

AGENDA

MAPLEWOOD CITY COUNCIL

7:00 P.M., Monday, February 26, 1990
and

4:30 P.M., Thursday, March 1, 1990
Hazelwood Fire Station, 1530 E. County Road C
Meeting No. 90 - 4

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF MINUTES

1. Minutes of Meeting No. 90-1 (January 8, 1990)
2. Minutes of Meeting No. 90-2 (January 22, 1990)
3. Minutes of Meeting No. 90-3 (February 12, 1990)

D. APPROVAL OF AGENDA

E. 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

E-A DISCUSSION WITH TAX ASSESSOR

F. PUBLIC HEARINGS

1. 7:00 P.M., 380 E. Roselawn Avenue (Church of St. Jerome)
 - a. Conditional Use Permit _____
 - b. Variance _____
2. 7:15 P.M., Mark's Nature Haven (Continued from February 12, 1990)
 - a. Preliminary Plat _____

b. Rezoning (4 Votes) _____

G. AWARD OF BIDS

H. UNFINISHED BUSINESS

1. Walter Street Settlement _____

I. NEW BUSINESS

1. Alley East of White Bear Avenue - Beam to County Road D _____

2. Mall Area Traffic Study _____

3. Fire Study Recommendation _____

4. Dispute Resolution Center _____

5. Proclamation: Volunteers of America _____

6. City-Hall Update _____

J. VISITOR PRESENTATIONS

K. COUNCIL PRESENTATIONS

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

L. ADMINISTRATIVE PRESENTATIONS

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

M. ADJOURNMENT OF MEETING

MINUTES OF MAPLEWOOD CITY COUNCIL
7:00 P.M., Monday, January 8, 1990
Hazelwood Fire Station
Meeting No. 90-1

A. CALL TO ORDER

A regular meeting of the City Council of Maplewood, Minnesota, was held at the Hazelwood Fire Station, 1530 E. County Road C, and was called to order at 7:00 P.M. by Mayor Greavu.

B. ROLL CALL

John C. Greavu, Mayor	Present
Norman G. Anderson, Councilmember	Present
Gary W. Bastian, Councilmember	Present
Frances L. Juker, Councilmember	Present
George F. Rossbach, Councilmember	Present

C. APPROVAL OF MINUTES

1. Minutes of Meeting No. 89-25A (October 30, 1989)

Councilmember Bastian moved to approve the Minutes of Meeting No. 89-25A (October 30, 1989) as submitted.

Seconded by Councilmember Rossbach. Ayes - all.

2. Minutes of Meeting No. 89-32 (December 28, 1989)

Councilmember Anderson moved to approve the Minutes of Meeting No. 89-32 (December 28, 1989) as submitted.

Seconded by Councilmember Bastian. Ayes - all.

EA-1 OATH OF OFFICE

Mayor Elect Norman G. Anderson; Councilmembers Elect Frances L. Juker and Joseph A. Zappa received their respective Oaths of Office from City Manager Michael McGuire and were seated.

Manager McGuire presented the gavel to John Greavu.

D. APPROVAL OF AGENDA

Mayor Anderson moved to approve the Agenda as amended:

1. Suburban Rate Authority
2. Surveys
3. Fire Department
4. Kohlman Avenue

5. Waste Disposal
6. Area east of White Bear Avenue
7. Use of City Vehicles by Councilmembers
8. Highway 61 and County Road C Cleanup
9. County News Letter
10. Roseville School Survey
11. Notification of Applicants
12. Job Descriptions of Staff
13. Evaluation Forms
14. Driver's Training in City of Maplewood
15. No right turn off 694 on White Bear Avenue
16. Meeting with Council Manager and Attorney

Seconded by Councilmember Rossbach.

Ayes - all.

Councilmember Bastian moved Item I-6 be placed between F-2 and F-3 and then return back to order.

Seconded by Councilmember Juker.

Ayes - all.

E. CONSENT AGENDA

Councilmember Rossbach moved, seconded by Mayor Anderson, Ayes - all, to approve the Consent Agenda, Items 1 and 2 as recommended.

1. Approval of Claims

Approved the payment of the following claims:

ACCOUNTS PAYABLE:

\$ 376,706.47	Checks #5170 - #3099 Dated 12-14-89 thru 12-31-89
<u>\$ 94,824.66</u>	Checks #3100 - #3159 Dated 02-08-90
\$ 471,536.63	Total per attached voucher/check register

PAYROLL:

\$ 224,677.46	Payroll Checks
<u>\$ 36,687.66</u>	Payroll Deductions
\$ 261,365.12	Total Payroll
\$ 732,901.75	GRAND TOTAL

2. Conditional Use Permit Termination: 1904 Maryknoll Avenue (Apman)

Approved the termination of a conditional use permit at 1904 Maryknoll Avenue for a home beauty shop.

F. PUBLIC HEARINGS

1. 7:00 P.M., Rezoning: Upper Afton Road (4 Votes)
 - a. Mayor Anderson convened the meeting for a public hearing regarding the proposal to rezone approximately 2.5 acre area of land from BC (Business-Commercial) to F (Farm Residential). The property is located south of Upper Afton Road and East of McKnight Road.
 - b. Manager McGuire presented the Staff report.
 - c. Director of Community Development Olson presented the specifics of the proposal.
 - d. Commissioner Gary Gerke presented the Planning Commission report.
 - e. Mayor Anderson called for persons who wished to be heard for or against the proposal. None were heard.
 - f. Mayor Anderson closed the public hearing.
 - g. Councilmember Rossbach introduced the following resolution and moved its adoption:

90 - 1 - 1

WHEREAS, the City of Maplewood initiated a rezoning from BC, business commercial, to F, farm residential, for the following-described property:

The 2.5-acre parcel south of Upper Afton Road, east of McKnight Road.

This property is also known by pin 11-28-22-32-0004.

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

1. This rezoning was reviewed by the Maplewood Planning Commission on December 4, 1989. The Planning Commission recommended to the City Council that said rezoning be approved.
2. The Maplewood City Council held a public hearing on January 8, 1990, to consider this rezoning. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council

also considered reports and recommendations of the City Staff and Planning Commission.

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

1. The proposed change is consistent with the spirit, purpose and intent of the zoning code.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
3. The proposed change will serve the best interests and conveniences of the community, where applicable and the public welfare.
4. The proposed change would have no negative effect upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.
5. The F, farm residential zoning classification, is consistent with the OS, open space designation, for the property.

Seconded by Councilmember Zappa.

Ayes - all.

2. 7:10 P.M., Rezoning: Century Avenue (Rolling Hills 2nd Addition) (4 Votes)
 - a. Mayor Anderson convened the meeting for a public hearing regarding the proposed rezoning from F, farm residential and M-2, heavy manufacturing to R-3, Multiple dwelling residential. The property is located south of the Chicago and Northwestern Railroad Tracks and west of Century Avenue.
 - b. Manager McGuire presented the Staff report.
 - c. Director of Community Development Olson presented the details of the proposal.
 - d. City Attorney Kelly explained the legal procedures of holding a public hearing.
 - e. Mayor Anderson called for persons who wished to be heard for or against the proposal. None were heard.
 - f. Mayor Anderson closed the public hearing.

g. Councilmember Juker moved to refer the proposal back to Staff for further alternatives.

Seconded by Mayor Anderson.

Ayes - Mayor Anderson, Councilmembers Bastian, Juker and Rossbach.

Councilmember Zappa abstained.

I. NEW BUSINESS

6. Rules of Procedures

a. Councilmember Bastian moved to continue Item I-6 until the Thursday meeting, January 11, 1990.

Seconded by Mayor Anderson.

Ayes - all.

F. PUBLIC HEARINGS (Continued)

3. 7:20 P.M., Radatz Avenue, West of White Bear Avenue

- a. Plan Amendment
- b. Rezoning (4 Votes)

1. Mayor Anderson convened the meeting for a public hearing regarding the proposal for a land use plan amendment from RM, medium density residential, to RL, low density residential and a rezoning from F, farm residential to R-1, single dwelling residential for the area north of Radatz Avenue and west of White Bear Avenue.

2. Manager McGuire presented the Staff report.

3. Director of Community Development Olson presented the specifics of the proposal.

4. Commissioner Gary Gerke presented the Planning Commission recommendation.

5. Mayor Anderson called for persons who wished to be heard for or against the proposal. The following were heard:

Bob Anderson, 89 Wildwood Beach Road
Norm Germain, 1851 Gervais

6. Mayor Anderson closed the public hearing.

7. Councilmember Rossbach introduced the following resolution and moved its adoption:

WHEREAS, the City of Maplewood initiated an amendment to the Maplewood Comprehensive Plan from RM, medium density residential to RL, low density residential for the following-described property:

The south 240 feet of that property lying north of the Radatz Avenue right-of-way from 117 feet east of the Southlawn Avenue right-of-way to 265 feet west of the White Bear Avenue west right-of-way line.

This property is more commonly described as 1795 to 1921 Radatz Avenue.

WHEREAS, the procedural history of this plan amendment is as follows:

1. The Maplewood Planning Commission held a public hearing on December 18, 1989, to consider this plan amendment. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Planning Commission recommended to the City Council that said plan amendment be approved.
2. The Maplewood City Council considered said plan amendment on December 18, 1989. The Council considered reports and recommendations from the Planning Commission and City Staff.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described plan amendment be approved on the basis of the following finding of fact:

The area is developed with single-family homes which are consistent with a RL land use designation and it is unlikely to redevelop for RM uses.

Seconded by Councilmember Zappa.

Ayes - all.

8. Councilmember Rossbach introduced the following resolution and moved its adoption:

90 - 1 - 3

WHEREAS, the City of Maplewood initiated a rezoning from F, farm residential to R-1, single family for the following-described property:

The south 240 feet of that property lying north of the Radatz Avenue right-of-way from 117 feet east of the Southlawn Avenue right-of-way to 265 feet west of the White Bear Avenue west right-of-way line.

This property is also known as 1795 to 1921 Radatz Avenue, Maplewood;

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

1. This rezoning was reviewed by the Maplewood Planning Commission on December 18, 1989. The Planning Commission recommended to the City Council that said rezoning be approved.
2. The Maplewood City Council held a public hearing on January 1, 1990, to consider this rezoning. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City Staff and Planning Commission.

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

1. The proposed change is consistent with the spirit, purpose and intent of the zoning code.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
3. The proposed change will serve the best interests and conveniences of the community, where applicable and the public welfare.
4. The proposed change would have no negative effect upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.
5. The R-1 zoning is consistent with the current development of the property.

Seconded by Councilmember Zappa.

Ayes - all.

9. Councilmember Juker moved to direct Staff to investigate the property south of Radatz to County Road C to bring it into conformance.

Seconded by Councilmember Bastian.

Ayes - all.

4. 7:35 P.M., Radatz Avenue East of White Bear Avenue

- a. Plan Amendment
- b. Rezoning

1. Mayor Anderson convened the meeting for a public hearing regarding the proposal of the following changes for the area on Radatz Avenue and east of White Bear Avenue:

- a. A land use plan amendment from RM, medium density residential to RL, low density residential.
- b. A rezoning from F, farm residential to R-1, single-dwelling residential
- c. A rezoning from F, farm residential to R-2, double-dwelling residential

2. Manager McGuire presented the Staff report.

3. Director of Community Development Olson presented the specifics of the proposal.

4. Commissioner Gerke presented the Planning Commission recommendation.

5. Mayor Anderson called for persons who wished to be heard for or against the proposal. The following were heard:

- Al Harman, 2045 Radatz
- Mary Harman, 2045 Radatz

6. Mayor Anderson closed the public hearing.

7. Councilmember Rossbach introduced the following resolution and moved its adoption:

90 - 1 - 4

WHEREAS, the City of Maplewood initiated an amendment to the Maplewood Comprehensive Plan from RM, medium density residential to RL, low density residential for the following-described property:

1979-2015 Radatz Avenue; 1976-2014 Radatz Avenue, and the North 1/2 of the East 175 feet of the West 495 feet of the NW 1/4 of NW 1/4 of the SE 1/4 of Sec. 2, Township 29, Range 22.

WHEREAS, the procedural history of this plan amendment is as follows:

- 1. The Maplewood Planning Commission held a public hearing on December 18, 1989, to consider this plan amendment. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Planning Commission recommended to the City Council that said plan amendment be approved.

2. The Maplewood City Council considered said plan amendment on January 8, 1990. The Council considered reports and recommendations from the Planning Commission and City Staff.

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

1. The properties in question are developed with single-family homes which are consistent with a RL land use designation.
2. There is no reason to believe that these properties will develop into medium density residential in the future.

Seconded by Councilmember Bastian.

Ayes - all.

8. Mayor Anderson introduced the following resolution and moved its adoption:

90 - 1 - 5

WHEREAS, the City of Maplewood initiated a rezoning from F, farm residential to R-1, single-dwelling residential for the following-described property:

2855-2869 Frederick Street, 1979-2069 Radatz Avenue; 1976-2014 Radatz Avenue; 2836 White Bear Avenue; the North 1/2 of the East 175 feet of the West 495 feet of the NW 1/4 of NW 1/4 of the SE 1/4 of Sec. 2, Township 29, Rnge 22; and the South 1/2 of the West 120 feet of the NW 1/4 of NW 1/4 of th SE 1/4 of Sec. 2, Township 29, Range 22.

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

1. This rezoning was reviewed by the Maplewood Planning Commission on December 18, 1989. The Planning Commission recommended to the City Council that said rezoning be approved.
2. The Maplewood City Council held a public hearing on January 8, 1990, to consider this rezoning. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City Staff and Planning commission.

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

1. The proposed change is consistent with the spirit, purpose and intent of the zoning code.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
3. The proposed change will serve the best interests and conveniences of the community, where applicable and the public welfare.
4. The proposed change would have no negative effect upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.
5. The R-1 zoning is consistent with the current and expected development of the property.

Seconded by Councilmember Zappa.

Ayes - all.

9. Mayor Anderson introduced the following resolution and moved its adoption:

90 - 1 - 6

WHEREAS, the City of Maplewood initiated a rezoning from F, farm residential to R-2, double-dwelling residential for the following-described property:

The North 1/2 of the west 120 feet of the NW 1/4 of the NW 1/4 of the SE 1/4 of Sec. 2, Township 29, Range 22.

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

1. This rezoning was reviewed by the Maplewood Planning Commission on December 18, 1989. The Planning Commission recommended to the City Council that said rezoning be approved.
2. The Maplewood City Council held a public hearing on January 8, 1990 to consider this rezoning. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The council also considered reports and recommendations of the City Staff and Planning Commission.

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

1. The proposed change is consistent with the spirit, purpose and intent of the zoning code.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
3. The proposed change will serve the best interests and conveniences of the community, where applicable and the public welfare.
4. The proposed change would have no negative effect upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.
5. The R-2 zoning is consistent with the RM, medium density residential land use designation for the property.

Seconded by Councilmember Zappa.

Ayes - all.

Mayor Anderson called for a ten minutes recess at 8:15 P.M.

Mayor Anderson reconvened the meeting at 8:25 P.M.

5. 7:50 P.M., 2305 Stillwater Road (Sarrack's)

- a. Conditional Use Permit
- b. Variance

1. Mayor Anderson convened the meeting for a public hearing regarding the request of Gust Sarrack for approval of plans for a 10,180 square foot addition to his building located at 2305 Stillwater Road. This proposal includes the following special approvals.

a. A conditional use permit (CUP) for the 20-foot encroachment of the building addition into the required 50-foot rear setback.

b. A 15-foot parking lot setback variance from the north lot line. Code requires 20 feet; five feet is proposed.

2. Manager McGuire presented the Staff report.

3. Director of Community Development Olson presented the specifics of the proposal.

4. Councilmember Bastian moved to table this item until after the Item F-6.

Seconded by Councilmember Juker.

Ayes - all.

6. 8:10 P.M., Street Vacation (Netnorlin Court)

a. Mayor Anderson convened the meeting for a public hearing regarding the request of Mack Nettleton for the vacation of Netnorlin Court located on the south side of Woodlynn Avenue, west of McKnight Road.

b. Manager McGuire presented the Staff report.

c. Director of Community Development Olson presented the specifics of the proposal.

d. Commissioner Gerke presented the Planning Commission recommendation.

e. Mayor Anderson called for persons who wished to be heard for or against the proposal. The following voiced their opinions:

Mr. Zoya, 2223 Lydia
Charles Regal, 2206 Woodlynn
Charlotte Brucker, Maplewood resident

Ike Rutherford, 3048 Netnorlin Court
Mack Nettleton, 2201 Woodlynn, the applicant

f. Mayor Anderson closed the public hearing.

g. Councilmember Bastian moved to table this item and refer to Staff to submit a report to Council redrafting recommendations and also investigate what compensation would, if any, for an address change.

Seconded by Councilmember Juker.

Ayes - all.

h. Councilmember Bastian moved to table this item until the first meeting in June in order for Mr. Mack Nettleton to be in attendance.

Seconded by Councilmember Rossbach.

Ayes - all.

5. 7:50 P.M., 2305 Stillwater Road (Sarrack's) (Continued)

a. Conditional Use Permit

b. Variance

5. Board Member Roger Anitzberger presented the Community Design Review Board report.

6. Guy Reithmeyer, architect, Con Spec Corp Architect spoke regarding the design of the building.

7. Mayor Anderson called for persons who wished to be heard for or against the proposal. The following persons voiced their opinions:

Crystal Buck, 784 McKnight Rd.
Gust Sarrack, 2311 Case, the applicant
Ken Masner, 758 No. McKnight Road
Guy Reithmeyer, Con Spec Corp.
Gladys Sandberg, 796 No. McKnight Road

8. Mayor Anderson closed the public hearing.

9. Councilmember Zappa introduced the following resolution and moved its adoption:

90 - 1 - 7

WHEREAS, Con/Spec Corporation initiated a conditional use permit to construct a building addition onto Sarrack's International Wines and Spirits 30 feet from the westerly lot line at the following-described property:

Lots 13 and 14, Auditor's Subdivision No. 77

This property is also known as 2305 Stillwater Road, Maplewood;

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

1. This conditional use permit was reviewed by the Maplewood Community Design Review Board on December 12, 1989. The Board recommended to the City Council that said permit be approved.
2. The Maplewood City Council held a public hearing on January 8, 1990. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City Staff and Planning commission.

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

1. 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.
10. The addition would maintain the established setback.

Approval is subject to the proposed addition being at least 80% screened from the abutting residential district. A fence must be provided that complies with Section 36-27 of City Code with some additional landscaping. The Community Design Review Board must approve the fence design. The location and design of any trash receptacle must also be approved by the Board.

Seconded by Councilmember Rossbach.

Ayes- Councilmembers Juker, Rossbach, and Zappa.

Nays - Mayor Anderson, Councilmember Bastian

Motion carried.

10. Councilmember Zappa moved to approve the variance.

Motion died for lack of a second.

11. Councilmember Rossbach moved denial of the variance for a parking lot setback requirement.

Seconded by Mayor Anderson.

Ayes - Mayor Anderson, Councilmembers Bastian, Juker and Rossbach.

Nay - Councilmember Zappa.

G. AWARD OF BIDS

1. Removal of Radio Tower: 1380 Frost Avenue

- a. Manager McGuire presented the Staff report.

- b. Councilmember Bastian moved that the bid of \$4,800 submitted from Northern States Tower Service for the removal of the radio tower at 1380 Frost Avenue be accepted and that a budget transfer of \$4,800 from the Contingency Fund be approved to cover the cost of the tower removal.

Seconded by Councilmember Zappa.

Ayes - all.

H. UNFINISHED BUSINESS

1. Noxious Weeds and Tall Grasses Ordinance (2nd Reading)

- a. Manager McGuire presented the Staff report.

- b. Councilmember Bastian moved to table Item H-1 until the March 26, 1990 Meeting.

Seconded by Councilmember Zappa.

Ayes - all.

2. Plan Amendment: Multiple Dwelling Densities

- a. Mayor Anderson moved to refer this Item H-2 to the legal staff for further study.

Seconded by Councilmember Bastian.

Ayes - all.

3. Junked Vehicle Ordinance (2nd Reading)

- a. Manager McGuire presented the Staff report.

- b. Director of Public Safety Collins presented the specifics of the proposal.

c. Mayor Anderson introduced the following ordinance and moved its adoption:

ORDINANCE NO. 658

**AN ORDINANCE AMENDING THE REQUIREMENTS
FOR JUNKED OR ABANDONED MOTOR VEHICLES**

The Maplewood City Council hereby ordains as follows:

Section 1. Section 19-9, describing types of nuisances, is amended by revising paragraph 10 as follows:

(10) The piling, storing, or keeping of old machinery, vehicle parts, old tires, or other junk or debris shall be kept only in a building or shed unless the property has been zoned for such use.

Section 2. Section 12-28 is amended by revising the abandoned motor vehicle definition as follows:

For the purposes of this article, the following words, terms, and phrases shall have the following respective meanings ascribed to them by this section:

Abandoned motor vehicle: "Abandoned motor vehicle" means a motor vehicle, as defined in Minnesota State Statutes, Section 169.01, which has been voluntarily surrendered by its owner to the City of Maplewood or to a person duly licensed under Minnesota Statute, Section 168B.10, or which has remained for more than forty-eight (48) hours in a condition described by one of the following:

- a. On public property in violation of either Maplewood Ordinance or Minnesota Statutes;
- b. On private property without consent of the person in control of the property;
- c. Disabled;
- d. Not secure from entry;
- e. Without license plates conspicuously displayed thereon; or
- f. With license plates which have an expiration date more than ninety (90) days prior to the date of inspection.

Junk vehicle: "Junk vehicle" means a motor vehicle, any trailer, marine craft, snowmobile, mobile home, pick-up camper top, and camping trailer which is in an inoperable condition, which is partially dismantled, which is used for sale of parts or

as a source of repair or replacement parts for other vehicles, or which is kept for scrapping, dismantling, or salvage of any kind. A junk vehicle shall also be considered an abandoned vehicle for the purpose of this ordinance.

Inoperable condition: "Inoperable condition" means that the vehicle has no substantial potential use consistent with its usual function, and shall include a vehicle that:

- a. Has a missing or defective part that is necessary for the normal operation of the vehicle;
- b. Is stored on blocks, jacks, or other supports; or
- c. Does not have a current vehicle license.

Abandoned motor vehicle exemptions: For the purposes of this chapter, the following vehicles shall not be considered abandoned motor vehicles:

- a. A classic or pioneer car, as defined in Minnesota Statutes, Section 168.10; provided that it is kept secure and as long as it has substantial potential further use consistent with its usual functions;
- b. Vehicles on the premises of a motor vehicle and parts dealer, junkyard, junk dealer, motor vehicle salvage dealer, automobile repair garage, or body shop who is licensed by Maplewood ordinance;
- c. A vehicle screened from the view of adjacent residences by landscaping or fencing or kept in an enclosed garage or storage building;
- d. A vehicle which is registered to the owner or occupant of the property and which is being kept for repair on the property; provided, that the vehicle is kept for no longer than thirty (30) days in a disabled condition and is kept secure from entry; and provided, that only one disabled vehicle may be kept on the property at any given time.

Section 3. Section 19-29 is amended as follows:

Section 19-29. Violation

Abandoned motor vehicles are prohibited. Any person who abandons a motor vehicle in the City or any public or private property is guilty of a misdemeanor.

Section 4. This ordinance shall take effect upon its passage and publication.

Seconded by Councilmember Zappa.

Ayes - all.

4. North-Tartan Area Basketball Charitable Gambling Request.

a. Manager McGuire presented the Staff report.

b. Councilmember Zappa moved denial of the request of North-Tartan Area Basketball for a charitable gambling license to sell pull tabs at the Red Rooster Liquor Lounge and T-Birds Bar until such time that the City's Gambling Ordinance be reviewed and with the understanding that only one fee will be charged if the applicant does reapply.

Seconded by Councilmember Anderson.

Ayes - Mayor Anderson, Councilmembers
Juker, Rossbach and Zappa.

Councilmember Bastian abstained.

I. NEW BUSINESS

1. Plan Amendment: Crestview Drive, Between Mailand Road and Londin Lane (4 Votes)

a. Manager McGuire presented the Staff report.

b. Director of Community Development Olson presented the specifics of the proposal.

c. Commissioner Gerke presented the Planning Commission recommendation.

d. Councilmember Rossbach introduced the following resolution and moved its adoption:

90 - 1 - 8

WHEREAS, the City of Maplewood initiated an amendment to the Maplewood Comprehensive Plan for RM, medium density to RL, low density residential for the following-described property;

The area west of Crestview Drive between Mailand Road and Londin Lane.

WHEREAS, the procedural history of this plan amendment is as follows:

1. The Maplewood Planning Commission held a public hearing on December 18, 1989, to consider this plan amendment. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements.

The Planning Commission recommended to the City Council that said plan amendment be approved.

2. The Maplewood City Council considered said plan amendment on January 8, 1990. The Council considered reports and recommendations from the Planning Commission and City Staff.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described plan amendment be approved on the basis of the following finding of fact:

The property owner is developing this area with single-family homes which are consistent with the RL land use designation.

Seconded by Councilmember Juker.

Ayes - all.

2. Plan Amendment: Walter Street and Frost Avenue (4 Votes)
 - a. Manager McGuire presented the Staff report.
 - b. Director of Community Development Olson presented the specifics of the proposal.
 - c. Commissioner Gerke presented the Planning Commission recommendation.
 - d. Mayor Anderson introduced the following resolution and moved its adoption:

90 - 1 - 9

WHEREAS, the City of Maplewood initiated an amendment to the Maplewood Comprehensive Plan from RM, medium-density residential, to RL, low-density residential, for the following-described property:

Lots 4 through 10, Block 4, Kavanagh and Dawson Addition to Gladstone;

WHEREAS, the procedural history of this plan amendment is as follows:

1. The Maplewood Planning Commission held a public hearing on December 18, 1989, to consider this plan amendment. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Planning Commission recommended to the City Council that said plan amendment be approved.
2. The Maplewood City Council considered said plan amendment on January 8, 1990. The Council considered reports and recommendations from the Planning Commission and City Staff.

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

1. The RL land use plan designation will be consistent with the zoning and expected development of the property.

Seconded by Councilmember Juker. Ayes - all.

Mayor Anderson moved to waive the Rules of Procedures and extend the meeting until 11:00 P.M.

Seconded by Councilmember Bastian. Ayes - all.

Councilmember Bastian moved to waive the Rules of Procedures and hear Visitor Presentations as the next item after I-3.

Seconded by Councilmember Zappa. Ayes- all.

3. Park Acquisition Charge for Neighborhood parks
 - a. Manager McGuire presented the Staff report.
 - b. Director of Parks and Recreation Odegard presented the specifics of the proposals.
 - c. Commissioners Don Christiansen and Jeanne Ewald presented the park and Recreation Commission recommendation.
 - d. Councilmember Bastian introduced the following resolution and moved its adoption:

90 - 1 - 10

WHEREAS, Maplewood Code Sec. 21-46 recognizes the need for neighborhood parks, establishes standards and improvement guidelines for such and provides methods of acquisition and development, and

WHEREAS, Sec. 21-56 (a) states that the City Council at its first regular meeting of each calendar year shall act to adopt by resolution the average acre acquisition cost and the average acre development cost for neighborhood parks throughout the City, and

WHEREAS, the intention of the Ordinance is to provide for future quality of life through the acquisition and development of park-open space, and

WHEREAS, the costs of acquisition of property and the development of parks has continued to increase,

THEREFORE, the park and Recreation Commission recommends that effective January 8, 1990, the City Council establish the average acre

acquisition cost at \$5,000, and continues the development cost at \$7,500 per acre, with the City financing 50% of the development costs.

Seconded by Mayor Anderson.

Ayes - all.

e. Councilmember Bastian moved to have the Park and Recreation Commission investigate alternative formulas and such a method for a referendum establishing Commercial PAC charges.

Seconded by Mayor Anderson.

Ayes - all.

J. VISITOR PRESENTATION

1. Robert Lieberman and Jeff Cody

a. Mr. Lieberman and Mr. Cody presented a proposal to temporarily move brick homes to lots at the southeast corner of Larpenteur and McKnight.

b. No action was taken.

M. ADJOURNMENT

Mayor Anderson adjourned the January 8, 1990, Meeting at 11:05 P>M>

A. CALL TO ORDER

Mayor Anderson reconvened Meeting No. 90-1, January 11, 1990, at 4:32 P.M. to enter into closed Attorney-Client closed session to discuss BBY Partnership litigation.

Mayor Anderson reconvened Meeting No. 90-1 at 5:02 P.M. to continue the Agenda.

B. ROLL CALL

Norman G. Anderson, Mayor	Present
Gary W. Bastian, Councilmember	Present
Frances L. Juker, Councilmember	Present
George F. Rossbach, Councilmember	Present
Joseph A. Zappa, Councilmember	Present

I. NEW BUSINESS (Continued)

4. Annual Designations

a. City Attorney(s)

Councilmember Rossbach moved to reappoint the Law Firm of Bannigan and Kelly to represent the City of Maplewood for 1990.

Seconded by Mayor Anderson.

Ayes - all.

b. Prosecuting Attorney

Mayor Anderson moved to reappoint Martin Costello Prosecuting Attorney for 1990.

Seconded by Councilmember Bastian. Ayes - all.

c. Municipal Legislative Commission

Mayor Anderson moved to appoint Councilmember Gary Bastian to the Municipal Legislative Commission.

Seconded by Councilmember Rossbach. Ayes - all.

d. Ramsey County League of Local Governments

Mayor Anderson moved to appoint Councilmember George Rossbach to the Ramsey County League of Local Government.

Seconded by Councilmember Bastian. Ayes - all.

e. Cable Commission

Councilmember Bastian moved to appoint Mayor Norm Anderson and Ann Fitch to the Commission.

Seconded by Councilmember Juker. Ayes - all.

f. N.E.S.T.

Councilmember Bastian moved to appoint Councilmembers Rossbach and Zappa to the N.E.S.T. Commission.

Seconded by Councilmember Juker. Ayes - all.

g. Suburban Rate Authority

Councilmember Bastian moved to appoint Councilmember Fran Juker to the Suburban Rate Authority Commission and that the Director of Finance Dan Faust be appointed alternate.

Seconded by Councilmember Zappa. Ayes - all.

h. Official Newspaper

Councilmember Bastian moved to designate the MAPLEWOOD REVIEW as the official newspaper of the City.

Seconded by Mayor Anderson. Ayes - all.

i. East Community Family Center

Mayor Anderson moved to appoint Councilmember Zappa and Director of Public Safety Ken Collins to the East Community Family Center Commission.

Seconded by Councilmember Bastian. Ayes - all.

j. East Metro Development Group

Councilmember Bastian moved to appoint Mayor Anderson and Director of Community Development Olson to the East Metro Development Group.

Seconded by Councilmember Zappa. Ayes - all.

k. Acting Mayor

Mayor Anderson moved to appoint Councilmember Rossbach Acting Mayor.

Seconded by Councilmember Bastian. Ayes - all.

l. Maplewood-North St. Paul-Oakdale Chamber of Commerce.

Councilmember Juker moved to appoint Mayor Anderson and Manager McGuire as alternate to the Maplewood, North St. Paul, Oakdale Chamber of Commerce.

Seconded by Councilmember Rossbach. Ayes - all.

m. St. Paul Water Treatment Plant Advisory Board

Councilmember Rossbach moved to appoint Mayor Anderson and Councilmember Bastian to the St. Paul Water Treatment Plant Advisory Board.

Seconded by Councilmember Juker. Ayes - all.

n. Ramsey County Light Rail Transit Committee

Councilmember Bastian moved to appoint Councilmember Rossbach to the Intergovernmental Committee and Director of Community Development Olson to the Technical Committee on the Ramsey County Light Rail Transit Committee.

Seconded by Mayor Anderson. Ayes - all.

5. Commissions and Boards

a. Planning Commission

1. Councilmember Juker moved to direct Staff to review the ordinance for a possible amendment to decrease size of commissions and length of office.

Seconded by Mayor Anderson.

Ayes - Councilmembers Juker and Zappa

Nays - Mayor Anderson, Councilmembers
Bastian and Rossbach.

Motion failed.

2. Mayor Anderson moved to appoint the following to the Planning Commission:

Lorraine Fischer
Marvin Sigmundik
Les Axdahl

for three (3) year terms.

Seconded by Councilmember Zappa.

Ayes - all.

3. Councilmember Bastian moved to appoint Les Axdahl as Chairman of the Planning Commission.

Seconded by Mayor Anderson.

Ayes - all.

b. Community Design Review Board

1. Councilmember Bastian moved to appoint the following to the Community Design Review Board:

Don Moe
Roger Anitzberger
Mike Holder

Seconded by Councilmember Zappa.

Ayes - all.

c. Park and Recreation Commission

1. Councilmember Bastian moved to appoint the following to the Park and Recreation Commission:

John Chegwyn
Rita K. Brenner
Michael Filbiger

Seconded by Councilmember Zappa.

Ayes - all.

d. Human Relations Commission

1. Mayor Anderson moved to appoint Carol Engel and Karla Sand to the Human Relations Commission.

Seconded by Councilmember Bastian.

Ayes- all.

e. Civil Service Commission

1. Councilmember Bastian moved to appoint Steven Gunn to the Police Civil Service Commission.

6. Rules of Procedures

- a. Mayor Anderson moved to approve the Rules of Procedures as amended:

SECTION 1: MEETINGS

A. Regular

The City Council shall hold regular meetings on the second and fourth Mondays of each month at 7:00 P.M., provided that when the day fixed for any regular meeting falls on a day designated by law as a legal holiday, such meeting shall be held at the same hour on the next succeeding Thursday, not a holiday. The Council shall meet at 4:30 P.M. on the Thursday following the second and fourth Mondays. In addition, there shall be a pre-agenda meeting on Thursday preceding the Monday Council meeting from 4:30 to 5:30 P.M. These meetings may be canceled by the City Council or City Manager if warranted.

B. Special

The Mayor or any two members of the Council by writing filed with the Clerk at least twenty-four hours before such meeting may call a special meeting. Notice of such meeting shall state the purpose or purposes thereof and shall be personally delivered to each member or be left at the members usual place of residence with a person of suitable age and discretion then residing therein, or written notice thereof shall be left in a conspicuous place at the residence if no such person can be found there. The notice shall be delivered twelve (12) hours before the meeting time. Except for trivial matters, business transacted at a special meeting shall be limited to that mentioned in the call. Emergency meetings may be called at any time providing all members of the Council sign waivers of notice to such meeting and said waivers shall be filed with the City Clerk.

C. Place

All meetings shall be held in the Council Chambers of the Maplewood City Municipal Building unless there is a published notice designating another location.

D. Presiding Officers

The Mayor shall preside at all meetings of the Council. In the absence of the Mayor, the Acting Mayor shall preside. In the absence of both, the Council members shall elect one of their number as temporary chairperson.

E. Quorum

Three members of the Council shall constitute a quorum at any meeting of the Council, but a smaller number may convene from time to time.

F. Order of Business

At the hour appointed for meeting, the members shall be called to order by the Mayor, or in his/her absence by the Acting Mayor, or in the absence of both, by the City Clerk. In the absence of the Clerk, the Mayor shall appoint a secretary protem. Upon the appearance of the quorum, the Council shall proceed to business which shall be conducted in the established order.

G. Curfew

No additional agenda item will be discussed after 10:30 P.M. Meetings adjourned under this policy will be continued to the next Thursday's meeting at 4:30 P.M. The continued meeting will begin at the point on the agenda where the adjournment occurred. No new items will be added to the continued meeting agenda.

H. First Regular

At the first regular Council meeting in January of each year, the Council shall (1) designate the official newspaper, (2) choose an Acting Mayor on a rotating basis from the membership of the Council who shall perform the duties of the Mayor during the disability or absence of the Mayor, and (3) review the Rules of Procedure of the City Council and make any necessary changes if such changes are desired.

SECTION 2: AGENDA FOR REGULAR MEETING

- A. All matters to be submitted to the Council shall be filed no later than 12:00 noon on the Monday prior to the Monday Council meeting at which consideration is desired, and shall be delivered to the City Manager, or in his/her absence, the City Clerk. In unusual circumstances and when the matter does not require investigation, an item may be accepted after the deadline upon the approval of the City Manager.
- B. Except for trivial matters, no item or business shall be considered for action by the Council which does not appear on the agenda for the meeting, except an item or urgent business which requires immediate action and is so determined by a majority of the Council may be considered by the Council whether or not there is a full membership present. The Council will hear all reasonable citizen petitions, requests and statements; however, such items which do not specifically appear on the agenda shall be deferred to a future meeting for more careful consideration and study if Council action, other than filing, is required or requested.

The Mayor and each Council member shall be provided with a copy of the agenda, minutes of the previous meeting, and any other reports and information pertinent to the agenda at least forty-eight (48) hours prior to each regular Council meeting.

No matter may be submitted for Council action by any administrative official, department head, or employee unless it has first been presented to the City Manager for inclusion on the agenda.

SECTION 3: LIMITATION ON COUNCIL ACTION

The Council shall only take action at regularly scheduled meetings, or special meetings, called pursuant to Section 1, unless all Council members are present at the time the action is taken. Regular meetings do not include meetings with public bodies in joint or cooperative sessions. All Council actions shall conform to the requirements of the open meeting law.

SECTION 4: MINUTES

- A. The City Clerk shall keep a record of all Council meetings.
- B. Unless a reading of the minutes of a Council meeting is requested by a member of the Council, such minutes may be approved without reading if each member has previously been provided a copy.
- C. The Council may, by motion carried by a majority vote, amend the minutes. Such amending motion shall become a part of the minutes of the subsequent meeting.

SECTION 5: DUTIES OF THE PRESIDING OFFICER

The Presiding Officer shall preserve strict order and decorum at all meetings of the Council. He/She shall state every question coming before the Council, announce the decision of the Council on all subjects, and decide all questions or order; subject however, to an appeal to the Council in which event a majority vote of the Council shall govern and conclusively determine such questions or order. He/She shall vote on all questions and on a roll call vote rotate the order in which votes are cast.

SECTION 6: RULES OF DEBATE

- A. The Mayor, or other Presiding Officer, may move, second and debate from the chair, subject only to such limitations of debate as are by the rules imposed on all members and shall not be deprived of any of the rights and privileges of a Council member by reason of his acting as the Presiding Officer.
- B. Every member desiring to speak shall address the chair, and upon recognition by the Presiding Officer shall confine himself/herself to the question under debate avoiding all personalities and indecorous language.

- C. A member, once recognized, shall not be interrupted when speaking unless it be to call him/her to order or to vote on a motion to close a debate, or as herein otherwise provided. If a member, while speaking, be called to order, the member shall cease speaking until the question of order is determined and if in order, he/she shall be permitted to proceed.
- D. A motion to reconsider any action taken by the Council must be made at the meeting at which such action was taken or at the next regular meeting of the Council and must be made by a member of the Council who voted with the prevailing side. Provided such motion to reconsider is passed, then the parties entitled to notice on the original action shall be notified, and the reconsideration of the action shall be taken at the next regular meeting following passage of the motion to reconsider.
- E. A Council member shall have the privilege of having an abstract of his/her statement on any subject under consideration by the Council, or the reason for the member's dissent from or support of any action of the Council, entered in the minutes.
- F. The Clerk shall enter in the minutes a synopsis of the discussion on any question coming in proper order before the Council.

SECTION 7: ADDRESSING THE COUNCIL

Any person desiring to address the Council shall first secure the permission of the Presiding Officer.

Each person addressing the Council shall give his/her name and address in an audible tone for the records, and unless further time is granted by the Presiding Officer, shall limit his/her address to five (5) minutes, including at a public hearing the limit shall be five (5) minutes. All remarks should be addressed to the Council as a body and not to any member. No person, other than the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer. No question shall be asked a Council member or any member of the Administrative Staff except through the Presiding Officer.

SECTION 8: GENERAL RULES OF ORDER

Robert's Rules of Order and Robert's Parliamentary Law shall be accepted as an authority on parliamentary practice on matters not specifically covered, and in case of a conflict these rules shall govern.

SECTION 9: DECORUM AND ITS ENFORCEMENT

The Council members, while the Council is in session, must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disturb any member while speaking or refuse to obey the orders of the Council or its Presiding Officer, except as otherwise herein provided. No smoking shall be permitted in the Council Chamber while the Council is in session.

SECTION 10: ORDINANCES, RESOLUTIONS, MOTIONS AND REPORTS

- A. Ordinances, resolutions, and other matters or subjects requiring action by the Council shall be introduced and sponsored by a member of the Council, except that the City Manager or Attorney may present ordinances, resolutions and other matters or subjects to the Council.
- B. Every ordinance and resolution shall be presented in writing and read in full at a Council meet; provided however, that the reading of an ordinance or resolution may be dispensed with by unanimous consent. Upon the vote on ordinances, resolutions and motions, the ayes and nays shall be recorded. The vote shall be by roll call of all members of the Council as provided under DUTIES OF THE PRESIDING OFFICER in this resolution. A majority vote of all members of the Council shall be required for the passage of all ordinances, motions and resolutions except as otherwise provided by law and except that amendments to the comprehensive plan shall require at least four (4) votes in favor.
- C. Every ordinance, other than emergency ordinances, shall have two public readings as provided in Subsection (b) of this Section, and at least fourteen (14) days shall elapse between the first reading or waiver thereof and the second reading or waiver thereof.
- D. An emergency ordinance is an ordinance necessary for the immediate preservation of the public peace, health, morals, safety or welfare in which the emergency is defined and declared, passed by a roll call vote of at least four (4) members of the Council, as recorded by ayes and nays. No prosecution shall be based upon the provisions of any emergency ordinance until the same has been filed with the City Clerk and posted in three conspicuous places in the City, and twenty-four (24) hours after such filing and posting shall have elapsed or until the ordinance has been published, unless the person, persons, firms or corporations charged with violations thereof shall have had notice of the passage thereof prior to the act or omission complained of.

SECTION 11: CONDUCT OF CITY EMPLOYEES

- A. The City Manager may take part in the discussions of the City Council and may recommend to the Council such measures as he/she may deem necessary for the welfare of the people and efficient administration of the affairs of the City. The City Manager shall have the rights, powers and duties prescribed by Minnesota Statutes in regard thereof; however, it is recognized that the City council is the policy-making body for the City and the City Manager shall confine his/her discussion at Council meetings to statements of fact, recommendations based on his knowledge and experience and explanations of the reasons for the same, and any matters pertaining to administration.
- B. No City employee, other than the City Manager or Attorney, shall enter into discussions of the City Council except to answer questions directed to such employee, or to present factual information.

- C. The above regulations of City employees shall not be construed to limit the appearance before the city Council of any City employee, when such appearance is made as a taxpayer or member of the public, for or against some particular issue under discussion by the Council when such employee has an interest in the outcome thereof.

SECTION 12: WAIVER

By majority vote of all Council members, these rules may be waived.

SECTION 13: ADJOURNMENT

A motion to adjourn shall always be in order and decided without debate.

Seconded by Councilmember Zappa.

Ayes - all.

J. VISITOR PRESENTATIONS

Discussed after Item I-3 on January 8, 1990.

K. COUNCIL PRESENTATIONS

1. Suburban Rate Authority

a. Councilmember Juker stated there will be a meeting of the Suburban Rate Authority on January 20, 1990, and one of the discussions will be how the Metropolitan Waste Control Commission meters the flow.

b. Councilmember Juker moved to direct Staff to send a letter from the City to the MWCC concerning these questions and also seek information of Maplewood should pursue this matter with the other municipalities.

Seconded by Councilmember Bastian.

Ayes - all.

2. Surveys

a. Councilmember Juker suggested that when a CUP comes to the Council to be renewed, Staff should send out a survey to the surrounding residents to see if the CUP has created any problems.

b. No action taken.

3. Fire Department

a. Councilmember Rossbach questioned as to what has happened to the "fire study" that was ordered.

b. Staff stated that a date was being established for Council to meet with the consultant doing the study.

4. Kohlman Avenue

a. Councilmember Rossbach questioned what has happened regarding the property on Kohlman Avenue that was being occupied illegally.

b. Staff stated the subject is scheduled for Court on January 18.

5. Waste Disposal

a. Councilmember Rossbach moved to direct Staff to obtain information regarding volume rates for waste disposal.

Seconded by Councilmember Bastian.

Ayes - all.

6. Area East of White Bear Avenue

a. Councilmember Zappa moved to direct staff to investigate on how many alley right of ways there are on the east side of White Bear Avenue from Woodlynn to County Road D.

Seconded by Councilmember Juker.

Ayes - all.

7. Use of City Vehicles by Councilmembers

a. Councilmember Zappa questioned if City vehicles were used by the Council for meetings, etc.

b. No action taken.

8. T.H. 61 and County Road C

a. Councilmember Zappa moved to direct staff to obtain information regarding the buildings and property at the southeast corner of T.H. 61 and County Road C to see if they are of historical value.

Seconded by Councilmember Anderson.

Ayes - all.

9. County News Letter

a. Councilmember Bastian moved to direct the Manager to send a letter to Ramsey County inquiring if there was a cost for the campaign article for one of the County commissioner candidates that was sent with the news letter.

Seconded by Councilmember Juker.

Ayes - all.

10. Roseville School Survey

a. Councilmember Bastian questioned if Roseville had been invited to the elected officials' meeting.

b. Councilmember Bastian stated he would send a letter.

11. Notification of Applicants

a. Councilmember Bastian questioned if when applications for the City commissions or boards are received, are letters of acknowledgement sent to the applicant.

b. Staff stated letters are sent.

12. Job Descriptions

13. Evaluation Forms

a. Mayor Anderson moved to request job descriptions and performance evaluation forms are given to Council.

Seconded by Councilmember Bastian.

Ayes - all.

14. Driving Training

a. Mayor Anderson stated he has had a request from a resident to hold a drivers training program at City Hall for 55 year old or older for reduced rates on insurance.

b. No action taken.

15. No Right Turn: I-694 and White Bear Avenue

a. Mayor Anderson stated people don't stop for right hand turn at I-694 & White Bear Avenue.

b. Staff will contact the County. There is a study being done at this time.

16. Councilmember Zappa moved that within the next 60 days, the Manager present to Council a list of items he would like discussed.

Seconded by Councilmember Bastian.

Ayes - Mayor Anderson, Councilmembers Bastian, Rossbach and Zappa.

Nay - Councilmember Juker.

L. ADMINISTRATIVE PRESENTATIONS

1. Update on City Hall Expansion

a. Director of Public Works Haider updated the Council regarding the expansion to City Hall.

M. ADJOURNMENT

Adjourned at 6:50 P.M. to reconvene in closed session to discuss union negotiations.

Lucius E. Aune
City Clerk

MINUTES OF MAPLEWOOD CITY COUNCIL
7:00 P.M., Monday, January 22, 1990
and
4:30 P.M., Thursday, January 25, 1990
Hazelwood Fire Station, 1530 E. County Road C
Meeting No. 90-2

A. CALL TO ORDER

A regular meeting of the City Council of Maplewood, Minnesota, was held in the Hazelwood Fire Station, 1530 E. County Road C and was called to order at 7:02 P.M., by Mayor Anderson.

B. ROLL CALL

Norman G. Anderson, Mayor	Present
Gary W. Bastian, Councilmember	Present
Frances L. Juker, Councilmember	Absent
George F. Rossbach, Councilmember	Present
Joseph A. Zappa, Councilmember	Present

C. APPROVAL OF MINUTES

1. Minutes of Meeting No. 89-28 (December 11, 1989)

Councilmember Bastian moved to approve the Minutes of Meeting No. 89-28 (December 11, 1989) as submitted.

Seconded by Councilmember Rossbach.

Ayes - Mayor Anderson, Councilmembers Bastian and Rossbach.

Councilmember Zappa abstained.

D. APPROVAL OF AGENDA

Mayor Anderson moved to approve the agenda as amended:

1. Compost Site
2. Gas Station - Highway 61
3. Staff at Meetings
4. Monitoring Water Board
5. Tax Issue
6. Self Defense Classes
7. Ramsey County Assessor
8. Council Paraphernalia
9. Cable at Council Meetings
10. Appointment to LRT
11. Woodchipper

Seconded by Councilmember Bastian.

Ayes - all.

E. CONSENT AGENDA

Councilmember Zappa moved to discuss Item E-8 before Item F-4.

Seconded by Councilmember Bastian. Ayes - all.

Councilmember Rossbach moved, seconded by Councilmember Bastian, Ayes - all, to approve the Consent Agenda, Items E-1 through 7 and 9 as recommended.

1. Approval of Claims

ACCOUNTS PAYABLE:

\$ 647,742.32	Checks #5236 - #5284 Dated 01-05-90 thru 0-1-10-90
<u>\$ 126,848.30</u>	Checks #3169 - #3283 Dated 01-22-90
\$ 774,590.62	Total per attached voucher/check register

PAYROLL:

\$ 179,952.90	Payroll Checks
<u>\$ 43,068.42</u>	Total Payroll
\$ 997,611.94	GRAND TOTAL

2. Budget Change for 1989 Bond Issues

Approved 1989 budget changes totalling \$44,570 in the appropriate accounts to finance costs related to the 1989 bond issues.

3. Replacement of Accountant

Authorized the replacement of the accountant position in the Finance Department.

4. 1989 Budget Changes - Internal Rental Charges.

Approved the listed budget transfers to finance the 1989 V.E.M. Fund Rental Charges.

	<u>Transfer From (To) Contingency Account</u>
501 Public Works Administration	\$(930)
502 Street Maintenance	140
503 Engineering	230
504 Public Works Building Maintenance	(100)

601 Parks & Recreation Administration	170
602 Parks Maintenance	6,020
603 Recreation Programs	100
701 Community Development Administration	(260)
702 Planning	(1,140)
703 Building Inspections	<u>(2,530)</u>

Net Amount to Contingency Account \$ 1,700

5. Reimbursement Agreement - Mn. DOT

Resolution No. 90 - 1 - 11

This Agreement made and entered into by and between the City of Maplewood herein referred to as the "City" and the Commissioner of Transportation of the State of Minnesota hereinafter referred to as the "Commissioner",

WITNESSETH:

WHEREAS, pursuant to M.S. 161.36 the City desires the Commissioner to act as its agent in accepting federal aid on the City's behalf, for road and bridge construction and in contracting for the construction, improvement or maintenance of roads or bridges financed either in whole or part with federal moneys; and

WHEREAS, M.S. 161.36, Subdivision 2, requires that the terms and conditions of the agency be set forth in an agreement;

NOW, THEN, IT IS AGREED:

-I-

That pursuant to M.S. 161.36, the City does hereby appoint the Commissioner its agent with respect to all federally funded projects, to accept and receive all federal funds made available for said projects and to let contracts pursuant to law for the construction and improvement of local roads and bridges.

Each contract will be in accordance with plans and special provisions for said projects on file in the Department of Transportation, State Transportation Building, St. Paul, Minnesota 55155, and the latest edition of "Standard Specifications for Construction" and all amendments thereof, which said plans, special provisions and specifications are made a part of this agreement by reference as though fully set forth herein.

In the letting of said contract, it is hereby agreed that the following procedures shall be followed, to-wit:

A. The Commissioner shall cause the advertisements calling for bids on said work to be published in the "Construction Bulletin". He shall also cause advertisements for bids to be published in the officially designated

newspaper of the City. Said advertisement or call for bids shall specify that sealed proposals or bids will be received by the City Purchasing Agent of City of Maplewood on behalf of the Commissioner as agent of said City. Proposals, plans and specifications shall be available for the inspection of prospective bidders at the office of the Department of Transportation, St. Paul, Minnesota 55155, and at the office of said City Purchasing Agent and the advertisement shall so state. The bids received in response to said advertisement for bids shall be opened for and on behalf of the Commissioner by a District Engineer of the Department of Transportation or such other engineer of the Department of Transportation as may be from time to time selected by the Commissioner. After said bids shall have been opened, the City Council shall first consider the same and thereupon transmit to the Commissioner all bids received together with its recommendation that the lowest bid submitted by a responsible bidder be accepted or that all bids be rejected.

Upon receipt of all said bids, the Commissioner shall duly cause all of said bids to be tabulated and shall thereupon determine who is the lowest responsible bidder and shall award the contract to the lowest responsible bidder or shall reject all bids.

B. The Commissioner shall supervise and have charge of the construction of said projects after the same has been let. The City agrees to furnish its City Engineer or other registered engineer and assign him to the active supervision and direction of the work to be performed under any contract let for the aforesaid projects. Said engineer so assigned shall act under the supervision and direction of the Commissioner.

The City further agrees to furnish such other personnel, services, supplies and equipment as shall be necessary in order to properly supervise and carry on said work.

C. The Commissioner may make changes in the plans or the character of the work as shall be recommended by the engineer in charge of the work. If he concurs in such recommendations, the Commissioner may enter into, for and on behalf of the City, supplemental agreements with the contractor for the performance of any extra work or work occasioned by any necessary, advantageous, or desirable change in plans or construction.

It is understood by the City that the Commissioner cannot personally investigate and pass judgement on the various items of extra work and plan changes necessary and desirable during the construction of the projects but that he must delegate such duties to engineers under his supervision and control that are employed by the Minnesota Department of Transportation. The City does hereby authorize these engineers, so delegated by the Commissioner, to enter into, for and on behalf of the City, the supplemental agreements specified in the preceding paragraph hereof.

D. The City hereby authorizes its City Engineer, for and on behalf of the City, from time to time, during the progress of the work on said projects, to request the Commissioner to furnish for use on said projects specific

engineering services to be performed by skilled employees of the Minnesota Department of Transportation. The Commissioner may but is not obligated to furnish the services so requested. If the Commissioner in compliance with such request shall furnish for the use of the City on said projects the services of any Minnesota Department of Transportation employee, then and in that event, the City agrees to reimburse the Trunk Highway Fund for the full cost and expense of the furnishing of such services including all costs and expenses of any kind or nature whatsoever arising out of, connected with, or incidental to the furnishing of such services.

E. The Commissioner shall receive the funds to be paid by the City and the funds to be paid by the United States as federal aid funds for said projects and to pay therefrom when due any and all sums that may become due the contractor to whom the contract is awarded, and upon final completion and acceptance of the work, to pay from said funds the final estimate to said contractor for said work.

F. The Commissioner shall perform on behalf of the City all other acts and things necessary to cause said projects to be completed in a satisfactory manner.

G. The Commissioner may enter into any agreement for and on behalf of the City with the United States or any officer or agent thereof that may be required or necessary for the purpose of procuring and actually causing to be paid the federal aid funds available for said projects and to that end to bind and commit the City in such agreement to the performance of any and all things required by any law of the United States or of any rule and regulation issued by federal authority pertaining thereto necessary for the purpose of procuring and having paid the federal aid available for said projects.

H. It is the policy of the United States Department of Transportation and the Minnesota Department of Transportation that Disadvantaged Business Enterprises as defined in 49 CFR, Part 23, and the Surface Transportation and Uniform Relocation Assistance Act for 1987, shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with federal funds. Consequently, the requirements of 49 CFR, Part 23, apply to this agreement. In this regard, the Commissioner and the City shall take all necessary and reasonable steps in accordance with 49 CFR, Part 23, to insure that Disadvantaged Business Enterprises have the maximum opportunity to compete for and perform on contracts and subcontracts. The Commissioner and the City shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of federally funded contracts.

Failure to carry out the above requirements shall constitute a breach of this agreement and may result in termination of the agreement or other such remedy that the Commissioner deems appropriate.

I. The Commissioner may perform on behalf of the City any other and further acts as may be necessary or required under any law of the United States or of any rule or regulation issued by proper federal authority in

order to cause said projects to be completed and to obtain and receive the federal aid made available therefor.

-II-

The City agrees that it will from time to time, after the execution of this agreement, make such reports, keep such records and perform such work in such manner and time as the Commissioner shall from time to time request and direct so as to enable the Commissioner as its agent to collect for it the federal aid sought. Said records and reports shall be retained by the City in accordance with the Commissioner's record retention schedule for federal aid projects.

-III-

It is anticipated that the United States will pay to the Commissioner as the agent of the City, the federal aid funds available to said City toward the construction of said projects. It is further anticipated that the contracts to be let by the Commissioner as the agent of the City, for the construction of said projects shall provide that the contractor, as the work progresses, shall, from time to time, be paid partial payments designated in said contract as partial estimates and on the completion and acceptance of said work to be paid a final payment designated in said contract as a final estimate for all work performed.

The City further agrees that any City funds and/or Municipal State Aid Funds to be applied to any contract covered by this agreement shall be deposited with the Commissioner in accordance with Minnesota Rules Chapter 8820.1500 Subp. 3.

At regular monthly intervals after contractors shall have started work under contracts let by the Commissioner as agent for the City for the construction of said projects, the engineer assigned to and in charge of said work shall prepare partial estimates in accordance with the terms of said contracts let for said projects and the procedures established by the Office of Construction and Contract Administration Minnesota Department of Transportation. The said engineer in charge of said work shall immediately after preparing each partial estimate, transmit the same to the Commissioner in duplicate. Each partial estimate shall be certified by the engineer in charge and by the contractor performing such work. The said engineer assigned to and in charge of said work shall also prepare and submit to the Commissioner the final estimate data, together with the required project records in accordance with the terms of said contracts let for said projects. Quantities listed on said partial and final estimates shall be documented in accordance with the guidelines set forth in the applicable documentation manual. After the approved final estimate has been submitted to the Commissioner, the City will pay to the Commissioner any additional amount which together with the federal funds received for that project will be sufficient to pay all the contract costs of the project.

-IV-

When the contractor shall have completed the work on said projects, the City agrees to inspect the same and forthwith upon the completion of said inspection advise the Commissioner whether or not the work performed should be, by the Commissioner as its agent, accepted as being performed in a satisfactory manner. In the event the City should, after said inspection, recommend to the Commissioner that he should not accept said work, then the City shall at the time such recommendation is made specify in particularity the defects in said work and the reasons why the work should not be accepted. It is further agreed that any recommendations made by the City are not binding on the Commissioner but that he shall have the right to determine whether or not the work has been acceptably performed and to accept or reject the work performed under any said contract.

-V-

It is further agreed that the decision of the Commissioner on the several matters herein set forth shall be final, binding and conclusive on the parties hereto.

-VI-

It is anticipated that the entire cost of said projects is to be paid from funds made available by the United States, by way of federal aid, and by the City. If for any reason the United States fails to pay any part of the cost or expense of said projects, then and in that event the City agrees to pay the same. The City further agrees to pay any and all claims or demands of any kind or nature whatsoever arising out of or incidental to the performance of the work under any contract let for said projects in the event that the United States does not pay the same, and in all events, agrees to save the State of Minnesota and the Commissioner from said claims and from any claims arising out of this agreement and to pay any and all expenses and costs connected with said projects or the construction thereof which the United States does not pay.

-VII-

The City further agrees that:

A. All right-of-way acquisition and relocation will be conducted in accordance with 49 CFR Part 25. Procedures implementing this regulation are contained in Mn/DOT State Aid Manual Chapter 5-892.310.

(Additional guidance may be obtained by referring to the FHWA's Real Estate Acquisition Guide for Local Public Agencies).

B. If the City receives total direct and indirect federal assistance of:

1. \$100,000 or more per year, the City agrees to obtain a financial and compliance audit made in accordance with the Single Audit Act of 1984 (P.L.98-502) and Office of Management and Budget (OMB) Circular A-128. The law and circular provide that the audit shall cover the entire

operations of the City government or, at the option of the City government, it may cover departments, agencies or establishments that received, expended, or otherwise administered federal financial assistance during the year. However, if the City government receives \$25,000 or more in General Revenue Sharing Funds in a fiscal year, it shall have an audit of its entire operations.

2. Between \$25,000 and \$100,000 per year, the City agrees to obtain either -

a. A financial and compliance audit made in accordance with the Single Audit Act of 1984 and OMB Circular A-128, or

b. A financial and compliance audit of all federal funds. The audit must determine whether the subrecipient spent federal assistance funds in accordance with applicable laws and regulations and the audit must be made in accordance with any federal laws and regulations governing the federal programs the subrecipient participates in.

Audits shall be made annually unless the state or local government has, by January 1, 1987 a constitutional or statutory requirement for less frequent audits. For those governments, the cognizant agency shall permit biennial audits, covering both years, if the government so requests. It shall also honor requests for biennial audits by governments that have an administrative policy calling for audits less frequent than annual, but only for fiscal years beginning before January 1, 1987.

The audit shall be made by an independent auditor. An independent auditor is a state or local government auditor or a public accountant who meets the independent standards specified in the General Accounting Office's Standards for Audit of Governmental Organizations, Programs, Activities, and Functions.

The audit report shall state that the audit was performed in accordance with the provisions of OMB Circular A-128 (or A-110 as applicable).

The audit report shall include:

1) The auditor's report on financial statements and on a schedule of federal assistance; the financial statements; and a schedule of federal assistance, showing the total expenditures for each federal assistance program as identified in the Catalog of Federal Domestic Assistance. Federal programs or grants that have not been assigned a catalog number shall be identified under the caption "other federal assistance".

2) The auditor's report on the study and evaluation of internal control systems must identify the organization's significant internal accounting controls, and those controls designed to provide reasonable assurance that federal programs are being managed in compliance with laws and regulations.

It must also identify the controls that were evaluated, the controls that were not evaluated, and the material weaknesses identified as a result of the evaluation.

3) The auditor's report on compliance containing:

- a) A statement of positive assurance with respect to those items tested for compliance, including compliance with law and regulations pertaining to financial reports and claims for advances and reimbursements;
- b) Negative assurance on those items not tested;
- c) A summary of all instances of noncompliance;
- d) An identification of total amounts questioned, if any, for each federal assistance awarded, as a result of noncompliance;
- e) A statement on the status of corrective action taken on prior findings; and
- f) Refer to the use of the standards required by the Minnesota Legal Compliance Audit Guide for Local Governments, prepared by the Office of the State Auditor. The purpose of this guide is to establish compliance guidelines for verification by auditors auditing political subdivisions of the state.

In addition to the audit report, the recipient shall provide comments on the findings and recommendations in the report, including a plan for corrective action taken or planned and comments on the status of corrective action taken on prior findings. If corrective action is not necessary, a statement describing the reason it is not should accompany the audit report.

The City agrees that the grantor, the Legislative Auditor, and any independent auditor designated by the grantor shall have such access to grantee's records and financial statements as may be necessary for the grantor to comply with the Single Audit Act and OMB Circular A-128. Required audit reports must be filed with the Office of the State Auditor, Single Audit Division and state agencies providing federal assistance, within six months of the City's fiscal year end.

If a federal cognizant audit agency has been assigned for the City, copies of required audit reports will be filed with that agency also.

Recipients of more than \$100,000 in federal assistance must also submit one copy of the audit report within 30 days after issuance to the central clearinghouse. Audit reports should be sent to:

Bureau of Census
Data Preparation Division
1201 East 10th Street

Jeffersonville, Indiana 47132
Attn: Single Audit Clearinghouse

C. The City will treat all public, private or cooperatively owned utility facilities which directly or indirectly serve the public and which occupy highway rights of way in conformance with the attached "A Policy for the Accommodation of Utilities on Highway Rights of Way" as approved on April 5, 1988 by the United States Department of Transportation, Federal Highway Administration, Minnesota Division.

-VIII-

All references to statutes and rules shall be construed to refer to the statutes and rules as they may be amended from year to year.

-IX-

The Commissioner accepts this said appointment as agent of the City and agrees to act in accordance herewith.

MINNESOTA DEPARTMENT OF TRANSPORTATION

FEDERAL AID FORM NO. III

Be it resolved that pursuant to section 161.36, Subdivision 1 through 6, Minnesota Statutes, the Commissioner of Transportation be appointed as agent of the City of Maplewood to let as its agent, contracts for the construction of local roads and bridge, and the Mayor and the City Clerk are hereby authorized and directed for and on behalf of the City to execute and enter into a contract with the Commissioner of Transportation prescribing the terms and conditions of such contracts in the form as set forth and contained in "Minnesota Department of Transportation Agency Agreement" a copy of which said agreement was before the City Council, assuming on behalf of the City all of the obligations therein contained.

Resolution No. 90 - 1 - 12

This Agreement made and entered into by and between the City of Maplewood hereinafter referred to as the "City" and the Commissioner of Transportation of the State of Minnesota hereinafter referred to as the "Commissioner",

WITNESSETH:

WHEREAS, pursuant to M.S. 161.36 the City desires the Commissioner to act as its agent in accepting federal aid on the City's behalf, for road and bridge construction and in contracting for the construction, improvement or maintenance of roads or bridges financed either in whole or part with federal moneys; and

WHEREAS, M.S. 161.36, Subdivision 2, requires that the terms and conditions of the agency be set forth in an agreement;

NOW, THEN, IT IS AGREED:

-I-

That pursuant to M.S. 161.36, the City does hereby appoint the Commissioner its agent with respect to all federally funded projects, to accept and receive all federal funds made available for said projects and to let contracts pursuant to law for the construction and improvement of local roads and bridges.

Each contract will be in accordance with plans and special provisions for said projects on file in the Department of Transportation, State Transportation Building, St. Paul, Minnesota 55155, and the latest edition of "Standard Specifications for Construction" and all amendments thereof, which said plans, special provisions and specifications are made a part of this agreement by reference as though fully set forth herein.

In the letting of said contract, it is hereby agreed that the following procedures shall be followed, to-wit:

A. The Commissioner shall cause the advertisements calling for bids on said work to be published in the "Construction Bulletin". He shall also cause advertisements for bids to be published in the officially designated newspaper of the City. Said advertisement or call for bids shall specify that sealed proposals or bids will be received by the City Purchasing Agent of City of Maplewood on behalf of the Commissioner as agent of said City. Proposals, plans and specifications shall be available for the inspection of prospective bidders at the office of the Department of Transportation, St. Paul, Minnesota, 55155, and at the office of said City Purchasing Agent and the advertisement shall so state. The bids received in response to said advertisement for bids shall be opened for and on behalf of the Commissioner by a District Engineer of the Department of Transportation or such other engineer of the Department of Transportation as may be from time to time selected by the Commissioner. After said bids shall have been opened, the City Council shall first consider the same and thereupon transmit to the Commissioner all bids received together with its recommendation that the lowest bid submitted by a responsible bidder be accepted or that all bids be rejected.

Upon receipt of all said bids, the Commissioner shall duly cause all of said bids to be tabulated and shall thereupon determine who is the lowest responsible bidder and shall award the contract to the lowest responsible bidder or shall reject all bids.

B. The Commissioner shall supervise and have charge of the construction of said projects after the same has been let. The City agrees to furnish its City Engineer or other registered engineer and assign him to the active supervision and direction of the work to be performed under any

contract let for the aforesaid projects. Said engineer so assigned shall act under the supervision and direction of the Commissioner.

The City further agrees to furnish such other personnel, services, supplies and equipment as shall be necessary in order to properly supervise and carry on said work.

C. The Commissioner may make changes in the plans or the character of the work as shall be recommended by the engineer in charge of the work. If he concurs in such recommendations, the Commissioner may enter into, for and on behalf of the City, supplemental agreements with the contractor for the performance of any extra work or work occasioned by any necessary, advantageous, or desirable change in plans or construction.

It is understood by the City that the Commissioner cannot personally investigate and pass judgement on the various items of extra work and plan changes necessary and desirable during the construction of the projects but that he must delegate such duties to engineers under his supervision and control that are employed by the Minnesota Department of Transportation. The City does hereby authorize these engineers, so delegated by the Commissioner, to enter into, for and on behalf of the City, the supplemental agreements specified in the preceding paragraph hereof.

D. The City hereby authorizes its City Engineer, for and on behalf of the City, from time to time, during the progress of the work on said projects, to request the Commissioner to furnish for use on said projects specific engineering services to be performed by skilled employees of the Minnesota Department of Transportation. The Commissioner may but is not obligated to furnish the services so requested. If the Commissioner in compliance with such request shall furnish for the use of the City on said projects the services of any Minnesota Department of Transportation employee, then and in that event, the City agrees to reimburse the Trunk Highway Fund for the full cost and expense of the furnishing of such services including all costs and expenses of any kind or nature whatsoever arising out of, connected with, or incidental to the furnishing of such services.

E. The Commissioner shall receive the funds to be paid by the City and the funds to be paid by the United States as federal aid funds for said projects and to pay therefrom when due any and all sums that may become due the contractor to whom the contract is awarded, and upon final completion and acceptance of the work, to pay from said funds the final estimate to said contractor for said work.

F. The Commissioner shall perform on behalf of the City all other acts and things necessary to cause said projects to be completed in a satisfactory manner.

G. The Commissioner may enter into any agreement for and on behalf of the City with the United States or any officer or agent thereof that may be required or necessary for the purpose of procuring and actually causing to be paid the federal aid funds available for said projects and to that end

to bind and commit the City in such agreement to the performance of any and all things required by any law of the United States or of any rule and regulation issued by federal authority pertaining thereto necessary for the purpose of procuring and having paid the federal aid available for said projects.

H. It is the policy of the United States Department of Transportation and the Minnesota Department of Transportation that Disadvantaged Business Enterprises as defined in 49 CFR, Part 23, and the Surface Transportation and Uniform Relocation Assistance Act for 1987, shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with federal funds. Consequently, the requirements of 49 CFR, Part 23, apply to this agreement. In this regard, the Commissioner and the City shall take all necessary and reasonable steps in accordance with 49 CFR, Part 23, to insure that Disadvantaged Business Enterprises have the maximum opportunity to compete for and perform on contracts and subcontracts. The commissioner and the City shall not discriminate on the basis of race, color, nation origin, or sex in the award and performance of federally funded contracts.

Failure to carry out the above requirements shall constitute a breach of this agreement and may result in termination of the agreement or other such remedy that the Commissioner deems appropriate.

I. The Commissioner may perform on behalf of the City any other and further acts as may be necessary or required under any law of the United States or of any rule or regulation issued by proper federal authority to order to cause said projects to be completed and to obtain and receive the federal aid made available therefor.

-II-

The City agrees that it will from time to time, after the execution of this agreement, make such reports, keep such records and perform such work in such manner and time as the Commissioner shall from time to time request and direct so as to enable the Commissioner as its agent to collect for it the federal aid sought. Said records and reports shall be retained by the City in accordance with the Commissioner's record retention schedule for federal aid projects.

-III-

It is anticipated that the United States will pay to the Commissioner as the agent of the City, the federal aid funds available to said City toward the construction of said projects. It is further anticipated that the contracts to be let by the Commissioner as the agent of the City, for the construction of said projects shall provide that the contractor, as the work progresses, shall, from time to time, be paid partial payments designated in said contract as partial estimates and on the completion and acceptance of said work to be paid a final payment designated in said contract as a final estimate for all work performed.

The City further agrees that any City funds and/or Municipal State Aid Funds to be applied to any contract covered by this agreement shall be deposited with the Commissioner in accordance with Minnesota Rules Chapter 8820.1500 Subp. 3.

At regular monthly intervals after contractors shall have started work under contracts let by the Commissioner as agent for the City for the construction of said projects, the engineer assigned to and in charge of said work shall prepare partial estimates in accordance with the terms of said contracts let for said projects and the procedures established by the Office of Construction and Contract Administration Minnesota Department of Transportation. The said engineer in charge of said work shall immediately after preparing each partial estimate, transmit the same to the Commissioner in duplicate. Each partial estimate shall be certified by the engineer in charge and by the contractor performing such work. The said engineer assigned to and in charge of said work shall also prepare and submit to the Commissioner the final estimate data, together with the required project records in accordance with the terms of said contracts let for said projects. Quantities listed on said partial and final estimates shall be documented in accordance with the guidelines set forth in the applicable documentation manual. After the approved final estimate has been submitted to the Commissioner, the City will pay to the Commissioner any additional amount which together with the federal funds received for that project will be sufficient to pay all the contract costs of the project.

-IV-

When the contractor shall have completed the work on said projects, the City agrees to inspect the same and forthwith upon the completion of said inspection advise the Commissioner whether or not the work performed should be, by the Commissioner as its agent, accepted as being performed in a satisfactory manner. In the event the City should, after said inspection, recommend to the Commissioner that he should not accept said work, then the City shall at the time such recommendation is made specify in particularity the defects in said work and the reasons why the work should not be accepted. It is further agreed that any recommendations made by the City are not binding on the Commissioner but that he shall have the right to determine whether or not the work has been acceptably performed and to accept or reject the work performed under any said contract.

-V-

It is further agreed that the decision of the Commissioner on the several matters herein set forth shall be final, binding and conclusive on the parties hereto.

-VI-

It is anticipated that the entire cost of said projects is to be paid from funds made available by the United States, by way of federal aid, and by the City. If for any reason the United States fails to pay any part of the cost or expense of said projects, then and in that event the City agrees to pay the same. The City further agrees to pay any and all claims or demands of any kind or nature whatsoever arising out of or incidental to the performance of the work under any contract let for said projects in the event that the United States does not pay the same, and in all events, agrees to save the State of Minnesota and the Commissioner from said claims and from any claims arising out of this agreement and to pay any and all expenses and costs connected with said projects or the construction thereof which the United States does not pay.

-VII-

The City further agrees that:

A. All right-of-way acquisition and relocation will be conducted in accordance with 49 CFR Part 25. Procedures implementing this regulation are contained in Mn/DOT State Aid Manual Chapter 5-892.310.

(Additional guidance may be obtained by referring to the FHWA's Real Estate Acquisition Guide for Local Public Agencies).

B. If the City receives total direct and indirect federal assistance of:

1. \$100,000 or more per year, the City agrees to obtain a financial and compliance audit made in accordance with the Single Audit Act of 1984 (P>L> 98-502) and Office of Management and Budget (OMB) Circular A-128. The law and circular provide that the audit shall cover the entire operations of the City government or, at the option of the City Government, it may cover departments, agencies or establishments that received, expended, or otherwise administered federal financial assistance during the year. However, if the City government receives \$25,000 or more in General Revenue Sharing Funds in a fiscal year, it shall have an audit of its entire operations.

2. Between \$25,000 and \$100,000 per year, the City agrees to obtain either -

a. A financial and compliance audit made in accordance with the Single Audit Act of 1984 and OMB Circular A-128, or

b. A financial and compliance audit of all federal funds. The audit must determine whether the subrecipient spent federal assistance funds in accordance with applicable laws and regulations and the audit must be made in accordance with any federal laws and regulations governing the federal programs the subrecipient participates in.

Audits shall be made annually unless the state or local government has, by January 1, 1987 a constitutional or statutory requirement for less frequent audits. For those governments, the cognizant agency shall permit

biennial audits, covering both years, if the government so requests. It shall also honor requests for biennial audits by governments that have an administrative policy calling for audits less frequent than annual, but only for fiscal year beginning before January 1, 1987.

The audit shall be made by an independent auditor. An independent auditor is a state or local government auditor or a public accountant who meets the independent standards specified in the General Accounting Office's Standards for Audit of Governmental Organizations, Programs, Activities, and Functions.

The audit report shall state that the audit was performed in accordance with the provisions of OMB Circular A-128 (or A-110 as applicable).

The audit report shall include:

1) The auditor's report on financial statements and on a schedule of federal assistance; the financial statements; and a schedule of federal assistance, showing the total expenditures for each federal assistance program as identified in the Catalog of Federal Domestic Assistance. Federal programs or grants that have not been assigned a catalog number shall be identified under the caption "other federal assistance".

2) The auditor's report on the study and evaluation of internal control systems must identify the organization's significant internal accounting controls, and those controls designed to provide reasonable assurance that federal programs are being managed in compliance with laws and regulations.

It must also identify the controls that were evaluated, the controls that were not evaluated, and the material weaknesses identified as a result of the evaluation.

3) The auditor's report on compliance containing:

a) A statement of positive assurance with respect to those items tested for compliance, including compliance with law and regulations pertaining to financial reports and claims for advances and reimbursements;

b) Negative assurance on those items not tested;

c) A summary of all instances of noncompliance;

d) An identification of total amounts questioned, if any, for each federal assistance awarded, as a result of noncompliance;

e) A statement on the status of corrective action taken on prior findings; and

f) Refer to the use of the standards required by the Minnesota Legal Compliance Audit Guide for Local Governments, prepared by the Office of the State Auditor. The purpose of this guide is to establish compliance guidelines for verification by auditors auditing political subdivisions of the State.

In addition to the audit report, the recipient shall provide comments on the findings and recommendations in the report, including a plan for corrective action taken or planned and comments on the status of corrective action taken on prior findings. If corrective action is not necessary, a statement describing the reason it is not should accompany the audit report.

The City agrees that the grantor, the Legislative Auditor, and any independent auditor designated by the grantor shall have such access to grantee's records and financial statements as may be necessary for the grantor to comply with the Single Audit Act and OMB Circular A-128. Required audit reports must be filed with the Office of the State Auditor, Single Audit Division and state agencies providing federal assistance, within six months of the City's fiscal year end.

If a federal cognizant audit agency has been assigned for the City, copies of required audit reports will be filed with that agency also.

Recipients of more than \$100,000 in federal assistance must also submit one copy of the audit report within 30 days after issuance to the central clearinghouse. Audit reports should be sent to:

Bureau of Census
Data Preparation Division
1201 East 10th Street
Jeffersonville, Indiana 47132
Attn: Single Audit Clearinghouse

C. The City will treat all public, private or cooperatively owned utility facilities which directly or indirectly serve the public and which occupy highway rights of way in conformance with the attached "A Policy for the Accommodation of Utilities on Highway Rights of Way" as approved on April 5, 1988 by the United States Department of Transportation, Federal Highway Administration, Minnesota Division.

-VIII-

All references to statutes and rules shall be construed to refer to the statutes and rules as they may be amended from year to year.

-IX-

The Commissioner accepts this said appointment as agent of the City and agrees to act in accordance herewith.

6. Termination of Conditional Use Permit and Approval of Home Occupation License (2580 Clarence Street).

Approved the following:

1. Termination of the conditional use permit at 2580 Clarence Street for a home Piano-tuning business.
2. Approved a home occupation license for Roland Lozier to operate a piano-tuning business at 2580 Clarence Street. Approval is subject to the following conditions:
 - a. Compliance with the City's home occupation licensing requirements, including the requirement for annual renewal.
 - b. No more than 515 square feet of the detached garage shall be used for business purposes.
 - c. Only pianos repaired on-site may be sold.

7. Conditional Use Permit Renewal: 1779 McMenemy Street - Mn. DOT

Approved the renewal of the conditional use permit subject to the original conditions of approval for one year, for a metal storage building at 1779 McMenemy Street.

8. Final Plat: Cave's Woods and Ponds

Discussed before Item F-4.

9. Conditional Use Permit Renewal: Salvation Army Church

Approved the renewal of the conditional use permit, subject to the original conditions of approval, for one year for the Salvation Army Church and adult day care facility at Woodlynn Avenue and Ariel Street.

F. PUBLIC HEARINGS

1. 7:00 P.M., Ciatti's On-Sale Liquor License

- a. Mayor Anderson convened the meeting for a public hearing regarding the request of Robert David Gillen for an On-Sale Liquor License to be located at Ciatti's, 1900 E. County Road D.
- b. Manager McGuire presented the staff report.
- c. Mr. Robert Gillen, 3063 Farrington Court, Roseville, the applicant, spoke on behalf of his request.
- d. Mayor Anderson called for proponents and opponents. None were heard.

e. Mayor Anderson closed the public hearing.

f. Councilmember Rossbach introduced the following resolution and moved its adoption:

90 - 1 - 13

NOTICE IS HEREBY GIVEN, pursuant to action by the City Council of the City of Maplewood on January 22, 1990, an On-Sale Intoxicating Liquor License was approved for Robert David Gillen, dba 1900 E. County Road D (Ciatti's).

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

Seconded by Councilmember Bastian.

Ayes - all.

I. NEW BUSINESS

1. T.H. 61 Watermain, Project 87-44, Final Acceptance, Change Orders 1, 2 and 3

a. Manager McGuire presented the staff report.

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

c. Councilmember Rossbach introduced the following resolutions and moved their adoption:

90 - 1 - 14

**RESOLUTION
ACCEPTANCE OF PROJECT**

WHEREAS, the City Engineer for the City of Maplewood has determined that T.H. 61 Water Main, Kohlman Avenue to Beam Avenue, City Project 87-44, is complete and recommends acceptance of the project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that City Project 87-44 is complete and maintenance of these improvements is accepted by the City. Release of any retainage or escrow is hereby authorized.

90 - 1 - 15

**RESOLUTION
DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT**

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered made Improvement Project 87-44 and has let a construction contract pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, it is now necessary and expedient that said contract be modified and designated as Improvement Project 87-44, Change Order One.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the Mayor and City Clerk are hereby authorized and directed to modify the existing contract by executing said Change Order One in the amount of \$19,875.25.

90 - 1 - 16

**RESOLUTION
DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT**

WHEREAS, the City Council of Maplewood, Minnesota, has heretofore ordered made Improvement Project 87-44 and has let a construction contract pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, it is now necessary and expedient that said contract be modified and designated as Improvement Project 87-44, Change Order Two.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA that the Mayor and City Clerk are hereby authorized and directed to modify the existing contract by executing said Change Order Two in the amount of \$11,389.32.

90 - 1 - 17

**RESOLUTION
DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT**

WHEREAS, the City Council of Maplewood, Minnesota, has heretofore ordered made Improvement Project 87-44 and has let a construction contract pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, it is now necessary and expedient that said contract be modified and designated as Improvement Project 87-44, Change Order Three.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the Mayor and City Clerk are hereby authorized and directed to modify the existing contract by executing said Change Order Three in the amount of \$17,000.

The project budget is amended to \$249,000. The project financing is amended as follows:

Assessments	\$ 55,124.92
Hydrant Fund	<u>193,875.08</u>
Total	\$249,000.00

Seconded by Councilmember Zappa.

Ayes - all.

F. PUBLIC HEARINGS (Continued)

2. 7:10 P.M., Street Vacation: Radatz Avenue
 - a. Mayor Anderson convened the meeting for a public hearing regarding the request of Highway 61 Partners to vacate the Radatz Avenue right-of-way located just north A.B.R.A. Auto Body.
 - b. Manager McGuire presented the Staff report
 - c. Council discussed the appearance of A.B.R.A. and questioned what control can be imposed.
 - d. Board Member Roger Antizberger gave the Community Design Review Board report regarding conditions placed on the A.B.R.A. building.
 - e. Mr. Jim Benson, Highway 61 Partners, the applicant, spoke on behalf of the request.
 - f. Mayor Anderson called for proponents and opponents. None were heard.
 - g. Mayor Anderson closed the public hearing.
 - h. Councilmember Bastian introduced the following resolution and moved its adoption:

90-1-18

WHEREAS, Highway 61 Partners initiated proceedings to vacate the public interest in the following –described property:

Radatz Avenue between Highway 61 and vacated English Street

WHEREAS, the following adjacent properties are affected:

Lots 91 and 92, Gardena Addition to Ramsey County

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

1. A majority of the owners of property abutting said street right-of-way have signed a petition for this vacation;
2. This vacation was reviewed by the Planning commission on January 4, 1990. The Planning Commission recommended to the City Council that this vacation be approved.
3. The City council held a public hearing on January 22, 1990, to consider this vacation. Notice thereof was published and mailed pursuant to law. All persons present at this hearing were given an opportunity to be heard and present written statements. The Council also considered

reports and recommendations of the City Staff and Planning Commission.

WHEREAS, upon vacation of the above-described street right-of-way, public interest in the property will accrue to the following-described abutting properties;

Lots 91 and 92, Gardena Addition to Ramsey County

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that it is in the public interest to grant the above-described vacation on the basis of the following findings of fact:

1. This right-of-way is not needed for utility or roadway purposes.
2. The majority of Radatz Avenue to the east has already been vacated.
3. The vacation would allow the expansion of the parking lot at 2806 Maplewood Drive without the need for a variance.

Seconded by Councilmember Zappa.

Ayes – all.

i. Councilmember Rossbach moved to remand the applicant back to the Community Design Review Board to further discuss fencing or screening on the North and West side of the property and, also contact the Watershed District regarding the “skimming” operation for runoff into the wetlands is adequate.

Seconded by Mayor Anderson.

Ayes – all.

3. 7:20 P.M., McMenemy Street, South of Mn. DOT

- a. Plan Amendment
- b. Rezoning

1. Mayor Anderson convened the meeting for a public hearing regarding the proposal for a land use plan amendment from RM, medium density residential to RL, Low Density residential and a rezoning from F, Farm residential to R-1, single dwelling residential for the area south of the Mn. DOT property along the west side of McMenemy Street.

2. Manager McGuire presented the staff report.

3. Director of Community Development Olson presented the specifics of the proposal.

4. Mayor Anderson called for proponents and opponents. None were heard.

5. Mayor Anderson closed the public hearing.

6. Councilmember Zappa introduced the following resolution and moved its adoption:

90 - 1 - 19

WHEREAS, the City of Maplewood initiated an amendment to the Maplewood Comprehensive Plan from RM, medium density residential to RL, low density residential for the following-described property:

The area south of the Minnesota Department of Transportation (MnDot) property, west of McMenemy Street.

This property is more commonly described as 1733-1767 McMenemy Street.

WHEREAS, the procedural history of this plan amendment is as follows:

1. The Maplewood Planning Commission held a public hearing on January 4, 1990, to consider this plan amendment. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Planning Commission recommended to the City Council that said plan amendment be approved.
2. The Maplewood City Council considered said plan amendment on January 22, 1990. The Council considered reports and recommendations from the Planning Commission and City Staff.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described plan amendment be approved on the basis that the City does not anticipate any change in the current use of this area for single-dwelling homes.

Seconded by Councilmember Rossbach. Ayes - all.

7. Councilmember Rossbach introduced the following resolution and moved its adoption:

90 - 1 - 20

WHEREAS, the City of Maplewood initiated a rezoning from F, farm residence to R-1, single-dwelling residential for the following-described property:

The area south of the Minnesota Department of Transportation (Mn.DOT) property, west of McMenemy Street.

This property is also known as 1733-1767 McMenemy Street.

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

1. This rezoning was reviewed by the Maplewood Planning Commission on January 4, 1990. The Planning Commission recommended to the City Council that said rezoning be approved.
2. The Maplewood city Council held a public hearing on January 22, 1990, to consider this rezoning. Notice thereof was published and mailed pursuant to law. all persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City Staff and Planning commission.

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

1. The proposed change is consistent with the spirit, purpose and intent of the zoning code.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
3. The proposed change will serve the best interests and conveniences of the community, where applicable and the public welfare.
4. The proposed change would have no negative effect upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.

Seconded by Councilmember Zappa.

Ayes - all.

4A. Final Plat: Cave's Woods and Ponds

- a. Manager McGuire presented the staff report.

b. Director of Community Development Olson presented the specifics of the proposal.

c. Sam Cave, Ed Cave and Sons, Inc., the applicant, spoke on behalf of the request.

d. Councilmember Zappa moved to table this matter until all conditions have been met.

Motion died for lack of a second.

e. Councilmember Rossbach moved to approve the final plat of Cave's Woods and Ponds subject to the compliance of the original conditions of the preliminary plat.

Seconded by Mayor Anderson.

Ayes - all.

4. 7:30 P.M., Building Locations: Larpenteur Avenue and McKnight Road.

a. Mayor Anderson convened the meeting for a public hearing regarding the request of Robert H. Leibman to move four single dwellings to the southeast corner of McKnight Road and Larpenteur Avenue.

b. Manager McGuire presented the Staff report.

c. Director of Community Development Olson presented the specifics of the proposal.

d. Mr. Robert Leibman and Mr. Jeff Cody, the applicants, spoke on behalf of their request.

e. Mayor Anderson called for proponents and opponents. None were heard.

f. Mayor Anderson closed the public hearing.

g. Councilmember Rossbach moved approval for the placement of the four rambler-style single dwellings on lots one through four, block one, Woods and Ponds Addition at the corner of Larpenteur Avenue and McKnight Road. The following conditions must be met before permits may be issued:

1. Final plat approval of Caves Woods and Ponds.
Verification from the County that the final plat for Caves Woods and Ponds has been submitted for recording.
2. Compliance with typical property line setback requirements and the 70-foot William's Brothers pipeline setback requirement.
3. Submittal of these required escrows:
 - a. \$100 for each dwelling which shall be used to defray the costs incurred by the City in inspecting the building

and property. The unused portion shall be returned to the applicant.

b. \$1000, or an irrevocable letter of credit for \$1000, for each dwelling to guarantee any street repair that may be required resulting from damages caused by moving the building.

c. An irrevocable letter of credit or cash in the amount of 1 1/2 times the estimated cost of completing the construction to meet code or to demolish the structure and restore the site to a buildable state. With this surety, it shall be stipulated that all work associated with the completion of the dwelling on the site shall be finished by June 1st, 1990.

4. The mover must be licensed with the State of Minnesota.
5. The applicant shall sign an "agreement to convey title" to be drafted by the City Attorney, which would give the City the right to take possession of the dwellings and property 90 days after the issuance of the permits for the house relocations. This documentation would grant the City the right, along with the required escrows, to complete the construction or to demolish and remove the structures.
6. The site plans shall provide for driveway turnarounds on each lot.

Seconded by Councilmember Zappa.

Ayes - all.

G. AWARD OF BIDS

None.

I. NEW BUSINESS

1-A. Composting Concepts

- a. Manager McGuire presented the staff report.
- b. Richard Eisinger, President, Composting Concepts, Inc., and his partner, John Marone, presented their proposal on the collection of leaves, brush, grass clippings, etc.
- c. Councilmember Zappa moved to refer the proposal to staff for further investigation.

Seconded by Councilmember Rossbach.

Ayes - all.

2. "Opticom" County Road B at T.H. 61.

- a. Manager McGuire presented the staff report.
- b. Councilmember Bastian moved to authorize Mn/DOT to install EVP (emergency vehicle pre-emption) at County Road B at T.H. 61 at an estimated cost of \$6850 and fund the cost from the street construction state aid fund.

Seconded by Councilmember Zappa.

Ayes - all.

3. Frattalone Addition Plat Correction

- a. Manager McGuire presented the staff report.
- b. Councilmember Rossbach moved the Frattalone Addition Plat correction as follows:

LAND SURVEYORS CERTIFICATE OF CORRECTION TO PLAT

Name of Plat: FRATTALONE ADDITION

Pursuant to the provisions of Chapter 505.174, Laws of Minnesota, 1957, Harry J. Johnson, the undersigned, a Registered Land Surveyor in and for the State of Minnesota, declares as follows:

1. That I prepared the plat of Frattalone Addition dated October 8, 1985, and filed on October 28th, 1985 in the office of the County Recorder for Ramsey County, Minnesota, in Book 98 of Plats, page 41.
2. That said plat contains errors, omissions, or defects in the following particulars, to-wit: The drainage and utility easement as graphically depicted on the easterly part of Lot 4, Block 1, is in error.
3. That said plat is hereby corrected in the following particulars, to-wit: That the 10 foot drainage and utility easement shown across the front of Lot 4 and the 20 foot drainage and utility easement shown thereon and indicated thereon as according to Document No. 2194613 shall so remain and in addition thereto shall be a drainage and utility easement across that part of said Lot 4, Block 1 lying easterly of a line drawn from a point on the north line of said Lot 4, distant 55.37 feet westerly of the northeast corner thereof to the southeast corner of said Lot 4 and there terminating.

Seconded by Mayor Anderson.

Ayes - all.

4. Discuss Upcoming Meetings.

- a. Manager McGuire presented the report.
- b. Councilmember Zappa moved to establish the following meeting dates:

FEBRUARY

08	Council Pre-Agenda Meeting Police Training Room	4:30 - 5:30 P.M.
08	Fire Study Police Training Room	5:30 P.M.
12	City Council Meeting Hazelwood Fire Station	7:00 P.M.
15	City Council Meeting Police Training Room	4:30 P.M.
22	Council Pre-Agenda Meeting Police Training Room	4:30 - 5:30 P.M.
22	Maplewood Mall Traffic Study Police Training Room	5:30 P.M.
26	City Council Meeting Hazelwood Fire Station	7:00 P.M.

MARCH

05	Community Center Study Location To Be Announced	6:00 P.M.
08	Council Pre-Agenda Meeting Location To Be Announced	4:30 - 5:30 P.M.
12	City Council Meeting Location To Be Announced	7:00 P.M.
15	City Council Meeting Location To Be Announced	4:30 P.M.
19	Police Organizational Study Location To Be Announced	6:00 P.M.
22	Council Pre-Agenda Meeting Location To Be Announced	4:30 - 5:30 P.M.
26	City Council Meeting Location To Be Announced	7:00 P.M.
29	City Council Meeting Location To Be Announced	4:30 P.M.

Seconded by Councilmember Bastian

Ayes - all.

5. City hall Expansion Update

a. Director of Public Works Haider updated the Council regarding the progress of the construction.

b. Councilmember Rossbach moved to authorize Director of Public Works Haider to expedite any bids and contact each councilmember.

Seconded by Mayor Anderson.

Ayes - all.

J. VISITOR PRESENTATION

None.

K. COUNCIL PRESENTATIONS

1. Compost Site

Councilmember Rossbach moved to direct staff to research what Ramsey County has planned for the compost site, chipping, etc.

Seconded by Mayor Anderson.

Ayes - all.

2. Gas Station T.H. 61 and County Road B

a. Councilmember Rossbach stated it has been reported to him about a near accident at this intersection. He further requested that the conditional use permit for the HCO station be reviewed for health, safety, and welfare.

b. Councilmember Rossbach wishes to go on record that the intersection, especially at the gas station entrance, is a dangerous situation.

3. Staff at Meetings

a. Councilmember Rossbach questioned if attendance at meetings by the entire staff is necessary.

b. Manager McGuire stated he felt they should attend as many questions of them should be answered.

4. Water Board - Monitoring

a. Councilmember Bastian stated that the water board is indicating they will not be monitoring the problems at the Jackson site. There is a meeting scheduled February 21, 1990, and the board should be notified of Maplewood's opinion.

5. Tax Issue

a. Councilmember Bastian stated he has received correspondence from the League of Cities that the legislature is contemplating the prohibition of municipalities having cash reserves.

b. Councilmember Bastian moved the Council go on record as indicating Maplewood's disapproval of the proposed legislation and make them aware of the impact of taking away cash reserves of municipalities.

Seconded by Mayor Anderson.

Ayes - all.

6. Self Defense Classes

a. Councilmember Bastian stated some cities are holding self defense classes. Can Maplewood do this?

b. Councilmember Bastian moved to have staff research such classes.

Seconded by Mayor Anderson.

Ayes - Mayor Anderson, Councilmembers Bastian and Rossbach.

Nay - Councilmember Zappa.

7. Ramsey County Property Assessor

a. Councilmember Bastian moved to invite the Ramsey County assessor to a meeting to explain the procedures on home occupation-conditional use permit.

Seconded by Mayor Anderson.

Ayes - all.

8. Council Paraphernalia

a. Councilmember Bastian moved that the Manager investigate ID Tags, business cards, stationery, etc., for Council members.

Seconded by Councilmember Zappa.

Ayes - all.

9. Cable at Council Meetings

a. Mayor Anderson moved that the first meeting whenever possible when Council Chambers are completed be televised for cable.

Seconded by Councilmember Bastian.

Ayes - all.

10. Appointment to RTV

a. Councilmember Bastian moved the appointment of Councilmember Rossbach to the RTV.

Seconded by Councilmember Zappa.

Ayes - all.

11. Woodchipping

- a. Mayor Anderson questioned when the City will be obtaining a woodchipper.
- b. Staff stated the City owns a woodchipper.
- c. Council directed staff to research providing wood chipping service to residents.

L. ADMINISTRATIVE PRESENTATIONS

None.

M. ADJOURNMENT

Meeting adjourned at 9:37 P.M., to enter into closed session to discuss labor negotiations.

City Clerk

MINUTES OF MAPLEWOOD CITY COUNCIL
7:00 P.M., Monday, February 12, 1990
and
4:30 P.M., Thursday, February 15, 1990
Hazelwood Fire Station, 1530 E. County Road C
Meeting No. 90-3

A. CALL TO ORDER

A regular meeting of the City Council of Maplewood, Minnesota, was held at the Hazelwood Fire Station, 1530 E. County Road C, and was called to order at 7:00 P.M., by Mayor Anderson.

B. ROLL CALL

Norman G. Anderson, Mayor	Present
Gary W. Bastian, Councilmember	Present
Frances L. Juker, Councilmember	Present
George F. Rossbach, Councilmember	Present
Joseph A. Zappa, Councilmember	Absent

C. APPROVAL OF MINUTES

1. Meeting No. 89-25A (November 16, 1989)

Councilmember Rossbach moved to approve the Minutes of Meeting No. 89-25A (November 16, 1989) as correct:

Page 2: Item C1-g. add "necessary to street construction"

Seconded by Mayor Anderson. Ayes - all.

2. Meeting No. 89-25 (November 13 and 16, 1989)

Mayor Anderson moved to approve the Minutes of Meeting No. 89-25 (November 13 and 16, 1989) as submitted.

Seconded by Councilmember Rossbach. Ayes - all.

D. APPROVAL OF AGENDA

Mayor Anderson moved to approve the Agenda as amended:

1. Truth in Housing
2. H.C.O.
3. Ordinance Change - CDRB
4. Budget Surplus
5. Duracells
6. Water Board - Advisory Committee
7. Motorcycle Ordinance
8. Council Policies
9. White Bear Avenue Business Association

10. Suburban Area Chamber - Donation for Senior Citizens' Valentines Party

Seconded by Councilmember Rossbach. Ayes - all.

Councilmember Bastian moved that Item D-10 become Item I-10.

Seconded by Councilmember Rossbach. Ayes - all.

E. CONSENT AGENDA

Councilmember Rossbach moved, seconded by Mayor Anderson, Ayes - all, to approve the Consent Agenda Items 1 through 14 as recommended:

1. Approval of Claims

ACCOUNTS PAYABLE:

\$ 341,720.48 Checks #5285 - #5370
Dated 01-11-90 through 01-31-90

\$ 160,462.77 Checks #3291 - #3496
Dated 02-12-90

\$ 502,183.25 Total per attached voucher/check register

PAYROLL:

\$ 190,343.92 Payroll Checks

\$ 48,860.49 Payroll Deductions

\$ 239,204.41 Total Payroll

\$ 741,387.66 GRAND TOTAL

2. Carryover of 1989 Appropriations to 1990

Approved the following General Fund carryovers:

<u>DEPARTMENT</u>	<u>AMOUNT</u>	<u>ACCOUNT NUMBER</u>	<u>FOR</u>
City Manager's Office	\$ 4,385	101-102-4630	Office equipment and furnishings for receptionist
Planning Commission	710	101-107-4390	Cost of planning commission member to attend a national planning conference
Public Works	32,000	101-501-4490	Cost to complete the Maplewood Mall Traffic Study and the Storm Water Management Plan

Community Development 11,600 101-701-4490 Cost for planning consultant to update the Comprehensive Plan

\$48,695

Park and Recreation: \$88,540 in the Capital Improvement Projects Fund be carried over to 1990.

3. 1989 Budget change for Police Wages and Benefits.

Approved the appropriate budget changes as indicated:

	<u>Division 402</u>	<u>Division 403</u>
Wages - account 4010	\$32,920	\$4,650
Overtime - account 4011	960	520
Leave Benefits - account 4030	5,620	560
Retirement Benefits - account 4040	5,700	870
Insurance Benefits - account 4050	<u>3,660</u>	<u>520</u>
 TOTALS	 \$48,860	 \$7,120

4. 1990 Budget change for Audit

Approved a 1990 budget transfer from the General Contingency account to cover the added costs for auditing the Community Development Block Grant.

5. Modification of Tax Increment Financing Plan

Resolution No. 90-2-20

RESOLUTION APPROVING MODIFICATIONS TO THE TAX INCREMENT
FINANCING PLAN FOR
ECONOMIC DEVELOPMENT DISTRICT NO. 1-3 WITHIN
DEVELOPMENT DISTRICT NO. 1

BE IT RESOLVED by the City Council (the "Council") of the City of Maplewood, Minnesota (the "City") as follows:

Section 1. Recitals

1.01. The City on May 8, 1989, established Economic Development District No. 1-3 and on October 9, 1989, modified the Tax Increment Financing Plan for Economic Development District No. 1-3.

1.02. The Tax Increment Financing Plan provided that the City intends to use 100% of the tax increments derived from Economic Development District No. 1-3 for repayment of Tax Increment Bonds and other capital and administration expenditures authorized by the Tax Increment Financing Plan.

1.03. In accordance with the provisions of Minnesota Statutes, Section 469.177, Subdivision 2, the City has determined to waive the receipt of tax increments (for taxes payable in 1990) from Economic Development District No. 1-3.

Section 2. Findings for the Modification of the Tax Increment Financing Plan for Economic Development District No. 103.

2.01. Economic Development District No. 1-3 when established was established as an economic development district within the meaning of Minnesota Statutes, Section 469.174, Subdivision 12. The City reaffirms the findings previously made with respect to the establishment of Economic Development District No. 1-3.

2.02. The Council finds that the proposed development, in the opinion of the Council, would not occur solely through private investment within the reasonably foreseeable future and, therefore, the use of tax increment financing is deemed necessary. The specific basis for such finding being:

Private investment will not finance the development activities set out in the Development Program and Tax Increment Financing Plan for Economic Development District No. 1-3 because of prohibitive costs. It is necessary to finance these development activities through the use of tax increment financing so that other development will occur within Development District No. 1.

2.03. The Council further finds that the modified Tax Increment Financing Plan for Economic Development District No. 1-3 conforms to the general plan for the development or redevelopment of the City as a whole. The specific basis for such finding being:

- (i) Economic Development District No. 1-3 is properly zoned;
- (ii) the Tax Increment Financing Plan will generally compliment and serve to implement policies adopted in the City's comprehensive plan.

2.04. The Council further finds that the modified Tax Increment Financing Plan for Economic Development District No. 1-3 will afford maximum opportunity consistent with the sound needs of the City as a whole, for the development of Development District No. 1 by private enterprise. The specific basis for such finding being:

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

Section 3. Approval of the Modified Tax Increment Financing Plan

3.01. The modified Tax Increment Financing Plan for Economic Development District No. 1-3 is hereby approved and adopted.

3.02. The staff of the City, the City's advisors and legal counsel are authorized and directed to proceed with the implementation of the modified Tax Increment Financing Plan and for this purpose to negotiate, draft, prepare, and present to this Council for its consideration all further plans, resolutions, documents, and contracts necessary for this purpose.

6. 1989 Tax Increment Transfers

Authorized the following 1989 transfers from the Tax Increment Fund:

\$ 6,100 To Street Construction State Aid Fund:
 for Project 89-15 (Beam Avenue Traffic Signals)

\$ 53,500 To Park Development Fund:
 for Project 308 (Hazelwood Park)
49,900 for Project 309 (Playcrest Park)
\$103,400 TOTAL

7. Community Design Review Board Annual Report

Approved the 1989 Community Design Review Board Annual Report.

8. Utilities - Budget Transfer

Authorized the transfer of \$700 from the 1989 Public Works Maintenance Budget to the 1989 City Hall Maintenance Budget to cover the increased utility cost.

9. Nature Center Donation

Accepted the \$150.00 donation from the Maplewood Oakdale Lions Club and increase the Fees For Service Budget Account for the Nature Center by \$150.00 (101-604-000-4480).

10. Proposal for Planting Plans and specifications for Playcrest Park

Approved the hiring of Wehrman Bergly Associates to prepare a planting plan and specifications for Playcrest Park in the amount of \$3,950, as outlined. Funds for this project are in the Park Development Fund.

11. Park and Recreation Commission Annual Report

Accepted the 1989 Annual Park and Recreation Commission report.

12. Change Orders for Park Improvement 88-2P

Approved the following change orders and funding for Park Improvement 88-2P:

Change Order #4 - Barr Engineering - Geranium Park	189.80
Change Order #9 - Enebak Construction Company - Playcrest Park	2,197.00
Change Order #4 - Braun Engineering - Geranium Park	260.00
Change Order #5 - Braun Engineering - Sherwood Park	1,172.00
Change Order #6 - Braun Engineering - Playcrest Park	56.00

Change Order #4 funds to be transferred from account 403-809-332-4720 to 403-809-306-4490.

13. Resolution: Metro Self Storage Projects: Change of Financial Banking

Resolution No. 90-2-21

WHEREAS,

(a) On October 15, 1980, the City of Maplewood (the "City") issued its \$950,000 Commercial Development Revenue Note of 1980 (Metro Self Storage Project) (the "Note") pursuant to the terms of a Note Resolution adopted by the City on October 2, 1980 (the "Note Resolution"); and

(b) The Note was purchased by Midway National Bank of Saint Paul (the "Lender") and is still held by the Lender; and

(c) In connection with the issuance of the Note, the City and FED Investments, a Minnesota general partnership ("FED") entered into a loan agreement dated October 15, 1980 (the "Loan Agreement") pursuant to which the City loaned to FED the proceeds received by the City from the sale of the Note to finance the acquisition of land at 1195 East Highway 36, and the construction thereon of an approximately 60,000 square foot concrete block self storage facility (the "Project") and required that the Borrower pay directly to the Lender sums sufficient to repay the Note according to its terms; and

(d) The interest of the City in the Loan Agreement has been assigned to the Lender pursuant to an Assignment of Loan Agreement and Consent also dated October 15, 1980; and

(e) In December, 1984, the Project was sold by FED to Rosewood Investment Fund, a Minnesota Limited Partnership (the "Borrower") which has assumed FED's obligations under the Loan Agreement and other documents executed in connection with the issuance of the Note; and

(f) The Borrower is currently in default in its obligations to FED under the sale documents and, as part of the negotiations regarding this default, the Borrower, the Lender and FED, which may be resuming control of the Project, have asked the City to modify the Note to base the monthly payments on a 30 year amortization, all as more specifically set forth in the Amendment to Note attached hereto as Exhibit A; and

(g) In the opinion of Briggs and Morgan, Professional Association, bond counsel to the City, the proposed modification of the Note requires the participation of the City in order to ensure that the interest on the Note does not, by virtue of its amendment, become subject to federal income taxation.

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

1. The findings and representations contained in the Note Resolution adopted by the City on October 2, 1980, authorizing the Note, are hereby ratified, reaffirmed and remain in full force and effect with respect to the Note, provided that all references to the Note in the Note Resolution shall, from and after February 12, 1990, be deemed to refer to the Note as amended by this resolution.

2. The Mayor and City Clerk of the City are hereby authorized to execute an amendment to the Note in substantially the form attached hereto as Exhibit A, with such modifications or omissions as may be approved by Briggs and Morgan, Professional Association, as bond counsel, or the city attorney for the City of Maplewood, and any other documents (including, but not limited to, an Amendment to

the Loan Agreement in substantially the form attached hereto as Exhibit B) which, in the opinion of Briggs and Morgan, Professional Association, as bond counsel, are necessary to allow bond counsel to render its opinion that the amended Note continues to bear interest which is exempt from federal income taxation, or are otherwise required by the Lender.

14. Project 87-20, Ferndale Street Storm Sewer (Fund 527)

Approved a budget adjustment of \$30.00 to cover bond issuance costs.

F. PUBLIC HEARINGS

1. 7:00 P.M., Marks Nature Haven

- a. Preliminary Plat
- b. Rezoning (4 votes)

1. Mayor Anderson convened the meeting for a public hearing regarding the request of Pacesetter Property Management, Inc., for approval of a residential subdivision for 33 single dwelling lots; rezoning of the site from F-Farm Residential to R-1 Single Dwelling Resolution.

2. Manager McGuire presented the staff report.

3. Director of Community Development Olson presented the specifics of the proposal.

4. Commissioner Fischer presented the Planning Commission report.

5. Greg Frank, Coombs and Frank Engineering representing the applicant spoke on behalf of the proposal.

6. Mayor Anderson called for persons who wished to be heard for or against the proposal. The following expressed their views:

Kevin Martin, representing Roger Singer, 1250 Dorland Road
Robert Wilds, 2410 Carver
Larry Grand, 2405 Carver
Ron Sokolik, 2371 Carver
Mark Malachy, 1288 Dorland

7. Councilmember Bastian moved to continue the public hearing to the second meeting in February (2-22-90) to allow staff to obtain more information regarding the problems stated by the area residents.

Seconded by Mayor Anderson.

Ayes - all.

G. AWARD OF BIDS

1. Purchase of Marked Patrol Vehicles

a. Manager McGuire presented the staff report.

b. Mayor Anderson moved to authorize the purchase of 6 1990 Chevrolet Sedans

(marked patrol vehicles) in the amount of \$77,096.76 in a joint purchase agreement with City of St. Paul, Ramsey County, Washington County, etc.

Seconded by Councilmember Bastian. Ayes - all.

Mayor Anderson called for a 5 minute recess at 8:19 P.M. Mayor Anderson reconvened the meeting at 8:24 P.M.

H. UNFINISHED BUSINESS

None

I. NEW BUSINESS

1. Establish Drug Forfeiture Fund

Councilmember Bastian moved to delete Item I from the agenda.

Seconded by Mayor Anderson. Ayes - all.

2. Walter Street, Project 84-14, Change Order #2 and acceptance of Project.

a. Manager McGuire presented the staff report.

b. Councilmember Juker introduced the following resolutions and moved their adoption:

90-2-22

WHEREAS, the City Council of Maplewood, Minnesota, has heretofore ordered made Improvement Project 84-14 and has let a construction contract pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, it is now necessary and expedient that said contract be modified and designated as Improvement Project 84-14 Change Order Two.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the Mayor and City Clerk are hereby authorized and directed to modify the existing contract by executing said Change Order Two in the amount of \$5,764.76.

The project budget is amended to \$96,000. The project financing is amended as follows:

Assessment Recovery	\$52,781.88
Sewer Depreciation Fund	4,780.00
General Obligation	<u>38,438.12</u>
TOTAL	\$96,000.00

90-2-23

WHEREAS, the City Engineer for the City of Maplewood has determined that Walter Street, City Project 84-14, is complete and recommends acceptance of the project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that City Project 84-14 is complete and maintenance of these improvements is accepted by the City. Release of any retainage or escrow is hereby authorized.

Seconded by Councilmember Rossbach. Ayes - Mayor Anderson, Councilmember Juker and Rossbach

Nay - Councilmember Bastian.

3. Upper Afton Road, Project 86-01 - Approve Plans and No Parking Resolution

a. Manager McGuire presented the staff report.

b. Councilmember Rossbach introduced the following resolutions and moved their adoption:

90-2-24

WHEREAS, the City of Maplewood has planned the improvement of Upper Afton Road from McKnight Road to T.H. 120 under State Aid Project 138-114-01; and

WHEREAS, the City will be expending Municipal State Aid Funds on the improvement of this street; and

WHEREAS, this improvement does not provide adequate width for parking on the street; approval of the proposed construction as a Municipal State Aid Street project must therefore be conditioned on certain parking restrictions, and

WHEREAS, the extent of these restrictions that would be a necessary prerequisite to the approval of this construction as a Municipal State Aid project in the City has been determined.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the parking of motor vehicles on both sides of Upper Afton Road from McKnight Road to T.H. 120 is banned at all times.

90-2-25

WHEREAS, plans for Upper Afton Road from McKnight Road to T.H. 120, Maplewood Project 86-07, State Aid Project 138-114-01, showing proposed alignment, profiles, grades, cross sections, storm sewer, and utility reconstruction for the reconstruction of Upper Afton Road within the limits of the City as a State Aid project have been prepared and presented to the Council for approval.

NOW, THEREFORE, BE IT RESOLVED that said plans be in all things approved.

Seconded by Mayor Anderson.

Ayes - all.

4. Upper Trout Brook Storm Sewer Project 88-13 - Order Feasibility Study

a. Manager McGuire presented the staff report.

b. Councilmember Juker introduced the following resolution and moved its adoption:

90-2-26

WHEREAS, it is proposed to construct a trunk storm sewer system to serve the Upper Trout Brook drainage area and to assess the benefitted 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 it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Furthermore, additional funds in the amount of \$4,000 are appropriated to prepare this feasibility report.

Seconded by Mayor Anderson.

Ayes - all.

5. Holloway Avenue, Project 87-14 - Schedule Public Hearing

a. Manager McGuire presented the staff report.

b. Mayor Anderson introduced the following resolution and moved its adoption:

90-2-27

WHEREAS, the City Engineer for the City of Maplewood has been authorized and directed to prepare a report with reference to the improvement of Holloway Avenue from Beebe Road to Furness Street, City Project 87-14 by construction of bituminous street with concrete curb and gutter, storm sewer, water main, services, and appurtenances, and

WHEREAS, the said City Engineer has prepared the aforesaid report for the improvement herein described:

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

1. The report of the City Engineer advising this Council that the proposed improvement on Holloway Avenue from Beebe Road to Furness Street, City Project 87-14, by construction of bituminous street with concrete curb and gutter, storm sewer, water main, services, and appurtenances is feasible and should best be made as proposed, is hereby received.

2. The Council will consider the aforesaid improvement in accordance with the reports and the assessment of benefitted property for all or a portion of the cost of the improvement according to MSA Chapter 429, at an estimated total cost of the improvement of \$229,290.

3. A public hearing will be held at Hazelwood Fire Station, located at 1530 East County Road C, on Monday, the 12th day of March, 1990, at 7:10 p.m. to consider said improvement. The City Clerk shall give mailed and published notice of said hearing and improvement as required by law.

Seconded by Councilmember Rossbach.

Ayes - Mayor Anderson, Councilmembers

Juker and Rossbach

Nay - Councilmember Bastian.

6. Roselawn Avenue, Arcade to 35E - Schedule Public Hearing

a. Manager McGuire presented the staff report.

b. Councilmember Bastian moved to establish a date of April 12, 1990, at 5:30 P.M. to discuss this project.

Seconded by Councilmember Rossbach. Ayes - all.

7. A.F.S.C.M.E. 1990 Contract Settlement

a. Manager McGuire presented the staff report.

b. Councilmember Bastian moved to approve the labor agreement between the City and A.F.S.C.M.E. Clerical/Technical and Maintenance units for 1990 as presented.

Seconded by Mayor Anderson. Ayes - all.

8. City Hall Update

a. Manager McGuire presented the staff report.

b. Councilmember Rossbach introduced the following resolution and moved its adoption:

90-2-28

WHEREAS, the City Council of Maplewood, Minnesota, has heretofore ordered made Improvement Project 89-16 and has let a construction contract pursuant to Minnesota Statutes,

WHEREAS, it is now necessary and expedient that said contract be modified and designated as Improvement Project 89-16, Change Order One,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the Mayor and City Clerk are hereby authorized and directed to modify the existing contract by executing said Change Order One in the amount of \$2,019.66 and a budget transfer of \$2,100 is made from the General Fund Contingency account to the Project Fund.

Seconded by Councilmember Juker. Ayes - all.

9. Increase Retirement Benefits - Fire Relief Association

a. Manager McGuire presented the staff report.

b. Councilmember Bastian moved to approve the increase of the Fire Relief Association Retirement Benefits from \$1300 to \$1500 per year of service.

Seconded by Mayor Anderson. Ayes - Mayor Anderson, Councilmembers Bastian and Rossbach

Councilmember Juker abstained.

10. Suburban Chamber of Commerce Senior Citizens Valentine's Party

a. Manager McGuire presented the staff report.

b. Mayor Anderson moved to donate \$200 to the Suburban Chamber of Commerce for the Senior Citizens Valentine Party and that the appropriate budget adjustment be made.

Seconded by Councilmember Rossbach. Ayes - Mayor Anderson, Councilmembers Juker and Rossbach

Nay - Councilmember Bastian.

c. Council directed the Manager to inform the Chamber to notify Maplewood before the party is held and also to be put on record that funds may not be available in future years.

11. Council Policies

a. Mayor Anderson proposed three additions to the Council Policies

b. Councilmember Bastian moved to approve the addition of the following to the Council Policies list:

Council presentation shall receive a response as to what action has been taken, this should be received at the next Council meeting,

all material that comes into City Hall that will require City Council action shall be stamped date and time received on the original,

our City shall follow all ordinances that are required of anybody else with no exceptions.

Seconded by Councilmember Rossbach. Ayes - all.

J. VISITOR PRESENTATIONS

1. Clayton Blekeberg

a. Mr. Blekeberg questioned if Maplewood require journeymen in a trade to take a competency test.

b. Council stated they would take this question under advisement.

2. Roger Borsch, 1583 East County Road B

a. Mr. Borsch submitted a letter to the Council indicating his displeasure regarding how he was treated by the Police Department.

b. Mayor Anderson referred the matter to Director of Public Safety Collins

and requested a written report be submitted to Council.

Seconded by Councilmember Rossbach. Ayes - all.

3. Jerol Hanson, 1783 Howard

a. Mr. Hanson questioned if Maplewood had an ordinance that required non union contractors pay their employees the prevailing wage.

b. Council stated that requirement was only for projects that have tax exempt financing.

4. Ron Rice, 2520 Knoll Circle

a. Mr. Rice commented on the requirement of competency testing for Maplewood.

K. COUNCIL PRESENTATIONS

1. Truth In Housing

a. Councilmember Juker questioned where the proposed Truth In Housing report is.

b. Staff stated it is progressing.

c. Councilmember Juker moved to have the "Truth In Housing" proposal reviewed by the H.R.A. by the next Council meeting.

2. H.C.O.

a. Councilmember Juker questioned as to what happened to her appeal of the question of curbs for the H.C.O. Station.

b. The curb question will be discussed at the time the C.U.P. is reviewed.

3. Ordinance CDRB

a. Councilmember Juker stated the CDRB gives approval of the building plans and she feels any change of those plans should be reviewed by Council.

4. Budget Surplus

a. Councilmember Rossbach commented that a meeting of the legislators they again spoke on limiting budget surplus for municipalities.

5. Duracell Batteries

a. Councilmember Bastian moved to place an article in the Maplewood in Motion stating that batteries cannot be placed with the trash and that containers should be made available where batteries can be placed.

Seconded by Mayor Anderson. Ayes - all.

6. Water Board Advisory Committee

a. Councilmember Bastian stated there will be a meeting February 21, 1990, for the Water Board Advisory Board at City Hall.

7. Motorcycle Ordinance

a. Councilmember Bastian moved that staff research the noise ordinance and submit a report to Council.

Seconded by Councilmember Rossbach. Ayes - all.

8. Council Policies

Discussed as Item I-10

9. White Bear Avenue Businessmen Association

a. Mayor Anderson questioned if the City were members of this organization.

b. Staff stated that the City did not belong.

c. Mayor Anderson asked if the Council wished to participate in the White Bear Avenue Parade.

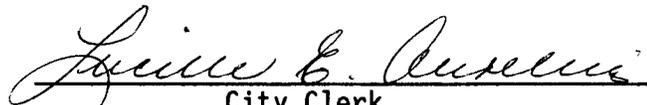
d. Consensus of Council agreed to participate.

L. ADMINISTRATIVE PRESENTATIONS

None

M. ADJOURNMENT

Mayor Anderson adjourned the February 12, 1990, meeting at 9:20 P.M.


City Clerk

/kas

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

AGENDA REPORT

TO: City Manager

FROM: Finance Director

Dan Faust/cga

RE: APPROVAL OF CLAIMS

DATE: February 19, 1990

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

ACCOUNTS PAYABLE:

\$ 381,917.97

Checks #5352 - #5425
Dated 02-01-90 thru 02-14-90

\$ 409,353.23

Checks #3516 - #3657
Dated 02-26-90

\$ 791,271.20

Total per attached voucher/check register

PAYROLL:

\$ 350,554.55

Payroll Checks

\$ 70,372.63

Payroll Deductions

\$ 420,444.27

Total Payroll

\$1,212,198.38

GRAND TOTAL

Attached is a detailed listing of these claims.

DFF:kas

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 15

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
5352	551700	01/26/90	MN REC. & PARK ASSOCIATION	SUBS & MLMBERS	78.00	78.00
5371	140400	02/01/90	CLERK OF DISTRICT COURT	CNTY DRIV LIC FEES	90.00	90.00
5372	541400	02/01/90	MINN. STATE TREASURER	MTR VEH LIC FEES	2,948.75	2,948.75
5373	541400	02/01/90	MINN. STATE TREASURER	ST DRIV LIC FEES	168.50	168.50
5374	660800	02/01/90	NORTH ST. PAUL CITY OF	DUE TO OTHER GOVT	1,112.60	1,112.60
5375	510100	02/01/90	MAPLE LEAF OFFICIALS ASSN.	FEES FOR SERVICE	1,005.00	1,005.00
5376	722200	02/02/90	PUBLIC EMPLOYEE	PERA DED PAY PERA CONTRIBUTIONS	9,868.51 12,811.77	22,680.28
5377	401575	02/02/90	JOHNSON, EDNA	AMB 913928	166.80	166.80
5378	541400	02/02/90	MINN. STATE TREASURER	MTR VEH LIC FEES	7,070.00	7,070.00
5379	541400	02/02/90	MINN. STATE TREASURER	ST DRIV LIC FEES	616.00	616.00
5380	451200	02/02/90	LAMETTI SONS	CONTRACTS PAYABLE	43,216.76	43,216.76
5381	181200	02/02/90	DANNER INC.	AWARDED CONST CTRS	27,937.13	27,937.13
5382	190400	02/02/90	DEPT. OF NATURAL RESOURCES	DNR LIC FEES	265.00	265.00
5383	501400	02/02/90	MADISON NATIONAL LIFE	LTD INSURANCE	1,863.74	1,863.74
5384	711520	02/02/90	PHYSICIANS HEALTH PLAN	HOMA DED PAY HEALTH LIFE DENTAL PHP INS DED PAY A/R INS CONT	2,283.14 9,213.42 141.44 1,056.00	12,694.00
5385	320500	02/02/90	GROUP HEALTH INC.	HOMA DED PAY HEALTH LIFE DENTAL A/R INS CONT	3,142.68 9,788.14 369.67	13,300.49
5386	261100	02/05/90	FIRST MINNESOTA	FICA PAYABLE FED INC TAX PAY FICA CONTRIBUT	7,857.44 19,830.03 7,857.44	35,544.91
5387	551800	02/05/90	MN SAFETY COUNCIL	TRAVEL & TRAIN	225.00	225.00
5388	520500	02/05/90	MCGUIRE, MICHAEL	VEHICLE ALLOWANCE	350.00	350.00
5389	560100	02/05/90	MN STATE COMMISSIONER	ST INC TAX PAY	8,061.40	8,061.40
5390	261100	02/05/90	FIRST MINNESOTA	WAGE DEDUCTION	237.50	237.50
5391	541400	02/05/90	MINN. STATE TREASURER	ST DRIV LIC FEES	574.00	574.00

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 15

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
5392	541400	02/05/90	MINN. STATE TREASURER	MTR VEH LIC FEES	2,237.50	2,237.50
5393	541400	02/06/90	MINN. STATE TREASURER	ST DRIV LIC FEES	531.50	531.50
5394	541400	02/06/90	MINN. STATE TREASURER	MTR VEH LIC FEES	3,582.06	3,582.06
5395	471380	02/06/90	LITTLE SIX BINGO	FEES FOR SERVICE	382.50	382.50
5396	720600	02/06/90	POSTMASTER	POSTAGE	1,500.00	1,500.00
5397	541400	02/07/90	MINN. STATE TREASURER	MTR VEH LIC FEES	3,971.25	3,971.25
5398	541400	02/07/90	MINN. STATE TREASURER	ST DRIV LIC FEES	523.00	523.00
5399	240725	02/07/90	EMPLOYEE BENEFIT PLANS	DEP W/PAY AGENTS	1,000.00	1,000.00
5400	140400	02/08/90	CLERK OF DISTRICT COURT	CNTY DRIV LIC FEES	112.00	112.00
5401	541400	02/08/90	MINN. STATE TREASURER	ST DRIV LIC FEES	377.50	377.50
5402	541400	02/08/90	MINN. STATE TREASURER	MTR VEH LIC FEES	1,084.75	1,084.75
5403	541400	02/09/90	MINN. STATE TREASURER	MTR VEH LIC FEES	3,496.25	3,496.25
5404	541400	02/09/90	MINN. STATE TREASURER	ST DRIV LIC FEES	639.50	639.50
5405	190400	02/09/90	DEPT. OF NATURAL RESOURCES	DNR LIC FEES	104.00	104.00
5406	661750	02/09/90	NORTHERN STATES POWER	UTIL 217 ROSELAWN	2.88	
				UTIL 220 ODAY	2.92	
				UTIL 707 SKILLMAN	2.88	
				UTIL 1540 CORDC	2.88	
				UTIL 1600 MYRTLE	4.04	
				UTIL 1830 CORDB	5,091.04	
				UTIL 1975 MANTON	2.87	
				UTIL 2255 RIPLEY	2.88	
				UTIL 2500 7TH ST	2.85	
				UTIL 2501 LONDON	4.14	
				UTIL 2621 LINWOOD	2.92	
				UTIL 2659 7TH ST	141.13	
				UTIL 2659 7TH ST	106.70	5,370.13
5407	531650	02/09/90	METRO WASTE CONTROL COMMISSN	SEWAGE TREAT	133,911.23	133,911.23
5408	850600	02/09/90	SUPERAMERICA	SUPPLIES EQUIPMENT	22.88	
				FUEL & OIL	101.58	
				FUEL & OIL	77.25	
				FUEL & OIL	13.45	
				FUEL & OIL	18.97	234.13
5409	630208	02/12/90	NANKIN CAFE	FEES FOR SERVICE	412.66	412.66

VOUCHREG
02/16/90 14:53

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 15

PAGE 3

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
5410	661750	02/12/90	NORTHERN STATES POWER	UTILITIES	16.88	
				UTILITIES	452.34	
				UTILITIES	1,028.97	
				UTILITIES	92.10	
				UTILITIES	139.54	
				UTILITIES	48.37	
				UTILITIES	232.81	
				UTILITIES	189.45	
				UTILITIES	215.70	
				UTILITIES	109.11	
				UTILITIES	164.70	
				UTILITIES	136.35	
				UTILITIES	465.00	
				UTILITIES	134.26	
				UTILITIES	9.85	
				UTILITIES	63.70	
				UTILITIES	20.22	3,519.35
5411	661750	02/12/90	NORTHERN STATES POWER	UTILITIES	97.64	
				UTILITIES	79.08	
				UTILITIES	120.09	
				UTILITIES	129.55	
				UTILITIES	20.87	
				UTILITIES	34.63	
				UTILITIES	104.80	
				UTILITIES	248.11	
				UTILITIES	116.89	
				UTILITIES	2,290.90	
				UTILITIES	114.73	
				UTILITIES	146.61	
				UTILITIES	83.08	
				UTILITIES	78.47	
				UTILITIES	155.74	
				UTILITIES	152.08	3,973.27
5412	661750	02/12/90	NORTHERN STATES POWER	UTILLITY	162.27	
				UTILLITY	162.20	
				UTILLITY	6.77	
				UTILITY	51.24	
				UTILITY	15.57	
				UTILITY	6.90	
				UTILITY	6.64	
				UTILITY	261.51	
				UTILITY	6.90	
				UTILITY	22.47	
				UTILITY	255.51	
				UTILITY	24.51	
				UTILITY	826.45	
				UTILITY	370.55	
				UTILITY	52.48	
				UTILITY	6.62	

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				UTILITY	6.64	
				UTILITY	220.95	2,466.18
5413	541400	02/12/90	MINN. STATE TREASURER	RC 16083	587.50	587.50
5414	541400	02/12/90	MINN. STATE TREASURER	MOTOR VEH LIC	5,271.50	5,271.50
5415	452200	02/13/90	LAWTON PRINTING	SUPPLIES EQUIPMENT	25.80	25.80
5416	240725	02/13/90	EMPLOYEE BENEFIT PLANS	DEP W/PAY AGTS	2,000.00	2,000.00
5417	471325	02/13/90	LITTLE CANADA HISTORICAL SOC.	BOOKS	35.00	35.00
5418	340050	02/13/90	HEALTH RESOURCES	FEEES FOR SERVICE	28.66	
				FEEES FOR SERVICE	14.33	
				FEEES FOR SERVICE	14.33	
				FEEES FOR SERVICE	28.66	
				FEEES FOR SERVICE	14.33	
				FEEES FOR SERVICE	28.66	
				FEEES FOR SERVICE	14.33	143.30
5419	541400	02/13/90	MINN. STATE TREASURER	ST DRIV LIC FEES	491.00	491.00
5420	541400	02/13/90	MINN. STATE TREASURER	MTR VEH LIC FEES	2,032.75	2,032.75
5421	541400	02/14/90	MINN. STATE TREASURER	STATE DRIVERS LICENSE	462.00	462.00
5422	541400	02/14/90	MINN. STATE TREASURER	STATE DRIVERS LIC.	18,014.50	18,014.50
5423	140400	02/14/90	CLERK OF DISTRICT COURT	FEEES FOR SERVICE	20.00	20.00
5424	830000	02/14/90	SOFTWARE CLEARING HOUSE	EQUIPMENT OFFICE	3,000.00	3,000.00
5425	850300	02/14/90	SUBURBAN AREA CHAMBER OF	MEMBERSHIP	200.00	200.00
3516	010200	02/26/90	A.E.C. ENGINEERS	FEEES FOR SERVICE	37.00	37.00
3517	010500	02/26/90	ACCONTEMP S INC.	FEEES FOR SERVICE	312.80	
				FEEES FOR SERVICE	1,524.90	1,837.70
3518	010575	02/26/90	ACE HARDWARE	MAINT MATERIAL	2.11	
				SUPPLIES JANITOR	24.49	
				SUPPLIES EQUIP	11.41	
				SUPPLIES EQUIP	16.29	
				MAINT MATERIAL	15.02	
				SUPPLIES JANITOR	21.46	
				PROGRAM SUPPLIES	4.89	
				SUPPLIES EQUIPMENT	49.34	
				SUPPLIES JANITOR	22.20	
				SUPPLIES JANITOR	14.34	
				SUPPLIES EQUIP	22.05	

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 15

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				MAINT MATERIAL	59.38	262.98
3519	020400	02/26/90	AIR SIGNAL, INC.	OUTSIDE RENT EQUIP	19.69	19.69
3520	021175	02/26/90	AMERICAN AUTO TRIM	REPAIR MAINT VEHICLE	97.00	97.00
3521	021425	02/26/90	AMERICAN PLANNING ASSOCIATION	SUBS & MEMBERS	197.00	197.00
3522	021600	02/26/90	AMERICAN WATER WORKS	SUBS & MEMBERS	69.00	69.00
3523	021700	02/26/90	AMOCO OIL CO.	PLANNING DEPOSITS	3,916.12	3,916.12
3524	030700	02/26/90	ANNALS OF EMERGENCY MEDICAL	SUBS & MEMBERS	55.00	55.00
3525	031050	02/26/90	APOLLO EQUIPMENT	SUPPLIES EQUIPMENT	63.74	
				SUPPLIES EQUIPMENT	48.00	111.74
3526	040915	02/26/90	ARNALS AUTO SERVICE	REPAIR & MAINT/V	339.85	
				REPAIR & MAINT/V	17.95	357.80
3527	041000	02/26/90	ARNOLD, DAVID	TRAVEL & TRAIN	134.49	
				UNIFORMS & CLOTH	125.98	260.47
3528	041200	02/26/90	ARROWHEAD	TRAVEL & TRAIN	252.64	252.64
3529	042550	02/26/90	ASSOCIATION OF MN EMERG MGMGR	SUBS & MEMBERS	20.00	20.00
3530	060700	02/26/90	BAHT, JAMES C.	FEEES FOR SERVICE	4,723.50	
				FEEES FOR SERVICE	70.00	4,793.50
3531	061000	02/26/90	BANICK, JOHN	TRAVEL & TRAIN	32.24	
				TRAVEL & TRAIN	5.50	37.74
3532	061900	02/26/90	BATTERY TIRE WAREHOUSE	SUPPLIES VEHICLE	97.41	97.41
3533	071100	02/26/90	BERWALD ROOFING CO.	REPAIR MAINT BLDG.	14,946.00	14,946.00
3534	071310	02/26/90	BEST LOCKING SYSTEMS OF MPLS.	PROGRAM SUPPLIES	139.25	139.25
3535	080300	02/26/90	BLACKS PHOTOGRAPHY	FEEES FOR SERVICE	9.81	9.81
3536	080850	02/26/90	BOARD AND ADMINISTRATOR	SUBS & MEMBERS	79.00	79.00
3537	080900	02/26/90	BOARD OF WATER COMMISSIONERS	FEEES FOR SERVICE	125.00	125.00
3538	090500	02/26/90	BRACKE, LOUIS		990.00	990.00
3539	101400	02/26/90	BUILDERS SQUARE	SUPPLIES EQUIPMENT	10.50	10.50
3540	101950	02/26/90	BYERLYS	PROGRAM SUPPLIES	13.31	13.31

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 15

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
3541	110230	02/26/90	C.S.I. BUSINESS FORMS	SUPPLIES OFFICE	134.00	134.00
3542	120450	02/26/90	CENTER FOR EXERCISE & HEALTH	FEEES FOR SERVICE FEEES FOR SERVICE FEEES FOR SERVICE	79.00 79.00 79.00	237.00
3543	120575	02/26/90	CENTURY AUTO RADIATOR SHOP	REPAIR & MAINT/V	455.00	455.00
3544	131100	02/26/90	CHIPPEWA SPRINGS	FEEES FOR SERVICE FEEES FOR SERVICE	43.65 98.73	142.38
3545	140205	02/26/90	CLEAN STEP RUGS	FEEES FOR SERVICE FEEES FOR SERVICE	13.10 14.10	27.20
3546	150175	02/26/90	COLLINS ELECTRICAL CONST.	REPAIR & MAINT/E	55.96	55.96
3547	151425	02/26/90	COMPUTERLAND	SUPPLIES OFFICE	129.85	129.85
3548	152300	02/26/90	COPY DUPLICATING PROD.	SUPPLIES OFFICE DUPLICATING COSTS	778.95 349.45	1,128.40
3549	152400	02/26/90	COPY EQUIPMENT, INC.	SUPPLIES EQUIPMENT SUPPLIES EQUIPMENT SUPPLIES EQUIPMENT SUPPLIES EQUIPMENT SUPPLIES EQUIPMENT	3.42 1.47- 54.34 36.78 61.92	154.99
3550	170100	02/26/90	CURRENTECH COMPUTER CENTERS	SUPPLIES OFFICE EQUIPMENT OFFICE EQUIPMENT OFFICE 25000531 25000528 25000562 25000568 25000548 25000526 24000737	51.98 614.62 4.56- 20.34- 24.90 10.18- 14.80- 108.96 103.12 69.48	923.18
3551	170150	02/26/90	CURTIS 1000	SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES OFFICE	43.08 21.54 21.54 28.43 43.08 21.54 21.54 43.08	243.83
3552	180900	02/26/90	DALEY, PAT	FEEES FOR SERVICE	1,126.00	1,126.00
3553	230900	02/26/90	EASTMAN KODAK COMPANY	SUPPLIES OFFICE SUPPLIES OFFICE	20.00 30.00	

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 15

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				SUPPLIES OFFICE	19.00	
				SUPPLIES OFFICE	9.52	
				SUPPLIES OFFICE	7.08	
				SUPPLIES OFFICE	80.05	
				SUPPLIES OFFICE	4.95	
				DUPLICATING COSTS	10.10	
				DUPLICATING COSTS	6.00	
				DUPLICATING COSTS	131.67	
				DUPLICATING COSTS	69.47	
				DUPLICATING COSTS	35.22	
				DUPLICATING COSTS	25.11	
				DUPLICATING COSTS	310.00	
				DUPLICATING COSTS	17.54	
				DUPLICATING COSTS	16.88	
				DUPLICATING COSTS	10.05	
				DUPLICATING COSTS	218.69	
				DUPLICATING COSTS	115.37	
				DUPLICATING COSTS	58.49	
				DUPLICATING COSTS	41.71	
				DUPLICATING COSTS	514.66	
				DUPLICATING COSTS	29.15	1,780.71
3554	231250	02/26/90	ECONOMY DICTATION SYSTEMS, INC.	REPAIR & MAINT/E	45.90	45.90
3555	250050	02/26/90	ENEBAK CONSTRUCTION CO	ACCUE JE 1271	27,014.19	27,014.19
3556	261050	02/26/90	FIRST CALL FOR HELP	SUPPLIES OFFICE	10.00	10.00
3557	261125	02/26/90	FIRST TECH.	EQUIPMENT OFFICE	2,343.01	2,343.01
3558	261175	02/26/90	FIRST TRAVEL OF MAPLEWOOD	TRAVEL & TRAIN	300.00	300.00
3559	300600	02/26/90	G.A.B. BUSINESS SERVICE	SUPPLIES EQUIPMENT	125.00	125.00
3560	310300	02/26/90	GOODYEAR TIRE COMPANY	REPAIR & MAINT/V	119.74	
				REPAIR & MAINT.V	121.92	
				REPAIR & MAINT/V	68.76	
				REPAIR & MAINT/V	60.96	371.38
3561	310350	02/26/90	GOODYEAR TIRE COMPANY	SUPPLIES VEHICLE	90.00	
				SUPPLIES VEHICLE	43.33	
				SUPPLIES VEHICLE	64.09	197.42
3562	310650	02/26/90	GOPHER DISPOSAL	FEES FOR SERVICE	6,316.80	
				ACCTS PAY	7,243.29	13,560.09
3563	310715	02/26/90	GOPHER STATE-ONE CALL, INC.	FEES FOR SERVICE	67.50	67.50
3564	320325	02/26/90	GREW-HAYMAN, JANET	VEHICLE ALLOWANCE	24.78	
				PROGRAM SUPPLIES	21.99	
				PROGRAM SUPPLIES	4.00	

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 15

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				POSTAGE	10.00	60.77
3565	341700	02/26/90	HERBERT, MICHAEL J.	TRAVEL & TRAIN	28.51	28.51
3566	350700	02/26/90	HIRSHFIELDS	SUPPLIES JANITORIAL	9.99	9.99
3567	350850	02/26/90	HOLDEN BUSINESS FORMS CO.	SUPPLIES OFFICE	961.33	961.33
3568	350950	02/26/90	HOLIDAY INN EAST	TRAVEL & TRAIN	224.61	224.61
3569	351300	02/26/90	HORSNELL, JUDITH	VEHICLE ALLOWANCE	12.84	12.84
3570	370115	02/26/90	HUTCHINSON, JUDY	PROGRAM REG FEES	12.50	12.50
3571	390100	02/26/90	INDEPENDENT SCHOOL DIST. #622	FEES FOR SERVICE	327.00	327.00
3572	401525	02/26/90	MIROCHA, JOHN, PH.D	ACCTS PAY	1,000.00	1,000.00
3573	410420	02/26/90	KELLER ELECTRIC INC.	FEES FOR SERVICE	120.00	120.00
3574	410440	02/26/90	KELLY TEMPORARY SERVICES	FEES FOR SERVICE FEES FOR SERVICE	294.50 294.50	589.00
3575	430800	02/26/90	KOKESH ATHLETIC	PROGRAM SUPPLIES PROGRAM SUPPLIES	65.70 5.99	71.69
3576	460510	02/26/90	LEAGUE OF MINNESOTA CITIES	SUBS & MEMBERS	3,357.00	3,357.00
3577	460520	02/26/90	LEAGUE OF MN CITIES	TRAVEL & TRAIN	60.00	60.00
3578	460650	02/26/90	LEICHTUNG, INC.	SMALL TOOLS	26.92	26.92
3579	470700	02/26/90	LILLIE SUBURBAN NEWSPAPERS	PUBLISHING LEGAL FISCAL LEGAL FISCAL LEGAL FISCAL LEGAL FISCAL PUBLISHING FEES FOR SERVICE	104.31 37.92 37.92 37.92 33.18 184.92 241.62	677.79
3580	500800	02/26/90	M.T.I. DISTRIBUTING CO.	TRAVEL & TRAIN	90.00	90.00
3581	501225	02/26/90	MAC QUEEN EQUIPMENT	SUPPLIES VEHICLE	223.97	223.97
3582	511600	02/26/90	MASYS CORP	REPAIR & MAINT/E	1,185.00	1,185.00
3583	520500	02/26/90	MCGUIRE, MICHAEL	VEHICLE ALLOWANCE	350.00	350.00
3584	530450	02/26/90	MEMOREX TELEX CORPORATION	TELEPHONE 267.62	567.62	567.62
3585	530500	02/26/90	MENARDS	MAINT MATERIAL	24.46	24.46

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 15

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
3586	530615	02/26/90	MERRIMAC CONSTRUCTION	AWARDED CONST CTRS	215,018.84	215,018.84
3587	530650	02/26/90	METAL DOCTOR	MAINT MATERIAL MAINTENANCE MATERIAL	53.00 394.90	447.90
3588	530700	02/26/90	METRO AREA MANAGEMENT ASSN	TRAVEL & TRAIN	10.00	10.00
3589	540720	02/26/90	MINN COMM	OUTSIDE RENT	91.00	91.00
3590	540875	02/26/90	MINN. DEPT.OF PUBLIC SAFETY	DUE TO OTHER GOVT	600.00	600.00
3591	540900	02/26/90	MINN. G.F.O.A.	SUBS MEMBERS SUBS MEMBERS	15.00 15.00	30.00
3592	541925	02/26/90	MINNESOTA CELLULAR	TELEPHONE	65.63	65.63
3593	542125	02/26/90	MINNESOTA DOT	SIGNS & SIGNALS	80.00	80.00
3594	542300	02/26/90	MINNESOTA MINING	MAINT MATERIAL	5.75	5.75
3595	561050	02/26/90	MN U.C. FUND	UNEMPLOYMENT COMP INS.	129.41	129.41
3596	570050	02/26/90	MOBILE EMERGENCY SYSTEMS, INC.	REPAIR & MAINT/V REPAIR & MAINT/V	457.00 288.00	745.00
3597	570090	02/26/90	MOGREN BROS.	MAINT MATERIAL ACCTS PAY MAINTENANCE MATERIAL ACCTS PAY ACCTS PAY MAINTENANCE MATERIAL	16.00 137.52 180.00 69.76 69.76 16.00	491.04
3598	630250	02/26/90	NATIONAL AUTO DEALERS USED CAR	SUBS & MEMBERS	39.00	39.00
3599	630945	02/26/90	NCR	ACCTS PAY	399.40	399.40
3600	640550	02/26/90	NELSON, JEAN	VEHICLE ALLOWANCE	16.56	16.56
3601	640805	02/26/90	NELSONS AUTO SERVICE	REPAIR & MAINT/V	20.95	20.95
3602	661450	02/26/90	NORTHERN ELECTRIC COMPANY	REF ELEC PER	30.00	30.00
3603	661750	02/26/90	NORTHERN STATES POWER	UTILITIES	1,328.41	1,328.41
3604	661970	02/26/90	NORTH STAR WIPER INDUSTRIAL	SUPPLIES JANITORIAL SUPPLIES JANITOIAL	191.00 186.00	377.00
3605	670500	02/26/90	NUTESON, LAVERNE	TRAVEL & TRAIN	6.00	6.00
3606	680600	02/26/90	OCTOPUS CAR WASH	REPAIR MAINT VEHICLE REPAIR MAINT VEHICLE	6.92 6.92	

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 15

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				REPAIR MAINT VEHICLE	6.92	
				REPAIR MAINT VEHICLE	6.92	
				REPAIR MAINT VEHICLE	6.92	
				REPAIR MAINT VEHICLE	6.92	
				REPAIR MAINT VEHICLE	6.92	
				REPAIR MAINT VEHICLE	34.60	
				REPAIR MAINT VEHICLE	6.92	
				REPAIR MAINT VEHICLE	304.48	
				REPAIR MAINT VEHICLE	89.96	
				REPAIR MAINT VEHICLE	20.76	
				REPAIR MAINT VEHICLE	6.92	
				REPAIR MAINT VEHICLE	6.92	519.00
3607	681100	02/26/90	OFFICE PRODUCTS	SUPPLIES EQUIPMENT	53.00	53.00
3608	690400	02/26/90	OLSON, GEOFF	VEHICLE ALLOWANCE	19.76	19.76
3609	711345	02/26/90	PETERSON, BELL, CONVERSE & JENSEN	FEES FOR SERVICE	4,000.00	4,000.00
3610	711525	02/26/90	PHYSIO CONTROL	EQUIPMENT OTHER	17,994.75	17,994.75
3611	720710	02/26/90	POWER PROCESS	MAINT MATERIAL	333.67	333.67
3612	741725	02/26/90	RAMSEY COUNTY	FEES FOR SERVICE	86.00	
				FEES FOR SERVICE	10.00	
				FEES FOR SERVICE	291.83	
				FEES FOR SERVICE	291.83	879.66
3613	742110	02/26/90	RAMSEY EMERG. MEDICAL SERVICES	TRAVEL & TRAIN CONTRACT PYM.	926.50 54.56	981.06
3614	742900	02/26/90	RAY DAVIS & SONS	SUPPLIES JANITOR	74.98	
				SUPPLIES JANITOR	10.05	85.03
3615	743100	02/26/90	RAZSKAZOFF, DALE	TRAVEL & TRAIN	38.75	38.75
3616	751150	02/26/90	RICHARD KNUTSON, INC.	ACCTS PAYJ	346.00	
				ACCTS PAYJ	360.00	706.00
3617	751380	02/26/90	RIEKE CARROLL MULLER ASSOC.	OUTSIDE ENGINEERING	440.00	440.00
3618	762300	02/26/90	ROYAL DOWNS	PROGRAM SUPPLIES	82.50	82.50
3619	770700	02/26/90	RYAN, MICHAEL	TRAVEL & TRAIN	31.64	
				FUEL & OIL	15.93	47.57
3620	770900	02/26/90	RYDER TRANSPORTATION	OUTSIDE RENT	87.00	
				OUTSIDE RENTAL EQUIPMENT	114.00	201.00
3621	780300	02/26/90	S&T OFFICE PRODUCTS INC.	SUPPLIES OFFICE	62.15	
				SUPPLIES OFFICE	34.65	

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CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 15

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
3622	780350	02/26/90	S.E.H.	SUPPLIES OFFICE	25.41	122.21
				OUTSIDE ENG FEES	27,288.34	
				OUTSIDE ENG FEES	1,649.96	
				OUTSIDE ENG FEES	519.44	
				OUTSIDE ENG FEES	1,866.48	
				OUTSIDE ENG FEES	1,053.79	
				OUTSIDE ENG FEES	164.87	
3623	780715	02/26/90	SAUERMAN, DEBORAH	PROGRAM REG FEES	22.00	32,542.88
3624	800075	02/26/90	SEARS	SUPPLIES JANITOR	47.88	22.00
3625	800450	02/26/90	SEVEN J'S SNOWSHOES	PROGRAM SUPPLIES	138.50	47.88
3626	820125	02/26/90	SIGN CENTER	PROGRAM SUPPLIES	133.00	138.50
3627	820225	02/26/90	SIMPLEX TIME RECORDER CO	REPAIR MAINT EQUIPMENT	88.00	133.00
3628	820350	02/26/90	SMART, KATHERINE	PROGRAM REG FEES	22.00	88.00
3629	820602	02/26/90	SNAP-ON TOOLS	SMALL TOOLS	167.78	22.00
3630	821600	02/26/90	SPS OFFICE PRODUCTS	SUPPLIES OFFICE	158.09	167.78
				SUPPLIES OFFICE	8.16	
				EQUIPMENT OFFICE	263.34	
				EQUIPMENT OFFICE	790.02	
				SUPPLIES OFFICE	114.79	
				SUPPLIES OFFICE	151.79	
				PROGRAM SUPPLIES	31.20	
				SUPPLIES OFFICE	66.31	
				SUPPLIES OFFICE	124.18	
				SUPPLIES OFFICE	33.52	
				SUPPLIES OFFICE	99.99	
				SUPPLIES OFFICE	159.75	
				SUPPLIES OFFICE	93.92	
				SUPPLIES OFFICE	93.92	
				SUPPLIES OFFICE	7.31	
				SUPPLIES OFFICE	7.31	
				SUPPLIES OFFICE	102.91	
				SUPPLIES OFFICE	46.12	
				SUPPLIES OFFICE	24.35	
3631	840300	02/26/90	ST.PAUL BOOK & STATION	PROGRAM SUPPLIES	13.86	2,376.98
				PROGRAM SUPPLIES	12.71	
				PROGRAM SUPPLIES	35.41	
3632	840400	02/26/90	ST.PAUL CITY OF	FEES FOR SERVICE	210.40	61.98
3633	840500	02/26/90	ST.PAUL DISPATCH & PIONEER	ACCTS PAY	1,689.03	210.40
						1,689.03

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 15

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
3634	840800	02/26/90	ST.PAUL RAMSEY MEDICAL CENTER	FEEES FOR SERVICE CONTRACT PYM	25.00 51.00	76.00
3635	841100	02/26/90	ST.PAUL STAMP WORKS	SUPPLIES OFFICE	164.50	164.50
3636	842200	02/26/90	STAPLES, PAULINE	VEHICLE ALLOWANCE	14.30	14.30
3637	843575	02/26/90	STREICHERS GUNS	EQUIPMENT OTHER SUPPLIES VEHICLE	316.00 9.90	325.90
3638	851575	02/26/90	SYSTEMS SUPPLY, INC.	SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES OFFICE	58.25 66.90 526.64	651.79
3639	860100	02/26/90	T.J. AUTO PARTS	MAINT MATERIAL SUPPLIES VEHICLE SUPPLIES VEHICLE SUPPLIES VEHICLE	29.92 30.87 9.26 40.62	110.67
3640	860305	02/26/90	T.J.T. - SHIRTS	PROGRAM SUPPLIES PROGRAM SUPPLIES	189.62 92.70	276.22
3641	860315	02/26/90	T.K.D.A.	CONTRACT PYM	4,380.66 188.28 133.32 12,902.61	18,626.99
3642	860650	02/26/90	TARGET STORES	PROGRAM SUPPLIES SUPPLIES EQUIPMENT SUPPLIES EQUIPMENT SUPPLIES EQUIPMENT SUPPLIES EQUIPMENT SUPPLIES EQUIPMENT SUPPLIES EQUIPMENT PROGRAM SUPPLIES	13.93 13.49 10.97 8.34 14.45 13.95 34.99 29.09	139.21
3643	860700	02/26/90	TAUBMAN, DOUGLAS	TRAVEL & TRAIN	4.72	4.72
3644	860800	02/26/90	TEAM LAB CHEMICAL	CHEMICALS	165.64	165.64
3645	860807	02/26/90	TECHNOSERVE, INC.	REPAIR & MAINT/E	35.00	35.00
3646	862100	02/26/90	THANE HAWKINS POLAR CHEV.	SUPPLIES VEHICLE	68.80	68.80
3647	882500	02/26/90	TWIN CITY TESTING	PROJ 85-17 PROJ 85-26	381.00 813.46	1,194.46
3648	890250	02/26/90	U.S.GAMES	PROGRAM SUPPLIES PROGRAM SUPPLIES PROGRAM SUPPLIES	53.54 77.13 35.72	166.39

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 15

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
3649	890600	02/26/90	U.H.L. INC.	SUPPLIES EQUIPMENT	39.06	39.06
3650	900100	02/26/90	UNIFORMS UNLIMITED	UNIFORMS & CLOTH	58.50	
				UNIFORMS & CLOTH	130.95	
				UNIFORMS & CLOTH	111.50	
				UNIFORMS & CLOTH	273.35	
				SUPPLIES EQUIPMENT	131.70	
				SUPPLIES VEHICLE	13.05	719.05
3651	900600	02/26/90	UNIVERSAL MEDICAL	SUPPLIES EQUIPMENT	63.00	63.00
3652	910500	02/26/90	VASKO RUBBISH REMOVAL	FEEES FOR SERVICE	235.00	
				FEEES FOR SERVICE	80.00	
				FEEES FOR SERVICE	2.99	
				FEEES FOR SERVICE	199.00	516.99
3653	910675	02/26/90	VERTA CORPORATION	EQUIPMENT OTHER	1,435.00	1,435.00
3654	911500	02/26/90	VIKING INDUSTRIAL CENTER	PROGRAM SUPPLIES	18.91	18.91
3655	912100	02/26/90	VIRTUE PRINTING	SUPPLIES OFFICE	16.25	
				SUPPLIES OFFICE	20.95	37.20
3656	930700	02/26/90	WAHL & WAHL	REPAIR & MAINT/E	77.50	77.50
3657	940550	02/26/90	WEHRMAN BERGLY ASSOCIATES INC	FEEES CONSULTING	5,200.00	
				FEEES CONSULTING	5,360.00	
				FEEES CONSULTING	840.00	11,400.00
TOTAL CHECKS						791,271.20

CITY OF MAPLEWOOD
 PAYROLL CHECKS ISSUED FOR PAY PERIOD ENDING 01/26/90
 CHECK #13522 - CHECK #13682

EMPLOYEE NAME	GROSS PAY
McGUIRE, MICHAEL A.	2,860.74
BLACKSTONE, GAIL J.	1,573.84
MAGLICH, GRETCHEN	252.00
SMITH, KATHRYN A.	1,067.90
BEHM, LOIS N.	1,067.90
JAHN, DAVID J.	860.88
SWANSON, LYLE	1,179.28
CUDE, LARRY J.	276.80
OSTER, ANDREA J.	959.08
MIKISKA, WILLIAM	172.80
FAUST, DANIEL F.	2,127.57
TAYLOR, LINDA	1,050.28
ENSRUD, BRUCE	438.75
MATHEYS, ALANA K.	1,179.88
VIGNALO, DELORES A.	1,213.17
ANDERSON, CAROLE J.	1,308.69
LA MOTTE, MARLENE	231.00
AURELIUS, LUCILLE E.	1,963.59
SELVOG, BETTY	178.50
SCHADT, JEANNE L.	1,029.48
KELSEY, CONNIE L.	679.29
VIETOR, LORRAINE S.	972.68
HENSLEY, PATRICIA A.	572.57
JAGOE, CAROL	732.69
CARLE, JEANETTE E.	948.68
OLSON, SANDRA	511.26
RONGSTAD, CAROLEE	33.25
PALANK, MARY KAY	732.68
COLLINS, KENNETH V.	2,181.95
RICHIE, CAROLE L.	954.28
SVENDSEN, JOANNE M.	1,165.83
NELSON, ROBERT D.	1,880.37
FULLER, ELAINE	410.74
MARTINSON, CAROL F.	936.68
STILL, VERNON T.	1,378.28
SKALMAN, DONALD W.	1,546.28
FRASER, JOHN	1,099.08
MORELLI, RAYMOND J.	2,158.17
STEFFEN, SCOTT L.	1,454.51
ARNOLD, DAVID L.	1,627.45
BANICK, JOHN J.	1,505.67
BOHL, JOHN C.	1,446.21
CAHANES, ANTHONY G.	1,880.37
CLAUSON, DALE K.	1,403.88
MOESCHTER, RICHARD M.	1,481.55
ATCHISON, JOHN H.	1,403.88
YOUNGREN, JOHN	2,060.17

CITY OF MAPLEWOOD
PAYROLL CHECKS ISSUED FOR PAY PERIOD ENDING 01/26/90
CHECK #13522 - CHECK #13682

EMPLOYEE NAME	GROSS PAY
-----	-----
YANG, YING	588.33
PELTIER, WILLIAM F.	1,677.27
SZCZEPANSKI, THOMAS J.	1,327.08
WELCHLIN, CABOT V.	1,502.47
LANG, RICHARD J.	1,416.83
RAZSKAZOFF, DALE	1,454.28
RYAN, MICHAEL	1,617.48
HERBERT, MICHAEL J.	1,561.62
DREGER, RICHARD C.	1,816.98
STAFNE, GREGORY L.	1,492.42
BECKER, RONALD D.	1,485.59
HALWEG, KEVIN R.	1,816.98
STOCKTON, DERRELL T.	1,484.32
PAULOS, JR., PAUL G.	1,163.08
BOWMAN, RICK A.	1,327.08
KARIS, FLINT D.	1,390.28
HEINZ, STEPHEN J.	1,598.69
GRAF, DAVID M.	1,467.09
THOMALLA, DAVID J.	1,529.22
PALMA, STEVEN T.	1,286.59
VORWERK, ROBERT E.	1,467.08
BERGERON, JOSEPH A.	1,580.49
MEEHAN, JAMES	1,694.49
MELANDER, JON A.	1,674.84
SAUNDERS, SARAH	871.33
EMBERTSON, JAMES M.	1,602.68
WILLIAMS, DUANE J.	1,408.22
RABINE, JANET L.	1,130.12
STAHNKE, JULIE	1,130.12
BOYER, SCOTT K.	1,287.37
NELSON, CAROL	1,739.89
WALDT, CYNTHIA	1,067.13
FEHR, JOSEPH	1,046.52
NELSON, KAREN A.	1,250.60
FLAUGHER, JAYME L.	1,244.19
WEGWERTH, JUDITH A.	548.11
HAIDER, KENNETH G.	2,181.95
CHLEBECK, JUDY M.	1,087.88
PRIEFER, WILLIAM	985.48
MEYER, GERALD W.	1,197.48
KANE, MICHAEL R.	1,411.08
NAGEL, BRYAN	992.68
LUTZ, DAVID P.	1,132.68
KLAUSING, HENRY F.	1,197.48
SCHMOOCK, JOHN	1,100.68
HELEY, RONALD J.	1,154.28
OSWALD, ERICK D.	1,100.68

CITY OF MAPLEWOOD
PAYROLL CHECKS ISSUED FOR PAY PERIOD ENDING 01/26/90
CHECK #13522 - CHECK #13682

EMPLOYEE NAME	GROSS PAY
FREBERG, RONALD L.	1,154.28
CASS, WILLIAM C.	1,704.68
LINDBLOM, RANDY	995.08
ELIAS, JAMES G.	1,334.28
DUCHARME, JOHN	887.08
PECK, DENNIS L.	1,334.28
PRIEBE, WILLIAM	1,262.28
IRISH, BRUCE A.	1,719.88
GEISSLER, WALTER M.	1,310.28
METZ, TERRY	995.09
LOFGREN, JOHN R.	1,111.24
ODEGARD, ROBERT D.	1,963.59
BRENNER, LOIS J.	1,151.14
KRUMMEL, BARBARA A.	494.92
STAPLES, PAULINE	1,642.28
JONES, LUTHER	72.00
TRAVERS, DANIEL	90.00
ANDERSON, ROBERT S.	1,132.68
LINDORFF, DENNIS P.	1,132.68
GARRY, WILLIAM	992.68
HELEY, ROLAND B.	1,175.88
MARUSKA, MARK A.	1,593.26
SCHINDELDECKER, JAMES	818.28
LeCOUNT, TERRY	155.00
BURKE, MYLES R.	1,197.48
STARK, RICHARD	80.00
FUECHTMANN, A.	120.00
HANNEGAN, ANDREA	115.50
MILLER, SHERRAL	224.00
DREGER, KARI	338.00
KOEGEL, R.	137.50
FORD, J.	24.50
JOHANEK, T.	55.00
THOMPSON, JENNIFER	155.00
GRAF, MICHAEL	81.25
HANSEN, J.	150.00
MEYERS, PETRA	55.00
NARUSIEWICZ, M.	195.00
BESETH, JR., R.	195.00
RAHN, C.	49.00
RENS, K.	16.25
WARD, ROY G.	406.40
TAUBMAN, DOUGLAS J.	1,372.68
GREW-HAYMAN, JANET M.	1,157.48
NELSON, JEAN	401.82
HORSNELL, JUDITH A.	567.94
HUTCHINSON, ANN E.	497.54

CITY OF MAPLEWOOD
 PAYROLL CHECKS ISSUED FOR PAY PERIOD ENDING 01/26/90
 CHECK #13522 - CHECK #13682

EMPLOYEE NAME	GROSS PAY
DOHERTY, KATHLEEN M.	1,029.48
BARTA, MARIE L.	968.20
OLSON, GEOFFREY W.	1,963.59
MISKELL, NANCY	532.83
LIVINGSTON, JOYCE L.	604.86
ROBERTS, KENNETH	1,093.58
EKSTRAND, THOMAS G.	1,591.54
BERNIER, SHAWN	300.00
OSTROM, MARJORIE	1,563.08
CARVER, NICHOLAS N.	1,187.88
WENGER, ROBERT J.	1,286.28
NADEAU, EDWARD A.	1,220.24
MULWEE, GEORGE W.	1,239.04
NUTESON, LAVERNE S.	1,536.68
BREHEIM, ROGER W.	1,239.04
EDSON, DAVID B.	1,217.45
GERMAIN, DAVE	1,174.28
MULVANEY, DENNIS M.	1,288.68
SPREIGL, GEORGE C.	1,167.88
WEILAND, ELIZABETH	1,223.64
	\$174,683.22

PAYROLL DEDUCTIONS

ICMA RETIREMENT TRUST-457	\$ 7,684.21
CITY & COUNTY EMP CR UNION	25,399.00
AFSCME 2725	562.00
MN MUTUAL LIFE INS 19-3988	160.00
METRO SUPERVISORY ASSOC	18.00
MN STATE RETIREMENT SYSTEM	239.00
L.E.L.S.	594.00
RAMSEY COUNTY SUPPORT & COLLECT	400.00
	\$ 35,056.21

GRAND TOTAL	\$209,739.43
	=====

CITY OF MAPLEWOOD
 PAYROLL CHECKS ISSUED FOR PAY PERIOD ENDING 01/13/90
 CHECK #13515

EMPLOYEE NAME	GROSS PAY
TAYLOR, LINDA L.	482.91

CITY OF MAPLEWOOD
PAYROLL CHECKS ISSUED FOR PAY PERIOD ENDING 02/09/90
CHECK #13712 - CHECK #13875

EMPLOYEE NAME	GROSS PAY
ZAPPA, JOSEPH A.	550.00
ROSSBACH, GEORGE	550.00
BASTIAN, GARY W.	550.00
JUKER, FRANCES	550.00
ANDERSON, NORMAN	625.00
McGUIRE, MICHAEL A.	2,860.74
BLACKSTONE, GAIL J.	1,573.84
MAGLICH, GRETCHEN	756.00
SMITH, KATHRYN A.	549.50
BEHM, LOIS N.	1,067.90
JAHN, DAVID J.	811.88
SWANSON, LYLE	1,103.14
CUDE, LARRY J.	276.80
OSTER, ANDREA J.	999.88
MIKISKA, WILLIAM	172.80
FAUST, DANIEL F.	2,127.57
ENSRUD, BRUCE	104.00
MATHEYS, ALANA K.	1,103.88
VIGNALO, DELORES A.	1,083.88
ANDERSON, CAROLE J.	1,308.68
LA MOTTE, MARLENE	231.00
AURELIUS, LUCILLE E.	1,963.59
SELVOG, BETTY	238.00
SCHADT, JEANNE L.	1,029.48
KELSEY, CONNIE L.	613.40
VIETOR, LORRAINE S.	972.69
HENSLEY, PATRICIA A.	572.57
JAGOE, CAROL	732.68
CARLE, JEANETTE E.	948.68
OLSON, SANDRA	580.39
RONGSTAD, CAROLEE	84.00
PALANK, MARY KAY	743.00
COLLINS, KENNETH V.	2,181.95
RICHIE, CAROLE L.	1,103.24
SVENDSEN, JOANNE M.	1,253.99
NELSON, ROBERT D.	1,880.37
FULLER, ELAINE	450.66
MARTINSON, CAROL F.	1,112.98
STILL, VERNON T.	1,378.28
SKALMAN, DONALD W.	1,475.16
FRASER, JOHN	1,151.27
MORELLI, RAYMOND J.	1,403.88
STEFFEN, SCOTT L.	1,492.63
ARNOLD, DAVID L.	1,921.61
BANICK, JOHN J.	1,386.75
BOHL, JOHN C.	1,397.42
CAHANES, ANTHONY G.	1,880.37

CITY OF MAPLEWOOD
PAYROLL CHECKS ISSUED FOR PAY PERIOD ENDING 02/09/90
CHECK #13712 - CHECK #13875

EMPLOYEE NAME	GROSS PAY
CLAUSON, DALE K.	1,403.88
MOESCHTER, RICHARD M.	1,507.44
ATCHISON, JOHN H.	1,403.88
YOUNGREN, JOHN	1,709.54
YANG, YING	583.08
PELTIER, WILLIAM F.	1,834.32
SZCZEPANSKI, THOMAS J.	1,327.08
WELCHLIN, CABOT V.	1,400.43
LANG, RICHARD J.	1,403.88
RAZSKAZOFF, DALE	1,454.29
RYAN, MICHAEL	1,617.48
HERBERT, MICHAEL J.	1,561.62
DREGER, RICHARD C.	1,617.49
STAFNE, GREGORY L.	1,481.55
BECKER, RONALD D.	1,454.29
HALWEG, KEVIN R.	1,617.48
STOCKTON, DERRELL T.	1,390.99
PAULOS, JR., PAUL G.	1,163.08
BOWMAN, RICK A.	1,577.77
KARIS, FLINT D.	1,390.28
HEINZ, STEPHEN J.	1,566.13
GRAF, DAVID M.	1,467.08
THOMALLA, DAVID J.	1,527.00
PALMA, STEVEN T.	1,449.32
VORWERK, ROBERT E.	1,467.08
BERGERON, JOSEPH A.	1,390.28
MEEHAN, JAMES	1,485.98
MELANDER, JON A.	1,588.92
SAUNDERS, SARAH	749.83
EMBERTSON, JAMES M.	1,602.68
WILLIAMS, DUANE J.	1,408.22
RABINE, JANET L.	1,053.07
STAHNKE, JULIE	1,029.48
BOYER, SCOTT K.	1,029.48
NELSON, CAROL	1,566.28
WALDT, CYNTHIA	910.52
FEHR, JOSEPH	902.28
NELSON, KAREN A.	1,048.68
FLAUGHER, JAYME L.	1,067.88
WEGWERTH, JUDITH A.	574.58
HAIDER, KENNETH G.	2,181.95
CHLEBECK, JUDY M.	1,087.88
PRIEFER, WILLIAM	985.48
MEYER, GERALD W.	1,337.16
KANE, MICHAEL R.	1,723.38
NAGEL, BRYAN	1,274.56
LUTZ, DAVID P.	1,243.01

CITY OF MAPLEWOOD
 PAYROLL CHECKS ISSUED FOR PAY PERIOD ENDING 02/09/90
 CHECK #13712 - CHECK #13875

EMPLOYEE NAME -----	GROSS PAY -----
KLAUSING, HENRY F.	1,337.16
SCHMOOCK, JOHN	1,100.68
HELEY, RONALD J.	1,266.63
OSWALD, ERICK D.	1,310.49
FREBERG, RONALD L.	1,480.10
CASS, WILLIAM C.	1,704.68
LINDBLOM, RANDY	995.08
ELIAS, JAMES G.	1,334.28
DUCHARME, JOHN	876.28
PECK, DENNIS L.	1,334.28
PRIEBE, WILLIAM	1,262.28
IRISH, BRUCE A.	1,719.88
GEISSLER, WALTER M.	1,310.28
METZ, TERRY	995.08
LOFGREN, JOHN R.	1,134.32
ODEGARD, ROBERT D.	1,963.59
BRENNER, LOIS J.	1,067.88
KRUMMEL, BARBARA A.	495.14
STAPLES, PAULINE	1,642.28
JONES, LUTHER	36.00
TRAVERS, DANIEL	94.50
ANDERSON, ROBERT S.	1,299.12
LINDORFF, DENNIS P.	1,132.68
GARRY, WILLIAM	1,065.40
HELEY, ROLAND B.	1,175.88
MARUSKA, MARK A.	1,879.53
SCHINDELDECKER, JAMES	922.65
LeCOUNT, TERRY	135.00
BURKE, MYLES R.	1,373.64
BURKHART, D.	165.00
STARK, RICHARD	70.00
FUECHTMANN, A.	135.00
HANNEGAN, ANDREA	115.50
MILLER, SHERRAL	164.50
DREGER, KARI	278.50
KOEGEL, R.	135.00
FORD, J.	49.00
GRAF, MICHAEL	60.00
MEYERS, PETRA	90.00
NARUSIEWICZ, M.	205.00
BESETH, JR., R.	185.00
DONAHUE, S.	105.00
RAHN, C.	24.50
RENS, K.	42.00
WARD, ROY G.	406.40
TAUBMAN, DOUGLAS J.	1,372.68
GREW-HAYMAN, JANET M.	1,157.48

CITY OF MAPLEWOOD
 PAYROLL CHECKS ISSUED FOR PAY PERIOD ENDING 02/09/90
 CHECK #13712 - CHECK #13875

EMPLOYEE NAME	GROSS PAY
NELSON, JEAN	368.56
HORSNELL, JUDITH A.	567.94
HUTCHINSON, ANN E.	497.54
DOHERTY, KATHLEEN M.	1,038.92
BARTA, MARIE L.	954.28
OLSON, GEOFFREY W.	1,963.59
MISKELL, NANCY	433.03
LIVINGSTON, JOYCE L.	543.86
ROBERTS, KENNETH	1,102.83
EKSTRAND, THOMAS G.	1,442.94
BERNIER, SHAWN	360.00
OSTROM, MARJORIE	1,563.08
CARVER, NICHOLAS N.	1,187.88
WENGER, ROBERT J.	1,286.28
NADEAU, EDWARD A.	1,262.09
MULWEE, GEORGE W.	1,174.28
NUTESON, LAVERNE S.	1,536.68
BREHEIM, ROGER W.	1,174.28
EDSON, DAVID B.	1,303.79
GERMAIN, DAVE	1,217.45
MULVANEY, DENNIS M.	1,288.68
SPREIGL, GEORGE C.	1,167.88
WEILAND, ELIZABETH	1,223.64
	\$175,388.42

PAYROLL DEDUCTIONS

ICMA RETIREMENT TRUST-457	\$ 7,970.01
CITY & COUNTY EMP CR UNION	25,470.00
AFSCME 2725	554.00
MN MUTUAL LIFE INS 19-3988	160.00
METRO SUPERVISORY ASSOC	18.00
MN STATE RETIREMENT SYSTEM	239.00
MN BENEFIT ASSOCIATION	505.41
RAMSEY COUNTY SUPPORT & COLLECT	400.00
	\$ 35,316.42

GRAND TOTAL	\$210,704.84
	=====

E A /

Action by Council:

MEMORANDUM

TO: City Manager
FROM: Director of Community Development
SUBJECT: Discussion With County Tax Assessor
DATE: February 9, 1990

Endorsed _____
Modified _____
Rejected _____
Date _____

The City Council requested a meeting with the County Tax Assessor to discuss the tax consequences of operating a business in a home. I would recommend that the Council also take this opportunity to discuss the tax implications of rezoning a F, farm residential property to some type of commercial zoning. The Council has initiated several of these rezonings that will be coming to hearing shortly. The owners of these properties are protesting the potential for a large tax increase if the rezonings are approved. The tax assessor's name is Brian Ducklow. He will be at the meeting.

GO/memo3.mem

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

MEMORANDUM

TO: City Manager
FROM: Thomas Ekstrand, Associate Planner
SUBJECT: Conditional Use Permit and Front Setback Variance
LOCATION: 380 E. Roselawn Avenue
APPLICANT/OWNER: Church of St. Jerome
PROJECT TITLE: Building Addition/Renovation
DATE: February 12, 1990

SUMMARY

INTRODUCTION

1. The applicant is requesting approval of a conditional use permit (CUP) to add onto the Church of St. Jerome. The proposed addition/renovation plans consist of removing 2,500 square feet of the existing church and replacing it with 4,800 of new structure. The net increase amounts to 2,300 square feet. Code requires that churches in F, Farm Residence districts be allowed only by CUP. There is no CUP, presently, for the church. Refer to the letter on page 7.
2. Staff is requesting that the CUP include St. Jerome's day-care facility since code requires CUPs for this use. The day-care has been in operation for three years.
3. The applicant is also requesting approval of a 1.8-foot front setback variance. The proposed church addition would have a front setback of 28.2 feet; Code requires 30 feet. Refer to the letter on page 8.

CRITERIA FOR CUP APPROVAL

Subsection 36-442 requires that in order to approve a CUP, the nine findings listed in the resolution on page 11 must be met.

CRITERIA FOR VARIANCE APPROVAL

Section 367.10, subdivision 6(2) of State law requires that the following findings be made before a variance to the zoning chapter of City Code can be granted:

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

"Undue hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls. The plight of the landowner is due to circumstances unique to his property, not created by the landowner, and the variance, if granted, will not alter the essential character of

the locality. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.

DISCUSSION

All of the criteria for a CUP and front setback variance would be met.

RECOMMENDATION

1. Adoption of the resolution on page 11, granting a conditional use permit, for an indefinite length of time, to expand the church and for a day-care facility at 380 E. Roselawn Avenue, based on the findings required by ordinance. Approval is subject to compliance with the site plan date-stamped January 17, 1990.
2. Adoption of the resolution on page 13, approving a 1.8-foot front setback variance for the Church of St. Jerome to construct an addition with a 28.2-foot setback from the front lot line. Approval is based on the following findings:
 - a. The variance would meet the spirit and intent of the ordinance since the addition would not alter the essential character of the neighborhood.
 - b. Requiring setback compliance would cause the building to be unbalanced from an appearance and aesthetic standpoint as well as from a functional standpoint. Based on these "practical difficulties", the proposed addition would constitute a reasonable use of the property.
 - c. Since the church was built prior to the existing code, proper "future" setbacks were not contemplated at the time of the initial construction. Compliance with code, therefore, would cause the applicant undue hardship, due to circumstances not created by themselves.
 - d. The proposed addition/renovation includes widening the green area north of the building which would provide additional buffer from the street.

REFERENCE

SITE DESCRIPTION

1. Site size: 11 acres
2. Existing Land Use: Church of St. Jerome, school and day-care

SURROUNDING LAND USES

Northerly: Roselawn Avenue and single dwellings
Southerly: undeveloped single and multiple-dwelling property
Easterly: two single dwellings on large lots
Westerly: single dwellings and McMenemy Street

PLANNING

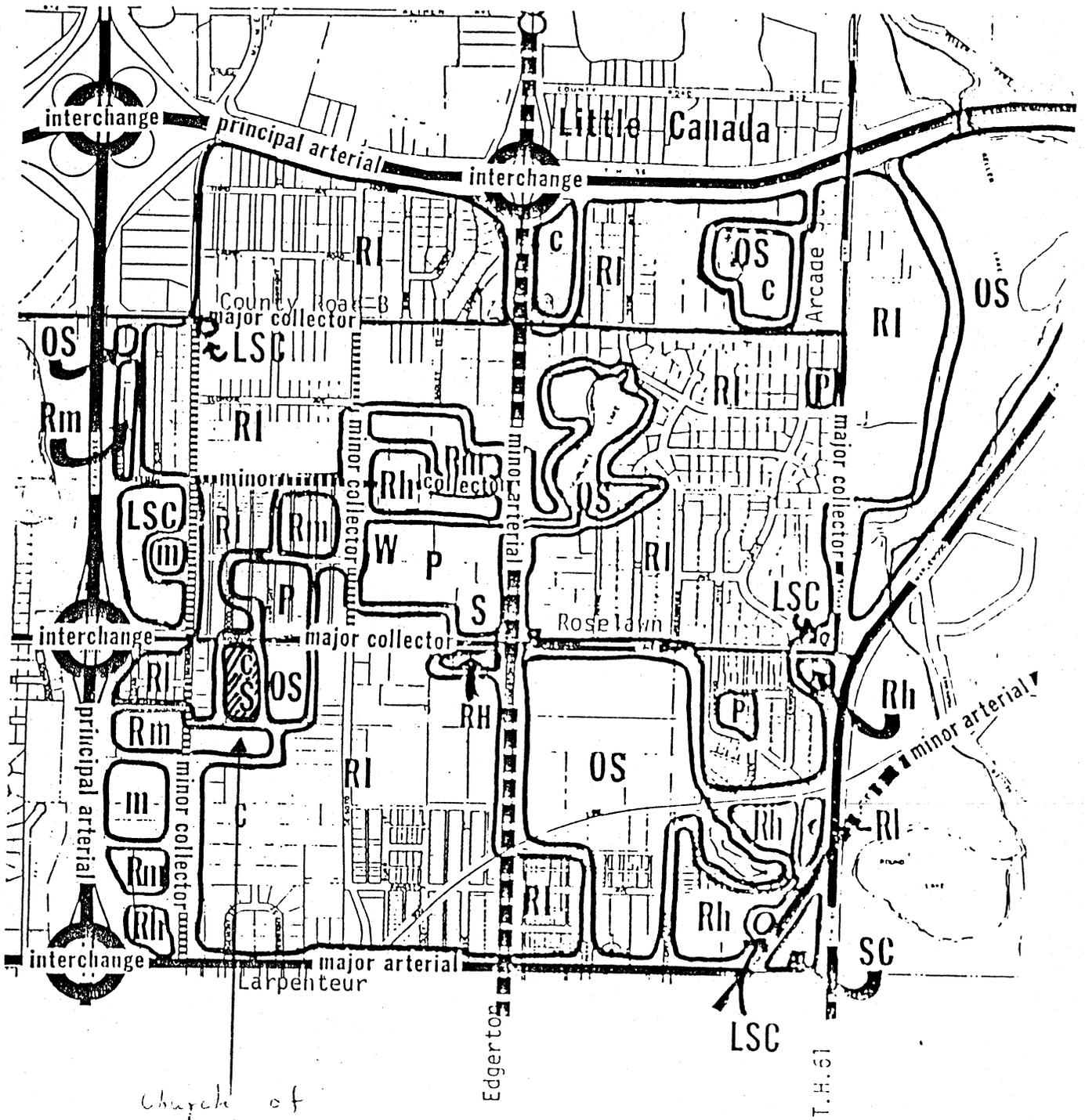
1. Land Use Plan designation: C, Church and S, School
2. Zoning: F
3. Subsection 36-437 of the City code states that CUPs may be issued by the City Council for certain uses in any zoning district from which they are not permitted and not specifically prohibited. Uses included in this section are churches and day-care facilities.

Subsections 36-51 and 36-71 (2) require that churches have at least a 30-foot front setback.

TEJEROME

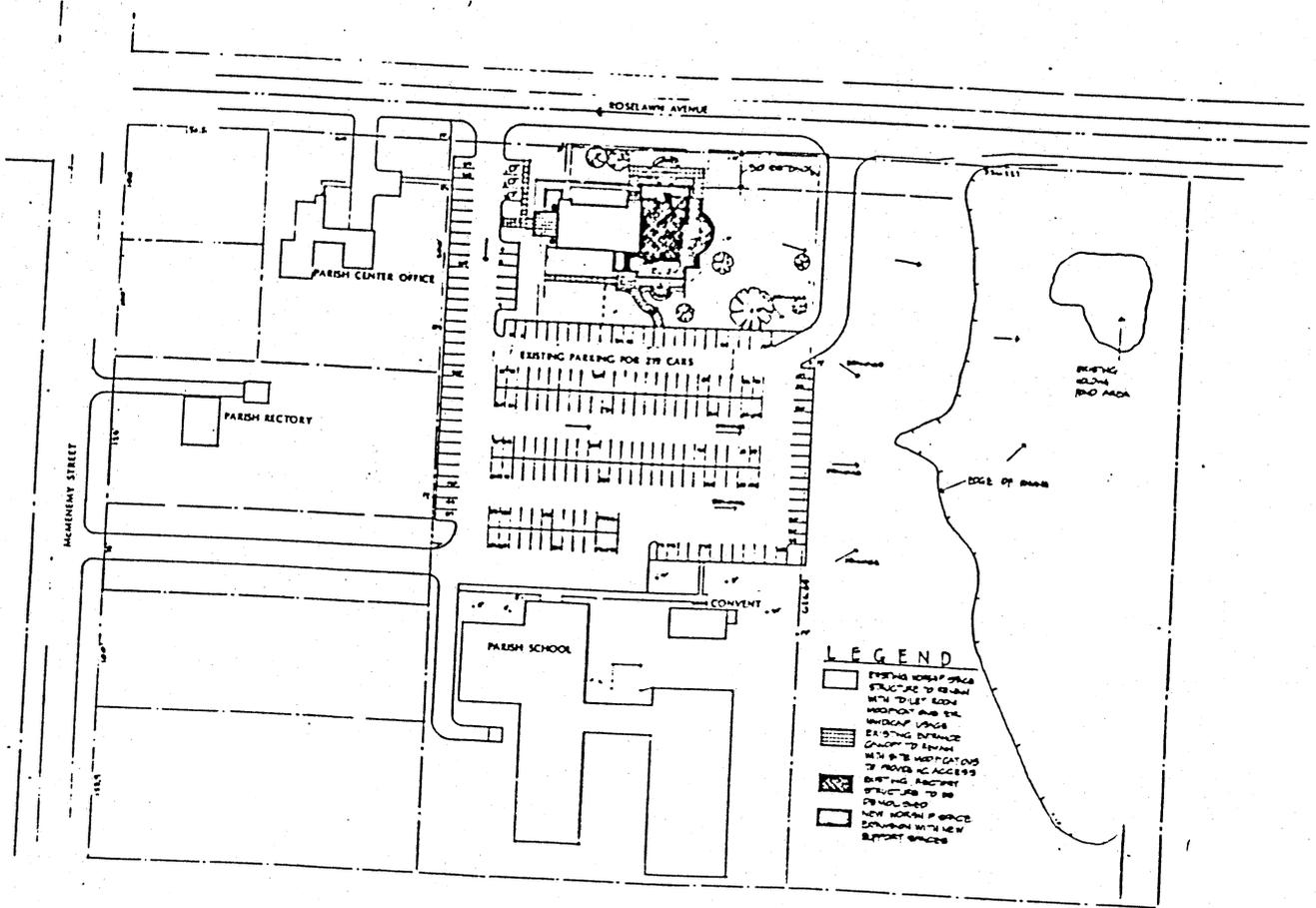
Attachments

1. Land Use Plan
2. Property Line/Zoning Map
3. Site Plan Reduction
4. Applicant's letter of CUP justification dated January 15, 1990
5. Applicant's letter of variance justification dated February 5, 1990
6. CUP Resolution
7. Variance Resolution
8. Plans date stamped January 17, 1990 (separate attachment)



Parkside
LAND USE PLAN





SITE PLAN



N

Church of St. Jerome

380 E. Roselawn Avenue

St. Paul, Minnesota 55117

January 15, 1990

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

SUBJECT: Statement for Conditional Use Permit (Renovation Church of St Jerome)
Statement (intended use of property and why city should approve
our request.)

Dear Sirs,

The Church of St. Jerome located at 380 East Roselawn Avenue in Maplewood, Minnesota, is applying for a Conditional Use Permit this date.

Account the shortage of priests and the assignment of one parish priest with no assistant, and with membership increasing, it has become mandatory to renovate the rectory in the church to secure 250 more seating capacity to accomodate attendance for Masses, funerals, weddings, and other religious liturgies all on one level. Use will be for church purposes only.

We have contacted all property owners within the radius of 350 feet in accordance with Ramsey County Official Abstract of Title, and we are pleased to inform you that there are no objections to our building project.

After our review of the criteria necessary for approval of CUP, we find that we will be in compliance with all standards as outlined by the City of Maplewood's CUP Permit application. The building project will in no way be in conflict with the city's standards or policies.

Please refer to particularly Item 3 - the use would not depreciate property values, and in reality, would enhance and improve the present site due to the beautiful architecture and improved landscaping. As previously stated, we will be in compliance and abide by all policies set down by the City of Maplewood.

We trust you will find everything in order along with the checks in payment for CUP and Design and Review Board applications. But, most of all, your approval and to proceed without any delay. We want to be assured of a hearing with the Design and Review Board on February 13, 1990, and if arrangements can be arranged for February 6th - all the better. We want the project finished on or before Thanksgiving of 1990.

Thank you for your courteous and prompt attention in the above matter.

Respectfully yours,

Rev. Kenneth F. Ludescher

Reverend Father Kenneth F. Ludescher

Encl.

5 February 1990

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

Re: Church of St. Jerome

405.2

Dear Sirs:

The Church of St. Jerome requests a 1.8 foot variance from the 30-foot front yard setback zoning requirement.

On January 17, 1990, St. Jerome's submitted a Conditional Use Permit and Design Review Application. The proposed modifications to the church were planned from a 1962 survey and no variances were required. Since that submission, the church has updated the survey to assist construction drawing preparation. This larger scale and more accurate survey has detected a slight error in the dimension from the north property line to the existing building. This change in the existing building location places the new transept portion of the church 1.8 feet over the 30-foot setback line.

FILING REQUIREMENTS

1a. SITE PLAN

Please see the completed site plan submitted with the Conditional Use Permit. Additionally, see enclosed signed survey and 8 $\frac{1}{2}$ " x 11" drawing showing setback issue.

1b.(1) HARDSHIP

The major objectives of St. Jerome's building project were to provide seating for five hundred on one level, keep the main aisle as compact as possible for better sightlines and to provide traditional balanced church seating arrangement that would enhance and complete the existing building in scale, detail, and material. The cross axis (transept) design was selected because it best met these objectives. Due to the fact that the present structure is quite close to the north property line, any modifications to the design would lose seating capacity, impact on the balance and traditional aspects of the design, or increase the seating-to-altar distance.

1b.(2) SPIRIT OF THE ORDINANCE

Two major objectives of a front yard setback requirement are to provide safety (especially along busy streets) and to provide visual consistency and beauty to the built environment. These issues are very important to St. Jerome's as they apply to this project. The hazardous head-in parking and driveway along Roselawn will be removed and reclaimed as a forecourt area to the church. Landscaping will be added to buffer from the street and enhance the building. Also, the area that projects into the setback is not a pedestrian area. All entrances to the church are located from the side or from the back parking lot to minimize vehicular/pedestrian confrontations.

1.2 LIST OF PROPERTY OWNERS

See Conditional Use Permit Application.

Sincerely,

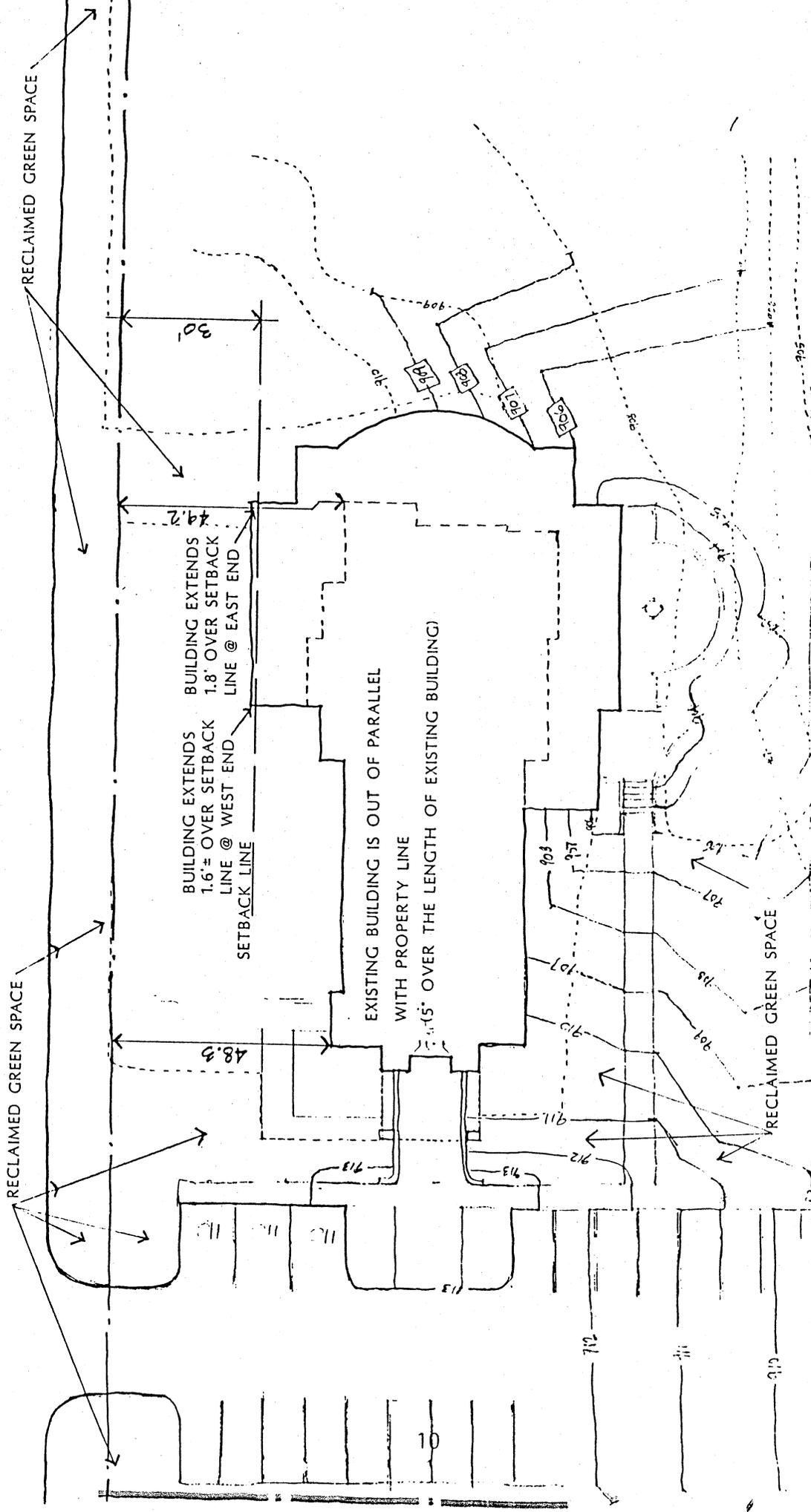
McGUIRE COURTEAU LUCKE ARCHITECTS, INC.

A handwritten signature in black ink, appearing to read "Singer". The signature is stylized with a large, looped "S" and a circular flourish at the end.

Steven Singer

Encl.

ROSELAWN AVENUE



ST. JEROME'S CATHOLIC CHURCH

MCL
 MCGUIRE COURTEAU LUCKE ARCHITECTS, INC.
 710 Landmark Towers, St. Paul, MN 55102 (612) 222-8451

CONDITIONAL USE PERMIT RESOLUTION

WHEREAS, the Church of St. Jerome initiated a conditional use permit to operate a church and day-care facility in a farm district at the following-described property:

The N 233 ft. of E 160 ft. of W 327 31/100 ft. of SW 1/4 and S 75 ft. of N 433 ft. of W 1/2 of NW 1/4 of NW 1/4 of SW 1/4 and E 1/2 of sd 1/4 1/4 1/4 and W 1/2 of NE 1/4 of NW 1/4 of SW 1/4 (subj to rds) in Sec. 17 Tn. 29 Rn. 22.

This property is also known as 380 East Roselawn Avenue Maplewood;

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

1. This conditional use permit was reviewed by the Maplewood Planning Commission on February 5, 1990. The Planning Commission recommended to the City Council that said permit be
2. The Maplewood City Council held a public hearing on _____, 1990. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL THAT the above-described conditional use permit be approved for an indefinite length of time on the basis of the following findings-of-fact:

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.

Attachment 6

VARIANCE RESOLUTION

WHEREAS, the Church of St. Jerome applied for a variance for the following-described property:

This property is also known as 380 East Roselawn Avenue, Maplewood;

WHEREAS, Sections 36-51 and 36-71 (2) of the Maplewood Code of Ordinances require that churches have at least a 30-foot front setback;

WHEREAS, the applicant is proposing a 28.2-foot setback, requiring a variance of 1.8 feet;

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

1. This variance was reviewed by the Maplewood Planning Commission on February 5, 1990. The Planning Commission recommended to the City Council that said variance be
2. The Maplewood City Council held a public hearing on to consider this variance. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

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

1. The variance would meet the spirit and intent of the ordinance since the addition would not alter the essential character of the neighborhood.
2. Requiring setback compliance would cause the building to be unbalanced from an appearance and aesthetic standpoint as well as from a functional standpoint. Based on these "practical difficulties", the proposed addition would constitute a reasonable use of the property.
3. Since the church was built prior to the existing code, proper "future" setbacks were not contemplated at the time of the initial construction. Compliance with code, therefore, would cause the applicant undue hardship, due to circumstances not created by themselves.

Commissioner Barrett seconded

Ayes--Axdahl,
Barrett, Fiola,
Gerke, Rossbach,
Sigmundik

5. UNFINISHED BUSINESS

a. Elections: Chairperson and Vice-Chairperson

Commissioner Sigmundik moved to elect Commissioner Axdahl as Chairperson and Lorraine Fischer as Vice-Chairperson.

Commissioner Fiola seconded

Ayes--Barrett,
Fiola, Gerke,
Rossbach, Sigmundik

Abstentions--Axdahl

b. Readopt the Rules of Procedure

Commissioner Barrett moved readoption of the Rules of Procedure as submitted.

Commissioner Sigmundik seconded

Ayes--Axdahl,
Barrett, Fiola,
Gerke, Rossbach,
Sigmundik

6. NEW BUSINESS

a. Conditional Use Permit and Variance: 380 Roselawn Ave.
(Church of St. Jerome)

Secretary Olson presented the staff report for this proposed addition and 1.8-foot front-setback variance for Church of St. Jerome.

A commissioner asked staff if there would be any additional conditions required of the day-care center. Secretary Olson responded he had conferred with other City department staff and, since the state does the inspecting, there were no additional City requirements.

A representative for Church of St. Jerome was asked by a commissioner if the parking would be adequate under this proposal and he responded that parking would meet present code requirements.

Commissioner Rossbach moved the Planning Commission recommend adoption of the resolution approving a 1.8-

foot front-setback variance for the Church of St. Jerome to construct an addition with a 28.2-foot setback from the front lot line. Approval is based on the following findings:

- (1) The variance would meet the spirit and intent of the ordinance since the addition would not alter the essential character of the neighborhood.
- (2) Requiring setback compliance would cause the building to be unbalanced from an appearance and aesthetic standpoint as well as from a functional standpoint. Based on these "practical difficulties", the proposed addition would constitute a reasonable use of the property.
- (3) Since the church was built prior to the existing code, proper "future" setbacks were not contemplated at the time of the initial construction. Compliance with code, therefore, would cause the applicant undue hardship, due to circumstances not created by themselves.
- (4) The proposed addition/renovation includes widening the green area north of the building which would provide additional buffer from the street.

Commissioner Fiola seconded

Ayes--Axdahl,
Barrett, Fiola,
Fischer, Gerke,
Rossbach, Sigmundik

Commissioner Rossbach moved the Planning Commission recommend adoption of the resolution granting a conditional use permit for an indefinite length of time to expand the church and for a day-care facility based on the findings required by ordinance. Approval is subject to compliance with the site plan date-stamped January 17, 1990.

Commissioner Gerke seconded

Ayes--Axdahl,
Barrett, Fiola,
Fischer, Gerke,
Rossbach, Sigmundik

b. Conditional Use Permit: Cope Ave (Credit Union)-Tabled

Commissioner Sigmundik moved the Planning Commission table this item until the February 20 meeting.

MEMORANDUM

TO: City Manager
FROM: Director of Community Development
SUBJECT: Mark's Nature Haven Plat
DATE: February 15, 1990

Action By Council:
Endorsed _____
Modified _____
Rejected _____
Date _____

INTRODUCTION

The City Council, on February 12, tabled the preliminary plat for Mark's Nature Center until February 26. The Council gave the following directions:

1. Determine whether anything can be done to nullify the previous vacation of Boxwood Avenue, east of Dorland Road.
2. Revise the plat to eliminate the right-of-way bulb at the corner of Lakewood Drive and Birch Street.
3. Research the drainage problems in the surrounding area.
4. Allow time for the developer to meet with the owners of 2405 Carver Avenue to work out their problems.

BOXWOOD AVENUE VACATION

The City vacated Boxwood Avenue, east of Dorland Road, on June 8, 1987. This vacation was initiated by staff with the Gonyea Oak Heights preliminary plat application. The section vacated was 66 feet wide by 310 feet long, running east of Dorland Road. The north 33 feet went to the Gonyea development to the north and the south 33 feet was incorporated into the lot to the south. The City got back a 15-foot-wide utility easement over the north 33 feet when the Gonyea development was platted. An additional 15 feet from the property owner to the south is needed for the water pipe proposed by the City engineering department. The City Attorney has advised us that since the vacation has already been recorded, the City cannot expunge or nullify the vacation. The additional easement will have to be acquired.

Please refer to the attached memo from the engineering department as to why the vacation was approved.

LAKWOOD DRIVE AND BIRCHWOOD

The bulb at Lakewood Drive and Birchwood has been omitted and redesigned as the City Council requested.

AREA STORMWATER PROBLEMS

Please refer to the attached memo from the City Engineer.

MEETING WITH THE OWNER OF 2405 CARVER AVENUE

The developer and owner of 2405 Carver Avenue (Larry Grand) have met and appear to have worked out their problems. Crestview Drive will be moved to the west to provide access to Mr. Grand. Outlot A will be deeded to Mr. Grand as well. In exchange, Mr. Grand will give the City easement rights to the pond, which were needed by the developer. The recommendations in the Staff report have been revised to reflect this agreement.

GO/memo5.mem

Attachment: City Engineer's memo

MEMORANDUM

TO: City Manager
FROM: City Engineer
SUBJECT: Mark's Nature Haven
DATE: February 20, 1990

The city council requested additional information concerning the Boxwood Avenue right-of-way vacation and the storm sewer along Carver Avenue.

The Boxwood Avenue right-of-way was vacated in June, 1987 as part of Gonyea's Oak Heights. At about the same time, the city was considering the feasibility study for Water District 8 improvements. The feasibility study established a boundary for the water district that included Boxwood Avenue from Dorland to McKnight. The part of Boxwood east of Dorland was in Water District 9. An interconnection between District 8 and 9 was not considered at the time.

In final design of Water District 8 and its boundaries, Boxwood Avenue from Dorland to McKnight was moved to Water District 9. This occurred after the right-of-way vacation. Since the boundaries have been changed, an interconnection across the vacated right-of-way is now recommended.

The storm sewer along Carver Avenue was analyzed as part of a previous feasibility study. The existing pipe is appropriately sized for the watershed if the ponding areas are retained. There could be a maintenance problem, however, that results in temporary backups in the spring. Ice and vegetation may restrict the outlet.

KGH

jw

MEMORANDUM

TO: City Manager
FROM: Thomas Ekstrand, Associate Planner
SUBJECT: Preliminary Plat and Rezoning (F to R-1)
LOCATION: North of Carver Avenue
APPLICANT/OWNER: Pacesetter Property Management, Inc.
PROJECT TITLE: Mark's Nature Haven
DATE: February 21, 1990

INTRODUCTION

1. The applicant is requesting approval of a residential subdivision for 33 single dwelling lots.
2. Staff is recommending a rezoning of the site from F, Farm Residential to R-1, Single-Dwelling Residential to eliminate the possibility of any farm-related nuisance uses, such as the raising of livestock.

BACKGROUND

On October 5, 1978, the City Council tabled action on approving a 37-lot single dwelling subdivision on this same site until a feasibility study was completed to determine the location of Boxwood Avenue and until the design changes recommended in the staff report were incorporated into the proposed plat. The application for the plat was then withdrawn.

CRITERIA FOR APPROVAL

Section 36-485 of the City Code requires that rezonings be based on the findings stated in the resolution on page 19.

DISCUSSION

Agreement with 2405 Carver Avenue

The developer and property owners at 2405 Carver Avenue appear to have reached an agreement. The proposed alignment of Crestview Drive should be shifted to the west and outlot A deeded to the owners of 2405 Carver Avenue to give them access to the street. In exchange, the City would get an easement for the stormwater pond on 2405 Carver Avenue that the developer needs.

Easement Acquisitions

To serve storm runoff and watermain needs, the applicant should be required to obtain ponding easements over the existing ponds to the west and east for dedication to the City of Maplewood. The east ponding easement may not be needed if that portion of the pond on the developer's property can be designed with adequate capacity.

A utility easement should also be obtained, as well as a 12-inch-diameter watermain constructed, for connection to the existing line at the corner of Boxwood Avenue and Dorland Road. (See page 12.)

Excessive Cul-De-Sac Length

Section 30-8 (b) (3), requires that the maximum length of any deadend street be 1000 feet. All lots beyond the 1000-foot mark within this proposed plat, therefore, should be designated as an "outlot."

Tree Replacement

The five large evergreen trees that are within the limits of grading should be replaced on the site. (See page 12.) Code requires that they be replaced with eight-foot-tall trees.

RECOMMENDATION

1. Approval of the resolution on page 19 rezoning this property from F, Farm Residential to R-1, Single-Dwelling Residential.
2. Approval of the revised preliminary plat, dated 2-29-90, for Mark's Nature Haven, subject to the following conditions being satisfied before final plat approval:
 - a. Lot 11, Block 1 and Lots 3-16 and 19-22, Block 2, shall be designated as an outlot and shall not be platted for construction until Boxwood Avenue is connected to Schadt Drive. All utilities within the outlot shall be constructed with the initial phase of development. The outlot street, however, shall not be built until those lots are platted.
 - b. A tree replacement plan shall be submitted for the approval of the Director of Community Development, prior to grading or final plat approval. This plan shall designate the large trees that are to be removed, where there replacements will be planted and those to be retained.
 - c. The applicant shall secure off-site drainage easements over the existing holding ponds on the adjacent properties to the west and east, north of Carver Avenue. These shall be dedicated to the City as permanent easements. The City engineer may waive the east pond easement if the pond on the developer's property can be designed to handle the run-off.
 - d. The applicant shall secure a 15-foot-wide off-site utility easement for watermain connection to the existing main at the intersection of Boxwood Avenue and Dorland Road. The applicant shall construct this utility connection, which shall be a twelve-inch watermain, as part of the watermain installation from Lakewood Drive to Carver Avenue.

- e. Crestview Drive and Boxwood Avenue shall have a pavement width of 36 feet. This street shall be posted for no-parking along the east side and along the west side, between the stub street and Carver Avenue.
- f. Standard city street lights shall be installed at the intersections of Carver Avenue and Crestview Drive, and Birch Street and Crestview Drive. A third shall be required near the easterly lot line along Boxwood Avenue at the time Boxwood Avenue is extended. The exact location is subject to the approval of the City Engineer.
- g. The storm sewer shall be extended to the easterly lot line along Boxwood Avenue and to the intersection of Lakewood Drive and Birch Street.
- h. The proposed six-foot-wide drainage/utility easements along all common side property lines, shall be changed to five feet so sideyard setback requirements can be met.
- i. A temporary 100-foot-diameter cul-de-sac bulb easement shall be granted to the City for the temporary deadend of Crestview Drive.
- j. A signed developer's agreement shall be submitted, with required surety, for all required public improvements, erosion control and tree replacement. This agreement shall include a requirement for the placement of temporary fencing, during construction, around woodlots be saved.
- k. Crestview Drive shall be moved (to be filled in at the meeting) feet to the west. This would eliminate the one-foot strip on the west side of the street.
- l. The small remnant piece of land south of the proposed east-west street south of Lot 1, Block 2, shall be deeded to the owners of 2405 Carver Avenue.

CITIZEN COMMENTS

Staff mailed surveys to the 23 property owners within 350 feet of this site for their comments regarding this proposal. Of the ten replies, one was in favor (with concerns), one had no comment and seven objected.

In Favor

Refer to the letter on pages 14 and 15.

Objections

1. Contractors do not maintain proper dust control efforts. There is a tremendous amount of air borne dust in our area. Also this is too many homes planned for this small area. Half that number would be more acceptable.
2. We are new homeowners in this area. One of the reasons we purchased a home in this neighborhood was because of its open space and semi-rural look. With the building that gone on in just the past year, this atmosphere has already diminished. We believe Maplewood needs to slow down its developing in this area. This project does not meet with our approval now or anytime in the future.
3. You have already put in over 100 home sites in the immediate area. The only way this project would be acceptable is if the lot size was increased to a minimum of

the lot si

And what is being done for a signal light on Carver and Highway 61 to handle the added traffic. We have lived at our present address for approximately 7 years. The reason for buying was the quiet and natural surrounding. Where is our closest park?

Look at the lot size 60 feet. What is this, tenement housing? 60 foot lots are the smallest around in the cities. Why change the existing zoning?

Staff Reply: The proposed lots meet population density and minimum lot-size requirements. The City of Maplewood has no jurisdiction concerning signalization of the intersection of Carver Avenue and Highway 61. The closest park to this site is Pleasant View Park, 825 feet to the north. The rezoning is necessary for adherence to the Maplewood Comprehensive Plan.

4. Lot #1 should be set aside for water drainage. If the builder uses lot #1 for building, the water draining from the hill will overflow onto the adjacent properties. Then a storm sewer will be needed, by this time the builder will be long gone and all the area property owners will be taxed to pay for the storm sewer instead of the builder who took his profit and left.

Staff Reply: The holding ponds in the area are intended by the Maplewood Drainage Plan to adequately handle surface runoff. The applicant would be required as a condition of this plat to acquire the necessary off-site ponding easements for dedication to the City.

5. I object because of the traffic on Carver Avenue and the destruction of a peaceful neighborhood. Leave as is (open and peaceful country.)
6. I think the property should be left open.
7. Refer to the letter and suggested alternate plat on pages 16 and 17.
8. Refer to the letter on page 18.

REFERENCE

Site Description

1. Site acreage: gross - 13.33; net - 10.8
2. Existing land use: an abandoned house, pole barn, miscellaneous sheds and debris
3. Existing easements: There is an existing 20-foot-wide access easement (10 feet on each property) for shared access to the subject site and to 2405 Carver Avenue to the west.

Surrounding Land Uses

Northerly: Maplewood Highlands single dwelling plat.
Southerly: Carver Avenue. South of Carver Avenue are single dwellings on large lots and a wetland area.
Easterly: Predominantly undeveloped property with single dwellings fronting on Carver Avenue.
Westerly: Single dwellings.

Planning

1. Land use plan designation: RL, Low Density Residential
2. Density: maximum allowed - 14 persons per net acre
proposed - 12.53 persons per net acre
3. The Comprehensive Plan proposes a minor collector roadway in the location of proposed Crestview Drive. This collector would continue easterly and connect with Schadt Drive at Sterling Street (See page 10.)
4. Zoning: existing - F; proposed - R-1
5. Section 30-8 (a) (3) of the Subdivision ordinance states that "cul-de-sacs", when used, shall be held to as short a distance as possible between the origin or main street and the end of the cul-de-sacs. In no case shall cul-de-sacs exceed 1,000 feet in length, unless no other alternative is possible.

Environmental Overview

Wetlands: There is a gully running through the center of the area from north to south and a marsh on the north side of Carver Avenue. The marsh is part of a larger one that has been divided by Carver Avenue and the shared entrance drive which accesses both the subject property and the lot to the west. The marsh collects runoff from the proposed plat and abutting areas and then flows into Fish Creek.

Trees and woodlots: The site is covered with a considerable amount of tree growth. The majority of these trees, however, are cottonwoods, boxelders and poplars many of which are small. According to code, these are not considered to be a significant natural feature. Upon walking the site, Staff found only five trees which would lie within the limits of grading that code would consider large trees (eight inches or more in caliper.)

Soils: The Ramsey Soil and Water Conservation District has stated that the soils are suitable for development, but proper measures should be taken to guard against erosion during construction and to prevent tracking dirt off site.

Slopes: The steepest slopes on this site have a 22% grade. Code prohibits construction on existing slopes in excess of 40%, but requir

requires erosion control and grade stabilization precau
construction on slopes greater than 12%.

Public Works

The proposed plat should be revised to include the following changes:

1. Since proposed Crestview Drive is designated as a minor collector, the right-angle curve at the intersection of Boxwood Avenue and Crestview Drive should be lessened so that the turning radius has no more than a 90-foot centerline-radius curve for better traffic flow.
2. Crestview Drive should be 36-feet-wide with no parking permitted along the east side.
3. The storm sewer should be extended to the easterly line of the site along Boxwood Avenue and to the intersection of Birch Street and Lakewood Drive.
4. Off-site ponding easements north of Carver Avenue and on both sides of the proposed Crestview Drive should be acquired by the applicant and dedicated to the City.
5. The watermain in Lakewood Drive should be extended to the northwest to connect to the existing water main in Boxwood Avenue. This should be a twelve inch watermain providing a looped connection to Carver Avenue. The applicant shall attain the necessary easements for dedication to the City.
6. The applicant must acquire the right-of-way from the adjacent property owner for the construction of Crestview Drive north of Carver Avenue. If this property cannot be acquired, the applicant should revise the plat to align Crestview Drive entirely on the proposed site.

7. Three street lights should be provided along Crestview Drive.

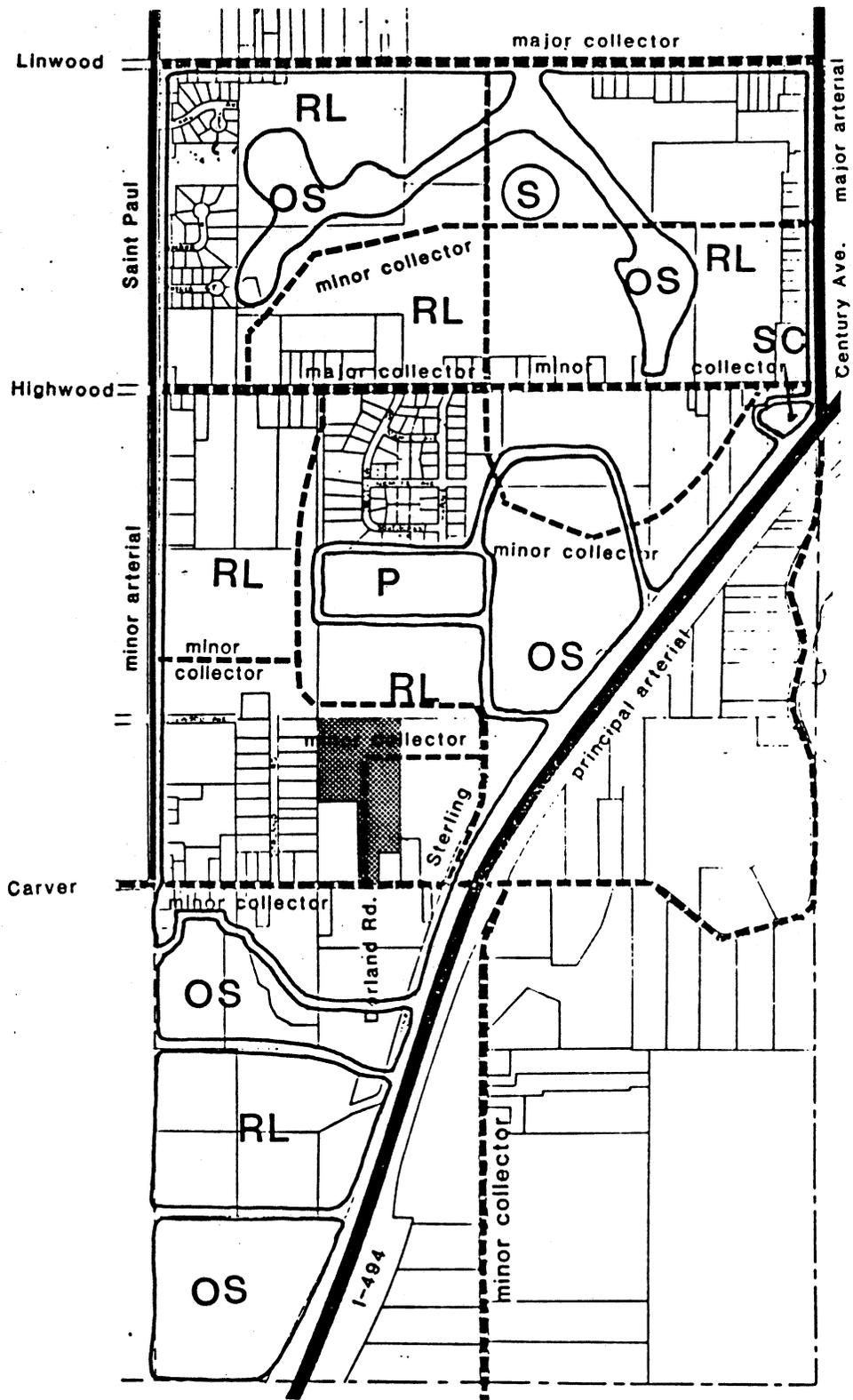
Public Safety

1. All water and roadways must be in and accepted prior to any issuance of building permits.
2. All street names should be consistent with aligning streets.

TENATHAVE

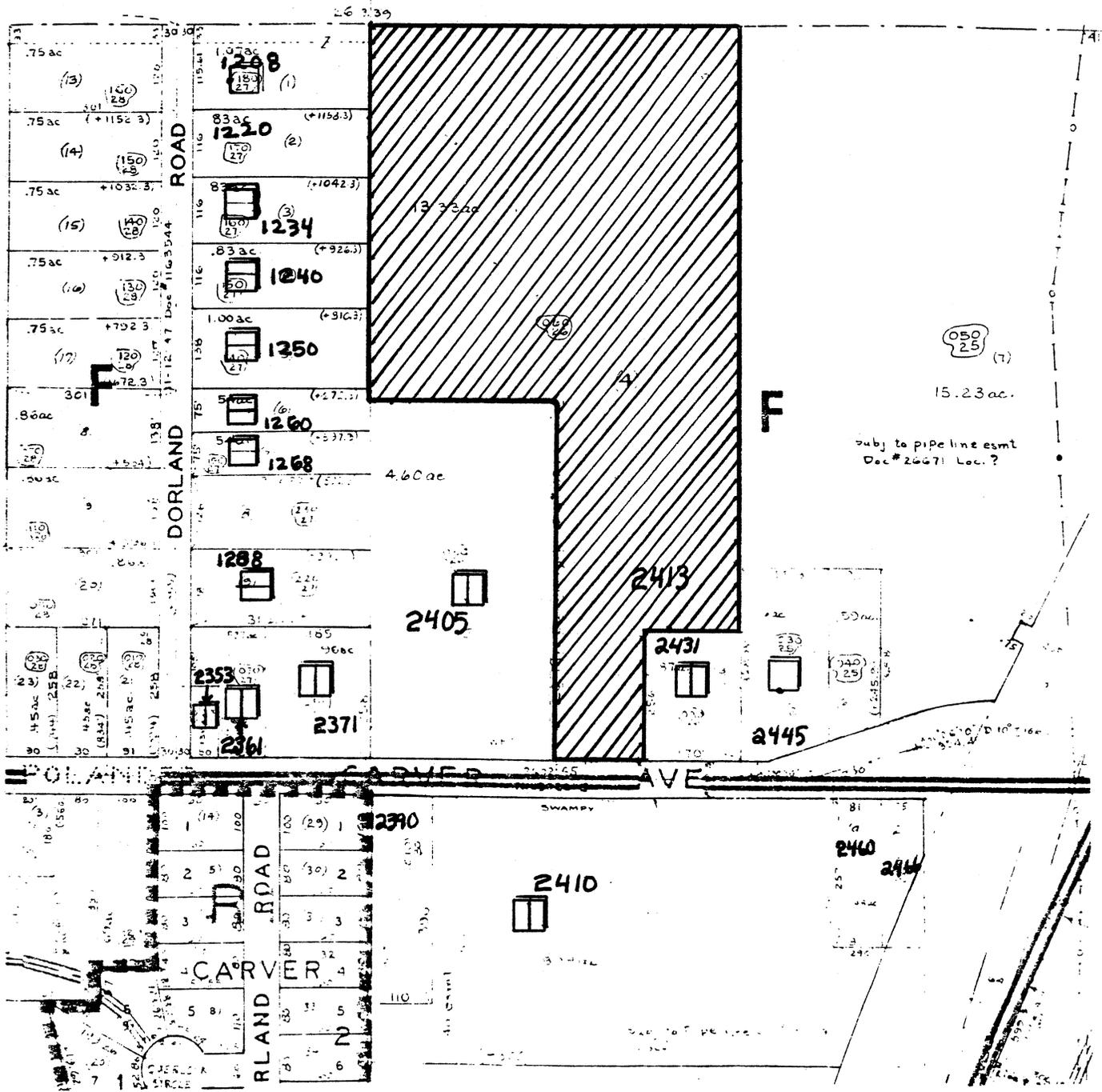
Attachments

1. Highwood Neighborhood Land Use Plan
2. Property Line/Zoning Map
3. Preliminary Plat Reduction
4. Significant Trees and Required Easements
5. Letter from Roger W. Singer
6. Survey reply from Lawrence and Charlene Grand
7. Survey reply from Robert and Luella Wilds
8. Rezoning Resolution
9. Preliminary Plat (separate attachment)



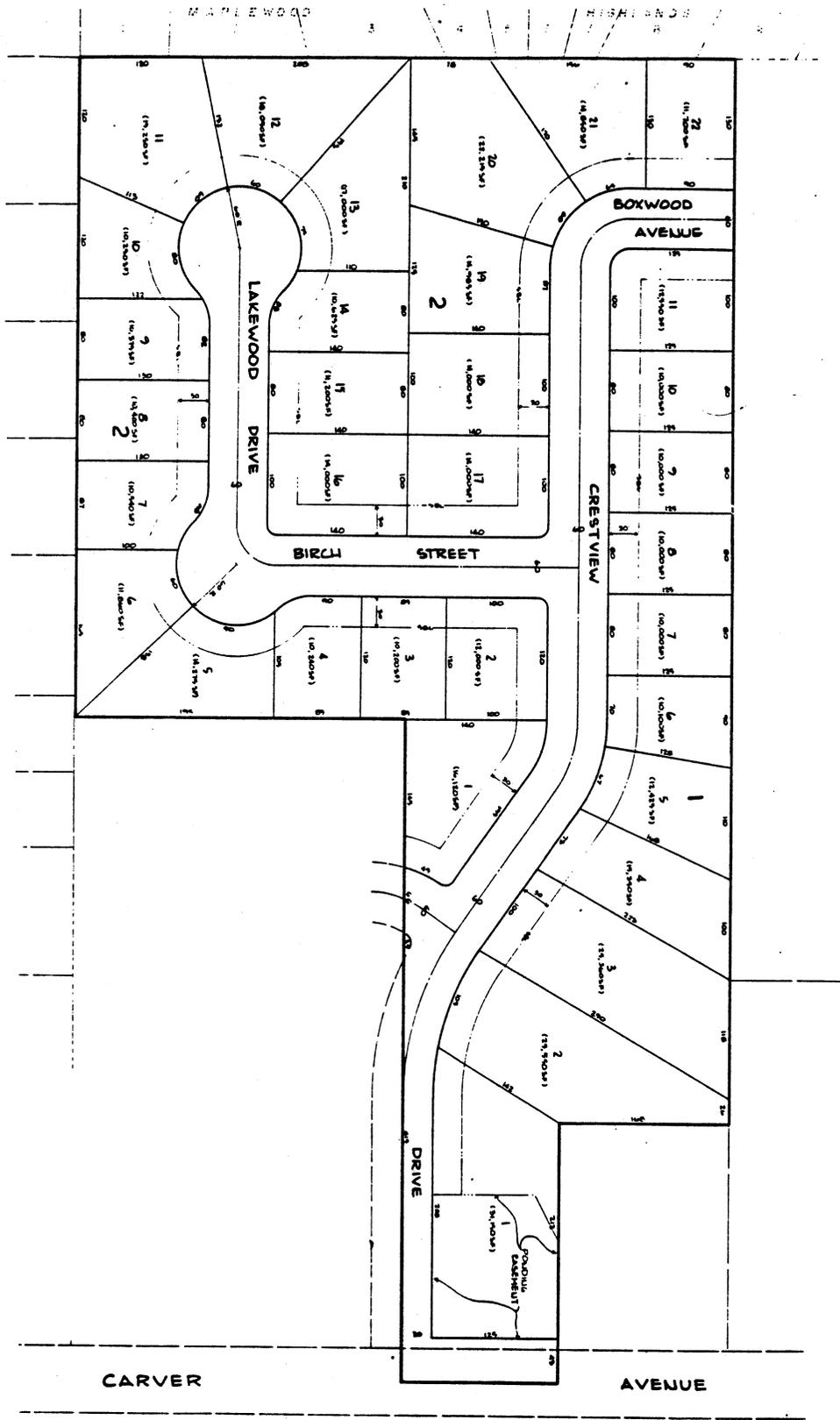
HIGHWOOD NEIGHBORHOOD LAND USE PLAN





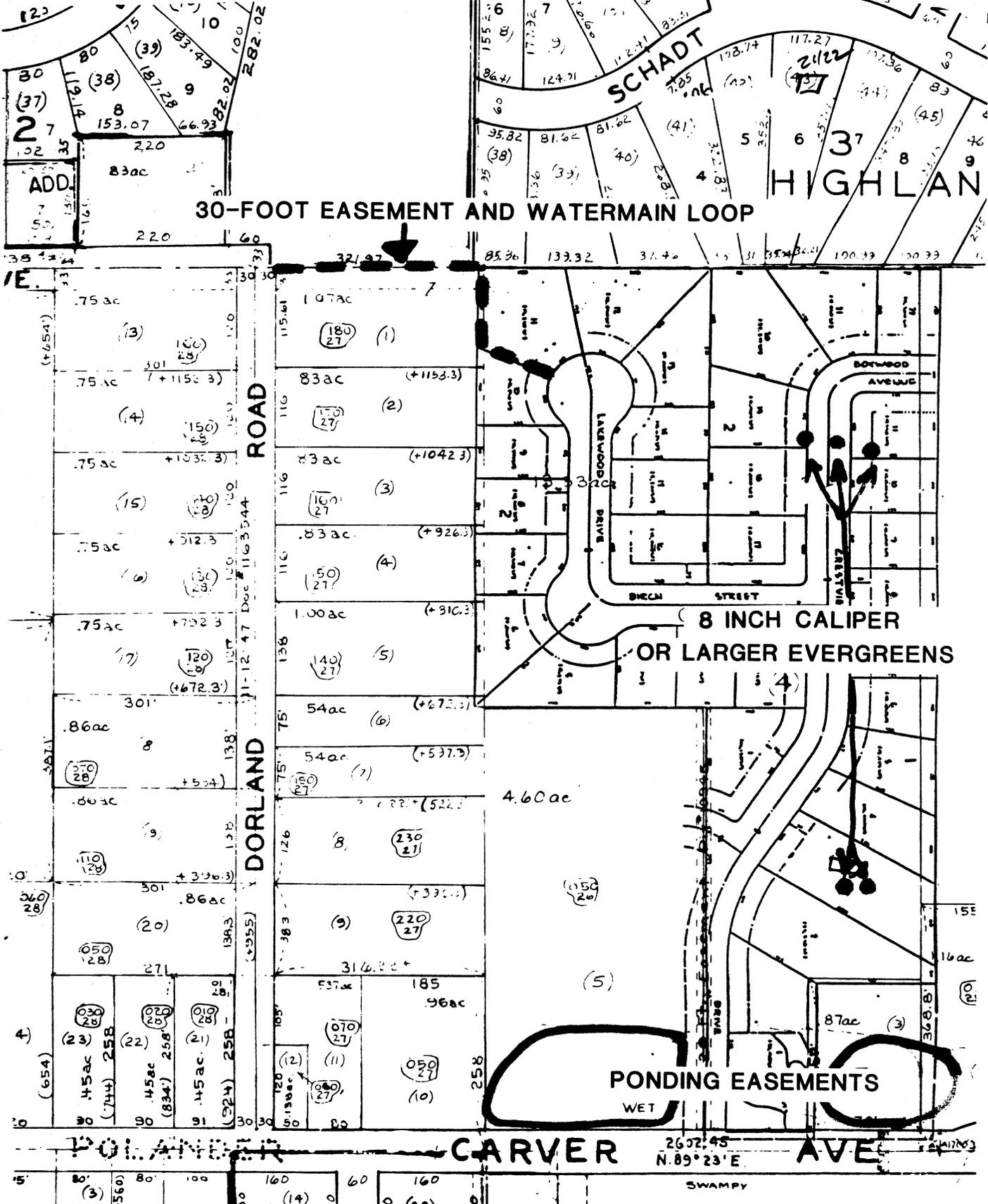
PROPERTY LINE / ZONING MAP



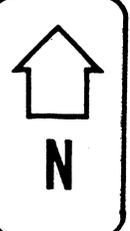


PRELIMINARY PLAT
 MARK'S NATURE HAVEN





SIGNIFICANT TREES AND REQUIRED EASEMENTS



November 27, 1989

Geoff Olson
Director of Community Development
City of Maplewood, Minnesota

Subject: Proposed Preliminary Plat
Pacesetter Property Management, Inc.

Dear Geoff;

Thank you for the opportunity to have some input on the plating of the property located to the rear of 2413 Carver Avenue. Also for the time that Kenneth Roberts spent with me in discussion of the property.

As I stated to Ken, I am in favor of the proper plating and development of the property but I do have some reservations and/or comments about this attempt. They are basically the same as I expressed at the time of the last proposed plating that was turned down in June of 1978.

While the proposal does not appear to exceed the density requirements of the City Plan, it is inconsistent with the density of the developed and developing lands which abut it. This plat has only 4 lots less than the plat of Miller's Battle Creek Addition, 1978. The density discussed at that time was closer to an average of 2 lots per gross acre. This average would yield approximately 26 to 27 lots total.

Also the long dead end streets or cul-de-sac streets are still a problem with this plat as they were with the earlier proposals. This weakness, along with the need for information about the land use of the property to the Southwest, 4.6 Acres, and the 16 Acres to the East presents a question

as to the proper alignment of the proposed roads. One cannot tell whether they will meet the need of the adjacent property or not. They present public safety problems and added drainage questions. They show no regard for the steep grades that would be encountered.

The environmental considerations that were discussed on the earlier proposed plat are still present today and should be of major concern. The gully through the center of the property must be handled with extra care. Properly engineered grading to cope with the soil, slope and storm water flow is essential.

In conclusion, I would like to state that I am fully confident that you will review this plat with the competence your office has shown in the past. I am available at most any time if I can be of any assistance to you or your staff or to the developer.

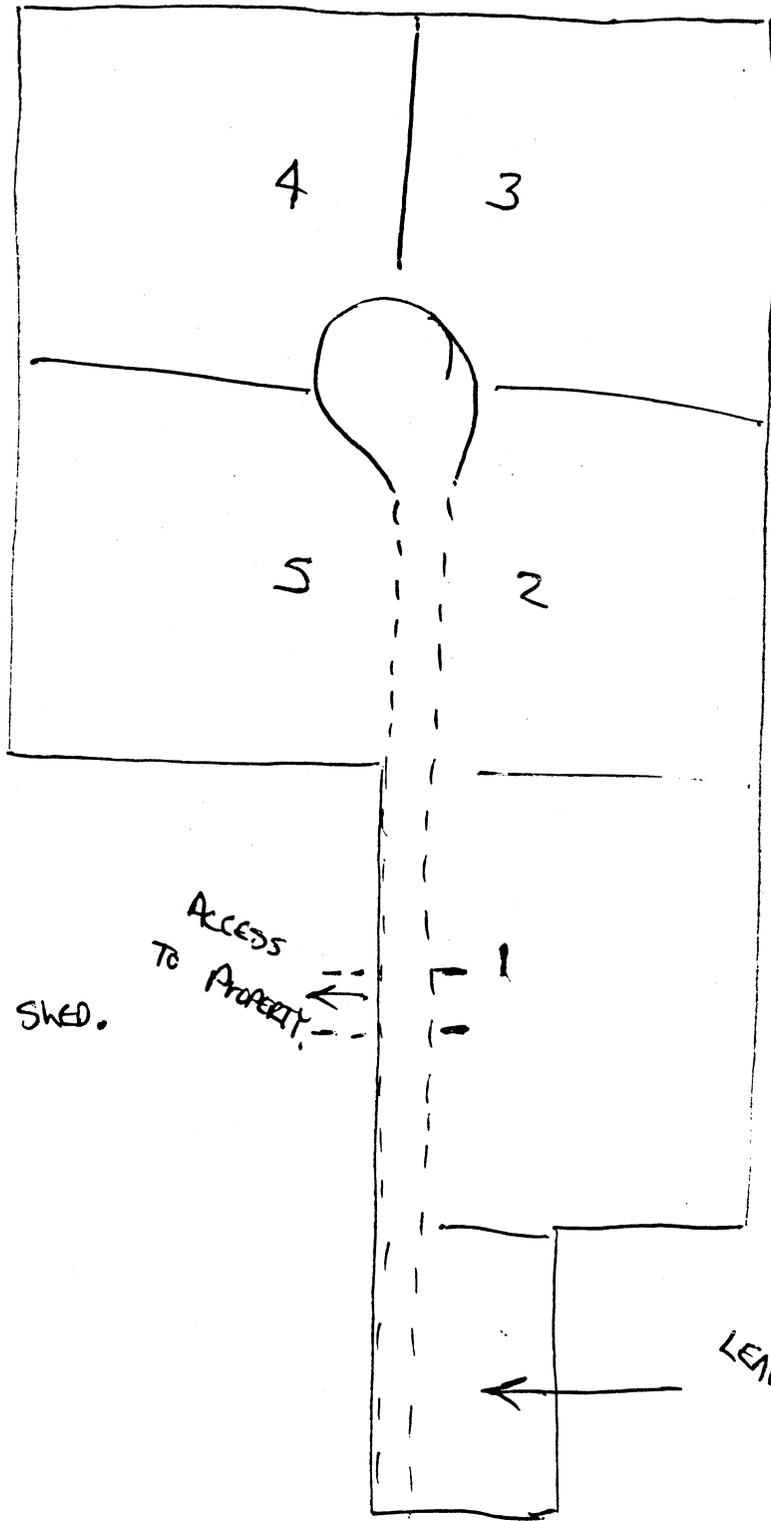
Thank you for your time and consideration of the comments I have given on this plat.

Yours Sincerely,

A handwritten signature in cursive script that reads "Roger W. Singer". The signature is written in black ink and is positioned below the typed name.

Roger W. Singer
1250 Dorland Rd.
Maplewood, Mn. 55119

- 1) I live at 2405 Carver Ave., adjacent to the proposed development. I want to know how the developers are going to handle the spring run off water when it runs off all the hills they plan to develop. I know for a fact that when warm weather hits as it has in the past four springs since I've lived there, four inch deep river of water runs down my driveway and cuts large grooves in the yard of the property they bought.
- 2) I'm also not in favor of the number of houses in this development. I think the city should make the developer follow continuity of the existing developers, for example the community that is being built just on the top of the hill from this land. The lots are larger, the houses are larger, instead of the dense layout that they have scheduled. ~~_____~~
~~_____~~. I suggest larger lots, larger homes, and less traffic.
- 3) After the state remolded Hwy 61, they merged Bailey Rd, with Carver Ave, in the same intersection, which makes it virtually impossible to access 61 in rush hour. With 33 homes, which means 66 more cars to that intersection, only shows me big time traffic problems.
- 4) I also want to address the problem of water, sewer, and gas service to which I am now connected in Carver Ave. When the developer puts in a new street they will disturb my service. I want to know how it will be connected and how long it will take. Another question that has to be answered for various reasons, is the street's water, sewer, and gas stubs, that should be provided so the land behind my house and barn does not become land locked, should something happen to me or whatever.



*
~~DEVELOPER~~ PAYS
 ALL EXPENSES FOR WATER SHED.

* 5 LOTS.

← LEAVE POND NATURAL

November 5, 1989

Geoff DLson
AICP
Director of Community Development

Dear Mr. Geoff Olson:

Our Concerns and some of our questions:

We will need in a written statement, what you as the Director of Community Development will do if and when:

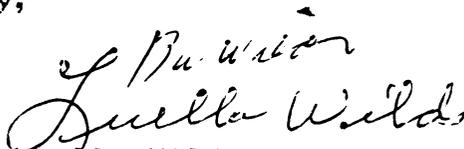
1. The runoff of water from this project comes from the northside of Carver Ave, under the culvert and fills the swamp on the south side , and deteriorates the driveway to 2410 Carver Ave.
2. The driveway is still in unstable condition since they put the waterline in on Carver Ave about 15 years ago. NO ONE will or has taken the responsibility for filling it in properly. We have made a number of calls to find out who should do it, but everyone is passing it to the next company.

So in closing, we can not make any comments in favor or not of this project until we know what all of the probabilities are.

We have enclosed a map of where our property is located.

If you would like to have us show you, what we are speaking about feel free to call. Our phone# is 735-8879.

Sincerely,



Robert & Luella Wilds
2410 Carver Ave.
Maplewood, MN 55119

Attachment 7

REZONING RESOLUTION

WHEREAS, Pacesetter Property Management, Inc. initiated a rezoning from F, farm residence district to R-1, single-dwelling residential for the following-described property:

The West 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 24, Township 28, Range 22, except the South 256 feet of the East 170 feet thereof, also except the West 1/2 of the Southwest 1/4 of said Northeast 1/4 of the Northwest 1/4.

This property is also known as 2413 Carver Avenue, Maplewood;

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

1. This rezoning was reviewed by the Maplewood Planning Commission on _____, 1990. The Planning Commission recommended to the City Council that said rezoning be _____.
2. The Maplewood City Council held a public hearing on _____, 1990 to consider this rezoning. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

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

1. The proposed change is consistent with the spirit, purpose and intent of the zoning code.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
3. The proposed change will serve the best interests and conveniences of the community, where applicable and the public welfare.
4. The proposed change would have no negative effect upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.

Adopted this _____ day of _____, 1990.

land use plan for the property west of 1055 Gervais Avenue and south of Gervais Avenue extended from RL, residential low density to BW, business warehouse, on the basis that:

- (1) The property has been zoned M-1, light manufacturing for many years.
- (2) The property could be developed for commercial use, if truck traffic is not allowed through the conditional use permit process, without adverse affect to surrounding uses.
- (3) The properties to the east are developed commercially.

Commissioner Gerke seconded

Ayes--Barrett,
Cardinal, Fischer,
Gerke, Larson,
Rossbach, Sletten

6. NEW BUSINESS

a. Preliminary Plat and Rezoning: Mark's Nature Haven

Tom Ekstrand, Associate Planner, presented the staff report.

Greg Frank, representing the applicant, said he objected to conditions 2. a., c., d., and h of the staff recommendation. Mr. Frank said this proposal would be economically unfeasible since financing must cover all of the lots, but only a limited number of lots could be sold.

Commissioner Rossbach moved the Planning Commission recommend:

- (1) Approval of the resolution rezoning this property from F, farm residential to R-1, single dwelling residential.
- (2) Approval of the preliminary plat for Mark's Nature Haven, subject to the following conditions being satisfied before final plat approval:
 - (a) Lot 11, Block 1 and Lots 3-16 and 19-22, Block 2, shall be designated as an outlet and shall not be platted for construction until Boxwood Avenue is connected to Schadt Drive.

- (b) A tree replacement plan shall be submitted for the approval of the Director of Community Development prior to grading or final plat approval. This plan shall designate the large trees that are to be removed, where their replacements will be planted and those to be retained.
- (c) The applicant shall secure off-site drainage easements over the existing holding pond on the east side of future Crestview Drive north of Carver Avenue. These shall be dedicated to the City as permanent easements.
- (d) The applicant shall secure an off-site utility easement for watermain connection to the existing main at the intersection of Boxwood Avenue and Dorland Road. The applicant shall construct this utility connection, which shall be a twelve-inch watermain, as part of the watermain installation from Lakewood Drive to Carver Avenue.
- (e) Crestview Drive and Boxwood Avenue shall have a pavement width of 36 feet. This street shall be posted for no-parking along the east side.
- (f) The right-angle curve at the intersection of Crestview Drive and Boxwood Avenue shall be redesigned as a 90-foot-radius curve, as measured along the center of the road.
- (g) Standard City street lights shall be installed at the intersection of Carver Avenue and Crestview Drive, and Birch Street and Crestview Drive. A third shall be required near the easterly lot line along Boxwood Avenue at the time Boxwood Avenue is extended. The exact location is subject to the approval of the City Engineer.
- (h) The proposed six-foot-wide drainage/utility easements along all common side property lines shall be changed to five feet so sideyard setback requirements can be met.
- (i) A temporary 100-foot-diameter cul-de-sac bulb easement shall be granted to the City for the temporary dead end of Crestview Drive.

- (j) A signed developer's agreement shall be submitted, with required surety, for all required public improvements, erosion control and tree replacement. This agreement shall include a requirement for the placement of temporary fencing during construction around woodlots to be saved.
- (k) The plat shall be revised so that Crestview Drive would be entirely within the applicant's site and so Lot 1, Block 2, would meet all lot width and frontage requirements.
- (l) The small remnant piece of land south of the proposed east-west street south of Lot 1, Block 2, shall be deeded to the owners of 2405 Carver Avenue or the City of Maplewood.
- (m) A deed to convey an outlet to the City for a one-foot-wide strip of land between the Crestview Drive right-of-way and the west lot line, from Carver Avenue to the proposed east-west stub street. A restriction shall be recorded against the title stating that this outlet may not be used for access to Crestview Drive or transferred to another ownership until a fair reimbursement of costs for street, water and sewer is made to the City. The City Council shall determine what a fair reimbursement is. The City shall then attempt to reimburse this money to the developer. If the developer cannot be located, the City shall retain this money.

Commissioner Larson seconded

Ayes--Barrett,
Cardinal, Fischer,
Gerke, Larson,
Rossbach

Nays--Sletten

7. VISITOR PRESENTATIONS

8. COMMISSION PRESENTATIONS

a. January 8 Council Meeting

Commissioner Gerke reported on the January 8 meeting.

b. Representative for the January 22 Council Meeting: Bob Cardinal

#-1
RECEIVED
FEB 14 1990

BANNIGAN & KELLY, P.A.

ATTORNEYS AT LAW
409 MIDWEST FEDERAL BUILDING
5TH AND CEDAR
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JOHN F. BANNIGAN, JR.
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JANET M. WILEBSKI

FAX (612) 223-8019

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

February 13, 1990

Mr. Michael McGuire
Maplewood City Manager
Maplewood City Hall
1830 East County Road B
Maplewood, MN 55109

RE: *Walter Street Improvement Project No. 84-14*

Dear Mr. McGuire:

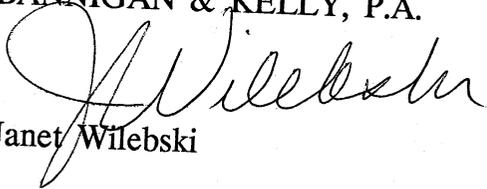
This letter is to advise that the assessment appeals on the above project which were made by Mr. and Mrs. Gerald Johnson and Mr. and Mrs. Frank Silberbauer were scheduled for trial on Thursday, February 8, and this office, on behalf of the City, appeared before the Honorable Otis Godfrey at 9:00 that morning for trial. Because of an intervening pre-trial conference which Judge Godfrey conducted that morning, we waited until 11:30 and at that time the Judge instructed us to come back at 2:00. During that time, the owners' attorney agreed to settle the case as follows:

1. As to the Johnsons, \$5,000 (prior to preparing for trial, we had offered to settle for \$5,750).
2. As to Silberbauers, \$12,000 (this is the amount we had been requesting as a settlement since prior to trial).

We recommend this settlement to the City Council and we propose to draft a Stipulation of Settlement and Dismissal for signature by both the owners and the City.

Respectfully submitted,

BANNIGAN & KELLY, P.A.


Janet Wilebski

JW:cd

Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

MEMORANDUM

TO: City Manager
FROM: City Engineer
SUBJECT: Mall Area Traffic Study
DATE: February 21, 1990

The attached study is submitted for discussion at the Thursday, February 22, 1990 meeting. It has also been put on the agenda for February 26, 1990 in the event the council wants to take any action.

KGH

jw
Attachment

**MAPLEWOOD MALL AREA
TRAFFIC STUDY**

FEBRUARY 20, 1990

PREPARED BY:

SRF **STRGAR-ROSCOE-FAUSCH, INC.**
CONSULTING ENGINEERS
TRANSPORTATION ■ CIVIL ■ STRUCTURAL ■ PARKING ■ LAND SURVEYORS

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SRF NO. 0891276

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INTRODUCTION

Study Purpose

The Maplewood Mall area has experienced a significant increase in traffic in the past few years. This in combination with the current location and configuration of the I-694 interchanges, arterial streets and signalized intersections causes serious traffic congestion problems during the peak periods. The problem is expected to get much worse with the completion of the proposed development just west of the Maplewood Mall and the future development of additional areas. This creates an ever increasing need for improved access to the area for both the long and short term.

In response to these issues, the City of Maplewood has initiated this traffic study to more fully understand the potential impacts of the proposed development and to resolve access and circulation problems in the area.

Study Area

For the purposes of this analysis, the study area is generally defined as the area south of Edgewater/Buerkle Road, east of Trunk Highway 61, west of White Bear Avenue and north of Beam Avenue (see Figure 1 for Study Area).

EXISTING CONDITIONS

Existing Study Area Land Use

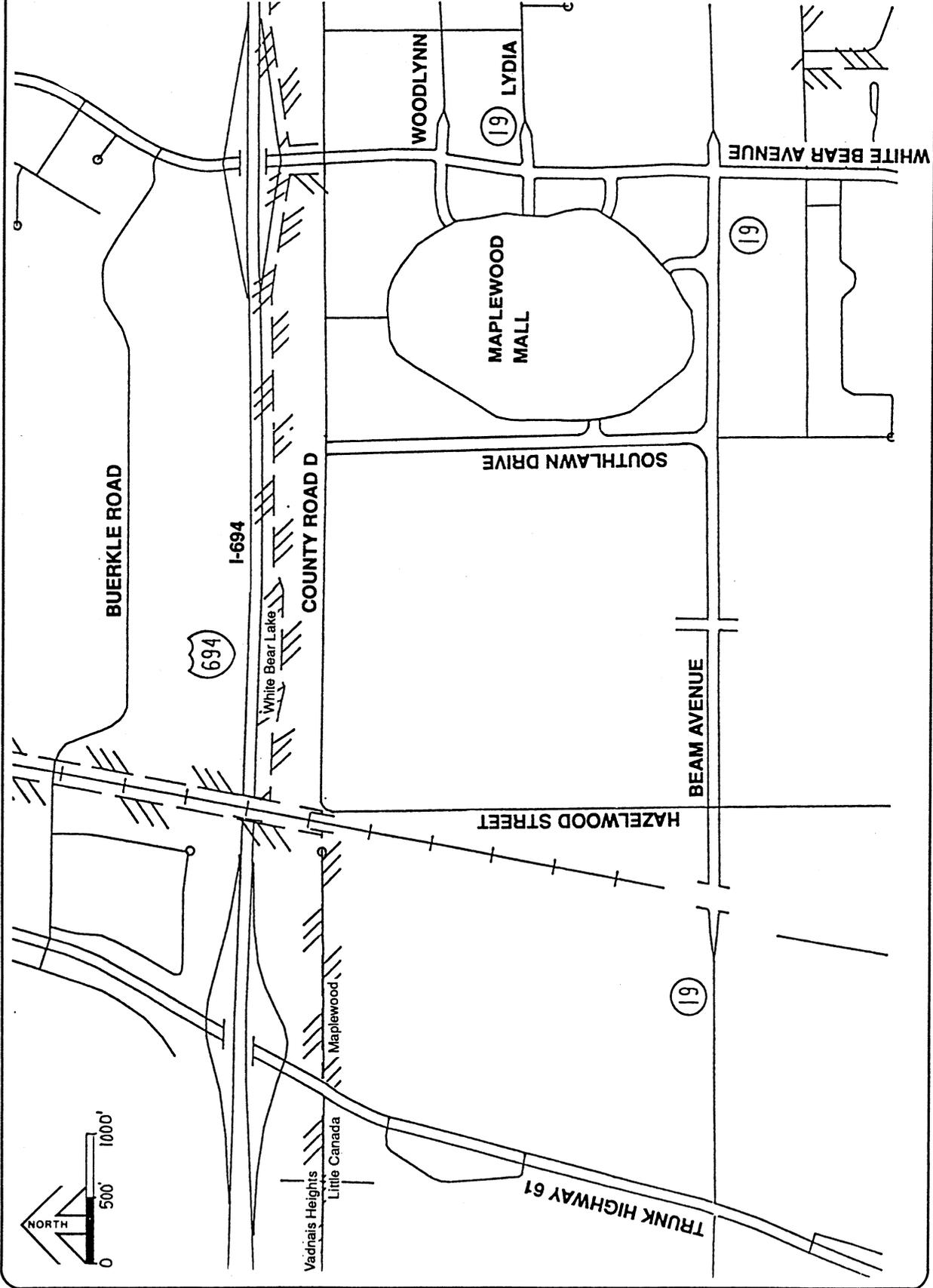
The land use within the existing study area is shown on Figure 2. This information was generalized from aerial photos of the study area and other information obtained from the City of Maplewood.

Roadway Network/Functional Classification

The existing study area roadway network and assumed functional classifications (shown on Figure 3) were compiled from the existing traffic volume data and other available information from the Metropolitan Council.

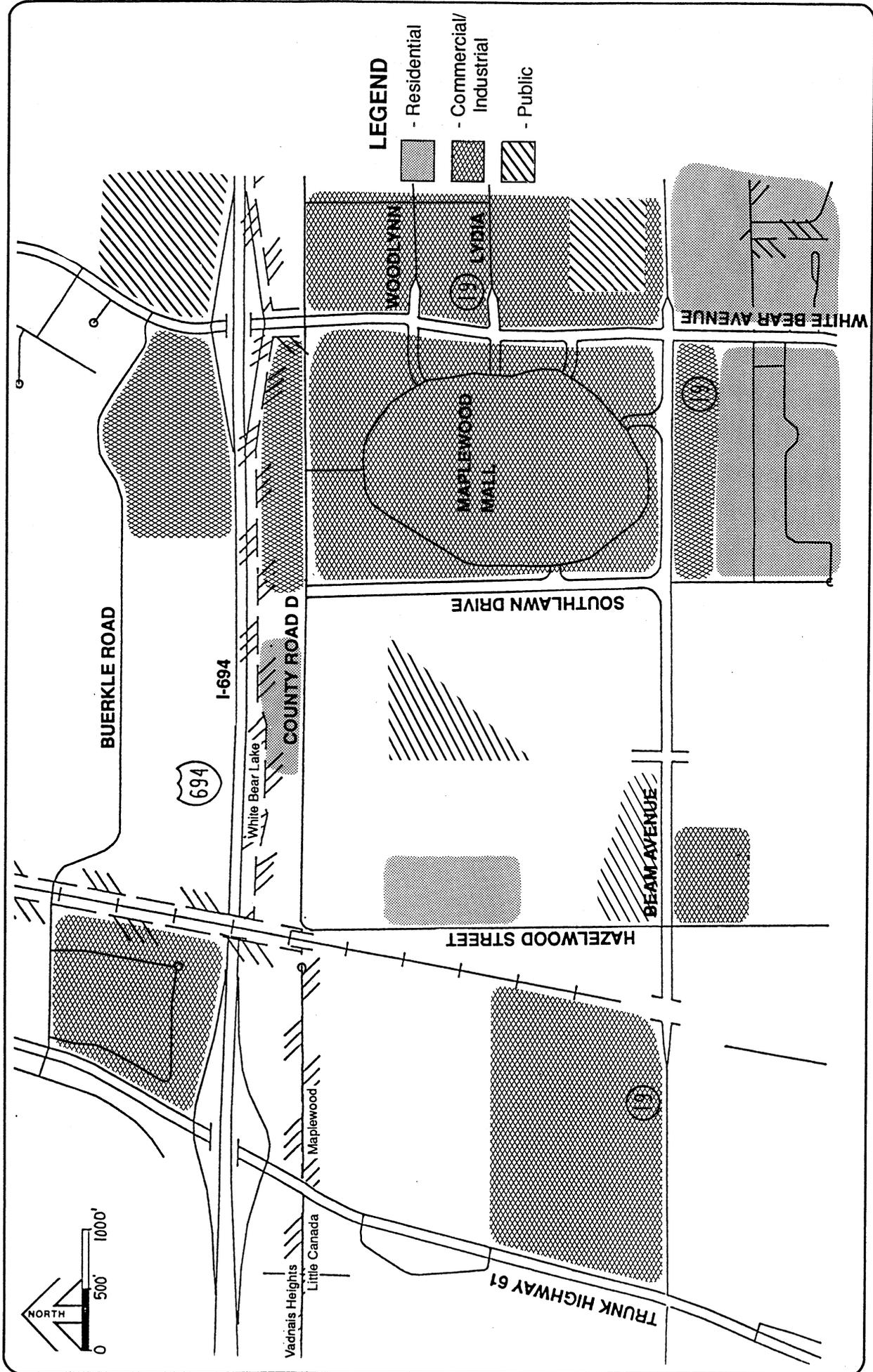
Existing Traffic Volumes

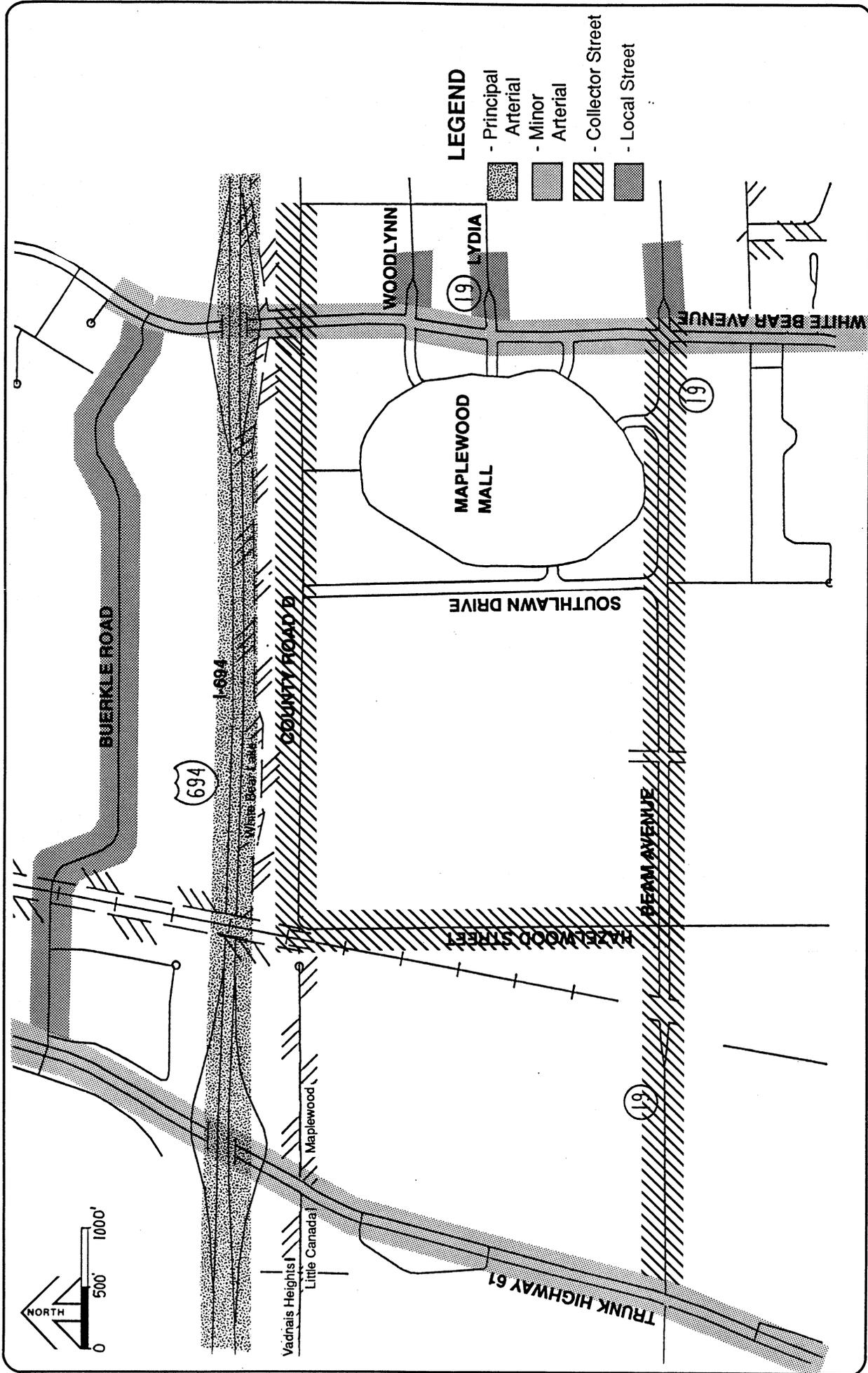
The existing traffic volumes on the major roadways within the study area are shown on Figure 4. These volumes were obtained from traffic counts made by the Minnesota Department of Transportation (Mn/DOT), Ramsey County and the City of Maplewood.

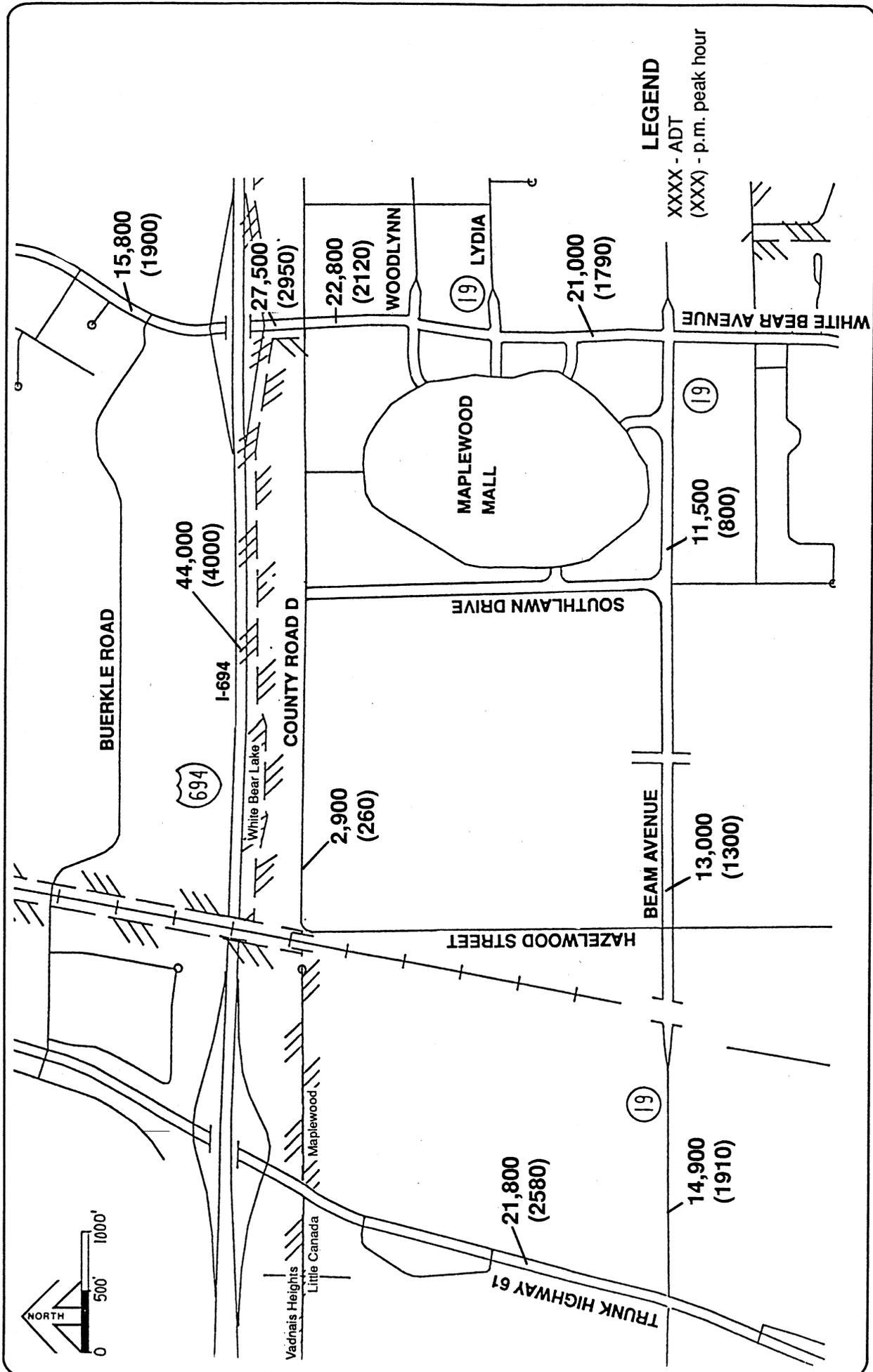


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Maplewood Mall Area Traffic Study
Study Area





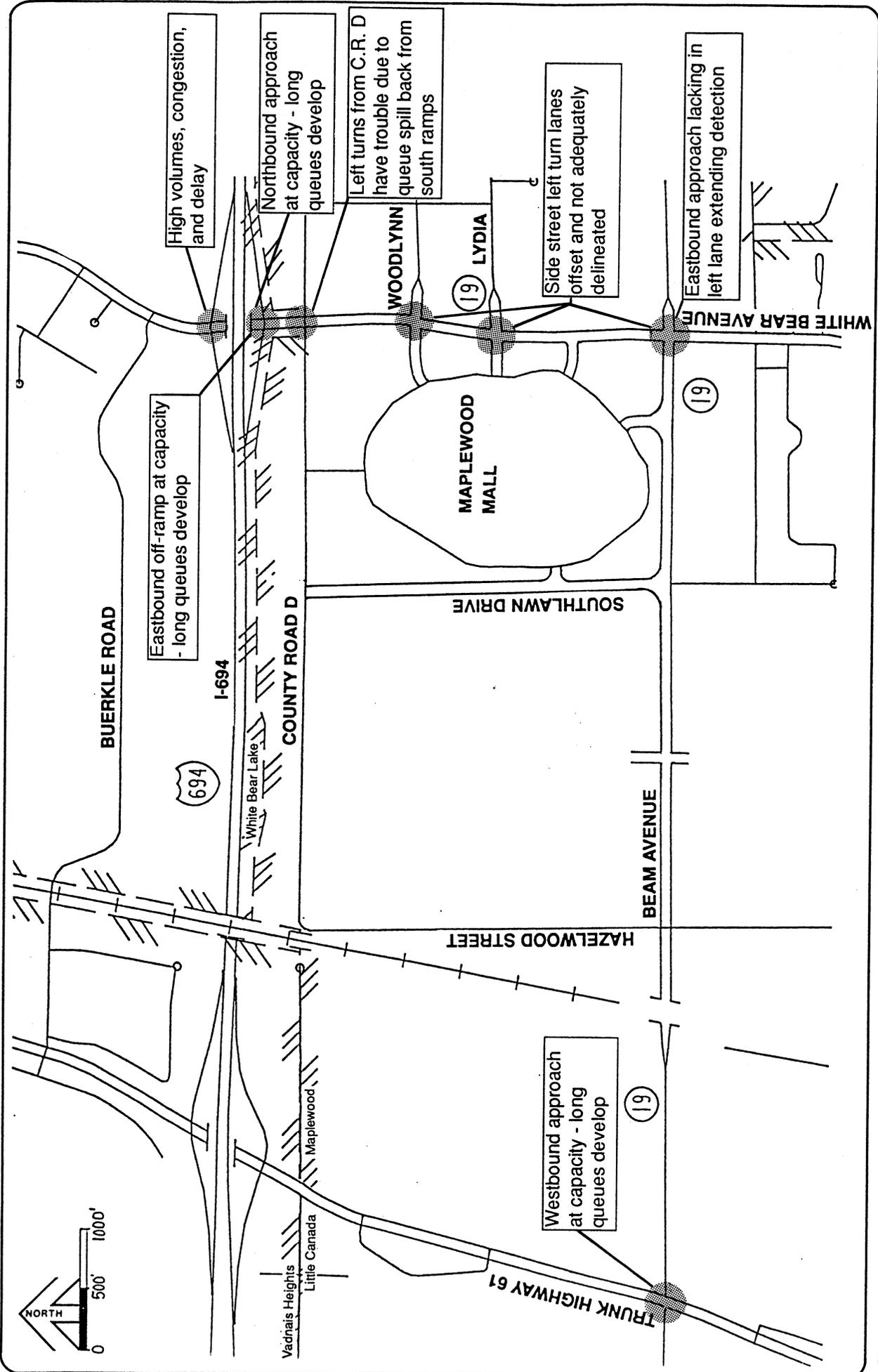


Existing Traffic Operations

Staff at Strgar-Roscoe-Fausch, Inc. observed traffic operations at all key intersections in the study area. Capacity analysis calculations were run on all signalized intersections in the study area using the Highway Capacity Software signalized module. Discussions with the City staff provided further information on additional operational problems.

As a result of those investigations, the following problems were noted and are listed below (see Figure 5 Operations Summary):

1. Traffic on the eastbound off-ramp at the I-694/White Bear Avenue interchange form long queues due to the large volume of right-turning vehicles.
2. The distance on White Bear Avenue between the south ramps and County Road D is approximately 300 feet. Traffic frequently backs up from the south ramps through this area making it difficult for traffic to exit County Road D and turn left.
3. The side street approaches to White Bear Avenue at County Road D, Woodlynn, Lydia and Beam Avenue are not adequately delineated to indicate turning lanes. These approaches may also lack appropriate vehicle detectors to ensure that the green interval remains on long enough to clear left turning vehicles.
4. The intersections of White Bear Avenue and County Road D, Woodlynn, Lydia and Beam Avenue have offset inside lanes. This creates a hazardous sight restrictive problem for left-turning traffic.
5. Traffic on the westbound approach to the intersection of T.H. 61 and Beam Avenue experience long queues of waiting vehicles due to the high volume of left turns using the single lane approach to the intersection.
6. The eastbound approach to White Bear Avenue on Beam Avenue is not delineated to indicate turning lanes. The eastbound left lane may be also lacking vehicle detectors to adequately extend the green interval for Beam Avenue.
7. The internal circulation of traffic within the Maplewood Mall area experiences operational problems due to too many access locations to their ring road.
8. The approaches to Beam Avenue on Hazelwood Street are not delineated to indicate turning lanes.
9. Traffic turning left onto the westbound and eastbound on-ramps to I-694 frequently spill back onto White Bear Avenue and block the inside through lane.



FUTURE CONDITIONS

Proposed Development

In order to analyze the roadway system for future conditions, it is important to study the additional development that is expected to occur in the area. The proposed development will have large impacts on the traffic operations in the future. The anticipated future development parcels are shown in Figure 6 and the land use and trip generation projections are listed in Table 1.

The traffic model used to develop the traffic forecasts is based on a microcomputer program called TRANPLAN. The principal component of the traffic model is a network that represents the street and highway system in the area. A trip table is used to define the origin and destination of each trip based on regional as well as local travel.

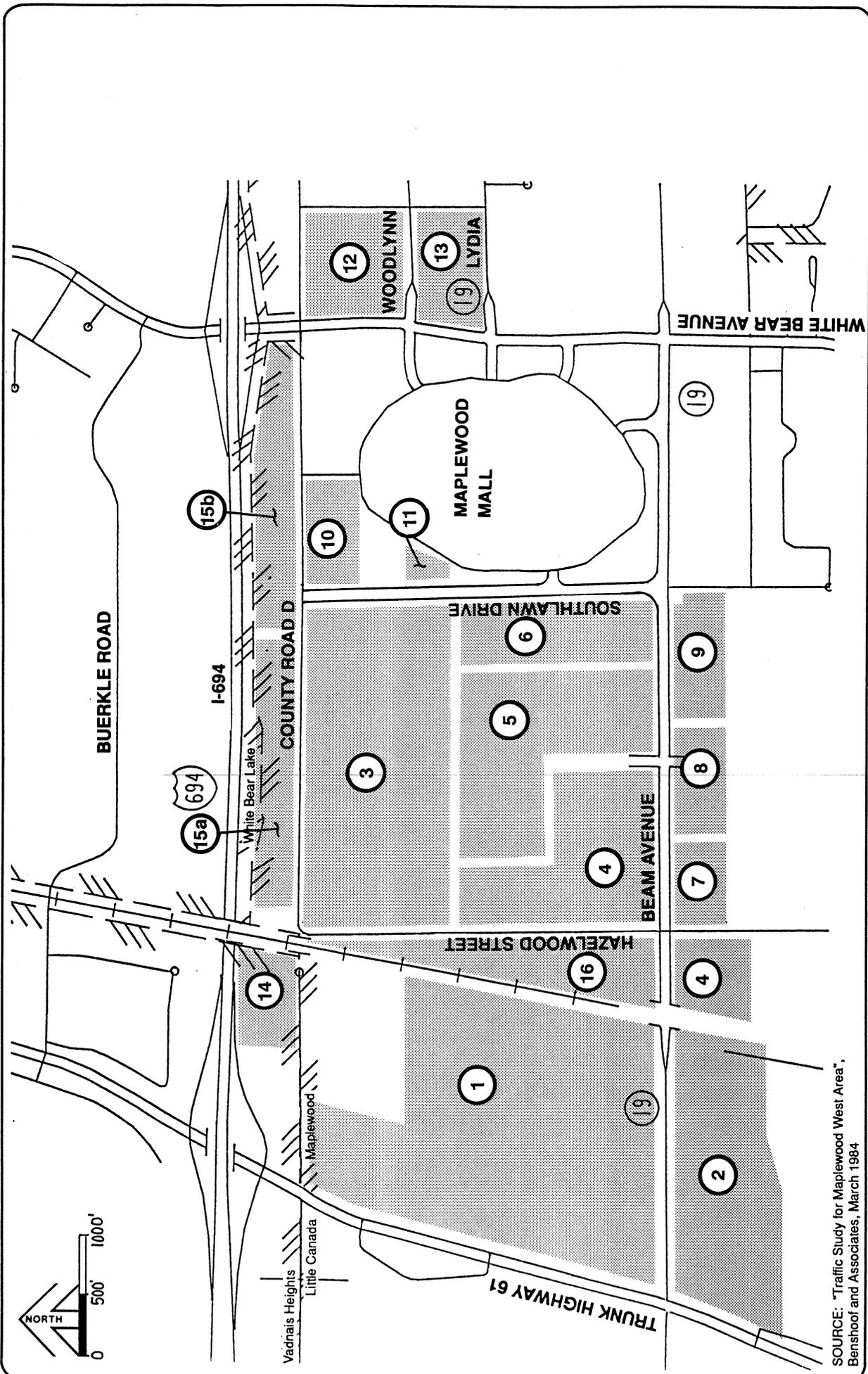
The base network and trip table used in this study represent the year 2010 and were obtained from the Metropolitan Council and Mn/DOT who have the responsibility for maintaining this information for the entire region. In order to better replicate the study network, the following refinements were made:

- . The regional network was modified to include all of the arterial and collector streets in the study area.
- . The system of zones was modified to create more consistency with the study area.
- . The trip table was modified to distribute the trips to the new zones.

The future network and trip table used in this study to evaluate alternative roadway systems includes the additional trips from the proposed development. The land use assumptions used in the Benschoff and Associates, Inc. report were used. The trip generation used in that report was revised to coincide with the 4th edition of the ITE Trip Generation Manual. The trip generation did not assume a reduction factor for multi-purpose trips remaining within the Maplewood Mall area. The direction of approach and trip distribution used are based on the regional model and trip table developed by the Metropolitan Council.

DESCRIPTION OF ALTERNATIVE ROADWAY SYSTEMS

Alternative roadway systems were developed for evaluation purposes. These alternative systems would improve the access to the Maplewood Mall and proposed development site and to relieve the congestion on the surrounding street network. These alternative roadway systems will fall into the long-range improvement category.



SOURCE: "Traffic Study for Maplewood West Area",
Benshoof and Associates, March 1984

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Maplewood Mall Area Traffic Study
Anticipated Future Development Parcels

TABLE 1
LAND USE AND TRIP GENERATION PROJECTIONS

Parcel No. from Figure 6	Type of Use	Size Sq. Ft. or No. of DU's	P.M. Peak Hour Rates		Trips	
			In	Out	In	Out
1.	Office/Warehouse	1,000,000 Sq. Ft.	0.28	0.98	275	975
2.	Commercial	100,000 Sq. Ft.	1.10	1.15	110	115
	Mid-Density Housing	350 DU's	0.41	0.21	145	75
3.	Medical Office	24,000 Sq. Ft.	0.83	2.16	25	65
	Medical Clinic	30,000 Sq. Ft.	2.00	2.67	60	80
	Apartments	300 DU's	0.53	0.28	160	85
	Restaurants (3)	27,000 Sq. Ft.	3.89	2.41	105	65
	Office	50,000 Sq. Ft.	0.40	1.90	20	95
	Tennis Club	75,000 Sq. Ft.	0.80	0.80	60	60
	Library - Office	30,000 Sq. Ft.	0.67	4.00	20	120
	- Library	30,000 Sq. Ft.	2.67	2.33	80	70
	Shopping Center	263,000 Sq. Ft.	1.90	2.15	500	565
	Furniture Store	30,000 Sq. Ft.	0.33	0.33	10	10
4.	Maplewood Profes- sional Building	86,000 Sq. Ft.	0.00	3.08	80	265
	Hospital (230 Beds)	230,000 Sq. Ft.	0.48	0.76	110	175
	Out-Patient Center	20,000 Sq. Ft.	0.25	0.50	5	10
	Misc. Self Service Facility	50,000 Sq. Ft.	0.70	1.10	35	55
5.	Retail	130,000 Sq. Ft.	1.04	1.08	135	140
	Office	116,600 Sq. Ft.	0.34	1.63	40	190
	Bank	6 Drive-Up Lanes	15.20	19.80	91	119
	Apartments	370 DU's	0.41	0.23	150	85
	Supermarket	10,000 Sq. Ft.	4.50	4.50	45	45
	Hotel	140 Rooms	0.36	0.32	50	45

TABLE 1
LAND USE AND TRIP GENERATION PROJECTIONS

Parcel No. from Figure 6	Type of Use	Size Sq. Ft. or No. of DU's	P.M. Peak Hour Rates		Hour Trips	
			In	Out	In	Out
6.	Theatre	1,700 Seats	-	-	80	80
	Shopping Center	92,000 Sq. Ft.	1.14	1.20	105	110
7.	Medical Office Building	15,500 Sq. Ft.	5.16	13.23	80	205
	Medical Office Building	52,000 Sq. Ft.	1.54	3.94	80	205
8.	Office	90,000 Sq. Ft.	0.33	1.78	30	160
	Commercial	76,000 Sq. Ft.	1.18	1.25	90	95
9.	Office	45,000 Sq. Ft.	0.44	2.00	20	90
	Commercial	38,000 Sq. Ft.	1.58	1.71	60	65
10.	Commercial	100,000 Sq. Ft.	1.10	1.15	110	115
11.	Restaurant	5,000 Sq. Ft.	4.00	3.00	20	15
12.	Commercial	33,000 Sq. Ft.	1.67	1.82	55	60
	Mid-Density Housing	120 DU's	0.42	0.25	50	30
13.	Mid-Density Housing	88 DU's	0.45	0.23	40	20
14.	Commercial	150,000 Sq. Ft.	1.03	1.07	155	160
15.	High-Density Housing	250 DU's	0.42	0.24	105	60
	Commercial	130,000 Sq. Ft.	1.38	0.77	180	100
16.	Office	200,000 Sq. Ft.	0.30	1.48	60	295
17.	Single Family Resi- dential	25 DU's	0.80	0.40	20	10

The regional network was modified to replicate the operation of each alternative. Traffic forecasts for each alternative were then produced using the TRANPLAN microcomputer model. The traffic forecasts will be used to analyze the alternatives.

Based on analysis of the available traffic data, meetings with City of Maplewood staff and observation of the traffic operations in the area, alternative roadway systems were developed to improve access to the site. As a result, the following alternatives were developed:

Alternative 1--This alternative provides a two-way connection from the eastbound on-ramp at T.H. 61 to the extension of County Road D (see Figure 7). This connection will provide direct two-way access to the Maplewood Mall and proposed development site from the west on I-694.

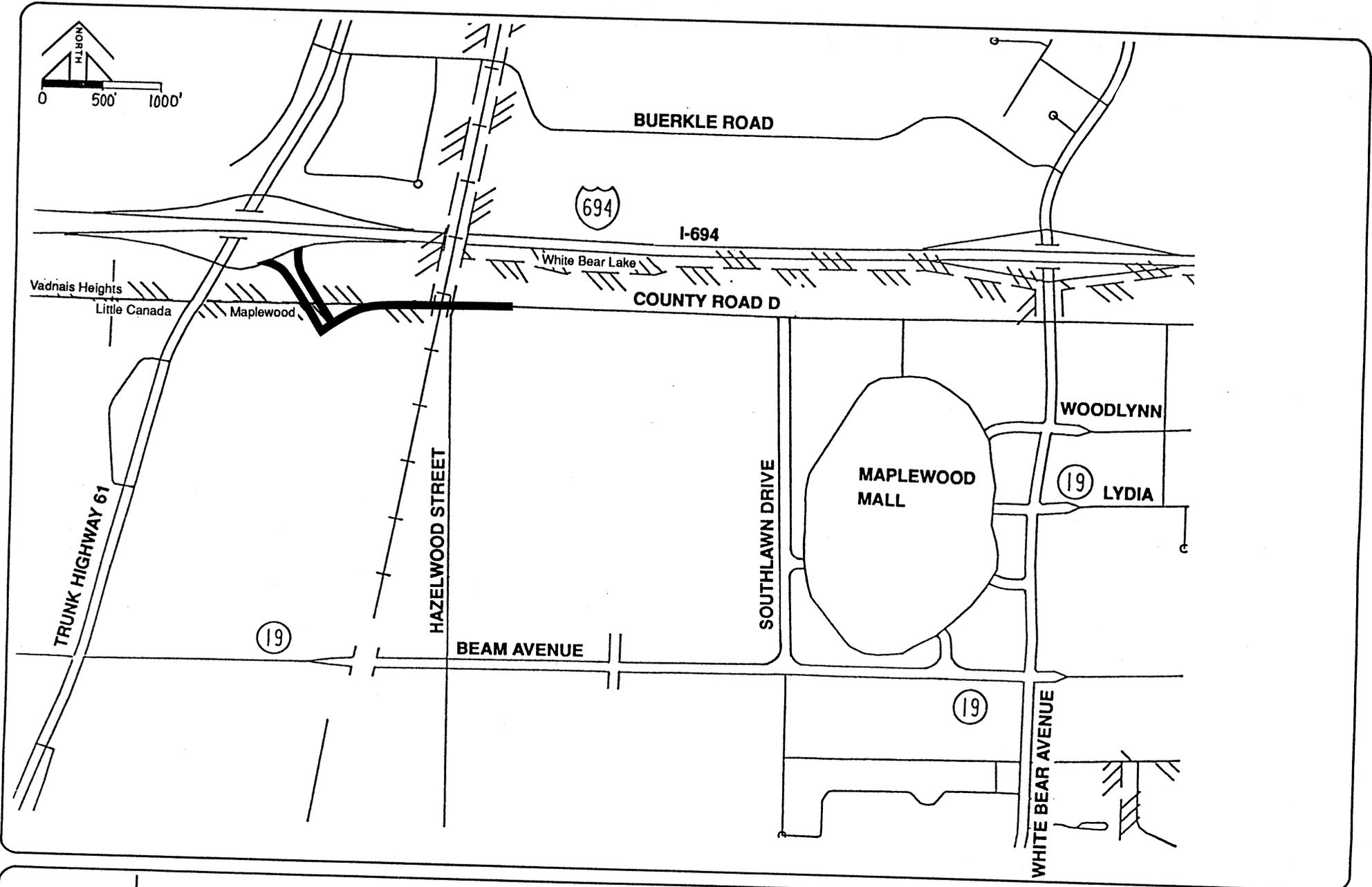
Alternative 1A--This alternative provides the same two-way direct access as Alternative 1. It also extends County Road D further to the west and connects with T.H. 61. This extra connection will provide the site additional access from the west (see Figure 8).

Alternative 2--This alternative provides an additional east-west connection from Hazelwood Street to T.H. 61 (see Figure 9). The connection is located between the I-694 interchange and Beam Avenue. The east-west road will provide additional access from the west as well as relieve congestion on Beam Avenue and its intersecting streets.

Alternative 3--This alternative provides an additional north-south connection from County Road D to Buerkle Road (see Figure 10). The preferred option would extend Southlawn Drive north to Buerkle Road. Other alignments are possible. The additional north-south connection is expected to relieve the congestion at the White Bear Avenue and T.H. 61 interchanges.

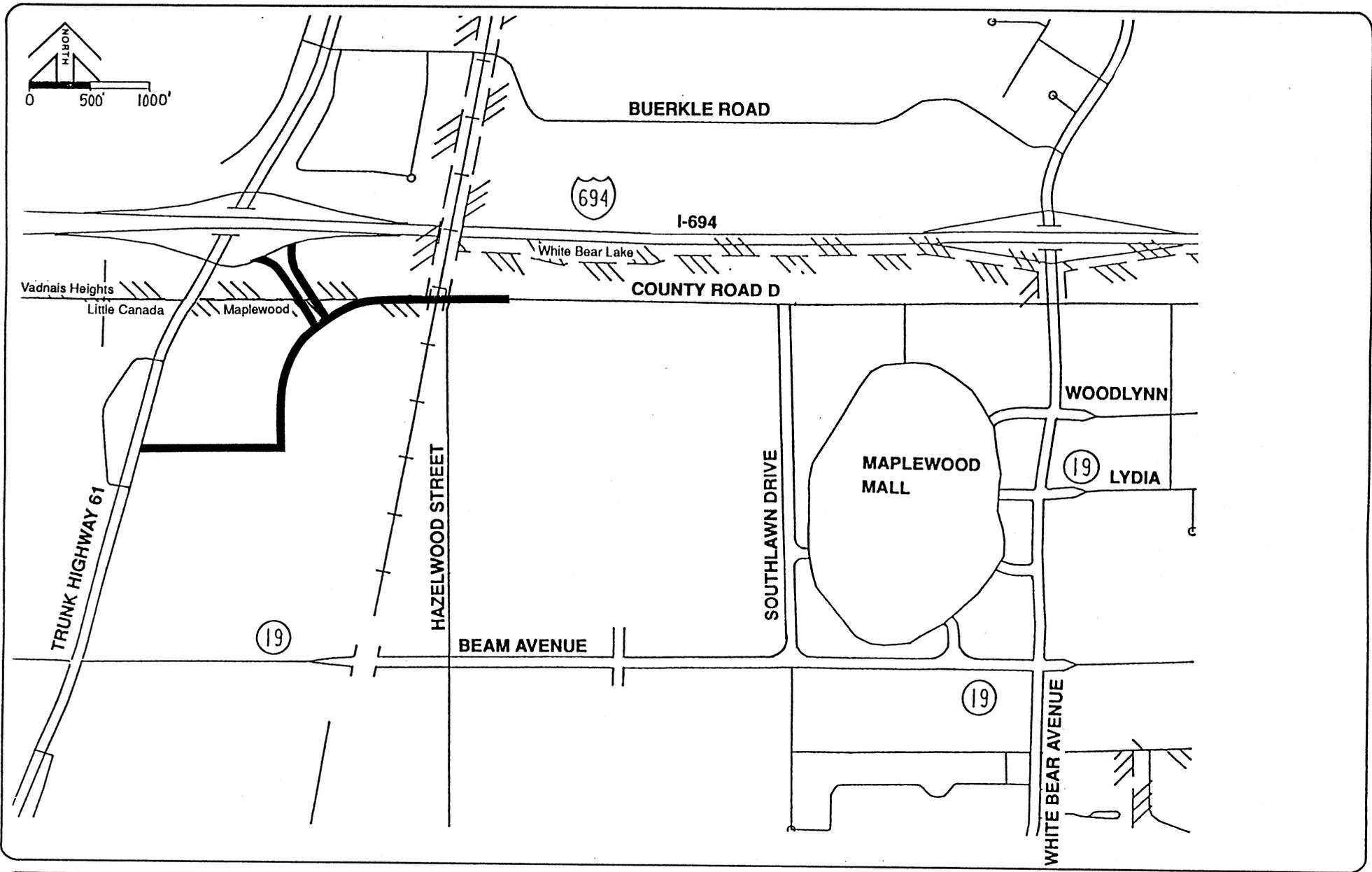
Alternative 3A--This alternative combines the additional east-west and north-south connections contained in Alternatives 2 and 3 (see Figure 11). This alternative is expected to relieve the congestion on all east-west and north-south roadways in the study area.

Alternative 4--This alternative provides a one-way frontage road system between the T.H. 61 and White Bear Avenue interchanges (see Figure 12).



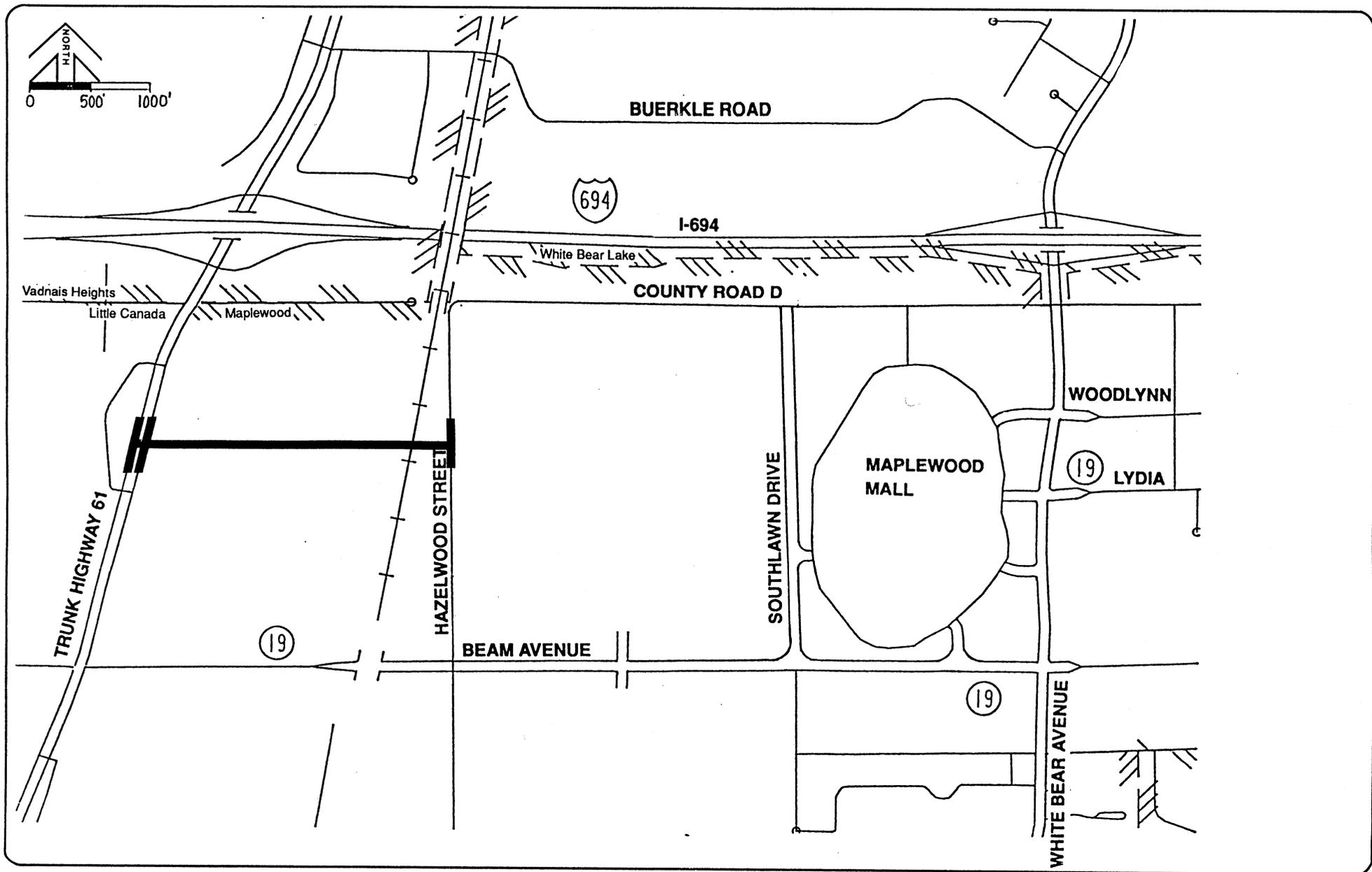
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Maplewood Mall Area Traffic Study
 Alternative 1
 Roadway System



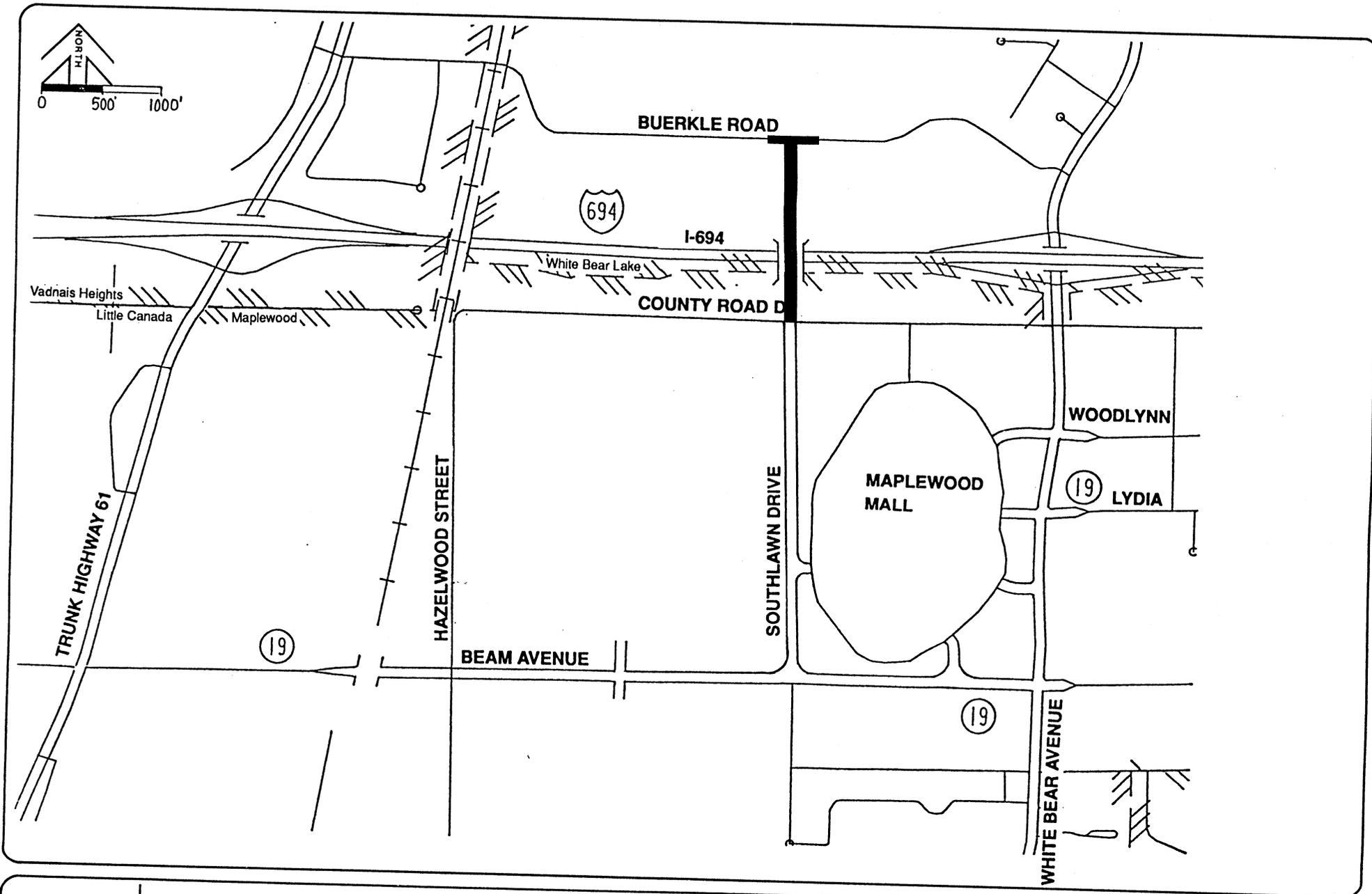
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Maplewood Mall Area Traffic Study
 Alternative 1A
 Roadway System



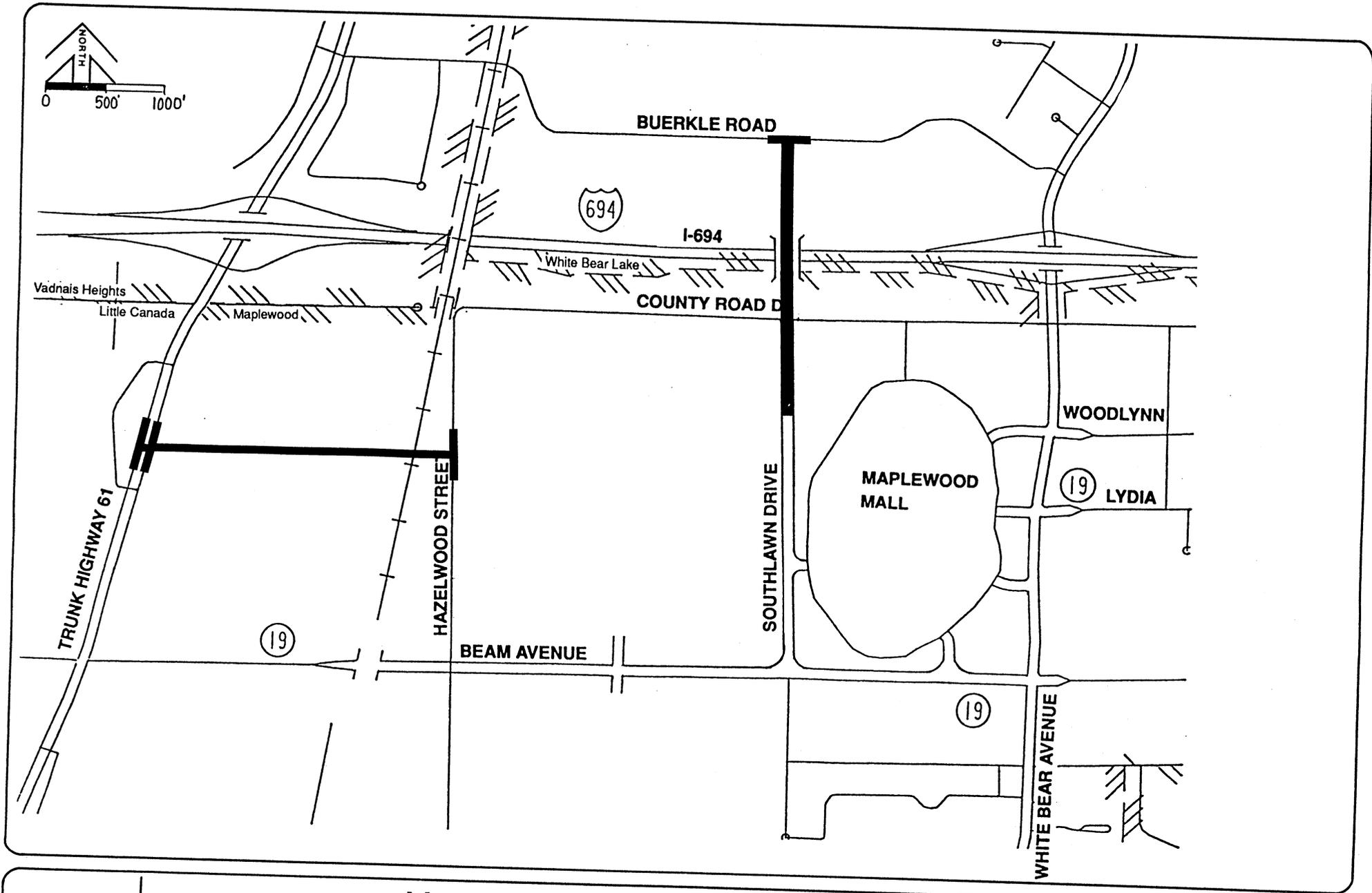
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Maplewood Mall Area Traffic Study
 Alternative 2
 Roadway System



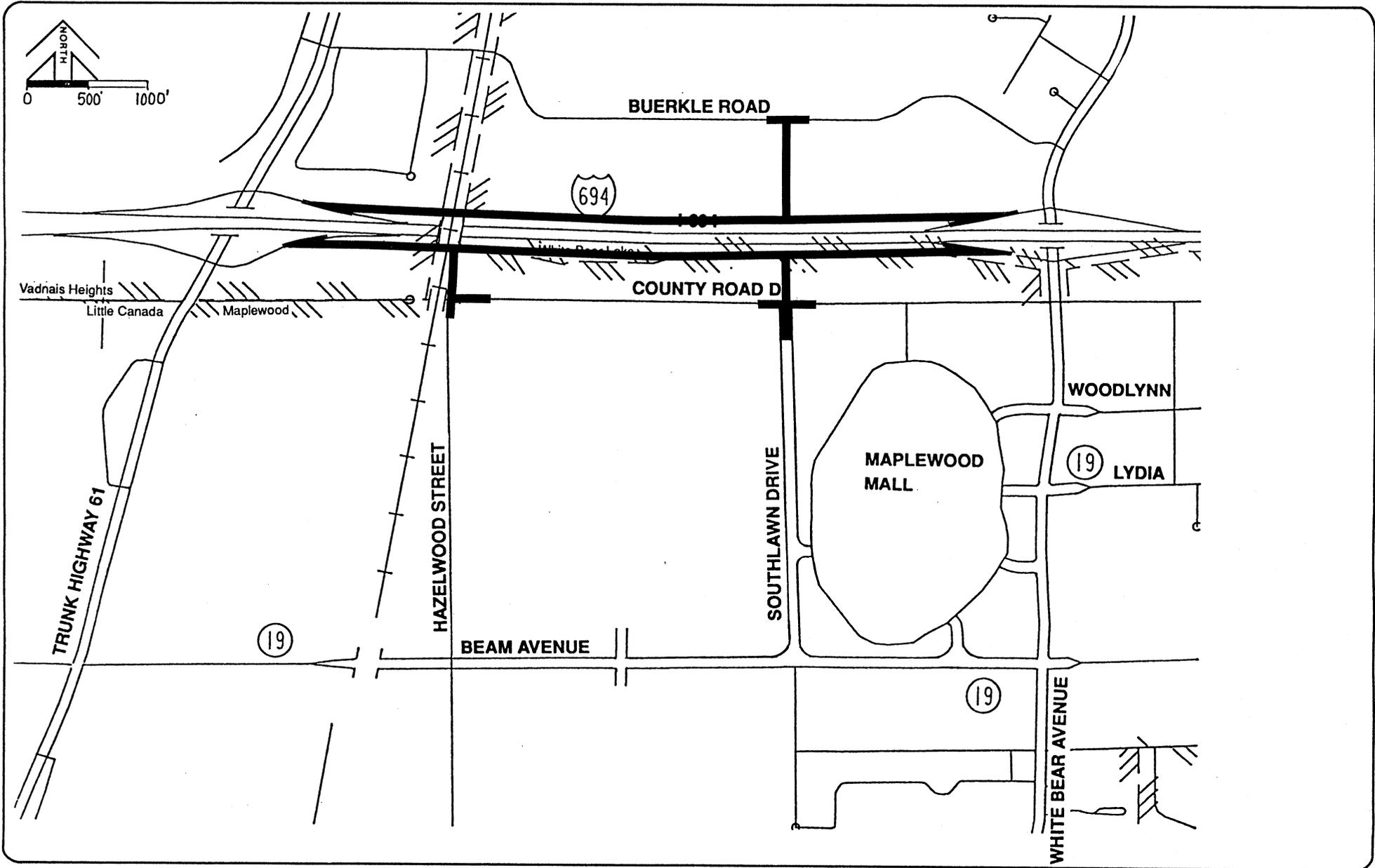
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Maplewood Mall Area Traffic Study
 Alternative 3
 Roadway System



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Maplewood Mall Area Traffic Study
 Alternative 3A
 Roadway System



SRF

Maplewood Mall Area Traffic Study
 Alternative 4
 Roadway System

Alternative 4A--This alternative provides the same one-way frontage road system as in Alternative 4 as well as an additional north-south connection from County Road D to Buerkle Road. Southlawn Drive is extended north to Buerkle Road (see Figure 13). The additional north-south connection is expected to relieve the congestion at the White Bear Avenue and T.H. 61 interchanges.

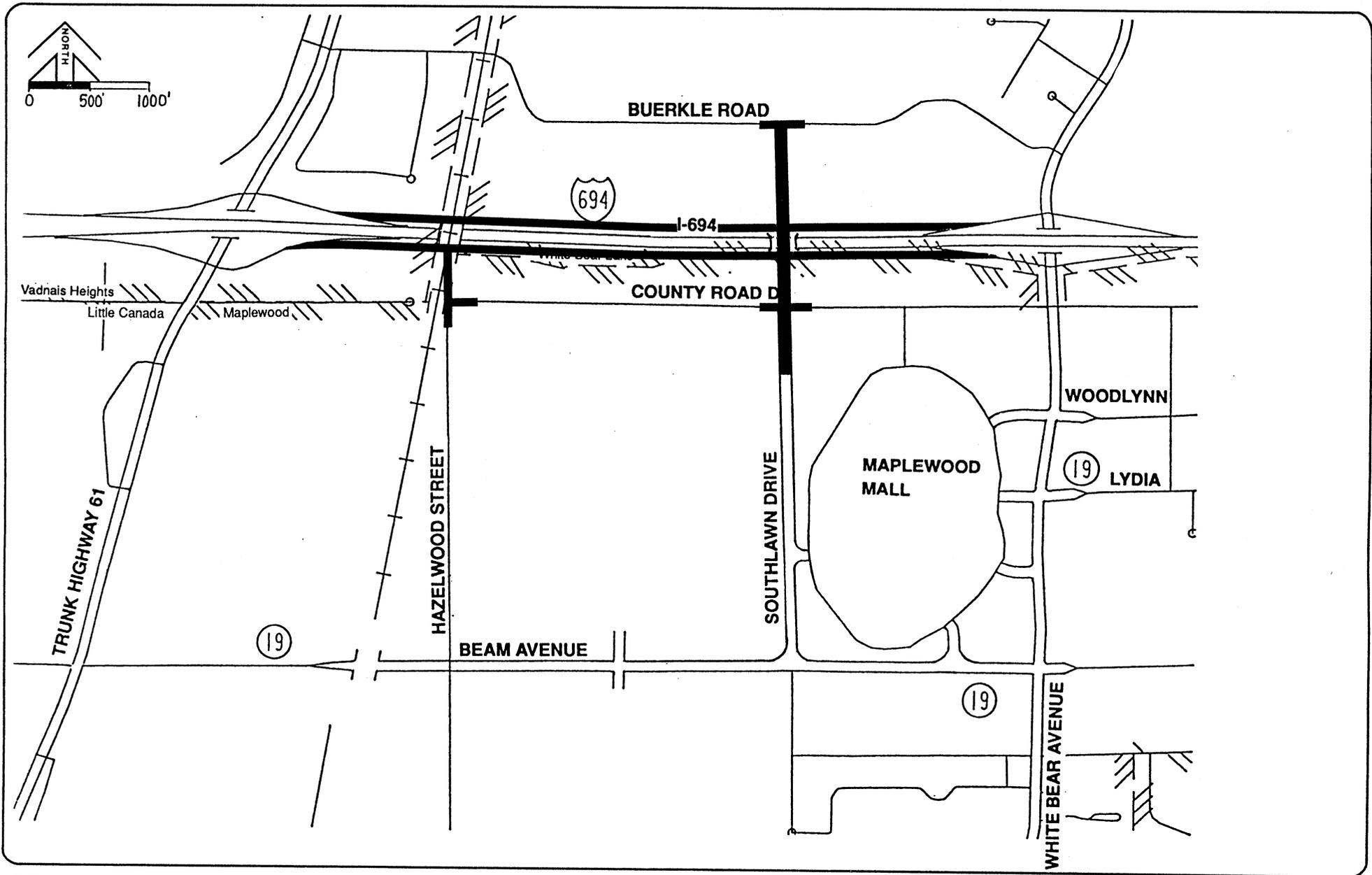
Alternative 5--This alternative removes the east ramps at the T.H. 61 and the west ramps at White Bear and replaces them with ramps that load directly on County Road D and Buerkle Road. There is also an additional north-south connection at Southlawn Drive from County Road D to Buerkle Road (see Figure 14). The relocated ramps will ease congestion at the existing interchanges and provide direct access to Maplewood Mall and the proposed development site. The additional north-south connection is expected to relieve the congestion at the White Bear Avenue and T.H. 61 interchanges.

Analysis of Alternatives

These various roadway system proposals were evaluated with respect to the following criteria:

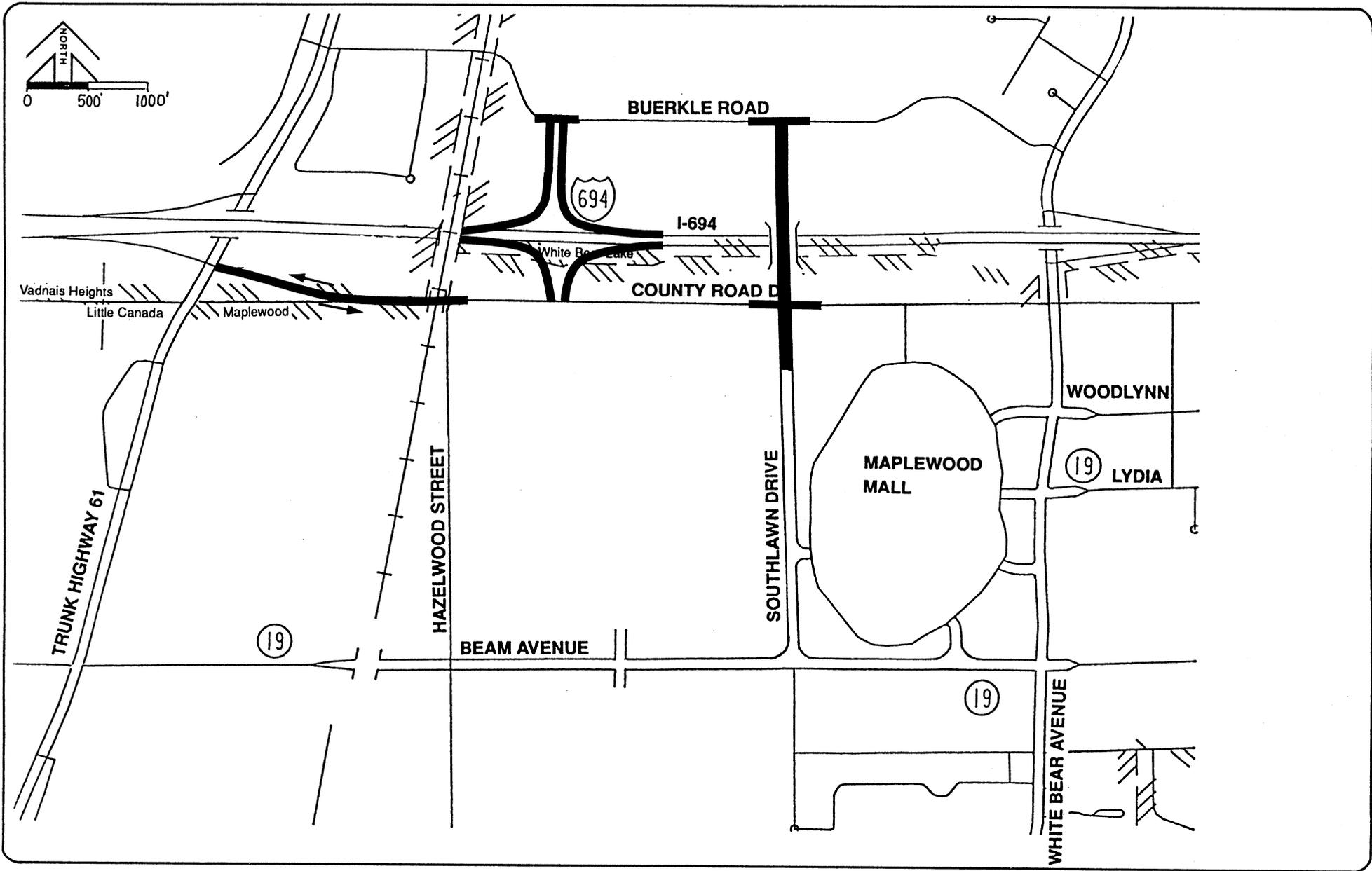
1. Is access to the study area improved
2. Is congestion reduced
3. Is overall roadway efficiency improved
4. Cost
5. Cost effectiveness
6. Impacts on the roadway systems of other agencies:
 - a. Mn/DOT
 - T.H. 61
 - I-694
 - b. Ramsey County
 - White Bear Avenue
 - County Road D
 - c. White Bear Lake
 - Buerkle Road

Each roadway system proposal improves the access to the study area. Each alternative adds new roadways designed to increase the access mobility into the area. Alternatives 3A, 4A and 5 provide the greatest improvements because they provide multiple entry points.



SRF

Maplewood Mall Area Traffic Study
 Alternative 4A
 Roadway System



Each roadway system proposal reduces congestion at some locations. However other locations in the area may become overloaded due to unbalanced external circulation. Both Alternatives 1 and 1A badly overload the eastbound on-ramp at the I-694 and T.H. 61 interchange and County Road D.

The reduction in congestion can be measured in vehicle-miles on the system. Figure 15 shows the segments in the study area chosen to represent the system. Figure 16 compares the number of vehicle-miles on the system for each roadway alternative. The results show that Alternative 3A had the fewest vehicle-miles compared to the others.

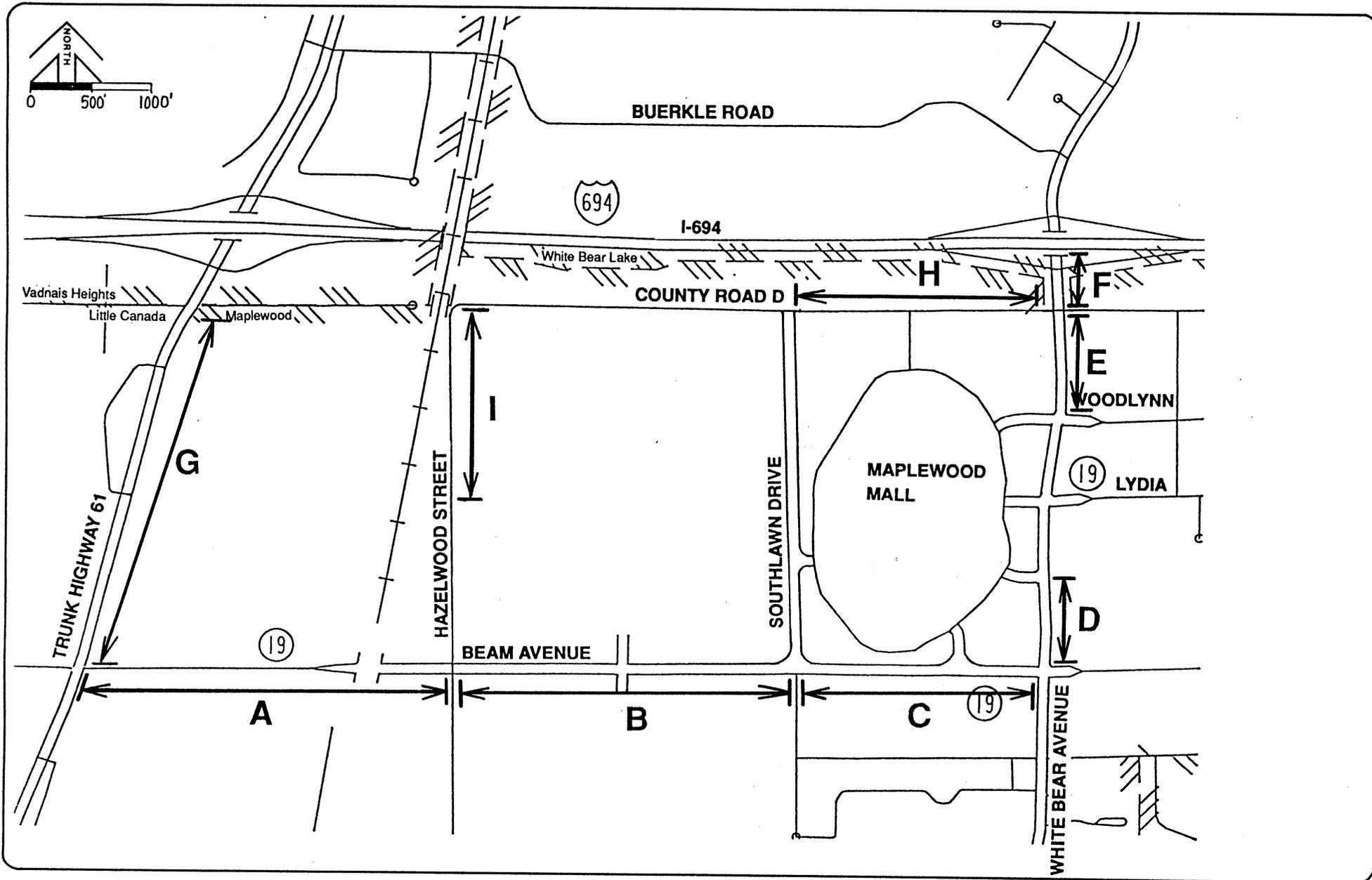
The overall roadway efficiency is improved if the exterior circulation system is balanced. An unbalanced condition occurs when a particular roadway becomes congested because the majority of trips are forced to use it while other roadways in the system are underutilized having reserve capacity. The roads in the study area with the most reserve capacity are T.H. 61, Hazelwood Street, County Road D and Buerkle Road. Alternative 3A is the only proposed system to use the reserve capacity on these roads while relieving the congestion on Beam Avenue, White Bear Avenue and the ramp intersection at the I-694/White Bear Avenue interchange.

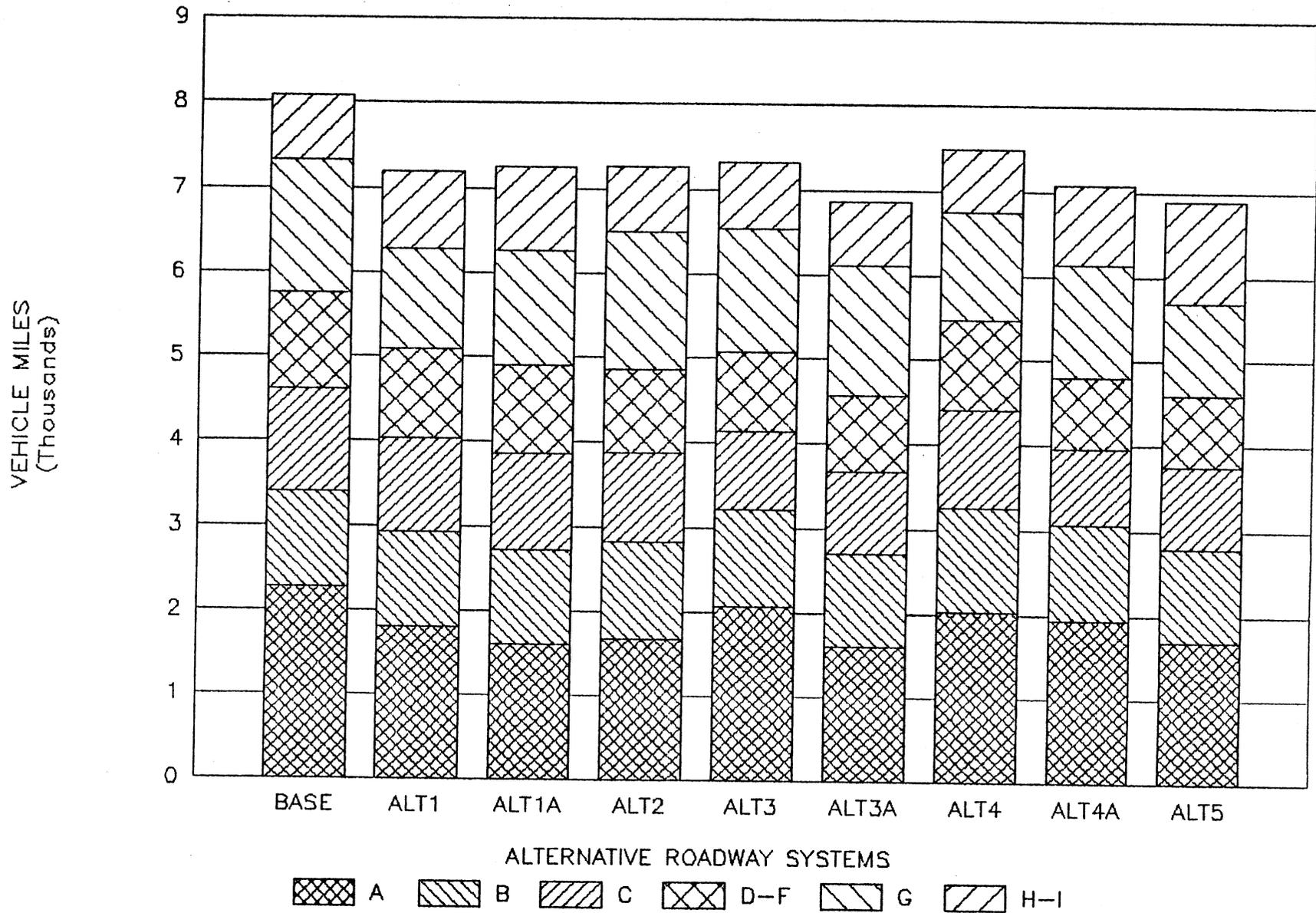
The approximate cost of a roadway project is dependant upon the miles of pavement to be constructed, the number of bridges to be built and the amount of right-of-way to be claimed. Using this criteria, Alternatives 4, 4A and 5 have the highest cost and Alternatives 2 and 3 have the lowest cost.

Cost effectiveness is measured in benefits per unit dollar. Since Alternative 3A provides the best access, reduces congestion and improves overall roadway efficiency while ranking near the middle in cost, it can also be said to be cost effective.

Mn/DOT's roads in this area include I-694 and Trunk Highway 61. Alternatives 1, 1A, 4, 4A and 5 alter the existing configuration of I-694 and its interchanges at T.H. 61 and White Bear Avenue. At this time Mn/DOT would prefer that the current interchange configurations remain the same. Since this segment of I-694 is proposed for reconstruction within the next 20 years, further improvements to access to the area from I-694, and the configuration of the individual interchanges can be addressed with that project.

Alternatives 1A, 2 and 3A require that a new intersection be built on T.H. 61 between County Road D and Beam Avenue. A new east-west roadway would utilize the reserve capacity on T.H. 61 as well as improving access to the area. A detailed engineering





study will be required to determine the exact location of a new east-west roadway. There are questions to be resolved concerning soil conditions, the location and grade of a crossing of the rail line, proposed land use west of the railroad and the location of the new intersection on T.H. 61 with respect to coordination with other signal systems along that roadway

In analyzing the question of overall access to the Maplewood Mall area, it was determined that existing interchanges at I-694 and T.H. 61 and at I-694 and White Bear Avenue had sufficient off-ramp and on-ramp capacity to handle the total trips to and from the site using I-694.

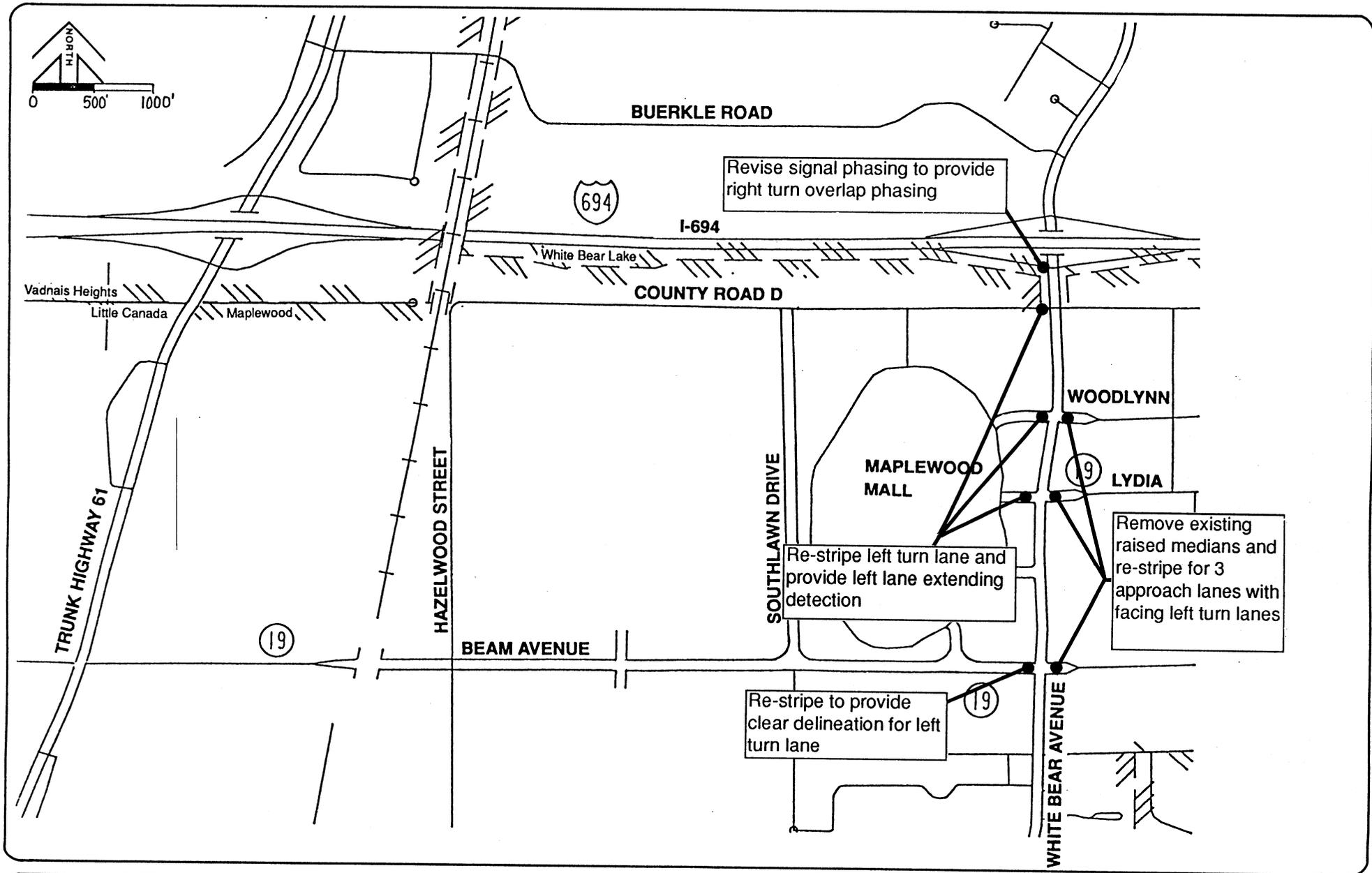
Ramsey County's roads in the area include White Bear Avenue and County Road D. The Maplewood Mall area would become more attractive if the traffic operation improved on the two roads. White Bear Avenue is currently congested and will get even worse in the future if nothing is done. Alternative 3A is expected to provide the most relief by reducing the greatest volume of vehicle-miles in this area.

The City of White Bear Lake would be affected most if a new north-south roadway were built between T.H. 61 and White Bear Avenue. Alternatives 3 and 3A include new north-south roadways. While the exact location is in question, the road would connect County Road D in Maplewood and Buerkle Road in White Bear Lake. A new roadway would be to the City's advantage because access to the area along Buerkle Road would be improved making development north of I-694 more appealing. A new roadway would also reduce the congestion on White Bear Avenue in the City of White Bear Lake as well as in Maplewood.

RECOMMENDED IMPROVEMENTS

The recommended improvements for the Maplewood Mall area fall into one of three categories based on the time required to develop and implement the particular improvement. Short-range improvements are those that have low capital cost and can be implemented in the next construction season. Medium-range improvements require only readily obtained right-of-way or no right-of-way and project development can be completed within one or two years at moderate costs. Long-range improvements require right-of-way, are costly, have an involved and lengthy development process and may take over two years to implement.

The objectives of the recommended improvements vary with those same three categories. Short-range improvements are focused on organizing traffic flow at key intersections along the corridor (see Figure 17 for Short-Range Improvements). Medium-range projects provide improved intersection operations and redirect traffic flows with the use of traffic signals and minor



roadway improvements (see Figure 18 for Medium-Range Improvements). Long-range projects focus on providing additional access to the Maplewood Mall area. These routes, regardless of length, serve to improve the external circulation to the site and reduce through traffic on the surrounding roads.

SHORT-RANGE IMPROVEMENTS

At White Bear Avenue

- . Re-stripe eastbound approaches to White Bear Avenue at County Road D, Woodlynn and Lydia Avenue to provide clear delineation of left turn lanes.

The addition of clearly designated left turn lanes will improve the capacity and safety at these intersections. Through vehicles will not become trapped behind vehicles waiting to turn left.

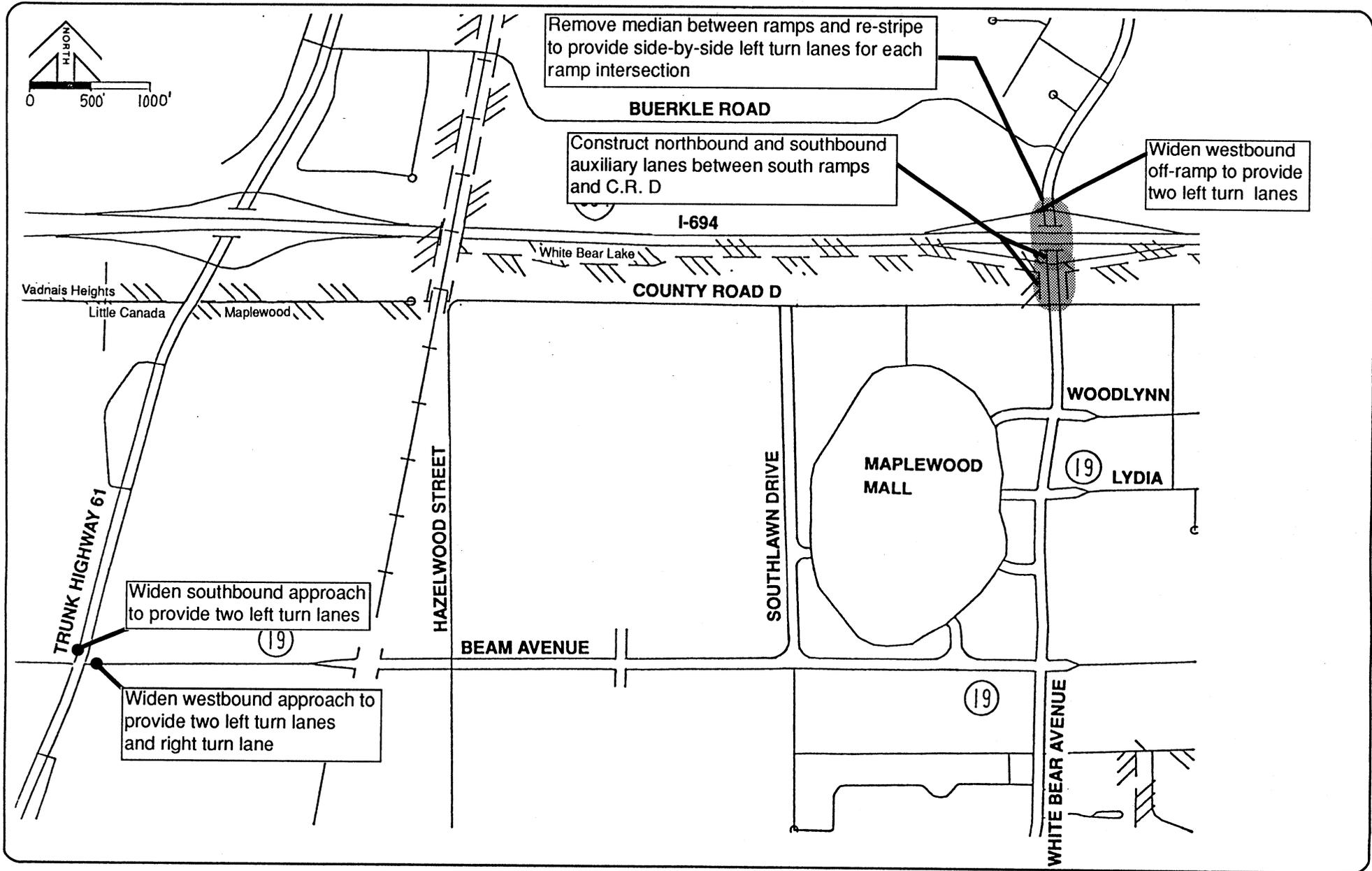
- . Re-stripe the eastbound approach on Beam Avenue at White Bear Avenue to provide for clear delineation for a left turn lane. The detectors for the existing traffic signal system should be revised to include left lane extending detection.

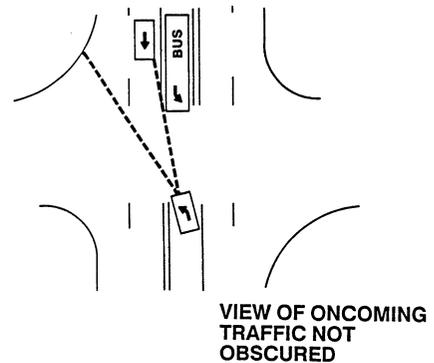
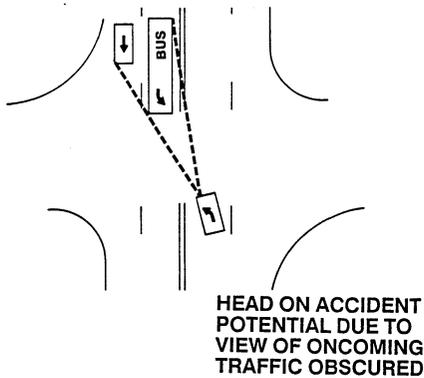
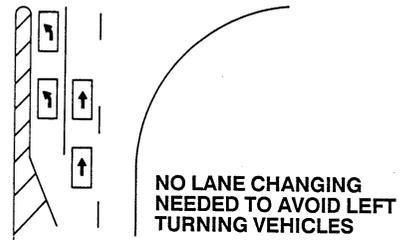
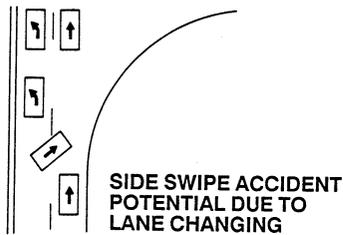
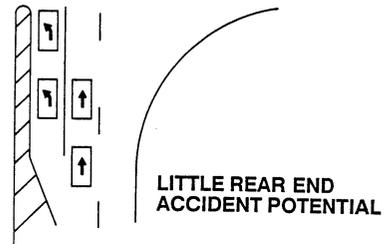
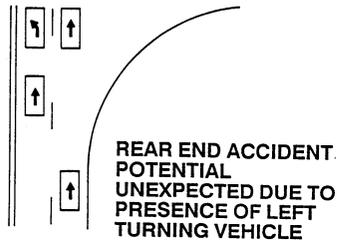
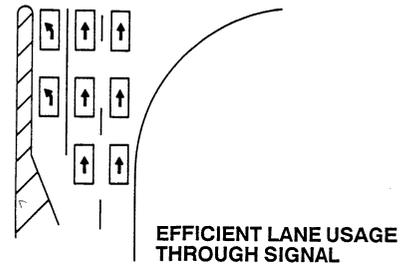
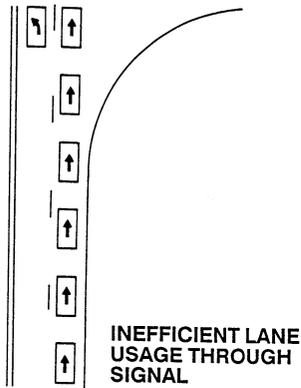
The addition of clearly designated left turn lanes will improve the capacity and safety at these intersections. Through vehicles will not become trapped behind vehicles waiting to turn left (see Figure 19 for Benefits of Left Turn Lanes at Signalized Intersections). The left lane extending detectors will enable left-turning vehicles to clear the intersection in the absence of oncoming vehicles.

- . Remove existing raised medians and re-stripe to provide delineation for three approach lanes at the westbound approaches to White Bear Avenue at Woodlynn, Lydia and Beam Avenue. The left turn lanes should be located to face the eastbound left turn lane.

In addition to the capacity and safety improvements of exclusive left turn lanes, left turn and head-on type accidents will be reduced by the fact that left turning vehicles will be facing each other across the intersection. In this position, a left-turning vehicle can see past an opposing left turning vehicle to get a better view of oncoming through traffic.

- . Review all signal detection on side streets along White Bear Avenue and add left lane extending detectors where needed.





At I-694

- . The signal phasing at the intersection of the south ramps and White Bear Avenue should be changed to provide a right turn overlap arrow for the eastbound off-ramp to allow northbound White Bear Avenue to run concurrently with the eastbound right turn.

An increase in green time for the right-turning vehicles on the eastbound off-ramp will improve the capacity and reduce the length of the queues.

This type of signal phasing at freeway off-ramps has been used successfully in the Metro area at:

1. I-494 and 24th Avenue - South Ramp
2. I-494 and Carlson Parkway - East Ramp
3. I-494 and C.S.A.H. 9 - West Ramp
4. I-694 and C.S.A.H. 152 - North Ramp

MEDIUM-RANGE IMPROVEMENTS

At I-694

- . Construct an auxiliary lane on White Bear Avenue northbound between County Road D and the south ramps. The eastbound on-ramp should be modified to provide for a free right with a merge condition design. The auxiliary lane will be designated for vehicles turning right onto the eastbound on-ramp.

The additional lane will improve the capacity at the approach by allowing traffic heading east on I-694 to make a "free right" turn. The long queues experienced at this approach will also be eliminated.

- . Construct an auxiliary lane on White Bear Avenue southbound between the south ramps and County Road D. The auxiliary lane will be designated for vehicles turning right from White Bear Avenue onto County Road D.

The additional lane will improve the capacity at the eastbound off-ramp and the southbound approach to County Road D. The long queues experienced at this eastbound off-ramp will also be eliminated.

- . The westbound off-ramp should be widened to provide for two left turn lanes and a right turn lane.

The additional lane will improve the capacity at the westbound off-ramp. The long queues experienced at this westbound off-ramp will also be eliminated.

- . Remove the existing median on White Bear Avenue between the north and south ramps at I-694. Re-stripe to provide side-by-side left turn lanes for each ramp intersection.

The inside lanes will increase storage for left turning traffic so that the vehicles will not spill back into the through lanes.

At T.H. 61

- . Widen the westbound and southbound approaches at the intersection of T.H. 61 and Beam Avenue to provide for two left turn lanes and a separate right turn lane with a free right onto northbound T.H. 61.

The additional left turn lane will increase the capacity of the intersection and reduce the length of the queue of vehicles. These improvements would also allow more green time to be given to T.H. 61, thereby improving coordination on that roadway.

LONG-RANGE IMPROVEMENTS

- . Construct a new north-south roadway by extending Southlawn Drive or an alternate roadway from County Road D across I-694 to Buerkle Road (see Figure 20 for Long-Range Improvements).

This new roadway will provide additional access from the north to the Maplewood Mall and proposed development site. Traffic will be able to utilize the reserve capacity on Buerkle Road and avoid the congestion at the I-694 interchanges at T.H. 61 and White Bear Avenue.

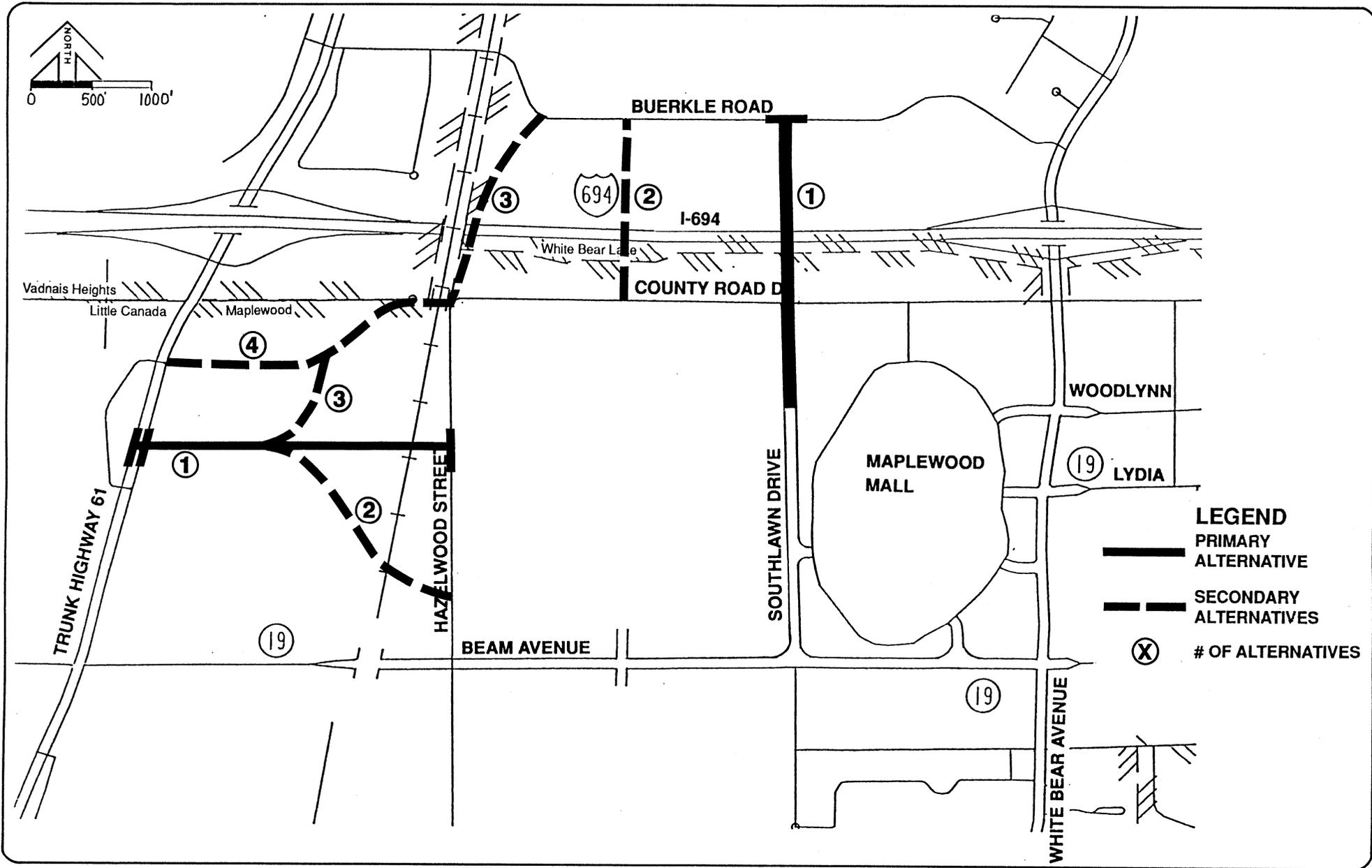
- . Construct a new east-west roadway connecting Hazelwood Street to T.H. 61.

This new roadway will provide additional access from the west to the Maplewood Mall and proposed development site. This new roadway will relieve the congestion on Beam Avenue.

SUMMARY OF FINDINGS AND RECOMMENDED ACTIONS

There is currently a lack of sufficient access to the Maplewood Mall area. This insufficient access results in traffic congestion on White Bear Avenue. These access problems can be attributed to a lack of collector streets to adequately connect this area with the north and the west.

There are real traffic operation problems at the intersections along White Bear Avenue that would still exist even if access to the area is improved. Improvements to mitigate those problems can be readily implemented and would provide immediate benefits.



Therefore, we recommend that the City discuss these issues with Mn/DOT, Ramsey County and the City of White Bear Lake. Projects should be initiated to implement the short-range and medium-range improvements. Consensus should be reached with Mn/DOT and White Bear Lake concerning the two new roadway project alignments. Possible funding sources should then be identified and preliminary engineering studies conducted in order to move forward as quickly as possible with these improvements.

If improvements are not made then traffic safety and traffic flow efficiency will suffer. The timing and the magnitude of the development of the area west of Maplewood Mall will also be dependent on the extent and timeliness of the improvements.

AGENDA REPORT

Endorsed _____
Modified _____
Rejected _____
Date _____

To: City Manager Michael McGuire
From: Director of Public Safety Kenneth V. Collins *KVC*
Subject: Appointment of Committee to Review Maplewood Fire Study
Date: February 20, 1990

Introduction

The City of Maplewood hired Carroll Buracker and Associates to review the Maplewood Fire Service and make recommendations, if any, to the improvement of that service.

Background

Carroll Buracker and Associates did a study of the Maplewood Fire Service. This study was done principally by Warren Isman, who presented the study in its final form to the Maplewood City Council on February 8, 1990.

This study contained many recommendations that ranged from the closing of a fire station and hiring full-time personnel to better care of equipment. Many of these recommendations may have a significant financial impact on the City.

Because of this, it is in the best interest of the City of Maplewood that a careful review and prioritization of these recommendations be undertaken by a review committee appointed by the City Council. The Council should direct the committee on what they want accomplished and the time line it is to be accomplished in, keeping in mind that any budgetary impacts should be addressed prior to May 1, 1990, so that they may be included or deleted from the 1991 budget.

Recommendation

It is recommended that the City Council appoint a committee consisting of the Mayor or his representative as Chair of the committee, the City Manager, the Director of Public Safety, the Fire Marshal, and a representative from each of the three fire services.

Action Required

Review, modification, and implementation by the City Council.

KVC:js

DISPUTE RESOLUTION CENTER

265 Oneida Street
Saint Paul, Minnesota 55102
(612) 290-0790

Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

August 3, 1989

John Greavu, Mayor
City of Maplewood
1830 E. County Road B
Maplewood, MN 55109

Dear Mayor Greavu:

The Dispute Resolution Center (DRC) has helped the City of Maplewood resolve conflicts that require an inordinate amount of city staff time and energy. These may include property line disputes, neighbor feuds, loud parties, problems with children, cases where the city is a party, including disputes over land use, contracts for services, special assessments, or other issues where litigation may not result in the most satisfactory long-term solution to the problem. As a small non-profit agency, serving Ramsey County we are seeking your continued financial assistance in offering our services in 1990.

As you know, the Dispute Resolution Center helps people involved in conflicts settle their disputes through mediation, a process of bringing disputing parties together voluntarily to talk about their disagreements and reach a settlement. Mediation works for many types of problems that otherwise might get hung up in the court system. Whatever the problem may be, when a case goes to court, the resulting frustrations are real, the time lost is substantial, the costs incurred great, and no guarantee exists that the decision will be satisfactory to the parties involved.

Through DRC, people involved in a dispute meet with a trained and impartial mediator who will facilitate an agreement between the parties; the mediator does not decide the outcome of a dispute. When people work together in mediation they generally are more satisfied with the solution because they helped create the solution. Other benefits of using mediation are numerous. Costs are kept to a minimum, since the DRC charges only a ten dollar fee per party, per mediation session, which is waived if clients meet income eligibility guidelines. Mediation sessions are scheduled at a place and time convenient to all parties, thus eliminating the necessity of losing time from work. Also, mediation provides an option when all other doors may be closed.

In the past six and a half years, the Center's primary financial supporters have been Ramsey County, the City of St. Paul and private foundations. This year the City of Maplewood joined eight other municipalities within Ramsey County (Falcon Heights, Mounds View, New Brighton, Roseville, Shoreview, Vadnais Heights, White Bear Lake and White Bear Town) in contributing financially so the Center could continue to offer services in their communities. You have recognized the value of DRC's services in your community and have chosen to support the program.

We are still seeking to broaden the funding base for basic administrative support - for keeping DRC's doors open so that services are available when the need arises. In 1988 six municipalities contributed a total of \$1,500.00 to the Center, in 1989, nine municipalities contributed a total of \$2,450.00 to the Center. For 1990, we have set a goal of \$5,000.00 to be raised by contributions from municipalities. We are asking for a minimum contribution of \$250 - 500 from each city within Ramsey County. We would welcome the opportunity to talk with you about a contribution, as well as about how to increase referrals from your community.

We hope you will respond favorably to this request. We look forward to providing services to the Town of White Bear in the upcoming year.

Sincerely,



Robert Friedlander
Director



Celeste Koeberl
Chair, Board of Directors

Enclosure

cc: Mrs. Lucille Aurelius, City Clerk

PROCLAMATION

WHEREAS, the Volunteers of America has been serving the needs of America for nearly a century, providing over 400 programs in 240 communities across the country, and

WHEREAS, services are offered to children and youth, the elderly, families, disabled persons, offenders and ex-offenders, and to communities at large, and

WHEREAS, Volunteers of America, the first religious social-service organization founded in the United States, began as a movement of humanitarian service that has lasted over nine decades, and

WHEREAS, since its establishment in 1896, the Volunteers of America has demonstrated an ability to change and grow as our country, its needs, and the needs of the people change, and

WHEREAS, now, as in the past, the Volunteers of America's programs are designed to respond to the concerns of individual communities, and take a holistic approach to human care, and

WHEREAS, Volunteers of America's continuing mission is to provide material and spiritual assistance to people in need, regardless of race, creed or color, and

WHEREAS, as society has changed, so has the Volunteers of America, and in Minnesota provides services for children and youth, adults and the elderly, offenders and ex-offenders, as well as their newest service, CAN-DO, which is a Community and Neighborhood Drug Offensive program.

THEREFORE, I, Norman G. Anderson, Mayor of Maplewood, do hereby proclaim Sunday, March 4 through Sunday, March 11, 1990, to be Volunteers of America week in Maplewood and urge the entire community to join in honoring them for their past and present accomplishments, knowing that, through the determined abilities of their staff, board members and supporters, they will continue providing high quality, innovative services to meet the needs of individuals and communities.

Attest:

Mayor
City of Maplewood, Minnesota

City Clerk