounds Park Academy.

CRITERIA FOR APPROVAL

Section 36-442(a) states that the City Council may approve a CUP, based on the nine standards for approval. Refer to the findings in the resolution on page 12.

DISCUSSION

Traffic

Five neighbors, two of whom are for this expansion, complained that the traffic from the westerly parking lot speeds through their neighborhood. Police Chief Ken Collins told me that this has been a problem for many years, since Hill High School used the building more than 20 years ago. Ms. Paula Miller, of Mounds Park Academy, said they have tried many ways to solve the traffic problems, such as:

1. Notifying parents and students once a year in the Academy's newsletter to drive cautiously and obey all traffic signs. They print a reminder when there are complaints.
2. Disciplining students caught speeding.
3. Installing a speed bump at the westerly access drive and a stop sign at Ruth Street.
4. Notifying School District 622, the other user of the westerly access drive, to drive cautiously.

Staff recommends that the Council include the following conditions in the conditional use permit for the Academy:

1. Require a driveway from the School District's parking lot to Beebe Road if the Academy purchases the school district's building. The Council may then require that the Academy chain off the westerly driveway.

Mr. Dick Julander, the School District's Director of Business Services, said they are not interested in having this driveway on their site, since they may move. If they were to stay for a long term at this property, it would be an option they would consider. The Academy has the first right to purchase this property if the School District offers it for sale.

2. Require that the Academy chain the westerly access for evening events if they become a problem. Council should consider this at future reviews of the CUP, particularly if the Maplewood Community Theater uses this auditorium. Right now, however, the Academy is not planning to increase enrollment and they are only planning one theater production each year.

Parking Lot and Site Lights

The lights have the potential to cause a nuisance to the neighbors. The applicant should direct or screen all lights so

the bulbs cannot be seen from any residential area or public street. Code does not allow light intensity to exceed one foot-candle at a residential lot line.

Council should consider a turn-off time for the tennis court lights as part of the CUP. 10:00 p.m. would be a reasonable time to turn off the lights. (For comparison, Maplewood allows their lighted park tennis courts on until 11:00 p.m. The Parks Director has told me, however, that there are often complaints about lighted tennis courts in City parks.) Council also should restrict the tennis court lights to the school's use and not allow them for the public. This would reduce a potential nuisance. The applicant is not proposing the courts for public use, but it is something they may consider.

Foot Traffic

Several neighbors object to the students running along the west lot line behind their homes on the school grounds. This disrupts the homeowner's privacy. Ms. Anderson, of 1772 Ruth Street, explained that this running takes place as often as every hour when each gym class is out exercising.

The school grounds are large enough that they should not have to run along the westerly lot line if it is disruptive to the neighbors.

RECOMMENDATION

Adoption of the resolution on page 12, granting a conditional use permit for a school at 2051 East Larpenteur Avenue. Approval is subject to the following conditions:

1. All construction shall follow the site plan, date-stamped January 14, 1992. The City Council may approve major changes, after a public hearing and recommendation from the Community Design Review board. The Director of Community Development may approve minor changes.
2. The City Council shall review this permit one year from the date of approval, based on the procedures in the City Code.
3. The school shall turn the tennis court lights off by 10:00 p.m. Only the school shall use the tennis court lights. Lighting shall not be directly visible from any residential area or public street.
4. The school shall only use the area between the tennis courts and pond and the west lot line as a track or route for running during fall meets.

5. The City Council may require that the Academy build a driveway to Beebe Road through the School District's property if the Academy buys the School District's building.
6. The Council may require that the school chain the westerly access for evening events if they become a problem.

CITIZENS' COMMENTS

Staff surveyed the 86 property owners within 350 feet of the site. There were 26 replies. Thirteen were in favor, nine had no comment and four objected.

In Favor

1. A good school in our area. (Sailor, Clearwater, Florida)
2. Seems commendable. (Vanlaningham, 1700 Ruth Street)
3. They are good neighbors -- have never had any problem with student or personnel. (Rooney, 2034 Larpenteur Avenue)
4. We are in favor of this proposal because Mounds Park Academy seems to have a policy of concern for the neighborhood. We do object, though, to the after school exodus down Ruth Street and thence west on Ripley. Rare as a day in June is the young non-speeding driver. Warn them again. Small children live in the neighborhood! Conditions for approval:
 - a. Keep small pond (extending from behind 1744 to 1766 Ruth) VIABLE!
 - b. Don't change significantly the elevations of the new soccer and ball fields and tennis courts from present elevation.
 - c. Are there going to be light standards added? If so, closing hours are necessary! (Larson, 1998 Ripley Avenue)
5. A theater would be a real asset to our community. I object to parking and traffic problems e.g. on April 5, 1991, between 10:45 - 11:20 p.m., 107 cars exited on Ruth Street! (Still about 3 doz in lot). This was a night that MPA was having a theater production. Will this be most weekends now? How will the west parking lot be designed? Where will the traffic flow? Increase front parking flow onto Larpenteur. (Ewald, 1744 Ruth Street)
6. I am in favor of the athletic fields and tennis courts. Why not more play area for kids under 10 or 11 - swings - monkey bars slides etc - no objection - but they also need more play areas. (Deslauries, 2095 Larpenteur Avenue)
7. I am in favor of this proposal but have some concerns: Change should not decrease number of parking spaces; runoff from parking lot does not run into pond. (Mueller, 1727 Ruth Street)

8. I think the school is an asset to our neighborhood.
(Anderson, 2060 Larpenteur Avenue)
9. The new court will occupy the area that generates loose softballs going into my yard. (Huppert, 1792 Ruth Street)
10. It makes the best use of the land. Better than multiple housing. Are there plans for a hockey rink as shown on the plans next to the tennis courts? There is an easement behind my home which is now used for a running track in the spring and fall. In most cases this is just an extension of some yards. In my case I cut the grass and rake the leaves. I would like to see this area not to be used as a running track. There is a track around the proposed soccer field now.

It's nice to have the school here and is a big change since the days of Stillwater using the building. There should be a way to separate the school from the residential homes.
(Anderson, 1772 Ruth Street)

Staff Reply: Several neighbors mentioned the easement and its use as a running track. I have not found any record of an easement along the Academy's west lot line. The Academy administration knows of no easement and NSP informs me that they also have no easement. I am recommending, however, that the Academy have the students find an alternative running route for gym classes.

Opposed

1. I object to the extent that we have problems currently with people going through the easement through our yard and the lack of privacy. With the addition of the sports arenas, I feel this will triple our problem with traffic and the lack of privacy in our backyard (along with added noise coming from the school). Traffic is a problem also which will increase greatly with the additions. (Ellis and O'Flanagan, 1766 Ruth Street)
2. I do not see how the foot traffic from parking lot to sports field will go. Also it does not show the easement behind my home. And if that land is being used. I would like to come in and look at the blue prints to get more questions answered. Another problem is the amount of car traffic entering and exiting the Ruth Street entrance, with all these sports complexes will this increase the amount of traffic on Ruth Street? Example: After a sporting event, plus it will spread out the length of time when cars are coming and going. Right now cars are moving at a faster than posted speed!!! (Palony, 1758 Ruth Street)

3. I object to this because of all the kids in the neighborhood. We have enough trouble now. (Schalze, 2041 California Avenue)
4. I do not want the pond or trees damaged at all - Many ducks and geese live there. The amount of traffic down our street is incredible. There is a lot of speeding and reckless driving. We have a lot of small children on this street. If they want to expand they have to deal with the traffic coming out of the lot onto Ruth. Maybe you should consider closing that entrance and make them go to Larpenteur. We've already complained and had close calls around here and nothing has been done yet. It's not only the kids, but teachers and parents too. (Lewis, 1752 Ruth Street)

REFERENCE INFORMATION

SITE DESCRIPTION

Site size: 26.18 acres

Existing land use: Mounds Park Academy school and athletic fields.

SURROUNDING LAND USES

North: Undeveloped property zoned R3 (multiple dwelling)

South: Larpenteur Avenue and single dwellings

West: Single dwellings

East: Single dwellings, Beebe Road and four 4-plexes

PLANNING

Land Use Plan designation: S (school)

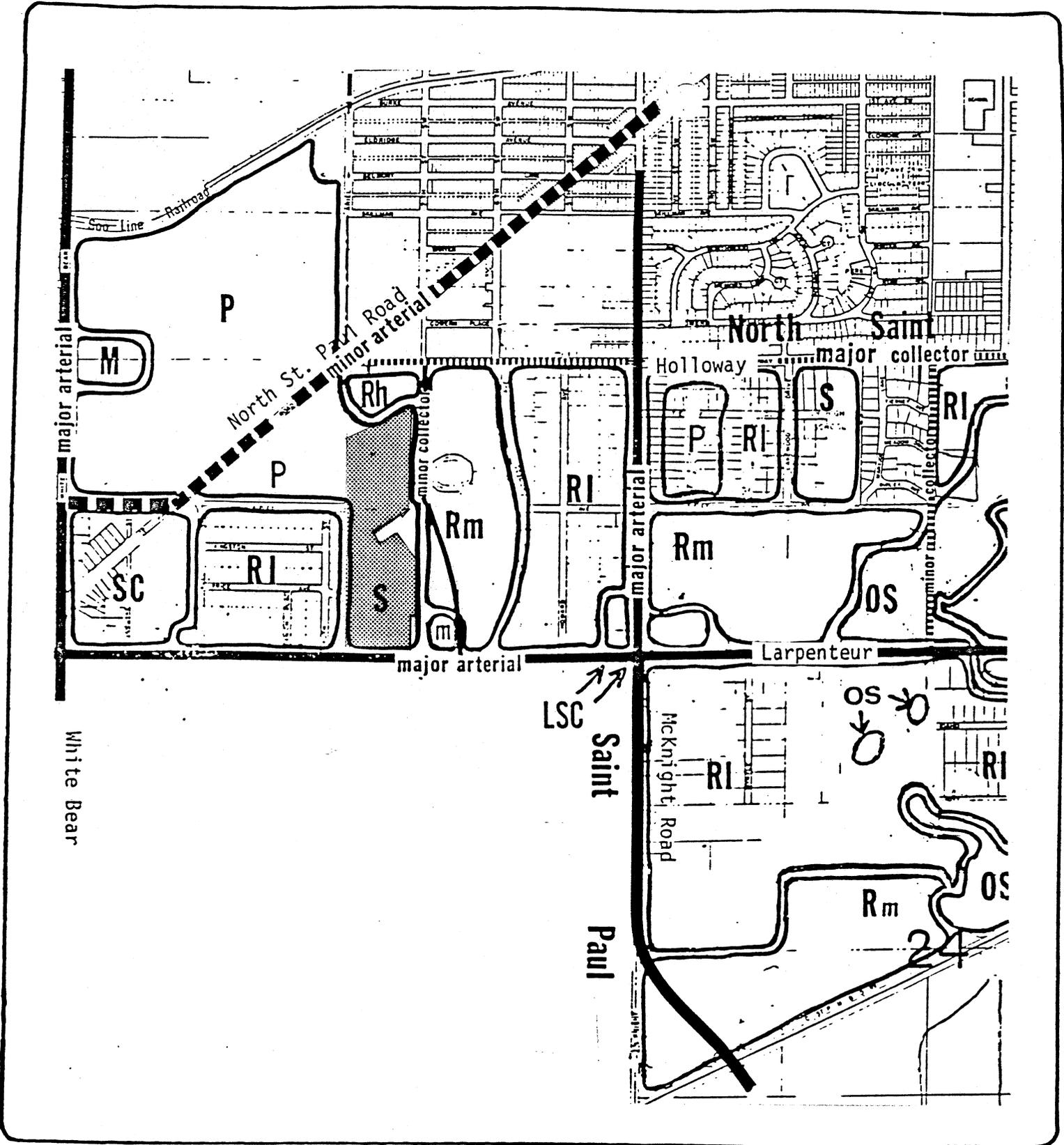
Zoning: R1 (single-dwelling residential)

Code requirements: Section 36-437(3) requires a CUP for schools.

te\mounds.cup (Section 14)

Attachments

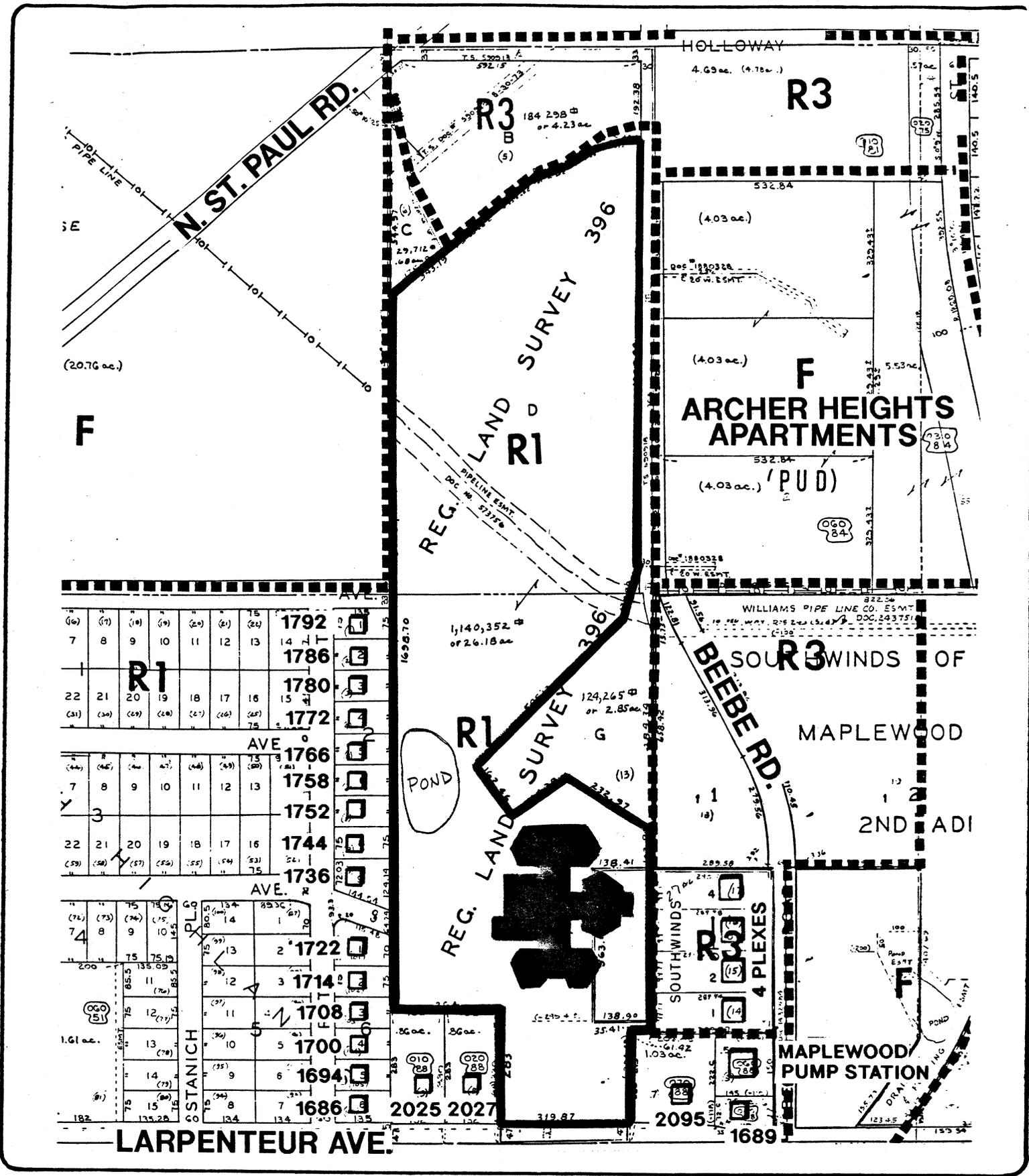
1. Land Use Plan Map
2. Property Line/Zoning Map
3. Site Plan
4. Applicant's letter dated January 10, 1992
5. Resolution



LAND USE MAP

Hillside

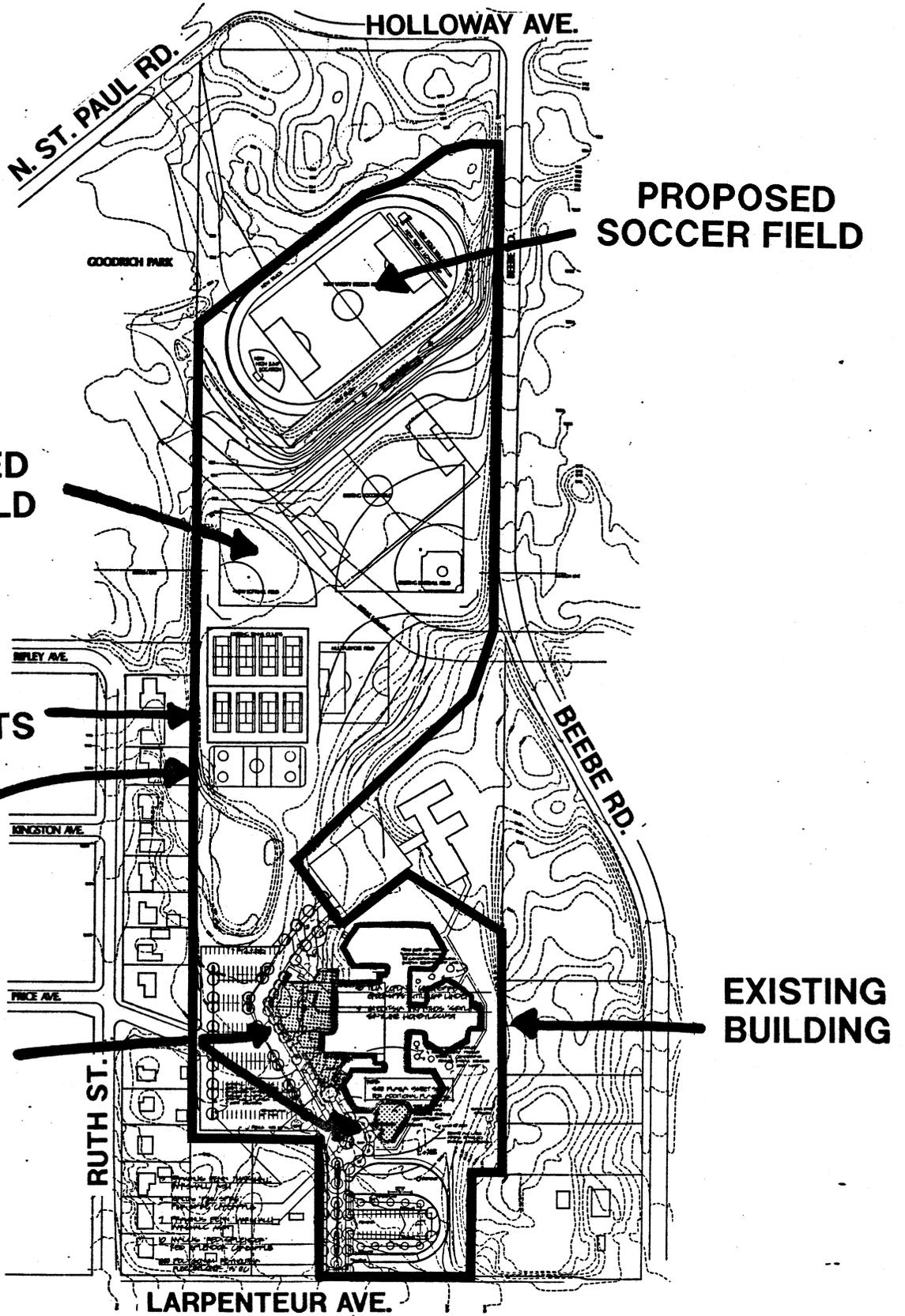




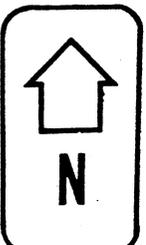
LARPENIEUR AVE.

PROPERTY LINE / ZONING MAP





SITE PLAN





ARCHITECTURAL FORUM INCORPORATED (612) 831-5926
4801 West 81st Street, Suite 101, Minneapolis, MN 55437

January 10, 1992

City of Maplewood
1830 East County Road B
Maplewood, MN 55109

RE: Conditional Use Permit

Mounds Park Academy is submitting this application for a conditional use permit. This includes expansion, remodeling and renovation of the existing facility. This proposed work will bring their 1960 vintage building up to contemporary standards for an educational facility.

This proposed expansion, remodeling and renovation will not change the use, purpose or goals of Mounds Park Academy. It will allow them to expand and improve their curricula. There is no intent to increase the student population above the existing enrollment goals (of approximately 650 students K-12) already in place.

This work will update the energy efficiency and life safety features of the existing building. It will provide the students with a better, more complete, learning environment.

Mounds Park Academy has always prided itself on being a good neighbor and will continue to be one with the proposed site improvements. These include new circulation alignment, resurfacing, curb and gutter, parking lot screening, site landscaping and general building improvements. The new and improved exterior appearance will also benefit the neighborhood as well as the school. Mounds Park Academy is hopeful that its new theater could become a community asset by being available for the local theater group.

Mounds Park Academy has made the commitment to being a long-term member of the community and looks forward to the City's support in issuing the conditional use permit for its proposed expansion, remodeling and renovation.

Respectfully submitted,

ARCHITECTURAL FORUM, INC.
on behalf of Mounds Park Academy

A handwritten signature in black ink that reads "Jack H. Buxell". The signature is written in a cursive style with a large initial "J" and "B".

Jack H. Buxell
Architect/Principal

CONDITIONAL USE PERMIT RESOLUTION

WHEREAS, Mounds Park Academy applied for a conditional use permit for a school.

WHEREAS, this permit applies to 2051 E. Larpenteur Avenue. The legal description is:

Tracts D, E and H of Registered Land Survey No. 396 as recorded in the office of the Ramsey County Registrar of Titles and a parcel of land described as follows:

Commencing at a point distant 33 feet West of the Northeast corner of the West 1/2 of the Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 29, Range 22; thence running West 26 rods; thence South 22 rods; thence East 26 rods; thence North 22 rods to the point of the beginning, which lies within the West 1/2 of the Southwest 1/4 of the Southeast 1/4 of said Section 14, Ramsey County, MN.

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

1. The Planning Commission discussed this application on February 18, 1992. They recommended that the City Council _____ said permit.
2. The City Council held a public hearing on _____, 1992. City staff published a notice in the paper and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

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

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. All construction must comply with the site plan, date-stamped January 14, 1992. The City Council may approve major changes, after a public hearing and recommendation from the Community Design Review Board. The Director of Community Development may approve minor changes.
2. The City Council shall review this permit one year from the date of approval, based on the procedures in City code.
3. The school shall turn the tennis court lights off by 10 p.m. Only the school shall use the tennis court lights. Lighting shall not be directly visible from any residential area or public street.
4. The school shall only use the area between the tennis courts and pond and the west lot line as a track or route for running during fall meets.
5. The City Council may require that the Academy build a driveway to Beebe Road through the School District's property if the Academy buys the School District's building.
6. The City Council may require that the school chain the westerly access for evening events if they become a problem.

Adopted _____ , 199_.

MINUTES OF THE MAPLEWOOD COMMUNITY DESIGN REVIEW BOARD
1830 EAST COUNTY ROAD B, MAPLEWOOD, MINNESOTA
FEBRUARY 25, 1992

1. CALL TO ORDER

Acting Chairperson Erickson called the meeting to order at 7 p.m.

2. ROLL CALL

Donald Moe	Absent
Marvin Erickson	Present
Michael Holder	Present
Marie Robinson	Absent
Bruce Thompson	Present
Scott Wasiluk	Present

3. APPROVAL OF MINUTES

a. January 28, 1992

Boardmember Wasiluk moved approval of the minutes of January 28, 1992, as submitted.

Boardmember Thompson seconded Ayes--Erickson, Holder, Thompson, Wasiluk

b. February 11, 1992

Boardmember Wasiluk moved approval of the minutes of February 11, 1992, as submitted.

Boardmember Thompson seconded Ayes--Erickson, Holder, Thompson, Wasiluk

4. APPROVAL OF AGENDA

Boardmember Holder moved approval of the agenda as submitted.

Boardmember Wasiluk seconded Ayes--Erickson, Holder, Thompson, Wasiluk

5. UNFINISHED BUSINESS

There was no unfinished business.

6. DESIGN REVIEW

a. Building Addition - Mounds Park Academy, 2051 East Larpenteur Avenue

Jack Buxell and Jim Gandy, architects, were present. Mr. Buxell gave a presentation explaining this request for a building addition and site modifications. Mr. Buxell said if glare from the parking lot and site lights is a problem, the lights can be redirected or they can be controlled by limiting the hours the lights can be used.

Staff said an access road to Beebe Road would not be a condition required with the conditional use permit at this time, but may be requested in the future if Mounds Park Academy should purchase the school district property.

Boardmember Thompson moved approval of plans date stamped January 14, 1992, for the building additions and site plan revision to Mounds Park Academy at 2051 East Larpenteur Avenue. The applicant shall do the following:

- (1) Repeat this review after two years if the City has not issued a building permit for this project.
- (2) Get a conditional use permit from the City Council.
- (3) Direct or screen all parking lot and outside recreational facility lights so they do not glare onto adjacent properties or streets. Light glare must not exceed one-foot-candle of light intensity at residential lot lines.
- (4) Have stop signs at all exits, handicap-parking signs for each handicap-parking space and an address on the building.
- (5) Submit a grading and drainage plan for the City Engineer's approval providing for:
 - (a) A pond outlet with the storm water directed to the storm sewer in Ruth Street at Ripley Avenue. The applicant shall also design this drainage system to collect the runoff from the tennis courts.
 - (b) A catch basin(s) at the south end of the Larpenteur Avenue driveway with connection to the storm sewer in Larpenteur Avenue. The applicant must also coordinate this with Ramsey County Public Works.
 - (c) Erosion control.
- (6) Provide an ambulance access to the soccer field. Staff shall approve the design and location of this access.
- (7) Curb around all new parking lots and driveways.
- (8) Submit the fence design to staff for approval. The fence must be at least 80% opaque.
- (9) Submit cash escrow or an irrevocable letter of credit to the City for any required work not completed by occupancy. The amount of escrow required shall be 150% of the cost of the unfinished work. The City must

6. NEW BUSINESS

a. Conditional Use Permit: 1900 Co. Rd. D (Kidsports)

Secretary Olson presented the staff report. The representative for Kidsports explained this proposed recreation center for children.

Commissioner Gerke moved the Planning Commission recommend adoption of the resolution granting a conditional use permit for an indoor recreation center at 1900 East County Road D. Approval is based on the findings required by code. This permit is subject to the City Council reviewing this permit one year from the date of approval, based on the procedures in City code.

Commissioner Anitzberger seconded Ayes--Anitzberger,
Axdahl, Fischer, Frost,
Gerke, Pearson, Rossbach,
Sigmundik, Sinn

The motion passed.

b. Conditional Use Permit: 2051 Larpenteur Avenue (Mounds Park Academy)

Secretary Olson presented the staff report for this request for a conditional use permit to build two additions and expand the recreation areas.

Jack Buxell, architect and representative for Mounds Park Academy, said this project would be done in phases over the next several years. Mr. Buxell said it is not feasible to light tennis courts without the neighbors seeing a portion of the bulbs. Mr. Buxell said the court lights would be needed for use in the Spring early evening hours, but the school would be agreeable to turning the court lights off by 10 p.m.

Mr. Buxell said the school has been working to solve the traffic and speeding problems that have existed on this property for many years.

Commissioner Fischer moved the Planning Commission recommend adoption of the resolution granting a conditional use permit for a school at 2051 East Larpenteur Avenue. Approval is subject to the following conditions:

- (1) All construction shall follow the site plan, date-stamped January 14, 1992. The City Council may approve major changes, after a public hearing and recommendation from the Community Design Review Board. The Director of Community Development may approve minor changes.

- (2) The City Council shall review this permit one year from the date of approval, based on the procedures in the City code.
- (3) The school shall turn the tennis court lights off by 10:00 p.m. Only the school shall use the tennis court lights.
- (4) The school use of the area between the tennis courts and pond and the west lot line as a track or route for running shall be limited to fall meets.
- (5) The City Council may require that the Academy build a driveway to Beebe Road through the School District's property if the Academy buys the School District's building.
- (6) The Council may require that the school chain the westerly access for evening events if they become a problem.

Commissioner Anitzberger seconded Ayes--Anitzberger,
Axdahl, Fischer, Frost,
Gerke, Pearson, Rossbach,
Sigmundik, Sinn

The motion passed.

5. PUBLIC HEARINGS

b. Comprehensive Plan

The Commission reviewed the Plan with some changes and requested staff make the corrections.

Commissioner Fischer moved the Planning Commission recommend the City Council approve the Comprehensive Plan update with the changes requested at tonight's meeting.

Commissioner Rossbach seconded Ayes--Anitzberger,
Axdahl, Fischer, Frost,
Gerke, Pearson, Rossbach,
Sigmundik, Sinn

The motion passed.

7. VISITOR PRESENTATIONS

There were no visitor presentations.

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

MEMO TO: CITY MANAGER AND CITY COUNCIL
FROM: PAULINE STAPLES - ASSISTANT DIRECTOR
SUBJECT: JULY 4TH CELEBRATION UPDATE
DATE: APRIL 13, 1992

INTRODUCTION:

THE CITY COUNCIL ON FEBRUARY 10, 1992, APPROVED THE STAFF RECOMMENDATION TO WORK WITH MAPLEWOOD MALL FOR THE JULY 4TH CELEBRATION. THE THEME OF "A STAR SPANGLED SPECTULAR" WAS ACCEPTED. COUNCIL REQUESTED TO BE KEPT UP TO DATE ON ACTIVITIES AND TO APPROVE FURTHER PLANS FOR JULY 4TH.

LOCATION:

THE JULY 4TH CELEBRATION WILL BE HELD AT HAZELWOOD PARK, 1663 CO. RD. C. THE ENTERTAINMENT WILL BE CONDUCTED ON THE LARGE SOCCER FIELD UNDER THE LIGHTS. THE FIREWORKS DISPLAY WILL BE CONDUCTED FROM THE NORTH END OF MARKHAM POND.

ACCESS TO HAZELWOOD PARK WILL BE OFF OF COUNTY RD. C. THE PARKING LOT OFF OF BEAM AVENUE WILL BE USED AS FALLOUT FOR THE FIREWORKS. PARKING WILL BE AVAILABLE AT MAPLEWOOD MALL. PEOPLE WILL BE ABLE TO WALK TO THE PARK FROM THE MALL AREA CROSSING BEAM AVENUE.

ENTERTAINMENT:

THE RAMSEY COUNTY SHOWMOBILE HAS BEEN RESERVED FOR THE CELEBRATION. THE PUBLIC ADDRESS SYSTEM WILL BE UPGRADED TREMENDOUSLY AND IS BEING PROVIDED BY ONE OF THE ENTERTAINMENT GROUPS. ALL ENTERTAINMENT GROUPS WILL BE USING THIS P.A. SYSTEM.

ENTERTAINMENT WILL BEGIN AT 6:00 PM WITH THE SCHEDULE AS FOLLOWS:

- 6:00 PM - "THE CEDAR AVENUE BIG BAND"
- 6:30 PM - MIMES, JUGGLERS, CLOWNS IN THE PARK
- 7:30 PM - BERGH GYMNASTIC ACADEMY DEMONSTRATIONS IN THE PARK
- 8:00 PM - "THE CLASSIC BAND"

COST ESTIMATES ARE \$4800.00.

SOFTBALL TOURNAMENT:

THE ADULT SOFTBALL TOURNAMENT WILL BE HELD AT GOODRICH PARK AND WAKEFIELD PARK BEGINNING AT 9:00 AM ON JULY 4TH. THE TOURNAMENT WILL RUN DURING THE DAY WITH CHAMPIONSHIP GAMES IN THE EVENING.

MAPLEWOOD MALL MERCHANTS ASSOCIATION:

MAPLEWOOD MALL MERCHANTS ASSOCIATION WILL BE THE "EXCLUSIVE" SPONSORS OF THE JULY 4TH FIREWORKS DISPLAY. THE CONTACT PERSON AT MAPLEWOOD MALL IS JEFF CARVER. THE MAPLEWOOD MALL MERCHANTS ASSOCIATION HAS DONATED \$13,000.00 FOR THIS YEAR'S DISPLAY, MAKING IT THE LARGEST DISPLAY EVER PRESENTED IN MAPLEWOOD.

WE WILL CONTINUE TO WORK COOPERATIVELY WITH JEFF CARVER ON PRESS RELEASES AND MEDIA COVERAGE OF THE EVENT. COOPERATION THUS FAR HAS BEEN EXCELLENT.

ST. JOHN'S HOSPITAL:

WE HAVE CONTACTED ST. JOHN'S HOSPITAL AND THEY ARE EXTREMELY EXCITED TO WORK WITH THE CITY OF MAPLEWOOD ON THE JULY 4TH CELEBRATION AND THE FIREWORKS DISPLAY. HOSPITAL ADMINISTRATOR BILL KNUTSON HAS GIVEN HIS OK AND IS PERSONALLY VERY EXCITED TO HAVE THE EVENT SO CLOSE TO THE HOSPITAL.

HE IS WILLING TO COOPERATE IN WHATEVER MANNER IS REQUIRED. HE WILL MAKE THE STAFF AT THE HOSPITAL AWARE OF THE FIREWORKS DISPLAY WELL AHEAD OF TIME AS WELL AS PATIENTS ADMITTED DURING THAT PERIOD OF TIME.

FIREWORKS DISPLAY:

THE DISPLAY WILL BE FIRED OFF THE PROPERTY OWNED BY MR. DICK SCHREIER TO THE WEST OF OFFICE SHORES. WE HAVE SPOKEN WITH MR. JACK DE SAI AND MR. DICK SCHREIER TO NEGOTIATE USE OF THEIR PROPERTY FOR OUR DISPLAY. MR. JACK DE SAI WANTED PAYMENT OF 10% OF HIS TAXES FOR THE RENTAL FEE FOR THE SHOW. MR. DICK SCHREIER WAS KIND ENOUGH TO DONATE THE USE OF HIS PROPERTY FOR THAT EVENING.

WE HAVE A SIGNED LEGAL AGREEMENT WITH MR. SCHREIER FOR USE OF HIS PROPERTY TO FIRE THE FIREWORKS DISPLAY. SEVERAL PRECAUTIONS WILL BE TAKEN AHEAD OF TIME TO PREVENT ANY DAMAGE TO HIS PROPERTY.

NORTHSTAR WORKS INC. WILL BE HANDLING THIS YEAR'S SHOW AGAIN FOR THE CITY OF MAPLEWOOD. THIS WILL BE THE EIGHTH SHOW THEY HAVE PUT ON FOR THE CITY OF MAPLEWOOD. THE SHOW IS SCHEDULED TO BEGIN AT 10:00 PM AND RUN FOR 35 MINUTES IN LENGTH.

PUBLIC SAFETY DEPARTMENT:

CONTACT HAS BEEN MADE WITH CHIEF COLLINS REGARDING THE JULY 4TH CELEBRATION AND TRAFFIC CONTROL, USE OF GLADSTONE FIRE DEPARTMENT, USE OF POLICE RESERVES AND CADETS FOR CROWD CONTROL. WE HAVE HAD ONE MEETING AND WILL HAVE A FOLLOW-UP MEETING IN MAY AND JUNE.

FOOD CONCESSIONS:

FOOD CONCESSIONS WILL INCLUDE POP, COTTON CANDY, HOT DOGS, CORN DOGS, AND POPCORN.

RESTROOMS:

PORTABLE RESTROOMS WILL BE DELIVERED TO THE HAZELWOOD PARK ON JULY 3RD TO HANDLE THE CROWD ON THE EVENING OF JULY 4TH.

RAIN DAY POLICY:

IN THE EVENT OF RAIN, WE WOULD SHOOT THE FIREWORKS ON SUNDAY, JULY 5TH.

RECOMMENDATION:

IT IS REQUESTED THAT THE CITY COUNCIL APPROVE THE JULY 4TH PLANS AS OUTLINED IN THIS UPDATE.

AGENDA REPORT

TO: City Manager
 FROM: City Engineer
 SUBJECT: Stop Signs, DeSoto and Ripley
 DATE: April 21, 1992

Action by Council:

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

Introduction

Attached is a copy of a petition requesting four-way stop signs at DeSoto and Ripley. Notices have been sent to the neighborhood about this item.

Discussion

Maplewood has adopted the Minnesota Manual on Uniform Traffic Control Devices (MMUTCD). This manual details the warrants for installation of four-way stop signs. The intersection of DeSoto and Ripley does not meet the warrants established in the MMUTCD. Furthermore, the manual states stop signs should not be used for speed control.

This having been stated, let us direct our attention to other factors not covered in MMUTCD. The number of signatures on the petition shows strong support in the neighborhood for the request. These people likely account for a large share of the traffic at the intersection. It is encouraging to see that so many of the drivers using the intersection would indeed take the stop signs seriously.

It is unlikely that vehicle speeds in this half-mile section of DeSoto will be significantly effected by stop signs. Stop signs will, however, slow speeds a couple hundred feet either side of the intersection. This isolated "slower area" would relieve some of the safety concern expressed in the petition.

The petition also requests "stop ahead" signs be placed on DeSoto to prepare drivers for the stop signs. If signs are installed, this is strongly recommended.

Recommendation

It is recommended that all-way "stop" signs be installed at DeSoto and Ripley and "stop ahead" signs be installed on DeSoto.

KGH

jw

STOP SIGN PETITION

APR 01 1992

We, the undersigned, request that a 4-Way Stop be placed at the intersection of Ripley Street and Desoto Street in Maplewood. (Currently a stop sign is in place on the west side of Desoto St. at Ripley St.) We also request that "Stop Ahead" signs be placed on Desoto Street at an appropriate distance from the intersection.

Our reason for this request is that traffic on Desoto Street does not obey the speed limit. Vehicles are often traveling in excess of 40 mph. Safety is our concern, especially for the children.

Michael Oseth	1830	Desoto	776-2229
Lisa Lunc	1838	Desoto	771-1338
Laurie Edholm	1848	Desoto	774-4114
Joe Kalas	1855	" "	971-6477
Jeff O'Fallon	1863	" "	774-5673
Mrs M. Renteria	1900	" "	776-0763
Jeff Soren	1858	Desoto	774-4652
Leslie Carlson	1856	Desoto	774-9335
Jayne Henke	1784	Desoto	774-1838
Susan J. Junt	1764	Desoto	
[Signature]	1760	Desoto	774-4758
Shelli Jamill Little	1699	Desoto	778-0846
May Law	1717	Desoto	778-9463
Eric O'Keefe	1854	Desoto	776-0158
Teressa [Signature]	455	Ripley	771-1357
[Signature]	1801	Desoto	771-1117
Kate Walker	1780	Desoto	776-5738

STOP SIGN PETITION

We, the undersigned, request that a 4-Way Stop be placed at the intersection of Ripley Street and Desoto Street in Maplewood. (Currently a stop sign is in place on the west side of Desoto St. at Ripley St.) We also request that "Stop Ahead" signs be placed on Desoto Street at an appropriate distance from the intersection.

Our reason for this request is that traffic on Desoto Street does not obey the speed limit. Vehicles are often traveling in excess of 40 mph. Safety is our concern, especially for the children.

Gene Gunn	1771 DESOTO	778-9249
Robert Peterson	1747-DESOTO	776-7848
Robert Peterson	1765 De Soto	776-1860
Cerene Dubreane	1721 Desoto	774-2678
Michael V.R. King	1778 Desoto	774-1490
Donald Ferguson	1822 DeSoto	771-7625
Wanna Cummins	1796 De Soto	776-7555
Mark Fucille	445 Ripley	776-2091
Kathy Dugid	456 Ripley	778-1311
Rick Hogan	436 Ripley	776-7714
Widmayer	435 Ripley	773-3412
Gary Cook	415 E Ripley	776-1419
Richard W. Dman	405 Ripley Ave	771-9603
Harold G. Gresham	383 Ripley Ave	772-1623
Verdis Webb, Jr.	382 Ripley Ave	776-8184
Clay Freeman	406 Ripley	776-6345
Maice Green	1771 Desoto	771-8265

MEMORANDUM

TO: City Manager
FROM: City Engineer
SUBJECT: Stop Sign Criteria
DATE: October 14, 1991

For the purpose of this report, there should be a distinction made between stop signs for residential neighborhoods and stop signs for traffic control on the rest of the street system. Stop signs on the more heavily traveled roads such as collector and arterial streets should be regulated by and consistent with the Minnesota Manual of Uniform Traffic Control Devices. This manual is adopted by city ordinance to regulate all street signage, markings, and signals.

Residential neighborhoods present a special case. Typically, traffic volumes are very low and are not easily quantified. Intersection design, frequency, and spacing are quite variable. Cul-de-sacs, housing density, curves, and sight distance are not uniform from one subdivision to another. This neighborhood "uniqueness" makes it unreasonable to create any uniform criteria for stop sign placement.

This does not mean that good judgment and guiding principles should be abandoned. Attached is a discussion about stop sign placement in neighborhoods. These concepts are sound and should be used to evaluate stop sign placement. Each neighborhood should be evaluated as a "whole," rather than responding to specific requests.

After the city council has a chance to look this over, a shirt-sleeve discussion would be appropriate.

KGH

jc
Attachment

DEVICES FOR NEIGHBORHOOD TRAFFIC CONTROL

Devices available to communicate specific controls to drivers and pedestrians include signs, pavement markings and delineators, and signals and beacons. Only traffic signals convey controls in a dynamic manner; the other devices are essentially passive, although some signs may indicate regulations or warnings which are applicable only at certain times.

This section reviews effects of those individual devices most appropriate or commonly used in residential neighborhoods. Four important devices—stop signs, speed limits, turn prohibitions, and one-way street designations—are discussed in detail, including the likely effects of their use, uniform standards and warrants for their implementation, and various related observations. Other devices are then discussed more briefly.

Two general comments in relation to the use of standards and warrants must be made. First, in some countries, including the United States, traffic engineers may be reluctant to install a control device when warrants are not met, for fear of exposing the city and the engineer to liability should an accident occur that might be attributed in whole or in part to the presence of the unwarranted device. To protect against such an eventuality, the likelihood of an accident occurring should be evaluated and, if installation still seems desirable, the reasons justifying the installation should be documented.

Second, it should be kept in mind that devices (as well as many geometric features) can be ignored or circumvented by a determined motorist. While some options are less susceptible to violation than others, any program of neighborhood traffic control will require enforcement if it is to be successful.

Stop Signs

The basic purpose of stop signs is to assign right-of-way at intersections. STOP signs are persistently requested by citizens with the expectation that they will control speed or reduce volume in residential neighborhoods. A number of studies have shown, however, that these goals are not always achieved.

In Europe, stop signs are rarely used except where sight distance limitations make less restrictive controls (such as yield signs) inappropriate.

Two-way Stop. This is used to protect traffic on one of two intersecting streets by requiring traffic on the other street to come to a complete stop. It is suitable under the following situations:

¹ The term "drivers" will be used to include cyclists.

- where the protected street is a major street (primarily in the United States).
- where sight distances approaching the intersection are substandard, and traffic approaching under the general rules regarding uncontrolled intersections would run a substantial risk of being involved in collisions.
- where there is a record of an accident pattern amenable to mitigation by right-of-way controls, yet conditions do not appear to justify requiring traffic on both streets to stop.

Four-way Stop. This type of intersection control is more common in the United States than elsewhere. Intended primarily where two collector or major streets intersect and where funds for a traffic signal are not available, it has frequently been used in response to complaints by the public about excessive speeds with indifferent results. The unnecessary stopping of all vehicles adds to noise, fuel consumption, and emission of air pollutants—carbon monoxide, hydrocarbons, and oxides of nitrogen.

Numerous studies have been prepared regarding the degree to which stop signs are obeyed. Generally, when not required to stop by cross traffic, only 5 to 20 percent of all drivers will come to a complete stop, 40 to 60 percent will come to a "rolling" stop below 5 mph (8 km/h), and 20 to 40 percent will pass through at higher speeds. Signs placed on major and collector streets for the purpose of speed reduction are the most flagrantly violated. Thus, stop signs which do not meet the standard warrants tend to some extent to be ignored by drivers, whereas signs placed for right-of-way purposes are more likely to be obeyed.

a. *Effect on Traffic Volume.* Where local streets offer significant savings in time over congested parallel major and collector routes or allow avoidance of congestion points, stop signs will do little to reduce traffic volume. But when the local street offers marginal travel time advantage over other routes, the time lost at stop signs may be enough to shift traffic.

b. *Effect on Traffic Speed.* Requests from citizens for installation of stop signs are usually related to desire for speed control. The general conclusion from numerous studies on effectiveness of stop signs as a speed control measure is that they have little overall effect on speed, except within approximately 200 feet (60 meters) of the intersection controlled. They are almost universally reported to have little or no effectiveness in controlling mean or 85th percentile speeds at midblock. A possible reason why resident beliefs about the speed control effectiveness of stop signs is contrary to the findings of engineering studies is that there is some evidence that stop signs do reduce the midblock speed of the *fastest* vehicles in the traffic stream. It is probably these fastest vehicles, rather than those traveling at the median or 85th percentile speed, that disturb residents. Elimination of extreme speeding by the few very fastest vehicles could satisfy the residents' concerns without altering the 85th percentile or median speeds at all.

Another reason why neighbors may feel stop signs to be an effective speed control device is that they perceive traffic slowing down and stopping at the controlled intersection as a real benefit, regardless of what effect the signs have on midblock speeds. Pedestrians are trained to cross at intersections; so a measure which reduces speeds and creates gaps in the vehicle stream there can logically be thought practical. Hence, engineering studies which have found stop signs ineffective for residential area speed control may have considered an irrelevant data base.

c. *Effect on Traffic Noise, Air Quality, and Energy Consumption.* Stop signs tend to increase noise in the vicinity of an intersection by adding acceleration and braking noise. Deceleration, idling, and acceleration increase air pollutant emissions and fuel consumption; carbon monoxide, in particular, has an adverse impact on the immediate vicinity of its emission.

d. *Effect on Traffic Safety.* The traditional traffic engineering belief is that stop signs not warranted by traffic volume conflicts or specific site safety conditions (such as inadequate sight distance) would tend to *increase* traffic accidents by inducing either a general disregard for stop signs in the community or a hazardous disregard for the specific "unwarranted" sign. Effects of unwarranted stop signs on driver behavior and safety at stop signs throughout the community are difficult to substantiate. Evidence to date on the safety effects of individual stop signs placed for volume and speed reduction purposes is mixed. It is difficult to assess reasons for these results or why the common traffic engineering belief is not more convincingly supported in the empirical data. At some of the intersections where safety decrements were measured, placement of the signs in poor visibility positions and lack of supplementary markings may account for the accident experience rather than fundamental characteristics related to the warrants. Cases where safety experience was reportedly improved may include instances where traditional warrants for stop sign installation were actually met. Further, cases which reported safety improvements may include intersections with conditions borderlining traditional warrants.

e. *Uniform Standards and Warrants.* Stop sign design details and warrants for installation are included in the MUTCD. However, the warrants relate to right-of-way assignment and response to site safety conditions; the MUTCD specifically advises that stop signs should not be used for purposes of speed control.

f. *Community Reaction.* Stop signs have a very positive image with many residents, who often see them as a solution to "near miss" as well as actual accident problems. They are also viewed as being effective at controlling speed. Negative reactions to stop signs come mainly from residents at the intersections who are subjected to additional noise from stopping and accelerating vehicles, and from motorists who think they are being stopped needlessly.

Action by Council:

J-2

Endorsed _____

Modified _____

Rejected _____

Date _____



COMMUNITY EDUCATION

NO. ST. PAUL-MAPLEWOOD-OAKDALE SCHOOLS

2055 E. Larpenteur Avenue

Maplewood, MN 55109

Phone: (612) 770-4607

April 14, 1992

Gretchen Maglich
Maplewood City Hall
1830 E. County Road B
Maplewood MN 55109

Dear Gretchen:

Attached is the Resolution of Support for NEST from District 622 Community Education Advisory Council, which received unanimous support at the March 11 meeting.

I will present it to the City Council at the April 27 meeting at 7:00 p.m., unless I hear from you to the contrary. I can be reached at 625-4044 during the day, and I do have voicemail. Thanks for your help.

Sincerely,

Patricia A. Williamson
Member, District 622 Community
Education Advisory Council

**A Resolution of Support for
Northeast Suburban Transit (NEST)**

WHEREAS all citizens of Maplewood need access to public transportation to guarantee mobility within the suburbs in order to visit retail establishments, reach places of work, use health and medical service centers, participate in community programming and be contributing residents; and

WHEREAS young single parents with children need door to door transportation services to attend literacy and parent education programs such as the Family Learning Center and Early Childhood Family Education classes; and

WHEREAS older adults can no longer provide personal transportation for themselves but seek to maintain their independence and continue to live and recreate in Maplewood; and

WHEREAS persons with disabilities do not always meet the stringent requirements for metro mobility eligibility and MTC buses are not often equipped with lifts; and

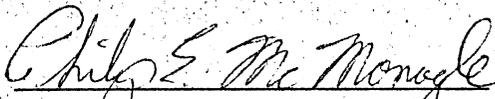
WHEREAS parents and guardians are not universally available to transport children and youth to education, enrichment and recreation activities, sport practices and games, church events, and volunteer service responsibilities; and

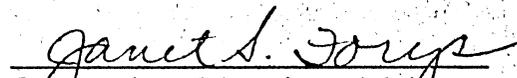
WHEREAS a vision for the future must involve supportive communities which are open, and accessible to ALL citizens regardless of age, nationality, ability, education or economic status; and

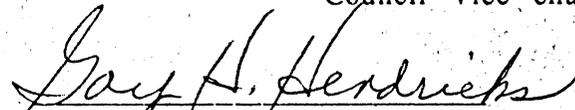
WHEREAS Northeast Suburban Transit (NEST) is a service that is helping to meet these needs.

**NOW, THEREFORE BE IT RESOLVED THAT
ON THE 11TH OF MARCH 1992**

We, the North St. Paul-Maplewood-Oakdale Community Education Advisory Council do hereby call for continued funding by the City Council of Maplewood for the operation of Northeast Suburban Transit (NEST) to include a proactive marketing plan and buses equipped with lifts.


Community Education Advisory
Council Chair


Community Education Advisory
Council Vice chair


Community Education Director

Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

RECYCLING AND CLEAN-UP DAY

May 2, 1992

WHEREAS, we the people of Maplewood are responsible for the future of our Earth and its environment; and

WHEREAS, we the people of Maplewood should take time and look around to see what can be done to improve and beautify the community we live; and

WHEREAS, the community of Maplewood, in conjunction with Earth Day, will make a significant effort to clean-up its homes, yards, and neighborhoods, thus enhancing the quality of community life.

NOW, THEREFORE, BE IT RESOLVED, that the City Council and I, Gary W. Bastian, Mayor of the City of Maplewood, do hereby proclaim Saturday, May 2, 1992 as

RECYCLING AND CLEAN-UP DAY

in Maplewood, and actively promote and encourage its citizens to participate in clean-up activities, making a visible statement that we are strongly committed to a neat and unpolluted community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Maplewood to be affixed this 2nd day of May in the year of our Lord one thousand nine hundred and ninety-two.

MAYOR

Action by Council:

MEMORANDUM

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: City Clerk
RE: MAPLEWOOD CARE CENTER
DATE: April 23, 1992

In reference to the letter from Messerli and Kramer regarding the Volunteers of America - Maplewood Care Center, this office has been working with that organization to fully explain the changes.

The Maplewood Care Center has consistently been late with their payments and has consistently not paid any of the late charges.

Attached is a letter from the City Attorney outlining the legalities of the City's ordinance.

The Maplewood Care Center has received monthly statements since their existence plus in 1988, 1989 and 1990 special notices were sent stating that if the delinquent sewer accounts were not paid the amounts plus 8% handling charges would be levied to be collected with the property taxes. Even though the Maplewood Care Center is tax exempt and does not pay property taxes, a statement including delinquent sewer bills and assessments is sent by Ramsey County.

The City Council is being requested to reopen accounts that have been certified. This has been requested in the past but never approved. Once an account has been certified, the amount is deleted from the City's records.

RECEIVED

APR 21 1992

MESSERLI & KRAMER

ATTORNEYS AT LAW

1500 NORTHLAND PLAZA BUILDING

3800 WEST 80TH STREET

MINNEAPOLIS, MINNESOTA 55431-4409

(612) 893-6650

FACSIMILE (612) 893-6755

WRITER'S DIRECT DIAL NUMBER

893-6670

WILLIAM F. MESSERLI
ROSS E. KRAMER
TOM TOGAS
DAVID R. KRACUM
MARK S. LARSON
TIMOTHY J. BAUER
ROBERT G. RENNER, JR.
SANDRA L. NEREN
RANDOLPH W. MORRIS
CHRISTOPHER B. HUNT
JAMES C. WICKA
PAUL A. SORTLAND †
JOSEPH B. NIERENBERG
WILLIAM C. HICKS **
DAVID D. BEAUDOIN ***
WILLIAM M. HABICHT
PAUL W. ANDERSON

WILLIAM D. TURKULA
ANN M. SETNES
JOHN F. APITZ
CINDY L. DAVIS
ANNE L. JOHNSON
LEANNE G. LITFIN
PETER D. MAGNUSON
FLORENCE HUMPHREY BATCHELOR
MICHAEL L. WEAVER

† ALSO ADMITTED IN NORTH DAKOTA
* ALSO ADMITTED IN SOUTH DAKOTA
** ALSO ADMITTED IN WISCONSIN
*** ALSO ADMITTED IN MONTANA

April 20, 1992

Ms. Lucille Aurelius
Maplewood City Clerk
Maplewood City Hall
1830 East County Road B
Maplewood, MN 55109

Re: Maplewood Care Center
Sewer and Water Penalty Overcharge Refund

Dear Ms. Aurelius:

We represent Maplewood Care Center in connection with its request to the City of Maplewood for a partial refund of sewer and water penalties paid. This matter is on the agenda for the City Council meeting to be held on Monday evening, April 27, and we plan to appear at the meeting with representatives of Maplewood Care Center to present our position.

I am writing to informally set out the background of this matter and the basis for our request.

Background

Maplewood Care Center is a skilled nursing care facility located on Sherren Avenue in Maplewood. Since 1970, it has been owned and operated by Volunteers of America, a national charitable human services organization.

Maplewood Care Center suffered severe cash flow difficulties in recent years, as did many nursing homes in Minnesota. The reasons related to increasing costs, limits on government reimbursement for costs and on private rates, increases in accounts receivable, delays in receiving Medical Assistance payments from the Minnesota Department of Human Services, and other pressures. Despite good operating efficiencies, Maplewood Care Center was unable during this period to obtain sufficient cash to pay all bills on the dates they were due.

The City's monthly sewer and water utility bills to Maplewood Care Center during the period from July of 1988 to June of 1991 ranged from \$1300 to \$1500. Some bills were paid on time and some

Ms. Lucille Aurelius
April 20, 1992
Page 2

were paid late. The average time for payment during this period was approximately 16 days late. The City imposed penalties for these late payments. Due to confusion as to the account balance, Maplewood Care Center did not make three payments: the bills due 10/31/88, 3/28/89, and 7/30/89, totalling \$4,194.78.

The penalties imposed by the City for the late payments were \$22,586.62, based on a 10% charge per month for each late payment compounded monthly over this period. When added to the unpaid bills of \$4,194.78 and an 8% charge for certifying these amounts to Ramsey County for collection as special assessments, the City's claim totalled \$28,356.16. Maplewood Care Center paid \$21,253.86 in 1990 and 1991 special assessments. The City still shows approximately \$7,000 to \$8,000 in additional penalties owing.

Maplewood Care Center is requesting a refund of \$15,652.18 of the amount paid and an abatement of the remaining penalties still owing.

The enclosed Affidavits of Cindy L. Bunting and Angeline Sewall, and the exhibits attached to them, provide more detailed background information.

Basis for our request

Maplewood City Code Section 28-23 provides that sewer and water utility accounts shall be billed quarterly except for billings totalling \$600 or more per year, which shall be billed monthly. Code Section 28-24 provides that a delinquency charge of 10% shall be added to statements not paid on time.

Prior to January 1, 1991, the City interpreted these Code sections to allow for a new 10% penalty each month based on the entire account balance of a commercial customer, with the effect of compounding the penalty each month. We understand that, effective as of January 1, 1991, the City staff reduced the level of penalty to 3% or 3½% per month.

We believe that the penalties imposed by the City on Maplewood Care Center were excessive and unreasonable under state law.

Minnesota Statutes Section 444.075, Subd. 3, provides that the governing body of a municipality may impose "just and equitable charges" for the use and availability of sewer and water facilities and for connections with them and may make contracts for the charges with users. Penalties for late payment are merely a part of a municipality's overall charges for sewer and water, and as such, the level and manner of imposition of late payment penalties must also be "just and equitable" under Section 444.075, Subd. 3. A penalty of 10% per month compounded monthly equates to an effective annual interest rate of 213.84%, hardly "just and equitable" in a commercial context. At this level, a \$1,000 account balance (whether from an unpaid utility bill or a penalty itself) will grow to over \$3,138 in one year.

Ms. Lucille Aurelius
April 20, 1992
Page 3

Charging customers with annual billings of \$600 per year or more what amounts to a penalty three times that charged customers with annual billings of \$599 per year or less, is far from "equitable." As a constitutional matter, it is doubtful that the City has a rational basis for this unequal treatment.

The state statute cited above authorizes municipalities to "make contracts" with customers for sewer and water service charges. As such, the enforceability of the City's code and its contracts are subject to general principles of contract law, including the doctrines of unconscionability and adhesion. In a 1990 court decision, Schlobohm v. Spa Petite, Inc., the Minnesota Supreme Court defined an adhesion contract as one drafted unilaterally by one party and "forced upon an unwilling and often unknowing public for services that cannot readily be obtained elsewhere." The two factors the Court cited for determining whether a contract is one of adhesion are: (i) is the contract the result of the superior bargaining power of one of the parties? and (ii) is the service involved a public necessity? In reviewing whether the type of service offered is a public or essential service, the Court stated that consideration must be given to whether the service is the type thought suitable for public regulation, and among the examples cited are "public utilities."

The City's contract for sewer and water services, with its 213% effective annual rate of penalty for late payment, is unconscionably high and meets the elements of an adhesion contract under the Schlobohm definition. Maplewood Care Center could not obtain sewer and water connection and services elsewhere, had no practical ability to negotiate for lower penalties, and the services are a public necessity.

Maplewood Care Center clearly owed the City \$4,194.78 for the three missed payments and it does not quarrel with the 8% charge to certify this amount to Ramsey County for special assessment, bringing this amount to \$4,530.36. Our calculation (set forth in the chart attached to each of the enclosed Affidavits) shows that if the City's late payment penalty during this period had been imposed at 10% per quarter, without compounding, the total penalty payable by Maplewood Care Center would be \$991.96. If an 8% certification charge is added to this amount and then added to the \$4,530.36 above, the total is \$5,601.68. Maplewood Care Center has paid \$21,253.86 to the City in delinquent charges and penalties. The difference between that amount and \$5,601.68 is \$15,652.18, the amount of refund we are requesting.

Proof of payment

When we approached the City staff with our request for refund and abatement, we were advised through Bannigan & Kelly, P.A., city attorneys, that it has been the practice of the City to review and reconsider billing charges only back until the last date of certification to the Hennepin County tax roll, and that only the City Council has authority to "reopen" accounts which have been so certified. Maplewood Care Center charges were certified to Hennepin County on June 30, 1989 and on June 30, 1990.

Ms. Lucille Aurelius
April 20, 1992
Page 4

The apparent concern in reopening these accounts is a need to establish that the City has actually been paid the delinquent charges and penalties in question. For this purpose, Cindy L. Bunting has attached to her enclosed Affidavit copies of the four checks for payment of the certified amounts. We will also bring to the City Council meeting copies of the cancelled checks from the bank's microfiche records. These are quite faint and cannot be legibly re-copied.

There should be no question that the City has received the delinquent charges and penalties paid by Maplewood Care Center. We respectfully ask the City to review these accounts now and consider our request for refund and abatement.

Yours,

MESSERLI & KRAMER



Mark S. Larson

cc: Mayor Gary Bastion
Council members Dale Carlson, Joseph Zappa, Frances Juker, George Rossbach
City Manager Michael McGuire
Charles W. Gould
Cindy L. Bunting
Angeline Sewall

10. That Exhibit D is a copy of the check dated October 12, 1990 for payment of the second half of the 1990 Special Assessment.

11. That Exhibit E is a copy of the real property tax statement for Maplewood Care Center payable in 1991 and shows a Special Assessment by Ramsey County of \$13,551.96 for delinquent sewer charges.

12. That Exhibit F is a copy of the check dated May 15, 1991 for payment of the first half of the 1991 Special Assessment.

13. That Exhibit G is a copy of the check dated October 11, 1991 for payment of the second half of the 1991 Special Assessment.

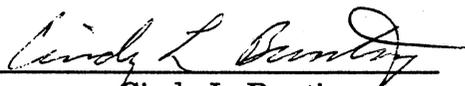
14. That the total amount of delinquent tax and penalties paid by Maplewood Care Center to the City of Maplewood, in the form of 1990 and 1991 Special Assessments, was \$21,253.86, and the City of Maplewood maintains that Maplewood Care Center stills owes approximately \$7,000 to \$8,000 in additional penalties.

15. That Exhibit A shows the amount of penalty for late payment of utility bills during this period which would be payable if imposed at 10% per quarter, without compounding, totalling approximately \$991.96. That this amount, together with the amount of unpaid utility bills for 10/31/88, 3/28/89, and 7/30/89, and together with an 8% certification charge to Ramsey County, equals \$5,601.68.

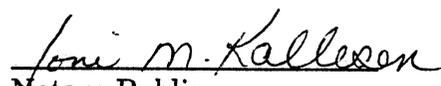
16. That the difference between the total amount paid to the City of Maplewood in delinquent tax and penalties (\$21,253.86) and the amount which would be payable if penalties were imposed at 10% per quarter (\$5,601.68) equals \$15,652.18, the amount of refund requested by Maplewood Care Center.

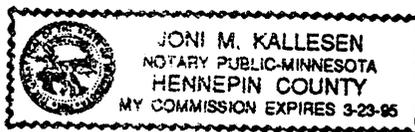
17. That Maplewood Care Center is also requesting abatement of the additional penalties of approximately \$7,000 to \$8,000 still claimed to be owing to the City of Maplewood.

FURTHER AFFIANT SAYETH NOT.


Cindy L. Bunting

Subscribed and sworn to before me
this 6th day of April, 1992.


Notary Public
16156



Due Date	SE	HY	AR	Recyl	Total	Check Date	Check Amount	City's Penalty	City's Previous Balance on Stat.	City's Balance	Principle Balance	Penalty on Prin Bal @ 10% qtr	Balance + Penalty	Amount to Assess
7/29/88	1,394.40	109.56			1,503.96	8/5/88	VOID	150.40		1,654.36	1,503.96		1,503.96	
8/31/88	1,394.40	109.56	1,654.36		3,158.32	8/19/88	3,158.32			0.00	0.00	-150.40	-150.40	-150.40
9/30/88	1,394.40	109.56			1,503.96	9/23/88	1,503.96			0.00	0.00	0.00	-150.40	0.00
10/31/88	1,394.40	109.56			1,503.96			150.40		1,654.36	1,503.96		1,353.56	1,503.96
11/30/88	1,394.40	109.56	1,654.36		3,158.32	12/23/88	1,503.96	315.83		3,474.15	3,007.92		2,857.52	
12/30/88	1,394.40	109.56	3,474.15		4,978.11	1/6/89	1,503.96	347.42		3,821.57	3,007.92	300.79	3,158.31	300.79
1/31/89	1,394.40	109.56	3,821.57		5,325.53	2/10/89	1,503.96	382.16		4,203.73	3,007.92		3,158.31	
2/28/89	1,394.40	109.56			1,503.96	3/17/89	1,503.96	420.38	4,203.73	4,624.11	3,007.92		3,158.31	
3/28/89	1,247.40	98.01			1,345.41			446.56	4,624.11	4,912.12	2,849.37	284.94	3,284.70	1,630.35
4/28/89	1,247.40	98.01			1,345.41	6/2/89	1,345.41	625.76	4,912.12	6,883.29	4,194.78		4,630.11	
5/31/89	1,247.40	98.01			1,345.41	6/9/89	1,345.41	822.88	6,883.29	9,051.58	5,540.19		5,975.52	
6/30/89	1,247.40	98.01			1,345.41	7/14/89	1,345.41	770.62	9,051.58	8,476.79	4,194.78	419.48	5,049.59	419.48
7/30/89	1,247.40	98.01			1,345.41			847.68	8,476.79	9,324.47	4,194.78		5,049.59	1,345.41
8/30/89	1,247.40	98.01			1,345.41	11/17/89	1,345.41	1,066.99	9,324.47	11,736.87	5,540.19		6,395.00	
9/30/89	1,247.40	98.01			1,345.41	12/8/89	1,345.41	595.09	11,736.87	6,545.99	609.03	60.90	669.93	60.90
10/31/89	1,247.40	98.01			1,345.41	1/5/90	1,345.41	789.14	6,545.99	8,680.54	1,954.44		2,015.34	
11/30/89	1,247.40	98.01			1,345.41	12/1/89	1,345.41	868.05	8,680.54	9,548.59	1,954.44		2,015.34	
12/29/89	1,247.40	98.01			1,345.41	12/22/89	1,345.41	685.78	9,548.59	7,543.55	-736.38	0.00	-675.48	0.00
1/31/90	1,381.05	115.83			1,496.88	2/16/90	1,496.88	769.51	7,543.55	8,464.53	-584.91		-524.01	
2/28/90	1,381.05	115.83			1,496.88	4/13/90	1,496.88	846.46	8,464.53	9,310.99	-584.91		-524.01	
3/30/90	1,243.10	104.26			1,347.36	4/20/90	1,347.36	1,065.83	9,310.99	11,724.18	762.45	76.25	899.60	76.25
4/30/90	1,243.10	104.26			1,347.36	6/1/90	1,347.36	1,022.73	11,724.18	11,250.03	-734.43		-597.28	
5/31/90	1,243.10	104.26			1,347.36	6/15/90	1,347.36	1,259.74	11,250.03	13,857.13	612.93		750.08	
6/29/90	1,243.10	104.26			1,347.36	7/6/90	1,347.36	1,385.71	13,857.13	15,242.84	-734.43	0.00	-597.28	0.00
7/31/90	1,243.10	104.26			1,347.36	8/3/90	1,347.36	1,524.29	15,242.00	16,767.13	-734.43		-597.28	
8/31/90	1,243.10	104.26			1,347.36	8/24/90	1,347.36	1,541.98	16,767.10	16,961.75	-2,081.79		-1,944.64	
9/28/90	1,243.10	104.26			1,347.36	9/21/90	1,347.36	441.36	16,961.75	4,854.99	-14,492.76	0.00	-14,492.76	0.00
10/31/90	1,243.10	104.26			1,347.36	11/9/90	1,347.36	620.24	4,854.90	6,822.59	-13,145.40		-13,145.40	
11/30/90	1,243.10	104.26			1,347.36	11/23/90	1,347.36	547.53	6,822.59	6,022.76	-14,492.76		-14,492.76	
12/31/90	1,243.10	104.26			1,347.36	1/4/91	1,347.36	737.01	6,022.76	8,107.13	-13,145.40	0.00	-13,145.40	
1/31/91	1,243.10	104.26			1,347.36	2/8/91	1,347.36	243.21	8,107.10	8,350.34	-13,145.40		-13,145.40	
2/28/91	1,243.10	104.26		0.33	1,347.69	3/1/91	1,347.69	250.52	8,350.34	8,601.19	-13,145.07		-13,145.07	
3/28/91	1,303.55	109.33		0.33	1,413.21	4/12/91	1,413.21	260.00		8,926.71	-13,079.55	0.00	-13,079.55	
4/28/91	1,303.55	109.33		0.33	1,413.21	5/3/91	1,413.21	267.80		9,194.51	-13,079.55		-13,079.55	
5/28/91	1,303.55	109.33		0.33	1,413.21	6/14/91	1,413.21	275.84		9,470.35	-13,079.55		-13,079.55	
6/28/91	1,303.55	109.33		0.33	1,413.21	6/21/91	1,413.21	241.72		8,298.86	-14,492.76	0.00	-14,492.76	
			10,604.44		60,905.47		46,256.65	22,586.62				991.96		5,186.74

RETAIN THIS COPY FOR YOUR RECORDS

5

PAYABLE IN 1990

RAMSEY COUNTY, MINN. 57 MAPLEWOOD

1989 ESTIMATED MARKET VALUE PAYABLE 1990 EXEMPT 1990 ESTIMATED MARKET VALUE PAYABLE 1991 EXEMPT

PROPERTY IDENTIFICATION NO.					WTR	SJE	SCHOOL	LOAN
SEC	TWN	RGE	QTR	ID	IC/DIS	CODE	DIST.	COMP.
11	29	22	32	0008	8	M	FC	622

PROPERTY ADDRESS

UNASSIGNED

PROPERTY OWNER

VOA CARE CENTERS MINNESOTA 7530 MARKET PLACE DRIVE EDEN PRAIRIE MN 55344-3692



NAME OF TAXPAYER

VOA CARE CENTERS MINNESOTA 7530 MARKET PLACE DRIVE EDEN PRAIRIE MN 55344-3692

SERVICE CHARGES AND SPECIAL ASSESSMENTS		
DEL SEWER	0044	7,701.90
COPE AVE	5958	422.76
TOTAL-SEE ITEM 12		8,124.66

	1989	1990
PROPERTY CLASS	N/A	EXEMPT
NEW IMPROVEMENTS	N/A	EXEMPT
MARKET VALUE	22,400	
1. AMOUNT TO USE IN FILLING OUT YOUR PROPERTY TAX REFUND FORM M-1PR, IF ELIGIBLE . . . . .	.00	.00
IF THIS BOX IS CHECKED, YOU OWE DELINQUENT TAXES <input type="checkbox"/>		
YOUR PROPERTY TAX		
2. YOUR PROPERTY TAX BEFORE REDUCTION BY STATE PAID AIDS AND CREDITS		
3. AID PAID BY STATE TO REDUCE YOUR PROPERTY TAX . . . . .	.00	.00
4. HOMESTEAD AND AGRICULTURAL CREDIT . . . . .	.00	.00
5. OTHER CREDITS THAT REDUCE YOUR TAX . . . . .	.00	.00
6. YOUR PROPERTY TAX AFTER REDUCTION BY STATE-PAID AIDS AND CREDITS . . . . .	.00	.00
WHERE YOUR PROPERTY TAX DOLLARS GO		
7. COUNTY . . . . .	.00	.00
8. CITY OR TOWN . . . . .	.00	.00
9. SCHOOL DISTRICT . . . . .	.00	.00
10. SPECIAL TAXING DISTRICTS . . . . .	.00	.00
1. TOTAL PROPERTY TAXES BEFORE SPECIAL ASSESSMENTS		
2. SERV CHGS & SPEC. ASSESSMENTS ADDED TO THIS PROPERTY TAX BILL		
PRINCIPAL . . . . .	.00	7,807.37
INTEREST . . . . .	.00	317.29
3. YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS		8,124.66

Handwritten signature and date: 'Sub 4/23/90'

1. AMOUNT TO USE IN FILLING OUT YOUR PROPERTY TAX REFUND FORM M-1PR, IF ELIGIBLE IF THIS BOX IS CHECKED, YOU OWE DELINQUENT TAXES

YOUR PROPERTY TAX

- 2. YOUR PROPERTY TAX BEFORE REDUCTION BY STATE PAID AIDS AND CREDITS
- 3. AID PAID BY STATE TO REDUCE YOUR PROPERTY TAX
- 4. HOMESTEAD AND AGRICULTURAL CREDIT
- 5. OTHER CREDITS THAT REDUCE YOUR TAX
- 6. YOUR PROPERTY TAX AFTER REDUCTION BY STATE-PAID AIDS AND CREDITS

WHERE YOUR PROPERTY TAX DOLLARS GO

- 7. COUNTY
- 8. CITY OR TOWN
- 9. SCHOOL DISTRICT
- 10. SPECIAL TAXING DISTRICTS

- 1. TOTAL PROPERTY TAXES BEFORE SPECIAL ASSESSMENTS
- 2. SERV CHGS & SPEC. ASSESSMENTS ADDED TO THIS PROPERTY TAX BILL
 - PRINCIPAL
 - INTEREST
- 3. YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS

Are you eligible for a refund to reduce your tax?

Read the back of this statement to learn about the Minnesota property tax refund(s) % 2

STATE COPY

STATEMENT OF PROPERTY TAX PAYABLE IN 1990 RAMSEY COUNTY, MINN.

CLOSE THIS COPY WITH FORM M-1PR WHEN FILING FOR REFUND FROM MINN DEPT OF REVENUE

57

VOA CARE CENTERS MINNESOTA 7530 MARKET PLACE DRIVE EDEN PRAIRIE MN 55344-3692

Handwritten amount: 4,062.35

PROPERTY IDENTIFICATION NO.					WTR	SCHOOL	LOAN
SEC	TWN	RGE	QTR	ID	IC/DIS	DIST.	COMP.
11	29	22	32	0008	8	M	622
NEW IMPROVEMENTS		ESTIMATED MARKET VALUE		NET TAX CAPACITY			
		EXEMPT					

NAME OF TAXPAYER

VOA CARE CENTERS MINNESOTA 7530 MARKET PLACE DRIVE EDEN PRAIRIE MN 55344-3692

EXHIBIT B

DEBIT

9159c

Facility: 0000093

Register No. 10221

FACILITY	INVOICE DATE	INVOICE DESCRIPTION	AMOUNT
10-MAPLEWOOD CARE CENTER	04/28/90	MAP.1ST.HALF 0008	4062.33
10-MAPLEWOOD CARE CENTER	04/26/90	MAP.0011	15.88
10-MAPLEWOOD CARE CENTER	04/26/90	MAP.1ST.HALF 0019	1758.21

111

VOLUNTEERS OF AMERICA
 HEALTH MANAGEMENT
 7630 MARKET PLACE DRIVE
 EDEN PRAIRIE, MN 55344

FIRST BANK MINNEAPOLIS
 MINNEAPOLIS, MN 55480
 17-2-910

10221

FIVE THOUSAND EIGHT HUNDRED THIRTY SIX DOLLARS

Register No: 10221
 DATE 05/02/90

42 CENTS AMOUNT

05/02/90

***5836.42

DIRECTOR PROPERTY
 TAXATION
 15 KELLOGG BLVD.W.RM 138
 ST.PAUL, MN 55102

NOT NEGOTIABLE

⑈01597⑈ ⑈102200⑈ ⑈102200⑈

BY THE ORDER

DIRECTOR

1501

Facility: 000093

Register No.

817

FACILITY	INVOICE DATE	INVOICE DESCRIPTION	AMOUNT
10-MAPLEWOOD CARE CENTER	09/05/90	2ND. HALF 11-2922320008	4062.33
10-MAPLEWOOD CARE CENTER	09/05/90	2ND. HALF 112922310019	1758.21
10-MAPLEWOOD CARE CENTER	09/05/90	2ND. HALF 112922320009	333.40
10-MAPLEWOOD CARE CENTER	09/05/90	2ND. HALF 112922320010	884.03

#1629-A

Volunteers of America Health Management

7530 MARKET PLACE DRIVE
EDEN PRAIRIE, MINNESOTA 55344
(612) 941-0305

FIRST BANK HAVRE
MEMBER FIRST BANK SYSTEM
FIRST NATIONAL BANK IN HAVRE
233 FIRST STREET
HAVRE, MT 59501

93-455/929

905 000817

REGISTER NO.	DATE	AMOUNT
817	10/12/90	***7037.97

PAY:
SEVEN THOUSAND THIRTY SEVEN DOLLARS & 97 CENTS

PAY
TO THE
ORDER OF

DIRECTOR PROPERTY
TAXATION
15 KELLOGG BLVD.W.RM 138
ST.PAUL, MN 55102

NOT NEGOTIABLE

BY

905000817 101290 7037.97

EXHIBIT D

RETAIN THIS COPY FOR YOUR RECORDS

57

PAYABLE IN 1991
RAMSEY COUNTY, MINN.

DEARBORN PARK
VAC STREETS ACCRUING AND
LOT 10 BLK 8

7/1/89 - delinquent sewer
6/30/90
109.76
189.48
770
4500

PROPERTY IDENTIFICATION NO					WTR	SUB	SCHOOL		LOAN
SEC	TWN	RGE	QTR	ID	DISHD	CODE	DIST.	COMP.	
11	29	22	32	0008	8	M	622		

PROPERTY ADDRESS
UNASSIGNED

PROPERTY OWNER
VOA CARE CENTERS MINNESOTA
7530 MARKET PLACE DRIVE
EDEN PRAIRIE MN 55344-3692

NAME OF TAXPAYER
VOA CARE CENTERS MINNESOTA
7530 MARKET PLACE DRIVE
EDEN PRAIRIE MN 55344-3692

SERVICE CHARGES AND SPECIAL ASSESSMENTS		
DEL SEWER	0044	13,551.96
COPE AVE	5958	285.84
TOTAL-SEE ITEM 13		13,837.80

PROPERTY CLASS NEW IMPROVEMENTS MARKET VALUE	1990	1991
	EXEMPT N/A	EXEMPT

1. Amount to use in filling out your property tax refund Form M-1PR, if eligible . . . . .		.00
2. Amount to use in filling out schedule 1 of Form M-1PR, if eligible . . . . .	.00	
If this box is checked, you owe delinquent taxes <input type="checkbox"/>		
YOUR PROPERTY TAX		
3. Your property tax before reduction by state paid aids and credits . . . . .		.00
4. Aid paid by state to reduce your property tax . . . . .	.00	.00
5. Homestead and agricultural credit . . . . .	.00	.00
6. Other credits that reduce your tax . . . . .	.00	.00
7. Your property tax after reduction by state-paid aids and credits . . . . .	.00	.00
WHERE YOUR PROPERTY TAX DOLLARS GO		
8. County . . . . .	.00	.00
9. City or town . . . . .	.00	.00
10. School district . . . . .	.00	.00
11. Special taxing districts . . . . .	.00	.00
12. Total property taxes before special assessments		
13. Serv chgs & spec. assessments added to this property tax bill		
Principal	7,807.37	13,657.43
Interest	317.29	180.37
14. Your total property tax and special assessments	8,124.66	13,837.80

ENTERED
6-23

DELINQUENT
SEWER

7/1/88 -
6/30/89

7/1/89 -
6/30/90

Are you eligible for a refund to reduce your tax? Read the back of this statement to learn about the Minnesota property tax refund(s) 1.2

STATEMENT OF PROPERTY TAX PAYABLE IN 1991 RAMSEY COUNTY, MINN. 6,918.90

STATE COPY
ENCLOSE THIS COPY WITH FORM M-1PR
WHEN FILING FOR REFUND FROM MINN
DEPT OF REVENUE

VOA CARE CENTERS MINNESOTA
7530 MARKET PLACE DRIVE
EDEN PRAIRIE MN 55344-3692

PROPERTY IDENTIFICATION NO					WTR	SUB	SCHOOL		LOAN
SEC	TWN	RGE	QTR	ID	DISHD	CODE	DIST.	COMP.	
11	29	22	32	0008	8	M	622		

FOR STATE USE ONLY		NAME OF TAXPAYER	
1990	1991	VOA CARE CENTERS MINNESOTA 7530 MARKET PLACE DRIVE EDEN PRAIRIE MN 55344-3692	
EXEMPT	EXEMPT		
		.00	

EXHIBIT E

DIRECTOR 2

01760

Facility: 0000093

Register No. 335

FACILITY

INVOICE DATE

INVOICE DESCRIPTION

AMOUNT

10-MAPLEWOOD CARE CENTER

05/23/91

11-29-22-32-0008-8

6918.9

#1629-A

Volunteers of America Health Management

7530 MARKET PLACE DRIVE
EDEN PRAIRIE, MINNESOTA 55344
(612) 941-0305

FIRST BANK HAVRE
MEMBER FIRST BANK SYSTEM
FIRST NATIONAL BANK IN HAVRE
233 FIRST STREET
HAVRE, MT 59501

93-455/929

905 003352

REGISTER NO.	DATE	AMOUNT
3352	10/11/91	***6918.90

PAY:

SIX THOUSAND NINE HUNDRED EIGHTEEN DOLLARS & 90 CENTS

PAY TO THE ORDER OF

DIRECTOR PROPERTY TAXATION
15 KELLOGG BLVD.W.#138
ST.PAUL, MN 55102

BY

NOT NEGOTIABLE

⑈0308352⑈ ⑈02701504⑈ ⑈084201252⑈

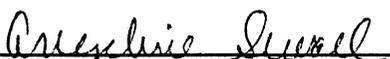
EXHIBIT G

9. That Maplewood Care Center was not aware that a payment of sewer and water utility bills to the City of Maplewood which was even one day late would result in a penalty of 10% per month and that penalties would be compounded each month on any delinquent balance.

10. That the utility bills due 10/31/88, 3/28/89, and 7/30/89 were unpaid through inadvertance; Maplewood Care Center was confused as to its utilities account balance because of penalties imposed and compounded and because of the way payments were applied. Only after the delinquent payments and penalties were certified to Ramsey County and collected in Special Assessments in 1990 and 1991, did Maplewood Care Center become aware of the missed payments and the penalties and certification charges of over \$24,000 imposed by the City of Maplewood on the utility bills for this period.

11. Since it began operations over 22 years ago, Maplewood Care Center has always paid its bills in good faith, including all charges which were received during the 1988-1991 period of deferred payments. It is requesting a refund of a portion of the sewer and water penalties collected by the City of Maplewood, and an abatement of the amounts claimed to be still owing, because it believes that these penalties are excessive and unreasonable under the circumstances.

FURTHER AFFIANT SAYETH NOT.



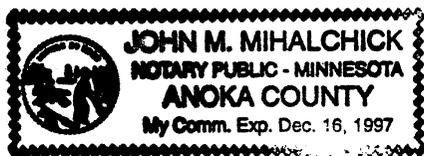
Angeline Sewall

Subscribed and sworn to before me
this 8 day of April, 1992.



Notary Public

16253



MAPLEWOOD CARE CENTER
ACCOUNT 040051633
JUNE 30, 1991

EXHIBIT A

CB 4/6/92

Due Date	SE	HY	AR	Recyl	Total	Check Date	Check Amount	City's Penalty	City's Previous Balance on Stat.	City's Balance	Principle Balance	Penalty on Prin Bal @ 10% qtr	Balance + Penalty	Amount to Assess
7/29/88	1,394.40	109.56			1,503.96	8/5/88	VOID	150.40		1,654.36	1,503.96		1,503.96	
8/31/88	1,394.40	109.56	1,654.36		3,158.32	8/19/88	3,158.32			0.00	0.00	-150.40	-150.40	-150.40
9/30/88	1,394.40	109.56			1,503.96	9/23/88	1,503.96			0.00	0.00	0.00	-150.40	0.00
10/31/88	1,394.40	109.56			1,503.96			150.40		1,654.36	1,503.96		1,353.56	1,503.96
11/30/88	1,394.40	109.56	1,654.36		3,158.32	12/23/88	1,503.96	315.83		3,474.15	3,007.92		2,857.52	
12/30/88	1,394.40	109.56	3,474.15		4,978.11	1/6/89	1,503.96	347.42		3,821.57	3,007.92	300.79	3,158.31	300.79
1/31/89	1,394.40	109.56	3,821.57		5,325.53	2/10/89	1,503.96	382.16		4,203.73	3,007.92		3,158.31	
2/28/89	1,394.40	109.56			1,503.96	3/17/89	1,503.96	420.38	4,203.73	4,624.11	3,007.92		3,158.31	
3/28/89	1,247.40	98.01			1,345.41			446.56	4,624.11	4,912.12	2,849.37	284.94	3,284.70	1,630.35
4/28/89	1,247.40	98.01			1,345.41	6/2/89	1,345.41	625.76	4,912.12	6,883.29	4,194.78		4,630.11	
5/31/89	1,247.40	98.01			1,345.41	6/9/89	1,345.41	822.88	6,883.29	9,051.58	5,540.19		5,975.52	
6/30/89	1,247.40	98.01			1,345.41	7/14/89	1,345.41	770.62	9,051.58	8,476.79	4,194.78	419.48	5,049.59	419.48
7/30/89	1,247.40	98.01			1,345.41			847.68	8,476.79	9,324.47	4,194.78		5,049.59	1,345.41
8/30/89	1,247.40	98.01			1,345.41	11/17/89	1,345.41	1,066.99	9,324.47	11,736.87	5,540.19		6,395.00	
9/30/89	1,247.40	98.01			1,345.41	12/8/89	1,345.41	595.09	11,736.87	6,545.99	609.03	60.90	669.93	60.90
10/31/89	1,247.40	98.01			1,345.41	1/5/90	1,345.41	789.14	6,545.99	8,680.54	1,954.44		2,015.34	
11/30/89	1,247.40	98.01			1,345.41	12/1/89	1,345.41	868.05	8,680.54	9,548.59	1,954.44		2,015.34	
12/29/89	1,247.40	98.01			1,345.41	12/22/89	1,345.41	685.78	9,548.59	7,543.55	-736.38	0.00	-675.48	0.00
1/31/90	1,381.05	115.83			1,496.88	2/16/90	1,496.88	769.51	7,543.55	8,464.53	-584.91		-524.01	
2/28/90	1,381.05	115.83			1,496.88	4/13/90	1,496.88	846.46	8,464.53	9,310.99	-584.91		-524.01	
3/30/90	1,243.10	104.26			1,347.36	4/20/90	1,347.36	1,065.83	9,310.99	11,724.18	762.45	76.25	899.60	76.25
4/30/90	1,243.10	104.26			1,347.36	6/1/90	1,347.36	1,022.73	11,724.18	11,250.03	-734.43		-597.28	
5/31/90	1,243.10	104.26			1,347.36	6/15/90	1,347.36	1,259.74	11,250.03	13,857.13	612.93		750.08	
6/29/90	1,243.10	104.26			1,347.36	7/6/90	1,347.36	1,385.71	13,857.13	15,242.84	-734.43	0.00	-597.28	0.00
7/31/90	1,243.10	104.26			1,347.36	8/3/90	1,347.36	1,524.29	15,242.00	16,767.13	-734.43		-597.28	
8/31/90	1,243.10	104.26			1,347.36	8/24/90	1,347.36	1,541.98	16,767.10	16,961.75	-2,081.79		-1,944.64	
9/28/90	1,243.10	104.26			1,347.36	9/21/90	1,347.36	441.36	16,961.75	4,854.99	-14,492.76	0.00	-14,492.76	0.00
10/31/90	1,243.10	104.26			1,347.36	11/9/90	1,347.36	620.24	4,854.90	6,822.59	-13,145.40		-13,145.40	
11/30/90	1,243.10	104.26			1,347.36	11/23/90	1,347.36	547.53	6,822.59	6,022.76	-14,492.76		-14,492.76	
12/31/90	1,243.10	104.26			1,347.36	1/4/91	1,347.36	737.01	6,022.76	8,107.13	-13,145.40	0.00	-13,145.40	
1/31/91	1,243.10	104.26			1,347.36	2/8/91	1,347.36	243.21	8,107.10	8,350.34	-13,145.40		-13,145.40	
2/28/91	1,243.10	104.26		0.33	1,347.69	3/1/91	1,347.69	250.52	8,350.34	8,601.19	-13,145.07		-13,145.07	
3/28/91	1,303.55	109.33		0.33	1,413.21	4/12/91	1,413.21	260.00		8,926.71	-13,079.55	0.00	-13,079.55	
4/28/91	1,303.55	109.33		0.33	1,413.21	5/3/91	1,413.21	267.80		9,194.51	-13,079.55		-13,079.55	
5/28/91	1,303.55	109.33		0.33	1,413.21	6/14/91	1,413.21	275.84		9,470.35	-13,079.55		-13,079.55	
6/28/91	1,303.55	109.33		0.33	1,413.21	6/21/91	1,413.21	241.72		8,298.86	-14,492.76	0.00	-14,492.76	
			10,604.44		60,905.47		46,256.65	22,586.62				991.96		5,186.74

J-5

BANNIGAN & KELLY, P.A.

ATTORNEYS AT LAW
409 MIDWEST FEDERAL BUILDING
5TH AND CEDAR
SAINT PAUL, MINNESOTA 55101
(612) 224-3781

COPY

JOHN F. BANNIGAN, JR.
PATRICK J. KELLY
JAMES J. HANTON
JANET M. WILEBSKI
JOHN W. QUARNSTROM

FAX (612) 223-8019

March 18, 1992

Mr. Michael McGuire
City of Maplewood
1830 E. County Road B
Maplewood, MN 55109

*RE: Maplewood Care Center/Sewer Overcharge
Refund/Delinquent Sewer Charges*

Dear Mr. McGuire:

On March 11, 1992, the Maplewood City Clerk received a letter from a Minneapolis law firm purporting to represent the Maplewood Care Center. A copy of that letter was transmitted by the City Clerk to this office on March 12, 1992.

In that letter, the attorneys for the Maplewood Care Center have requested an opportunity to address the Maplewood City Council at its meeting on April 13, 1992. I am advised by the City Clerk that there may be some difficulty in placing this particular request on the agenda for that specific meeting.

The purpose of this letter is to serve as a loose summary of the actions taken by this office and the office of the City Clerk relative to this particular matter. An extensive amount of time has been spent by the City Clerk and this office in attempting to investigate and address the various concerns raised by the Maplewood Care Center. An investigation of the payment history of the Maplewood Care Center reflects a long history of delinquent payments for sewer charges. This particular episode appears to have originated with the Maplewood Care Center in mid-September of 1991.

Pursuant to City Code, any delinquent or unpaid balance of sewer charges as of July 1 of any given year are certified to the Ramsey County Auditor for collection on the next successive real estate taxes. Because the Maplewood Care Center has repeatedly allowed its account to go into arrears, there have been several occasions in which those arrearages have been certified to the County Auditor for collection with the property taxes. The City Clerk's office has repeatedly advised the Maplewood Care Center that the City Clerk has no authority to refund or reconsider any charges which the City Council has ordered to be certified to the County Auditor. To reconsider or recalculate such charges, would require council action.

This opinion expressed by the Maplewood City Clerk is consistent with the position taken by the City Clerk relative to any other similar inquiries. Furthermore, this office has advised the City Clerk that there is no administrative authority to disregard or supersede an official action of the City Council.

The attorneys for the Maplewood Care Center correctly point out that the last delinquent charges which were certified to the County Auditor by action of the Maplewood City Council cover the period from July 1, 1989 through June 30, 1990. Those certified delinquent charges were then collected with the taxes payable in 1991.

It is important to recognize that the Maplewood Care Center has, in fact, paid those property taxes including the certified delinquent sewer charges. Furthermore, the Maplewood Care Center raised no objection when those delinquencies were certified. It is the opinion of this office that the Maplewood Care Center has waived any objection it might have had to the imposition of those sewer charge delinquencies.

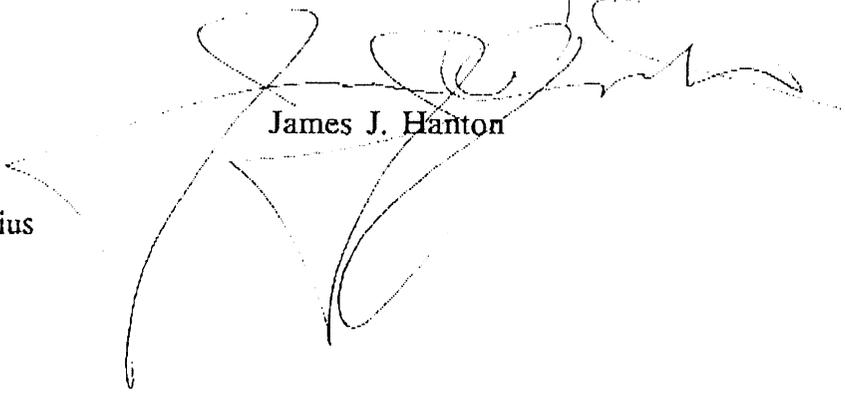
It is the opinion of this office that the City Clerk has treated this account in a manner consistent with the provisions of City Code and State statute. It is further the opinion of this office that the City Clerk has handled this account equally and without discrimination relative to any other commercial account.

It is certainly within the discretion of the City Council to consider reopening past certifications. However, such a decision by the City Council may create a dangerous precedent by allowing a private party to disrupt the finality of the County tax roll.

I would be happy to provide any further answers or explanations relative to my involvement in this particular undertaking. Please do not hesitate to call me with any questions you might have.

Sincerely yours,

BANNIGAN & KELLY, P.A.



James J. Hanton

JJH:cgc

C: Ms. Lucille Aurelius