

**AGENDA**

**MAPLEWOOD CITY COUNCIL**

7:00 P.M., Monday, September 24, 1990  
and

4:30 P.M., Thursday, September 27, 1990

Council Chambers, Municipal Building  
Meeting No. 90-25

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF MINUTES

1. Minutes of Meeting No. 90-20 (September 10, 1990)
2. Minutes of Special Meeting of September 13, 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
2. 1990 Budget Change - Finance Department
3. Budget Transfer - Sewer Fund
4. Seal Coat Project 90-17 - Final Payment
5. Budget Transfer: Community Development
6. Final Plat: Crestview Forest 5th Addition
7. Budget Transfer - City Clerk

F. PUBLIC HEARINGS

1. 7:00 P.M., Conditional Use Permit: 1373 Kohlman Ave. (Dillon) \_\_\_\_\_  
\_\_\_\_\_
2. 7:10 P.M., Conditional Use Permit: 1255 Cope Avenue (Northern Hydraulics) \_\_\_\_\_  
\_\_\_\_\_
3. 7:25 P.M., Easement Vacation: 1356 Cope Avenue \_\_\_\_\_  
\_\_\_\_\_
4. 7:35 P.M., North Glen 3rd Addition: \_\_\_\_\_
  - a. Annexation and Detachment \_\_\_\_\_
  - b. Street Vacation \_\_\_\_\_
  - c. Preliminary Plat \_\_\_\_\_

G. AWARD OF BIDS

1. Plantings for Playcrest Park \_\_\_\_\_  
\_\_\_\_\_

H. UNFINISHED BUSINESS

1. Southlawn Drive, Beam Avenue to Co. Rd. D - Project 85-17: Cancel Assessment \_\_\_\_\_  
\_\_\_\_\_
2. Gervais Avenue, Project 88-14: Cancel Assessment \_\_\_\_\_  
\_\_\_\_\_
3. City Wide Watermain Extension and Miscellaneous Improvements: Project 90-07 \_\_\_\_\_  
\_\_\_\_\_
4. Preliminary Plat Revision: Torgerson Addition \_\_\_\_\_  
    Condition A. Right of Way Acquisition \_\_\_\_\_  
    Condition B. Street Vacation \_\_\_\_\_
5. Trail Through Crestview Forest Townhouses \_\_\_\_\_  
\_\_\_\_\_
6. 1908 Rice Street: Used Car License \_\_\_\_\_  
\_\_\_\_\_
7. Kennel License Ordinance: 2nd Reading \_\_\_\_\_  
\_\_\_\_\_

I. NEW BUSINESS

1. Southlawn Drive, Maple Knolls Apt. \_\_\_\_\_  
\_\_\_\_\_
2. Stop Signs - Phalen and Fenton \_\_\_\_\_  
\_\_\_\_\_
3. Stop Signs - East Shore Dr. and Frost \_\_\_\_\_  
\_\_\_\_\_
4. Lift Station Monitoring \_\_\_\_\_  
\_\_\_\_\_
5. Storage Building for Park Maintenance \_\_\_\_\_  
\_\_\_\_\_
6. Beaver Lake and Hillside Land Use Plan Hearings \_\_\_\_\_  
\_\_\_\_\_
7. Pool Hall Ordinance \_\_\_\_\_  
\_\_\_\_\_
8. Approval of Council Policy Booklet \_\_\_\_\_  
\_\_\_\_\_
9. City Hall Update \_\_\_\_\_  
\_\_\_\_\_

J. VISITOR PRESENTATIONS

K. COUNCIL PRESENTATIONS

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
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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, September 10, 1990  
Council Chambers, Municipal Building  
Meeting No. 90-20

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A. CALL TO ORDER

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

B. ROLL CALL

Gary W. Bastian, Mayor	Present
Dale H. Carlson, Councilmember	Present
Frances L. Juker, Councilmember	Present
George F. Rossbach, Councilmember	Present
Joseph A. Zappa, Councilmember	Present

C. APPROVAL OF MINUTES

1. Minutes of Special Meeting of July 16, 1990

Councilmember Zappa moved to approve the Minutes of Special Meeting of July 16, 1990, as submitted.

Seconded by Mayor Bastian.                      Ayes - all.

2. Minutes of Special Meeting of August 9, 1990.

Councilmember Zappa moved that the Minutes of Special Meeting of August 9, 1990, be approved as submitted.

Seconded by Councilmember Rossbach.                      Ayes - all.

3. Minutes of Special Meeting of August 20, 1990

Councilmember Zappa moved to approve the Minutes of Special Meeting of August 20, 1990, as submitted.

Seconded by Councilmember Carlson.                      Ayes - all.

4. Minutes of Meeting No. 90-18 (August 16, 1990)

Councilmember Zappa moved to approve the Minutes of Meeting No. 90-18 (August 16, 1990) as submitted.

Seconded by Mayor Bastian. Ayes - all.

5. Minutes of Meeting No. 90-19 (August 27, 1990)

Councilmember Zappa moved to approve the Minutes of Meeting No. 90-19 (August 27, 1990) as submitted.

Seconded by Mayor Bastian. Ayes - all.

D. APPROVAL OF AGENDA

Councilmember Rossbach moved to approve the Agenda as amended:

1. Parks
2. Health Insurance Premiums
3. Mayor's Update
4. Wetlands

Seconded by Councilmember Juker. Ayes - all.

E. CONSENT AGENDA

Councilmember Zappa moved, Seconded by Councilmember Rossbach, Ayes - All, to approve the Consent Agenda as amended:

1. Approval of Claims

Approved the claims as follows:

ACCOUNTS PAYABLE:

\$ 370,448.38	Checks # 10454 thru # 10821 Dated 8-20-90 thru 8-31-90
<u>\$ 83,543.90</u>	Checks # 7124 thru # 7321 Dated 9-10-90
\$ 453,992.28	Total per attached voucher/check register

PAYROLL:

\$ 195,049.67	Payroll Checks
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\$ <u>10,263.83</u>	Payroll Deductions
\$ 205,313.50	Total Payroll
\$ 659,305.78	GRAND TOTAL

2. Renewal of Insurance Contracts

Approved that the existing one-year contracts for employee insurance be renewed with Group Health, Physicians Health Plan, Employee Plan, School's Insurance Fund and Commercial Life.

3. Budget Transfer: City Hall and Public Works Maintenance Building

Approved the budget transfer of \$5,900.00 from the General Fund contingency account, 101-119-000-4910, to accounts 101-504-000-4410 (\$2,900) and 101-110-000-4410 (\$3,000) to cover the repair and maintenance expenses for the remainder of 1990.

4. Final Acceptance, Brooks Avenue Watermain, Project 88-08

Resolution No. 90-9-149

WHEREAS, the City Council of Maplewood, Minnesota, has heretofore ordered made Improvement Project 88-08 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 88-08, 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 \$ (-)356.46.

Resolution No. 90-9-150

WHEREAS, the City Manager for the City of Maplewood has determined that Brooks Avenue Water Main--Hazelwood to Germain, City Project 88-08 is complete and recommends acceptance of the project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that City Project 88-08 is complete and maintenance of these

improvements is accepted by the City. Release of any retainage or escrow is hereby authorized.

5. Youth Basketball Donation

Approved a budget adjustment increasing estimated revenues by \$500 and increase budgeted expenses in Account 101-603-268-4640 by \$500, and a letter of appreciation be sent to the East Twins Babe Ruth League.

6. Budget Adjustment: Youth Dance and Gymnastics

Approved an increase in estimated revenues of \$1180.00 and increase budgeted expenses in Accounts 101-603-205-4530 and 101-603-210-4530 by \$590.00 each. (\$1180.00)

7. Joint Resolution of Appreciation

Resolution No. 90-9-151

WHEREAS, Roger Anitzberger became a member of the Community Design Review Board of Maplewood on June 13, 1988, and has served faithfully in that capacity;

WHEREAS, he has freely given of his time and energy, without compensation, for the betterment of the City of Maplewood; and

WHEREAS, he has shown sincere dedication to his duties and has consistently contributed his leadership and effort in many ways for the benefit of the City.

NOW, THEREFORE, IT IS HEREBY RESOLVED for and on behalf of the City of Maplewood, Minnesota, and the citizens of the City, that Roger Anitzberger is hereby extended our heartfelt gratitude and appreciation for his dedicated service, and we wish him continued success in the future.

8. Budget Adjustment: Building Inspections

Approved a budget adjustment increasing building revenues and fees for service (building inspections) by \$49,300.

9. Surveyor's Certificate of Correction: Gonyea's 3rd Addition

Approved the following correction to Gonyea's 3rd Addition:

The legal description of the property in the dedication should be as follows: All that part of Lots 1, 5 and 6, Highwood Heights, lying east of a line that runs from a point on the north line of said Lot 1 that is 20 feet east of the northwest corner of said Lot 1, thence southerly to the southwest corner of the east half of said Lot 6, except the north 295 feet of said Lot 1. Together with that part of the vacated 15 foot alley adjacent to said Lots 1, 5 and 6 lying between the easterly extensions of the south line of said Lot 6 and the south line of the North 295 feet of said Lot 1.

F. PUBLIC HEARINGS

1. 7:00 P.M., Code Amendment: Community Design Review Board Policies (1st Reading)

a. Mayor Bastian convened the meeting for a public hearing regarding the proposal placing the Community Design Review Board's design policies into ordinance form.

b. Manager McGuire presented the staff report.

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

d. Mayor Bastian called for proponents. None were heard.

e. Mayor Bastian called for opponents. None were heard.

f. Mayor Bastian closed the public hearing.

g. Councilmember Juker moved to table this item until the first meeting in November and refer the proposal to the Community Design Review Board for further investigation.

Seconded by Councilmember Zappa.

Ayes - all.

2. 7:15 P.M., 2708 Minnehaha Avenue (McDonalds)

a. Plan Amendment (4 Votes)

b. Rezoning (4 Votes)

c. Conditional use Permit

1. Mayor Bastian convened the meeting for a public hearing regarding the McDonald's Corporation is requesting the following for the adjoining property to the west (2708 Minnehaha Avenue).

1. A Comprehensive Plan amendment from RH (high density residential) to SC (service commercial.)
2. A rezoning from R-1 (single-dwelling residential) to BC (business commercial.)

2. Manager McGuire presented the staff report.

3. Director of Community Development Olson presented the specifics of the three requests individually.

4. Commissioner Will Rossbach presented the Planning Commission report.

5. Mr. Tim Baylor, representing McDonald's Corporation spoke on behalf of the proposal and requested the property be zoned to BC.

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

Mr. C. Schipp, 2707 Margaret, concerned about proper screening of his property.

7. Mayor Bastian closed the public hearing.

8. Councilmember Zappa moved to approve the Plan Amendment for the entire property from LH to LBC.

Seconded by Councilmember Rossbach.

Mayor Bastian called for a five minute recess.

Mayor Bastian reconvened the meeting at 8:30 P.M.

9. The applicant's representative, Mr. Tim Baylor, asked that the proposal be tabled.

10. Councilmember Juker moved to table the three proposals until the September 24, 1990. Meeting to allow applicant to negotiate with the owners.

Seconded by Councilmember Zappa.

Ayes - all.

3. 7:35 P.M., Conditional Use permit Renewal and Revision: 1285 Cope Avenue (Englewood Shops)

a. Mayor Bastian convened the meeting for a public hearing regarding the revision and renewal of the Conditional Use Permit at 1285 Cope Avenue, known as Englewood Shops.

b. Manager McGuire presented the staff report.

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

d. Commissioner Will Rossbach presented the Planning Commission report.

e. Andrea Carty, Attorney representing BBD Investments, spoke on behalf of the Conditional Use Permit.

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

Roger Franz, 1282 Cope, stated the lighting of the center is too bright and that the dumpster is in the parking lot, not located where it should be.

Keith Carlson, representing Brooks Store.

g. Mayor Bastian closed the public hearing.

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

90 - 9 - 152

WHEREAS, the City of Maplewood initiated a hearing to revise the conditional use permit for a convenience center with gas.

WHEREAS, this permit applies to 1285 Cope Avenue. The legal description is:

Plat 03092 Clifton Addition, Ramsey Co., Minn.

Subj to Hwy 36; Vac St Accruing & fol;  
Ex the W 379 ft MOL, Blk 18

and

Plat 03092 Clifton Addition, Ramsey Co., Minn.

Subj to St & Ex Part of Lots 19 thru  
25 Beg on N L of Blk 13 & 379.61  
ft E of NW Cor of Lot 16 Th S 29  
Deg 14 Min W 117.56 ft to St as  
Opened in Doc 2021912 Th NW to N L  
of Sd Blk 13 Th E to Beg; Vac  
Alley Accruing & Part Lying NEly  
of NE Line of Sd St as Opened in  
Doc 2021912 of Blk 13

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

1. The Planning Commission discussed this application on August 21, 1990. They recommended to the City Council that said permit be approved.
2. The City Council held a public hearing on September 10, 1990. City Staff published a notice in the paper and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

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

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.
2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.

5. The use would generate only minimal vehicular traffic on local streets and would not create traffic congestion or unsafe access on existing or proposed streets.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of an incorporate the site's natural and scenic features into the development design.
9. The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions:

1. All construction must be in accordance with the site plan, date-stamped August 9, 1989. The Director of Community Development may approve minor changes. The City Council may approve major changes.
2. The right-turn lane proposed along English Street shall be subject to the City Engineer's approval.
3. The applicant shall restripe English Street, and widen it if necessary, to provide a left-turn lane for west-bound Highway 36, subject to the City Engineer's approval.
4. The owner shall replace all required landscaping that dies and maintain irrigation system.
5. Gas sales shall be limited to two dispensers on one island. There shall be no vehicle repair or maintenance.
6. The shopping center shall not be open between the hours of 10:00 P.M. and 7:00 A.M., except for the existing convenience store and gas sales.
7. There shall be no temporary or permanent outside storage or sales, except fuel.

8. The City Council shall review this permit in six months, based on the procedures in City Code.
9. The developer shall reduce the brightness of the lighted wall panels to a level acceptable to the City.

Seconded by Mayor Bastian.

Ayes - Mayor Bastian, Councilmembers  
Carlson, Rossbach & Zappa

Nay - Councilmember Juker.

G. AWARD OF BIDS

1. Condor Storm Sewer, Project 86-01
  - a. Manager McGuire presented the staff report.
  - b. Director of Public Works Haider presented the specifics of the bids.
  - c. Councilmember Zappa introduced the following resolution and moved its adoption:

90 - 9 - 153

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of Brown and Cris, Inc., in the amount of \$168,013 is the lowest responsible bid for the construction of Condor Storm Sewer at Londin Lane and Dorland Road South, City Project 86-01, and the Mayor and Clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the City.

FURTHERMORE, the project budget is amended to \$212,000, and the project financing is amended as follows:

Assessment recovery	\$133,685.60
General obligation funding	<u>78,314.40</u>
Total	\$212,000.00

Seconded by Councilmember Carlson.

Ayes - all.

H. UNFINISHED BUSINESS

1. Ordinance

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

ORDINANCE NO. 669

AN ORDINANCE AMENDING THE MAPLEWOOD CODE  
PERTAINING TO COMPENSATION FOR ELECTED OFFICIALS

Section 1. Section 2-23 is hereby amended as follows:

Section 2-23 Compensation. Pursuant to Section 415.11(1) of Minnesota Statutes, the salary of the Mayor is hereby established at Seven Thousand Five Hundred Dollars (\$7,500.00) per year, payable in bi-weekly installments and the salary of each member of the Council is established at Six Thousand Six Hundred Dollars (\$6,600.00) per year, payable in bi-weekly installments effective January 1, 1991, and thereafter the Mayor's salary and the salary of each Councilmember shall be adjusted annually based on a change in the cost of living. Such adjustment shall be based on the cost-of-living index published by the Department of Labor. Such adjustment becomes effective and automatic on the first of January of the year for which it is made.

Section 2. This ordinance shall take effect upon its passage and publication.

Seconded by Councilmember Rossbach.                      Ayes - all.

2. Southlawn/I-694 Bridge

- a. Manager McGuire presented the staff report.
- b. Director of Finance Faust explained the possible funding alternatives.
- c. Manager McGuire stated he and Director of Public Works Haider had met with White Bear Lake and they had indicated they could hold a public hearing regarding the construction of a bridge but were not agreeable to participating in the cost.
- d. Mr. Robert Hajicek, 1700 E. County Road D, questioned how this would affect his property.
- e. Mr. Ken Bower, 1765 E. County Road D, owner of the property in question, expressed his concerns.

f. Councilmember Zappa moved to accept the staff recommendation and take the following actions:

1. Approval of the resolution which authorizes the acquisition of property for the project.
2. Appropriation of \$10,000 in the Tax Increment No. 2 Fund for the legal costs associated with the purchase of the property for the project.
3. Approval of the attached resolution ordering preparation of a feasibility study at a cost of \$40,000.

Seconded by Councilmember Carlson.

Ayes - Councilmember Zappa.

Nays - Mayor Bastian, Councilmembers  
Carlson, Juker and Rossbach.

Motion failed.

g. Councilmember Rossbach moved to take no action and directed staff to research other possible alternatives.

Seconded by councilmember Juker.

Ayes - all.

3. Assessment Appeals, County Road C, White Bear Avenue to Ariel, Project 86-25

a. Manager McGuire presented the staff report.

b. Councilmember Zappa moved to accept the staff recommendations as follows:

Parcel 02-29-22-34-0001 - \$12,452.32, Delores L. Ethier request for adjustment is denied.

Parcel 11-29-22-21-0012 - David and Patricia Trepanier request for cancellation of assessment is approved based on the findings that there is no benefit to the property.

Seconded by Councilmember Juker.

Ayes - Mayor Bastian, Councilmembers  
Carlson, Juker and Zappa.

Nay - Councilmember Rossbach.

4. Assessment Appeals - Gervais Avenue Project 88-14

- a. Manager McGuire presented the staff report.
- b. Mayor Bastian moved to reopen the assessment hearing to hear new facts.

Seconded by Councilmember Rossbach. Ayes – all.

- c. Dick Galera, Attorney for Donald Regan Properties, spoke on behalf of reducing or adjusting the proposed assessment.

- d. Councilmember Zappa moved to deny the request of Donald Regan (Parcel No. 10-29-22-32-0003, Parcel No. 10-29-22-32-0004) and Trunk Utilities and Mfg. Inc. (Parcel No. 10-29-22-32-0002) for adjustment to the Gervais Avenue Project 88-14 assessments and staff pursue the matter of collecting the assessment charge to the State of Minnesota.

Seconded by Councilmember Carlson. Ayes – all.

5. Assessment Hearing, Southlawn Drive, Beam Avenue to County Road D: Project 85-17

- a. Manager McGuire presented the staff report.
- b. Councilmember Zappa moved to table this item for two weeks (Meeting September 24, 1990) for further research.

Seconded by councilmember Rossbach. Ayes – all.

6. Highwood/McKnight Outlet, Project 90-10.

- a. Manager McGuire presented the staff report.
- b. Councilmember Zappa moved to order the project.

Seconded by Councilmember Rossbach for discussion purposes.

Councilmember Zappa withdrew his motion.

- c. Councilmember Zappa moved to table this matter until the Meeting of October 8, 1990, to allow for further study.

Seconded by Councilmember Juker. Ayes – all.

7. Charitable Gambling Ordinance

- a. Manager McGuire presented the staff report.

b. Director of Public Safety Collins presented the specifics of the proposed ordinance.

c. The following persons expressed their opinions:

Gerald Hansen, 2783 Howard Street (Board Member of MAA). He stated the ordinance should be written to allow other organizations to be included.

Dan Colbert, President of the North St. Paul Hockey Booster Club – open gambling to all of District 622.

Greg Moss, 2137 Prosperity, stated ordinance should remain as submitted.

d. Councilmember Zappa introduced the following ordinance and moved its adoption:

ORDINANCE NO. 670

AN ORDINANCE REGULATING  
LAWFUL GAMBLING

Sec. 15-34. In General.

Lawful gambling conducted pursuant to Minnesota Statutes, Chapter 349, shall be operated in accordance with the conditions prescribed in this ordinance and other applicable provisions of the Maplewood ordinances.

Authorized forms of gambling. All forms of lawful gambling may be approved by the City Council subject to the terms and conditions of this ordinance and all provisions of Statute 345.

Sec. 15-35. Notice; Approval or Disapproval.

The Minnesota Lawful Gambling Board shall notify the City Council in writing in the manner required by law of each pending application for a lawful gambling license at least sixty (60) days before issuing or renewing the license. Each pending application for a license shall be approved or disapproved by resolution of the City Council.

Sec. 15-36. Location.

Lawful gambling under license issued by the Minnesota Lawful Gambling Control Board may be conducted only at the following locations:

- (a) In the licensed organization's hall where it has its regular meetings. No organization shall rent, lease, or occupy, directly or indirectly, any other property for the purpose of conducting gambling, except an on-sale establishment as permitted in this ordinance;
- (b) In licensed on-sale liquor, wine, and beer establishments;
- (c) Notwithstanding subsections (a) and (b) above, (raffle only) licenses may be approved for any proper location;
- (d) No location shall be approved for gambling unless it complies with the applicable zoning, building, fire, and health codes of the City of Maplewood.

Sec. 15-37. Conditions.

The conduct of lawful gambling under license issued by the Minnesota Lawful Gambling Control Board shall be subject to the following conditions in the City of Maplewood:

- (a) No sale, consumption, or possession of liquor, wine, or 3.2 beer shall be permitted during gambling conducted by a licensed organization, except as permitted under a valid on-sale liquor, wine, or 3.2 beer license or a bottle club permit; provided further that no sale, consumption, or possession of liquor, wine, or 3.2 beer shall be permitted in the room where a bingo session is taking place;
- (b) No organization shall be eligible for a gambling license unless, for the three (3) years immediately preceding the date of application, it has had an office, holds regular monthly meetings in the City of Maplewood, has 15 active members, and demonstrates that during that period it has performed substantial services within the City of Maplewood or on behalf of residents of Maplewood;
- (c) No organization shall hold more than one (1) gambling license for any location in the City of Maplewood except an organization that holds a gambling license for its own building may hold one (1) additional gambling license for any location in the City of Maplewood;
- (d) Before any person may serve as gambling manager for any organization licensed to conduct gambling in the City of Maplewood, that person must have satisfactorily completed a course of instruction conducted by the Minnesota Lawful Gambling Control Board on the duties and responsibilities of the gambling manager.

Sec. 15-38. Investigation.

Every organization which files an application for issuance or renewal of a lawful gambling license shall deliver the application to the City Clerk. The City Clerk and the Police Department designee shall investigate each application and report their findings and recommendations to the City Council. A copy of the resolution approved by the City Council will be made available to the license applicant.

Sec. 15-39. Permits for Exempt Organizations under Minnesota Statutes Section 349.214.

Every organization seeking to conduct lawful gambling which is exempt from state licensing under Minnesota Statutes, Section 349.214, shall obtain a permit issued by the City Council, subject to the following conditions:

- (a) The organization shall pay a permit fee of fifty dollars (\$50.00) per day;
- (b) Permits for all classes of gambling activities may be approved;
- (c) Lawful gambling by an organization exempt from licensing under Minnesota Statutes, Section 349.214, may be conducted on the premises of a licensed on-sale liquor, wine, or beer establishment or a bottle club subject to the restrictions in this chapter relating to the conduct of gambling in on-sale establishments and bottle clubs;
- (d) Except as provided in subsection (c) above, the sale, consumption, and possession of intoxicating liquor at a gambling event by an exempt organization shall be prohibited, however, 3.2 beer may be served and consumed only under a valid temporary on-sale beer license;
- (e) The organization shall comply with all statutory requirements for an exempt organization, including the thirty (30) day notice requirement to the City of Maplewood. The City Council, when granting a permit to an exempt organization, may waive the thirty (30) day notice requirement.

Sec. 15-40. Filing of Records; Inspection; Access to Records.

- (a) Every organization licensed to conduct gambling in the City of Maplewood shall file with the City Clerk and Director of Public Safety copies of all records and reports required to be filed with the Minnesota Lawful Gambling Control Board pursuant to Minnesota Statutes, Chapter 349, and the rules and regulations promulgated thereunder. The records and reports shall be due at the same time they are due to the board;
- (b) Every gambling event in the City of Maplewood conducted by an organization under Minnesota Statutes, Chapter 349, shall be open to inspection by officers of the Maplewood Police Department;

- (c) Employees of the Maplewood Police Department may inspect, at any reasonable time without notice or search warrant, all records of a licensed organization, including gambling account and other bank records, required by the Minnesota Lawful Gambling Board to be maintained and preserved.

Sec. 15-41. Lawful Gambling at On-Sale Establishments.

Lawful gambling at on-sale liquor, wine, and 3.2 beer establishments shall be conducted in compliance with the following regulations:

- (a) Only licenses for lawful gambling and raffles may be issued, except where the licensed gambling organization also holds the on-sale liquor, wine, or 3.2 beer licenses for the premises, in which case any gambling license may be issued;
- (b) On-sale establishments shall be limited to one licensed gambling organization at any one time in the licensed premises and any rooms adjoining the premises under the same management. No lease shall be made with one organization while another lease is in effect for the same on-sale establishment;
- (c) Every agreement between a non-profit organization and an on-sale premises for gambling shall be in the form of a written lease. The written lease shall be the complete agreement between the parties, and there shall be no unwritten terms or conditions. The lease shall specifically provide that the lessee shall operate only after issuance of a license and shall be subject to the terms of this ordinance;
- (d) A copy of any lease agreement between a non-profit organization and an on-sale licensee shall be filed with the City Clerk and the Director of Public Safety with the gambling license application;
- (e) A lease agreement between a non-profit organization and an on-sale establishment shall not provide for rental payments based on a percentage of receipts of profits from lawful gambling. There shall be no other compensation paid to the on-sale establishment, directly or indirectly, other than the rental fee provided in the lease agreement. The maximum rental fee shall be six hundred dollars (\$600.00) per month or \$24 per square foot of leased premise, whichever is less.
- (f) All gambling shall be conducted from a booth or other area properly segregated from the rest of the licensed premises. The physical layout of

the area set aside for gambling shall be subject to the approval of the Maplewood Police Department;

- (g) The gambling booth shall be constructed and maintained by the organization licensed to conduct gambling and shall be under the exclusive control of that organization. The organization licensed to conduct gambling shall prominently display its name and license number at its gambling booth and shall indicate that all profits from gambling are for the benefit of the organization;
- (h) No employees or agents of the on-sale establishment shall handle gambling devices, gambling money, prizes, or gambling records, nor shall they record winners, replays, or free games, nor shall they otherwise conduct, or assist the licensed gambling organizations in conducting the gambling operation;
- (i) No person shall be jointly employed by both the non-profit organization and the on-sale establishment;
- (j) The gambling booth shall be separate from the liquor service bar. No gambling shall be conducted from the liquor service bar;
- (k) The organization licensed to conduct gambling shall have exclusive control over all gambling devices, money, and records. Whenever the organization is not present, all gambling devices, money, and records shall be securely locked and shall be inaccessible to employees of the on-sale establishment.
- (l) No gambling funds shall be commingled with funds of the on-sale establishment.
- (m) No food, drink, or entertainment discounts or other promotions shall be offered in conjunction with the sale of gambling devices or chances;
- (n) The on-sale establishment shall allow the organization to conduct gambling at any time during its lawful business hours and shall prohibit gambling at any time other than its lawful business hours;
- (o) The on-sale licensee shall make no agreements with any gambling equipment distributor requiring the use of his or her gambling equipment in the establishment;
- (p) Subsection 15-41 (f), (g), (h), (i), (j), and (k) shall not apply when the licensed gambling organization is also the holder of the on-sale license for the establishment where the gambling is conducted;

- (q) The City Council may disapprove a gambling license application for an on-sale establishment in which gambling violations have previously occurred.

Sec. 15-42. Local Gambling Tax.

- (a) There is hereby imposed a tax on all lawful gambling conducted in the City of Maplewood by organizations licensed by the Minnesota Lawful Gambling Control Board at the rate specified in this section;
- (b) An organization's receipts from lawful gambling that is exempt from licensing under Minnesota Statutes, Section 349.214, are not subject to the tax imposed by this section;
- (c) On all lawful gambling, the tax is ten (10) percent of the net receipts of a licensed organization from lawful gambling less prizes actually paid out, payable by the organization;
- (d) The ten (10) percent net receipts tax imposed by this section shall be paid to a fund administered and regulated by the City, without cost to the City, for disbursement for lawful purposes on a monthly basis and shall be reported on a duplicate copy of the gambling tax return filed with the Minnesota Lawful Gambling Control Board each month. The report shall be an exact duplicate of the report filed with the Minnesota Lawful Gambling Control Board, without deletions or additions, and must contain the signatures of organization officials as required on the report form.

The tax return and payment of the tax due must be postmarked or, if hand-delivered, received in the office of the Maplewood Finance Director on or before the last business day of the month following the month for which the report is made.

An incomplete tax return will not be considered timely filed unless corrected and returned by the due date for filing. Delays in the mailing, mail pickups, and postmarking are the responsibility of the organization.

The tax return and tax payment shall be delivered to:

Finance Director  
City of Maplewood  
1830 E. County Road B  
Maplewood, Mn. 55109

Checks shall be made payable to:

City of Maplewood

- (e) There shall be an interest charge of eight (8) percent per annum on the unpaid balance of all overdue taxes owed by an organization under this section;
- (f) The City Council shall disapprove any pending application for renewal or original issue of a lawful gambling license for any organization which owes delinquent gambling taxes to the City of Maplewood. Further, the Director of Public Safety may notify the Minnesota Lawful Gambling Board of any organization owing delinquent gambling taxes to the City of Maplewood and may request that the board revoke or suspend the organization's license during the license year. The City Council shall not issue or renew any on-sale or off-sale alcoholic beverage license, bottle club permit, or food license to any organization which owes delinquent gambling taxes to the City of Maplewood. The above remedies are not exclusive and shall be in addition to any other powers and remedies provided by law.

Seconded by Councilmember Juker.

Ayes - Councilmembers Carlson,  
Juker, Rossbach and Zappa.

Nay - Mayor Bastian.

#### I. NEW BUSINESS

##### 1. Used Car License: 1908 Rice Street

- a. Manager McGuire presented the staff report.
- b. Jerry Anderson, applicant, spoke on behalf of keeping his business open.
- c. Councilmember Zappa moved to table for two weeks (September 24, 1990) and direct staff to learn from Mr. Anderson what time schedule he is planning to correct the violations; and directed Mr. Anderson to removed the damaged vehicles from his lot immediately.

Seconded by Mayor Bastian.

Ayes - all.

Councilmember Juker moved to suspend the Rules of Procedures and extend the meeting until 11:00 P.M.

Seconded by Councilmember Zappa.

Ayes - all.

##### 2. City Hall, Open House

a. Manager McGuire presented the staff report.

b. Councilmember Zappa moved to establish Monday, October 29, 1990, 4:00 P.M. to 8:00 P.M. as the date for the open house for the addition to City Hall. The following activities for the event would include:

1. A small instrumental or vocal group from Tartan High School to perform every hour.
2. A special video tape titled "Maplewood City Hall Renovation and Addition".
3. Refreshments - coffee, punch and cookies.
4. Guided tours by department heads.
5. Updated informational booklets about the City and the various departments, commissions, and boards.
6. A presentation in memory of Mayor Norm Anderson.

Seconded by Mayor Bastian.

Ayes - all.

3. City Hall Update

a. Director of Public Works Haider presented the update for the addition to City Hall. He recommended that Payment Requests 9 and 10 be paid.

b. Councilmember Zappa moved that Payment Requests 9 and 10 in the amount of \$34,009.87 be paid to the contractor.

Seconded by Mayor Bastian.

Ayes - all.

J. VISITOR PRESENTATIONS

1. Mr. Stan Yocum

a. Mr. Yocum, along with five individuals, own Southwinds of Maplewood 2nd Addition 15.6 acres, stated the density ordinance recently approved by Council will be detrimental to their development.

b. Council directed Mr. Yocum to follow the normal procedures.

2. Glen Bloom, 2451 Barclay

- a. Mr. Bloom stated his objections to the development of Harvest Park.
- b. Council stated this will be discussed October 8, 1990, under New Business.

K. COUNCIL PRESENTATIONS

1. Parks

- a. Councilmember Zappa stated there should be additional review of park plans.

2. Health Insurance Premiums

- a. Councilmember Carlson questioned on how to deal with increases in health insurance premiums.
- b. Council directed the Manager to submit a copy of cost comparison table and discuss this on Thursday Evening.

3. Mayor's Update

- a. Mayor Bastian stated there will be an elected officials' meeting on Wednesday night at 4:30 P.M. and Councilmember Rossbach will attend.
- b. Special City Council meeting Thursday, September 13, 1990, at 6:00 P.M. to discuss Police Study, Water Contract, etc.
- c. A.M.M. approved an amendment to hire the person and raise the dues.

4. Wetlands

- a. Mayor Bastian stated Abra was parking cars on the wetland protected area again.
- b. Staff will research conditions of their permit.
- c. Mayor Bastian moved to place Wetlands ordinance change on the 2nd meeting in October.

Seconded by Councilmember Zappa.

Ayes - all.

5. L.R.T.

a. Mayor Bastian asked who was the representative on the L.R.T. Committee.

b. Councilmember Zappa was appointed.

6. November 12, 1990 Meeting

a. Mayor Bastian stated the scheduled 1st meeting of November is a holiday and directed the Manager to research dates and report back.

L. ADMINISTRATIVE PRESENTATIONS

None.

M. ADJOURNMENT

11:05 P.M.

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City Clerk

SPECIAL MEETING  
OF THE  
CITY COUNCIL OF THE CITY OF MAPLEWOOD

6:00 p.m., Thursday, September 13, 1990  
Maplewood Room, City Hall

MINUTES

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A. CALL TO ORDER

The special meeting of the Maplewood City Council was held in the Maplewood Room, City Hall. The meeting was called to order by Mayor Gary Bastian at 6:05 p.m.

B. ROLL CALL

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

Others Present:

City Manager Michael McGuire  
Assistant City Manager Gretchen Maglich

E. OTHER BUSINESS was amended to include the following items: Community Center Update, Health Insurance, Highwood/McKnight Attorney-Client Meeting Date, November 12th Meeting, MIA/POW, Maplewood Mall Improvements, League of Minnesota Cities (LMC) Survey, and Upcoming Meetings.

C. POLICE STUDY

City Manager McGuire presented the staff report which included a review of the consultant's recommendations, the planned action for each, and a projected implementation date. Following the staff presentation, it was the consensus of the City Council that each Councilmember would individually review the City Manager's report, submit written notes to the City Manager, and then schedule another Council/Manager meeting to finish the discussion. City Manager McGuire was directed to survey other cities as to the number of Fire Marshal and Deputy Fire Marshal positions.

D. WATER CONTRACT

Assistant City Manager Gretchen Maglich presented the staff report on the City's contract with the City of St. Paul Board of Water Commissioners. Following a discussion, it was the consensus of the City Council to have staff use the following strategies during negotiations: continue to negotiate for a wholesale contract rate; negotiate for a substantial annual payment to the City in-lieu of the lost property taxes the City does not receive for the

Water Board's non-taxable properties in the City; and notify the Water Board that if the City continues to pay 120% of the St. Paul rate without any other relief under the existing retail contract, the City Council will encourage residents to deduct 20% from their quarterly bills. The City Attorney was directed to investigate this alternative.

E. OTHER BUSINESS

1. Community Center Update

City Manager McGuire reported on the progress of the Community Center Advisory Committee and stated that the Committee expects to have a formal report to the City Council by mid-November.

2. Health Insurance

City Manager McGuire reported that the City has attempted to control health insurance premium costs by reducing the number of carriers, surveying the employees about instituting a \$10 co-payment, sponsoring back injury training for employees, establishing an employee insurance committee, and providing a fitness center membership for full-time, permanent employees. Other ways of controlling premium costs include benefit reduction, employee premium participation, and managed health care.

3. Highwood/McKnight Attorney-Client Meeting

Councilmember Zappa moved that an attorney/client meeting for the Highwood/McKnight project be scheduled for Monday, September 17, 1990, 6:00 p.m. at the Maplewood Room to discuss pending litigation. The motion was seconded by Councilmember Rossbach. Ayes: All.

4. November 12, 1990 Meeting

Councilmember Rossbach moved that due to the Veterans Day legal holiday on November 12, 1990, the regular City Council meeting scheduled for that day shall be rescheduled for Thursday, November 15, 1990, 4:30 p.m. The motion was seconded by Councilmember Zappa. Ayes: All.

5. MIA/POW Flag

City Manager McGuire reported that he received a request that the Vietnam MIA/POW flag be flown on the City's flagpole. It was the consensus of the City Council that they would report back to the City Manager with their thoughts.

6. Maplewood Mall Traffic Improvements

The City Council instructed staff to continue with the short-term improvements around the Maplewood Mall.

7. League of Minnesota Cities Survey

Councilmember Zappa reported on the September 12, 1990 LMC meeting in Stillwater, and requested that the City Council complete and return a survey to the League.

8. Upcoming Meetings

City Manager McGuire announced two upcoming meetings: local City Councils/Legislators Meeting on October 17, 1990, 7:30 a.m. at the Shoreview Holiday Inn; and the City's Developers Meeting on Wednesday, October 24, 1990, 8:30 a.m.

F. ADJOURNMENT

The meeting was adjourned at 8:46 p.m.

## AGENDA REPORT

**TO:** City Manager  
**FROM:** Finance Director *L. O. Trust*  
**RE:** APPROVAL OF CLAIMS  
**DATE:** September 17, 1990

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

ACCOUNTS PAYABLE:

\$ 863,114.00	Checks # 10822 thru # 10860 Dated 9-4-90 thru 9-11-90
<u>\$ 100,297.10</u>	Checks # 7245 thru # 7369 Dated 9-24-90
\$ 963,411.10	Total per attached voucher/check register

PAYROLL:

\$ 185,404.25	Payroll Checks
<u>\$ 36,982.86</u>	Payroll Deductions
\$ 222,387.11	Total Payroll
\$ 1,185,798.21	GRAND TOTAL

Attached is a detailed listing of these claims.

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 09

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
10822	261100	09/04/90	FIRST MINNESOTA	F. I. C. A. FED INC. FICA CONSTR.	8,829.65 23,767.75 8,829.65	41,427.05
10823	181200	09/04/90	DANNER INC.	CONTRACT PYM.	32,544.78	32,544.78
10824	280070	09/04/90	FOREST LAKE CONTRACTING, INC	CONTRACT PYM	348,021.37	348,021.37
10825	630039	09/04/90	N. I. F. I. C.	SUPPLIES EQUIPMENT	200.00	200.00
10826	510610	09/04/90	MAPLEWOOD FIRE RELIEF ASSN	DUE TO OTHER GOVT	107,820.00	107,820.00
10827	831700	09/04/90	SRECO FLEXIBLE	TRAVEL TRAINING	105.00	105.00
10828	661755	09/04/90	NORTHERN STATES POWER	UTILILTIES UTILILTIES	7,427.32 696.09	8,123.41
10829	661750	09/04/90	NORTHERN STATES POWER	UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES	4,394.01 4.17 2.94 4.17 2.94 2.94	4,414.11
10830	661750	09/04/90	NORTHERN STATES POWER	UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES	14.00 80.19 92.80 76.54 121.02 128.41 13.64 78.73 41.05 119.73 135.30 89.42 118.63 121.19 115.34	1,345.99
10831	350877	09/04/90	HOGGE, GARY	SEWER REFUND	62.40	62.40
10832	560100	09/04/90	MN STATE COMMISSIONER	STATE INCOME	9,567.55	9,567.55
10834	943500	09/04/90	WISCONSIN DEPT. OF REVENUE	STATE INC. TAX	169.85	169.85
10835	541400	09/04/90	MINN. STATE TREASURER	MOTOR VEH	18,080.11	18,080.11
10836	541400	09/04/90	MINN. STATE TREASURER	STATE DRIVERS LIC.	583.00	583.00

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 09

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
10837	010250	09/05/90	A. F. S. C. M. E.	INSURANCE	8.00	8.00
10838	661750	09/05/90	NORTHERN STATES POWER	UTILITIES	84.69	
				UTILITIES	90.70	
				UTILITIES	175.52	
				UTILITIES	113.92	
				UTILITIES	169.28	
				UTILITIES	178.16	
				UTILITIES	164.66	
				UTILITIES	103.83	
				UTILITIES	1,212.50	
				UTILITIES	18.08	
				UTILITIES	38.75	
				UTILITIES	1,005.82	
				UTILITIES	28.31	3,384.22
10839	410700	09/05/90	KENTUCKY FRIED CHICKEN		96.73	96.73
10840	541400	09/05/90	MINN. STATE TREASURER	STATE DRIVERS LIC.	658.50	658.50
10841	541400	09/05/90	MINN. STATE TREASURER	MOTOR VEH LIC	22,735.86	22,735.86
10842	320500	09/05/90	GROUP HEALTH INC.	HCMA DEDUCTION	2,080.60	
				HEALTH LIFE DENTAL	10,274.33	
				INSURANCE	369.67	12,724.60
10843	711520	09/05/90	PHYSICIANS HEALTH PLAN	HCMA DEDUCTION	1,721.88	
				HCMA DEDUCTION	65.50	
				HEALTH LIFE DENTAL	10,526.62	
				INSURANCE	893.00	13,207.00
10844	150600	09/05/90	COMMERCIAL LIFE INS. CO.	HCMA	321.64	
				HCMA	203.14	
				INSURANCE	879.82	
				INSURANCE	27.93	1,432.53
10845	501400	09/05/90	MADISON NATIONAL LIFE	L. T. D. INS	1,844.53	1,844.53
10846	140400	09/06/90	CLERK OF DISTRICT COURT	CNTY DRIVERS LIC.	109.50	109.50
10847	541400	09/06/90	MINN. STATE TREASURER	MOTOR VEH LIC.	12,023.00	12,023.00
10848	541400	09/06/90	MINN. STATE TREASURER	STATE DRIVERS LIC.	460.00	460.00
10849	510100	09/07/90	MAPLE LEAF OFFICIALS ASSN.	OFFICIALS	3,363.50	
				OFFICIALS	20.00	3,383.50
10850	531650	09/07/90	METRO WASTE CONTROL COMMISSN	1990 SEWER	133,911.23	133,911.23
10851	790500	09/07/90	SCIENCE MUSEUM OF MINNESOTA	WORD PERFECT	75.00	75.00

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 09

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
10852	790500	09/07/90	SCIENCE MUSEUM OF MINNESOTA	2 WORD PERFECT	180.00	180.00
10853	541400	09/07/90	MINN. STATE TREASURER	DEPUTY REG 047	13,410.10	13,410.10
10854	541400	09/07/90	MINN. STATE TREASURER	DL #697 REPT 047	646.00	646.00
10855	661750	09/10/90	NORTHERN STATES POWER	UTILITIES 2659	15.70	
				UTILITIES 2659	180.86	
				UTILITIES 95	280.37	
				UTILITIES 474	195.40	
				UTILITIES 741	8.78	
				UTILITIES 1035	572.52	
				UTILITIES 1080	128.44	
				UTILITIES 1080	260.28	
				UTILITIES 1401	153.73	
				UTILITIES 1882	85.46	
				UTILITIES 1985	363.02	
				UTILITIES 2146	11.47	
				UTILITIES 2250	74.42	
				UTILITIES 2740	15.05	
				UTILITIES	15.70	
				UTILITIES	180.86	
				UTILITIES	280.37	
				UTILITIES	195.40	
				UTILITIES	8.78	
				UTILITIES	572.52	
				UTILITIES	128.44	
				UTILITIES	260.28	
				UTILITIES	153.73	
				UTILITIES	85.46	
				UTILITIES	363.02	
				UTILITIES	11.47	
				UTILITIES	74.42	
				UTILITIES	15.05	4,691.00
10856	541400	09/10/90	MINN. STATE TREASURER	LIC C19972	507.00	
				STATE DRIVERS LIC.	507.00	1,014.00
10857	541400	09/10/90	MINN. STATE TREASURER	MOTOR VEH LIC.	15,649.00	
				REPORT 048	15,649.00	31,298.00
10858	661750	09/11/90	NORTHERN STATES POWER	UTILITIES 203	15.82	
				UTILITIES 618	15.82	
				UTILITIES 618	14.12	
				UTILITIES 1081	7.06	
				UTILITIES 1625	7.99	
				UTILITIES 1662	52.75	
				UTILITIES 1685	26.74	
				UTILITIES 1750	6.82	
				UTILITIES 1845	415.36	
				UTILITIES 1845	28.09	

VOUCHREG  
09/14/90 14:23

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 09

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VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				UTILITIES 1940	674.37	
				UTILITIES 2005	62.25	
				UTILITIES 2019	109.81	
				UTILITIES 2101	6.82	
				UTILITIES 2133	6.82	
				UTILITIES 2401	23.90	
				UTILITIES	15.82	
				UTILITIES	15.82	
				UTILITIES	14.12	
				UTILITIES	7.06	
				UTILITIES	7.99	
				UTILITIES	52.75	
				UTILITIES	26.74	
				UTILITIES	6.82	
				UTILITIES	415.36	
				UTILITIES	28.09	
				UTILITIES	674.37	
				UTILITIES	62.25	
				UTILITIES	109.81	
				UTILITIES	6.82	
				UTILITIES	6.82	
				UTILITIES	23.90	2,949.08
10859	541400	09/11/90	MINN. STATE TREASURER	REPORT 049	547.50	
				STATE DRIVERS LIC.	547.50	1,095.00
10860	541400	09/11/90	MINN. STATE TREASURER	REPORT 049	14,656.00	
				MOTOR JVEH LIC.	14,656.00	29,312.00
7245	010465	09/24/90	A.T. & T. COMMUNICATIONS	MIC	15.60	
				TELEPHONE	27.88	
				TELEPHONE	168.81	
				TELEPHONE	4.37	
				TELEPHONE	.86	217.52
7246	010525	09/24/90	ACOUNTEMPS INC.	OVERTIME PAY	370.50	370.50
7247	010575	09/24/90	ACE HARDWARE	JANITORIAL SUP.	21.84	
				MAINT MATERIAL	109.84	
				MAINT MATERIAL	170.77	
				MAINT MATERIAL	176.69	
				MAINT MATERIAL	116.82	
				MAINT MATERIAL	181.75	
				MAINT MATERIAL	184.46	
				MAINT MATERIAL	175.87	
				MAINT MATERIAL	151.13	
				SUPPLIES JANITORIAL	7.22	
				MAINT MATERIAL	165.85	
				SMALL TOOLS	31.79	
				MAINT MATERIAL	113.89	
				SUPPLIES JANITORIAL	31.81	1,639.73

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 09

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
7248	020380	09/24/90	AHARTZ, DAVE	PROGRAM REGISTRATION	28.00	28.00
7249	020400	09/24/90	AIR SIGNAL, INC.	OUTSIDE RENTAL	19.69	19.69
7250	021185	09/24/90	AMERICAN ENGINEERING TESTING	ENG FEES	710.00	710.00
7251	040915	09/24/90	ARNALS AUTO SERVICE	REPAIR MAINT VEHICLE REPAIR MAINT VEHICLE	516.80 140.60	657.40
7252	042050	09/24/90	ASPEN EQUIPMENT	SALE OF PROPERTY EQUIPMENT PURCHASED	2,500.00- 10,895.00	8,395.00
7253	061900	09/24/90	BATTERY TIRE WAREHOUSE	VEHICLE SUPPLIES	198.50	198.50
7254	071190	09/24/90	BEST BARRICADE	SHIPPING COST	6.56	6.56
7255	071650	09/24/90	BIGHLEY AUTO BODY	SUPPLIES JANITORIAL	90.00	90.00
7256	080300	09/24/90	BLACKS PHOTOGRAPHY	SUPPLIES EQUIPMENT FILM DEVEL	6.84 20.78	27.62
7257	080900	09/24/90	BOARD OF WATER COMMISSIONERS	OTHER CONSTRUCTION	220.51	220.51
7258	081157	09/24/90	BONADIMAN ENGINEERS INC	REPAIR MTNCE EQUIP	175.00	175.00
7259	090500	09/24/90	BRACKE, LOUIS	SERVICE FEE	2,685.00	2,685.00
7260	091450	09/24/90	BROWNING-FERRIS IND.	FEES FOR SERVICE	152.25	152.25
7261	091475	09/24/90	BRUNSON INSTRUMENT CO.	SUPPLIES EQUIPMENT	41.40	41.40
7262	091485	09/24/90	BRW, INC.	PLANNING DEPOSITSD POSTAGE FEES CONSULTING	800.00 22.50 915.00	1,737.50
7263	110278	09/24/90	CALCOMP	REPAIRS MTNCE	35.00	35.00
7264	120320	09/24/90	CELLULAR ONE	TELEPHONE	53.30	53.30
7265	120325	09/24/90	CELLULAR ONE	TELEPHONE	50.87	50.87
7266	130300	09/24/90	CHAPIN PUBLISHING	PROJECT 86-01 LEGAL AND FISCAL PROJECT 86-01	64.60 121.60 64.60	250.80
7267	140205	09/24/90	CLEAN STEP RUGS	RUGS RENTAL	13.10	13.10
7268	150020	09/24/90	COBB GROUP INC.	MEMBERSHIP	39.00	39.00
7269	150170	09/24/90	COLLINS ELECTRIC	ELEC. 90214	75.00	75.00

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 09

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
7270	150175	09/24/90	COLLINS ELECTRICAL CONST.	REPAIR/MAINT/BLDG/GROUN	854.62	854.62
7271	161150	09/24/90	CREATIVE AGE PUBLICATIONS	SUBSCRIPTION	15.00	15.00
7272	180050	09/24/90	D & D SPEEDOMETER INC	REPAIR AND MAINT/VEHICLE	45.00	45.00
7273	180100	09/24/90	D. C. A., INC.	ANNUAL IRS FORMS	400.00	400.00
7274	180800	09/24/90	DALCO	SUPPLIES JANITOR SUPPLIES JANITOR	90.52 54.55	145.07
7275	180900	09/24/90	DALEY, PAT	SERVICE	944.00	944.00
7276	181300	09/24/90	DATA DISPATCH	DELIVERY SERVICE	20.00	20.00
7277	190060	09/24/90	DEGE GARDEN CENTER	EQUIPMENT SUPPLIES SUPPLIES SUPPLIES SUPPLIES TOOLS	2.40 2.49 24.47 34.59 5.98 21.99	91.92
7278	190960	09/24/90	DESHLER, RICK	REFUND	17.00	17.00
7279	200300	09/24/90	DICTAPHONE	REPAIR AND MAINT/EQ	786.75	786.75
7280	230225	09/24/90	E. K. QUEHL	SUPPLIES-OFFICE	472.57	472.57
7281	230700	09/24/90	EAST SIDE G. T. C.	SUPPLIES-VEHICLE	52.39	52.39
7282	250115	09/24/90	ENSTAD, BONNIE	REFUND	17.00	17.00
7283	250350	09/24/90	CAROL EVANS	REFUND	17.00	17.00
7284	260250	09/24/90	FACILITY SYSTEMS, INC.	FEES FOR SERVICE OFFICE EQUIP	193.00 504.89	697.89
7285	260285	09/24/90	FALVEY, KAY	WAGES PART TIME	52.50	52.50
7286	290465	09/24/90	FROELICH, ARCHIE	REFUND	56.00	56.00
7287	300600	09/24/90	G. A. B. BUSINESS SERVICE	JUDGEMENT	535.00	535.00
7288	302100	09/24/90	GENUINE PARTS	SUPPLIES VEHICLE	156.07	156.07
7289	310300	09/24/90	GOODYEAR TIRE COMPANY	REPAIR AND MAINT.	29.00	29.00
7290	310650	09/24/90	GOPHER DISPOSAL	CONTRACT PYM.	7,553.60	7,553.60
7291	320525	09/24/90	GRUBER'S POWER EQUIPMENT	REPAIR	75.99	75.99

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 09

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
7292	330215	09/24/90	HAMERNICK PAINT & GLASS CO.	REPAIR MAINT BLDG. PANEL	1,171.00 90.00	1,261.00
7293	330400	09/24/90	HARMON GLASS	TINTED GLASS	70.04	70.04
7294	340110	09/24/90	HEJNY RENTALS, INC	OUTSIDE RENTAL-EQUIPMENT OUTSIDE RENTAL OUTSIDE RENTAL OUTSIDE RENTAL	35.00 17.00 99.00 90.00	241.00
7295	351400	09/24/90	HORWATH, TOM	CONTRACT PYM.	1,488.00	1,488.00
7296	370100	09/24/90	HUTCHINSON, ANN	VEHICLE ALLOWANCE	13.13	13.13
7297	390100	09/24/90	INDEPENDENT SCHOOL DIST. #622	SERVICE SERVICE SERVICE	400.96 464.40 378.60	1,243.96
7298	410420	09/24/90	KELLER ELECTRIC INC.	REPAIR MAINT BLDG.	174.00	174.00
7299	410440	09/24/90	KELLY TEMPORARY SERVICES	CONTRACT PYM.	168.30	168.30
7300	410441	09/24/90	KELLY TEMPORARY SERVICES	FEES FOR SERVICE	168.30	168.30
7301	410500	09/24/90	KENNA, JOHN J.	LAND EASEMENTS	1,567.50	1,567.50
7302	420060	09/24/90	ROB KLEMM	REFUND	17.00	17.00
7303	430400	09/24/90	KNOX COMMERCIAL CREDIT	MAINT MATERIAL MAINT MATERIAL	21.90 19.18	41.08
7304	430800	09/24/90	KOKESH ATHLETIC	PROGRAM SUPPLIES PROGRAM SUPPLIES	33.60 187.90	221.50
7305	460520	09/24/90	LEAGUE OF MN CITIES	SUBSCRIPTIONS	10,781.00	10,781.00
7306	470700	09/24/90	LILLIE SUBURBAN NEWSPAPERS	PUBLISHING LEGAL FISCAL SUPPLIES-OFFICE SUBSCRIPTIONS	1,112.17 58.02 63.00 16.00	1,249.19
7307	500350	09/24/90	M.B. SUPPLY	MAINTENANCE MATERIAL	104.07	104.07
7308	500800	09/24/90	M.T.I. DISTRIBUTING CO.	VEHICLE SUPPLIES VEHICLE SUPPLIES	91.80 177.83	269.63
7309	501500	09/24/90	MAGICORP	CONTRACT PYM.	18.00	18.00
7310	501505	09/24/90	MAGLICH, GRETCHEN B.	PROGRAM SUPPLIES PUBLISHING PROGRAM SUPPLIES	18.91 5.00 77.56	101.47

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 09

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
7311	501900	09/24/90	MANPOWER TEMPORARY SERVICE		141.35	141.35
7312	520500	09/24/90	MCGUIRE, MICHAEL	VEHICLE ALLOW.	350.00	350.00
7313	530500	09/24/90	MENARDS	MAINTENANCE MATERIAL MAINTENANCE MATERIAL	51.00 40.25	91.25
7314	530650	09/24/90	METAL DOCTOR	REPAIR/MAINT/	20.00	20.00
7315	540225	09/24/90	MIDWEST ANIMAL SERVICE	SERVICE	1,794.10	1,794.10
7316	541910	09/24/90	MINNESOTA CLE	TUITION/TRNG	825.00	825.00
7317	541925	09/24/90	MINNESOTA CELLULAR	SUPPLIES EQUIP	15.00	15.00
7318	542750	09/24/90	MIRACLE REC EQUIPMENT	MIRACLE REC	1,741.20	1,741.20
7319	570050	09/24/90	MOBILE EMERGENCY SYSTEMS, INC.	REPAIR/MAINT/VEH REPAIR MAINT VEHICLE	1,042.00 80.00	1,122.00
7320	570090	09/24/90	MOGREN BROS.	MAINTENANCE MATERIAL MAINTENANCE MATERIAL MAINTENANCE MATERIAL MAINTENANCE MATERIAL MAINT MATERIAL MAINT MATERIAL MAINT MATERIAL MAINT MATERIAL	85.00 9.10 9.10 74.00 70.00 70.00 70.00 70.00	457.20
7321	570101	09/24/90	MONTANARI HOMES, INC.	DEPOSITS PAYABLE INTEREST ON INVESTMENTS	1,000.00 3.97	1,003.97
7322	630960	09/24/90	NCR	MAINT EQUIP	52.00	52.00
7323	640550	09/24/90	NELSON, JEAN	VEHICLE ALLOWANCE	16.56	16.56
7324	650915	09/24/90	ROBERT G. NOBLE	SERVICE FEE	1,875.00	1,875.00
7325	660225	09/24/90	NO. ST. PAUL WELDING	MAINTENANCE	25.80	25.80
7326	661800	09/24/90	NORTHLAND IDENT	NORTHLAND IDENTIFICATION	1,305.00	1,305.00
7327	661950	09/24/90	NORTHSTAR TURF INC.	MAINTENANCE MATERIAL	109.00	109.00
7328	662200	09/24/90	NORTHWEST FABRICS	PROGRAM SUPPLIES	60.97	60.97
7329	680600	09/24/90	OCTOPUS CAR WASH	VEHICLE MAINT VEHICLE MAINT VEHICLE MAINT VEHICLE MAINT VEHICLE MAINT	6.92 276.80 69.20 13.84 6.92	

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 09

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				VEHICLE MAINT	27.68	
				VEHICLE MAINT	6.92	408.28
7330	700460	09/24/90	P.C. EXPRESS/P.C. TRONICS	SUPPLIES-OFFICE	26.85-	
				SUPPLIES-OFFICE	77.50	
				SUPPLIES-OFFICE	17.40	68.05
7331	700675	09/24/90	PAKDY, GENE	CONTRACT PYM.	8,317.54	8,317.54
7332	710600	09/24/90	PEOPLES ELECTRIC	CONTRACT PYM.	289.90	
				EQUIPMENT-OFFICE	200.54	
				EQUIPMENT-OFFICE	200.54	690.98
7333	710800	09/24/90	PET CONNECTION	PROG SUPPLIES	18.38	18.38
7334	711345	09/24/90	PETERSON, BELL, CONVERSE & JENSEN	CONTRACT PYM.	4,000.00	
				CONTRACT PYM.	4,000.00	8,000.00
7335	712115	09/24/90	POLAR CHEVROLET GEO	SUPPLIES VEHICLE	9.56	9.56
7336	720757	09/24/90	PRAIRIE RESTORATIONS, INC.	LAND IMPROVEMENT	30.00	30.00
7337	720760	09/24/90	PRECISION BUSINESS SYSTEMS	SUPPLIES OFFICE	143.99	143.99
7338	720762	09/24/90	PRECISION LANDSCAPE	TREE REMOVAL	340.00	340.00
7339	721300	09/24/90	PROFESSIONAL PROCESS	CONTRACT PYM.	26.50	
				CONTRACT PYM.	80.33	106.83
7340	741200	09/24/90	RAINBOW FOODS	PROG SUPPLIES	60.33	
				PROGRAM SUPPLIES	38.30	98.63
7341	741700	09/24/90	RAMSEY COUNTY	CONTRACT PYM.	344.15	
				LEGAL FISCAL	74.78	
				LEGAL FISCAL	1.51	420.44
7342	742900	09/24/90	RAY DAVIS & SONS	KEYS	24.54	
				SUPPLIES 14608	13.63	38.17
7343	761600	09/24/90	RONS PRINTING	OFFICE SUPPLIES	221.30	221.30
7344	780100	09/24/90	S&D LOCK & SAFE	SUPPLIES OFFICE	4.00	4.00
7345	780300	09/24/90	S&T OFFICE PRODUCTS INC.	EQUIPMENT	291.92	
				SUPPLIES OFFICE	26.75	
				SUPPLIES OFFICE	3.14	
				SUPPLIES OFFICE	9.04	330.85
7346	780350	09/24/90	S.E.H.	OUTSIDE ENG.	7,413.20	
				OUTSIDE ENG.	5,983.75	
				OUTSIDE ENG.	371.97	13,768.92

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 09

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
7347	800075	09/24/90	SEARS	SUPPLIES-OFFICE	10.59	10.59
7348	831500	09/24/90	SPECIALTY RADIO	REPAIR/MAINT/RADIO	30.80	185.70
				REPAIR/MAINT/RADIO	20.00	
				REPAIR MAINT RADIO	38.00	
				REPAIR/MAINT/RADIO	96.90	
7349	831600	09/24/90	SPS OFFICE PRODUCTS	SUPPLIES-OFFICE	81.62	167.15
				SUPPLIES-OFFICE	79.33	
				SUPPLIES-OFFICE	6.20	
7350	840295	09/24/90	ST PAUL BAR & REST	OFFICE SUPPLY	15.81	15.81
7351	840300	09/24/90	ST. PAUL BOOK & STATION	SUPPLIES OFFICE	16.31	16.31
7352	840400	09/24/90	ST. PAUL CITY OF	FINGERPRINT ANAL	158.60	158.60
7353	850383	09/24/90	SUN CONTROL OF MINNESOTA	REPAIR MAINT	95.00	95.00
7354	850600	09/24/90	SUPERAMERICA	FUEL	11.16	1,641.64
				FUEL	43.11	
				FUEL	27.57	
				FUEL	18.30	
				FUEL	17.02	
				FUEL	8.47	
				FUEL	21.96	
				FUEL	7.32	
				FUEL	22.91	
				FUEL	95.00	
				FUEL	792.90	
				FUEL	455.54	
				FUEL	42.38	
				FUEL	13.00	
				FUEL	8.26	
				FUEL	38.44	
				FUEL	9.15	
				FUEL	9.15	
7355	851550	09/24/90	SYSTEMS SERVICE COMPANY	SUPPLIES OFFICE	49.55	64.50
				SUPPLIES OFFICE	14.95	
7356	860080	09/24/90	T.A. SCHIFSKY & SONS, INC	MAINT MATERIAL	143.71	143.71
7357	860100	09/24/90	T.J. AUTO PARTS	SUPPLIES-VEHICLE	8.28	75.81
				SUPPLIES VEHICLE	49.91	
				SUPPLIES-VEHICLE	17.62	
7358	860315	09/24/90	T.K.D.A.	OUTSIDE ENGINEERING	196.07	738.67
				OUTSIDE ENG	542.60	
7359	860500	09/24/90	TARGET	OFFICE SUPPLY	7.50	

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CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 09

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				POLAROID FILM	18.49	
				CONTRACT PYM.	27.98	53.97
7360	860650	09/24/90	TARGET STORES			
				TRAVEL/TRAINING	69.86	
				PROGRAM SUPPLIES	16.90	
				PROGRAM SUPPLIES	24.55	111.31
7361	880200	09/24/90	TRANS-MISSISSIPPI BIOLOGICAL	PROGRAM SUPPLIES	72.00	72.00
7362	880750	09/24/90	TROY CHEMICAL INDUSTRIES	JANITORIAL SUP.	128.00	
				SUPPLIES-JANITORIAL	75.00	
				SUPPLIES JANITORIAL	140.00	343.00
7363	881600	09/24/90	TWIN CITY HARDWARE CO.	MAINTENANCE MATERIAL	18.02	18.02
7364	882500	09/24/90	TWIN CITY TESTING	ENGINEERING FEES	241.20	241.20
7365	882800	09/24/90	TWIN CITY TRANSPORT	CONTRACT PYM.	20.00	20.00
7366	900100	09/24/90	UNIFORMS UNLIMITED	UNIFORMS	137.50	
				UNIFORMS AND CLOTHING	79.10	
				UNIFORMS	80.85	
				UNIFORMS	235.50	
				UNIFORMS	21.55	554.50
7367	900600	09/24/90	UNIVERSAL MEDICAL	SUPPLIES EQUIPMENT	76.50	76.50
7368	934100	09/24/90	WASHINGTON CRIME NEWS SERV.	SUBSCRIPTIONS	225.00	225.00
7369	942800	09/24/90	WINFIELD MITCHELL	LEGAL FISCAL	112.50	
				LEGAL FISCAL	412.50	
				LEGAL FISCAL	300.00	
				LEGAL FISCAL	300.00	1,125.00
				TOTAL CHECKS		963,411.10

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

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0016862	09/14/90	JANE ROERING	756.50
0016863	09/14/90	MICHAEL A McGUIRE	2,971.94
0016864	09/14/90	GAIL BLACKSTONE	1,901.78
0016865	09/14/90	BRETCHEN MAGLICH	1,386.78
0016866	09/14/90	KATHRYN SMITH	1,131.35
0016867	09/14/90	DAVID J JAHN	964.33
0016868	09/14/90	LYLE SWANSON	1,199.03
0016869	09/14/90	LARRY J CUDE	288.80
0016870	09/14/90	ANDREA J OSTER	1,043.50
0016871	09/14/90	WILLIAM MIKISKA	180.00
0016872	09/14/90	DANIEL F FAUST	2,148.17
0016873	09/14/90	THERESE CARLSON	847.97
0016874	09/14/90	KATHERINE ZIMMERMAN	138.30
0016875	09/14/90	ALANA K MATHEYS	1,173.39
0016876	09/14/90	DELORES A VIGNALO	1,131.50
0016877	09/14/90	LOIS DAVIS	348.14
0016878	09/14/90	CAROLE J ANDERSON	1,456.50
0016879	09/14/90	LOIS N BEHM	1,155.70
0016880	09/14/90	LUCILLE E AURELIUS	1,983.37
0016881	09/14/90	BETTY D SELVOG	283.25
0016882	09/14/90	JEANNE L SCHADT	1,093.52
0016883	09/14/90	CONNIE L KELSEY	767.91
0016884	09/14/90	LORRAINE S VIETOR	1,014.70
0016885	09/14/90	PATRICIA A HENSLEY	694.66
0016886	09/14/90	CAROL JAGOE	857.90
0016887	09/14/90	JEANETTE E CARLE	1,055.87
0016888	09/14/90	SANDRA OLSON	728.36

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

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1/6	CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
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4	0016889	09/14/90	MARY KAY PALANK	765.10
5	0016890	09/14/90	KENNETH V COLLINS	2,203.38
6				
7	0016891	09/14/90	CAROLE L RICHIE	1,087.13
8				
9	0016892	09/14/90	JOANNE M SVENDSEN	1,308.36
10				
11	0016893	09/14/90	ROBERT D NELSON	1,899.32
12				
13	0016894	09/14/90	ELAINE FULLER	615.79
14				
15	0016895	09/14/90	CAROL F MARTINSON	1,191.74
16				
17	0016896	09/14/90	VERNON T STILL	1,480.68
18				
19	0016897	09/14/90	DONALD W SKALMAN	1,506.28
20				
21	0016898	09/14/90	JOHN FRASER	1,273.52
22				
23	0016899	09/14/90	RAYMOND J MORELLI	1,506.28
24				
25	0016900	09/14/90	SCOTT L STEFFEN	1,682.17
26				
27	0016901	09/14/90	DAVID L ARNOLD	1,808.44
28				
29	0016902	09/14/90	JOHN J BANICK	1,709.59
30				
31	0016903	09/14/90	JOHN C BOHL	1,652.45
32				
33	0016904	09/14/90	ANTHONY G CAHANES	1,899.32
34				
35	0016905	09/14/90	DALE K CLAUSON	1,506.28
36				
37	0016906	09/14/90	RICHARD M MOESCHTER	1,636.25
38				
39	0016907	09/14/90	JOHN H ATCHISON	1,506.28
40				
41	0016908	09/14/90	JAMES YOUNGREN	2,044.86
42				
43	0016909	09/14/90	YING YANG	609.90
44				
45	0016910	09/14/90	WILLIAM F PELTIER	1,741.18
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47	0016911	09/14/90	THOMAS J SZCZEPANSKI	1,430.28
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49	0016912	09/14/90	CABOT V WELCHLIN	1,522.63
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51	0016913	09/14/90	RICHARD J LANG	1,523.15
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53	0016914	09/14/90	DALE RAZSKAZOFF	1,561.48
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55	0016915	09/14/90	MICHAEL RYAN	1,683.88
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CITY OF MAPLEWOOD  
 EMPLOYEE GROSS EARNINGS AND PAYROLL DEDUCTION CHECKS  
 FOR THE CURRENT PAY PERIOD

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0016916	09/14/90	MICHAEL J HERBERT	1,561.48
0016917	09/14/90	RICHARD C DREGER	1,933.00
0016918	09/14/90	GREGORY L STAFNE	1,587.49
0016919	09/14/90	RONALD D BECKER	1,561.48
0016920	09/14/90	KEVIN R HALWEG	2,057.56
0016921	09/14/90	DERRELL T STOCKTON	1,553.74
0016922	09/14/90	PAUL G PAULOS JR.	1,468.88
0016923	09/14/90	RICK A BOWMAN	1,508.78
0016924	09/14/90	FLINT D KARIS	1,498.28
0016925	09/14/90	STEPHEN J HEINZ	1,635.58
0016926	09/14/90	DAVID M GRAF	1,574.28
0016927	09/14/90	DAVID J THOMALLA	1,627.54
0016928	09/14/90	STEVEN PALMA	1,459.88
0016929	09/14/90	ROBERT E VORWERK	1,574.28
0016930	09/14/90	JOSEPH A BERGERON	1,512.29
0016931	09/14/90	JAMES MEEHAN	1,672.64
0016932	09/14/90	JON A MELANDER	1,574.28
0016933	09/14/90	SARAH SAUNDERS	901.49
0016934	09/14/90	JAMES M EMBERTSON	1,618.34
0016935	09/14/90	DUANE J WILLIAMS	1,421.40
0016936	09/14/90	JANET L RABINE	1,479.89
0016937	09/14/90	JULIE A STAHNKE	1,217.78
0016938	09/14/90	SCOTT K BOYER	1,436.87
0016939	09/14/90	CAROL NELSON	1,799.82
0016940	09/14/90	CYNTHIA WALDT	1,079.06
0016941	09/14/90	JOSEPH FEHR	1,153.36
0016942	09/14/90	JAYME L FLAUGHER	1,114.70

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

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0016943	09/14/90	JUDITH WEGWERTH	525.12
0016944	09/14/90	KENNETH G HAIDER	2,203.38
0016945	09/14/90	JUDY M CHLEBECK	1,134.70
0016946	09/14/90	WILLIAM PRIEFER	1,141.34
0016947	09/14/90	GERALD W MEYER	1,256.47
0016948	09/14/90	MICHAEL R KANE	1,497.96
0016949	09/14/90	BRYAN NAGEL	1,141.67
0016950	09/14/90	DAVID P LUTZ	1,235.91
0016951	09/14/90	HENRY F KLAUSING	1,249.10
0016952	09/14/90	JOHN SCHMOECK	1,038.52
0016953	09/14/90	RONALD J HELEY	1,204.30
0016954	09/14/90	ERICK D OSWALD	1,151.78
0016955	09/14/90	STEVEN COLLINS	432.00
0016956	09/14/90	RONALD L FREBERG	1,204.30
0016957	09/14/90	WILLIAM C CASS	1,775.70
0016958	09/14/90	TODD ZACK	192.00
0016959	09/14/90	RANDAL LINDBLOM	1,607.50
0016960	09/14/90	JAMES G ELIAS	1,532.16
0016961	09/14/90	JOHN DU CHARME	959.59
0016962	09/14/90	DENNIS L PECK	1,391.50
0016963	09/14/90	WILLIAM PRIEBE	1,799.60
0016964	09/14/90	BRUCE A IRISH	1,792.50
0016965	09/14/90	WALTER M GEISSLER	1,792.52
0016966	09/14/90	THERESA METZ	1,067.14
0016967	09/14/90	JOHN R LOFGREN	1,036.28
0016968	09/14/90	ROBERT D ODEGARD	1,983.37
0016969	09/14/90	LOIS J BRENNER	1,114.70

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

0005

1/6 1	CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
2	0016970	09/14/90	BARBARA A KRUMMEL	516.55
3	0016971	09/14/90	PAULINE STAPLES	1,711.70
4	0016972	09/14/90	LUTHER JONES	79.20
5	0016973	09/14/90	MARGARET KUNDE	113.85
6	0016974	09/14/90	ROBERT S ANDERSON	1,181.90
7	0016975	09/14/90	DENNIS P LINDORFF	1,196.92
8	0016976	09/14/90	WILLIAM GARRY	1,148.30
9	0016977	09/14/90	ROLAND B HELEY	1,226.03
10	0016978	09/14/90	MARK A MARUSKA	1,633.26
11	0016979	09/14/90	JAMES SCHINDELDECKER	1,036.30
12	0016980	09/14/90	TERRY LeCOUNT	230.00
13	0016981	09/14/90	MYLES R BURKE	1,249.10
14	0016982	09/14/90	DANIEL BURKHART	230.00
15	0016983	09/14/90	MICHAEL GRAF	362.25
16	0016984	09/14/90	RONALD L BESETH-JR.	254.63
17	0016985	09/14/90	KEVIN JAGOE	168.00
18	0016986	09/14/90	ROY G WARD	406.40
19	0016987	09/14/90	DOUGLAS J TAUBMAN	1,431.70
20	0016988	09/14/90	JANET M GREW HAYMAN	1,206.70
21	0016989	09/14/90	JEAN NELSON	407.58
22	0016990	09/14/90	JUDITH A HORSNELL	592.15
23	0016991	09/14/90	ANN E HUTCHINSON	696.31
24	0016992	09/14/90	KATHLEEN M DOHERTY	1,113.14
25	0016993	09/14/90	MARIE BARTA	995.63
26	0016994	09/14/90	GEOFFREY W OLSON	1,983.37
27	0016995	09/14/90	NANCY MISKELL	553.51
28	0016996	09/14/90	JOYCE L LIVINGSTON	578.34

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

0006

1/6 1	CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
2				
3	0016997	09/14/90	KENNETH ROBERTS	1,226.86
4				
5	0016998	09/14/90	THOMAS RIEDESEL	330.00
6				
7	0016999	09/14/90	THOMAS G EKSTRAND	1,504.12
8				
9	0017000	09/14/90	MARJORIE OSTROM	1,629.30
10				
11	0017001	09/14/90	NICHOLAS N CARVER	1,311.50
12				
13	0017002	09/14/90	ROBERT J WENGER	1,341.10
14				
15	0017003	09/14/90	DANIEL CAMPANARO	144.00
16				
17	0017004	09/14/90	HOWARD VERHULST	144.00
18				
19	0017005	09/14/90	MICHAEL HYLAND	240.00
20				
21	0017006	09/14/90	EDWARD A NADEAU	122.46
22				
23	0017007	09/14/90	GEORGE W MULWEE	1,292.47
24				
25	0017008	09/14/90	LAVERNE S NUTESON	1,659.48
26				
27	0017009	09/14/90	ROGER W BREHEIM	1,270.01
28				
29	0017010	09/14/90	DAVID B EDSON	1,285.53
30				
31	0017011	09/14/90	DAVID GERMAIN	1,337.38
32				
33	0017012	09/14/90	ERIC MARTINSON	384.00
34				
35	0017013	09/14/90	DENNIS M MULVANEY	1,343.50
36				
37	0017014	09/14/90	GEORGE C SPREIGL	1,195.50
38				
39	0017015	09/14/90	ELIZABETH J WEILAND	1,236.00
40				
41	0017016	VOID	CITY OF MAPLEWOOD (HCMA)	2,923.65
42				
43	0017017	09/14/90	ICMA RETIREMENT TRUST-457	8,710.86
44				
45	0017018	09/14/90	AFSCME 2725	546.00
46				
47	0017019	VOID	MAPLEWOOD STATE BANK #1	21,918.45
48				
49	0017020	VOID	MN STATE COMM OF REVENUE	8,892.54
50				
51	0017021	VOID	FIRST MINNESOTA (FICA)	5,165.45
52				
53	0017022	VOID	PUBLIC EMP RETIREMENT ASSOC	4,637.24
54				
55	0017023	09/14/90	CITY & COUNTY EMP CR UNION	26,213.00
56				
57				

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

0007

1/6 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57
CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT																																																					
0017024	VOID	09/14/90	FIRST MINNESOTA	168.75																																																				
0017025	VOID	09/14/90	UNITED WAY OF ST. PAUL AREA	155.65																																																				
0017026	VOID	09/14/90	COMMERCIAL LIFE INSURANCE	101.57																																																				
0017027	VOID	09/14/90	PUBLIC EMP. RETIREMENT ASSOC.	81.00																																																				
0017028	✓	09/14/90	MN STATE RETIREMENT SYSTEM	295.00																																																				
0017029	✓	09/14/90	MN. MUTUAL LIFE INS. 19-3988	160.00																																																				
0017030	✓	09/14/90	METRO SUPERVISORY ASSOC	20.00																																																				
0017031	VOID	09/14/90	PUBLIC EMP RETIREMENT ASSOC	402.61																																																				
0017032	VOID	09/14/90	PUBLIC EMP RETIREMENT ASSOC	5,358.28																																																				
0017033	✓	09/14/90	L.E.L.S.	638.00																																																				
0017034	✓	09/14/90	RAMSEY CO SUPPORT & COLLECT	400.00																																																				
0017035	VOID	09/14/90	EMPLOYEE BENEFIT PLANS	26.33																																																				
0017036	VOID	09/14/90	PHYSICIANS HEALTH PLAN	32.75																																																				
0017037	VOID	09/14/90	FIRST MINNESOTA (FICA)	8,165.57																																																				
0017038	VOID	09/14/90	PUBLIC EMP RETIREMENT ASSOC	4,911.32																																																				
0017039	VOID	09/14/90	PUBLIC EMP RETIREMENT ASSOC	524.91																																																				
0017040	VOID	09/14/90	PUBLIC EMP RETIREMENT ASSOC	8,037.43																																																				
GROSS EARNINGS AND DEDUCTIONS				\$293,890.61																																																				

## AGENDA REPORT

TO: City Manager  
FROM: Finance Director *R. Aust*  
RE: BUDGET CHANGE - FINANCE DEPARTMENT  
DATE: September 17, 1990

INTRODUCTION

It is proposed that \$920 be transferred from the General Fund contingency account to the Finance Department budget to finance the purchase of computer software for fixed asset accounting.

BACKGROUND

In 1986 computer software for fixed asset accounting was purchased from a California corporation at a cost of approximately \$500. Late in 1989 and early in 1990 the software started to malfunction. The company that sold the software no longer exists. Consequently, we have been unable to have the software corrections made. Therefore, new computer software needs to be purchased to replace the present software.

ALTERNATIVES

The following software packages were considered:

1. Eden Systems fixed asset module - \$3,500.
2. Custom programming of data base software - \$2,645.
3. Fixed asset system by Best Programs - \$920.

DISCUSSION

Cost was a primary factor in evaluating the three alternatives since all three options would provide the same data. Since the Best Programs software was the lowest cost option, a copy of this software was obtained for review on a trial basis. Testing of the software was conducted using Maplewood data. Results of the testing indicated that it was easy to use and reports can be customized for our use. Also, City of Lakeville representatives indicated that they have found the software easy to use. Best Programs Inc. is a large company that has several software packages on the market and there are approximately 12,000 users of their fixed asset system software.

RECOMMENDATION

It is recommended that a budget transfer of \$920 be made from the General Fund contingency account to the Finance Department budget to purchase the fixed asset system from Best Programs.

ACTION REQUIRED

Council approval of the recommended budget change.

tmc

## MEMORANDUM

TO: City Manager  
FROM: Public Works Coordinator Cass  
SUBJECT: Budget Transfer  
DATE: September 14, 1990

In early August of this year, Hazelwood Avenue near Sextant began to sink. The sinking continued until a large hole appeared about August 3.

The suspected cause was the sanitary sewer main in Hazelwood Avenue. A TV camera was inserted into the main to verify our suspicions. The TV camera showed the main to be collapsed in at least two locations some 60 feet apart. The camera was unable to pass through these two locations; therefore, we could not view the main between the two collapsed sections.

The decision was made to dig up the main and replace the bad pipe. The depth of the pipe precluded use of the city's backhoe, and the services of a contractor was required to do the work. The cost of replacing the main, and the two services connected to it in the collapsed area, was \$6465.50.

Insufficient funds exist in the repair and maintenance account; therefore, a transfer in the amount of \$3200 from the sanitary sewer contingency account to the repair and maintenance of utility account is recommended.

WCC

jc

MEMORANDUM

TO: City Manager  
FROM: Public Works Coordinator Cass  
SUBJECT: Final Payment, Project 90-17  
DATE: September 14, 1990

On July 9, 1990, the council authorized a seal coating project whose estimated cost was \$49,175.

On August 1, 1990, bids were received and the council awarded the bid on August 16 to Allied Blacktop, Inc. in the amount of \$38,808. The bid was based on the unit prices of the oil and aggregate actually used.

Allied Blacktop, Inc. has now successfully completed the project in accordance with the plans and specifications. A slight increase of 3.3 percent in the quantities of materials was experienced, resulting in a final contract price of \$40,137.16. Approval is recommended.

WCC

jc

**MEMORANDUM**

**TO:** City Manager  
**FROM:** Director of Community Development  
**SUBJECT:** Budget Transfer  
**DATE:** September 7, 1990

I am requesting that the Council transfer \$1200 from the contingency account to the Community Development Department. The purpose of this transfer is to pay one of our part-time clerk-typists to continue working an extra ten hours each week through October 28. This clerk-typist normally works two days each week. She has been working an additional ten hours each week since spring. The money for these extra hours has run out. The Department's work load is still at record high levels. The value of new construction, in particular, is almost twice as high as last year. September and October are traditionally one of our busiest times, as contractors rush to start construction before the ground freezes. Cutting back on clerical hours now would reduce our level of service.

**RECOMMENDATION**

**Transfer \$1200 from the contingency account to account 101-701-4020.**

go/memo15.mem

**MEMORANDUM**

**TO:** City Manager  
**FROM:** Ken Roberts, Associate Planner  
**SUBJECT:** Final Plat  
**LOCATION:** Mailand Road, between Sterling Street and  
 Crestview Forest Drive  
**APPLICANT:** Marvin Anderson Construction Company  
**PROJECT TITLE:** Crestview Forest 5th Addition  
**DATE:** August 31, 1990

**INTRODUCTION**

Marvin Anderson Construction Company is requesting final approval of the 21-lot Crestview Forest 5th Addition plat.

**BACKGROUND**

On November 1, 1979, the City Council approved a planned unit development (PUD) for Crestview Addition.

On July 6, 1989, the City Council approved a five-year time extension for the Crestview Forest PUD. This was subject to the original conditions of approval.

**DISCUSSION**

The proposed plat lowers the number of town homes in this phase from the 24 previously approved to 21. There are no other changes.

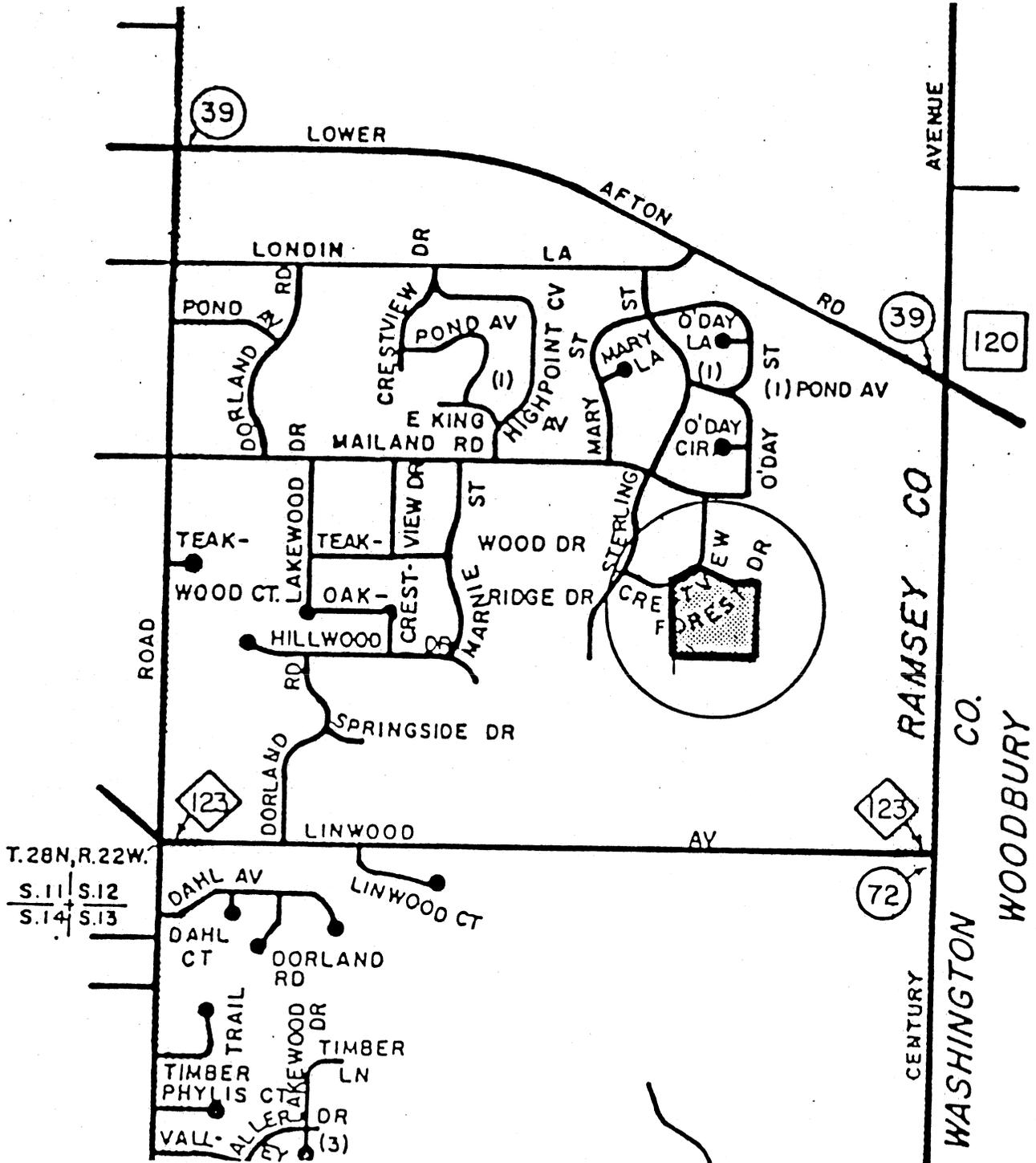
**RECOMMENDATION**

**Approve the Crestview Forest Fifth Addition final plat.**

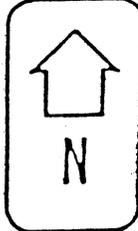
kenmem6 (Section 12-28)

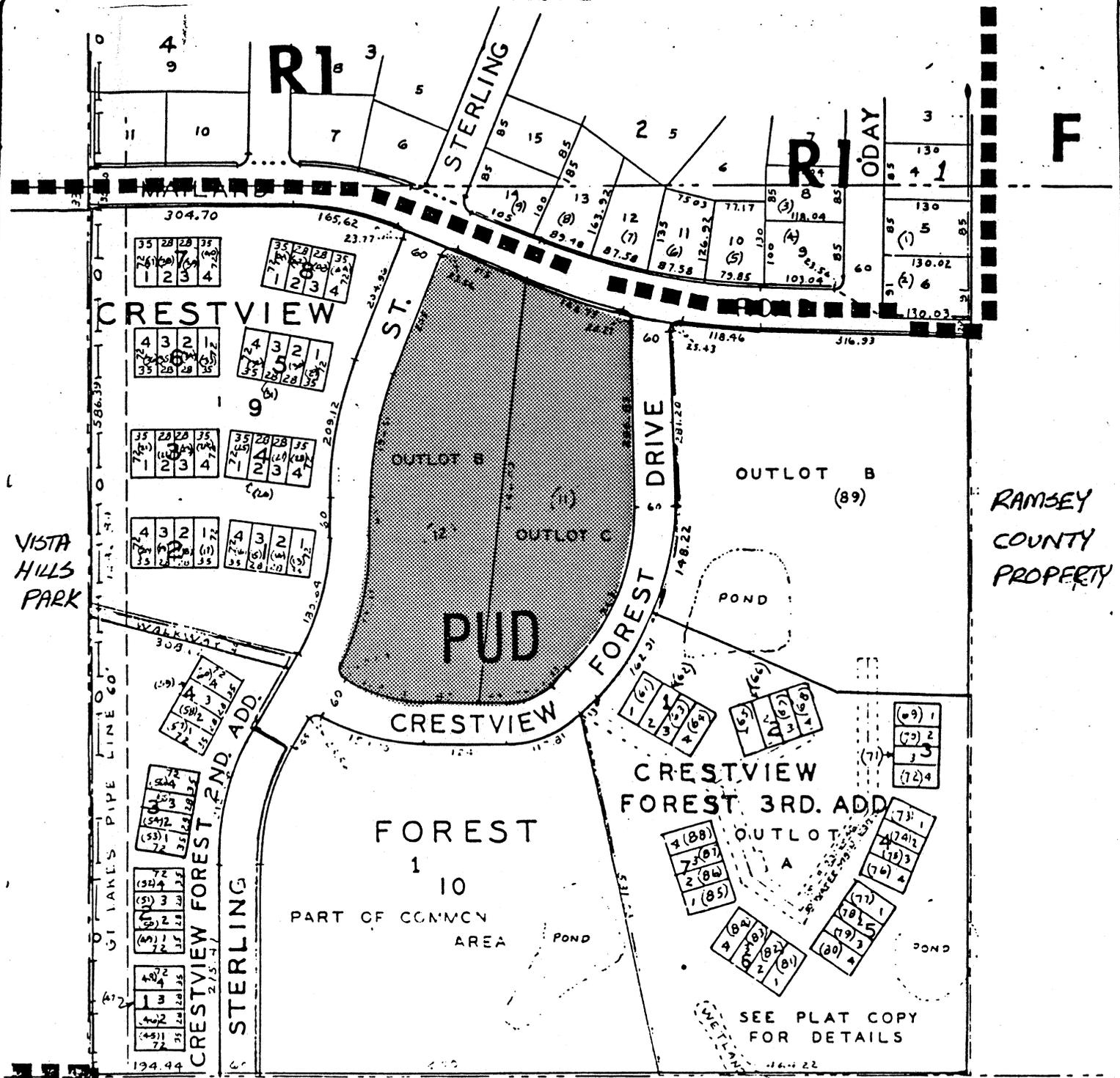
Attachments

1. Location Map
2. Property Line/Zoning Map
3. Proposed Final Plat
4. Previously Approved Plan



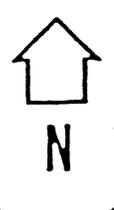
LOCATION MAP



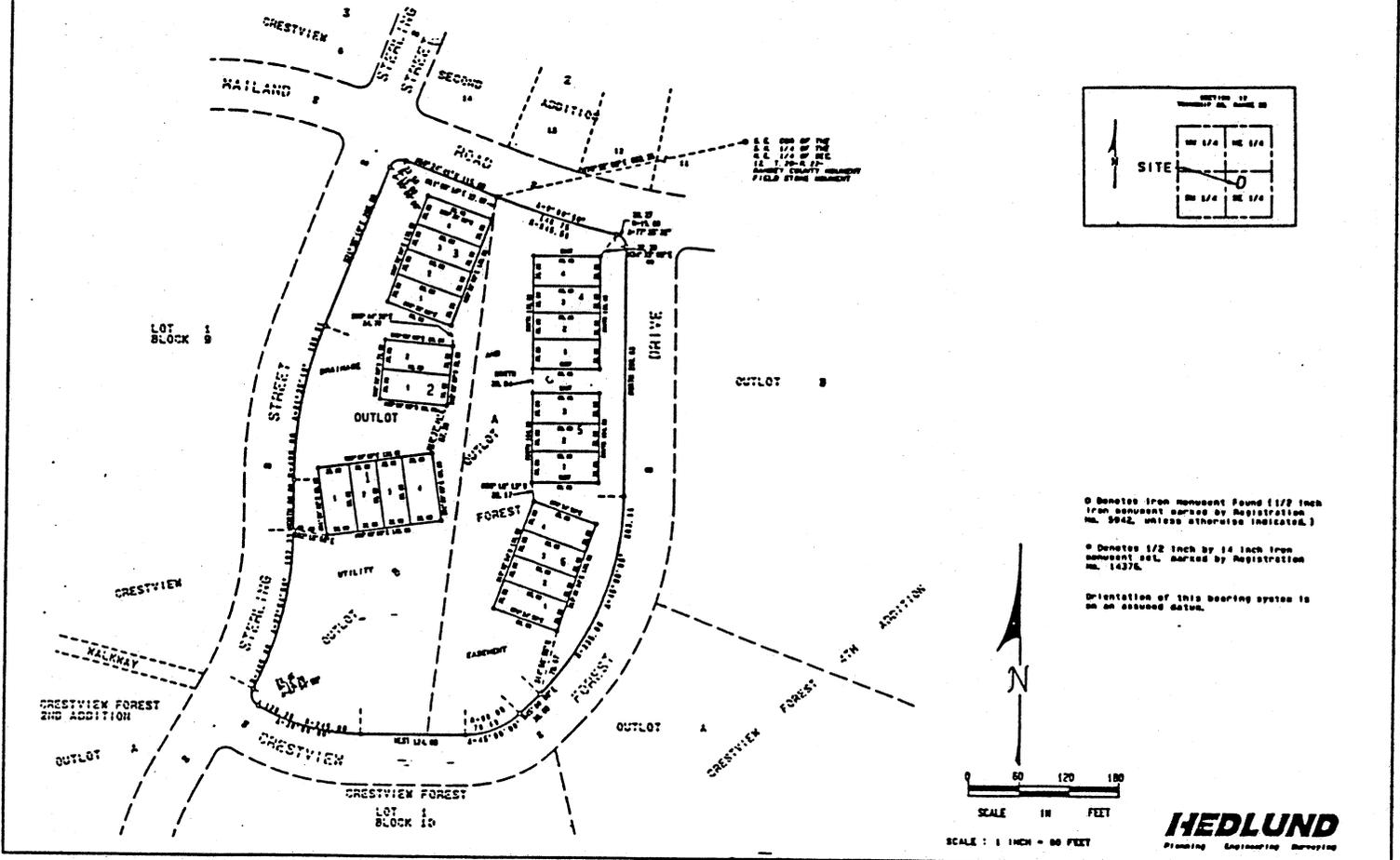


FUTURE BETH HEIGHTS ADDITION.

PROPERTY LINE / ZONING MAP



# CRESTVIEW FOREST 5TH ADDITION



## PROPOSED FINAL PLAT



PRELIMINARY PLAT

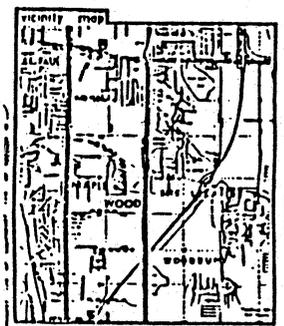
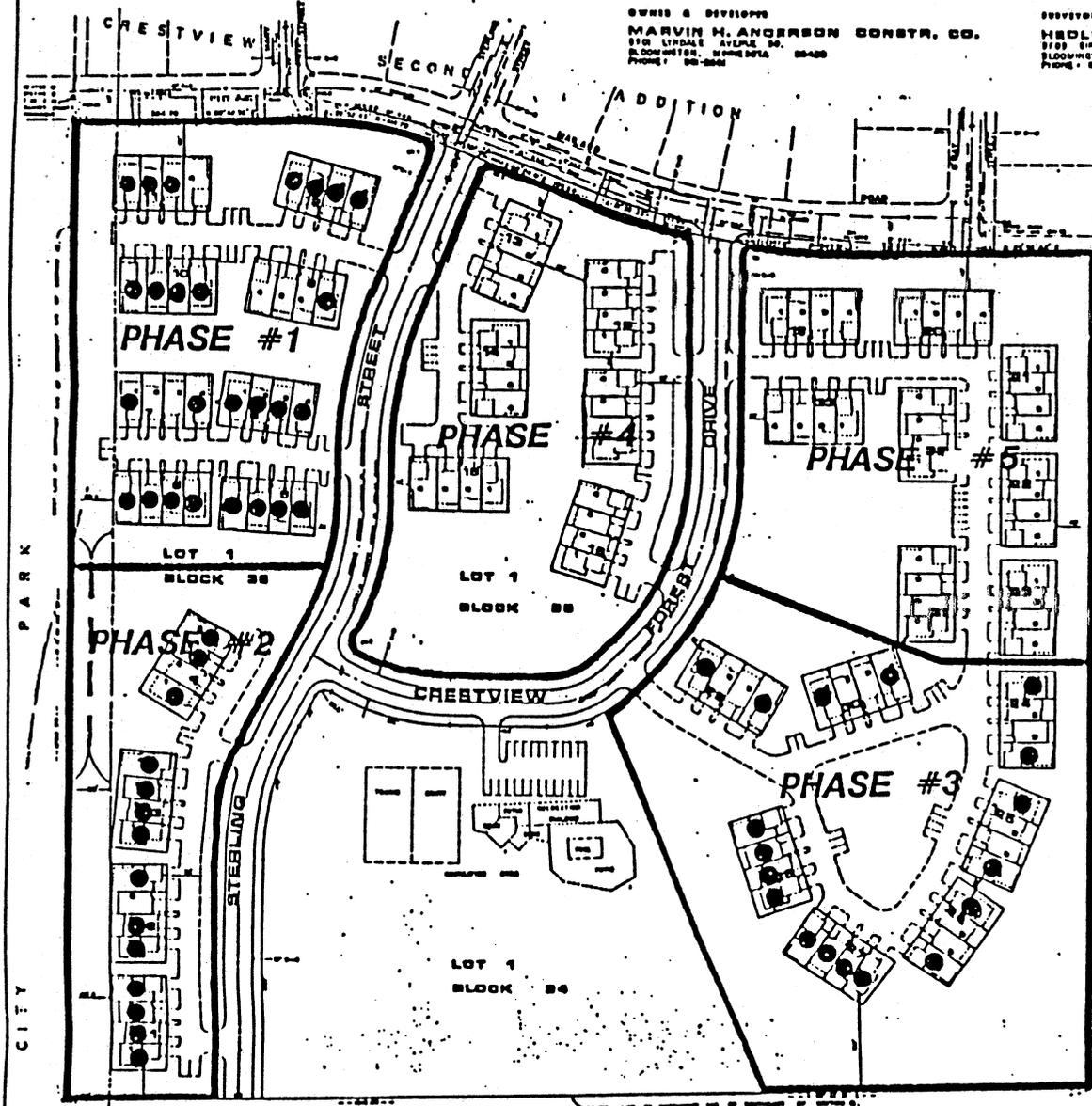
# CRESTVIEW FOREST

MAPLEWOOD, MINNESOTA

OWNER & DEVELOPER  
**MARVIN H. ANDERSON CONSTR. CO.**  
810 LINDALE AVENUE SE.  
BLOOMINGTON, MINNESOTA 55425  
PHONE: 882-8888

SURVEYOR & ENGINEER  
**HEDLUND ENGINEERING INC.**  
3705 SHARP AVENUE SE.  
BLOOMINGTON, MINNESOTA 55425  
PHONE: 882-1000

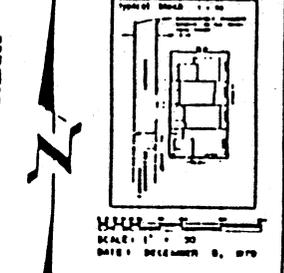
LEGAL DESCRIPTION  
LOT 1, BLOCK 8, CRESTVIEW, CITY OF  
MAPLEWOOD, RAMSEY COUNTY, MINN. 55127.



TYPE	AREA (SQ. FT.)	PERCENTAGE
RESIDENTIAL	100,000	100%
TOTAL	100,000	100%

I hereby certify that the plat and phases prepared by me are true and correct and that I am a Registered Professional Engineer and have signed and sealed the plat and phases in accordance with the laws of the State of Minnesota.

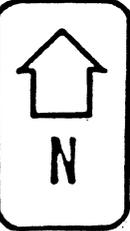
*Hedlund*  
Hedlund Engineering Inc.  
3705 Sharp Avenue SE  
Bloomington, MN 55425



**HEDLUND ENGINEERING**

# CRESTVIEW FOREST

PROJECT PLAT AND PHASING PLAN



A G E N D A   R E P O R T

TO:           City Manager  
FROM:        City Clerk *Jea*  
RE:           **BUDGET TRANSFER - CODE BOOK COST**  
DATE:        September 17, 1990

INTRODUCTION

It is requested the City Council authorize the transfer of \$1,600 from the Contingency Fund to the Licenses and Records Division for Fees For Service.

BACKGROUND

We have been in contact with the Municipal Code Corporation regarding Supplement No. 8 to the Maplewood City Code, which is now being printed.

The 1990 Budget has \$2,600 for the purpose of updating the code book. Because of the large number of new ordinances since Supplement No. 7 and through February of 1990, requiring the printing of 259 pages, the cost of this printing is estimated to be at least \$3,820, not including shipping costs.

RECOMMENDATION

It is recommended the City Council approve a budget change in the amount of \$1,500 from 101-119-000-4910 to 101-302-000-4480 to cover this greater than expected cost.

**MEMORANDUM**

TO: City Manager  
FROM: Ken Roberts, Associate Planner  
SUBJECT: **Conditional Use Permit**  
LOCATION: 1373 Kohlman Avenue  
APPLICANT: Eldon Dillon  
DATE: September 11, 1990

**SUMMARY**

**INTRODUCTION**

Request

The applicant is requesting City approval of a conditional use permit to divide a 132-foot-wide lot into two 66-foot wide lots. City Code allows interior lots with widths between 60 and 75 feet in the R-1 zone with Council approval of a conditional use permit (CUP).

Reason for the Request

Mr. Dillon is requesting this CUP for a lot split to construct a new home. This will be on the new lot to the west of his mother's home at 1373 Kohlman Avenue. (Refer to the survey on page 6, the site plan on page 7 and the letter on page 8.)

**BACKGROUND**

On September 12, 1988, the City Council approved a conditional use permit for Mary Kruse of 1281 Kohlman Avenue. The Council approved this CUP so the applicant could build a single-family home on a 66-foot-wide lot.

**APPROVAL STANDARDS**

Section 36-442 of the City Code gives nine standards for approval of conditional use permits. These are listed in the resolution on pages 9 and 10.

Section 36-69 of the City Code gives the following additional condition for approving new interior lots that are between 60 and 75 feet in width:

"There are at least two developed lots-of-record with the same or less width than proposed, within 350 feet of the site on the street. Larger minimum side yard setbacks may be required to balance the separation between structures."

## **DISCUSSION**

This request meets the required findings for approval of a conditional use permit and for narrow-width lots. There are five developed lots and one undeveloped lot on Kohlman Avenue within 350 feet of the site that have a width of 66 feet.

There was a problem with the existing detached garage on the property. The survey on page 6 shows the garage 2.0 feet from the old lot line. City Code requires a five-foot setback for accessory buildings. The applicant is proposing to jog the new lot line six feet from the west edge of the garage as shown on the survey on page six.

## **RECOMMENDATION**

Adopt the resolution on page 9 approving a conditional use permit for Eldon Dillon at 1373 Kohlman Avenue. This permit is for the creation of two 66-foot-wide interior lots in the R-1 zoning district. This permit shall be subject to the following conditions:

1. Maintaining a total of 15 or more feet of side yards for the west lot.
2. This permit is for an indefinite time period.

## REFERENCE INFORMATION

### **CITIZENS' COMMENTS**

Staff surveyed the 28 property owners within 350 feet of the site. There were 18 replies. 11 were in favor, 6 had no comment and 1 was against.

### **SITE INFORMATION**

Area: 35,864 square feet (132 x 271) or 17,932 square feet for each lot (66 x 271)

Existing land use: One single-family dwelling

Property Owner: Eldon Dillon

Surrounding land uses: single dwellings

### **PLANNING INFORMATION**

Land use plan designation: RL (low-density residential)

Zoning: R-1 (single-family residential)

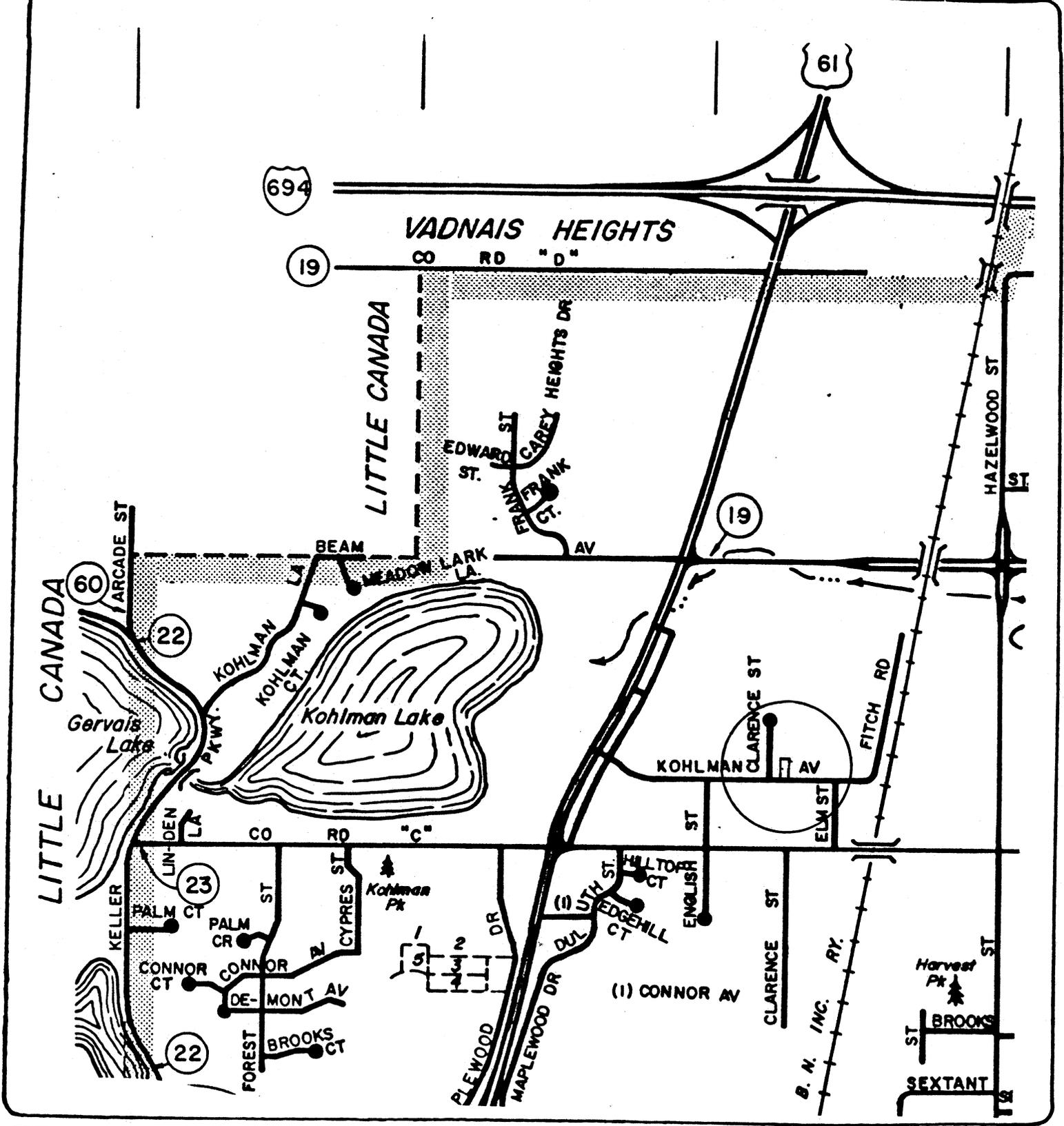
### **PUBLIC WORKS**

Public water and sanitary sewer are available in Kohlman Avenue.

kenmem7 (Section 3-29)

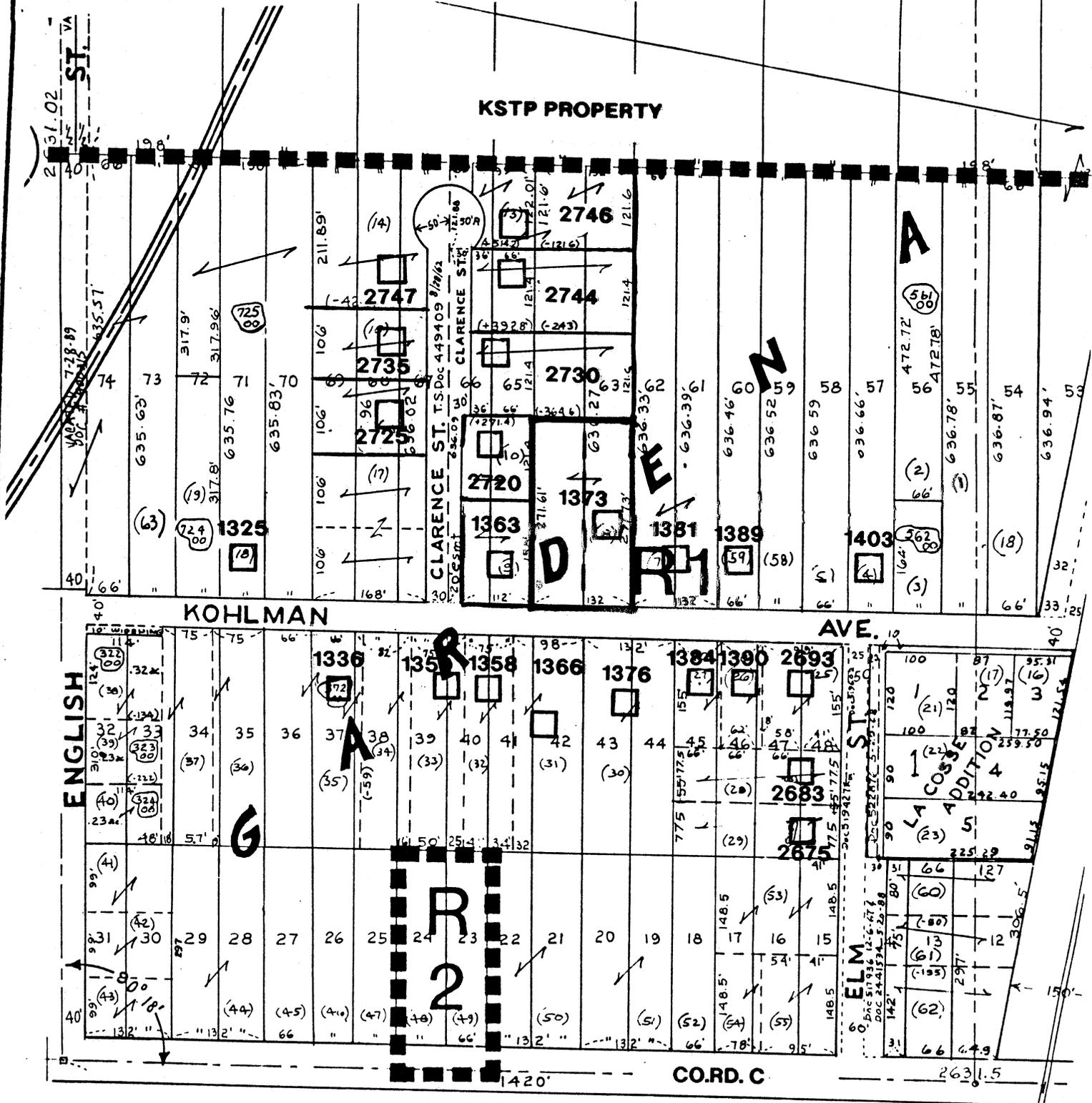
### Attachments

1. Location Map
2. Property Line/Zoning Map
3. Certificate of Survey
4. Site Plan
5. July 23, 1990 letter of justification from Eldon Dillon
6. Conditional Use Permit Resolution

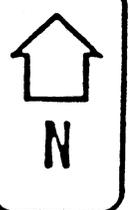


**LOCATION MAP**





**PROPERTY LINE/ZONING MAP**



# CERTIFICATE OF SURVEY

for: Al Dillon  
1373 Kohlman Ave.  
Maplewood, Mn.



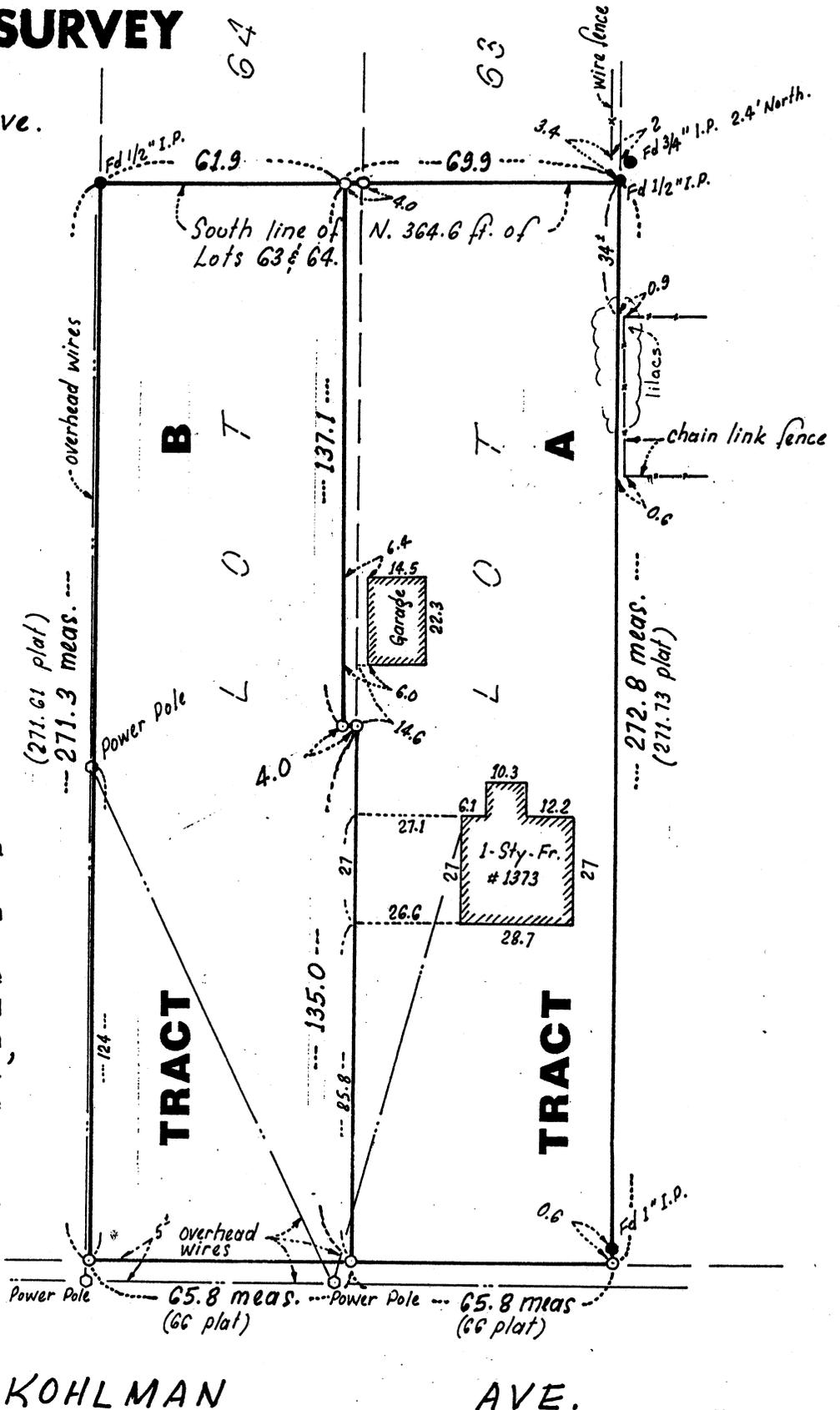
● denotes iron monument found.  
○ denotes iron monument set.

## PROPERTY DESCRIPTIONS:

**Tract A:** Lot 63, Gardena Addition, Ramsey County, Minnesota, except the north 364.6 feet thereof.

Together with that part of the east 4 feet of Lot 64, said Gardena Addition lying south of the north 364.6 feet thereof and lying north of the south 135 feet thereof.

**Tract B:** Lot 64, Gardena Addition, Ramsey County, Minnesota except the north 364.6 feet thereof, and except that part of the east 4 feet of said Lot 64 lying north of the south 135 feet thereof.



SCALE: 1 Inch = 40 Feet

○ Denotes Iron

Bearings shown are on an assumed datum.

Job No. 90550

Book 33 Page 23

We hereby certify that this is a true and correct representation of a survey of the boundaries of the above described land and of the location of all buildings, if any, thereon, and all visible encroachments, if any, from or on said land.

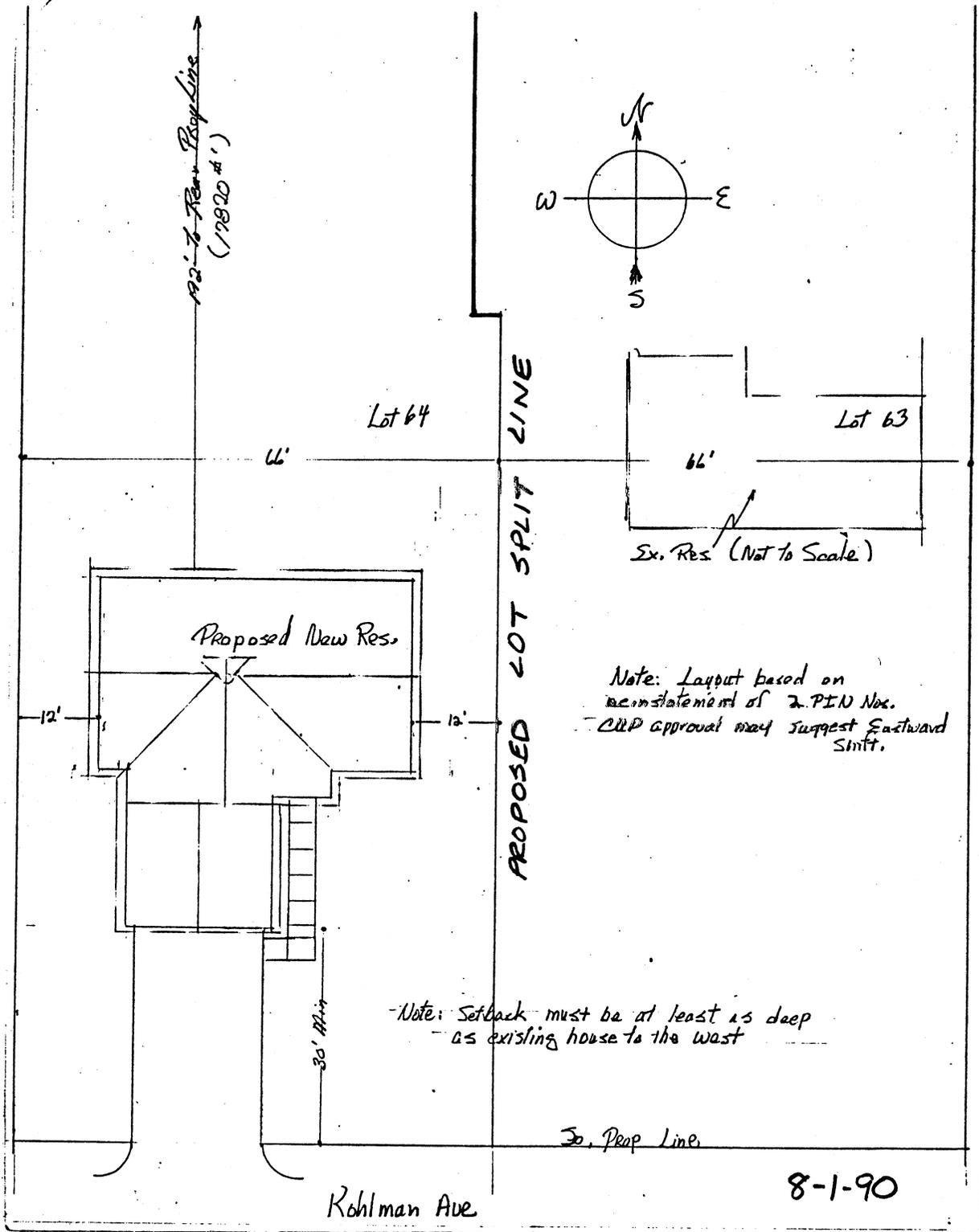
E. G. RUD & SONS, INC.

Dated this 4<sup>th</sup> day of Sept 1990.

Revise division line & desc. 9/12/90

by Ernest Rud  
Minn. Reg. No. 9808

E. G. RUD & SONS, INC.  
LAND SURVEYORS  
9560 Lexington Avenue N.  
Circle Pines, Minnesota 55014  
Telephone: 786-5556



**SITE PLAN**



July 23, 1990

City of Maplewood  
1830 E. co. Rd. B  
Maplewood, Mn. 55109

To Whom it May Concern:

In response to item # 6 on the CONDITIONAL USE OR PUD APPLICATION; the intended use of this property is for a single family home. This home will be in accord with all the criteria for approval as set forth in your application.

Further, this property was specifically selected because of its proximity to the home of my elderly mother. In order for her to remain in her home she will require daily supervision, and building on this property will facilitate this supervision.

Finally, your PROMPT approval of this application will be greatly appreciated. I would like to begin construction as soon as possible.

Thank you in advance for your consideration and approval.

Sincerely,

E. M. Dillon

## CONDITIONAL USE PERMIT RESOLUTION

WHEREAS, Eldon Dillon applied for a conditional use permit to divide a 132-foot-wide lot into two 66-foot-wide lots in the R-1 zoning district.

WHEREAS, this permit applies to 1373 Kohlman Avenue. The legal description is:

The south 271 feet of Lots 63 and 64, Gardena Addition, Section 3, Township 29, Range 22, Maplewood, Ramsey County.

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

1. The Planning Commission discussed this application on September 4, 1990. They recommended to the City Council that said permit be \_\_\_\_\_.
2. The City Council held a public hearing on \_\_\_\_\_, 1990. City staff published a notice in the paper and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

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

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.
2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.

5. The use would generate only minimal vehicular traffic on local streets and would not create traffic congestion or unsafe access on existing or proposed streets.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
9. The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions:

1. Maintaining a total of 15 or more feet of side yards for the west lot.
2. This permit is for an indefinite time period.

Adopted \_\_\_\_\_, 1990.

5. NEW BUSINESS

a. Conditional Use Permit: 1373 Kohlman Ave. (Dillon)

Associate planner Ken Roberts presented the staff report and discussed it with the Commission.

Eldon Dillon was present and explained his request.

There were no comments from the public regarding this request.

Commissioner Rossbach moved the Planning Commission recommend adoption of the resolution approving a conditional use permit for Eldon Dillon at 1373 Kohlman Avenue. This permit is for the creation of two 66-foot-wide interior lots in the R-1 zoning district. This permit shall be subject to the following conditions:

1. Maintaining a total of 15 or more feet of side yard setbacks for the west lot.
2. The applicant shall have the existing detached garage moved so it meets all City standards before the City approves the lot split.
3. This permit is for an indefinite time period.

Commissioner Gerke seconded Ayes--Axdahl, Fischer,  
Gerke, Larson, Rossbach,  
Sinn

The motion passed.

b. Conditional Use Permit: 1255 Cope Ave. (Northern Hydraulics)

Secretary Olson presented the staff report. Commissioner Rossbach asked staff if the entrance to the property should be addressed in the required conditions, since the new entrance to the property is close to the intersection of Cope Avenue and Atlantic Street and could be moved. Staff responded that the entrance as shown on the site plan does meet City code and if it were moved east on Cope Avenue, landscaping would be eliminated.

A representative of Northern Hydraulics said they intend to operate daily during daytime hours. A letter

**MEMORANDUM**

TO: City Manager  
 FROM: Director of Community Development  
 SUBJECT: Conditional Use Permit & Parking Space Approval  
 LOCATION: 1255 Cope Avenue  
 APPLICANT/OWNER: Northern Hydraulics, Inc.  
 DATE: August 24, 1990

**SUMMARY**

**INTRODUCTION**

Request

Conversion of a vacant building for use as office/warehouse/showroom space by Northern Hydraulics, Inc. The Maplewood Racquetball Club used to occupy this building.

Description of the Project

Northern Hydraulics is proposing to add an addition on the west side of the building for a loading dock and a new front entrance. They also plan to add a new driveway onto Cope Avenue at the southwest corner of site for truck traffic. (Refer to the attached letter and plans.)

Reason for the Request

The City shows this site for LSC (Limited Service Commercial) use on its Land Use Plan and M-1 (Light Manufacturing) on its zoning map. City Code requires a conditional use permit for any use in an M-1 zone that is within 350 feet of a residential property.

**APPROVAL STANDARDS**

City Code gives nine standards for reviewing a conditional use permit. I have listed them in the resolution on page 10. The City Council may attach any conditions and guarantees that they feel are necessary for the protection of the public health, safety and welfare.

**DISCUSSION**

This application would meet the findings for a conditional use permit. Truck traffic would be minimal and would not affect the residential neighborhood. The Council should prohibit exterior storage. The new driveway is acceptable, but the applicant should try to increase the distance between the corner and the drive.

The proposed parking would not meet City Code. This project would include 11,696 square feet of office/showroom space and 3,480 square feet of warehousing. City Code would require 63 parking spaces. The site plan shows only 42 spaces. Northern Hydraulics states that their average store has only 10-15 customers and 8-10 employees at one time. 42 spaces should be more than adequate. Parking should also be less of a concern than it was for the former racquetball club, which had parking shortages.

#### **RECOMMENDATION**

1. Approve the resolution on page 10, which approves a conditional use permit for an office\showroom\warehouse use at 1255 Cope Avenue. Approval is subject to the following conditions:
  - a. All construction must follow the site plan, received by the City on August 18, 1990. The Director of Community Development may approve minor changes. The City Council may approve major changes.
  - b. The City Council shall review this permit one year from the date of approval, based on the procedures in City Code.
  - c. There shall be no outside storage of goods, materials or trash, except for one screened dumpster.
  - d. The owner shall have the roof-top equipment screened, as required by City Code.
  - e. The owner shall keep the pole light, at the northwest corner of the site, off or reorient it so it will not glare onto streets or other properties.
  - f. The canopy shall not be illuminated.
2. Approval of 42 parking spaces, rather than the 62 spaces required by City Code.

## REFERENCE INFORMATION

### CITIZEN COMMENTS

Staff surveyed the fifteen property owners within 350 feet of the site. There were seven replies. All were in favor. (Please refer to the letters on pages 9 and 10 from the residents at 1252 and 1255 Cope Avenue.)

### SURROUNDING LAND USES

Northerly: Highway 36.  
Easterly: Commercial center with gas and convenience store.  
Southerly: Office uses and single dwellings on Cope Court.  
Westerly: Single-family residences and auto-repair.

### PAST ACTIONS

2-8-73: City Council denied a special permit request for a roller rink on this site.  
7-20-78: City Council approved plans for a Jay's Restaurant.  
7-5-79: City Council approved plans for a racquetball club.

### PLANNING INFORMATION

Land Use Plan designation: LSC, Limited Service Commercial

The Land Use Plan defines the LSC, Limited Service Commercial classification as commercial facilities on a neighborhood scale. Heavy industrial uses, department stores, motels, auto accessory stores, etc., would be prohibited. Other land uses of a medium intensity nature, such as gas sales with no vehicle repair or maintenance and with no more than two pumps on a single island to service up to four vehicles at one time, may be permitted subject to meeting certain performance standards as defined in the zoning code" (page 18-31).

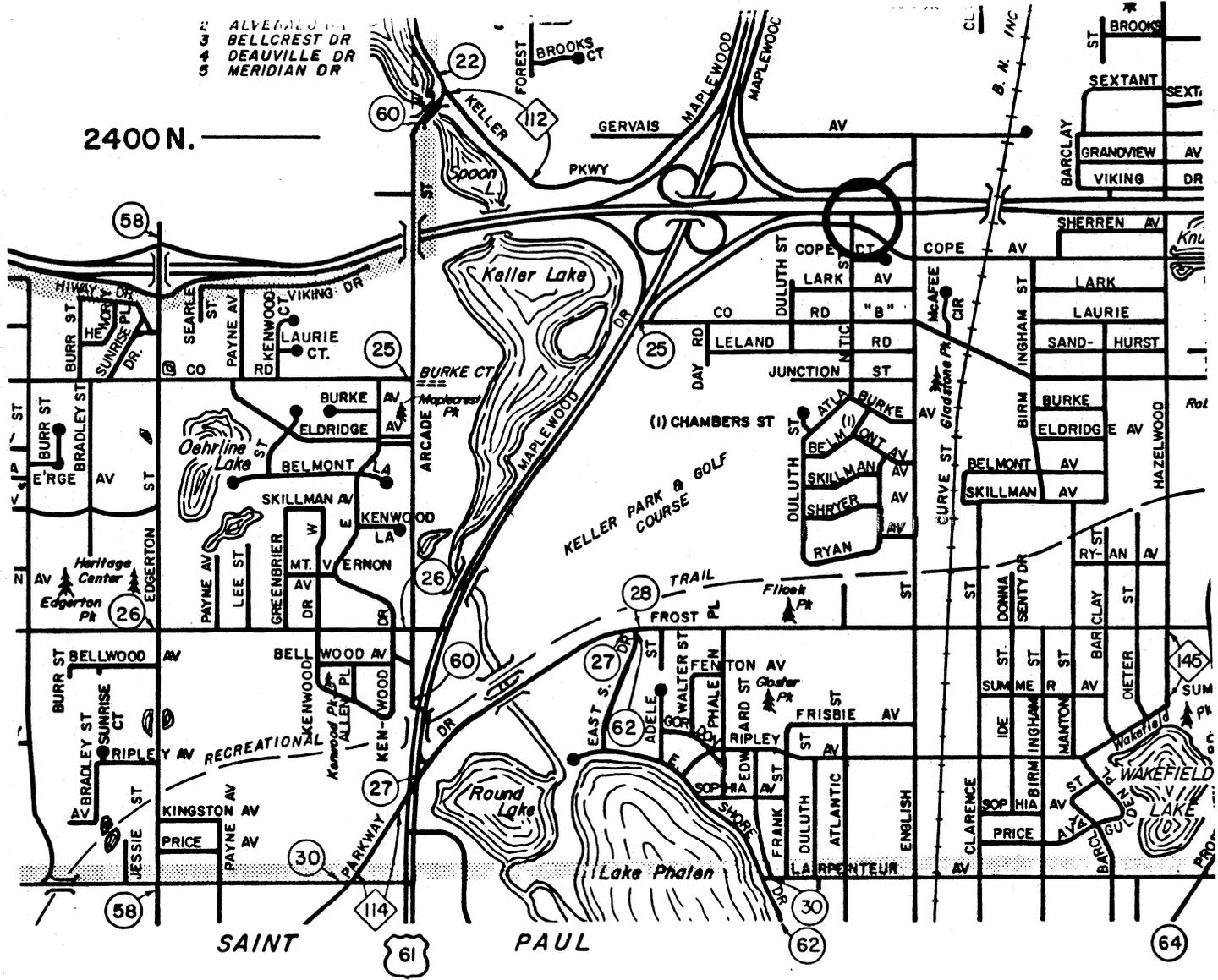
go/memo10.mem

#### Attachments

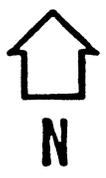
1. Location Map
2. Property Line/Zoning Map
3. Site Plan
4. Drawing of building
5. Applicant's letter
6. Letter: Franz's
7. Letter: Gehrke
8. Resolution
9. Plans (separate attachment)

2 ALVERA DR  
3 BELLCREST DR  
4 DEAUVILLE DR  
5 MERIDIAN DR

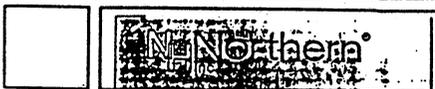
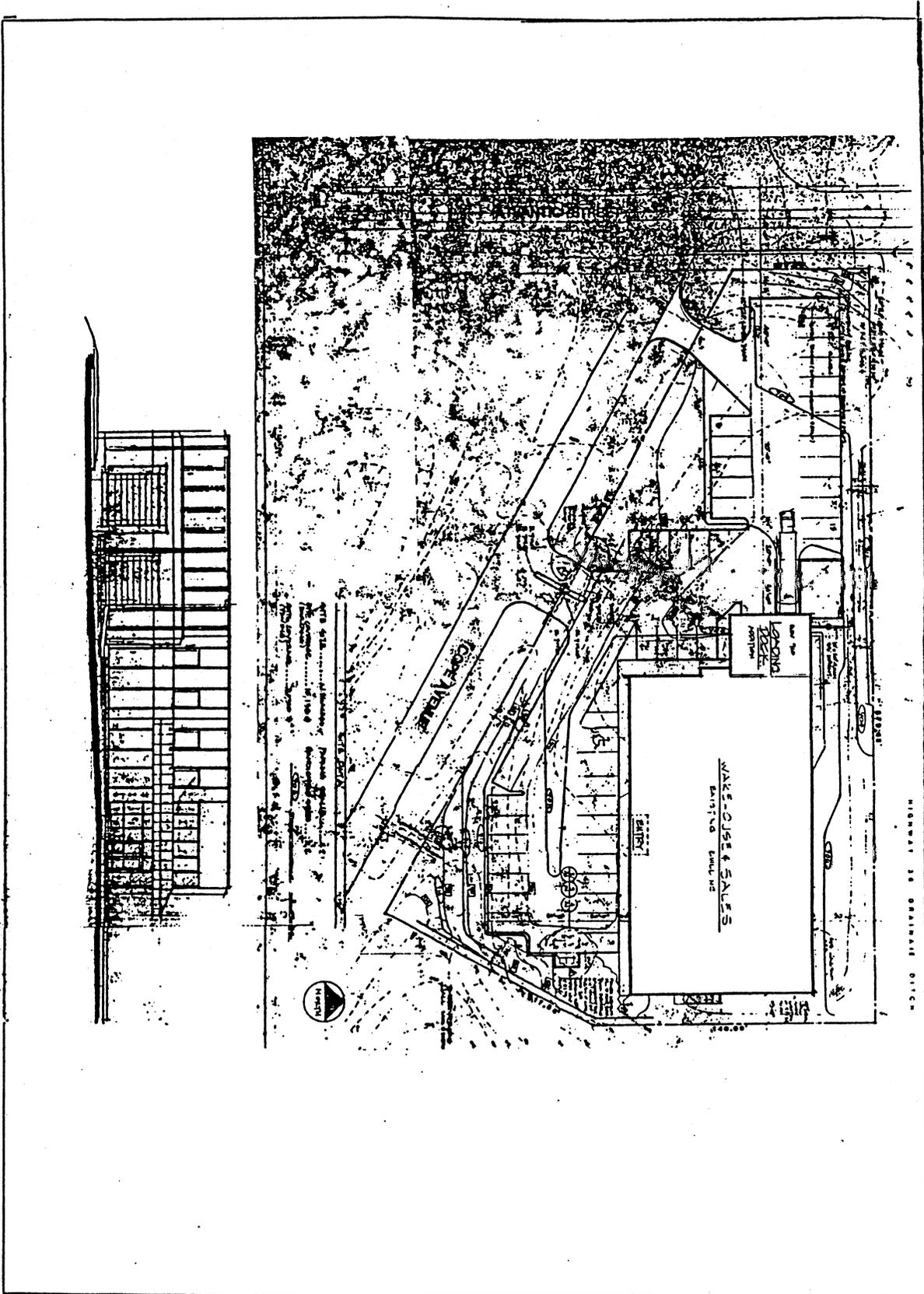
2400 N.



# LOCATION MAP



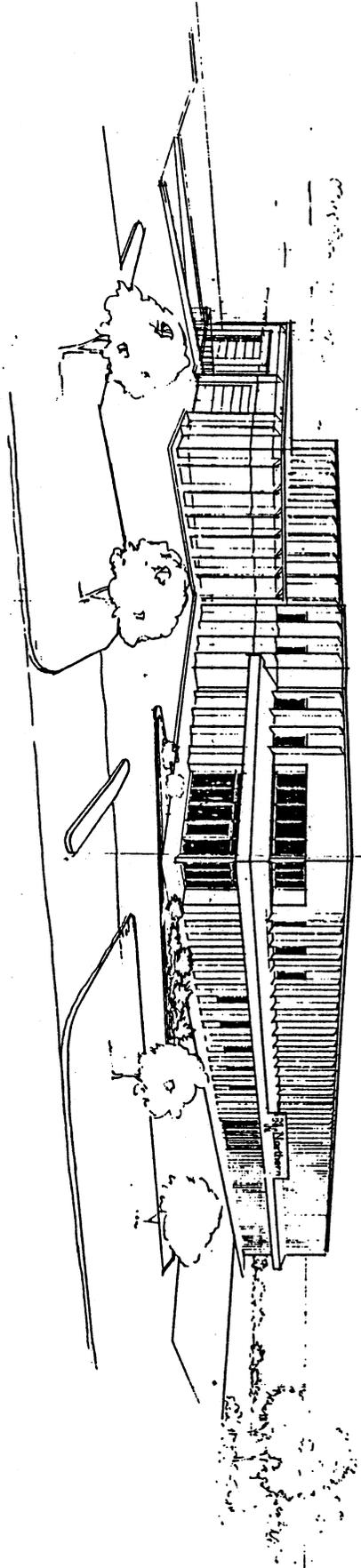




I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly registered architect under the laws of the State of Minnesota.

Date \_\_\_\_\_ Page No. \_\_\_\_\_

**MORRISON/WALJARVI ARCHITECTS, INC.**  
 2188 FOURTH STREET  
 WHITE BEAR LAKE, MINN. 55110  
 (612) 476-3287



**MORRISON/WALJARVI ARCHITECTS**

2189 FOURTH STREET  
WHITE BEAR LAKE, MINNESOTA 55110  
(612) 426-3287

August 21, 1990

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

Dear Council/Director of Community Development:

The purpose of this letter is to outline the operations of our new showroom facility that we have proposed for your city and also show how minimal an effect we will have on the surrounding community.

1. Outside Lighting Outside lighting will be provided by wall packs or lightpoles as is existing and required by city ordinance.
2. Deliveries This facility will receive deliveries on a "one per week" basis with the deliveries occurring during business hours.
3. Hours of Operation will be from 7:00 a.m. to 7:00 p.m., Monday - Friday,
4. Customer Traffic Flow Our average store will have between 10 and 15 customers in them at any one time.
5. Noise We create no unusual or excessive noise.
6. Employees We will be employing 8 - 10 people to staff the facility.

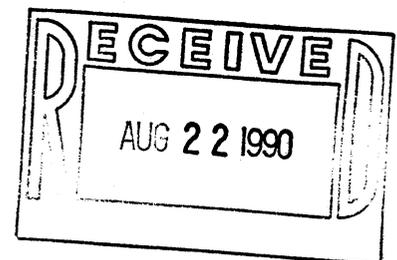
If you need any additional information, please contact me.

Sincerely,  
**NORTHERN HYDRAULICS, INC.**



John K. Rose  
Facilities Manager

JKR:kjd



8/27/90

Comments:

It appears that in addition to the remodeling a building addition for a receiving and loading dock is proposed. We presume that there will probably be crating materials, boxes, pallets, steel bands and styrofoam in conjunction with the equipment (Hydraulic parts, trailer parts, Air Compressor, Generator, Log Splitter, Gasoline Engines) in and out of this building. These materials should be stored in the warehouse portion of the building until they can be hauled away. If they intend to store these materials outside, a tightly fenced, and securely covered area should be required.

In addition, to preventing an overall neater appearance this will prevent debris from blowing thru the neighborhood.

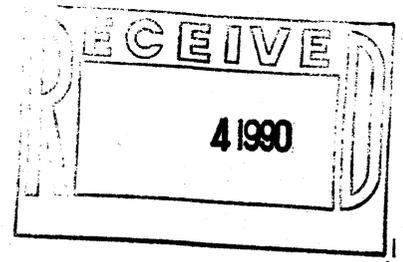
We don't want another Dayton's Bluff Sheet Metal on Cope!

Also, we recommend that the 4 mechanical units on the roof be fenced similar to the adjacent Englewood Shops Bldg.

Roger A. Franz 1257 C. Cope  
Alice C. Franz

Attachment 6

August 27, 1990



TO: GEOFF OLSON  
FROM: MARNA GERKE *Marna Gerke*  
RE: 1255 COPE AVE. BUILDING REQUEST - NORTHERN HYDRAULIC

There are several concerns I have over the Northern Hydraulic request.

My foremost concern is the lighting. If existing lighting is used, I am requesting that the poles be replaced or lowered. I am also requesting that the heads of the poles be directed downward. In the past the pole on the northwest corner has been turned off, as the glare to my home is excessive. I do not believe exceptionally bright lighting to be necessary in a residential neighborhood - particularly when a street light is located on the corner of Cope and Atlantic.

Also related to lighting - will there be lighting under the canopy that is shown in the sketch? I believe the existing lighting to be sufficient and would prefer that no additional lights be added under the canopy.

Regarding the canopy - what type of material will this be, and what color? I would like to see an unobtrusive color that will blend in with the residential neighborhood.

Regarding landscaping - the existing landscaping has been sadly neglected. I would like major upgrading of this landscaping a prerequisite for Northern Hydraulic's request to move into this building. I would like to see many evergreen trees planted, and perhaps some additional deciduous trees as well.

Generally, I have no objection to Northern Hydraulic's request, if they adhere to their Monday - Friday business hours and the concerns noted above.

Marna Gerke, 1252 Cope Ave. E., Maplewood, 55109

/mg

## CONDITIONAL USE PERMIT RESOLUTION

WHEREAS, Northern Hydraulics, Inc. applied for a conditional use permit for an office\warehouse\showroom.

WHEREAS, this permit applies to 1255 Cope Avenue, which is legally described as:

That part of Block 18, Lots 19, 20, 21, 22, 23, 24 and 25, Block 13, and adjacent vacated street in Clifton Addition, Ramsey County, Minnesota, described as follows:

Commencing at the Northwest corner of Lot 16, Block 13, Clifton Addition, Ramsey County, Minnesota: thence South 89 degrees 59' 50" East along the North line of Block 13, a distance of 379.61 feet to the point of beginning of property herein to be described; thence South 29 degrees 14' West, a distance of 117.56 feet of the North line of dedicated street; thence North 60 degrees 46' West, a distance of 368.09 feet to the East line of Atlantic Street; thence North 0 degrees 44' East along the East line of Atlantic Street, a distance of 68.06 feet to the South line of State Highway No. 36; thence South 89 degrees 13' 15" East along the South line of State Highway No. 36, a distance 379.43 feet; thence South 0 degrees 30' 45" West, a distance of 40 feet; thence South 0 degrees 44' West, a distance of 100.09 feet to the point of beginning and situate in Ramsey County, Minnesota.

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

1. The Planning Commission discussed this application on September 4, 1990. They recommended to the City Council that said permit be \_\_\_\_\_.
2. The City Council held a public hearing on \_\_\_\_\_, 1990. City staff published a notice in the paper and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

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

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.

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

Approval is subject to the following conditions:

1. All construction must comply with the site plan, received by the City on August 18, 1990. The Director of Community Development may approve minor changes. The City Council may approve major changes.
2. The City Council shall review this permit one year from the date of approval, based on the procedures in City Code.
3. There shall be no outside storage of goods, materials or trash.
4. The owner shall have the roof-top equipment screened, as required by City Code.

5. The owner shall keep the pole light, at the northwest corner of the site, off or reorient it so it will not glare onto streets or other properties.
6. The canopy shall not be illuminated.

Adopted \_\_\_\_\_ , 1990.

5. NEW BUSINESS

a. Conditional Use Permit: 1373 Kohlman Ave. (Dillon)

Associate planner Ken Roberts presented the staff report and discussed it with the Commission.

Eldon Dillon was present and explained his request.

There were no comments from the public regarding this request.

Commissioner Rossbach moved the Planning Commission recommend adoption of the resolution approving a conditional use permit for Eldon Dillon at 1373 Kohlman Avenue. This permit is for the creation of two 66-foot-wide interior lots in the R-1 zoning district. This permit shall be subject to the following conditions:

1. Maintaining a total of 15 or more feet of side yard setbacks for the west lot.
2. The applicant shall have the existing detached garage moved so it meets all City standards before the City approves the lot split.
3. This permit is for an indefinite time period.

Commissioner Gerke seconded Ayes--Axdahl, Fischer, Gerke, Larson, Rossbach, Sinn

The motion passed.

b. Conditional Use Permit: 1255 Cope Ave. (Northern Hydraulics)

Secretary Olson presented the staff report. Commissioner Rossbach asked staff if the entrance to the property should be addressed in the required conditions, since the new entrance to the property is close to the intersection of Cope Avenue and Atlantic Street and could be moved. Staff responded that the entrance as shown on the site plan does meet City code and if it were moved east on Cope Avenue, landscaping would be eliminated.

A representative of Northern Hydraulics said they intend to operate daily during daytime hours. A letter

previously directed to the City stated Northern Hydraulics intended to operate Monday through Friday from 7 a.m. to 7 p.m. The representative said he was not aware of these previously stated hours.

Commissioner Gerke said he was concerned that there not be lighting and canopy problems which would affect the neighbors. Commissioner Gerke referred to the similar problems affecting the neighbors of the Englewood Shops on Cope Avenue and English Street.

Commissioner Larson suggested the lighting, other than security lighting, be turned off or dimmed at night.

Commissioner Rossbach suggested that, since this request would not be reviewed by the Community Design Review Board, the Planning Commission recommend that the canopy awning shown on this building not be an illuminated awning and, also, that the hours of operation not be any more restricted than what the zoning allows.

Commissioner Fischer moved the Planning Commission recommend:

1. Approval of the resolution which approves a conditional use permit for an office/showroom/warehouse use at 1255 Cope Avenue. Approval is subject to the following conditions:
  - a. All construction must follow the site plan, received by the City on August 18, 1990. The Director of Community Development may approve minor changes. The City Council may approve major changes.
  - b. The City Council shall review this permit one year from the date of approval, based on the procedures in City code.
  - c. There shall be no outside storage of goods, materials or trash, except for one screened dumpster.
  - d. The owner shall have the roof-top equipment screened, as required by City code.
  - e. The pole light at the northwest corner of the site be turned off or redirected so as not to shine on the adjacent properties.

- f. The canopy not be illuminated as on the neighboring building.
2. Approval of 42 parking spaces, rather than the 62 spaces required by City code.

Commissioner Rossbach seconded

Ayes--Axdahl,  
Fischer, Gerke,  
Larson, Rossbach,  
Sinn

The motion passed.

- c. Easement Vacation: 1356-1362 Cope Avenue

Secretary Olson presented the staff report for this requested easement vacation to expand the garage of this group home into the easement.

Commissioner Gerke asked staff why this house is the only house in the area being built at an angle to the street. Staff responded he had no information on this particular house, but it may be in order to meet the property line setbacks. Commissioner Gerke said if a light rail system is built on the railroad right-of-way property, this house will be very close to it.

Reed Robinson of Associated Architects was present representing the applicants and gave a presentation.

Commissioner Fischer moved the Planning Commission recommend adoption of the resolution vacating the 30-foot-storm sewer easement lying between 1356-1358 Cope Avenue and 1362 Cope Avenue, based on the findings that:

1. It is in the public interest.
2. Maplewood will construct a new storm sewer along the ease side of 1362 Cope Avenue to replace the existing pipe.

This resolution shall not be recorded until:

1. Dakota's Children, Inc. and Dennis and Cynthia Nelson give the City a right-of-entry agreement to fill the existing pipe, and

**MEMORANDUM**

**TO:** City Manager  
**FROM:** Thomas Ekstrand, Associate Planner  
**SUBJECT:** Storm Sewer Easement Vacation  
**LOCATION:** Cope Avenue  
**APPLICANTS:** Dakota's Children, Inc. and Dennis and Cynthia Nelson  
**DATE:** August 29, 1990

**INTRODUCTION**

Dakota's Children, Inc. and Dennis and Cynthia Nelson are requesting the vacation of a 30-foot-wide storm sewer easement. This easement lies along the adjoining lot line of their properties. Dakota's Children, Inc. is building a group home east of the easement. They plan to expand their garage within the easement (see page 4.) The vacation is needed because of the encroachment.

**BACKGROUND**

The group home will be a supervised residence for the developmentally disabled. Minnesota Statute allows this facility.

**DISCUSSION**

Chapter 412.851 of State law allows the City to vacate any public easement if the vacation is in the public interest. The proposed vacation would be in the public interest. Maplewood would construct a new storm sewer to the east within the abandoned railroad right-of-way. Dakota's Children, Inc. has given the City the money to pay for the relocation.

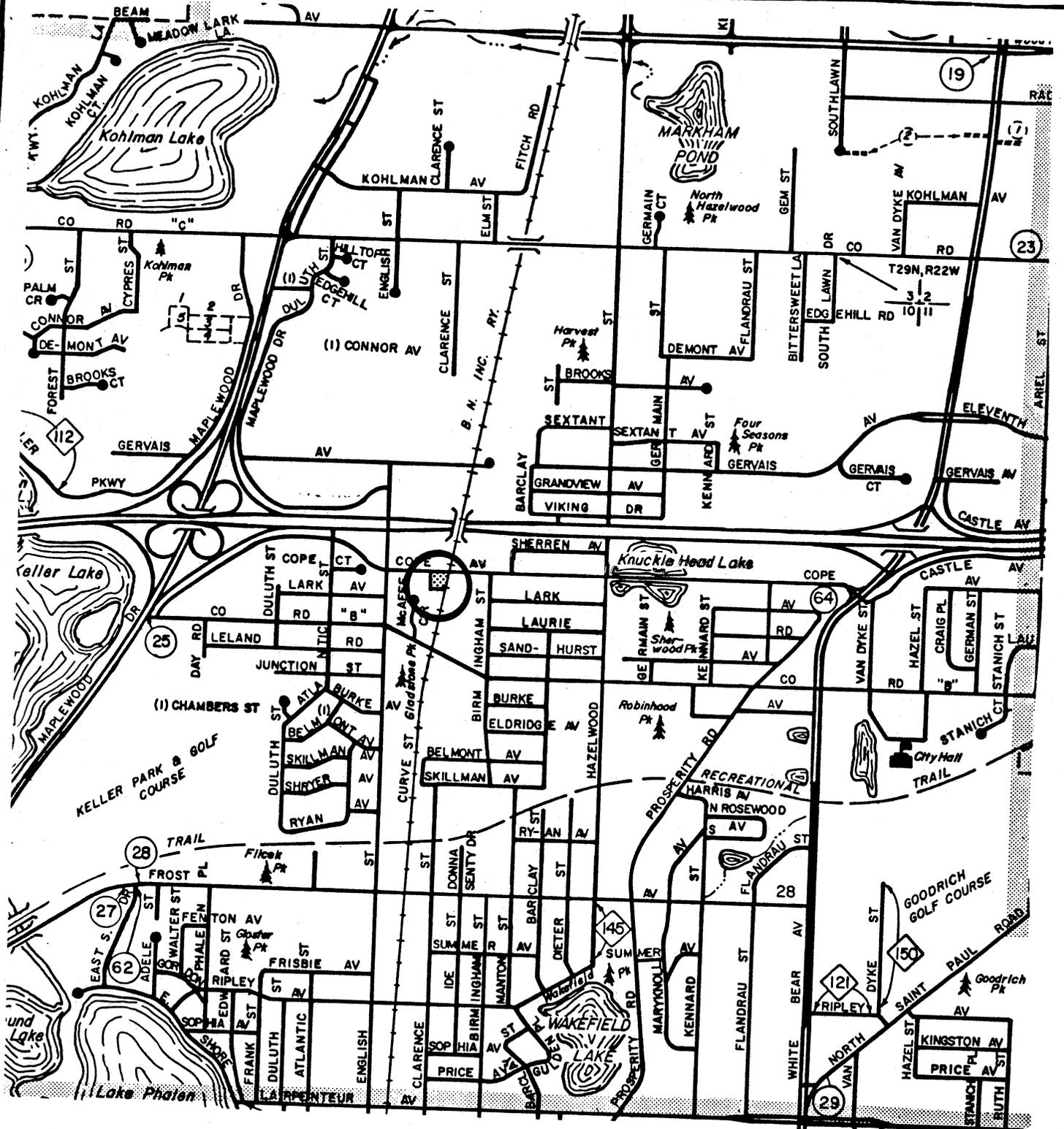
**RECOMMENDATION**

Adoption of the resolution on page 6 vacating the 30-foot-wide storm sewer easement lying between 1356-1358 Cope Avenue and 1362 Cope Avenue, based on the findings that:

1. It is in the public interest.
2. Maplewood will construct a new storm sewer along the east side of 1362 Cope Avenue to replace the existing pipe.

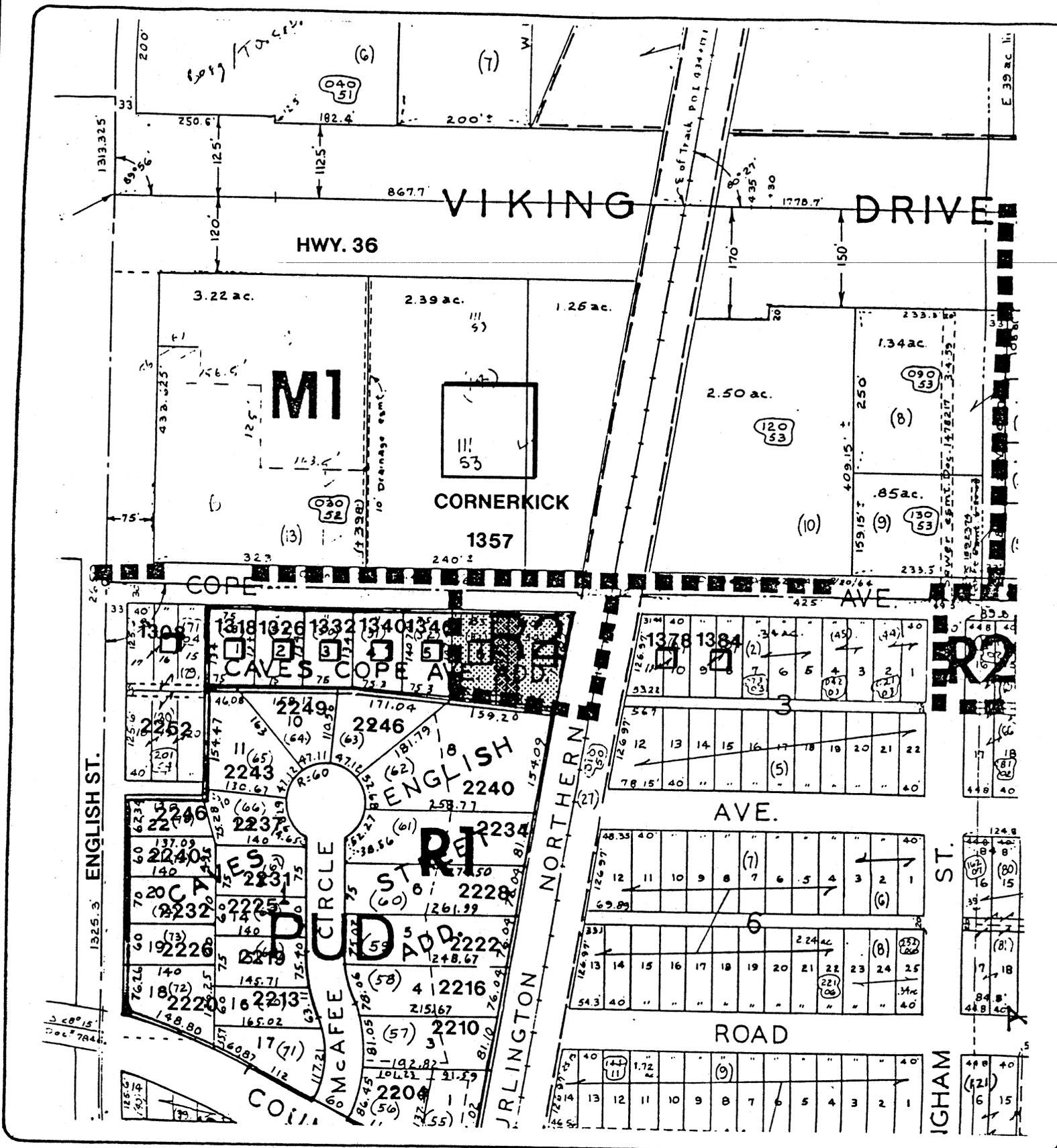
TEEASE (Section 10)  
Attachments

1. Location Map
2. Property Line/Zoning Map
3. Site Plan
4. Plat Map
5. Resolution



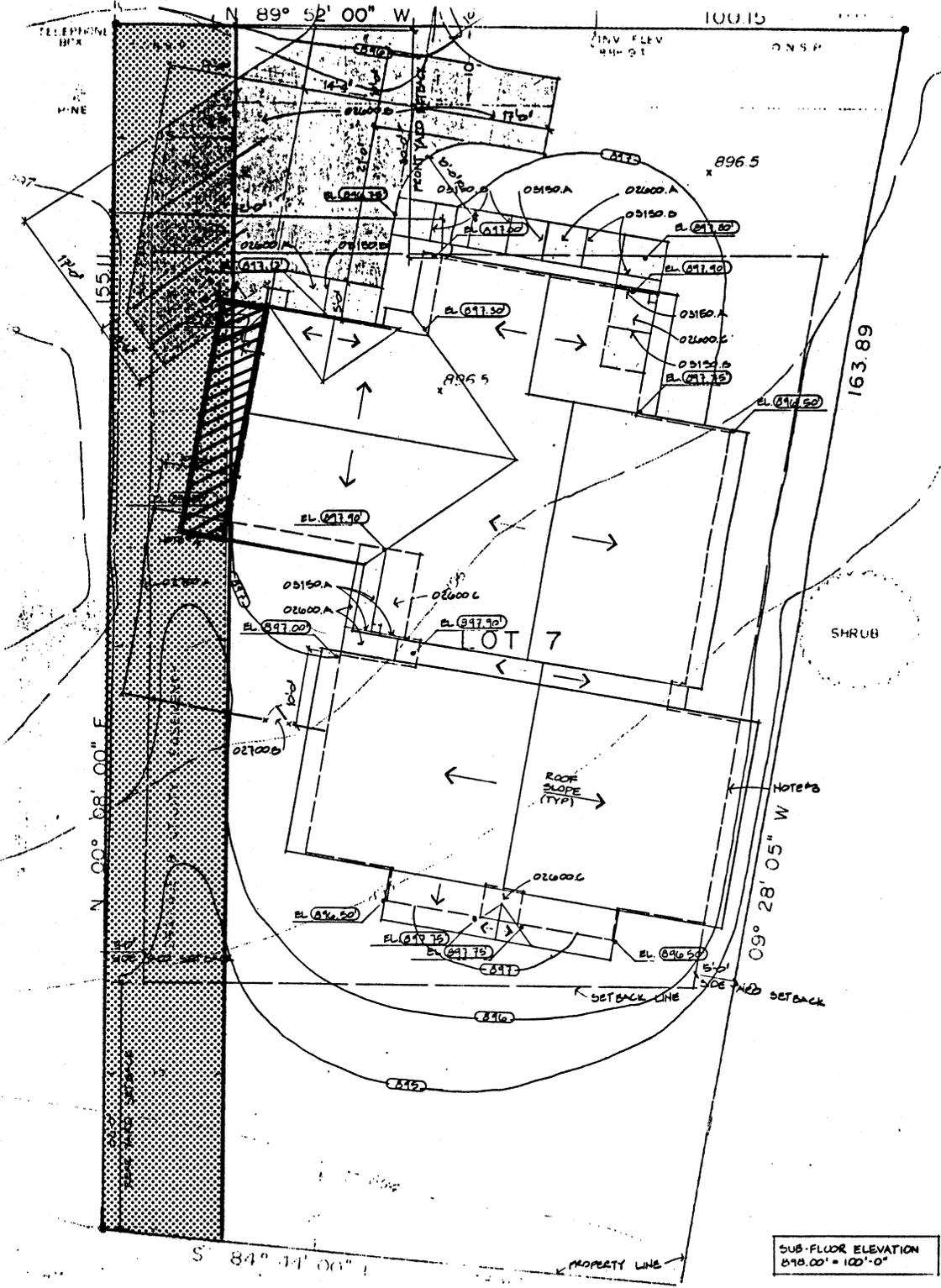
# LOCATION MAP





PROPERTY LINE / ZONING MAP

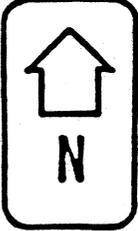




# SITE PLAN



DRAINAGE & UTILITY EASEMENT  
 PROPOSED GARAGE EXPANSION



INC.

SOD =  $30 \times 180 \div 9 \times \$2 = \$1,200.$

AVENUE

60

2'00" W

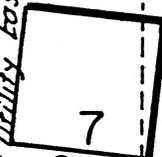
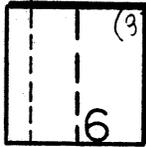
75.00

85.00

100.15

1356-1358

1362



5  
6

N 0°08'00" E

N 0°08'00" E

Drainage & Utility Easement

163.89  
S 9°28'05" W

NE cor of Lot 1, Block 4  
Southerly extension  
East line of Lot 1 and its southerly extension

NORTHERN

100

Drainage & Utility Easement

75.30

85.34

73.86

309.81

N 84°44'00" W

29

30

31

32

33

GLADSTONE

BURLINGTON

### PLAT MAP



EASEMENT PROPOSED TO BE VACATED



N

## VACATION RESOLUTION

WHEREAS, Dennis J. and Cynthia J. Nelson and Dakota's Children, Inc. applied for the vacation of the following described easement:

Except for the northerly 10 feet and the southerly 10 feet, the westerly 15 feet of Lot 7, Block 1, Cave's Cope Avenue Addition, Ramsey County, Minnesota.

Except for the northerly 10 feet and the southerly 10 feet, easterly 15 feet of Lot 6, Block 1, Cave's Cope Avenue Addition, Ramsey County, Minnesota.

WHEREAS, the history of this vacation is as follows:

1. A majority of the property owners abutting this easement signed a petition in favor of this vacation;
2. The Planning Commission discussed this vacation on \_\_\_\_\_, 199\_. They recommended to the City Council that this vacation be \_\_\_\_\_.
3. The City Council held a public hearing on \_\_\_\_\_, 199\_. City staff published a notice in the Maplewood Review and sent notices to the abutting property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations from the City staff and Planning Commission.

WHEREAS, after the vacation is approved, public interest in the property will accrue to the following abutting properties:

Lots 6 and 7, Block 1, Cave's Cope Avenue Addition, Ramsey County, Minnesota.

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

1. It is in the public interest.
2. Maplewood will construct a new storm sewer along the east side of 1362 Cope Avenue to replace the existing pipe.

Adopted on \_\_\_\_\_, 199\_.

Attachment 5

~~f. The canopy not be illuminated as on the neighboring building.~~

~~2. Approval of 42 parking spaces, rather than the 62 spaces required by City code.~~

~~Commissioner Rossbach seconded Ayes--Axdahl,  
Fischer, Gerke,  
Larson, Rossbach,  
Sinn~~

~~The motion passed.~~

c. Easement Vacation: 1356-1362 Cope Avenue

Secretary Olson presented the staff report for this requested easement vacation to expand the garage of this group home into the easement.

Commissioner Gerke asked staff why this house is the only house in the area being built at an angle to the street. Staff responded he had no information on this particular house, but it may be in order to meet the property line setbacks. Commissioner Gerke said if a light rail system is built on the railroad right-of-way property, this house will be very close to it.

Reed Robinson of Associated Architects was present representing the applicants and gave a presentation.

Commissioner Fischer moved the Planning Commission recommend adoption of the resolution vacating the 30-foot-storm sewer easement lying between 1356-1358 Cope Avenue and 1362 Cope Avenue, based on the findings that:

1. It is in the public interest.
2. Maplewood will construct a new storm sewer along the ease side of 1362 Cope Avenue to replace the existing pipe.

This resolution shall not be recorded until:

1. Dakota's Children, Inc. and Dennis and Cynthia Nelson give the City a right-of-entry agreement to fill the existing pipe, and

2. Dakota's Children, Inc. gives the City \$6,666.90 to pay for the new sewer pipe and fill the existing sewer pipe.

Commissioner Rossbach seconded

Ayes--Axdahl,  
Fischer, Gerke,  
Larson, Rossbach,  
Sinn

The motion passed.

d. ~~North Glen 3rd Addition: Street Vacation and Preliminary Plat~~

~~Secretary Olson presented the staff report and discussion with the commissioners followed.~~

~~The applicant, Mario Cocchiarella, was present but did not have any comments.~~

~~Commissioner Fischer moved the Planning Commission recommend:~~

1. ~~Approval of the preliminary plat, subject to the developer completing the following conditions before final plat approval:~~
  - a. ~~Approval of final grading, drainage and erosion control plans by the City Engineer.~~
  - b. ~~Completion of all required public improvements, grading, erosion control and tree planting. As an alternative, the developer may provide a signed developer's agreement and letter of credit or cash escrow to the North St. Paul City Engineer for any uncompleted public improvements and tree planting required by the City. The developer, however, must complete the grading and erosion control before final plat approval.~~
  - c. ~~An agreement is signed that designates Lots 2 and 3 as being in Maplewood for tax and voting purposes or approval by the Municipal Board of an annexation.~~

F-4a

**MEMORANDUM**

TO: City Manager  
FROM: Director of Community Development  
SUBJECT: **Annexation and Detachment**  
DATE: September 14, 1990

I will have a report on the annexation and detachment of the land along Ariel Street after the North St. Paul City Council discusses it. They are meeting on September 17.

F-4 b.c

**MEMORANDUM**

TO: City Manager  
 FROM: Director of Community Development  
 SUBJECT: **Street Vacation and Preliminary Plat**  
 PROJECT: North Glen Third Addition  
 LOCATION: Ariel Street and Cope Avenue  
 APPLICANTS: Hillcrest Development and Mario J. Cocchiarella  
 DATE: September 13, 1990

**SUMMARY**

**INTRODUCTION**

Requests

Hillcrest Development is requesting that the City approve the vacation of Ariel Street, north of Cope Avenue. Mr. Cocchiarella is requesting that the City approve a preliminary plat for the North Glen Third Addition.

Description of the Project

The project involves the development of a single-family residential lot along Cope Avenue and six single dwellings along a proposed cul-de-sac. Lots one through three would be in Maplewood. The remaining lots would be in the North St. Paul. The average lot size would be 14,807 square feet. The developer would plat the land along Castle Avenue into two outlots for future development.

Reason for the Request

Mr. Cocchiarella is developing single-family homes to the south of this property and wants to continue building homes in this area. The vacation of Ariel Street is necessary to develop the site as proposed. The applicant and the neighbors oppose construction of Ariel Street through to Castle Avenue. They are concerned that frontage road traffic may use Ariel Street through their neighborhood. Mr. Cocchiarella also believes that he can market higher valued homes on this site with a cul-de-sac.

**BACKGROUND**

March 27, 1989: The City council did not approve a proposal to construct Ariel Street as a through street between Castle and Cope Avenues.

On July 23, 1990, the City Council amended the City's land use plan and rezoned this property to R-1, single-dwelling residential. The Council also adjusted the City boundary line to

fit this plat. The North St. Paul City Council is investigating leaving the boundary line where it is. They are proposing that an agreement be signed declaring the lots that the boundary line would divide to be in one city or the other.

#### **DISCUSSION**

This design is similar to the drawing the developer showed the City when the City considered detachment and annexation in July. The only code problem is the cul-de-sac. The preliminary plat shows a cul-de-sac with a 100-foot-diameter right-of-way. The Maplewood subdivision regulations require 120 feet. Since the cul-de-sac will be in North St. Paul and maintained by them, they should decide the diameter.

#### **RECOMMENDATION**

1. Approval of the resolution on page 7 which vacates the west half of Ariel Street, between Cope and Castle Avenues.
2. Approval of the preliminary plat, subject to the following conditions being completed before final plat approval:
  - a. Approval of final grading, drainage and erosion control plans by the City Engineer.
  - b. Completion of all required public improvements, grading, erosion control and tree planting. As an alternative, the developer may provide a signed developer's agreement and letter of credit or cash escrow to the North St. Paul City Engineer for any uncompleted public improvements and tree planting required by the City. The developer, however, must complete the grading and erosion control before final plat approval.
  - c. An agreement is signed that designates lots 2 and 3 as being in Maplewood for tax and voting purposes or approval by the Municipal Board of an annexation.
  - d. The City of North St. Paul vacating the east half of Ariel Street and approving the preliminary plat.

## REFERENCE INFORMATION

### SITE DESCRIPTION

Gross area: 5.6 acres

Net area of lots 1-7: 2.4 acres

Existing land use: Undeveloped

Property Owner: Hillcrest Development

### SURROUNDING LAND USES

North: Undeveloped land planned for RL, residential low density use and zoned R-1 (single-family residential)

East: Single dwellings and undeveloped land in North St. Paul that is planned and zoned for single dwellings

South: Single dwellings

West: Water tower and undeveloped land that the City has planned and zoned for double dwellings.

### APPROVAL STANDARDS FOR STREET AND ALLEY VACATIONS

Chapter 412.851 of State law states that the Council may vacate any street if it is in the public interest.

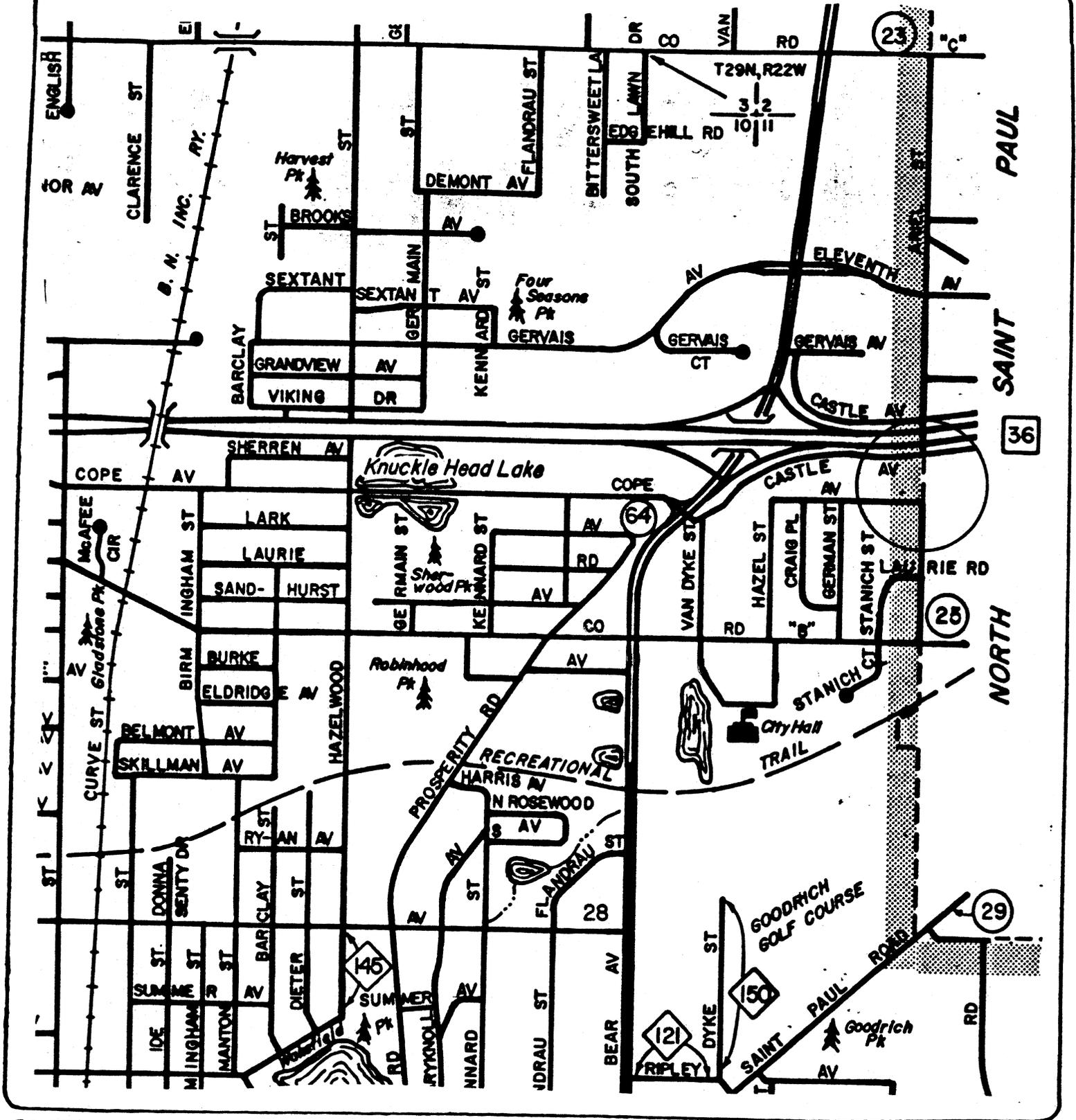
### PUBLIC WORKS INFORMATION

The developer is proposing to serve this subdivision with North St. Paul water and sanitary sewer services, which now end at the corner of Cope Avenue and Ariel Street. This will help North St. Paul's plans to loop the lines back to Castle Avenue and Seventh Street to the north and east. North St. Paul would maintain the street and utilities. Maplewood services now end to the south and west of the site.

go/memo16.mem (section 11)

#### Attachments

1. Location Map
2. Property Line/Zoning Map
3. Preliminary Plat
4. Resolution: Street and alley vacations



LOCATION MAP







## VACATION RESOLUTION

WHEREAS, Hillcrest Development applied for the vacation of Ariel Street, between Cope Avenue and Castle Avenue;

WHEREAS, the history of this vacation is as follows:

1. A majority of the property owners abutting this street and alley or easement signed a petition in favor of this vacation;
2. The Planning Commission discussed this vacation on September 4, 1990. They recommended to the City Council that this vacation be approved.
3. The City Council held a public hearing on September 24, 1990. City staff published a notice in the Maplewood Review and sent notices to the abutting property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations from the City staff and Planning Commission.

WHEREAS, after the vacation is approved, public interest in the property will accrue to the following abutting properties:

Lots 1-8 and 27-30, Block 11, and Lot 30, Block 6, Dearborn Park

NOW, THEREFORE, BE IT RESOLVED that the City Council approve the vacation of the west half of Ariel Street, between Cope and Castle Avenues, for the following reasons:

1. It is in the public interest.
2. The property owner will dedicate new rights-of-way with the platting of the area.
3. The City decided not to build Ariel Street as a through street.

Adopted on \_\_\_\_\_, 1990.

Attachment 4

- ~~2. Dakota's Children, Inc. gives the City \$6,666.90 to pay for the new sewer pipe and fill the existing sewer pipe.~~

~~Commissioner Rossbach seconded~~

~~Ayes--Axdahl,  
Fischer, Gerke,  
Larson, Rossbach,  
Sinn~~

~~The motion passed.~~

- d. North Glen 3rd Addition: Street Vacation and Preliminary Plat

Secretary Olson presented the staff report and discussion with the commissioners followed.

The applicant, Mario Cocchiarella, was present but did not have any comments.

Commissioner Fischer moved the Planning Commission recommend:

1. Approval of the preliminary plat, subject to the developer completing the following conditions before final plat approval:
  - a. Approval of final grading, drainage and erosion control plans by the City Engineer.
  - b. Completion of all required public improvements, grading, erosion control and tree planting. As an alternative, the developer may provide a signed developer's agreement and letter of credit or cash escrow to the North St. Paul City Engineer for any uncompleted public improvements and tree planting required by the City. The developer, however, must complete the grading and erosion control before final plat approval.
  - c. An agreement is signed that designates Lots 2 and 3 as being in Maplewood for tax and voting purposes or approval by the Municipal Board of an annexation.

2. Approval of the resolution which vacates Ariel Street, between Cope and Castle Avenues, and the east-west alley north of the water tower. The developer shall file the resolution with the final plat.

Commissioner Rossbach seconded                      Ayes--Axdahl,  
Fischer, Gerke,  
Larson, Rossbach,  
Sinn

The motion passed.

e. Code Amendment: R-1S and R-2 Zoning Districts

Ken Roberts, Associate Planner, presented the staff report.

Commissioner Fischer questioned how the proposed code amendment would affect an existing legal duplex in an R-2 zone, which the owner wishes to change to a single dwelling. Several commissioners commented that this code amendment, which amends zoning classifications, will be taking away from property owners in R-2 zones and will limit housing alternatives. Some commissioners felt that an occasional double dwelling interspersed in a single-dwelling development would be a better alternative than double-dwelling developments.

Commissioner Rossbach said he was not in favor of going back and rezoning existing small lots. Commissioner Rossbach said he was in favor of the rezonings if future developments would use them. Commissioner Rossbach referred to the past Tilsen development as a development which would have benefitted from the proposed zoning classification changes, although the developers of Tilsen's also wanted the flexibility of building either single or double dwellings.

Commissioner Fischer moved the Planning Commission table this item to allow staff time to prepare information and maps for the Commission's further consideration.

Commissioner Rossbach seconded                      Ayes--Axdahl,  
Fischer, Gerke,  
Larson, Rossbach,  
Sinn

The motion passed.

MEMORANDUM

To: Michael A. McGuire, City Manager  
From: Robert D. Odegard, Director of Parks & Recreation *RO*  
Subj: Acceptance Of Bids For Plantings At Playcrest Park,  
Lydia and McKnight  
Date: September 17, 1990

The City Council has authorized through the CIP Program the use of Tax Increment Financing Funds for purchase of trees and shrubs for Playcrest Park.

Plans, specifications, and bid advertisements have been taken with bid openings to be on Thursday, September 20, at 11:00 a.m.

The Park and Recreation Commission has reviewed the plans for Playcrest Park and includes their approval to the City Council.

It is anticipated that successful bids will be received Thursday, and a recommendation can then be made to the City Council for approval on Monday, September 24.

✓c: City Clerk

AGENDA REPORT

TO: City Manager  
FROM: City Engineer *KSH*  
SUBJECT: Southlawn Drive, Beam Avenue to County Road D, Project  
85-17--Assessment Hearing  
DATE: September 17, 1990

Since this assessment hearing has been tabled several times, it is suggested that a new hearing be scheduled and new notices sent to affected property owners.

KGH

jc

AGENDA REPORT

TO: City Manager  
FROM: City Engineer *RSH*  
SUBJECT: Gervais Avenue, Project 88-14--Cancel Assessments  
DATE: September 17, 1990

There was a mistake in the assessment calculations for this project. Since the project was funded by public improvement bonds, the law requires a minimum of 20 percent of the project cost to be financed by assessments. The assessments as proposed do not total 20 percent.

The legal aspects of this problem are being researched and will be represented at a future meeting with a new proposed assessment roll.

It is recommended the city council cancel the current assessments in anticipation of reassessing at a later date.

KGH

jc

THE REPORT RELATING TO CITY WIDE WATERMAIN WILL BE DISTRIBUTED AFTER THE PUBLIC HEARINGS HAVE BEEN COMPLETED.

H-4

MEMORANDUM

TO: City Manager  
FROM: Director of Community Development  
SUBJECT: Preliminary Plat Condition Revision  
DATE: September 14, 1990

The City Council tabled this request on August 13 to September 14. The Council wanted to give Mr. Torgerson and the Cummins a chance to negotiate further. The two previous staff reports are attached.

(17)  
8-13-96  
7. 8:25 P.M., Preliminary Plat Revision: Torgerson Addition

Condition A. Right of Way Acquisition  
Condition B. Storm Sewer

a. Mayor Bastian convened the meeting for a public hearing regarding the request of Mr. Donald Torgerson for revision of one of the conditions of preliminary plat approval for the Torgerson Addition. This condition states:

"City or applicant acquisition of the 35 by 163 foot parcel needed to construct Ripley Avenue as a full-width street, through to Desoto Street. If a City project, the applicant shall pay the cost of the feasibility study and all other City expenses to acquire this right-of-way, including attorney's fees."

Mr. Torgerson is requesting this condition be changed to read as follows:

"The developer pay the appraised price for the 60-foot easement, including appraisal fees, and the City assumes the legal fees for condemnation."

Mr. Torgerson is also requesting a revision to the preliminary plat condition concerning storm sewer construction.

b. Manager McGuire presented the staff condition.

c. Director of Community Development Olson presented the specifics of the right of way acquisition revision.

d. Director of Public Works Haider presented the specifics of the storm sewer revision.

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

Mr. Don Torgerson, 1822 Desoto, the applicant  
Mr. John Torgerson  
Mrs. Cummins, 1790 Desoto Street  
Mr. Dennis Cummins, 1790 Desoto Street  
Resident at 505 Bellwood

f. Mayor Bastian closed the public hearing.

g. Councilmember Rossbach moved to take no action on both requests.

Motion died for lack of a second.

h. Councilmember Zappa moved that the Torgersons and the City split the legal costs.

Motion died for lack of a second.

i. Mayor Bastian moved to table this matter until the September 24, 1990 meeting.

Seconded by Councilmember Juker.

Ayes - all.

## MEMORANDUM

TO: City Manager  
FROM: Ken Roberts, Associate Planner  
SUBJECT: Preliminary Plat Condition Revision  
LOCATION: Ripley Avenue and Desoto Street  
APPLICANT/OWNER: Donald Torgerson  
PROJECT: Torgerson Addition  
DATE: July 10, 1990

### INTRODUCTION

Mr. Torgerson is requesting a revision to one of the conditions of preliminary plat approval for the Torgerson Addition. This condition states:

"City or applicant acquisition of the 35- by 163-foot parcel needed to construct Ripley Avenue as a full-width street, through to Desoto Street. If a City project, the applicant shall pay the cost of the feasibility study and all other City expenses to acquire this right-of-way, including attorney's fees." (See the map on page 6.)

Mr. Torgerson is requesting that this condition read as follows:

"The developer pay the appraised price for the 60-foot easement, including appraisal fees, and the City assumes the legal fees for condemnation."

### BACKGROUND

Mr. Torgerson is basing his request on one paragraph from the April 23, 1984 City Council minutes. The Council discussed the alignment of Bellwood Avenue and Burr Street through the Twin Oaks Addition at this meeting. (The Twin Oaks Addition is the plat to the north.) The Planning Commission considered three alignments and recommended alternative A. (Refer to the maps on pages 14-16.) The Commission also recommended that the Council resolve a means of acquisition of a 60-foot easement between 1790 and 1822 Desoto Street. The Council approved alternative A without resolving how access should be provided to Desoto Street. The Council resolved this issue when they approved the Torgerson Addition preliminary plat on October 24, 1988. The Council required that the developer obtain the right-of-way or request the City to obtain it through condemnation at the developer's cost.

### ALTERNATIVES

1. Approve the request. The City would then have to pay the legal costs of the condemnation.
2. Take no action. The developer would then have to pay all the costs.

## DISCUSSION

Mr. Torgerson feels that the City should pay part of the acquisition costs, because the City did not provide for a connection to Desoto Street when the alignment for Burr Street was approved in 1984. If the City would have chosen alternatives B or C, the right-of-way could have been required from the Twin Oaks plat at no cost. The City did not choose these options because they would have created cul-de-sacs. A through street would be more desirable to the City for traffic circulation, police patrols and snowplowing.

The City often requires developers to pay for improvements that benefit the City or surrounding area, but are not necessarily essential for the developer's project. Aside from streets, other examples include oversized or off-site drainage ponds and over-sized utility pipes.

The Council considered these arguments in 1988 when they approved the preliminary plat for the Torgerson Addition. The Council decided that the developer should pay all the costs of the acquisition. Nothing has changed since then, except that Mr. Torgerson has not been able to acquire the property.

The City Engineer informed Mr. Torgerson last year that in order to proceed with the condemnation, he would have to provide the City with a letter of credit or cash escrow of \$50,000. This is approximately 150% of the City Attorney's estimate of \$35,000 to acquire the land, including legal costs. The legal fees would be approximately \$3,000. These costs would increase to \$6,000-\$8,000 if the decision is appealed to the Court of Appeals.

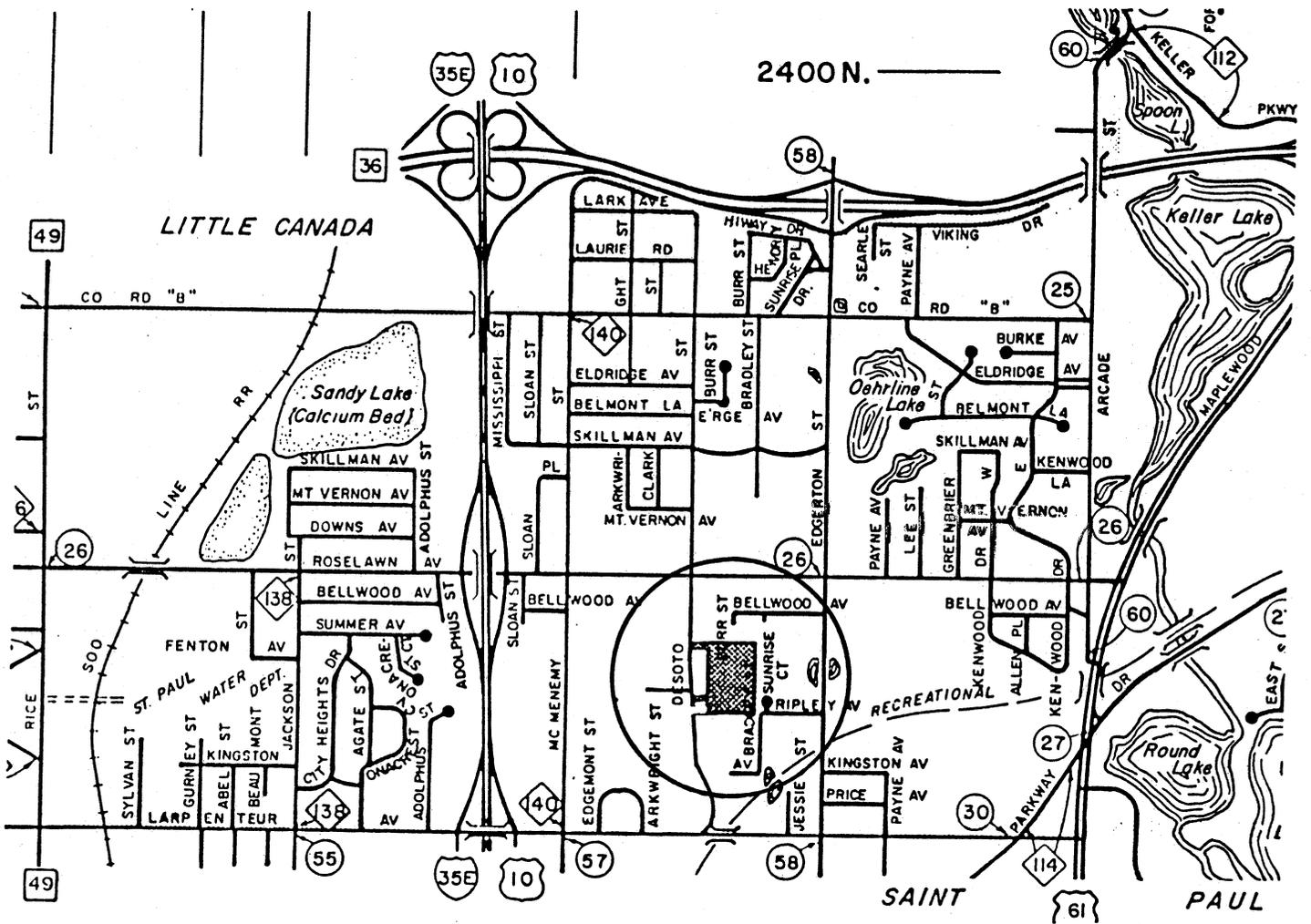
## RECOMMENDATION

**Take no action.**

kenmem35 (Section 17)

### Attachments

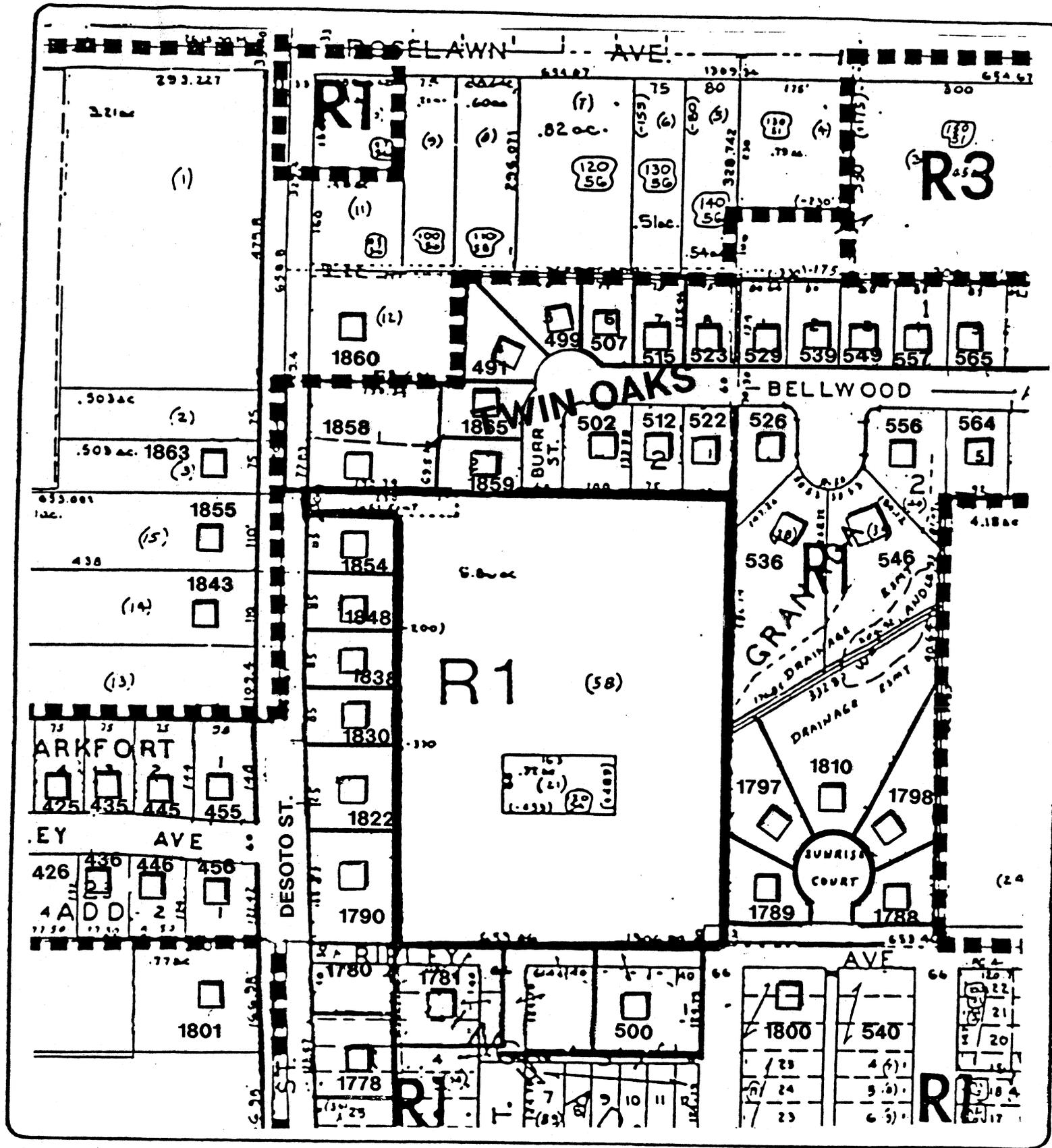
1. Location Map
2. Property Line/Zoning Map
3. Preliminary Plat
4. Site Map
5. Letter dated 4-4-90 from Don and Lauraine Torgerson
6. Letter dated 11-23-88 to Don Torgerson from Kenneth Tilsen
7. Letter dated 12-4-89 to the Cummins from the Torgersons
8. Letter to the Mayor
9. Alternative A street plan
10. Alternative B street plan
11. Alternative C street plan
12. City Council minutes 10-24-88



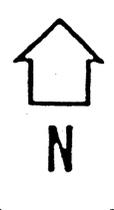
LOCATION MAP

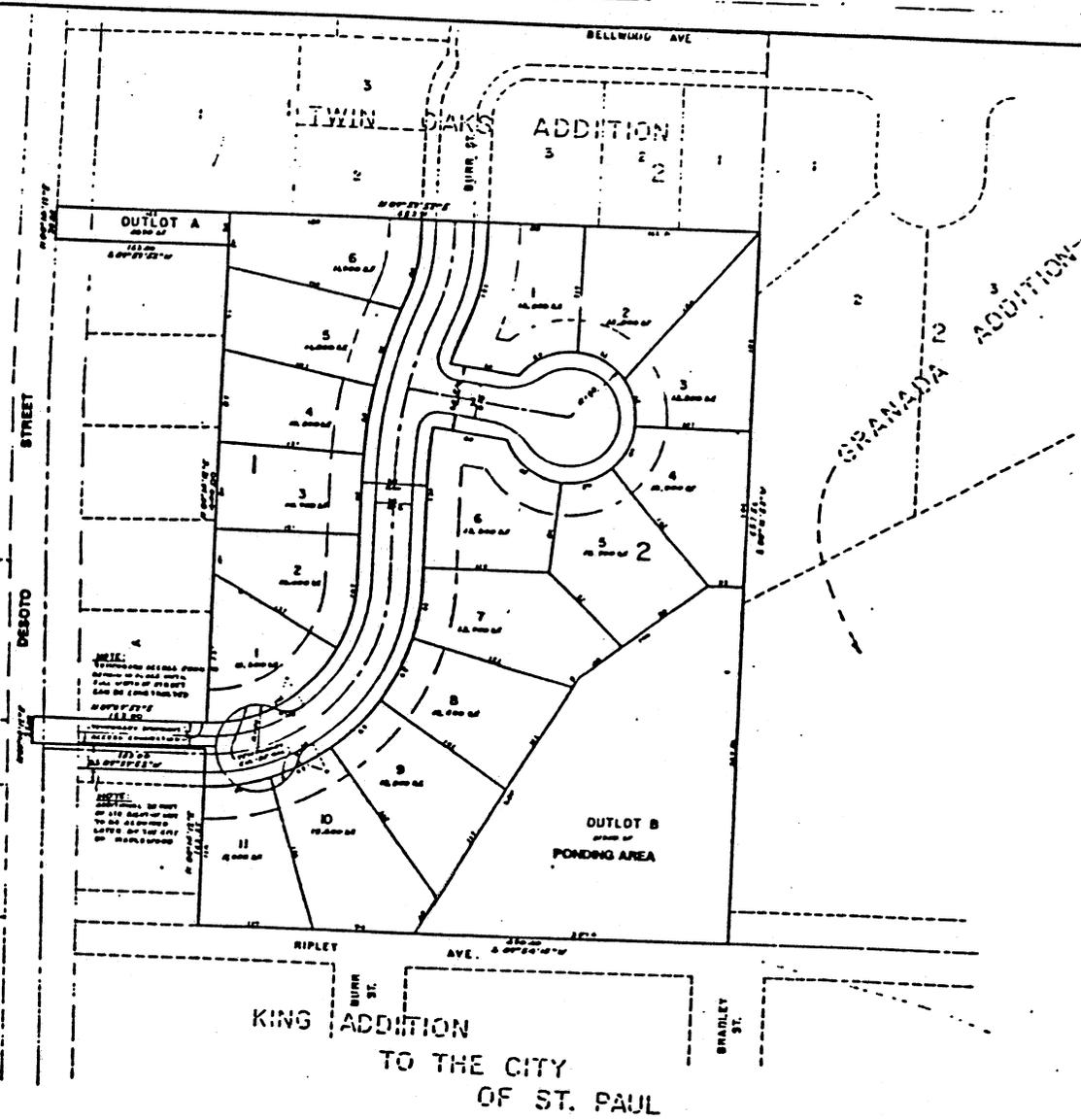
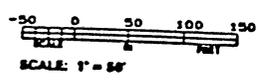
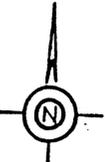


Attachment 1



PROPERTY LINE / ZONING MAP





**MIN. NOTICE**  
 The Sections 1 of the Township 1 of the Range 1 of the County of Ramsey, St. Louis County, Minnesota.  
 Range 10 North 13 West.

Together with the Section 21 East of the Range 10 North 13 West of the County of Ramsey, St. Louis County, Minnesota, of the Township 1 of the Range 1 of the County of Ramsey, St. Louis County, Minnesota.

**AREA SUMMARY**

TOTAL AREA IN ACRES	211,000 AC	0.00 AC
AREA OF OUTLOT A	4,000 AC	0.01 AC
AREA OF OUTLOT B	10,000 AC	0.02 AC
AREA TO BE ADJACENT TO STREET	21,000 AC	0.03 AC
GRAND TOTAL AREA	246,000 AC	0.46 AC

**LEGEND**

TOTAL NUMBER OF LOTS	75
SMALLEST LOT AREA	10,000
SMALLEST LOT SIZE	10,000
AREA OF LOT 1122	10,000
PERCENTAGE OF TOTAL AREA	4.61%

**NOTE:**  
 This plan was prepared by the undersigned on the basis of a survey conducted by him on the 15th day of August, 1922, and is subject to the same conditions as the survey on which it is based.

**NOTE:**  
 This plan was prepared by the undersigned on the basis of a survey conducted by him on the 15th day of August, 1922, and is subject to the same conditions as the survey on which it is based.

Attachment 3

**PROBE ENGINEERING COMPANY, INC.**  
 CONSULTING ENGINEERS  
 PLANNERS and LAND SURVEYORS  
 600 EAST 16th STREET, BURNVILLE, MINNESOTA 55307 PH 432-3000

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A duly Licensed Professional Engineer in the State of Minnesota.

*[Signature]*  
 REGISTERED PROFESSIONAL ENGINEER

DATE	REVISION

PRELIMINARY PLAT

PREPARED FOR  
**DON TORGERSON PROPERTY**

1  
 3

ADDITION

MARKFORD

Street

Desoto

33'

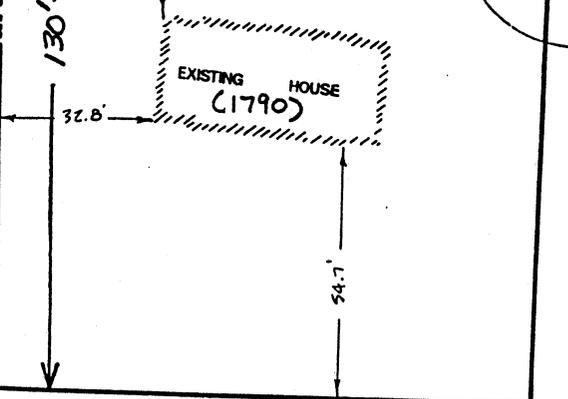
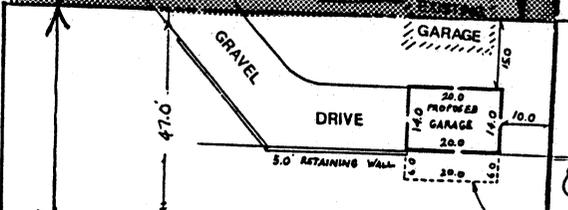
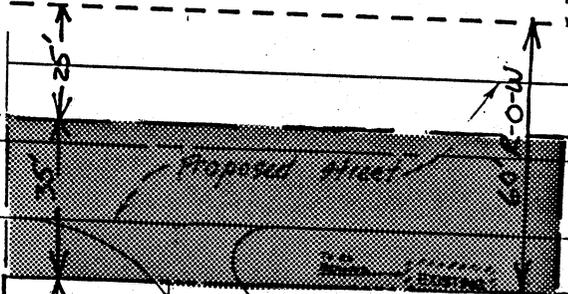
33'

33'

33'

EXISTING HOUSE (1822)

Mc Torgerson's house

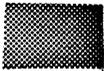


GARAGE COULD BE EXPANDED TO 20' WIDTH w/ ADDITIONAL ENTRANCE

TOP OF BANK

### SITE MAP

PROPERTY IN QUESTION



April 4, 1990

Mr. Donald Torgerson  
1822 DeSoto Street  
Maplewood, MN 55117

Dear Geoff Olson:

We, Donald and Lauraine Torgerson would appreciate a date on the Maplewood Council Public Meeting schedule for the purpose of an appeal as to the Maplewood Councils' decision of the minutes dated October 24th, 1988 that states:

If the developer cannot acquire the 60 ft. wide right of way between 1790 and 1822 DeSoto Street privately that a petition through condemnation by the City Council could be recommended and all costs be paid by the developer.

Our appeal is based upon the paragraph in the minutes dated April 23, 1984, page 13 that reads:

Commissioner Axdahl moved that the planning commission indicate to the council for the alignment of Burr Street, the concept on page 10 of staff report is preferred. The council should resolve a means of acquisition of the 60ft. easement between 1790 and 1822 DeSoto Street to the parcel.

We feel that the city of Maplewood is responsible for creating this situation and that they should assist in part to resolve this impasse.

We would like to appeal that the minutes read:

The developer pay the appraised price for the 60 ft. easement including appraisal fees and the city assumes the legal fees for condemnation.

We are sending a copy of our last proposal to the Commons to show that the offer is far above the appraised value of the 35 ft. easement.

A letter from Kenneth Tilsen is also included to prove that our property is now Land Locked due to the councils decision to locate the street through this 35 ft. easement we cannot resolve.

Sincerely,



Donald & Lauraine Torgerson

LAW OFFICES  
KENNETH E. TILSEN  
ATTORNEY AT LAW  
2220 AMERICAN NATIONAL BANK BUILDING  
FIFTH AND MINNESOTA STREETS  
SAINT PAUL, MINNESOTA 55101

TELEPHONE 224-7667  
AREA CODE 612

November 23, 1988

Don Torgerson  
1822 Desoto Street  
Maplewood, Minnesota 55117

RE: Easement over the West 326 feet of the South 35 feet  
of the North 530 feet of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of  
the SW  $\frac{1}{4}$  of Section 17, Township 29, Range 22,  
Ramsey County, Minnesota  
Our File No. T88-0227

Dear Mr. Torgerson:

I am advised that the pertinent facts are as follows:

1. The following property is now landlocked. That is, it  
has no access to a public road:

The Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$   
of Section 17, Township 29, Range 22, Ramsey County,  
Minnesota.

Except the West 163 feet thereof.

Together with the South 25 feet of the North 495 feet  
of the West 163 feet of above said Southwest  $\frac{1}{4}$  of the  
Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said Section 17,  
Township 29, Range 22.

2. On or about January 18, 1961, the then owner of the  
property, Torger Torgerson, conveyed to Lauraine M. Torgerson  
the following property:

The E. 163 feet of the W. 489 feet of the S. 85 feet of  
the N. 455 feet of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ,  
Section 17, Township 29 N., Range 22 W., together with  
an easement for ingress and egress to and from the land  
hereby conveyed and through a strip of land described  
as follows, to-wit: The W. 326 feet of the S. 35 feet  
of the N. 530 feet, except part taken for DeSoto  
Street; and the E. 33 feet of the W. 359 feet of the S.  
75 feet of the N. 530 feet, all in the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$   
of the SW  $\frac{1}{4}$ , Section 17, Township 29 N., Range 22 W.

3. Lauraine M. Torgerson is still the owner of the property described in #2 above.

4. On or about January 10, 1962, Lauraine M. Torgerson (daughter) and Donald A. Torgerson (son) became the owners by reason of a Final Decree of Distribution in the Estate of Torger Torgerson, decedent, of the following described property, to-wit:

The Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , Section 17, Township 29, Range 22, except part taken for DeSoto Street, and except the West 163 feet of the South 465 feet of the North 495 feet, and except the East 163 feet of the West 489 feet of the South 85 feet of the North 455 feet;

Subject to roads and subject to an easement for ingress and egress to and from the land hereby conveyed over and through a strip of land described as follows, to-wit:

The West 326 feet of the South 35 feet of the North 530 feet, except part taken for DeSoto Street; and the East 33 feet of the West 359 feet of the South 75 feet of the North 530 feet, all in the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  Section 17, Township 29 N, Range 22 W.

5. On or about January 30, 1962, Lauraine M. Torgerson and Donald A. Torgerson conveyed to John T. Rose and Marilyn A. Rose the following property which lies upon the easement reserved to Lauraine M. Torgerson, to-wit:

The West 163.0 feet of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  Section 17, Township 29 N, Range 22 W, except the North 495.0 feet thereof; and except the South 30 feet thereof for Ripley Street, and except that part taken for DeSoto Street, accordingly.

6. Dennis A. Cummins and Julie I. Cummins are now the owners of that property described in #5 above.

The question is whether or not the easement described in #2 above still exists for the benefit of the property set forth in #1 above.

I am of the opinion that, assuming the facts set forth in #1 through #6 are true and correct, an easement for necessity has been created over the property described in #5 above.

The specific description of that easement should be identical to the easement set forth in #2 above to the extent it lies over the property set forth in #5 above.

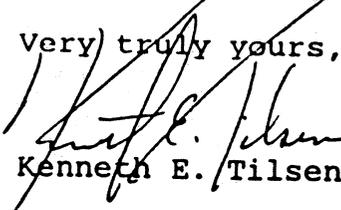
The creation of this easement known as a "way of necessity" appears to be firmly established at common law. The Minnesota courts do not appear to have clearly ruled upon the issue. Nonetheless, there is no reason to believe that the Minnesota court would not follow the established rule.

The general rule may be stated as follows:

Where the owner of lands abutting a public highway conveys to another all that portion that abutted, retaining the interior portion from which he had no way to the public highway except over the land conveyed, and where there existed a roadway or easement over the exterior lands at the time of the conveyance leading from the interior lands to the public highway, there is a presumption that the parties contemplated the continued use of the roadway or easement over the exterior lands.

Further, it would appear that this way of necessity would continue as long as the necessity continued.

Very truly yours,

  
Kenneth E. Tilsen

c.c. Marv Bullick

/dwc

5-1-89  
December 4, 1989

Jolie and Dennis Cummins  
1790 Desota Street  
Maplewood, Mn 55109

Dear Mr. and Mrs. Cummins,

This letter is to inform you of our progress and intent in developing the Torgerson Plat as given preliminary approval by the City of Maplewood.

Upon the advice of Mr. John Bannigan, Maplewood's Attorney, I hired a fee appraiser, Mr. Parranto to appraise the 35' strip of land needed for the new Ripley Street. I have enclosed a copy of the report with this letter. We have contacted your lawyer, Fritz Kueppers regarding the appraisal and he indicated to us he is willing to examine it at your request.

It is the consensus of the City Attorney and the Maplewood staff that we contact you one more time and attempt to work out a solution prior to a condemnation proceeding being implemented by the City of Maplewood.

According to the enclosed appraisal, \$12,650 was the appraised price for the 35' right a way, for the proposed Ripley Street. We believe Maplewood would consider that to be reliable and fair market value. Our previous offer of \$15,000 cash on December 13th, 1988 still stands.

We have also considered the possibility of offering you 35' of land to the east of your property in exchange for the 35' on the north for Ripley Street. With this exchange of property your garage could be reconstructed (new) on that property, entering from the new Ripley Street at a point further east than presently planned. We would be willing to build this new 14' x 22' garage and provide a paved drive to the street, or pay you the cost in cash not to exceed \$5,500.00.

5c + 5  
Continued....Page 2

Prior to January 1st, 1990, we are also willing to consider any reasonable counter proposal from you for this right of way as approved by the Maplewood City Council.

We are sending a copy of this letter to the City of Maplewood along with our request to open and pursue this matter to a conclusion.

Sincerely,

*Donald Torgerson*  
Don Torgerson

*Lauraine Torgerson*  
Lauraine Torgerson

Note: This is a copy of our last  
Purchase proposal sent to The CAMMINS;  
No Answer was Received.

# Edina Realty

## Northeast Suburban Office

2966 White Bear Avenue  
Maplewood, Minnesota 55109  
(612) 770-1775

Mayor John Greavu  
1830 E. Co. Rd. B  
Maplewood, MN 55109

Re: Platting Torgerson Property  
Desota and Ripley Streets  
Council Meeting October 24, 1988

Dear Mayor,

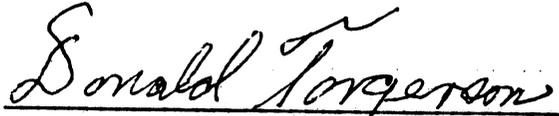
We want to register our concerns on two items in the staff report, Torgerson property, dated September 28, 1988.

Under recommendations: Item 3 - A page 3

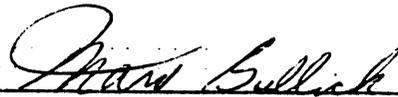
Applicants engineer has indicated that the pond to be constructed can be designed so as to contain both the rate of storm run off and total volume, so that completing the entire project at this time would have no adverse effect on the properties downstream. Applicant is not in agreement to phasing the project inasmuch as the entire project has to be constructed to satisfy the phasing requirement as outlined in the staff report.

Item 3 - B page 3

Applicant is not in agreement with the staff report which suggests applicant shall bear the entire cost of acquisition of the right of way to Desota Street. We have attached a copy of a letter dated March 10, 1988 from Geoff Olson and the minutes of the 4/23/84 Council approval of the Twin Oaks Development, along with page 13 of the Planning Commission recommendation which suggested that council should resolve the Ripley Street right of way at Desota at that time. While we have been advised by staff that it is accepted policy to have the developer bear the entire cost of acquisition, based on above facts and intent of the council, we are suggesting that the city and applicant negotiate jointly with the property owners at 1790 Desota to acquire this right of way.

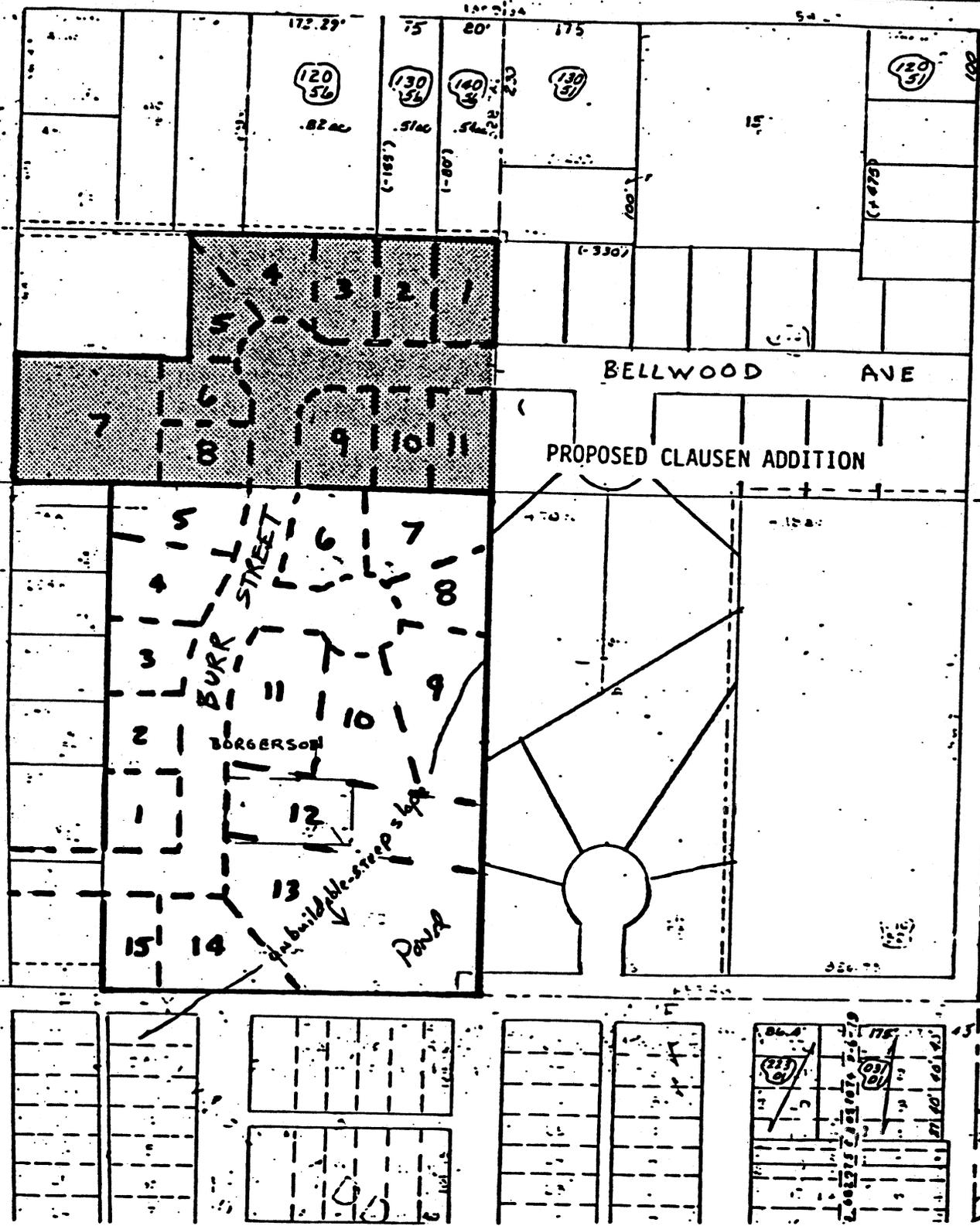


Donald Torgerson  
Applicant-Owner



Marv Bullick  
Edina Realty

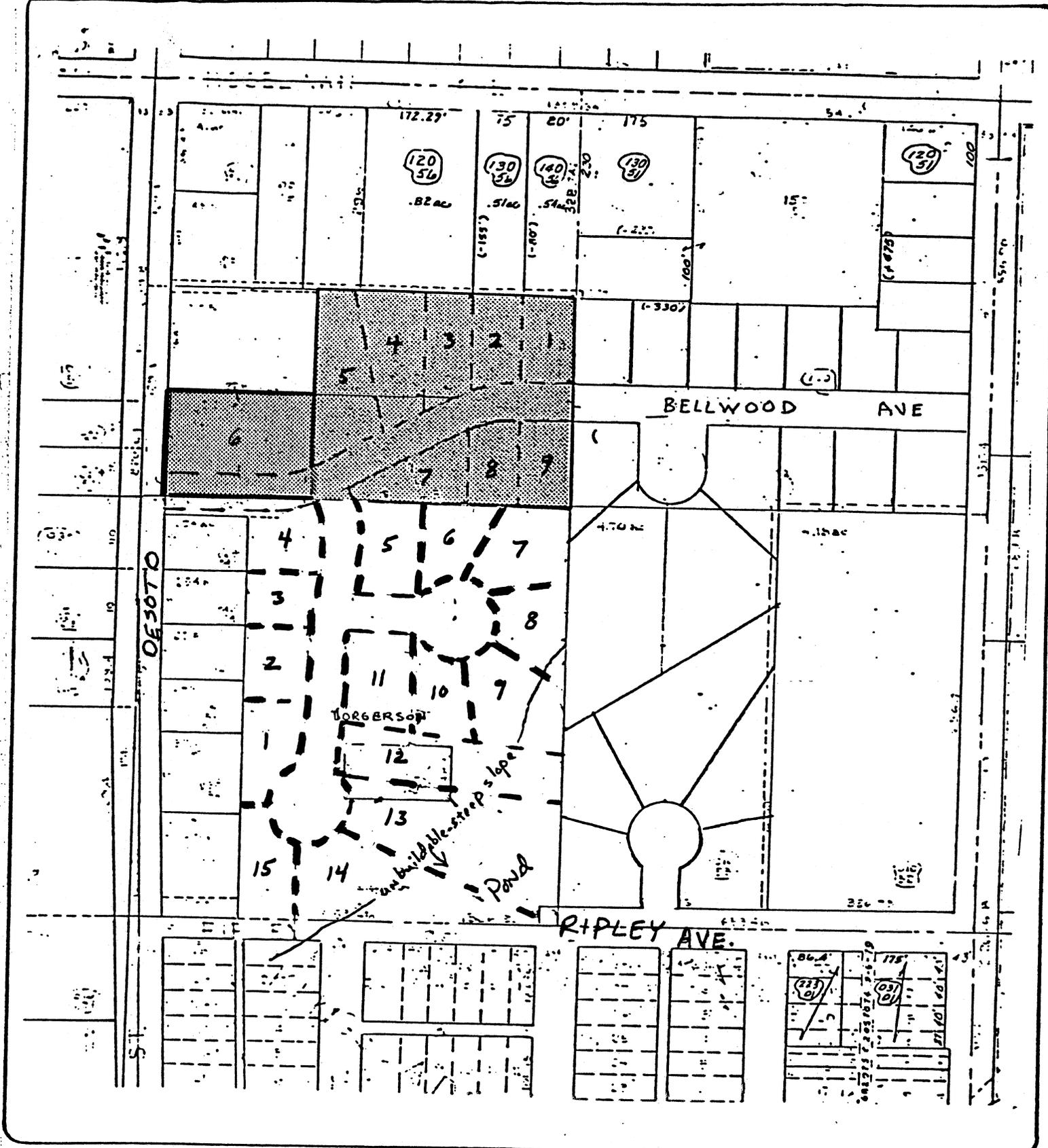
cc: Norm Anderson  
Gary Bastian  
Fran Juker  
George Rossbach



ALTERNATIVE A  
 (Approved by Council)







ALTERNATIVE C  
Area proposed for Twin Oaks Addition



8. Councilmember Anderson moved to deny the requested variations from the platting code to create a temporary, half-width street and a temporary cul-de-sac in excess of 1,000 feet of length, on the basis that:

- a. Approval would adversely affect the spirit of the subdivision code and the comprehensive plan, because public safety's ability to provide timely emergency vehicle service could be hampered or jeopardized.
- b. A full-width, through street is a reasonable alternative. This alternative was planned for by the City when approval was granted for the Twin Oaks Addition to the north and the Markfort Addition to the west.
- c. Approval is not essential to the reasonable development of this subdivision.
- d. Council has required full-width, through streets to be guaranteed across adjoining properties as a condition of approval for other similar proposals.

Seconded by Mayor Greavu.

Ayes - Mayor Greavu, Councilmembers Anderson, Juker and Rossbach

Nay - Councilmember Bastian.

9. Mayor Greavu moved to approve the Torgerson Addition preliminary plat, subject to satisfaction of the following conditions before application for final plat approval:

- a. The City signing a contract(s) to construct the downstream drainage improvements to outlet this and adjoining property to Round Lake. The City Engineer may approve a phased development plan, provided the applicant can demonstrate that on-site ponding capacity will be adequate to maintain predevelopment storm water flows from this site. Any lot or street area not included in the initial phase shall be platted as an outlot until adequate storm water capacity is provided. The entire right-of-way for Burr Street and Ripley Avenue shall be platted and constructed with the first phase.
- b. City or applicant acquisition of the 35 by 163± foot parcel needed to construct Ripley Avenue as a full-width street, through to DeSoto Street. If a City project, the applicant shall pay the cost of the feasibility study and all other City expenses to acquire this right-of-way, including attorney's fees.
- c. Substitute a drainage easement for Outlot B. The property lines for the adjoining lots shall be extended through the easement to the south or east boundaries of the site. The easement shall include all area that would be up to one foot above the approved 100-year storm design elevation for this pond. This easement shall also line up with the existing drainage easement on the properties to the east.

- d. Outlot A shall be combined with an adjacent property. A deed shall be in the possession of the adjoining property owner before the plat is signed by the City. The deed to transfer ownership of this outlot shall stipulate that this property is to be combined with adjoining property to form one parcel, to be described by one property tax description number.
- e. The following street names shall be shown:
- (1) The north half of the existing Ripley Avenue right-of-way shall be shown between the west line of Bradley Avenue and the east boundary of the site.
  - (2) "Ripley Avenue" shall be shown west of the south extension of the west line of proposed Lot One, Block One.
  - (3) The remainder of the through street shall be named "Burr Street".
  - (4) The cul-de-sac shall be named "Summer Court".
- f. Reduce the width of Lots One, Two, Five and Six, Block Two, to the minimum permitted to maximize the rear yard area for Lots Three and Four
- g. City Engineer approval of final grading, drainage, utility and erosion control plans. These plans shall include, but not be limited to:
- (1) Identification of the trees to be saved. These trees shall also be identified on the site.
  - (2) Revision of the grading plan and/or install storm sewer along the north boundary of the site to insure that drainage from this site does not flow into the properties to the north.
  - (3) Where possible to obtain grading easements on adjoining property, make a more gentle transition along the site boundary to the lots adjoining to the north and northeast.
  - (4) Provide survey evidence that Ripley Avenue will line up with existing Ripley Avenue, west of DeSoto Street.
- h. Submission of signed developer's agreement and surety for all required public improvements, including but not limited to: a full-width street through to DeSoto Street and on-site utility and drainage improvements; any required tree planting; erosion control measures; relocation of the NSP utility pole that will be within the new Ripley Avenue right-of-way, and, relocation of the driveway for 1822 DeSoto Street to Ripley Avenue.

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

Commissioner Cardinal moved the Planning Commission recommend approval of the resolution approving a conditional use permit for one year to allow the operation of an appointment-only used-car sales business at 2720 Maplewood Drive. Approval is subject to the following conditions:

1. Obtaining a license to sell used cars.
2. Cars for sale shall only be brought to the site for a specific buyer. There shall be no more than two cars for sale at any one time.
3. The eleven spaces in front shall be striped and shall include one 12-foot-wide handicap and ten ten-foot-wide spaces.

Commissioner Anitzberger seconded

Commissioner Fischer moved to amend item 2 of this motion as follows:

2. Cars for sale shall only be brought to the site for a specific buyer. There shall be no more than two cars for sale on the site at any one time.

Commissioner Anitzberger seconded

The motion was then voted on

Ayes--Anitzberger,  
Barrett, Cardinal,  
Fischer, Larson,  
Rossbach, Sigmundik,  
Sinn

The motion passed.

d. Preliminary Plat Revision: Torgerson Addition

Secretary Olson presented the staff report for a revision of a condition of preliminary plat approval for the Torgerson Addition.

The commissioners discussed with staff the history of this property.

The applicant Donald Torgerson, 1822 Desoto Street, spoke regarding the history of this property. Mr. Torgerson said the past actions of the City of Maplewood have landlocked his property leaving him unable to get a reasonable use of the property.

John Torgerson, the applicant's son, asked staff to explain the City Council's required conditions of preliminary plat approval for the Torgerson Addition.

Commissioner Cardinal moved the Planning Commission recommend approval of the request of Donald Torgerson. The City would then have to pay the legal costs of the condemnation.

The motion died for lack of a second.

Commissioner Rossbach moved the Planning Commission take no action. The developer would then have to pay all the costs.

Commissioner Anitzberger seconded

Commissioner Rossbach amended the motion to include: The Planning Commission is taking no action because this is strictly a monetary matter and does not fall under the Planning Commission's expertise.

Commissioner Anitzberger seconded

Commissioner Larson suggested that, since the City and the developer disagree on the cost of acquiring the land, further negotiations and appraisals be considered.

The motion was then voted on.

Ayes--Anitzberger,  
Barrett, Fischer,  
Larson, Rossbach,  
Sigmundik, Sinn

Nays--Cardinal

The motion passed.

e. ~~Street Vacation: Eldridge Avenue~~

~~Ken Roberts, Associate Planner, presented the staff report for the proposed vacation of two portions of Eldridge Avenue, between Hazelwood Street and Prosperity Road.~~

~~Commissioner Rossbach asked staff to explain where pipelines run in this area.~~

## AGENDA REPORT

TO: City Manager  
FROM: City Engineer  
SUBJECT: Preliminary Plat Revision--Torgerson Addition  
DATE: August 7, 1990

Mr. Torgerson through his engineer, Ralph Wagner, has requested a change in the following preliminary plat condition:

"The city signing a contract(s) to construct the downstream drainage improvements to outlet this and adjoining property to Round Lake. The city engineer may approve a phased development plan, provided the applicant can demonstrate the on-site ponding capacity will be adequate to maintain predevelopment storm water flows from this site. Any lot or street area not included in the initial phase shall be platted as an outlot until adequate storm water capacity is provided. The entire right-of-way for Burr Street and Ripley Avenue shall be platted and constructed with the first phase."

The city drainage improvement mentioned above is the Roselawn-Edgerton Storm Sewer Project. Recent city council decisions indicate this project will not be constructed in the near future. The condition states a phased-development plan may be approved. I believe the developer would like to plat the entire parcel.

Developing the entire parcel will result in an increased volume of runoff. The additional volume will end up in the pond adjacent to Edgerton Street. The added volume will increase the depth of the pond and increase the flooding potential. Since no outlet is forthcoming, the water must evaporate or percolate into the ground. From an engineering standpoint, this situation does not meet the city design standards.

No action is recommended on this item.

KGH

jc

# **P**ROBE ENGINEERING COMPANY, INC.

CONSULTING ENGINEERS  
PLANNERS and LAND SURVEYORS

1000 EAST 146th STREET, BURNSVILLE, MINNESOTA 55337 PH 432-3000

March 14, 1990

Mr. Donald Torgeson  
1822 DeSoto Street  
Maplewood, MN 55117

RE: Torgeson Addition, Maplewood, Minnesota

Dear Don,

This is written in response to your recent request that we readdress the problem of drainage and runoff which has again been left unanswered because of the denial of the big storm drainage project. It is our understanding that you are presently in the process of resubmitting a request to the City to relook at their preliminary plat approval requirements, particularly with regard to the street access issue but also to consider as well the drainage problem.

We have reviewed the drainage and ponding situation in light of the fact that there definitely now will be no outlet for the ponding areas straddling Edgerton into which our pond would ultimately drain. I have discussed the issue with the City Engineer, Ken Haider. It is obvious that we will not receive a favorable review from the engineering department no matter what we do. However, as he indicates, we should deal with the problem to the best of our ability and present it to the City Council. Maybe they will accept our solution.

This is what I propose: That we analyze the volume of runoff (rate of runoff is not the only problem) in its existing undeveloped state and try to limit the volume of early added volume to the initial amount. To do this, we propose to pick up drainage from more total developed area and redirect it into our pond than now goes there, thus significantly reducing the drainage that now goes to the Edgerton Pond. Ultimately though, the total developed runoff will be more, since eventually the pond would drain down to Edgerton and the developed rate of excess runoff will be more in the developed state. To substantially mitigate this part of the problem, we propose to construct a two-stage restricted outlet to our pond in which the upper stage would be less restricted than the lower one. The upper outlet would allow a volume through it that will approximate the same volume that results from the existing condition. The lower outlet would consist of a very significant restriction in which the excess volume attributable to the development would be held for a very long time. This might result in as much as 8 to 12 extra days to drain the excess from our pond. We feel this would provide very significant mitigation to the problem.

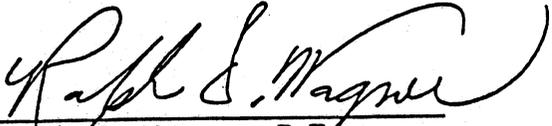
We have done some preliminary calculations embodying the solution above. To further dramatize the significance of this solution, we superimposed a secondary 9-inch rain-fall event over the customary required 6-inch, 100-year, 24 hour event. This magnitude of storms closely simulates the two-storm event of 1987 that occurred in many areas of the metropolitan area. We placed the second larger storm only one day later rather than three days later as occurred in 1987. This constitutes an even more extreme. In all, we feel that the above constitutes a very workable solution with a very good safety factor.

Mr. Donald Torgeson  
Torgeson Addition, Maplewood, Minnesota  
Page 2

We do not include any calculations herewith, preferring instead to provide these with final design and plans thereof as is customary.

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

Sincerely,



Ralph D. Wagner, P.E.

RDW/dll

Encl.

MEMORANDUM

To: Michael A. McGuire, City Manager  
From: Robert D. Odegard, Director of Parks & Recreation *ROD*  
Subj: Trail From Sterling Street To Vista Hills Park  
(2480 Mailand Rd.) Through Crestview Forest Townhomes  
Date: September 17, 1990

Introduction

The City Council on Monday, August 27, tabled the discussion of the walkway from Sterling Street to Vista Hills Park through the Crestview Forest Townhome property to September 24, 1990.

Background

At the time of the acceptance of the Crestview Forest Townhomes development by the city, the developer (Marvin Anderson) agreed to install an asphalt trail from Sterling Street to Vista Hills Park between the First Phase and Second Phase developments. At this time, 32 units have been developed in the First Phase of the Crestview Forest Townhomes and 16 units in the Second Phase, which are all on the west side of Sterling Street. He also included in the 132 total proposed units for Crestview Forest an additional 28 units in the Third Phase, which is now under development.

The 300' trail under discussion is located between the First and Second Phase units and is approximately 200' wide on Sterling Street and 150' wide between the closest units. The area was previously reserved by Marv Anderson for this trail and should have been general knowledge to anyone purchasing a unit in the Crestview Forest development. The proposed trail would be screened from those in Phase I of the development by a thickly wooded area.

The trail is to give access from Sterling Street into Vista Hills Park. Vista Hills Park is approximately 1285' along the north to south border with Crestview Forest. On the north end of the park is Mailand Road, which is 450' east to west. On the east side of the park is a trail 20' wide, which gives access from Marnie at approximately 600' from the north end of the park. On the south end of the park, another 20' wide trail gives access from Marnie into the park. The entire southern border of the park abuts homes. We anticipate that another entrance will come into the south end of the park off of Sterling, if and when the Beth Heights Addition is developed. The trail at the mid-point of the park off of Sterling is important, in that it gives access to the park for the owners of the 132 units that are in Crestview Forest as well as access to those who will be coming from the south and would prefer immediate access to the play equipment or tennis courts or play areas without coming through the trail system from the south end of the park.

The Park and Recreation Commission has discussed this trail upon numerous occasions, and this past March notified Marv Anderson that they still firmly wish to have the walkway installed. The Commission considered the long-time commitment that is a part of access to a park as it may affect future residents of the Crestview Forest area, as well as the entire community to the south. The lower loop trails at Vista Hills Park in the south end will have additional steepness that some handicapped challenge will not be able to handle, and thus a walkway from Sterling would give them access through the trails in the area that they can use. The concern by the Townhome Owners that there is more possibility of break-ins by having this trail does not seem realistic to me. If someone is going to steal a large appliance such as a TV, they are going to take it immediately out to their vehicle in the street on Sterling and drive away; the same would be true of anyone burglarizing is not going to run through a trail back into the park, but rather immediately out into a vehicle and leave the premises. At the present time and in the future, there will be many vehicles owned by the many townhomes that are in the area, as well as visitors to those townhomes that will make identification of any specific vehicle almost impossible.

Recommendation

It is recommended that the City Council require Marvin Anderson, developer of the area, to immediately install an 8' wide trail from Sterling Street to Vista Hills Park as required in the original development agreement.

/c: City Clerk

MAKLAND



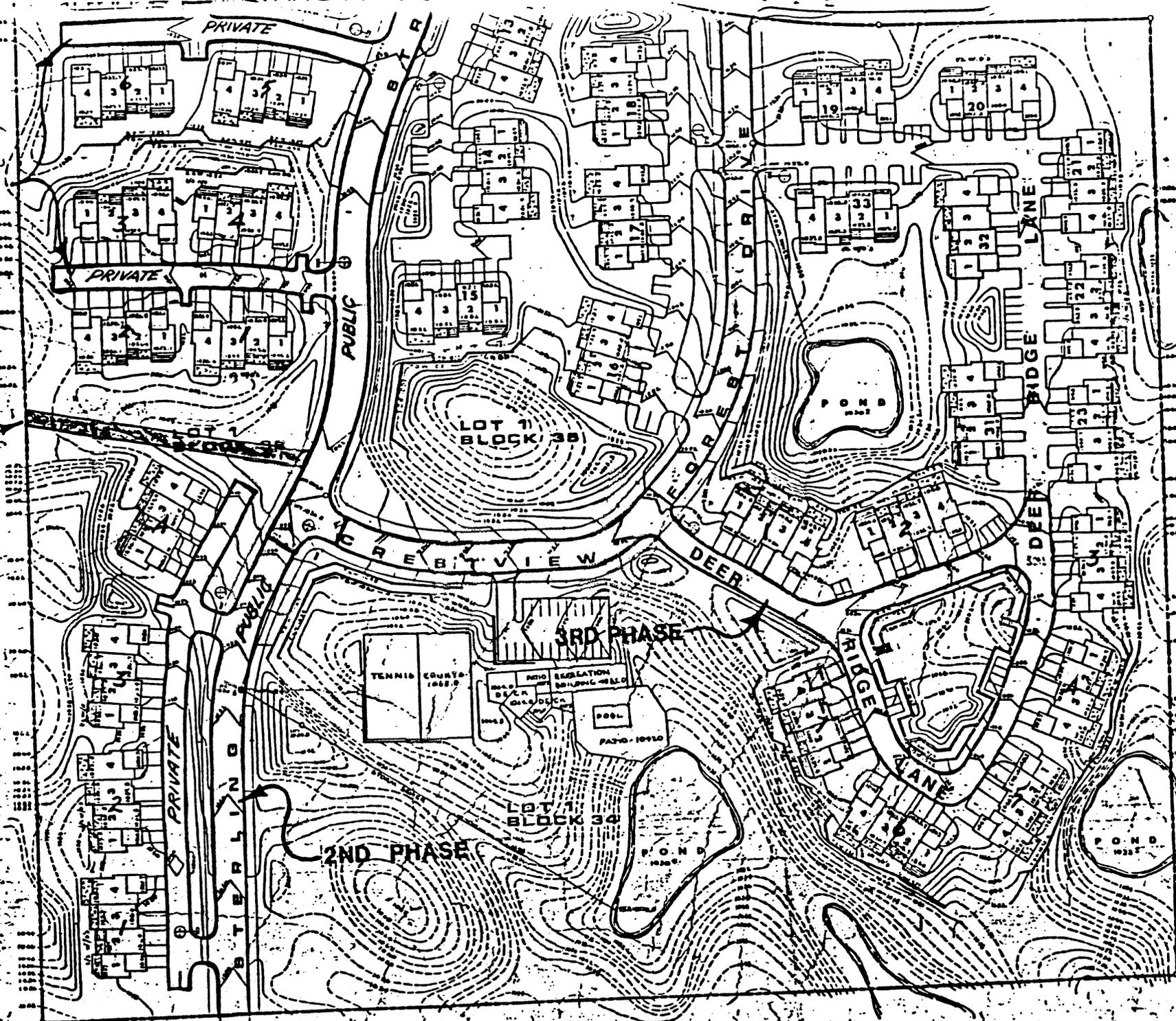
HILLS PARK  
1ST PHASE

WALKWAY

VISTA

1985

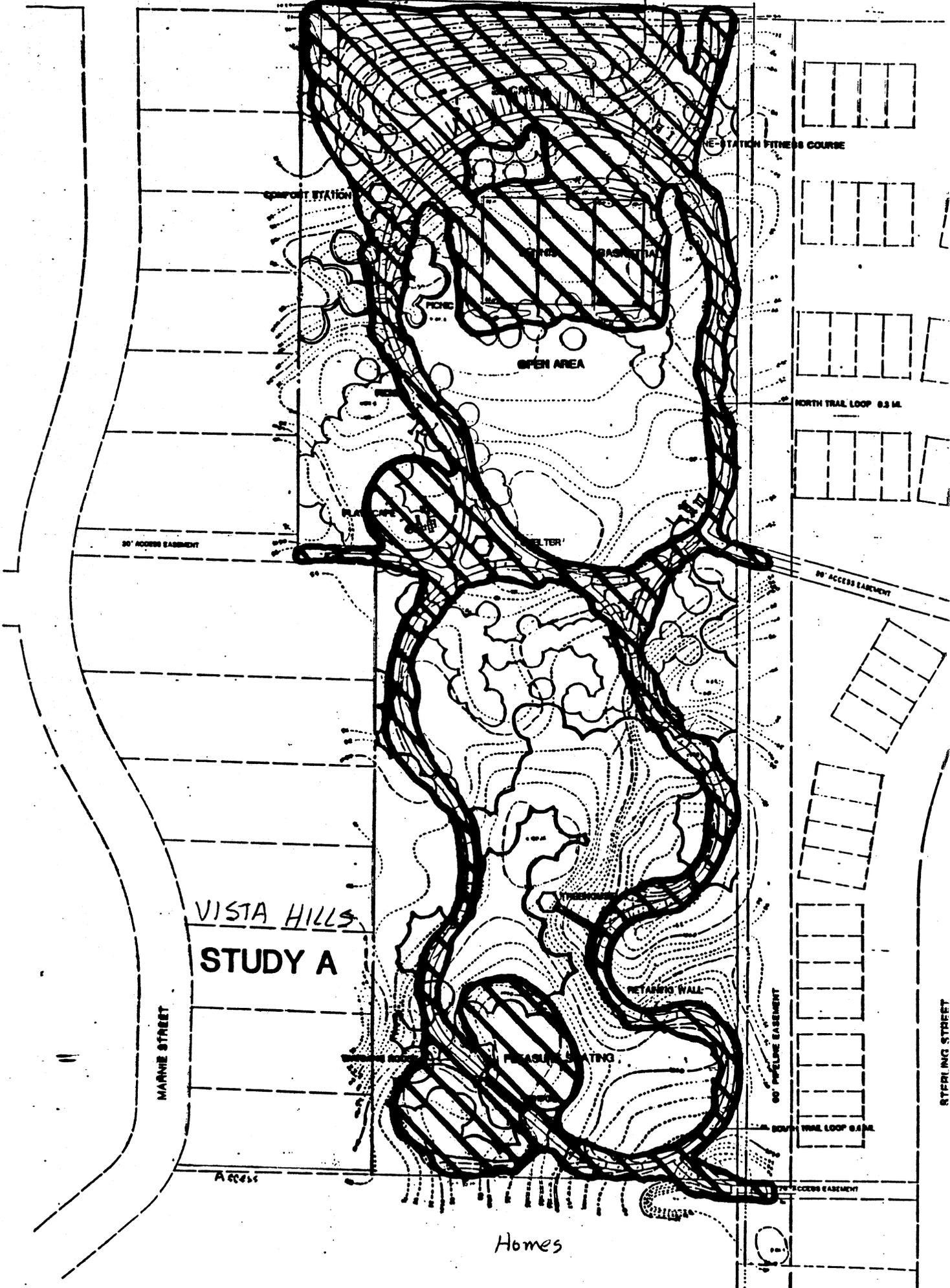
Future WALKWAY



BETH HTS DEVELOPMENT



MALAND ROAD



VISTA HILLS  
STUDY A

Homes



# CITY OF MAPLEWOOD

1830 E. COUNTY ROAD B    MAPLEWOOD, MINNESOTA 55109

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PARKS AND RECREATION DEPARTMENT

612-770-4570

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March 21, 1990

Mr. Frederic E. Haas  
Marvin H. Anderson Construction Co.  
8901 Lyndale Ave. So.  
Minneapolis, MN 55420

Dear Mr. Haas:

The Park & Recreation Commission reviewed your letter and petition at its regular meeting, Monday, March 19. A motion was made to absolutely deny the request to vacate the easement for the walkway into Vista Hills Park. It passed unanimously.

The Commission felt that the walkway from Sterling into the trails would make the trails more accessible to the part that is graded for wheelchair users. Also, children wishing quicker access to the play area would use the walkway between the townhomes. Future residents may not choose to go up to Mailand or down to the south end of Crestview Forest for access.

This walkway was a requirement by the City Council and agreed to by Marv Anderson at the time of the development of Crestview Forest.

Sincerely,

*Rita Brenner*

Rita Brenner  
Parks & Recreation Commission Secretary

MEMORANDUM

To: Park & Recreation Commissioners  
From: Robert D. Odegard, Director of Parks & Recreation  
Subj: Trail To Vista Hills Park Through Crestview Forest  
Date: March 15, 1990

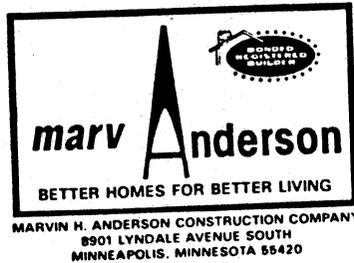
Attached is a letter from Frederic Haas, Vice President Land Development for Marvin Anderson Construction Company, indicating that the Crestview Forest townhomes do not wish a walkway from Sterling into Vista Hills Park between the First and Second Phase of the Marv Anderson Development. I also have the petition signed by homeowners that will be available for the Park Commissioners Monday meeting.

The 8' asphalt walkway from Sterling into Vista Hills Park was a requirement by the City Council and agreed to by Marv Anderson at the time of the development of Crestview Forest.

I favor the installation of the trail for the following reasons:

- 1) Development of access to a park is a long-term commitment. While present residents may not wish to enter the park, the future purchasers of the townhomes may prefer to have access through a walkway rather than having to go up to Mailand or down to the south end of Crestview Forest for access. Reality dictates that it is better to have a designated walkway than having people go through private property.
- 2) As the Beth Heights area is developed, which is south of Crestview Forest, many of the walkers will enter through the walkway at the south end of Crestview Forest. However, for those wishing to gain quicker access to the play area in Vista Hills, they will use the walkway between the townhomes.
- 3) The lower loop trails in Vista Hills Park in the south end will have more steepness than many handicapped challenged will be able to handle. Having a walkway from Sterling into the trails will make them more accessible to the trail that is graded for wheelchair users.
- 4) If the Townhome Association is concerned that the walkway will infringe upon the south townhomes, I would recommend that they be encouraged to do additional plantings that could provide privacy blocking off the trail. The townhome to the north of the walkway already has a thick stand of trees.

I recommend that the Park and Recreation Commission respond to the townhome owners through Mr. Haas as to the Commission's views on this walkway.



March 12, 1990

Mr. Robert Odegard  
 Director of Parks  
 Maplewood City Hall  
 1830 E. County Road B  
 Maplewood, MN 55109

Dear Bob,

Enclosed you will find a copy of the Crestview Forest townhomes development. This plan shows the approximate location of the proposed walkway.

Enclosed also is a petition which I received last week from all of the owners of our townhomes indicating that they wish not to have the walkway installed.

If the residents in the townhome area have no desire for the walkway, then I feel also that it would serve no purpose. Those single family residents living to the north of these private townhomes can enter the park from Mailand Road. The single family homes to the south can enter from the south end of the park. The majority of the property to the east is private and it would be better to keep the pedestrian traffic to a minimum.

Please consider this petition and make me aware of any comments or meetings as soon as possible.

Sincerely,

MARV ANDERSON HOMES

Frederic E. Haas  
 Vice Pres. Land Development

FEH:tw  
 enc.

MEMORANDUM

TO: City Manager  
 FROM: Director of Community Development  
 SUBJECT: Used Car Center - 1908 Rice St.  
 DATE: September 14, 1990

The City Council, on September 10, tabled for two weeks the renewal of a used car license for Jerry Anderson at 1908 Rice Street. The Council wanted the junk cars removed by then and a plan for connecting to sanitary sewer and paving the parking lot.

Mr. Anderson has since told me that he will have the junk cars removed by the Council meeting.

Sanitary Sewer Connection

Section 28-41(a) of City Code states, "Any buildings used for human habitation or for human occupancy located on property lying inside the city, including all business buildings, unless specifically exempted by the city council on the grounds that no human beings occupy or use such buildings and no sewage wastes are generated therein, or on the grounds that there are special circumstances or conditions affecting the owners or occupants of the property for which the variance is requested, and that the granting of such variance will not materially adversely affect health, safety or general welfare or public or private property, located on property adjacent to a sewer main, or in a block through which the system extends, shall be connected to the municipal sanitary sewer system within one year from the time a connection is available to any such property."

There has been a sanitary sewer in Roselawn Avenue since at least 1968. There is a connection for a service stub on the main, but there is no service stub. The Engineering Department will include a service stub in the Roselawn Avenue improvement project. This project should be done next summer or fall.

Parking Lot Paving

Mr. Anderson is requesting that the Council waive the paving requirement. Section 18-24 of City Code prohibits parking on lawns or grass plots. Mr. Anderson is parking cars on part of his lot that is dirt and weeds. This raises the question of whether this ordinance applies to Mr. Anderson. Does the phrase "lawns or grass plots" include undeveloped land or just areas that someone has planted with grass.

The dictionary defines lawn as a usually closely mown plot or area planted with grass or similar plants. The definition for grass is broader, including everything from lawns to pastures. The ordinance, however, uses the term grass plots. The dictionary defines a plot as a small piece of ground, generally

used for a specific purpose, such as a garden plot. A grass plot would then be an area intended for growing grass.

The area Mr. Anderson is parking vehicles on has never been intended for growing grass. It is undeveloped land that he has used for parking for many years. There is even some old pieces of asphalt on the area south of the fence on Rice Street. Apparently, there was a paved lot there at one time.

City Code requires that new parking lots be paved. This ordinance would not apply to Mr. Anderson, since he was parking on this site before the ordinance went into effect. Mr. Anderson should be aware that he cannot expand the limits of his existing parking without paving.

#### **RECOMMENDATION**

1. Suspend Mr. Anderson's license if he has not removed the junk vehicles by the Council meeting. If he has removed the junk vehicles, renew his license for one year. The Council should condition Mr. Anderson's license on connecting his building to the sanitary sewer within one month after the service stub is installed.
2. Take no action on requiring that Mr. Anderson pave the unpaved parking areas.

go/memol2.mem (section 18)

H-7

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

**M E M O R A N D U M**

**TO:** City Manager  
**FROM:** City Attorney  
**RE:** KENNEL LICENSE ORDINANCE  
**DATE:** August 21, 1990

In reviewing the Kennel License Ordinance it was noted it does not specifically state that Kennel licenses can be included in residential R-1 zones.

We feel it should be stated in the Ordinance, as attached.

**ORDINANCE NO. \_\_\_\_\_**  
**AN ORDINANCE AMENDING SECTION 7-97**  
**OF THE MAPLEWOOD CODE**

**THE CITY COUNCIL OF THE CITY OF MAPLEWOOD DOES HEREBY  
ORDAIN AS FOLLOWS:**

Section 1. Section 7-97(c) of the Maplewood Code is hereby amended as follows:

(c) Small kennel licenses will not be issued under this division  
and any part of the City, except on property zoned commercial or  
farm residential or residential R-1.

Section 2. This ordinance shall take effect and be in force from the date of its  
passage and publication as provided by law.

Passed by the City Council of the  
City of Maplewood, Minnesota, this  
\_\_\_\_\_ day of \_\_\_\_\_, 1989.

\_\_\_\_\_  
Mayor

Attest:

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

Ayes -  
Nays -

Action by Council:

Agenda Report

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

To: City Manager, Michael McGuire  
From: Chief of Police, Kenneth V. Collins *KVC*  
Subject: Southlawn Drive, Maple Knoll Apartments

INTRODUCTION

Residents on Southlawn Drive near Maple Knoll Apartments have signed a petition requesting that the service road from Maple Knoll Apartments to Southlawn Drive be closed off for emergency vehicles only.

BACKGROUND

In May of 1989 the residents on Southlawn Drive requested that the entrance to Southlawn Drive from the Maple Knoll Apartments be closed off because of a concern for safety due to speeding vehicles, a concern about property damage that was taking place and because of the inconvenience that was being created by the heavy traffic from vehicles entering Southlawn Drive from Maple Knoll Apartments.

In June of 1989 the Maplewood Police Department monitored this area for approximately thirty days at varying times that included early morning, late afternoon and early evening. The monitoring was done to check the speed and noise of vehicles and any other illegal activity that could be determined. During this period of time approximately 200 vehicles were observed traveling in and about the area. The average speed of the vehicles monitored on radar was 29 miles per hour. Southlawn Drive is a 30 miles per hour zone. Four violations were issued for speeding and the violations were issued for vehicles traveling 37 miles per hour. During the early morning hours and early evening hours the majority of the vehicles came from or went to the office complex at 2785 White Bear Avenue. During the early evening hours the remainder of the vehicles observed came from or went to the residences on Southlawn, Radatz and Mesabi as well as through traffic from White Bear Avenue and Radatz up Southlawn Drive to Beam Avenue. No property damage or other violations were observed by officers while in this area.

The recommendation to close the service drive from the Maple Knoll Apartments onto Southlawn Drive could create a potentially dangerous situation because it would force all vehicles to travel out Mesabi to White Bear Avenue and head south, or out Mesabi to Radatz and north on White Bear Avenue. This intersection is not controlled by traffic signals and does create a dangerous situation for crossing vehicles. Southlawn Drive at Beam Avenue is controlled by traffic signals and is a safer access for vehicles. Based on the amount of activity that we have observed in this area it does not warrant constant patrol but instead will be monitored periodically.

RECOMMENDATION

It is my recommendation that the City Council not close off Mesabi service drive to Southlawn Avenue.

ACTION REQUIRED

The matter be submitted to the City Council for their review and handling.

9/6/90

Carl Boehmer  
2764 Southlawn Dr.  
Maplewood, MN. 55109  
777-4819

City Council  
1380 E. Co. Rd. B  
Maplewood, MN. 55109  
Attn: Mike McGuire

Dear Council Chairman and members,

I, on behalf of my neighbors and myself, living on Southlawn Dr. as residents of Maplewood, hereby request that we be placed on the agenda to formally be heard, regarding the following matter.

It is our contention that Southlawn Dr. was not intended to be, and should not be, a thoroughfare. There is a great deal of traffic coming off of the service road leading to, from, and around the "Maple Knoll Apartments". Traffic which is often Fast, Noisy, and accompanied by excessive litter.

We feel this service road was intended as just that, a service road, for such things as service and emergency vehicles. We would like to see the service road closed for "Emergency vehicles only", in whatever way possible, and preferably by barricade.

We would appreciate being heard on this matter as soon as is practical, and look forward to presenting our case as we see it, for consideration by the council.

*Carl Boehmer 2764*

Thank you.

*Paul Konior 2786 Southlawn Dr.*

Sincerely Yours.

*Mich Moudin 2804 Southlawn Dr*

Carl Boehmer,

*Margaret Earley 2812 Southlawn Dr.* & Neighbors.

*Rae Earley " " "*

*Steven Johnson 2796 Southlawn Dr.*

*Herman Johnson 2799 Southlawn Dr.*

*Keni J Paulsen 2772 Southlawn Dr*

AGENDA REPORT

TO: City Manager  
FROM: City Engineer *KGH*  
SUBJECT: Stop Signs Northeast of Lake Phalen  
DATE: September 17, 1990

Attached is a letter requesting stop signs at Phalen Place and Fenton. The request is reasonable and has been reviewed by the public safety and public works departments. The staff does have a concern that additional stop sign requests may follow. In an effort to be proactive, the plan on the attached map is presented for discussion. The plan would effectively discourage traffic through the neighborhood. Frost Avenue, English Street, and East Shore Drive would become more convenient and therefore carry through traffic as they were intended to do.

It is recommended the city council authorize nine stop sign installations according to the attached map and authorize a budget transfer of \$900 from the general fund contingency account.

KGH

jc  
Attachment

1856 Phalen Place  
Maplewood, MN 55109  
September 6, 1990

Mr. Haider  
Maplewood City Offices  
1830 East County Road B  
Maplewood, MN 55109

Dear Mr. Haider,

I would like to call your attention to the problem of excess traffic flow on Phalen Place between Frost and Ripley.

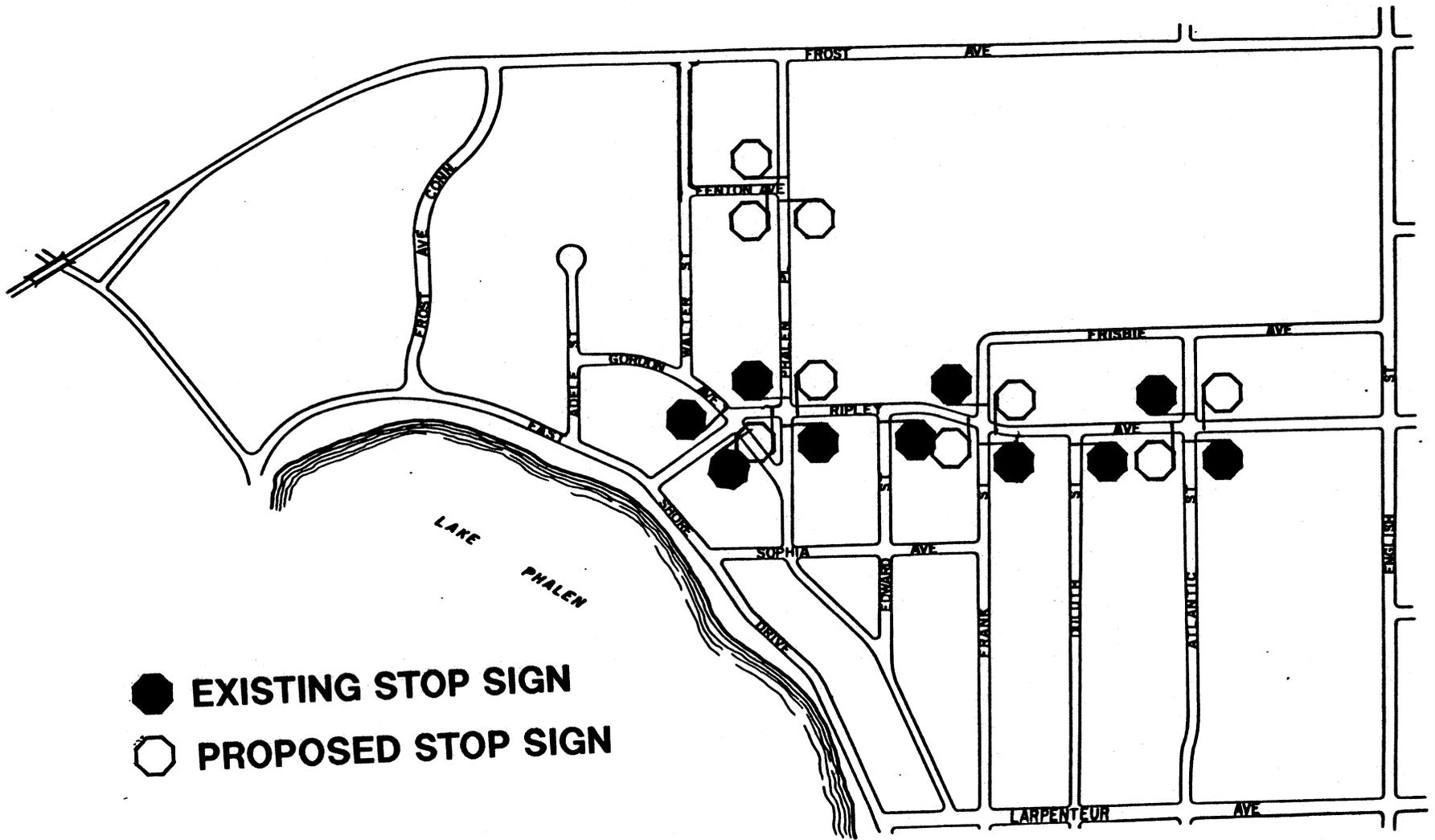
I have addressed the City Council, had a block meeting with city officials and complained many times and the problem remains.

One of the solutions, I feel, would be to place a 3 way stop sign at the intersection of Phalen Place and Fenton. The placement of the stop sign would slow traffic and possibly deter some from using Phalen Place.

Please place this matter on the City Council agenda as soon as possible.

Sincerely,

  
Patrick M. Vaughan



- EXISTING STOP SIGN
- PROPOSED STOP SIGN

AGENDA REPORT

TO: City Manager  
FROM: City Engineer *KSH*  
SUBJECT: Glende Letter  
DATE: September 17, 1990

The attached letter requests an all-way stop at East Shore Drive and Frost Avenue. Both streets are under the jurisdiction of Ramsey County.

It is recommended the city council direct staff to forward a request to Ramsey County to review an all-way stop at the intersection.

KGH

jc  
Attachment

10

Mrs. Edward L. Glende  
1634 Duluth Street  
St. Paul, Minnesota 55106

September 6, 1990

The City Council  
City of Maplewood  
1830 East County Road B.  
Maplewood, Minnesota 55109

Dear Council Persons:

I am writing to request a three-way stop sign at the intersection of East Shore Drive and Frost Avenue.

It is VERY difficult to make a left-hand turn from East Shore Drive onto Frost Avenue no matter what time of the day I come to this intersection which is at least twice a day. The area to the left when approaching Frost Avenue has a curve to it and with many trees it is difficult to see oncoming cars until they are right on top of you!

It would be appreciated if you would send a Traffic Engineer to this location to verify my findings.

My sincere thanks for your cooperation in this matter.

Sincerely yours,

*Mrs. Edward L. Glende*

Mrs. Edward L. Glende

ELG:  
cc:file

## MEMORANDUM

TO: City Manager  
FROM: Public Works Coordinator Cass  
SUBJECT: Lift Station Monitoring  
DATE: September 17, 1990

Pursuant to the city council's request, two options have been investigated which would minimize backups in the event of a power failure at a lift station as follows:

1. Standby Power Generation

The cost of installing automatic switch gear and engine-driven generators at each lift station would range between \$30,000 and \$50,000 per site. The lift stations have motors of from 5 to 25 horsepower, thus accounting for the wide range of the costs. Total cost to equip all lift stations would be just under \$500,000.

2. Automatic Telephone Dialers

This option would consist of installing a detection circuit which would trigger a telephone dialer. A call would be placed to the police department and one of two prerecorded messages would be played naming the lift station, its address, and either an NSP power failure or a lift station failure message. This cost of this option would be approximately \$2400 per lift station, with a monthly charge of approximately \$33 for the telephone service. If all eleven stations were so equipped, the total cost would be \$26,400 with a monthly telephone charge of \$363.

WCC

jc

MEMORANDUM

To: Michael A. McGuire, City Manager  
From: Robert D. Odegard, Director of Parks & Recreation  
Subj: Storage Building (Pole Building)  
For Park Maintenance Equipment  
Date: September 17, 1990

RO

Introduction

In the Capital Improvement Plan for Maplewood, a storage building has been proposed for construction at the Public Works site adjacent to the present storage building (Pole Building) that is on the site.

Background

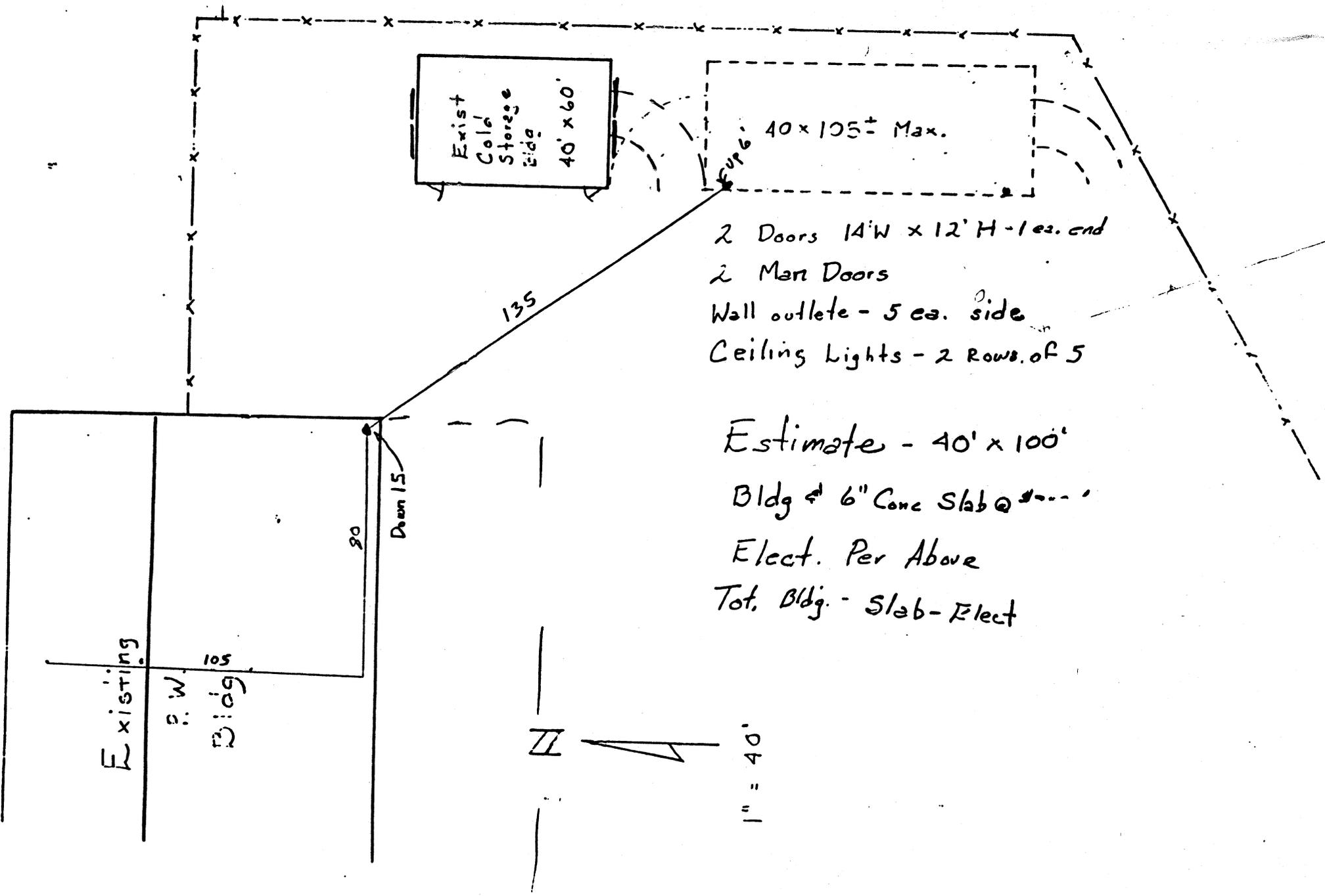
The new storage building is proposed to be 40' x 100' and constructed similar to the present storage building. The need for the building has been previously expressed in regard to the storage of a great deal of equipment out-of-doors where it is not being properly protected.

The location of the building is such that it is adjacent to a chainlink fence, which has a great deal of vegetation growing next to it which would screen the building from the one homeowner who is located on a cul-de-sac.

Recommendation

It is requested that the City Council authorize the construction of a new storage building on the Public Works facility and authorize the development of plans and taking of bids for this building.

✓ c: City Clerk



Exist Cold Storage Bldg  
40' x 60'

40 x 105± Max.

2 Doors 14'W x 12' H - 1 ea. end  
2 Man Doors  
Wall outlets - 5 ea. side  
Ceiling Lights - 2 Rows of 5

Estimate - 40' x 100'  
Bldg & 6" Conc Slab @ \$...  
Elect. Per Above  
Tot. Bldg - Slab - Elect

1" = 40'

## MEMORANDUM

TO: City Manager  
 FROM: Director of Community Development  
 SUBJECT: Beaver Lake & Hillside Land Use Plan Hearings  
 DATE: September 4, 1990

The City Council discussed several changes to the land use plan and zoning map on August 20. The Council decided to wait on the Beaver Lake and Hillside Neighborhood plans until the Council decided on a density table. The Council made a decision on the density table on August 27.

The areas the Council decided to wait on were labeled study areas 5-12. I have attached the maps for these areas. The table below shows the maximum number of apartments, town houses or double-dwellings that a developer could build on each area under the new density table.

	<u>Apartments</u>	<u>Town Houses or Doubles</u>
Area 5A	211	148
Area 5B (There are 3 single dwellings and an undeveloped 7-acre parcel. The 7-acre parcel could be developed with 49 apartments or 34 town houses.)		
Area 6 (The City zoned this area for doubles. Most of the area is developed with single dwellings. Apartments and town houses are not allowed.)		
Area 7A	120 existing 60 new	— —
Area 7B	60 existing 241 new	— 168
Area 8	308	216
Area 9	552	383
Area 10 (This area is developed with mobile homes. If the mobile homes were removed, 392 apartments or 274 town houses could be built.)		
Area 11 (This area is developed with quads, double dwellings and single dwellings. Redevelopment is not practical because of existing lot lines and streets.)		
Area 12 (Most of this area is developed with a mobile home park. If the mobile homes were removed, the entire site could be developed with 326 apartments or 228 town houses. If the mobile homes stayed, the 8.8 acres of undeveloped land could be developed with 62 apartments or 43 town houses.)		

## DISCUSSION

I am only recommending changes that correct a conflict with the current land use. I do not see any reason for changing the other parcels. Particularly since the Council has recently reduced the maximum densities allowed for multiple dwellings. Reducing densities reduces property values. Reducing property values may result in law suits from property owners. The City Attorney has advised us against reducing densities unless we can document specific public problems that the current land use classifications are causing. Reducing the densities on individual parcels would also further reduce the City's ability to meet regional housing goals.

## RECOMMENDATION

Area 5A: Take no action.

Area 5B: Hold a hearing. The City should change the land use plan for the three single-dwelling lots to R-1 (single dwellings).

Area 6: Hold a hearing. The City should at least change the land use plan and rezone the existing single-dwelling lots to R-1.

Areas 7A & B: Take no action.

Area 8: Take no action.

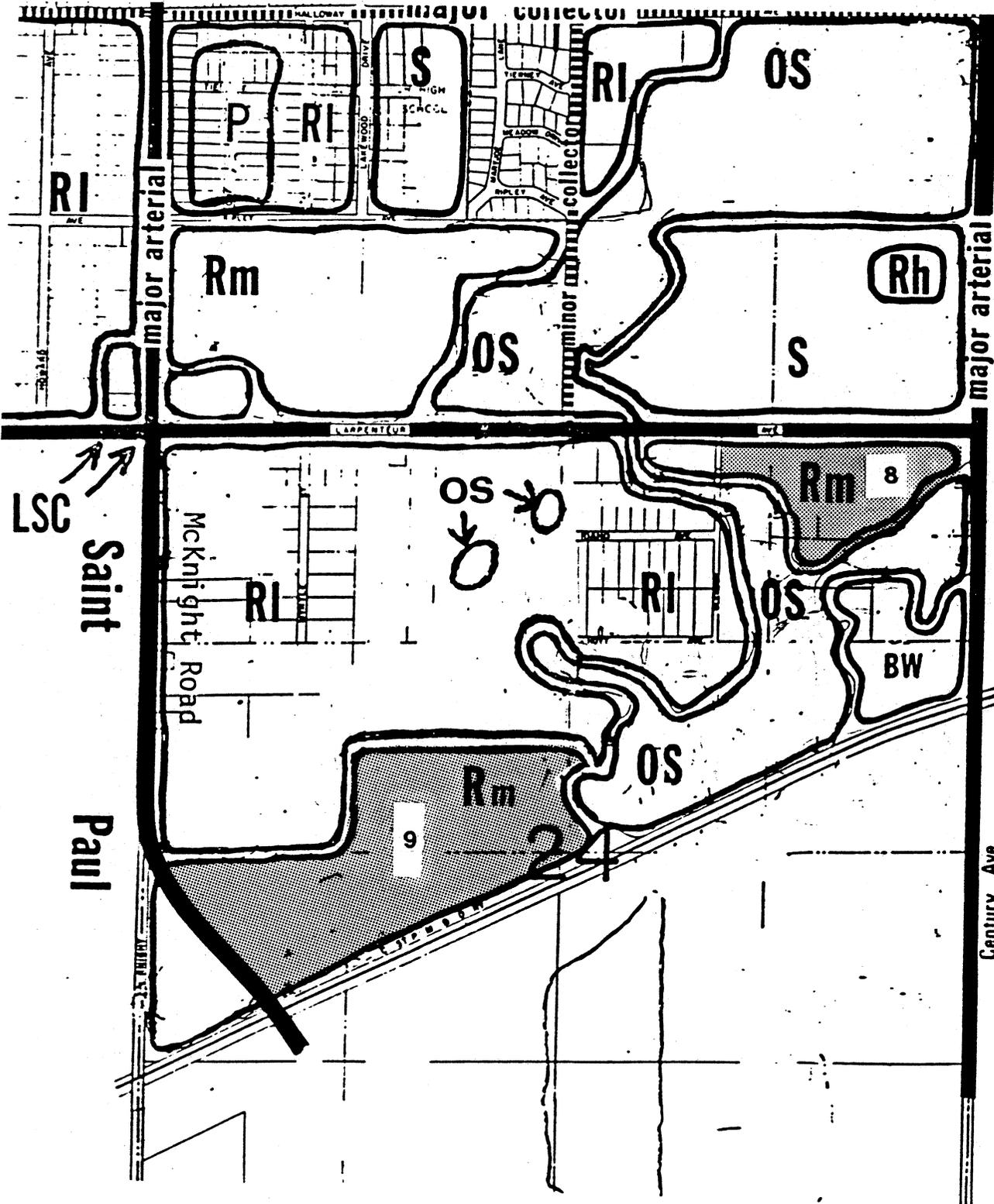
Area 9: Take no action.

Area 10: Hold a hearing to change the zoning to R-3 (multiple dwellings) or F (farm residential). (The F zone allows manufactured homes by conditional use permit and single dwellings.)

Area 11: Hold a hearing to rezone the single-dwelling lots on Mayhill to R-1 or R-1S (small-lot single dwellings). (The R-1S zone assumes that the Council will approve an R-1S zone.)

Area 12: Take no action.

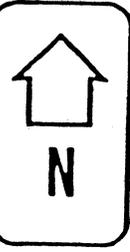
go/memo23.mem (4.15 Plan Update 1989)  
Attachments: maps



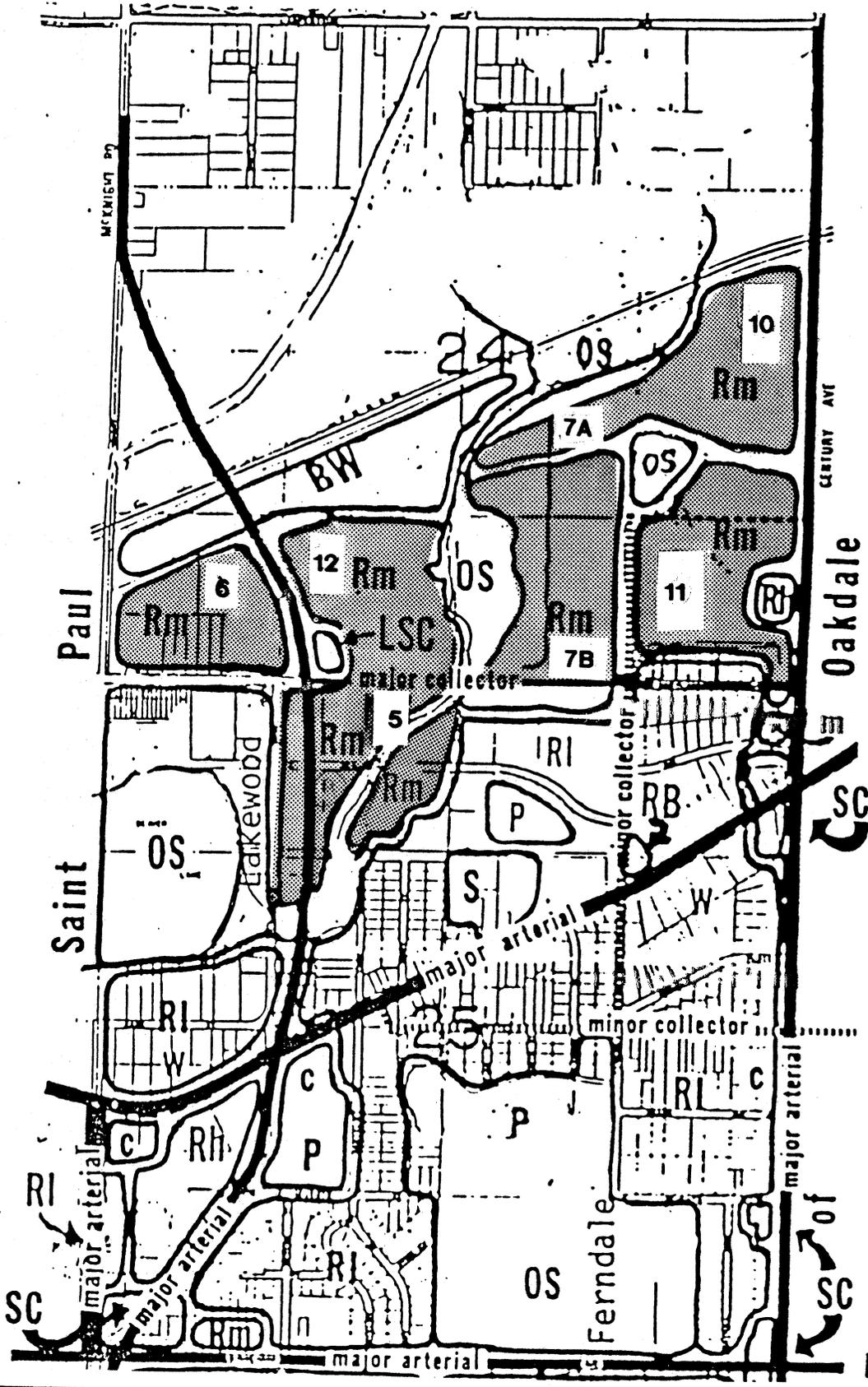
Oakdale  
Larpenteur

LSC  
Saint Paul

Hillside  
LAND USE PLAN



Larpenteur

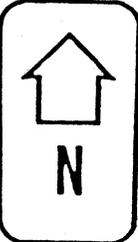


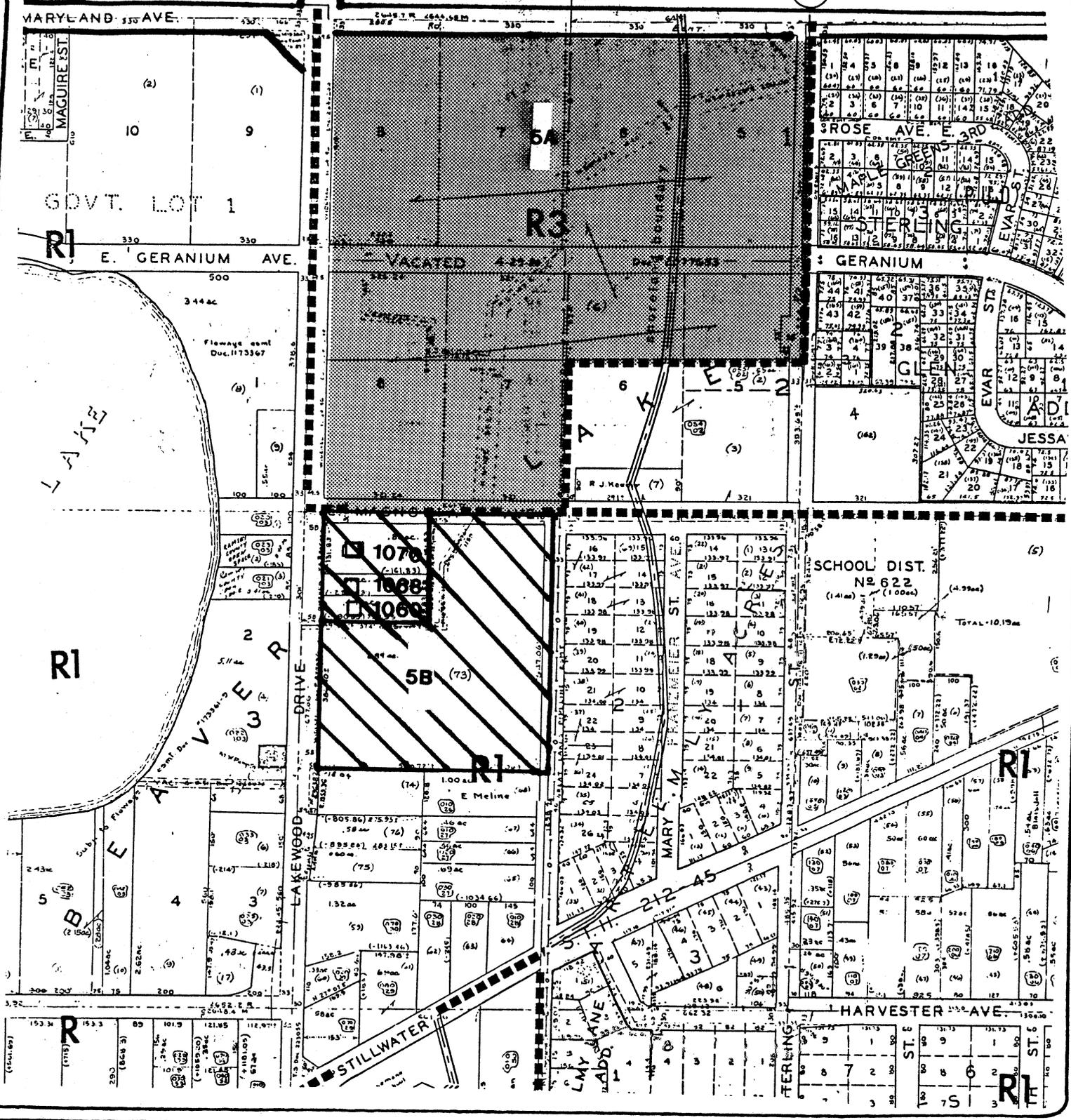
Maryland Ave.  
Stillwater Road

Harvester

Minnehaha

**BEAVER LAKE  
LAND USE PLAN**





# PROPERTY LINE/ZONING MAP

## STUDY AREAS 5A AND 5B



23

LIMITS

CITY

ST. PAUL

MC KNIGHT

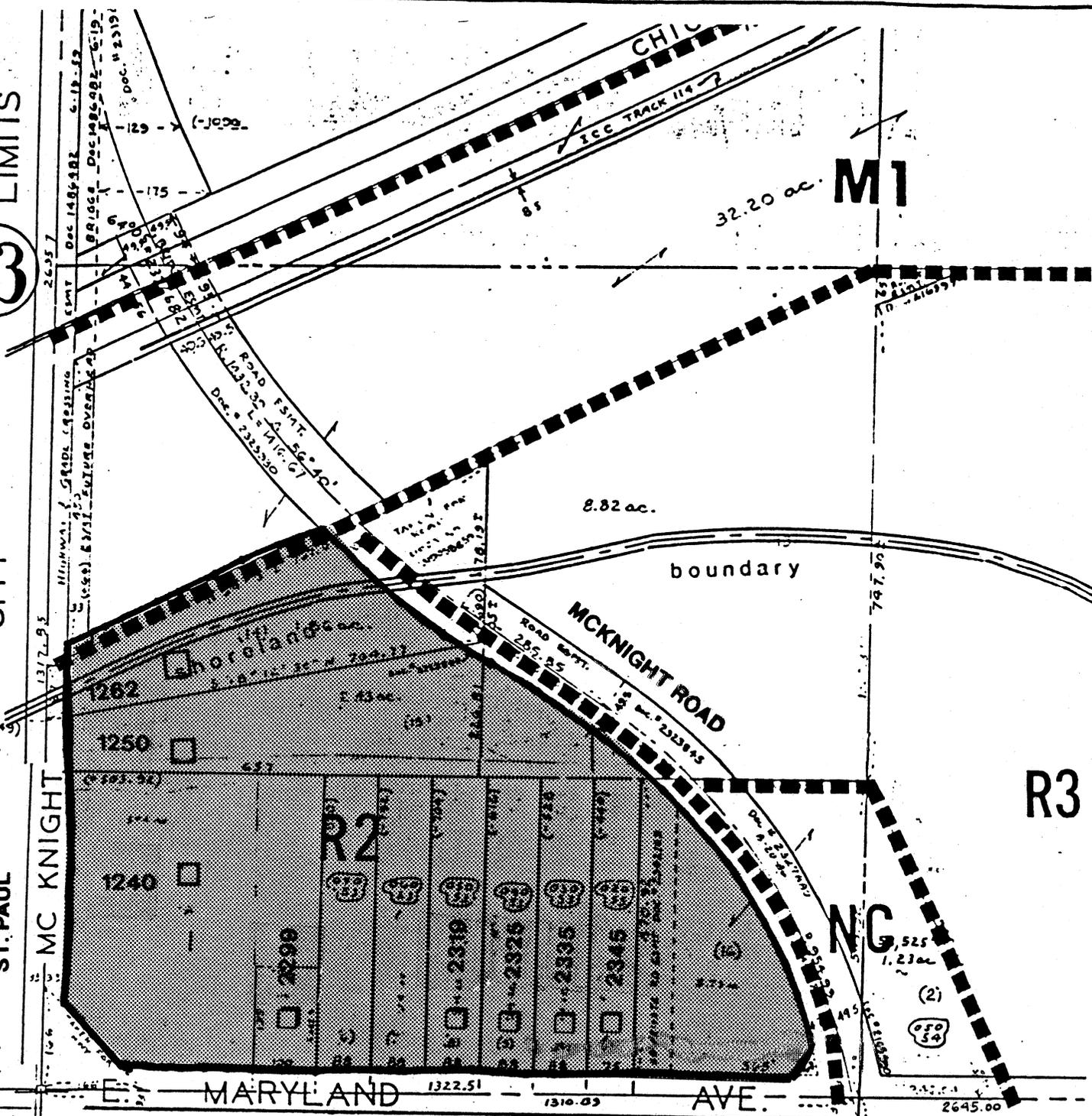
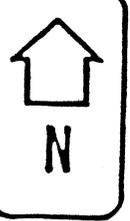
29-22

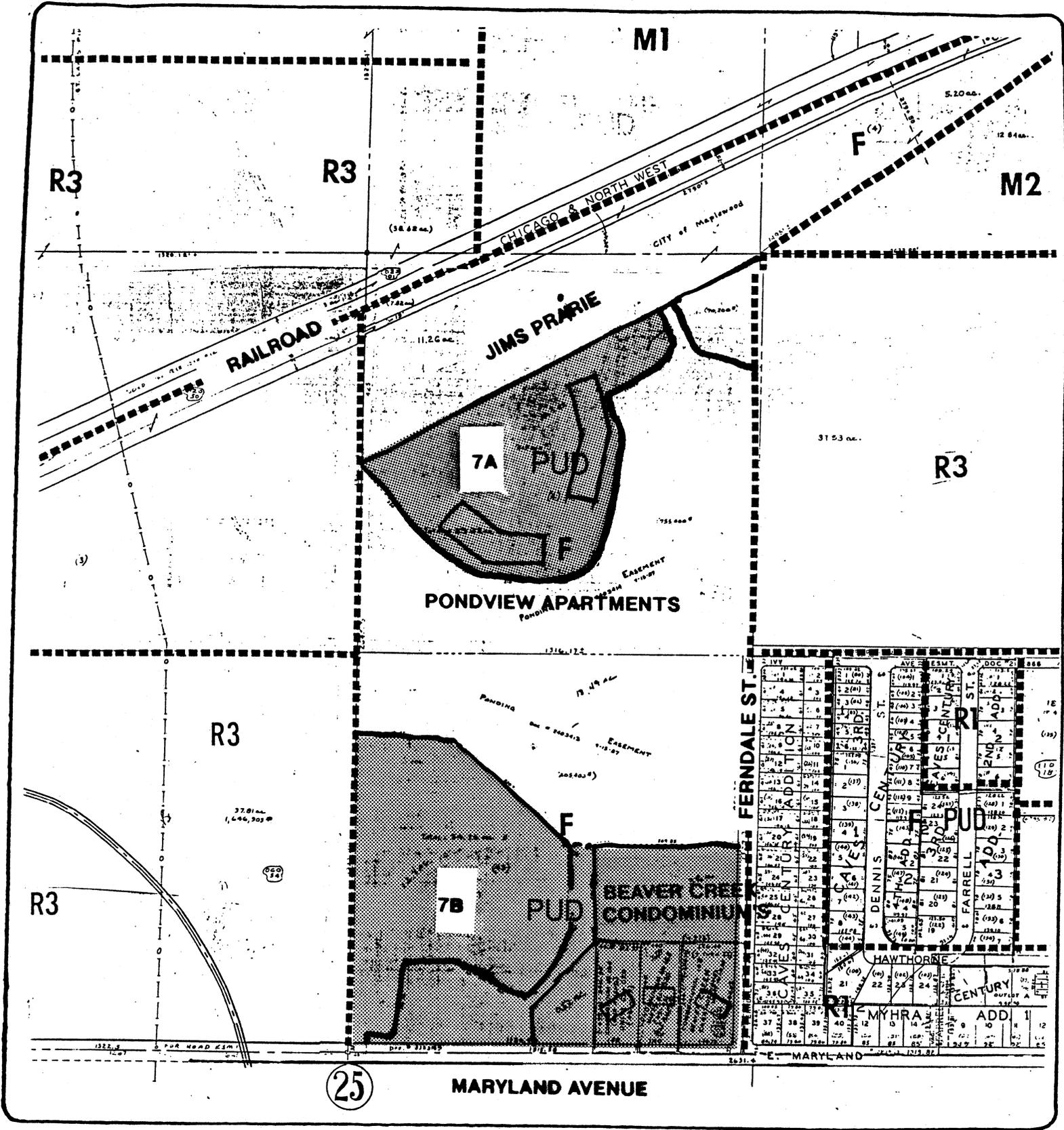
COUNTY OPEN SPACE

BEAVER LAKE

PROPERTY LINE/ZONING MAP

STUDY AREA 6



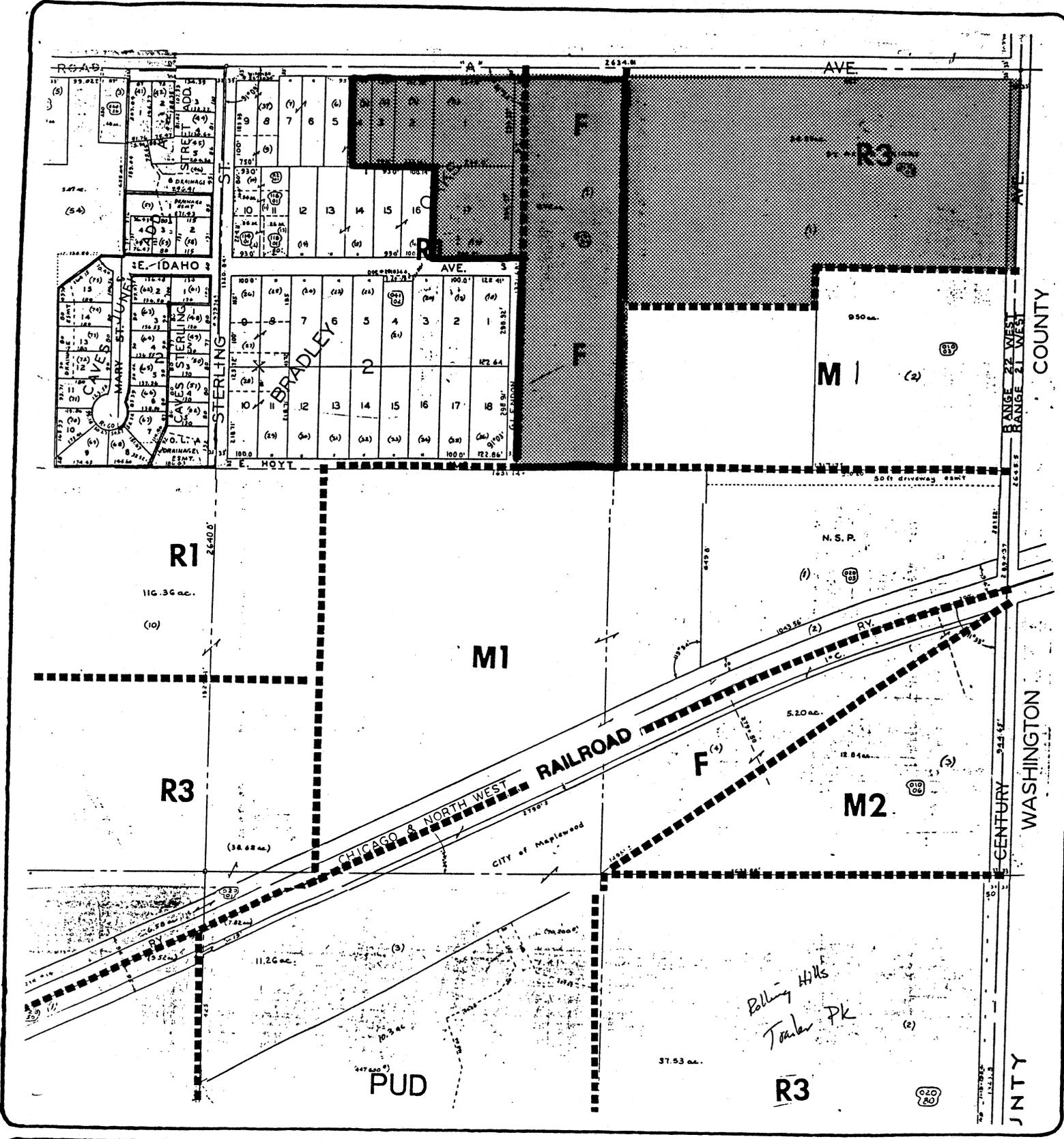


# PROPERTY LINE/ZONING MAP

STUDY AREAS 7A AND 7B

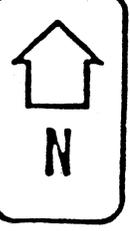


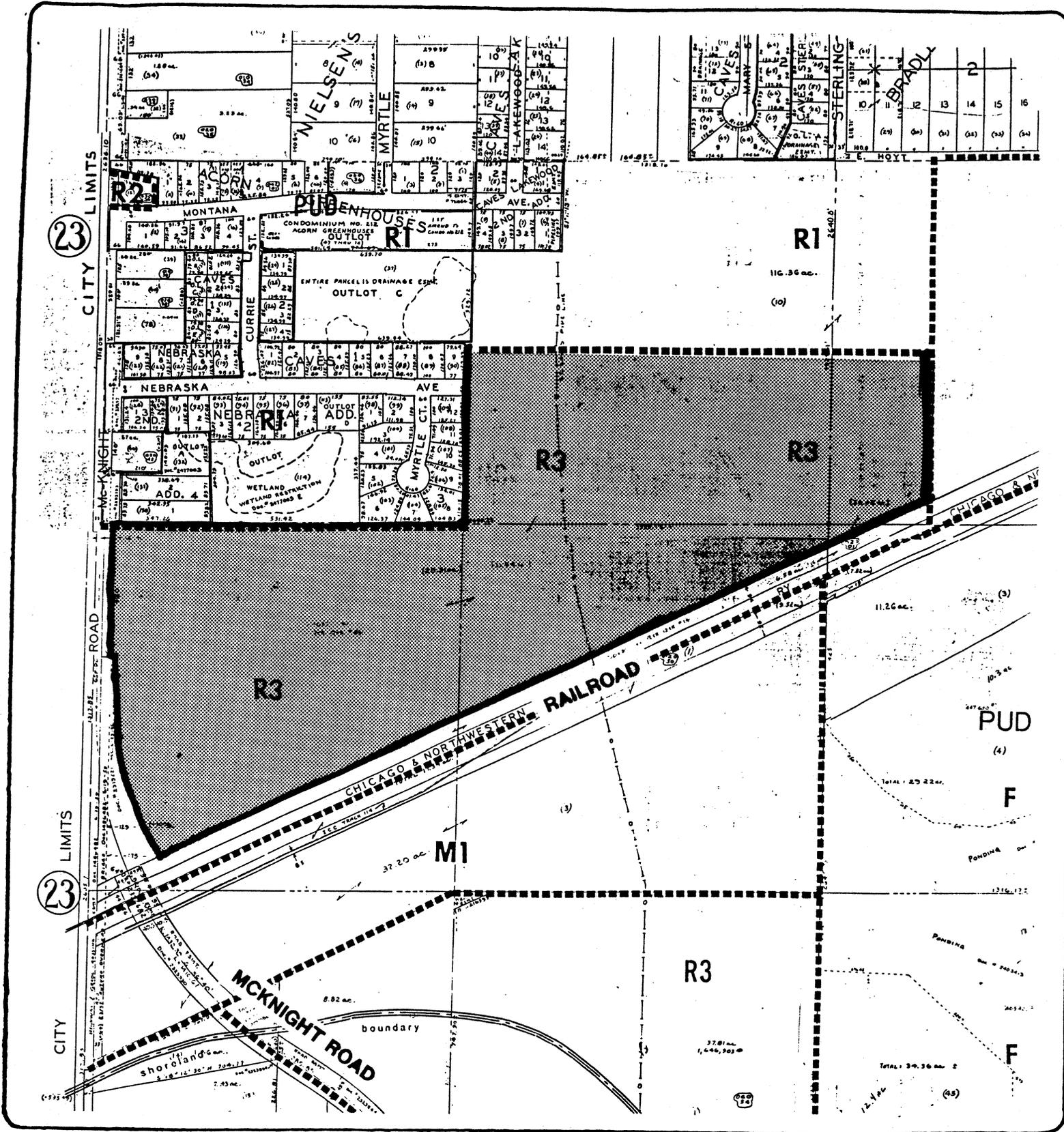
N



**PROPERTY LINE/ZONING MAP**

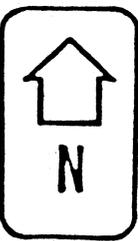
**STUDY AREA 8**

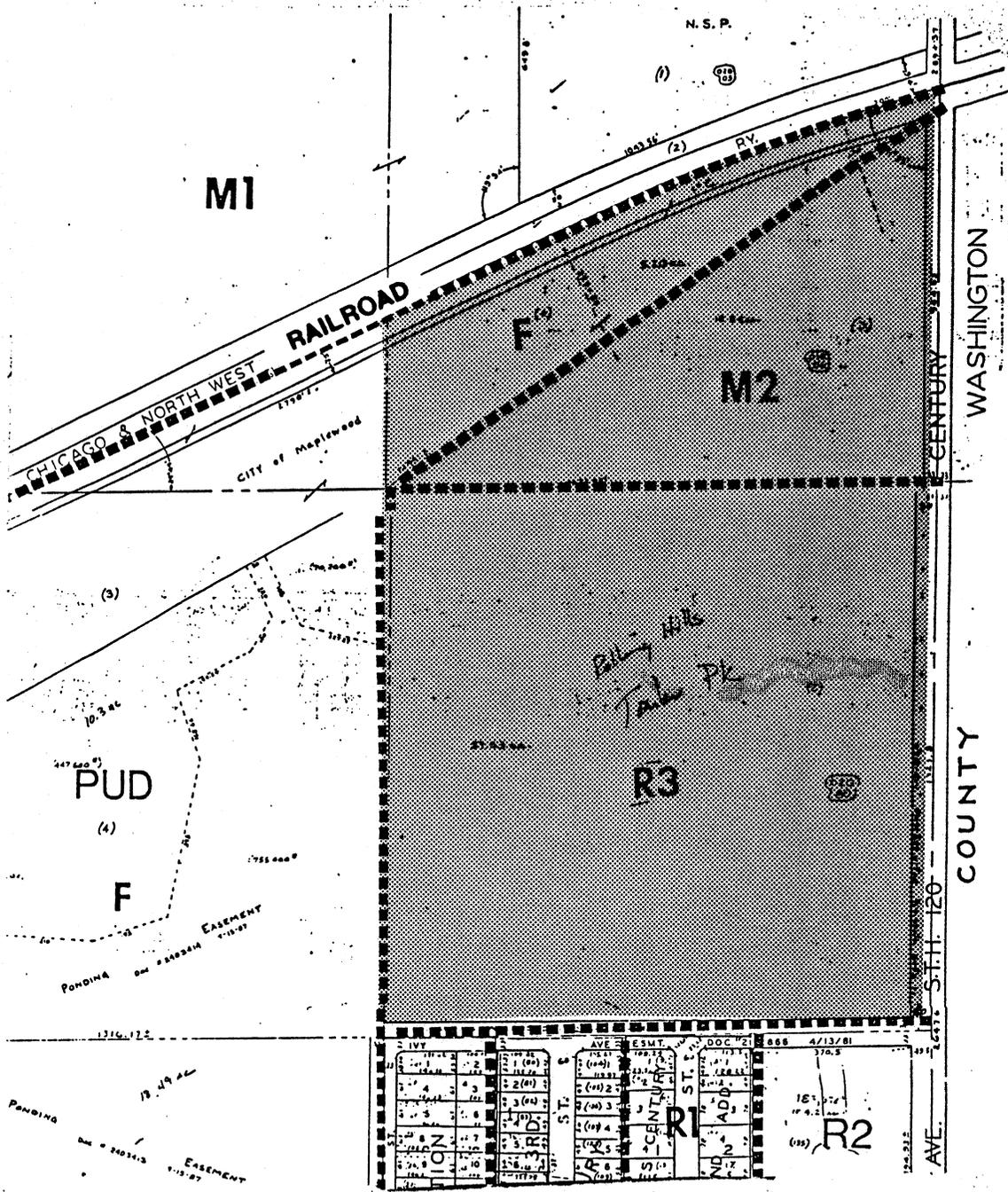




**PROPERTY LINE/ZONING MAP**

**STUDY AREA 9**



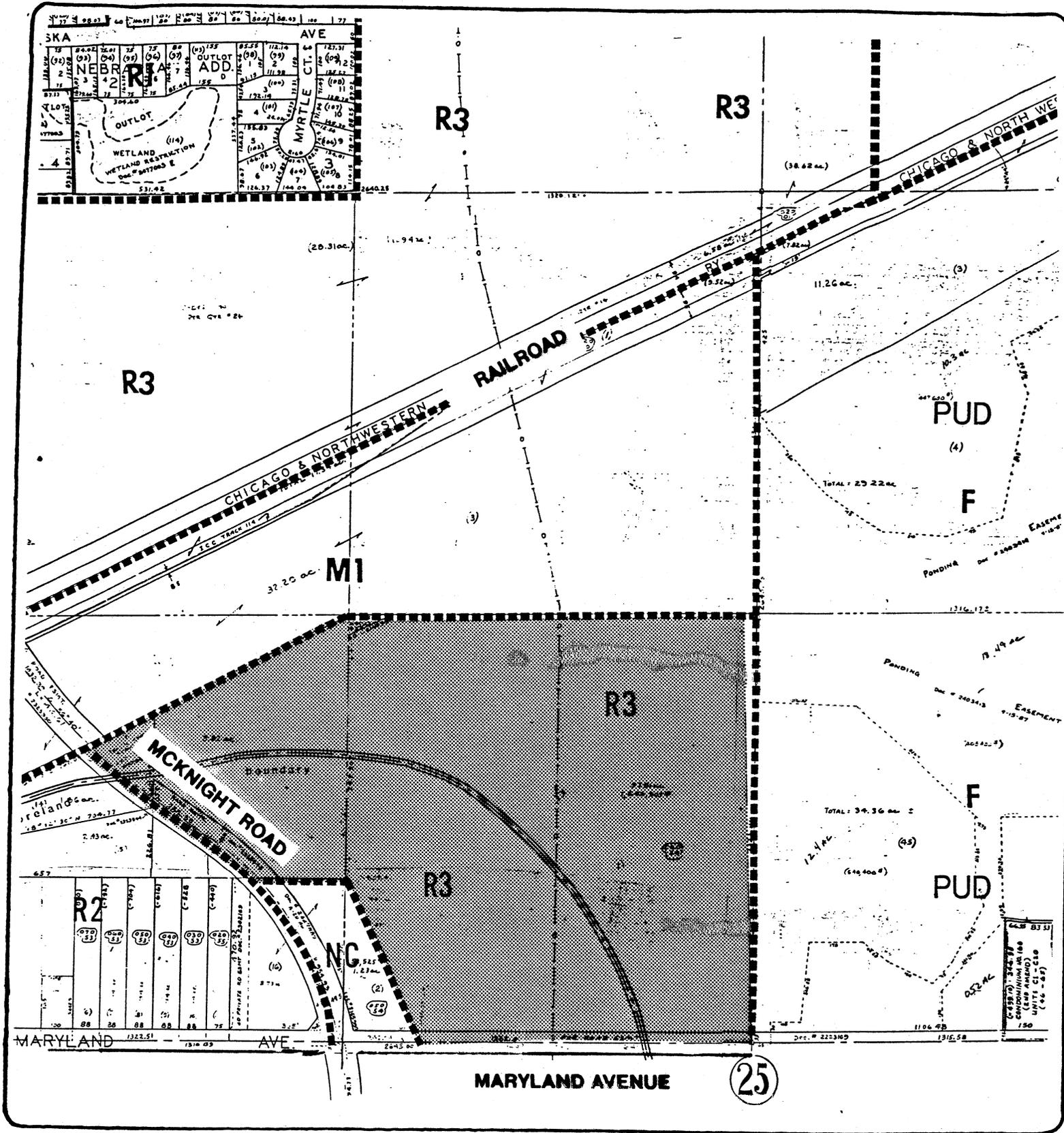


# PROPERTY LINE/ZONING MAP

STUDY AREA 10







# PROPERTY LINE/ZONING MAP

STUDY AREA 12



THE POOL HALL ORDINANCE WILL BE DISTRIBUTED  
PRIOR TO THE COUNCIL MEETING

THESE BOOKLETS WERE PREVIOUSLY DISTRIBUTED  
(SEPTEMBER 6 PRE-AGENDA MEETING)

AGENDA ITEM I-9

AGENDA REPORT

TO: City Manager  
FROM: City Engineer *KS*  
SUBJECT: City Hall Update  
DATE: September 17, 1990

No information on this item is available at this time.

KGH

jc