

6:30 p.m. Attorney/Client Meeting - Maplewood Room

A G E N D A
MAPLEWOOD CITY COUNCIL
7:00 P.M., Monday, January 28, 1991
Council Chambers, Municipal Building
Meeting No. 91-02

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF MINUTES

Meeting No. 91-01 (January 14, 1991)

D. APPROVAL OF AGENDA

EA. PRESENTATIONS

1. Donation - 3M Company
2. HRC Appointments

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. Project 89-12, White Bear, Larpenteur to Frost - Budget Adjustment
3. Project 89-03, Roselawn, Arcade to I-35E - Budget Adjustment
4. Project 88-11, Ariel, County Road B to Cope - Budget Adjustment
5. Project 85-26, Cope Avenue, Hazel to Ariel - Budget Adjustment
6. Project 84-14, Walter Street Improvements - Budget Adjustment
7. Project 86-25, County Road C, White Bear to McKnight - Budget Adjustment
8. Conditional Use Permit Renewal: 2080 Woodlynn Ave. (Salvation Army Church)
9. Conditional Use Permit Renewal: 1779 McMenemy Street (MnDOT)
10. Budget Transfer: Telex Batteries
11. Contingency Budget Request: Community Clean Up and Planting Program
12. Park and Recreation Commission Annual Activity Plan
13. Change of Manager: Applebee's

F. PUBLIC HEARINGS

1. 7:00 p.m., 1915 Manton Street (MacFarlane)

Special Exception _____

Home Occupation License _____

2. 7:10 p.m., Ariel Street, North of 11th Avenue

Land Use Plan Change_____

Zoning Change_____

3. 7:30 p.m., Street Vacation: Sandhurst Ave., East of VanDyke St.

4. 7:40 p.m., 2194 VanDyke Street (Launderville)

Conditional Use Permit_____

Home Occupation License_____

G. AWARD OF BIDS

H. UNFINISHED BUSINESS

1. Code Change: Approval of Plans (2nd Reading)_____

I. NEW BUSINESS

1. Project 86-07, Upper Afton Road - Schedule Assessment Hearing_____

2. Municipal State Aid Designation Changes_____

3. Fulk Purchase Agreement_____

4. County/City 1991 Recycling Grant Agreement_____

J. VISITOR PRESENTATIONS

K. COUNCIL PRESENTATIONS

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

L. ADMINISTRATIVE PRESENTATIONS

1. _____

2. _____

3. _____

4. _____

M. ADJOURNMENT

1. Approval of Claims

Approved the following claims:

<u>ACCOUNTS PAYABLE:</u>	\$ 800,405.21	Checks #11312 thru #11563 Dated 12-14-90 thru 12-31-90
	<u>\$ 210,157.41</u>	Checks # 8935 thru # 8560 Dated 1-14-91
	\$1,010,562.62	Total per attached voucher/check register
<u>PAYROLL:</u>	\$ 387,922.38	Payroll Checks dated 12-21-90, 1-3-91 and 1-4-91
	<u>\$ 75,035.03</u>	Payroll Deductions dated 12-91-90 and 1-4-91
	\$ 462,957.41	Total Payroll
	\$1,473,520.03	GRAND TOTAL

2. Application for Cancellation of Ambulance Bill

Moved to I-11

3. Footprint Lake - Project 87-32 - Acquisition Approval

Adopted the following Resolution acquisition of tax-forfeit property for a ponding area for the Footprint Lake Storm Sewer Project:

Resolution 91 - 01 - 01

RESOLUTION APPROVING ACQUISITION AGREEMENT

WHEREAS, the Maplewood City Council has ordered City Project 87-32, Footprint Lake Storm Sewer, and

WHEREAS, the Council has levied assessments against benefitted property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, ponding areas are required for the project on property owned by the State of Minnesota, as tax-forfeited lands,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the two parcels described as Lot 5, except the east 15 feet thereof, Block 14, Sabin Addition to Gladstone, Ramsey County, Minnesota, subject to easements; South 1/2 of vacated alley adjacent and following: except the East 15 feet of part northerly of County Road B of Lot 27 (10-29-22-33-0025) and part West of extended West line of Lots 5 and 27 and Northerly of County Road B of Block 14, Sabin Addition to Gladstone, Ramsey County, Minnesota, subject to easements; South 1/2 of vacated avenue accruing and all of vacated alley adjoining and following; (10-29-22-33-0026) of said tax forfeit lands be acquired for said ponding purposes and the Mayor and City Manager are hereby authorized to execute an agreement for acquisition of said tax-forfeit lands.

4. Conditional Use Permit Termination: 1780 Ruth Street

Terminated the Conditional Use Permit at 1780 Ruth Street as the printing business has been closed.

5. Temporary/Part-Time Pay Rates

Adopted the following Resolution setting 1991 pay rates for temporary and part-time (non-union) employees:

Resolution 91 - 01 - 02

WHEREAS, according to the Minnesota Public Employees Labor Relations Act, part-time employees who do not work more than 14 hours per week and temporary employees who do not work in excess of 67 days in a calendar year are not covered by union contract wage rates.

NOW, THEREFORE, BE IT RESOLVED, that the following pay rate maximums are hereby established for temporary and part-time employees retroactive to January 1, 1991:

Recreation Worker	\$11.73 per hour
Recreation Official	17.63 per game
Puppeteers	29.37 per show
Accountant	14.77 per hour
Administrative Assistant	12.50 per hour
Secretary	10.16 per hour
Accounting Clerk	10.51 per hour
Clerk-Typist	9.22 per hour
Election Judge	5.75 per hour
Election Precinct Chairman	6.00 per hour
Laborer	6.25 per hour
Engineering Aide	6.86 per hour
Janitor	5.20 per hour

BE IT FURTHER RESOLVED, that the minimum pay rates for each of the above be (1) the amount specified by Federal and/or State law for those positions covered and (2) \$2.75 per hour for those positions not covered by Federal or State law.

BE IT FURTHER RESOLVED, that the City Manager shall have the authority to set the pay rate within the above ranges.

6. Budget Transfer - City Clerk's Office

Approved a budget transfer of \$950.00 from the General Fund Contingency Account to the City Clerk Office Supplies - Equipment Budget for sewer billing programming changes required because of the addition of the recycling charge.

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

Resolution 91 - 01 - 05

AWARD OF BIDS - DUMP BOXES, PLOWS AND HITCHES

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of MacQueen Equipment Co. in the amount of \$62,872 is the lowest responsible bid for furnishing:

1. Four (4) five cubic-yard dump boxes
2. One (1) 12-foot front plow
3. One (1) ten-foot wing plow
4. One (1) quick hitch
5. Remounting of three front plows, wing plows, and quick hitches

and that the Mayor and Clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the City.

Seconded by Councilmember Juker

Ayes - all

F. PUBLIC HEARINGS

1. 7:15 P.M., Markfort 2nd Addition
 - a. Variance
 - b. Preliminary Plat
- a. Manager McGuire presented the staff report.
- b. Director of Community Development Olson presented the specifics of the proposal.
- c. Chairman Les Axdahl presented the Planning Commission report.
- d. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:
 - Ron Dahlquist, 1774-1744 McMenemy Street
 - Virgil Hawkins, Meyer, Stuart & Associates, representing the developer.
 - Audrey Duellmann, 1843 DeSoto Street
- e. Mayor Bastian closed the public hearing.
- f. Councilmember Zappa introduced the following Resolution and moved its approval:

90 - 01 - 06

VARIANCE RESOLUTION

WHEREAS, Leo Markfort applied for a variance from the zoning ordinance at 1780 McMenemy Street. The legal description is:

EX S 162 FT THE SW 1/4 OF SW 1/4 OF NW 1/4 OF SW 1/4/ SUB TO

WHEREAS, Section 36-72 of the Maplewood Code of Ordinances requires a rear yard setback of 20% of the lot depth or 41 feet.

WHEREAS, the applicant is proposing 23 feet.

WHEREAS, this requires a variance of 18 feet.

WHEREAS, the history of this variance is as follows:

1. This variance was reviewed by the Planning Commission on December 3, 1990. They recommended that the City Council approve the variance.
2. The City Council held a public hearing on January 14, 1991. City staff published a notice in the Maplewood Review and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing an opportunity to speak and present written statements. The Council also considered reports and recommendations from the City staff and Planning Commission.

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

1. Strict enforcement would cause an undue hardship because of circumstances unique to the property.
2. The variance would be in keeping with the spirit and intent of the ordinance.
3. There is an unusually large front yard that creates this problem.

Seconded by Mayor Bastian

Ayes - all

g. Councilmember Zappa moved approval of the revised plat for the Markfort 2nd Addition preliminary plat dated November 15, 1990, subject to completion of the following conditions before final plat approval:

1. A drainage easement shall be shown on outlot A for Phase II. The location of this easement must be approved by the City Engineer.
2. A twenty-foot-wide drainage easement shall be shown on Phase II from the South property line to the North property line, ending at the future two-acre-foot ponding easement. This storm sewer shall be constructed by the owner of the outlot when the outlot is platted into buildable lots. The City Engineer shall approve the location of the easement to ensure that it is properly located to drain the property to the South and this site to the future pond.
3. Before final plat approval for Phase II, the owner of the

multiple dwelling property to the North must be given the opportunity to document his preference to route sanitary sewer for his property through the applicant's site, rather than to McMenemy Street. This documentation shall include the depth of the proposed multiple dwelling service connections and the depth of the sanitary sewers that will be available to the property.

If this information cannot be provided before final platting of Phase I is requested, a twenty-foot-wide utility easement shall be shown on the outlot between future Ripley Avenue and the north line of the outlot. The City Engineer must approve the location. The elevation of the sewer in Phase I shall accommodate this requested sewer. The owner of the outlot shall deed to the City a five-foot-wide temporary construction easement along each side of the permanent easement, if the outlot will be platted before this sanitary sewer will be constructed.

The property owner shall pay for this sanitary sewer if the City Engineer determines there is a public need to route it through the applicant's site. If there is no public need, then the easement shall be vacated unless the property owner to the North guarantees its construction and the owner of the outlot and the City Engineer agree to the routing.

The City Engineer shall approve final grading, utility, drainage and erosion control plans. A construction easement(s) shall be obtained for any off-site grading.

4. A signed developer's agreement shall be submitted to the City Engineer, with the required surety, for all required on-site public improvements, including:
 - a. A storm water pond
 - b. Storm sewer
 - c. Street and utilities
5. Submit to the City a written opinion from a certified soils expert. This opinion shall describe the types of soils, the correction procedures to prepare the lots for building and whether the soils will allow for the practicable development of the site as proposed. The Council may pass a resolution describing the soil conditions for the future buyers. The Council shall require the developer to file this resolution with the final plat.
6. Move the lot lines to provide at least 75 feet from the centerline of the North-South easement in the outlot to the East line of Lot 11.

Seconded by Councilmember Carlson

Ayes - all

2. 7:30 P.M., 1955-1975 McMenemy Street
 - a. Land Use Plan Change (4 Votes)
 - b. Future Land Use Plan Classification
 - c. Rezoning (4 Votes)

character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.

3. The proposed change will serve the best interests and conveniences of the community, where applicable, and the public welfare.
4. The proposed change would have no negative effect upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.

Seconded by Councilmember Carlson

Ayes - all

3. 7:45 P.M., 2315 - The lot North of 2335 Stillwater Road
 - a. Land Use Plan Change (4 Votes)
 - b. Rezoning (4 Votes)
 - a. Manager McGuire presented the staff report.
 - b. Community Development Director Olson presented the specifics
 - c. Commissioner Axdahl presented the Planning Commission report.
 - d. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:

Judy Engebretson, daughter of Mrs. Lepsche, representing her Mother, who owns the property to the North of 2315 Stillwater Road.
Donald John, 2329 Stillwater Road
Ken Masner, 758 North McKnight Road
Toni John, 2329 Stillwater Road
 - e. Mayor Bastian read the letter received from Violet Ethier, 2322 Stillwater Road.
 - f. Mayor Bastian closed the public hearing.
 - g. Councilmember Rossbach introduced the following Resolution and moved its approval:

91 - 01 - 08

PLAN AMENDMENT RESOLUTION

WHEREAS, the Maplewood City Council initiated an amendment to the City's Comprehensive Plan from RH (residential high density) to RL (residential low density).

WHEREAS, this amendment applies to the properties located at 2315, 2321, 2329 and 2335 Stillwater Road and the undeveloped lot north of 2335 Stillwater Road.

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

1. The Planning Commission held a public hearing on

December 17, 1990 to consider this plan amendment. City staff published a notice of this hearing in the Maplewood Review and sent notices to the surrounding property owners as required by law. The Planning Commission gave everyone at the hearing a chance to speak and present written statements. The Planning Commission recommended that the City Council approve the plan amendment.

2. The City Council discussed the plan amendment on January 14, 1991. They considered reports and recommendations from the Planning Commission and City staff.

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

1. The change would be consistent with the goals and policies in the Comprehensive Plan.
2. The RL classification would be more compatible with the existing land uses than the RH classification.
3. The property owners and surrounding neighbors answering the survey favored the change.
4. The City assessed the northerly 2.45 acres of this area for a water tower, based on single-dwelling development.

Seconded by Councilmember Juker

Ayes - all

G. AWARD OF BIDS: (Continued)

4. Two (2) Cubic Yard Front End Loader
 - a. Manager McGuire presented the staff report.
 - b. Councilmember Zappa introduced the following Resolution and moved its approval:

91 - 01 - 09

RESOLUTION FOR AWARD OF BIDS

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of Zeigler, Inc. in the amount of \$59,048 is the lowest responsible bid for furnishing one (1) two cubic-yard front-end loader, and the Mayor and Clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the City.

Seconded by Councilmember Juker

Ayes - all

5. Two (2) One Ton Cabs and Chassis
 - a. Manager McGuire presented the staff report.
 - b. Councilmember Zappa introduced the following Resolution and moved its approval:

RESOLUTION FOR AWARD OF BIDS

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of Boyer Ford Trucks, Inc. in the amount of \$29,734 is the lowest responsible bid for furnishing two (2) one-ton cabs and chassis, and the Mayor and Clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the City.

Seconded by Councilmember Carlson Ayes - all

6. Front Mounted Rotary Mower

- a. Manager McGuire presented the staff report.
- b. Councilmember Zappa introduced the following Resolution and moved its approval:

RESOLUTION FOR AWARD OF BIDS

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of MTI, Inc. in the amount of \$11,310 is the lowest responsible bid for one (1) front-mounted rotary mower, and the Mayor and Clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the City.

Seconded by Councilmember Carlson Ayes - all

7. Certificate of Indebtedness

- a. Manager McGuire presented the staff report.
- b. Councilmember Zappa moved the City reserve the right to finance on a tax-exempt basis at a later date the equipment purchases approved this evening under Award of Bids.

Seconded by Mayor Bastian Ayes - all

H. UNFINISHED BUSINESS

1. Code Change: Approval of Plans (1st Reading)

- a. Manager McGuire presented the staff report.
- b. Director of Community Development Olson presented the specifics of the proposed amendment which was tabled from November 26, 1990 for additional study.
- c. Mayor Bastian moved approval of first reading of the proposed amendment to Section 25-65 of the City Code relating to approval of plans.

Seconded by Councilmember Rossbach Ayes - Mayor Bastian, Councilmembers
Carlson, Rossbach, Zappa

- d. Mayor Bastian introduced the following Resolution and moved its approval:

91 - 01 - 12

RESOLUTION INCREASING DOLLAR LIMITS OF MINOR BUILDING PROJECTS

WHEREAS, Section 25-65 (a) of the code of Ordinances requires that the City Council define minor building projects by dollar limits;

WHEREAS, construction costs have increased enough to warrant that the City Council increase the previous dollar limits of \$12,000 and \$120,000;

NOW, THEREFORE, BE IT RESOLVED that a minor building project is any exterior construction under \$15,000 in value, except additions to buildings that the Community Design Review Board previously approved. In this case, a minor construction project must be less than \$150,000 in value and similar in design to the existing building.

Seconded by Councilmember Rossbach

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

I. NEW BUSINESS

1. Residential Dedication by Developers (P.A.C.)

- a. Manager McGuire presented the staff report.
b. Parks and Recreation Director Odegard presented the specifics of the report.
c. Mayor Bastian moved to approve the Park Acquisition Charge at \$135 per person.

Seconded by Councilmember Carlson

- d. Councilmember Zappa proposed amending the charge from \$135 per person to \$450 per residential unit.
e. Commissioner Jeanne Ewald presented the Park and Recreation Commission's basis for the proposal and their position on the question of charges based on density vs per unit.
f. Councilmember Juker moved the item be tabled for further study by the Park and Recreation Commission.

Seconded by Councilmember Zappa

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

- g. Councilmember Rossbach proposed returning to the original motion, which was already on the floor.
h. Mayor Bastian introduced the following Resolution and moved its approval:

RESOLUTION FOR PARK ACQUISITION CHARGE FOR NEIGHBORHOOD PARKS

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

WHEREAS Sec. 21-56 states that the City Council at its first regular meeting of each calendar year shall act to adopt by resolution the cost per person which shall be multiplied by the populace per unit value as found in Sec. 21-48. This annual cost determination shall be used to calculate the Neighborhood Park Charge for each dwelling unit for the ensuing year,

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

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

THEREFORE, the Park and Recreation Commission recommends that effective January 15, 1991, the City Council establish the cost per person for Neighborhood Park Charge at \$135 per person.

Seconded by Councilmember Carlson

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

- i. Councilmember Zappa moved Council direct staff and the Parks and Recreation Commission to further study the issue of equitability of cost to single family homes before bringing before the Council in 1992.

Seconded by Councilmember Rossbach

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

Mayor Bastian moved to suspend the Rules of Procedure in order to address items I-2, I-3, I-4, I-5 and Visitor Presentations, with the balance to be on Thursday, January 17 at 4:30 p.m.

Seconded by Councilmember Rossbach

Ayes - all

2. No-Parking Signs, Reaney and McKnight

- a. Manager McGuire presented the staff report.
- b. Director of Public Works Haider presented the specifics of the report
- c. Mayor Bastian invited interested persons in attendance to present their views. The following persons spoke:

Malcom Boege, 756 N. McKnight Road
Ken Masner, 758 N. McKnight Road
Kathy Masner, 758 N. McKnight Road

Virgil Nordstrom, Businessman in area of Reaney and McKnight

- d. Councilmember Zappa moved staff be directed to study parking and traffic patterns for 30 days, then report back to Council at March 11, 1991 meeting.

Seconded by Mayor Bastian

Ayes - all

3. Truth-In-Housing Evaluators

- a. Manager McGuire presented the staff report, regarding a request to amend the Truth in Housing Ordinance as it relates to certification of housing evaluators.
- b. Commissioner Lorraine Fisher presented the opinion of the Housing and Redevelopment Authority.
- c. Councilmember Zappa moved no action be taken unless and until it is determined there is a need for more evaluators.

Seconded by Mayor Bastian

Ayes - all

4. Roof Top Equipment Screening Appeal (Birch Run Station)

- a. Manager McGuire presented the staff report.
- b. Director of Community Development Olson presented the specifics of the report
- c. Joe Shrombley, Weatherford/Walker Developments, Inc. (Owners of Birch Run Station) defined their position and outlined their maintenance schedule.
- d. Councilmember Juker moved to add the words "or as needed" to condition 5 of the Community Design Review Board's roof-equipment screening design approved for Birch Run Station.

Seconded by Mayor Bastian

Ayes - all

5. ABRA Appeal

- a. Manager McGuire presented the staff report.
- b. Councilmember Zappa outlined his concerns regarding the type and number of trees used for screening the Northerly side of the ABRA site, as seen when driving South on Highway 61.
- c. Tim Adelman, Vice President, Abra, Inc. presented their position with regard to site screening and compliance with City requirements.
- d. Mayor Bastian moved to table this item.

Seconded by Councilmember Carlson

Ayes - all

J. VISITOR PRESENTATIONS

1. a. Michael Roth, Skytracker Promotions of Little Canada, spoke to the Council about the Balloon/Sign Ordinance, indicating that he wants to comply with our codes and is concerned about timing because of the necessity of obtaining Council approval.

- b. Community Development Director Olson stated the problem with balloon signs has occurred because the temporary sign ordinance, as written, did not anticipate the use of balloons when size guidelines were specified. The ordinance is being revised.

The Council recessed at 11:12 p.m. to reconvene at 4:30 p.m. on Thursday, January 17, 1991.

Mayor Bastian reconvened Meeting 91-01 at 4:30 p.m., Thursday, January 17, 1991

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

I. NEW BUSINESS (Continued)

6. Authorization to Hire - City Clerk Secretary

- a. Manager McGuire presented the staff report.
- b. Mayor Bastian moved to authorize replacement of the City Clerk's Secretary as a part-time position based on 25 hours per week.

Seconded by Councilmember Juker Ayes - all

7. Fire Department Contracts

- a. Manager McGuire presented the staff report.
- b. Councilmember Zappa moved to approve the 1991 Fire Department Contracts.

Seconded by Mayor Bastian Ayes - all

8. Annual Designations and Appointments:

a. City Attorney

1. Manager McGuire presented the staff report.
2. Mayor Bastian moved to appoint the firm of Bannigan & Kelly as City Attorney for 1991.

Seconded by Councilmember Zappa Ayes - all

b. Prosecuting Attorney

1. Manager McGuire presented the staff report.
2. Mayor Bastian moved to appoint Martin Costello as Prosecuting Attorney and the monthly retainer be increased to \$4,600.

Seconded by Councilmember Zappa Ayes - all

c. Municipal Legislative Commission

1. Manager McGuire presented the staff report.
2. Councilmember Zappa moved to reappoint Mayor Gary Bastian and City Manager Michael McGuire to the Municipal Legislative Commission.

Seconded by Councilmember Juker Ayes - all

d. Ramsey County League of Local Governments

1. Manager McGuire presented the staff report.
2. Mayor Bastian moved to reappoint Councilmember George Rossbach to the Ramsey County League of Local Governments and to appoint Councilmember Joseph Zappa as Alternate.

Seconded by Councilmember Zappa Ayes - all

e. Cable Commission

1. Manager McGuire presented the staff report.
2. Mayor Bastian moved that he would again represent Maplewood on the Cable Commission and that Ann Fitch be reappointed to the Cable Commission.

Seconded by Councilmember Zappa Ayes - all

f. N.E.S.T.

1. Manager McGuire presented the staff report.
2. Mayor Bastian moved to reappoint Councilmembers Joseph Zappa and George Rossbach to N.E.S.T.

Seconded by Councilmember Zappa Ayes - all

g. Suburban Rate Authority

1. Manager McGuire presented the staff report.
2. Mayor Bastian moved to appoint Dale Carlson to the Suburban Rate Authority and reappoint Dan Faust as alternate.

Seconded by Councilmember Zappa Ayes - all

h. Official Newspaper

1. Manager McGuire presented the staff report.
2. Mayor Bastian moved to designate the Maplewood Review as the official newspaper of the City.

Seconded by Councilmember Zappa Ayes - all

i. East Community Family Center

1. Manager McGuire presented the staff report.
2. Mayor Bastian moved to reappoint Director of Public Safety Ken Collins to the East Community Family Center and to research the groups election process. If two can represent Maplewood, Councilmember Zappa will be the 2nd appointee.

Seconded by Councilmember Carlson Ayes - all

j. Acting Mayor

1. Manager McGuire presented the staff report.

2. Mayor Bastian moved to appoint Councilmember Joseph Zappa as Acting Mayor for 1991.

Seconded by Councilmember Carlson Ayes - all

k. Chamber of Commerce

1. Manager McGuire presented the staff report.

2. Councilmember Zappa moved to appoint Mayor Gary Bastian, with Manager Michael McGuire as alternate, to the Maplewood-North St. Paul-Oakdale Chamber of Commerce.

Seconded by Councilmember Carlson Ayes - all

l. St. Paul Water Treatment Plant Advisor

1. Manager McGuire presented the staff report.

2. Mayor Bastian moved to appoint Councilmembers George Rossbach and Dale Carlson to the St. Paul Water Treatment Plant Advisory Board.

Seconded by Councilmember Zappa Ayes - all

m. Ramsey County Light-Rail Transit Committee

1. Manager McGuire presented the staff report.

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

Seconded by Councilmember Zappa Ayes - all

n. HAZMAT Committee

1. Mayor Bastian moved to appoint Councilmember Fran Juker to the HAZMAT Committee

Seconded by Councilmember Zappa Ayes - all

o. Fire Study Committee

1. Mayor Bastian moved to appoint Councilmember Fran Juker to the Fire Study Committee.

Seconded by Councilmember Zappa Ayes - all

9. Commissions and Boards:

a. Planning Commission Reappointments

1. Manager McGuire presented the staff report.

2. Mayor Bastian moved to reappoint Gary Pearson, Will Rossbach and Bob Cardinal to the Planning Commission.

Seconded by Councilmember Rossbach Ayes - all

b. C.D.R.B. Reappointments

1. Manager McGuire presented the staff report.

2. Mayor Bastian moved to reappoint Marv Erickson to the Community Design Review Board.

Seconded by Councilmember Juker Ayes - all

c. Park and Recreation Commission

1. Manager McGuire presented the staff report.

2. Mayor Bastian moved to reappoint Don Christianson, Voya Piletich, and Jeanne Ewald to the Parks and Recreation Commission.

Seconded by Councilmember Carlson Ayes - all

d. H.R.C. Reappointment

1. Manager McGuire presented the staff report.

2. Mayor Bastian moved to reappoint Paul Sand to a three-year term on the Human Relations Commission

Seconded by Councilmember Zappa Ayes - all

e. Civil Service Commission

1. Manager McGuire presented the staff report.

2. Councilmember Zappa moved to advertise for interested parties.

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

3. Mayor Bastian moved to reappoint Clayton Qualley to the Civil Service Commission.

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

4. Councilmember Juker moved staff look into the length of terms, who serves, attendance, etc.

Seconded by Mayor Bastian Ayes - all

more thoughts on City doing the plowing or trails in the parks.

- b. Mayor Bastian requested Public Works Director Haider obtain copy of memo from last year regarding City plowing sidewalks.
- c. Mayor Bastian inquired who plows sidewalks in front of Ramsey County Home. Public Works Director Haider stated that is done by Ramsey County.
- d. Councilmember Zappa moved staff be directed to look into plowing trails in the parks.

Seconded by Mayor Bastian

Ayes - all

6. Oil Recycling

Dropped from Agenda

Mayor Bastian moved to add two additional items to the Agenda: Metro East Crime Commission and the Mayor's Update.

Seconded by Councilmember Zappa

Ayes - all

7. East Metro Crime Commission

- a. Councilmember Rossbach inquired why there is no money for East Metro Crime Commission mailings.
- b. Staff stated nothing was allocated
- c. Council moved to instruct staff to see if other cities could help with funding and also research how much Maplewood has spent to date.

Seconded by Mayor Bastian

Ayes - all

8. Mayors Update

- a. Mayor Bastian reminded the Council about various upcoming meetings.

M. ADJOURNMENT OF MEETING

The meeting adjourned at 5:48 p.m.

Action by Council:

MEMORANDUM

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager Mike McGuire
FROM: Director of Emergency Management Larry J. Cude
RE: **Acceptance of Agreement and Presentation of Donation by 3M for the Maplewood Hazardous Materials Response Team**
DATE: January 16, 1991

INTRODUCTION

The attached "Agreement for Funding the Development of a Hazardous Materials Response Team to Serve the City of Maplewood, Minnesota and Vicinity" requires acceptance by the City Council. Upon approval by the Council, representatives from 3M will be presenting the \$252,000.00 donation to fund the Team.

BACKGROUND

On February 13, 1988 the first meeting of the Maplewood Hazardous Materials Committee was held. This Committee was formed by Maplewood Emergency Management in an effort to address the requirements of the Superfund Amendments and Reauthorization Act (SARA) of 1986, specifically Title III, governing hazardous materials and later the OSHA 29 CFR 1910.120 "Final Rule," and NFPA 471 and 472 regarding hazardous materials training.

One of the goals of this Committee was to form a Maplewood Hazardous Materials Response Team. One of the many problems encountered in developing such a team was acquiring funding for training and for purchasing and equipping a vehicle. A number of avenues were explored prior to presenting 3M Company, who was also affected by the hazardous materials requirements, with a proposal for assisting with the funding of a Maplewood Hazardous Materials Response Team.

On September 27, 1990, the Maplewood Hazardous Materials Committee presented 3M executives with a proposal for funding the Team. The proposal was discussed at several internal meetings within 3M. Early in January 1991, word was received of the final acceptance by 3M executives and an agreement was drawn up. This agreement has been reviewed by both our City Attorney and the 3M Attorney and is acceptable to both parties.

RECOMMENDATION

It is requested that the City Council accept at the January 28 Council meeting the attached agreement and donation to be presented to the City of Maplewood with monies to be placed into a special account within Emergency Management's budget.

LJC:ajo

attachment



**AN AGREEMENT FOR FUNDING THE DEVELOPMENT OF A
HAZARDOUS MATERIALS RESPONSE TEAM TO SERVE THE
CITY OF MAPLEWOOD, MINNESOTA AND VICINITY**

WHEREAS, 3M Center, the worldwide administrative and laboratory headquarters of 3M, is located in the City of Maplewood, Minnesota; and,

WHEREAS, the City of Maplewood, through its police and volunteer fire departments and emergency management organization, provides emergency response services for 3M Center and the City of Maplewood; and,

WHEREAS, various types and quantities of chemicals and hazardous materials are stored and used in the laboratory buildings at 3M Center; and,

WHEREAS, various transportation routes over which hazardous materials are carried are located in the City of Maplewood; and,

WHEREAS, recent federal and state laws mandate certain levels of training, proper equipment and procedures for those who provide emergency response to incidents involving hazardous materials; and,

WHEREAS, 3M Center and the City of Maplewood seek to comply with these safety regulations; and,

WHEREAS, the City of Maplewood is in the process of forming a specially trained and equipped Hazardous Materials Response Team qualified under state and federal laws pertaining to SARA Title III and OSHA 1910.120 to respond to hazardous materials incidents; and,

WHEREAS, 3M Center would be a recipient of Maplewood Hazardous Materials Response Team services, and encourages the formation of such a team by or about June 1, 1991.

NOW, THEREFORE, 3M voluntarily agrees to present to the City of Maplewood the sum of \$252,000.00 to be used entirely and only for the purpose of training and equipping by June 1, 1991 or as soon as practical thereafter, a Hazardous Materials Response Team to serve the City of Maplewood including 3M Center, and nearby cities by mutual aid or joint powers agreements.

The City of Maplewood hereby accepts said sum and agrees to use it entirely and only for the purpose stated herein.

It also is agreed that in accepting said sum the City of Maplewood, its officers, employees, agents, volunteer emergency response personnel and insurers will hold 3M harmless with respect to any and all claims that may arise from the selection, purchase and use of any and all equipment and training acquired with said sum. It is further agreed that the City of Maplewood and/or its volunteer fire departments will properly maintain the training programs and equipment of the Hazardous Materials Response Team developed, in part, with said sum.

THIS AGREEMENT represents the entire understanding between the parties and supersedes any prior understanding, either amended without the express written consent of both parties.

THIS AGREEMENT is signed and dated below in good faith by the following official representatives of 3M and the City of Maplewood.

3M COMPANY

CITY OF MAPLEWOOD

By _____
Jim R. Jensen

By _____
Mayor Gary Bastian

Staff Vice President of
Office Administration

Title

By _____
City Manger Mike McGuire

Date

Date

AGENDA REPORT

Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

TO: City Manager

FROM: Human Resource Director *Gail Blackstone*

RE: HRC Appointments

DATED: January 22, 1991

At their meeting on January 8th, the Human Relations Commission voted to recommend the appointment of James Garrett and Gordon Heininger to fill the existing vacancies created by the resignation of Carol Engel and Scott Rostron. Carol and Scott have both decided to pursue other interests at this time.

Mr. Garrett and Mr. Heininger will be at the council meeting on the 28th to answer any questions. I have attached copies of their applications for your review.

Recommendation

It is recommended that Mr. Garrett and Mr. Heininger be appointed to the Human Relations Commission.

GJB

CITY OF MAPLEWOOD
BOARDS AND COMMISSIONS
APPLICANT INFORMATION FORM

NAME GARRETT, JAMES T. PHONE 739-1828

ADDRESS 850 SO. FERDAIE ST., MAPLEWOOD ZIP 55119

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

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

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

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

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

NONE, EXCEPT THAT I'VE SERVED ON OTHER BOARDS AND COMMISSIONS (MOST RECENTLY AS MEMBER OF ST. PAUL'S HUMAN RIGHTS COMMISSION) AND I'M A HUMAN RESOURCES SUPERVISOR WHOSE INTERESTED IN ALL CITIZENS RIGHTS AND FREEDOMS.

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

I HAVE NOT JOINED ANY SPECIFIC ORGANIZATION OR CLUB IN THE MAPLEWOOD AREA YET BECAUSE I'M STILL COMMITTED TO THE VARIOUS ORGANIZATIONS IN ST. PAUL. I'M RESIGNING FROM ALL ORGANIZATIONS EXCEPT THE PARENT-TEACHER-STUDENT ORGANIZATION I HELP ORGANIZE ONE YEAR AGO.

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

I AM VERY INTERESTED IN SERVING ON THE MAPLEWOOD HUMAN RELATIONS COMMISSION BECAUSE I BELIEVE I CAN AND WILL OFFER A GREAT DEAL IN ADVANCING THE HUMAN RIGHTS AND FREEDOMS OF THE CITIZENS OF MAPLEWOOD AND MINNESOTA. I BELIEVE THERE IS A GREAT AMOUNT OF WORK NEEDING TO BE DONE IN THE AREAS OF PERSONS WITH DISABILITIES AND THE AGED AND HOMELESS.

ADDITIONAL COMMENTS

CITY OF MAPLEWOOD
BOARDS AND COMMISSIONS
APPLICANT INFORMATION FORM

NAME GORDON A. HEININGER PHONE 772-9300

ADDRESS 796 E. BELLWOOD AVE ZIP 55117

- 1) How long have you lived in the City of Maplewood? 30 YEARS
- 2) Does your employment require travel or being away from the community which would make regular attendance at meetings difficult? Yes No
- 3) On which Board or Commission are you interested in serving? (check)
- | | |
|--|--|
| <input type="checkbox"/> Community Design Review Board | <input type="checkbox"/> Park & Recreation Commission |
| <input type="checkbox"/> Housing & Redevelopment Authority | <input type="checkbox"/> Planning Commission |
| <input checked="" type="checkbox"/> Human Relations Commission | <input type="checkbox"/> Police Civil Service Commission |
- 4) Do you have any specific areas of interest within this Board's or Commission's scope of responsibilities?
NO

- 5) List other organizations or clubs in the Community in which you have been or are an active participant:
- MAPLEWOOD SENIORS + PERSONS WITH SPECIAL LIVING NEEDS COMMITTEE (CURRENT MEMBER)
 - ST. PAUL JAYCEES (FORMER MEMBER)
 - ST. PAUL BOARD OF REALTORS (CURRENT MEMBER)
 - ST. PATRICK'S CHURCH - EDUCATION COMMITTEE CHR.
 - ST. PAUL TENNIS CLUB MEMBER

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

SINCE I LIVE AND NOW ACTIVELY WORK IN THE MAPLE WOOD AREA AS A REALTOR I NOW COME INTO CONTACT WITH MANY RESIDENTS IN MAPLEWOOD AND HAVE THE OPPORTUNITY TO GET TO KNOW AND TALK TO MANY MORE PEOPLE ABOUT COMMUNITY AFFAIRS AND WHAT THEY MAY SEE AS PROBLEMS, I MIGHT BE ABLE TO MAKE SOME CONTRIBUTION, AS A RESULT OF THESE RELATIONSHIPS, TO THE HUMAN RELATION COMMISSION WITH ONGOING HUMAN RIGHTS PROBLEMS THAT MAY DEVELOP.

AGENDA REPORT

Action by Council:

TO: City Manager
FROM: Finance Director *R. Faust*
RE: APPROVAL OF CLAIMS
DATE: January 22, 1991

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

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

ACCOUNTS PAYABLE:

\$ 601,183.03	Checks # 11564 thru # 11608 Dated 01-02-91 thru 01-09-91
<u>\$ 173,924.98</u>	Checks # 13713 thru # 13838 Dated 01-28-91
\$ 775,108.01	Total per attached voucher/check register

PAYROLL:

\$ 191,135.88	Payroll Checks dated 01-18-91
<u>\$ 37,716.32</u>	Payroll Deductions dated 01-18-91
\$ 228,852.20	Total Payroll
\$ 1,003,960.21	GRAND TOTAL

Attached is a detailed listing of these claims.

tmc

Attachments

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 12

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
13713	010575	01/28/91	ACE HARDWARE	SUPPLIES-JANITOR	31.81	
				SUPPLIES-VEHICLE	.90	
				SUPPLIES-EQUIP	65.66	98.37
13714	030660	01/28/91	ANIMAL CONTROL SERVICES, INC.	FEES FOR SERVICE	2,085.00	2,085.00
13715	031100	01/28/91	APPEARANCE PLUS	RPR & MAINT/VEH	6.00	6.00
13716	041000	01/28/91	ARNOLD, DAVID	TRAVEL & TRAIN	177.48	177.48
13717	061100	01/28/91	BANNIGAN & KELLY P.A.	LEGAL & FISCAL	80.00	
				LEGAL & FISCAL	700.00	
				LEGAL & FISCAL	160.00	
				LEGAL & FISCAL	20.00	
				LEGAL & FISCAL	20.00	
				LEGAL & FISCAL	20.00	
				LEGAL & FISCAL	120.00	
				LEGAL & FISCAL	20.00	
				FEES FOR SERVICE	8,631.05	9,771.05
13718	061900	01/28/91	BATTERY FIRE WAREHOUSE	SUPPLIES-VEHICLE	173.98	173.98
13719	080900	01/28/91	BOARD OF WATER COMMISSIONERS	UTILITIES	35.00	
				UTILITIES	68.65	
				UTILITIES	23.62	
				UTILITIES	6.48	
				UTILITIES	12.12	
				UTILITIES	12.12	
				UTILITIES	16.98	174.97
13720	081203	01/28/91	BOUCHER, JO ANN	PRDG REGIST FEES	25.00	25.00
13721	090565	01/28/91	BAUMGARTNER, VICKI	PRDG REGIST FEES	15.00	15.00
13722	091450	01/28/91	BROWNING-FERRIS IND.	FEES FOR SERVICE	36.54	36.54
13723	101400	01/28/91	BUILDERS SQUARE	SUPPLIES-EQUIP	52.97	52.97
13724	101800	01/28/91	BURLINGTON NORTHERN	PROPERTY RENTAL	25.00	25.00
13725	110390	01/28/91	CAPITOL RUBBER STAMP COMPANY	SUPPLIES-OFFICE	25.00	25.00
13726	120325	01/28/91	CELLULAR ONE	TELEPHONE	74.31	74.31
13727	150200	01/28/91	COLLINS, KENNETH V.	TRAVEL & TRAIN	777.03	
				FUEL & OIL	21.56	798.59
13728	151425	01/28/91	COMPUTERLAND	SUPPLIES-OFFICE	16.00	
				EQUIP-PURCHASED	209.00	225.00
13729	152300	01/28/91	COPY DUPLICATING PROD.	DUPL COSTS	343.56	343.56

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 12

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
13730	152400	01/28/91	COPY EQUIPMENT, INC.	OTHER CONSTR COSTS OTHER CONSTR CST	89.50 36.81	126.31
13731	230500	01/28/91	EAST COUNTY LINE FIRE DEPT.	FUEL & OIL	70.94	70.94
13732	231650	01/28/91	EGGHEAD DISCOUNT SOFTWARE	SUPPLIES-EQUIP	174.00	174.00
13733	260250	01/28/91	FACILITY SYSTEMS, INC.	FACILITY SYSTEMS, INC FACILITY SYSTEMS INC FACILITY SYSTEMS FACILITY SYSTEMS	4,622.58 51.10 1,056.00 439.63	6,169.31
13734	270250	01/28/91	FLEET TECH SERVICE CORP.	RPR & MAINT/VEH	550.54	550.54
13735	270500	01/28/91	FOREMAN AND CLARK UNIFORMS	UNIFORMS & CLOTH UNIFORMS & CLOTH UNIFORMS & CLOTH UNIFORMS & CLOTH UNIFORMS & CLOTH	155.00 155.00 310.00 155.00 155.00	930.00
13736	290045	01/28/91	FRANK, CHRIS	PROG REGIS FEES	20.00	20.00
13737	300600	01/28/91	G.A.B. BUSINESS SERVICE	JUDGEMENTS & LOSS	575.41	575.41
13738	301235	01/28/91	GARRETT, LARINA L.	PROG REGIST FEES	25.00	25.00
13739	301290	01/28/91	GAUL, KIMBERLEY	PROG REGIS FEES	15.00	15.00
13740	301780	01/28/91	GENERAL REPAIR	RPR & MAINT/UTIL	1,153.60	1,153.60
13741	302100	01/28/91	GENUINE PARTS COMPANY	SUPPLIES-VEHICLE	142.87	142.87
13742	302700	01/28/91	GLEN REHBEIN EXCAVATING	LAND IMPROVEMENT LAND IMPROVEMENT	11,400.00 4,132.50	15,532.50
13743	310650	01/28/91	GOPHER DISPOSAL	FEES FOR SERVICE	7,132.10	7,132.10
13744	320325	01/28/91	GREW-HAYMAN, JANET	VEHICLE ALLOW	21.58	21.58
13745	350876	01/28/91	HOFFMAN, TONY	PROG REGIST FEES	7.50	7.50
13746	390100	01/28/91	INDEPENDENT SCHOOL DIST. #622	FEES FOR SERVICE FEES FOR SERVICE	656.10 588.90	1,245.00
13747	400230	01/28/91	J.R. NELSON CO.	OTHER CONSTR COSTS	392.38	392.38
13748	400730	01/28/91	JWP INFORMATION SYSTEM	EQUIP-OFFICE	119.30	119.30
13749	401950	01/28/91	JONES, CHERYL	PROG REGIS FEES	40.00	40.00
13750	402525	01/28/91	JUNESKI, JUDY	PROG REGIS FEES	20.00	20.00

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 12

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
13751	410432	01/28/91	KELLEY, KAYLENE	PRG REGIS FEES	20.00	20.00
13752	410500	01/28/91	KENNA, JOHN J.	LEGAL & FISCAL LEGAL & FISCAL	563.75 1,375.00	1,938.75
13753	420150	01/28/91	KINKO'S COPIES	KINKO'S COPIES	428.34	428.34
13754	430800	01/28/91	KOKESH ATHLETIC	PROGRAM SUPPLIES PROGRAM SUPPLIES	43.98 67.83	111.81
13755	430828	01/28/91	KOPESKY, NANCY	PRG REGIS FEES	40.00	40.00
13756	460610	01/28/91	LEHNE'S SERVICE INC	FEES FOR SERVICE	124.00	124.00
13757	480675	01/28/91	LONG, SHIRLEY	PRG REGIS FEES	20.00	20.00
13758	501225	01/28/91	MAC QUEEN EQUIPMENT	SUPPLIES-VEHICLE	223.38	223.38
13759	531650	01/28/91	METRO WASTE CONTROL COMMISSN	SAC PAYABLE SC RETAINER	18,600.00 186.00-	18,414.00
13760	610023	01/28/91	MUDEK, DOLORES	PRG REGIS FEES	20.00	20.00
13761	610400	01/28/91	MUNICILITE CO.	SUPPLIES-VEHICLE	199.48	199.48
13762	640550	01/28/91	NELSON, JEAN	VEHICLE ALLOW	17.99	17.99
13763	660800	01/28/91	NORTH ST. PAUL CITY OF	UTILITIES UTILITIES	189.32 128.10	317.42
13764	661820	01/28/91	NORTHLAND REFRIGERATION	FEES FOR SERVICE	81.00	81.00
13765	680500	01/28/91	OCCUPATIONAL HEALTH SERVICES	FEES FOR SERVICE	46.00	46.00
13766	680600	01/28/91	OCTOPUS CAR WASH	RPR & MAINT/VEH RPR & MAINT/VEH RPR & MAINT/VEH RPR & MAINT/VEH RPR & MAINT/VEH RPR & MAINT/VEH RPR & MAINT/VEH	7.50 172.50 60.00 22.50 7.50 15.00 7.50	292.50
13767	690405	01/28/91	OLSON, KEVIN	PRG REGIST FEES	22.50	22.50
13768	700460	01/28/91	P.C. EXPRESS/P.C. TRONICS	EQUIP-OFFICE EQUIP-OFFICE SUPPLIES-EQUIP	3,200.00 3,933.00 4.95	7,137.95
13769	710667	01/28/91	PERSBY, BARRY	PRG REGIS FEES	25.00	25.00
13770	711345	01/28/91	PETERSON, BELL, CONVERSE & JENSEN	FEES FOR SERVICE	16.00	16.00

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 12

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				SUPPLIES-OFFICE	5.53	
				SUPPLIES-OFFICE	159.08	
				SUPPLIES-EQUIP	165.35	984.04
13789	840300	01/28/91	ST.PAUL BOOK & STATION	UNIFORMS & CLOTH	11.09	
				PROGRAM SUPPLIES	10.69	
				SUPPLIES-OFFICE	45.69	
				SUPPLIES-OFFICE	39.74	107.21
13790	843575	01/28/91	STREICHERS GUNS	SUPPLIES-VEHICLE	76.70	76.70
13791	843580	01/28/91	STRGAR ROSCOE-FAUSCH, INC.	OUTSIDE ENGIN FEES	448.11	448.11
13792	851575	01/28/91	SYSTEMS SUPPLY, INC.	SUPPLIES-OFFICE	8.30	
				SUPPLIES-OFFICE	34.76	43.06
13793	860080	01/28/91	T.A. SCHIFSKY & SONS, INC	MAINT MATERIAL	50.70	50.70
13794	860500	01/28/91	TARGET	SUPPLIES-OFFICE	38.36	
				PROGRAM SUPPLIES	35.95	74.31
13795	860650	01/28/91	TARGET STORES	SUPPLIES-OFFICE	1.99	
				SUPPLIES-JANITOR	43.97	45.96
13796	862570	01/28/91	THOMAS J. DELANEYY REALTOR	LEGAL & FISCAL	500.00	500.00
13797	880675	01/28/91	TROPHIES UNLIMITED	PROGRAM SUPPLIES	18.00	18.00
13798	882500	01/28/91	TWIN CITY TESTING	OUTSIDE ENG FEES	216.80	216.80
13799	900100	01/28/91	UNIFORMS UNLIMITED	UNIFORMS & CLOTH	102.35	
				UNIFORMS & CLOTH	164.45	
				UNIFORMS & CLOTH	155.00	
				SUPPLIES-VEHICLE	15.30	
				UNIFORMS & CLOTH	131.20	
				UNIFORMS & CLOTH	111.35	
				UNIFORMS & CLOTH	13.88	
				UNIFORMS & CLOTH	108.70	
				UNIFORMS & CLOTH	10.67	812.90
13800	900600	01/28/91	UNIVERSAL MEDICAL	SUPPLIES-EQUIP	21.21	
				SUPPLIES-EQUIP	88.90	
				SUPPLIES-EQUIP	99.00	209.11
13801	901420	01/28/91	URBANIAK, RAY	PROG REGIST FEES	7.50	7.50
13802	911500	01/28/91	VIKING INDUSTRIAL CENTER	UNIFORMS & CLOTH	74.40	74.40
13803	940500	01/28/91	WEBER-TROSETH INC.	SUPPLIES-EQUIP	7.13	7.13
13804	942065	01/28/91	WILD BIRD STORE	PROGRAM SUPPLIES	9.50	9.50

VOUCHREG
01/18/91 13:40

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 12

PAGE 6

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
13805	950420	01/28/91	WORUM CHEMICAL COMPANY	FUEL & OIL	79.20	79.20
13806	970702	01/28/91	YOUNG, EPHRAIM	PROG REGIST FEES	15.00	15.00
13807	980460	01/28/91	ZELLNER, MARY	PROG REGIS FEES	25.00	25.00
TOTAL CHECKS						167,236.65

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 14

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
11564	510610	01/02/91	MAPLEWOOD FIRE RELIEF ASSN	ACCTS PAYABLE	26,240.00	26,240.00
11565	302580	01/02/91	GLADSTONE FIRE DEPT.	ACCTS PAYABLE	79,307.50	79,307.50
11566	230500	01/02/91	EAST COUNTY LINE FIRE DEPT.	ACCTS PAYABLE	69,390.00	69,390.00
11568	541400	01/02/91	MINN. STATE TREASURER	TRAVEL & TRAIN	45.00	45.00
11569	450110	01/02/91	L.M.C.I.T.	WORKERS COMP INS	34,726.00	34,726.00
11570	551500	01/02/91	MN POLLUTION CONTROL	TRAVEL & TRAIN	180.00	180.00
11571	541400	01/02/91	MINN. STATE TREASURER	LICENSE	880.50	880.50
11572	541400	01/02/91	MINN. STATE TREASURER	LICENSE	14,174.64	14,174.64
11573	140400	01/02/91	CLERK OF DISTRICT COURT	COUNTY FILING FEE	100.50	100.50
11574	310900	01/03/91	GOVERNORS RESTAURANT	FEES FOR SERVICE	84.00	84.00
11575	010465	01/03/91	A.T. & T. COMMUNICATIONS	ACCTS PAYABLE	203.48	203.48
11576	890900	01/03/91	U.S.WEST COMMUNICATIONS	ACCTS PAYABLE ACCTS PAYABLE	3,895.49 618.64	4,514.13
11577	910500	01/03/91	VASKO RUBBISH REMOVAL	ACCTS PAYABLE	314.82	314.82
11578	910500	01/03/91	VASKO RUBBISH REMOVAL	ACCTS PAYABLE	221.54	221.54
11579	541400	01/03/91	MINN. STATE TREASURER	LICENSE	544.50	544.50
11580	541400	01/03/91	MINN. STATE TREASURER	LICENSE	12,874.00	12,874.00
11581	190400	01/04/91	DEPT. OF NATURAL RESOURCES	LICENSE	66.00	66.00
11582	190400	01/04/91	DEPT. OF NATURAL RESOURCES	LICENSE	670.00	670.00
11583	240725	01/04/91	EMPLOYEE BENEFIT PLANS	DEP W/PAYING AG	1,000.00	1,000.00
11584	230500	01/04/91	EAST COUNTY LINE FIRE DEPT.	ACCTS PAYABLE	291.80	291.80
11585	541400	01/04/91	MINN. STATE TREASURER	LICENS	557.00	557.00
11586	541400	01/04/91	MINN. STATE TREASURER	LICENSE	10,069.50	10,069.50
11587	722200	01/04/91	PUBLIC EMPLOYEE	PERA DED PAYABLE DUE TO OTHER GOV	10,655.83 13,768.09	24,423.92
11588	662500	01/07/91	NORWEST BANK	FICA PAYABLE FED INC TAX PAY FICA CONTRIB	9,119.77 23,325.86 9,119.77	41,565.40

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 14

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
11589	542540	01/07/91	MINNESOTA TRUCKING ASSOC.	TRAVEL & TRAIN	90.00	90.00
11590	500675	01/07/91	M.R.P.A.	FEES FOR SERVICE	748.00	748.00
11591	541400	01/07/91	MINN. STATE TREASURER	LICENSE	12,055.37	12,055.37
11592	541400	01/07/91	MINN. STATE TREASURER	LICENSE	680.50	680.50
11593	560100	01/07/91	MN STATE COMMISSIONER	STATE INC TAX PAY	9,306.10	9,306.10
11594	662500	01/07/91	NORWEST BANK	WAGE DEDUCTION	437.50	437.50
11595	900825	01/08/91	UNIVERSITY OF MINNESOTA	TRAVEL & TRAIN	180.00	180.00
11596	720600	01/08/91	POSTMASTER	POSTAGE	3,000.00	3,000.00
11597	541400	01/08/91	MINN. STATE TREASURER	LICENSE	683.50	683.50
11598	541400	01/08/91	MINN. STATE TREASURER	LICENSE	10,272.00	10,272.00
11599	720600	01/09/91	POSTMASTER	POSTAGE	3,000.00	3,000.00
11600	531650	01/09/91	METRO WASTE CONTROL COMMISSN	SEWAGE TREATMENT	141,994.00	141,994.00
11601	120325	01/09/91	CELLULAR ONE	ACCTS PAYABLE	12.99	12.99
11602	541400	01/09/91	MINN. STATE TREASURER	LICENSE	574.50	574.50
11603	541400	01/09/91	MINN. STATE TREASURER	LICENSE	8,250.00	8,250.00
11604	320500	01/09/91	GROUP HEALTH INC.	HCMA DED PAY H/L/D INS A/R INS CONT	3,164.96 10,461.18 559.58	14,185.72
11605	711520	01/09/91	PHYSICIANS HEALTH PLAN	HCMA DED PAY H/L/D INS PHP INS DED PAY A/R INS CONT	1,983.08 12,933.78 241.72 798.99	15,957.57
11606	150600	01/09/91	COMMERCIAL LIFE INS. CO.	HCMA DED PAY LIFE INS PAY H/L/D INS A/R INS CONT	348.94 239.34 884.12 7.75	1,480.15
11607	501400	01/09/91	MADISON NATIONAL LIFE	LTD INS	1,961.80	1,961.80
11608	690400	01/09/91	OLSON, GEOFF	HCMA DED PAY	21.60	21.60
115670	701100	01/02/91	PARKSIDE FIRE DEPT.	ACCTS PAYABLE	53,847.50	53,847.50
" 13810	020400	01/28/91	AIR SIGNAL, INC.	OUTSIDE RENT/EQUIP	19.69	19.69

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 14

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
13811	021600	01/28/91	AMERICAN WATER WORKS	MEMBERSHIP DUES	65.00	65.00
13812	070650	01/28/91	BEN'S STANDARD STATION	FEES FOR SERVICE	82.50	82.50
13813	091200	01/28/91	BRIGGS & MORGAN	GEN OB IMP BONDS 90	4,372.90	4,372.90
13814	101905	01/28/91	BUTTERWORTHS PUBLISHERS	BOOKS	35.00	35.00
13815	140205	01/28/91	CLEAN STEP RUGS	FEES FOR SERVICE	19.95	19.95
13816	310850	01/28/91	GOVERNMENT TRAINING SERVICE	TRAVEL & TRAIN TRAVEL & TRAIN	255.00 179.00	434.00
13817	350980	01/28/91	HOLMES & GRAVEN, CHARTERED	SUBSCRIPTION	55.00	55.00
13818	391390	01/28/91	INTER. ASSOC. CHIEFS OF POLICE	MEMBERSHIP DUES	100.00	100.00
13819	391690	01/28/91	INTL.SOCIETY OF CRIME PREV.	MEMBERSHIP DUES	35.00	35.00
13820	391880	01/28/91	IPMA MINN - WILL VOLK	MEMBERSHIP DUES	15.00	15.00
13821	450125	01/28/91	L.E.T.N.	TRAVEL & TRAIN	488.00	488.00
13822	500525	01/28/91	M.P.E.L.R.A.	MEMBERSHIP	100.00	100.00
13823	540720	01/28/91	MINN COMM	OUTSIDE RENT/EQUIP	91.00	91.00
13824	540850	01/28/91	MINN. DEPT. OF AGRICULTURE	SUBS & MEMBERSHIPS	10.00	10.00
13825	542110	01/28/91	MINNESOTA CRIME PREVENTION	MEMBERSHIP DUES	25.00	25.00
13826	542530	01/28/91	MINNESOTA STATE FIRE	DUES	210.00	210.00
13827	560600	01/28/91	MN STREET SUPT. ASSOCIATION	MEMBERSHIP DUES	20.00	20.00
13828	561100	01/28/91	MN WASTEWATER OPERATORS ASSOC.	MEMBERSHIP DUES	10.00	10.00
13829	580300	01/28/91	MPLS. STAR & TRIBUNE	SUBSCRIPTION	70.20	70.20
13830	660800	01/28/91	NORTH ST. PAUL CITY OF	MEMBERSHIP DUES	100.00	100.00
13831	701055	01/28/91	PARK MAINTENANCE & GROUNDS	SUBSCRIPTION	23.00	23.00
13832	711500	01/28/91	PHOTOS TO GO	FEES FOR SERVICE	4.62	4.62
13833	712115	01/28/91	POLAR CHEVROLET GEO	SUPPLIES-VEHICLE	68.80	68.80
13834	740900	01/28/91	RADIO SHACK ACCOUNTS RECEIVABL	SUPPLIES-OFFICE SUPPLIES-EQUIP	18.72 24.95	43.67
13835	751420	01/28/91	RISE, INC.	MEMBERSHIP	10.00	10.00

VOUCHREG
01/18/91 14:00

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 14

PAGE 4

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
13836	842550	01/28/91	STATE OF MINN.DEPT. OF LABOR	RPR & MAINT/EQUIP	20.00	20.00
13837	880550	01/28/91	TRI-COUNTY LAW ENFORCEMENT	MEMBERSHIP DUES	45.00	45.00
13838	900825	01/28/91	UNIVERSITY OF MINNESOTA	TRAVEL & TRAIN	115.00	115.00
				TOTAL CHECKS		607,871.36

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

0001

1/6 1	CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
2				
3	0019381	01/18/91	JOSEPH ZAPPA	269.85
4				
5	0019382	01/18/91	DALE CARLSON	269.85
6				
7	0019383	01/18/91	GEORGE ROSSBACH	269.85
8				
9	0019384	01/18/91	GARY W BASTIAN	306.66
10				
11	0019385	01/18/91	FRANCES L JUKER	269.85
12				
13	0019386	01/18/91	JANE ROERING	756.50
14				
15	0019387	01/18/91	MICHAEL A McGUIRE	3,073.46
16				
17	0019388	01/18/91	GAIL BLACKSTONE	1,970.24
18				
19	0019389	01/18/91	GRETCHEN MAGLICH	1,436.64
20				
21	0019390	01/18/91	KATHRYN SMITH	948.19
22				
23	0019391	01/18/91	KIMBERLY BANKS	87.88
24				
25	0019392	01/18/91	DAVID J JAHN	1,038.56
26				
27	0019393	01/18/91	LYLE SWANSON	1,080.47
28				
29	0019394	01/18/91	LARRY J CUDE	311.20
30				
31	0019395	01/18/91	ANDREA J OSTER	1,043.70
32				
33	0019396	01/18/91	WILLIAM MIKISKA	194.40
34				
35	0019397	01/18/91	DANIEL F FAUST	2,225.54
36				
37	0019398	01/18/91	THERESE CARLSON	840.50
38				
39	0019399	01/18/91	DEBORAH DEHN	747.41
40				
41	0019400	01/18/91	ALANA K MATHEYS	1,458.32
42				
43	0019401	01/18/91	CHRIS REGIS	1,128.64
44				
45	0019402	01/18/91	MARGARET GIBBS	522.32
46				
47	0019403	01/18/91	DELORES A VIGNALD	1,400.80
48				
49	0019404	01/18/91	CARDLE J ANDERSON	1,456.50
50				
51	0019405	01/18/91	LUCILLE E AURELIUS	2,058.82
52				
53	0019406	01/18/91	BETTY D SELVOG	259.00
54				
55	0019407	01/18/91	LOIS BEHM	1,155.70
56				
57				

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

0002

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0019408	01/18/91	JEANNE L SCHADT	104.64
0019409	01/18/91	CONNIE L KELSEY	729.42
0019410	01/18/91	LORRAINE S VIETOR	1,014.90
0019411	01/18/91	PATRICIA A HENSLEY	597.90
0019412	01/18/91	CAROL JAGOE	858.10
0019413	01/18/91	JEANETTE E CARLE	1,158.29
0019414	01/18/91	SANDRA OLSON	725.89
0019415	01/18/91	MARY KAY PALANK	858.10
0019416	01/18/91	KENNETH V COLLINS	2,282.98
0019417	01/18/91	CAROLE L RICHIE	1,150.90
0019418	01/18/91	JOANNE M SVENDSEN	1,374.81
0019419	01/18/91	ROBERT D NELSON	1,967.77
0019420	01/18/91	ELAINE FULLER	429.05
0019421	01/18/91	CAROL F MARTINSON	1,245.40
0019422	01/18/91	VERNON T STILL	1,480.68
0019423	01/18/91	DONALD W SKALMAN	1,506.28
0019424	01/18/91	RAYMOND J MORELLI	1,506.28
0019425	01/18/91	SCOTT L STEFFEN	1,628.17
0019426	01/18/91	DAVID L ARNOLD	1,683.88
0019427	01/18/91	JOHN J BANICK	1,630.63
0019428	01/18/91	JOHN C BOHL	1,764.67
0019429	01/18/91	ANTHONY G CAHANES	1,967.77
0019430	01/18/91	DALE K CLAUSON	1,506.28
0019431	01/18/91	RICHARD M MOESCHTER	1,601.39
0019432	01/18/91	JOHN H ATCHISON	1,506.28
0019433	01/18/91	JAMES YOUNGREN	1,998.92
0019434	01/18/91	YING YANG	757.10

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

0004

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0019462	01/18/91	JANET L RABINE	1,318.35
0019463	01/18/91	JULIE A STAHNKE	1,178.74
0019464	01/18/91	SCOTT K BOYER	1,283.38
0019465	01/18/91	CAROL NELSON	1,656.68
0019466	01/18/91	CYNTHIA WALDT	1,170.70
0019467	01/18/91	JOSEPH FEHR	1,050.69
0019468	01/18/91	JILL PETERS	1,003.06
0019469	01/18/91	JAYME L FLAUGHER	1,495.42
0019470	01/18/91	JUDITH WEGWERTH	578.32
0019471	01/18/91	KENNETH G HAIDER	2,282.98
0019472	01/18/91	JUDY M CHLEBECK	1,134.90
0019473	01/18/91	WILLIAM PRIEFER	1,279.10
0019474	01/18/91	GERALD W MEYER	1,333.54
0019475	01/18/91	MICHAEL R KANE	1,525.02
0019476	01/18/91	BRYAN NAGEL	1,218.51
0019477	01/18/91	DAVID P LUTZ	1,254.00
0019478	01/18/91	HENRY F KLAUSING	1,256.26
0019479	01/18/91	JOHN SCHMOCK	1,218.51
0019480	01/18/91	RONALD J HELEY	1,233.87
0019481	01/18/91	ERICK D OSWALD	1,160.68
0019482	01/18/91	RONALD L FREBERG	1,211.47
0019483	01/18/91	WILLIAM C CASS	1,775.70
0019484	01/18/91	RANDAL LINDBLOM	1,323.30
0019485	01/18/91	JAMES G ELIAS	1,404.50
0019486	01/18/91	JOHN DU CHARME	1,512.90
0019487	01/18/91	DENNIS L PECK	1,391.70
0019488	01/18/91	WILLIAM PRIEBE	1,784.64

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

0005

1/6	CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
1				
2				
3	0019489	01/18/91	BRUCE A IRISH	1,792.50
4				
5	0019490	01/18/91	WALTER M GEISSLER	1,403.74
6				
7	0019491	01/18/91	THERESA METZ	1,361.22
8				
9	0019492	01/18/91	JOHN R LOFGREN	1,018.09
10				
11	0019493	01/18/91	ROBERT D ODEGARD	2,054.79
12				
13	0019494	01/18/91	LOIS J BRENNER	1,114.90
14				
15	0019495	01/18/91	BARBARA A KRUMMEL	522.94
16				
17	0019496	01/18/91	PAULINE STAPLES	1,743.70
18				
19	0019497	01/18/91	LUTHER JONES	39.60
20				
21	0019498	01/18/91	MARGARET KUNDE	118.80
22				
23	0019499	01/18/91	ROBERT S ANDERSON	1,182.10
24				
25	0019500	01/18/91	DENNIS P LINDORFF	1,182.10
26				
27	0019501	01/18/91	WILLIAM GARRY	1,148.50
28				
29	0019502	01/18/91	ROLAND B HELEY	1,226.90
30				
31	0019503	01/18/91	MARK A MARUSKA	1,633.26
32				
33	0019504	01/18/91	JAMES SCHINDELDECKER	1,036.50
34				
35	0019505	01/18/91	MYLES R BURKE	1,249.30
36				
37	0019506	01/18/91	TERRY LeCOUNT	120.00
38				
39	0019507	01/18/91	RICHARD E STARK	30.00
40				
41	0019508	01/18/91	TODD JAGOE	78.75
42				
43	0019509	01/18/91	TED BERRY	130.00
44				
45	0019510	01/18/91	PAUL HAAG	60.00
46				
47	0019511	01/18/91	MICHELLE HILSGEN	80.00
48				
49	0019512	01/18/91	SHERRAL MILLER	162.75
50				
51	0019513	01/18/91	SHANNON MILLER	50.00
52				
53	0019514	01/18/91	RICHARD KOEGEL	105.00
54				
55	0019515	01/18/91	KAYLENE PETERSON	199.75
56				
57				

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

0006

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0019516	01/18/91	ERIC MARTINSON	227.50
0019517	01/18/91	JENNIFER FORD	20.00
0019518	01/18/91	MICHAEL MASON	195.00
0019519	01/18/91	RYAN STEVENSON	220.00
0019520	01/18/91	JENNIFER HANSEN	30.00
0019521	01/18/91	SHERIDAN WALLRICH	45.00
0019522	01/18/91	SHAWN DE LOYE	31.50
0019523	01/18/91	AARON WILLIAMS	232.50
0019524	01/18/91	CARY RAHN	20.00
0019525	01/18/91	ROY G WARD	438.40
0019526	01/18/91	DOUGLAS J TAUBMAN	1,431.70
0019527	01/18/91	JANET M GREW HAYMAN	1,206.90
0019528	01/18/91	JEAN NELSON	387.26
0019529	01/18/91	JUDITH A HORSNELL	592.25
0019530	01/18/91	ANN E HUTCHINSON	575.45
0019531	01/18/91	KATHLEEN M DOHERTY	1,103.53
0019532	01/18/91	MARIE BARTA	996.50
0019533	01/18/91	GEOFFREY W OLSON	2,054.79
0019534	01/18/91	NANCY MISKELL	364.42
0019535	01/18/91	JOYCE L LIVINGSTON	586.86
0019536	01/18/91	KENNETH ROBERTS	1,275.83
0019537	01/18/91	THOMAS RIEDESEL	330.00
0019538	01/18/91	THOMAS G EKSTRAND	1,465.70
0019539	01/18/91	MARJORIE OSTROM	1,629.30
0019540	01/18/91	NICHOLAS N CARVER	1,383.93
0019541	01/18/91	ROBERT J WENGER	1,341.30
0019542	01/18/91	EDWARD A NADEAU	1,294.28

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

0007

1/6 1	CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
2				
3	0019543	01/18/91	GEORGE W MULWEE	1,225.30
4				
5	0019544	01/18/91	LAVERNE S NUTESON	1,600.50
6				
7	0019545	01/18/91	ROGER W BREHEIM	1,225.30
8				
9	0019546	01/18/91	DAVID B EDSON	1,274.09
10				
11	0019547	01/18/91	DAVID GERMAIN	1,225.30
12				
13	0019548	01/18/91	DENNIS M MULVANEY	1,343.70
14				
15	0019549	01/18/91	GEORGE C SPREIBL	1,195.70
16				
17	0019550	01/18/91	ELIZABETH J WEILAND	1,344.67
18				
19	0019551	VOID	MAPLEWOOD STATE BANK #1	21,771.22
20				
21	0019552	VOID	MN STATE COMM OF REVENUE	8,756.00
22				
23	0019553	VOID	FIRST MINNESOTA (FICA)	8,782.47
24				
25	0019554	VOID	PUBLIC EMP RETIREMENT ASSOC	4,854.19
26				
27	0019555	01/18/91	ICMA RETIREMENT TRUST-457	9,194.60
28				
29	0019556	VOID	FIRST MINNESOTA	218.75
30				
31	0019557	VOID	CITY OF MAPLEWOOD (HCMA)	3,649.19
32				
33	0019558	01/18/91	AFSCME 2725	603.89
34				
35	0019559	VOID	UNITED WAY OF ST. PAUL AREA	144.46
36				
37	0019560	01/18/91	CITY & COUNTY EMP CR UNION	26,280.00
38				
39	0019561	VOID	COMMERCIAL LIFE INSURANCE	123.17
40				
41	0019562	VOID	PUBLIC EMP. RETIREMENT ASSOC.	90.00
42				
43	0019563	01/18/91	MN STATE RETIREMENT SYSTEM	326.00
44				
45	0019564	01/18/91	MN BENEFIT ASSOCIATION	731.83
46				
47	0019565	01/18/91	MN. MUTUAL LIFE INS. 19-3988	160.00
48				
49	0019566	01/18/91	METRO SUPERVISORY ASSOC	20.00
50				
51	0019567	VOID	PUBLIC EMP RETIREMENT ASSOC	404.55
52				
53	0019568	VOID	PUBLIC EMP RETIREMENT ASSOC	5,400.98
54				
55	0019569	01/18/91	RAMSEY CO SUPPORT & COLLECT	400.00
56				
57				

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

0008

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0019570 VOID	01/18/91	EMPLOYEE BENEFIT PLANS	45.42
0019571 VOID	01/18/91	PHYSICIANS HEALTH PLAN	120.86
0019572 VOID	01/18/91	FIRST MINNESOTA (FICA)	8,782.56
0019573 VOID	01/18/91	PUBLIC EMP RETIREMENT ASSOC	5,144.39
0019574 VOID	01/18/91	PUBLIC EMP RETIREMENT ASSOC	527.44
0019575 VOID	01/18/91	PUBLIC EMP RETIREMENT ASSOC	8,101.54
GROSS EARNINGS AND DEDUCTIONS			305,769.39

AGENDA ITEM E-2
Action by Council:

AGENDA REPORT

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Public Works Administrative Assistant
SUBJECT: Project 89-12, White Bear, Larpenteur to Frost-Budget
Adjustment Request
DATE: January 9, 1991

Introduction

A budget adjustment is necessary for this project as expenditures have exceeded the budget.

Background

A budget for \$5000 was established when council authorized a feasibility study on December 28, 1989. This project was to commence in 1990, but was delayed due to Olympic Festival activities at Aldrich Arena during summer 1990. During July 1990, plans were approved by council so that Ramsey County could proceed to acquire the necessary easements and right-of-way. Engineering is continuing to design the utilities and will schedule a public hearing when Ramsey County produces a cooperative agreement.

Recommendation

It is recommended that a budget adjustment of \$9000 be established to cover additional costs associated with design and public hearing phases of this project.

WP

jc

Action by Council:

AGENDA REPORT

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Public Works Administrative Assistant
SUBJECT: Project 89-03, Roselawn-Arcade/I-35E--Budget Adjustment Request
DATE: January 16, 1991

Introduction

A budget adjustment is necessary for this project to pay for an old outstanding invoice from the consulting engineer.

Background

This project was denied after a public hearing on November 16, 1989. All outstanding charges have been paid with the exception of an invoice for \$4,102.34 for the consulting engineer.

Recommendation

It is recommended that a budget adjustment in the amount of \$3,630 be established to pay the consulting engineer and close out this project.

WJP

jw

AGENDA REPORT

Action by Council:

TO: City Manager
FROM: Public Works Administrative Assistant
SUBJECT: Project 88-11, Ariel, County Road B to Cope-Budget Adjustment Request
DATE: January 9, 1991

Endorsed _____
Modified _____
Rejected _____
Date _____

Introduction

A budget adjustment is necessary for this completed project as expenditures have exceeded the budget.

Background

A budget adjustment was done during December 1989 to cover the final payment to the contractor and close out this project. However in August 1990, the finance department charged \$113 to this project for a portion of the 1989 audit costs and a year-to-date two percent administrative charge which caused this project to be over budget.

Recommendation

It is recommended that a budget adjustment in the amount of \$140 be established to cover finance department charges.

WP

jc

AGENDA REPORT

Action by Council:

TO:	City Manager	Endorsed _____
FROM:	Public Works Administrative Assistant	Modified _____
SUBJECT:	Project 85-26, Cope Avenue, Hazel to Ariel-Budget Adjustment Request	Rejected _____
DATE:	January 9, 1991	Date _____

Introduction

A budget adjustment is necessary for this completed project as expenditures have exceeded the budget.

Background

This project was adequately funded during July 1990 via a budget adjustment of \$3500, which was enough to make final payment to the contractor and close out this project. However, during August 1990, the finance department charged \$906 to this project for a portion of the 1989 audit costs. Consequently, this project went over budget by \$650.

Recommendation

It is recommended that a budget adjustment in the amount of \$650 be established to cover the 1989 audit costs allocated to this project.

WP

jc

AGENDA REPORT

Action by Council:

TO: City Manager
FROM: Public Works Administrative Assistant
SUBJECT: Project 84-14, Walter Street Improvements-Budget Adjustment Request
DATE: January 18, 1991

Endorsed _____
Modified _____
Rejected _____
Date _____

Introduction

A budget adjustment is necessary for this completed project as expenditures have exceeded the budget.

Background

This project was adequately funded during June 1990 via a budget adjustment of \$7900, which was enough to close out this project. However, during July 1990, the finance department started charging an administrative overhead fee to all public improvement projects to reimburse the general fund for administrative and financial management costs associated with public improvement projects. The impetus for this new administrative fee was the reduction of state aid that occurred during June 1990. Consequently, this project went over budget as a result of the two percent administrative fee charged on July year-to-date expenditures.

Recommendation

It is recommended that a budget adjustment of \$570 be established to cover the administrative fees charged to date.

WP

jc

AGENDA REPORT

TO: City Manager
FROM: Public Works Administrative Assistant
SUBJECT: Project 86-25, County Road C, White Bear to
McKnight-Budget Adjustment Request
DATE: January 14, 1991

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

Introduction

A budget adjustment is necessary for this completed project as expenditures have exceeded the budget.

Background

Additional costs were charged to this project due to land appraisal and attorney fees (\$900 and \$220 respectively) related to assessment appeals by property owners Either and Trepanier, which have now been resolved.

Recommendation

It is recommended that a budget adjustment of \$555 be established to cover additional costs and close out this completed project.

WP

jc

MEMORANDUM

Action by Council:

TO:	City Manager	Endorsed _____
FROM:	Tom Riedesel - Planning Department	Modified _____
SUBJECT:	Conditional Use Permit Renewal	Rejected _____
LOCATION:	2080 Woodlynn Avenue	Date _____
PROJECT:	Salvation Army Church and Adult Day Care	
DATE:	January 7, 1991	

SUMMARY

INTRODUCTION

The applicant is requesting the renewal of a conditional use permit for the Salvation Army Church and adult day care facility. It is located at the southeast corner of Ariel Street and Woodlynn Avenue.

BACKGROUND

December 22, 1986: The City Council approved a conditional use permit for the Salvation Army Church and adult day care subject to:

1. Adherence to the site plan, dated October 28, 1986, unless a change is approved by the City's Community Design Review Board.
2. Installation of an adequate landscaping screen along the east and south sides of the parking lot to satisfy the screening criteria required by code.

The City Council also amended the land use plan to C, church.

December 28, 1987: The City Council granted a one-year renewal of the CUP.

January 9, 1989: The City Council approved the renewal of the CUP for one year.

January 22, 1990: The City Council renewed the CUP for one year.

ORDINANCE REQUIREMENTS

Subsection 36-445(a) requires that all conditional use permits shall be reviewed by the Council within one year of the date of initial approval, unless such review is waived by Council decision or ordinance. At the one-year review, the Council may specify an indefinite term or specific term, not to exceed five (5) years, for subsequent reviews.

DISCUSSION

All of the City's conditions have been met, except for the roof-top screening. The contractor plans to install it this spring. Staff is holding \$5,000 in escrow to complete the project if necessary.

RECOMMENDATION

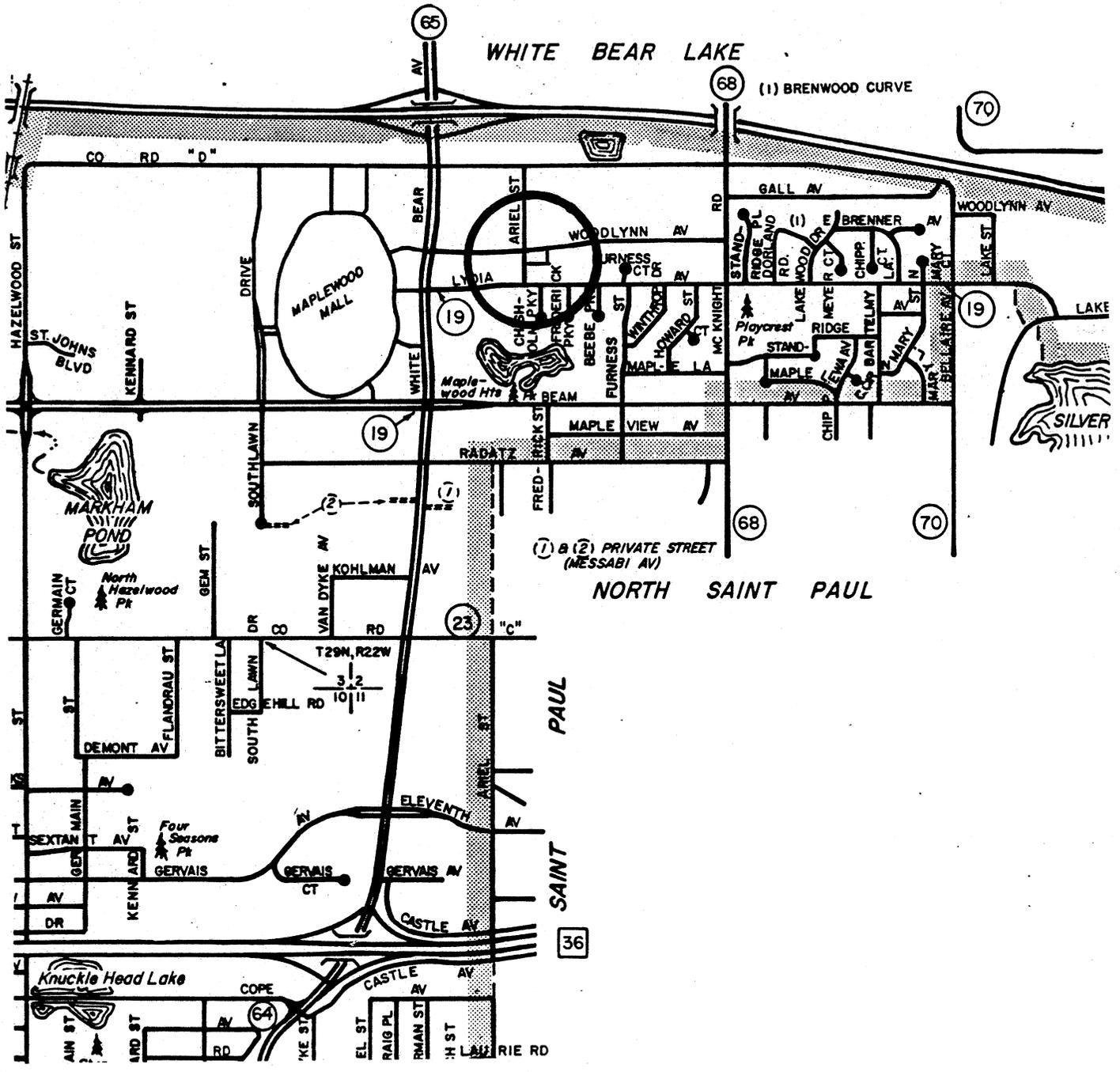
Renewal of the conditional use permit for one year, subject to the original conditions of approval.

jl\Bossardt.Cup

Attachments

1. Location Map
2. Property Line/Zoning Map

WHITE BEAR LAKE



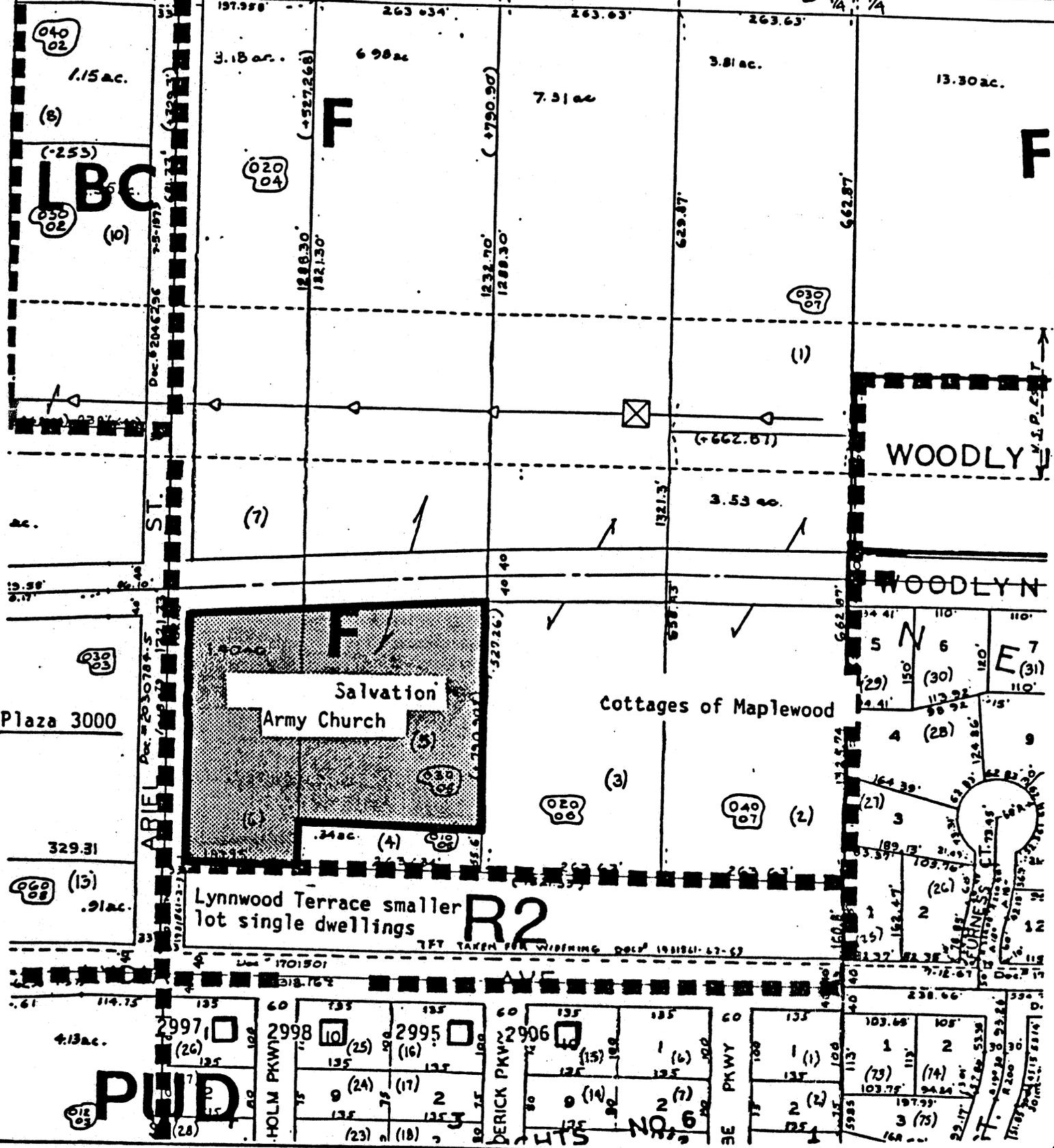
(1) & (2) PRIVATE STREET (MESSABI AV)

NORTH SAINT PAUL

LOCATION MAP



COUNTY ROAD



PROPERTY LINE / ZONING MAP



MEMORANDUM

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

TO: City Manager
FROM: Tom Riedesel - Planning Department
SUBJECT: Conditional Use Permit Renewal
LOCATION: 1779 McMenemy Street
APPLICANT/OWNER: Minnesota Department of Transportation
PROJECT: Metal Equipment Storage Building
DATE: January 8, 1991

SUMMARY

INTRODUCTION

The applicant is requesting the renewal of a conditional use permit (CUP) for a 56 by 160-foot metal pole building at the MnDOT highway maintenance facility along I-35E. The City required the CUP because the structure is within 350 feet of a residential district.

BACKGROUND

October 26, 1987: The City Council approved a conditional use permit for a metal storage building subject to:

1. Adherence to the site plan, dated August 14, 1987, unless a change is approved by the City's Community Design Review Board.
2. The type of building must conform to Section 9-6 of City Code, pertaining to metal buildings.

January 9, 1989: The City Council approved the renewal of the conditional use permit for one year for a metal storage building at 1779 McMenemy Street.

January 22, 1990: City Council renewed the CUP for one year.

ORDINANCE REQUIREMENTS

Subsection 36-442(e) requires that all conditional use permits shall be reviewed by the Council within one year of the date of initial approval, unless such review is waived by Council. The Council may specify an indefinite term or specific term, not to exceed five (5) years, for subsequent reviews.

DISCUSSION

The building is completed. The applicant is meeting the requirements of the conditional use permit.

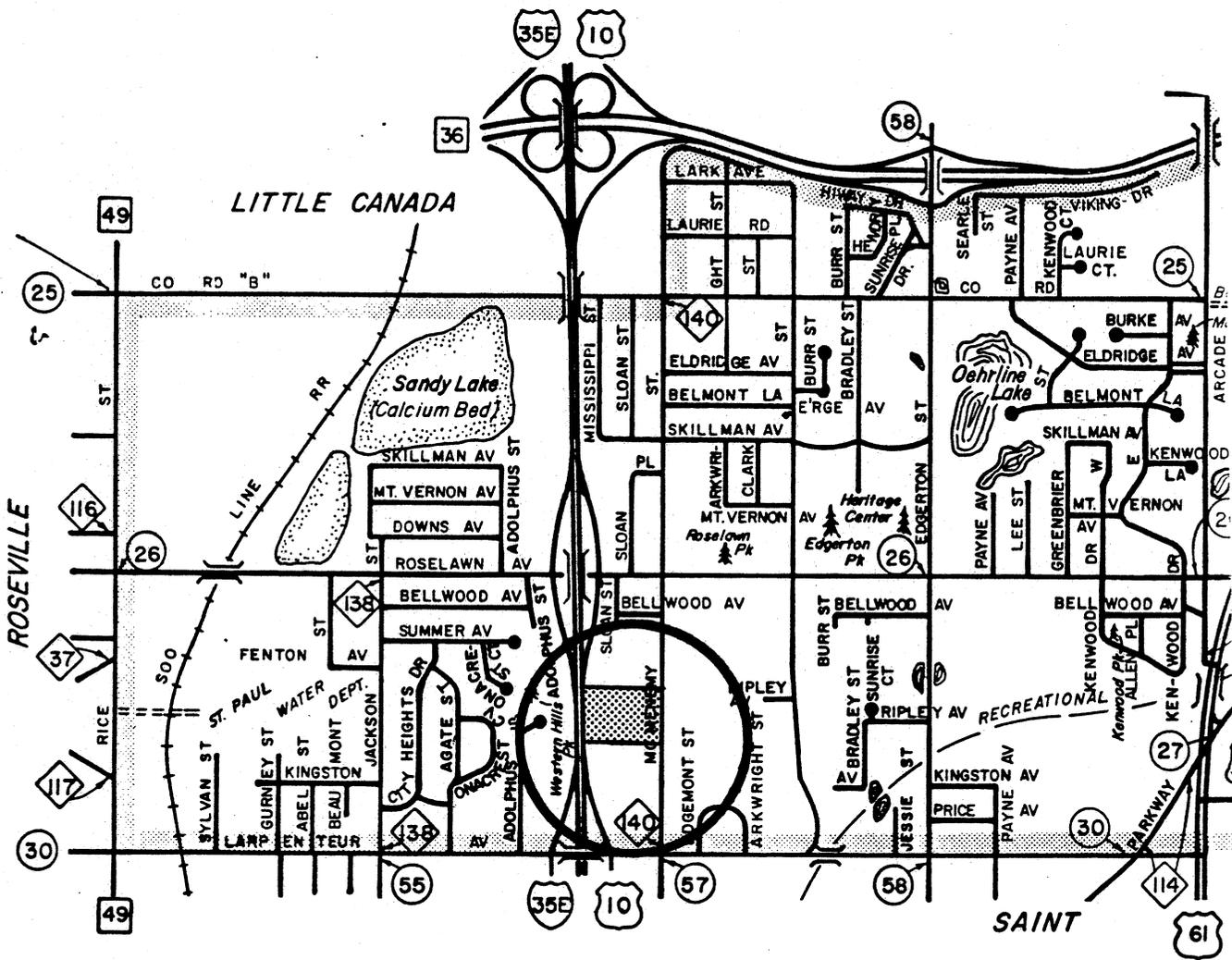
RECOMMENDATION

Renewal of the conditional use permit, subject to the original conditions of approval, for an indefinite time period.

jl\MnDot.cup

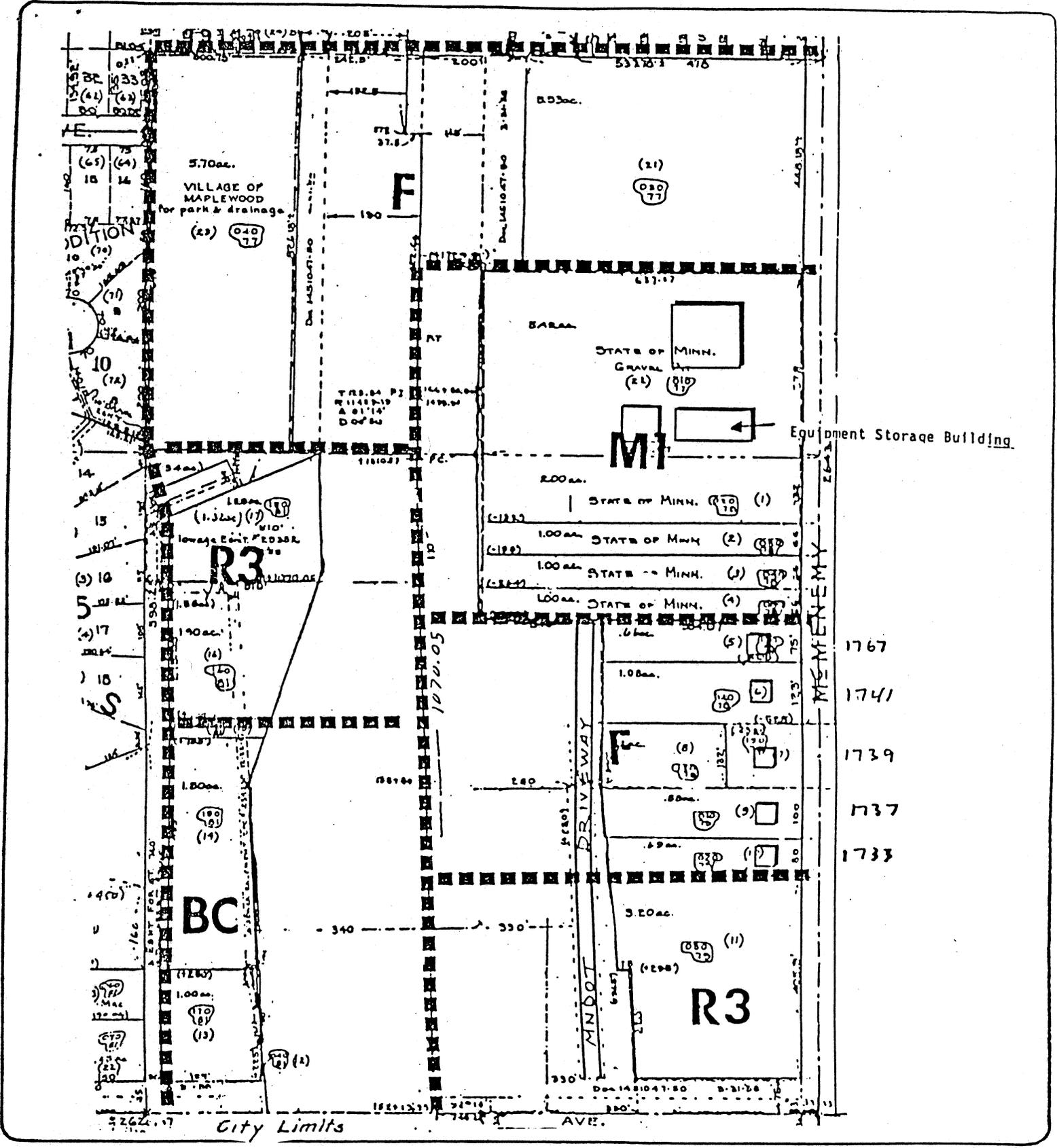
Attachments

1. Location Map
2. Property Line/Zoning Map

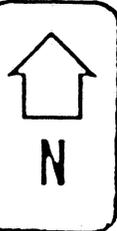


LOCATION MAP





PROPERTY LINE / ZONING MAP



AGENDA REPORT

Action by Council:

TO: CITY MANAGER
FROM: ELIZABETH J. WEILAND, MIS COORDINATOR
SUBJECT: TELEX TELEPHONE SYSTEM BATTERIES - BUDGET TRANSFER
DATE: JANUARY 22, 1991

EW

Endorsed _____
Modified _____
Rejected _____
Date _____

INTRODUCTION

The Memorex Telex telephone system has backup power generated by a battery system. The batteries are deteriorating, therefore causing the system to fail on a regular basis.

An estimated price of \$1980.00 has been received from Memorex Telex. This fee includes replacement of the eight batteries at \$205.00 each, with labor and mileage estimated at \$340.00. The labor costs include disposal/recycling of the batteries.

BACKGROUND

Due to the variable shelf life of the batteries, Memorex Telex does not allow the backup system to be covered on a maintenance contract. The estimated shelf life of the batteries is between 1 and 5 years; the system has been in place since the system was purchased in the fall of 1986.

RECOMMENDATION

It is recommended that \$1980.00 be transferred from the contingency account to 101-119-000-4430, Miscellaneous, Repair and Maintenance - Equipment, to purchase the new set of batteries.

AGENDA NO. E-11

AGENDA REPORT

TO: CITY MANAGER
FROM: ASSISTANT RECREATION DIRECTOR
RE: CONTINGENCY BUDGET REQUEST
DATE: JANUARY 18, 1991

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

PROPOSAL

IT IS PROPOSED THAT 1991 TRANSFER TOTALING \$225.00 BE AUTHORIZED FROM THE CONTINGENCY FUND TO PARKS AND RECREATION ADMINISTRATION FEES FOR SERVICE FUND - 101-601-000-4480.

BACKGROUND

THE COMMUNITIES OF MAPLEWOOD, NORTH ST. PAUL, AND OAKDALE HAVE CONDUCTED COMMUNITY CLEAN-UP PROGRAMS FOR THE PAST THREE YEAR'S. LAST YEAR THE PROGRAM WAS TITLED "EARTH DAY." THIS YEAR THE THREE COMMUNITIES WILL BE CONDUCTING A "COMMUNITY CLEAN-UP AND PLANTING DAY", ON SATURDAY, APRIL 27TH. THE COMMUNITIES OF NORTH ST. PAUL AND OAKDALE WILL BE HANDING OUT TRASH BAGS, WITH NO. ST. PAUL DISTRIBUTING SEEDLINGS AND OAKDALE DISTRIBUTING BOULEVARD TREES.

RECOMMENDATION

IT IS RECOMMENDED THAT THE COUNCIL AUTHORIZE THE FOLLOWING 1991 TRANSFER:

\$225.00 TRANSFERRED TO BUDGET 101-601-000-4480

THIS FEE WOULD PURCHASE 500 PINE SEEDLINGS FOR THE "COMMUNITY CLEAN-UP AND PLANTING" PROGRAM FOR THE CITY OF MAPLEWOOD.

**COMMUNITY CLEAN-UP AND PLANTING
SATURDAY, APRIL 27TH**

**MAKE MAPLEWOOD A CLEANER AND A
HEALTHIER COMMUNITY TO LIVE AND
RECREATE IN. CLEAN-UP YOUR YARDS,
BOULEVARDS, AND NEIGHBORHOOD PARKS.**



**SEEDLINGS AND TRASH BAGS WILL BE DISTRIBUTED *FREE* OF CHARGE
TO THE FIRST 250 PEOPLE WHO SHOW UP BETWEEN 9:00 - 10:30 AM
AT THESE TWO LOCATIONS:**

MAPLEWOOD CITY HALL, 1830 E. CO. RD. B

CARVER ELEMENTARY SCHOOL, 2680 UPPER AFTON ROAD

**FOR MORE INFO. CONTACT 770-4570
MAPLEWOOD PARKS AND RECREATION DEPARTMENT**

***DISPOSAL OF TRASH WILL BE YOUR RESPONSIBILITY.**

JANUARY 31, 1991

Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

DEAR MAYOR AND COUNCIL MEMBERS:

IN COMPLIANCE WITH ARTICLE II, SECTION 21-20 OF THE MAPLEWOOD CITY ORDINANCE, THE PARK AND RECREATION COMMISSION HEREBY SUBMITS ITS ANNUAL REPORT AND 1991 ACTIVITY PLAN.

IN PREPARATION FOR THIS REPORT, WE REVIEWED THE ACCOMPLISHMENTS OF THE PAST YEAR AND DISCUSSED THE VARIOUS PROGRAMS AND ACTIVITIES WE WISH TO PURSUE IN THE COMING YEAR. OUR CONTINUING GOAL IS DEDICATED TO PROMOTING OUR CITY WITH PRIDE AND PLANNING FOR FUTURE GENERATIONS BY ESTABLISHING AND MAINTAINING A QUALITY PARKS SYSTEM, GEARED TO THE CONTINUALLY CHANGING DEMOGRAPHICS OF THE COMMUNITY.

WE APPRECIATE YOUR PAST SUPPORT, HOWEVER, DURING 1991, WE WILL FOCUS ON DEVELOPING AN EVEN CLOSER RELATIONSHIP BETWEEN THE COUNCIL AND PARK COMMISSION MEMBERS. IT IS OUR INTENT TO ENHANCE YOUR ABILITY TO MAKE WELL INFORMED DECISIONS REGARDING ALL PHASES OF PARK DEVELOPMENT, RELYING ON OUR RECOMMENDATIONS AND PROPOSALS. WE WISH TO INCREASE YOUR AWARENESS OF THE DEDICATION AND EXPERTISE OF THE COMMISSION, AND THE PLANNING PROCESS AS A WHOLE.

WE ALSO APPRECIATE THE SUPPORT AND ASSISTANCE PROVIDED BY THE PARK AND RECREATION DIRECTOR AND HIS DEDICATED STAFF IN THE CONTINUED DEVELOPMENT AND MAINTENANCE OF OUR PARK SYSTEM.

RESPECTFULLY SUBMITTED,

MAVIS HAWKINS, CHAIR
JEANNE EWALD, VICE-CHAIR
RITA BRENNER, SECRETARY
JOHN CHEGWYN
DONALD CHRISTIANSON
MICHAEL FIEBIGER
VOYA PILETICH
BONNIE QUALLEY
CATHY TOLLEFSON

ACTIVITY PLAN OF THE PARK AND RECREATION COMMISSION FOR 1991
CITY OF MAPLEWOOD

AS WE LOOK FORWARD TO THE NEW YEAR, WE WISH TO REFLECT ON SOME OF THE EVENTS OF THE PAST YEAR TO MEASURE OUR ACCOMPLISHMENTS.

IN ADDITION TO OUR REGULARLY SCHEDULED MONTHLY MEETINGS, WE ALSO TOURED OUR PARKS TO MONITOR PROGRESS OF DEVELOPMENT, MAINTENANCE AND USAGE, BOTH AS A GROUP AND INDIVIDUALLY. IN ADDITION, TWO NEIGHBORHOOD MEETINGS WERE HELD IN CONJUNCTION WITH THE FIRST STAGES OF DEVELOPMENT OF TWO PARKS. THE FIRST MEETING WAS HELD IN JANUARY AT THE HAZELWOOD FIRE STATION REGARDING THE EXPANSION OF OUR COMMUNITY PLAYFIELD AND ANCILLARY DEVELOPMENT OF HARVEST PARK. APPROXIMATELY 21 RESIDENTS ATTENDED THAT MEETING. THE SECOND MEETING WAS HELD IN FEBRUARY AT WEBSTER SCHOOL REGARDING THE DEVELOPMENT OF HILLSIDE PARK, WHICH HAD BEEN HELD AS A PASSIVE PARK SINCE ITS ACQUISITION IN 1981. THIS MEETING WAS ATTENDED BY APPROXIMATELY 34 RESIDENTS.

AS COMMISSION MEMBERS, WE FOUND OURSELVES INVOLVED IN NUMEROUS COMMUNITY EVENTS AND COMMITTEES. WE WERE REPRESENTED ON THE COMMUNITY CENTER COMMITTEE, THE OPEN SPACE COMMITTEE, AND THE COMMUNITY EDUCATION COMMITTEE, IN ADDITION TO SEVERAL SUB-COMMITTEES WITHIN THE FRAMEWORK OF OUR COMMISSION. WE PARTICIPATED IN THE EARTH WEEK ACTIVITIES, INCLUDING CLEANUP DAY AND THE "DOWN TO EARTH" OPEN HOUSE AT THE NATURE CENTER IN APRIL; THE FOURTH OF JULY CELEBRATION, FOLLOWING THE OLYMPIC TORCH AS IT MADE ITS WAY THROUGH MAPLEWOOD; AND THE ANNUAL EVENT SPONSORED BY THE LEAGUE OF MINNESOTA CITIES, WHICH WAS HELD AT THE TAMARACK NATURE CENTER IN JULY.

AS MENTIONED, WE CONTINUED THE DEVELOPMENT PROCESS FOR THE HARVEST COMMUNITY PLAYFIELD AND HILLSIDE PARK BY CONDUCTING COMMUNITY MEETINGS TO PRESENT PROPOSED DEVELOPMENT CONCEPTS PREPARED BY OUR PARK CONSULTANT IN RESPONSE TO THE SURVEYS CONDUCTED IN THOSE AREAS. BOTH PARKS UNDERWENT SOME PRELIMINARY DEVELOPMENT WITH THE GRADING AND WALKING TRAILS ROUGHED IN. THEY ARE SCHEDULED FOR COMPLETION IN 1991.

IN 1990, WE ALSO SAW THE CONTINUING DEVELOPMENT OF THE HAZELWOOD SOCCER COMPLEX AND FIVE OTHER NEIGHBORHOOD PARKS...VISTA HILLS, PLAYCREST, SHERWOOD, GERANIUM AND NEBRASKA. THE NEBRASKA PARK WAS DEVELOPED WITH A GREAT DEAL OF PARTICIPATION BY RESIDENTS OF THEIR NEIGHBORHOOD, WHO MET IN THEIR HOMES AND OFFERED SPECIFIC SUGGESTIONS TO THE COMMISSION REGARDING THEIR NEEDS AND DESIRES.

WE WERE ALSO INVOLVED IN OTHER PLANNING ACTIVITIES OF THE COMMUNITY AND MADE SEVERAL RECOMMENDATIONS TO THE CITY OFFICIALS AND STAFF. WE WERE INVOLVED IN UPDATING THE PARK SECTION OF THE COMPREHENSIVE PLAN. WE ALSO MADE A RECOMMENDATION TO THE COUNCIL TO DEVELOP AN ADDITIONAL ADVISORY COMMISSION FOR OPEN SPACE AND WETLAND PRESERVATION. WE PERFORMED AN INDEPTH STUDY OF PARK ACQUISITION CHARGES OF OTHER COMMUNITIES, AND REVISED THE RESIDENTIAL 'DEDICATIONS BY DEVELOPERS' (PAC) ORDINANCE THAT WAS ADOPTED BY THE CITY COUNCIL. MEMBERS OF THE COMMISSION HAVE BEEN IN ATTENDANCE AT NUMEROUS COUNCIL MEETINGS TO OFFER ADDITIONAL INFORMATION REGARDING THESE RECOMMENDATIONS AND/OR TO ANSWER SPECIFIC QUESTIONS AND CONCERNS OF THE COUNCIL.

PARK MAINTENANCE AND DEVELOPMENT WHICH WAS ACCOMPLISHED DURING 1990 THROUGH OUR CAPITAL IMPROVEMENT PROGRAM IS ATTACHED AS AN ADDENDUM TO THIS REPORT.

DURING 1991, IT IS OUR PLAN TO:

1. CONTINUE MONITORING THE PROGRESS OF THE CAPITAL IMPROVEMENT PLAN.
2. CONTINUE THE DEVELOPMENT OF HILLSIDE, VISTA HILLS AND HARVEST PARKS, AND COMPLETE THE DEVELOPMENT OF PLAYCREST, SHERWOOD, GERANIUM AND HAZELWOOD WITH INSTALLATION OF PLAY EQUIPMENT.
3. MAKE RECOMMENDATIONS TO THE COUNCIL REGARDING OTHER ACQUISITIONS PROPOSED FOR PARKS AND/OR OPEN SPACE THROUGHOUT THE COMMUNITY, AS INDICATED BY DEVELOPMENT TRENDS OF THE CITY.
4. CONTINUE TO PARTICIPATE WITH THE CITY IN THE DEVELOPMENT OF A COMMUNITY CENTER AND ANCILLARY DEVELOPMENTS.
5. INCREASE PUBLIC AWARENESS OF OUR CITY, OUR PARKS, AND THEIR FACILITIES AND PROGRAMS, PERHAPS THROUGH A BEAUTIFICATION PROGRAM OF SOME TYPE INVOLVING WILD OR DOMESTIC FLOWERS.
6. EVALUATE THE CONTINUANCE OF THE HERITAGE CENTER AND MAKE RECOMMENDATIONS FOR ITS POSSIBLE DISPOSITION OR USE.
7. REVIEW COMMUNITY GROWTH AND DEVELOPMENT IN ORDER TO ANTICIPATE ANY NEW NEEDS OR CHANGES REQUIRED TO THE PARK SYSTEM, ESPECIALLY AS THEY RELATE TO SPECIAL GROUPS SUCH AS SENIOR CITIZENS, THE DISABLED, OR THE HANDICAPPED, IN ORDER TO INSURE COMPLIANCE WITH ANY FEDERAL OR STATE REGULATIONS.
8. MONITOR THE EXISTING PARKS AND PROGRAMS TO INSURE THEIR CONTINUED VIABILITY.
9. PARTICIPATE IN ALL COMMUNITY FUNCTIONS AND CELEBRATIONS.
10. RE-EVALUATION OF THE PLAN FOR PARK DEVELOPMENT IN ORDER TO MINIMIZE POSSIBLE MISUNDERSTANDINGS.
11. ESTABLISH A SUBCOMMITTEE TO MONITOR AND REVIEW THE CAPITAL IMPROVEMENT PROGRAM FUNDS MORE CLOSELY TO ENSURE THAT ALLOCATED FUNDS ARE PROPERLY DISTRIBUTED AND TO PROVIDE MORE DIRECT INPUT INTO BUDGET PREPARATION.
12. CONDUCT PUBLIC MEETINGS ON A TRIAL BASIS WITHIN THE NEIGHBORHOODS TO MONITOR THE CHANGING NEEDS OF THE COMMUNITY AND PROVIDE FOR ADDITIONAL COMMUNITY INPUT.

ADDENDUM

1990 MAJOR PARK IMPROVEMENTS AND CAPITAL IMPROVEMENT PROJECTS

- AFTON HEIGHTS - SOUTH PARKING LOT REGRADED, CURBED AND RE-SURFACED
- NEW PEDESTAL PICNIC TABLE, PARK GRILL, AND CONCRETE SLAB INSTALLED
- NEW TENNIS COURT RULES SIGN INSTALLED
- SCRAPED AND PAINTED HOCKEY RINK
- EDGERTON - EXTERIOR OF BUILDING PAINTED
- REPAIRED, SCRAPED AND PAINTED BOTH HOCKEY RINKS
- FLICEK - REPLACED OLD PARK SIGN WITH NEW PARK SIGN
- FOUR SEASONS - EXTERIOR OF BUILDING REPAIRED AND PAINTED
- NEW TENNIS COURT RULES SIGN INSTALLED
- GERANIUM - CONTRACTOR COMPLETING NEW PARK DEVELOPMENT BY LAYING SOD IN EROSION AREAS AND RE-SEEDING PARK
- NEW PARK SIGN INSTALLED
- GETHSEMANE - NEW HARDCOURT SURFACE INSTALLED
- NEW SIDEWALK APRON AROUND BUILDING
- HOCKEY RINK REPAIRED, SCRAPED AND PAINTED
- PARK BUILDING WALLS RE-BUILT
- NEW FURNACE ROOM AND BUILDING STORAGE CABINETS ADDED
- BUILDING EXTERIOR STAINED
- NEW PLEASURE SKATING RINK LIGHT INSTALLED
- GLADSTONE - LEVELED OUT FILL AREA AND BROUGHT IN ADDITIONAL FILL
- GOODRICH - OLD ARCH CLIMBER REMOVED FROM PLAY AREA
- NEW PARK BENCH AND CONCRETE SLAB INSTALLED BY TOT LOT
- RE-BUILT BUILDING DOOR FRAMES
- INSTALLED NEW COUNTER TOPS, DOOR AND SHELVING IN CONCESSION ROOM
- STAINED EXTERIOR OF BUILDING
- REPLACED SINKS IN BATHROOMS
- HARVEST - COMMUNITY PLAYFIELD UNDER CONSTRUCTION WITH SOFTBALL DIAMOND, TENNIS COURT, BASKETBALL COURT TRAILS, PARKING LOT, TREES TRANSPLANTED TO PARK
- HILLSIDE - NEIGHBORHOOD PARK UNDER CONSTRUCTION, TRAILS CUT, PONDING AREA CREATED, TREES TRANSPLANTED WITHIN PARK AND EXCESS TREES TO OTHER PARKS
- HERITAGE CENTER- REMOVED OLD WELL PUMP AND INSTALLED NEW THREE-QUARTER HORSEPOWER MOTOR TO SUPPLY WATER FOR GARDEN PLOTS

- LIONS - SOFTBALL INFIELD RE-BUILT
- MAPLECREST - NEW TENNIS COURT RULES SIGN INSTALLED
- MAPLEWOOD HEIGHTS- PARKING LOT AND ASPHALT TRAIL AREAS REPAIRED
- NEW BENCHES ON CEMENT SLABS INSTALLED AROUND POND
- ADDITIONAL TREES PLANTED IN PARK
- FOUR NEW PARK GRILLS AND PEDESTAL TABLES INSTALLED ON CEMENT SLABS
- TEN FOOT HIGH FENCE INSTALLED ON SOUTH END OF BASKETBALL COURT
- NEW TENNIS COURT RULES SIGN INSTALLED
- NATURE CENTER - INSTALLED NEW AIR CONDITIONER
- INSTALLED PARK BENCHES AND RE-BUILT TIMBER WALLS
- CENTER ISLAND REMOVED AND EXPANDED PARKING LOT
- NEW LIGHTS FOR PARKING AREA
- NATURE CENTER PRAIRIE - FENCE COMPLETED WITH GATES
- 350 PRAIRIE SEEDLINGS PLANTED
- NEBRASKA - NEW ASPHALT TRAIL INSTALLED AROUND POND
- 1/2 COURT BASKETBALL COURT INSTALLED
- PLAYScape INSTALLED IN SAND
- TWO NEW PARK BENCHES ON CONCRETE SLABS
- NEW PARK SIGN INSTALLED
- ENTIRE PARK SODDED
- TREES PLANTED
- NEW SHRUBS AND HEDGES PLANTED
- NORTH HAZELWOOD - NEW FENCE TO PROTECT JUNIOR SOCCER FIELD INSTALLED
- CONTINUATION OF SEEDING AND PREPARATION OF FIELDS FROM 1988 CONSTRUCTION CONTRACT
- CONSTRUCTION '90 CONTRACT INCLUDES PARKING LOT, TRAILS, BUILDING (UNDER CONSTRUCTION), WELL, SODDING HILLSIDES
- NEW TREES PLANTED IN PARK
- PLAYCREST - SOD INSTALLED FOR EROSION CONTROL AND RE-SEEDING AS PART OF COMPLETION OF NEW PARK CONSTRUCTION
- PLANTING PLAN INSTALLATION AT 95% COMPLETION
- EXCAVATED NEW PLEASURE RINK AREA
- NEW PARK SIGN INSTALLED
- NEW TENNIS COURT RULES SIGN INSTALLED

- SHERWOOD
- RE-SEEDING PARK FROM ORIGINAL CONSTRUCTION REQUIREMENTS
 - STRIPING PARKING LOT
 - NEW TREES TRANSPLANTED FROM HILLSIDE
 - NEW PARK SIGN INSTALLED
 - NEW TENNIS COURT RULES SIGN INSTALLED
- TIMBER
- RESURFACED HARDCOURT AREA
 - REMOVED OLD TEETER-TOTTER
- VISTA HILLS
- GRADING, SOD, PARKING LOT COMPLETED AS PART OF NEW CONSTRUCTION IN PARK
 - TENNIS COURT/BASKETBALL COURT GRADED, BUT NOT SURFACED
- WAKEFIELD
- HOCKEY RINK RE-BUILT AND PAINTED
- WESTERN HILLS
- NEW TENNIS COURT RULES SIGN INSTALLED
 - RE-BUILT AND PAINTED THE WOOD PLAY STRUCTURE

MAPLEWOOD PARK AND RECREATION COMMISSION MEMBERS

	<u>TERM OF SERVICE</u>	<u>ATTENDANCE IN 1990</u>	<u>EXPIRATION OF TERM</u>
MAVIS HAWKINS, CHAIRMAN 1406 PRICE AVENUE MAPLEWOOD MN 55109	6/86	92%	12/31/91
JEANNE EWALD, VICE-CHAIR 1744 RUTH STREET MAPLEWOOD MN 55109	1/88	92%	12/31/90
RITA K. BRENNER, SECRETARY 2363 OAKRIDGE DRIVE MAPLEWOOD MN 55119	9/82	92%	12/31/92
VOYA PILETICH 860 BURKE COURT MAPLEWOOD MN 55109	4/78	75%	12/31/90
DONALD E. CHRISTIANSON 1111 EAST COUNTY ROAD C MAPLEWOOD MN 55109	11/77	83%	12/31/90
BONNIE QUALLEY 2089 BEAM AVENUE MAPLEWOOD MN 55109	12/74	75%	12/31/91
CATHY TOLLEFSON 2587 POND AVENUE MAPLEWOOD MN 55119	6/89	67%	12/31/91
JOHN CHEGWYN 1631 EAST SEXTANT MAPLEWOOD MN 55109	4/77	75%	12/31/92
MICHAEL FIEBIGER 498 MARNIE STREET MAPLEWOOD MN 55119	6/89	83%	12/31/92

AGENDA REPORT

Action by Council:

To: City Manager Michael McGuire
From: Chief of Police Kenneth V. Collins *KVC*
Subject: Liquor License Application - Thomas B. Athmann
Date: January 11, 1991

Endorsed _____
Modified _____
Rejected _____
Date _____

Introduction

Thomas B. Athmann has made application for an intoxicating liquor license for Applebee's, 3001 White Bear Avenue.

Background

An extensive background investigation has been done on Mr. Athmann, and he has no known contacts with the police. We cannot find any indication that he holds a liquor license at any other establishment in the state.

Recommendation

After conducting a background investigation on this individual and a discussion with him, I do not find any reason to deny his application for an intoxicating liquor license.

Action Required

For submission to the City Council for their review and approval or denial.

KVC:js

cc City Clerk ✓
90-018972
Liquor File

CITY OF MAPLEWOOD

APPLICATION FOR INTOXICATING LIQUOR LICENSE

THIS APPLICATION SHALL BE SUBMITTED IN DUPLICATE. Please do not use initials.

Whoever shall knowingly and wilfully falsify the answers to the following questionnaire shall be deemed guilty of perjury and shall be punished accordingly.

In answering the following questions "APPLICANTS" shall be governed as follows: For a Corporation one officer shall execute this application for all officers, directors and stockholders. For a partnership one of the "APPLICANTS" shall execute this application for all members of the partnership.

EVERY QUESTION MUST BE ANSWERED

1. I, Thomas Bernaerd Athmann as General Manager (Individual owner, officer or partner)

for and in behalf of Midwest Restaurants Assoc. Inc.

hereby apply for an On-Sale Intoxicating Liquor License to be located at 2112 Maplewood Mall, 3001 White Bear Ave. Maplewood, MN 55109

(Give address and legal description) in the City of

Maplewood, County of Ramsey, State of Minnesota, in accordance with the provisions of Ordinance No. 95 of Maplewood.

2. Give applicants' date of birth:

Thomas 2nd February 1956 (Day) (Month) (Year)

3. The residence for each of the applicants named herein for the past five years is as follows:

17321 Firman Court Farmington, MN 55024 8-88 to Present
3627 Rhode Island Ave S. St. Louis Park, MN 55426 5-86 to 8-88
1583 Harrington Loop Sgt. Bluff, IA 5054 9-85 to 4/86

4. Is the applicant a citizen of the United States? YES

If naturalized state date and place of naturalization

If a corporation or partnership, state citizenship including naturalization of each officer or partner.

Donald William Strang Jr Citizen
Donald William Strang III Citizen
Allen Samuel Muskatow Citizen
Michael Louis Snow Citizen

5. The person who executes this application shall give wife's or husband's full name and address.

Bernaerdette Marie (Deckerman) Athmann (same as above)

6. What occupations have applicant and associates in this application followed for the past five years?

MRA - Inc - Applebee's 5/86 to Present
Dance America Sioux City, IA 9/85 to 4/86

Applebee's

90-018972
4/86

7. If partnership, state name and address of each partner. Not Applicable

If a corporation, date of incorporation April 26, 1984, state in which incorporated Minnesota, amount of authorized capitalization One Million Shares amount of paid in capital \$243,000

If a subsidiary of any other corporation, so state _____

give purpose of corporation _____

name and address of all officers, directors and stockholders and the number of shares held by each:

See Attached A.

(Name)

(Address)

(City)

If incorporated under the laws of another state, is corporation authorized to do business in this State? _____ Number of certificate of authority _____

If this application is for a new Corporation, include a certified copy of Articles of Incorporation and By-Laws.

8. On what floor is the establishment located, or to be located? 2nd

9. If operating under a zoning ordinance, how is the location of the building classified? Business Commercial Is the building located within the prescribed area for such license? Yes.

10. Is the establishment located near an academy, college, university, church, grade or high school? no State the approximate distance of the establishment from such school or church Not Applicable

11. State name and address of owner of building Corporate Property Investors
Three Dog Hammeskjold Plaza
305 E. 47th St NY, NY 10017; has owner of building any connection, directly or indirectly, with applicant? no

12. Are the taxes on the above property delinquent? no

13. State whether applicant, or any of his associates in this application, have ever had an application for a Liquor License rejected by any municipality or State authority; if so, give date and details none

14. Has the applicant, or any of his associates in this application, during the five years immediately preceding this application ever had a license under the Minnesota Liquor Control Act revoked for any violation of such laws or local ordinances; if so, give date and details no

- _____
- _____
- _____
15. State whether applicant, or any of his associates in this application, during that past five years were ever convicted of any Liquor Law violations or any crime in this state, or any other state, or under Federal Laws, and if so, give date and details none
- _____
- _____
- _____
16. Is applicant, or any of his associates in this application, a member of the governing body of the municipality in which this license is to be issued? no If so, in what capacity? _____
- _____
17. State whether any person other than applicants has any right, title or interest in the furniture, fixtures, or equipment in the premises for which license is applied, and if so, give names and details
- _____
- _____
18. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the State of Minnesota? _____ Give name and address of such establishment _____
See Attachment B.
19. Furnish the names and addresses of at least three business references, including one bank reference See Attachment C.
- _____
- _____
20. Do you possess a retail dealer's identification card issued by the Liquor Control Commissioner which will expire December 31st of this year? Give number of same unknown
21. Does applicant intend to sell intoxicating liquor to other than the consumer? no
- _____
22. State whether applicant intends to possess, operate or permit the possession or operation of, on the licensed premises or in any room adjoining the licensed premises, any slot machine, dice, gambling device and apparatus, or permit any gambling therein none
23. Are the premises now occupied, or to be occupied, by the applicant entirely separate and exclusive from any other business establishment? yes
- _____
24. State trade name to be used Applebee's
25. State name of person that will operate store Thomas Bernard Althmann
26. Give Federal Retail Liquor Dealer's Tax Stamp Number Unknown

27. If off sale license is being applied for, do you intend to deliver liquor by vehicle? no If so, state number of motor vehicle permits issued by Liquor Control Commissioner for current year

28. If you are building a new building for the purposes for which this application is being made, please submit plans and specifications with this application.

29. Financing of the construction of this building will be as follows:

not applicable

30. Furnish a personal financial statement with this application. If a partnership, furnish financial statement of each partner.

31. Give description of type of operation if this is an on-sale license application (i.e. whether cocktail lounge, nite club, restaurant, etc., specifying capacity by number of customers and any other pertinent data) See Attachment D.

32. What previous experience have you had in the operation of the type of business described in the answer to No. 31 above See #6 and attachment

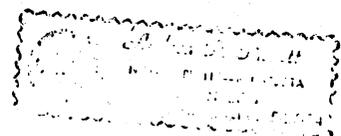
33. Applicant, and his associates in this application, will strictly comply with all the laws of the State of Minnesota governing the taxation and the sale of intoxicating liquor; rules and regulations promulgated by the Liquor Control Commissioner; and all ordinances of the municipality; and I hereby certify that I have read the foregoing questions and that the answers to said questions are true of my own knowledge.

Thomas B. Hansen

(Signature of Applicant)

Subscribed and sworn to before me this

29th day of November, 1990



THIS APPLICATION MUST BE ACCOMPANIED WITH YOUR CHECK FOR THE FIRST LICENSE PERIOD.

Attachment A

Donald William Strang Jr.
17820 Lake Road
Lakewood, OH 44107

Co-Chairman

(H) (216) 226-5667
(B) (216) 961-6767

45% Interest

Allen Samuel Musikantow
1430 W. Lakeshore Drive
Chicago, IL 60611

Co-Chairman

(H) (312) 337-1660
(B) (312) 943-1919

45% Interest

Donald William Strang III
1010 Elmwood Road
Rocky River, OH 44116

President

(H) (216) 333-6580
(B) (216) 961-6767

5% Interest

Michael Louis Snow
2649 Arcola Lane
Mtka Beach, MN 55361

Vice-President/Secretary
Treasurer

(H) (612) 471-8933
(B) (612) 339-8015

5% Interest

Richard Kenneth Horn
3610 Forestview Lane N.
Plymouth, MN 55441

Vice-President of Operations

(H) (612) 557-6569
(B) (612) 942-5899

Attachment B

BROOKDALE - APPLEBEE'S
1347 BROOKDALE MALL
BROOKLYN CENTER, MN 55430
(612) 566-1003
JERRY TUINENGA

BLOOMINGTON - APPLEBEE'S
7901 1/2 SOUTHTOWN CENTER
BLOOMINGTON, MN 55431
(612) 881-8845
CRAIG HAMPSTEAD

RIDGEDALE - APPLEBEE'S
12653 WAYZATA BLVD.
MTKA, MN 55343
(612) 544-5540
DAVE JOHNSON

BURNSVILLE - APPLEBEE'S
2152 BURNSVILLE CENTER
BURNSVILLE, MN 55337
(612) 435-2545
JULIE HUMPHREYS

NEW HOPE - APPLEBEE'S
4203 WINNETKA AVE. N.
NEW HOPE, MN 55428
(612) 533-1870
KATY BROWNE

MAPLEWOOD - APPLEBEE'S
2112 MAPLEWOOD MALL
3001 WHITE BEAR AVE.
MAPLEWOOD, MN 55109
(612) 770-0604
TOM ATHMANN

CALHOUN VILLAGE - APPLEBEE'S
3200 W. LAKE ST.
MPLS, MN 55416
(612) 925-3403
ROBERT MARSHALL

SPRUCE TREE - APPLEBEE'S
1600 W. UNIVERSITY AVE.
ST. PAUL, MN 55104
(612) 642-9757
JORGE GARCIA

EDEN PRAIRIE - APPLEBEE'S
LARIAT CENTER
8421 JOINER WAY
EDEN PRAIRIE, MN 55344
(612) 942-7993
JEANIE OSIP

NORTHTOWN - APPLEBEE'S
NORTHTOWN MALL
105 NORTHTOWN DRIVE
BLAINE, MN 55434
(612) 784-8086
DAN KREBSBACH

BROOKLYN PARK - APPLEBEE'S
7901 BROOKLYN BLVD
BROOKLYN PARK, MN 55445
(612) 424-2730
JON OLSEN

MIDWEST RESTAURANT ASSOCIATES, INC.
LARIAT CENTER
8421 JOINER WAY
EDEN PRAIRIE, MN 55344
(612) 942-5899
RICK HORN

ATTACHMENT C

ALRAN CONSTRUCTION
3960 HAVEN LANE
WHITE BEAR LAKE, MN 55110

AL SCHRIBER

RUST ARCHITECTS
2179-4TH STRETF
SUITE 3A AVALON MALL
WHITE BEAR LAKE, MN 55110

BILL RUST

NATIONAL CITY BANK
1809 PLYMOUTH ROAD S.
MINNETONKA, MN 55343

Attachment D

APPLEBEE'S

CONCEPT

Applebee's is positioned in the market as a "neighborhood restaurant" where consumers can obtain a high value experience through attractively priced food and beverages. We believe the principles of fast food (convenience, quality, and service, coupled with limited time and money) can be applied to an adult consumer. That is what we are doing with Applebee's.

HISTORY

Applebee's was founded in July of 1980 by William F. Palmer in Atlanta, Georgia, with the opening of the first unit. In April of 1983, the original two units and all rights were purchased by Creative Food 'N Fun Company, a subsidiary of W. R. Grace & Company, which also owns El Torito Restaurants, Inc., a chain of Mexican dinner houses; Gilbert Robinson, Inc. (Houlihan's restaurants); Jo Jo's Restaurants, Inc.; and Far West Services, Inc., a specialty dinner house restaurant chain. Since the purchase, two additional Applebee's were opened in Atlanta and one in Houston, Texas.

MENU

The restaurants have a standard all-day menu featuring munchies and snacks, soups and combinations, salads, sandwiches, burgers, Applebee's specialties, desserts and weekend brunches. All items are priced under six dollars and are served in from six to ten minutes of the time orders are taken.

PHYSICAL FACILITY

The typical Applebee's is either a free-standing building or part of a shopping center. The physical facility is relatively small (3,000-3,500 sq. ft.) in order to maintain that "neighborhood restaurant" type atmosphere. The wall decorations are a blend of yesterday and today, and might include baseball bats autographed by local baseball stars present and past, etched parber pole, London metro subway map, and the traditional stained glass design of hot air balloons with the Applebee's logo as part of the decor in all Applebee's restaurants. The seating surrounds the bar and is on two different levels. Rows of windows on three sides of the restaurant create an open yet cozy atmosphere.

OPERATIONS

Operational standards are established by Applebee's, Inc. and maintained by the management of each operation. All restaurants are operated in accordance with strict standards and specifications for the quality of ingredients, preparation of food, maintenance of premises and employee conduct. Uniform standards for product quality, portion control, courteous service and cleanliness are emphasized in each restaurant. Managers utilize systems of employee work scheduling, cost controls and quality assurance to insure expense control and product quality.

In addition to special products purchased from Applebee's approved suppliers, central purchasing will be done with local purveyors specializing in fresh product to ensure the highest quality. Food products will be regularly and systematically tested for quality and compliance with company standards. Approximately 30 percent of revenues are derived from liquor, beer and wine sales.

Financial and management control will be maintained through the use of Applebee's cost control systems, management and information systems, along with business plans.

TRAINING

The director of operations, managers and kitchen managers are required to complete ninety days of training at approved Applebee's training sites. Detailed training programs will be utilized for all operating positions (cooks, servers, bartenders, etc.). An "opening team" of experienced supervisors and trainers will be furnished by Applebee's to assist in each restaurant opening.

MARKET

Applebee's target market is the on-the-go people ages 20 to 49 with household incomes exceeding \$25,000 per year. In other words, our target is the young to middle-aged adult, mainly professionals, with limited time and money. More specifically, we will target these customers living within a three mile radius of each location.

There are presently no chain "adult fast food" competitors in the Twin Cities market. Applebee's "fits" in between fast food operations such as Arby's, Burger King and McDonald's and atmosphere specialty restaurants such as T.G.I.Friday's, Houlihan's and Bennigan's. Future competition might come from Fuddrucker's, Chili's and other adult fast food chains which, at the present time, all feature gourmet hamburgers.

The demographics of the Minneapolis/St. Paul market that support the target customer profile of Applebee's are:

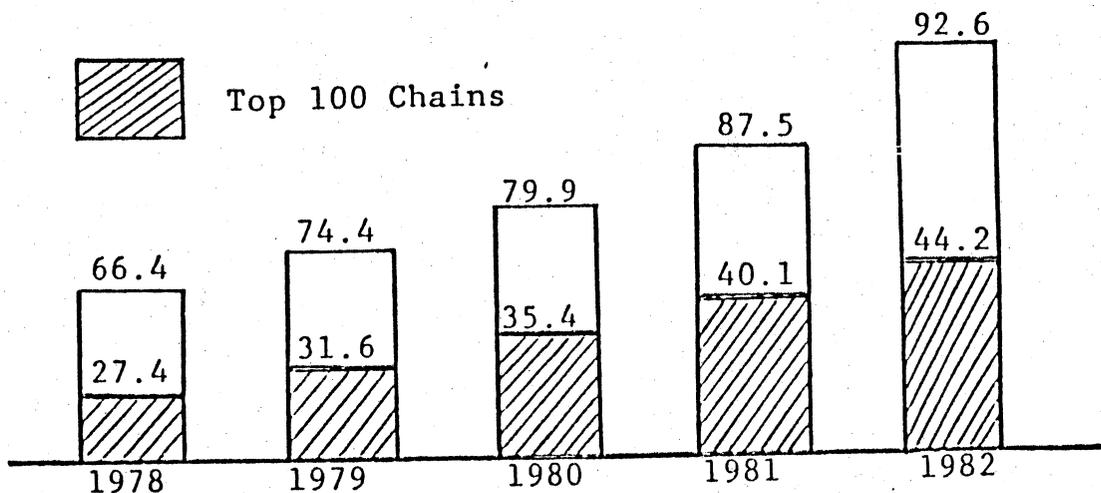
- *One and two person households comprise 54 percent of total households.
- *Non-family households comprise 30.3 percent of total households.
- *White collar workers comprise 59.9 percent of the working population compared to a 50 percent national average.

*Unemployment is approximately 3.9 percent and is expected to remain low through the 1980's (see appendix 1).

*Approximately 50 percent of households have income in excess of \$25,000 (see appendix 2).

*Market indexes of 117 for fast food/take-outs and 130 for atmosphere/specialty restaurants indicate a great propensity to eat out (see appendix 3).

RESTAURANT SALES (In Billions of Dollars)



SOURCE: TECHNOMIC CONSULTANTS, CHICAGO

The National Restaurant Association forecasts that commercial eating-away-from-home-market industry wide sales will increase by 8 to 9 percent in 1983, bringing the total to an amount in excess of \$100 billion. We believe that significant factors contributing to growing restaurant sales and the expansion of demand for fast food dining out are higher discretionary incomes, increased leisure time, greater employment among married women, more single families and more single person households.

Applebee's recognizes that the American population is getting older and that the quick service restaurant business must adapt to this demographic development. The 25 to 49 age group includes those born during the World War II baby boom and is America's fastest growing age group. Applebee's menu and decor will be directed primarily at consumers between the ages of 25 to 49 and their families. This population segment is characterized by a high

frequency of dining out in fast food restaurants. Applebee's believes that these people want and can afford to eat out more often to maintain their lifestyle. They enjoy the convenience of eating out.

Chain restaurant operators have captured almost one-half of all restaurant sales. With the advantages of cost control, experienced management, and marketing expertise, restaurant chains are growing at two to three times the rate of the total market. Applebee's has determined that finding a niche in this market can be very worthwhile.

Applebee's perceives that America's dining away from home habits and tastes are experiencing a major change in recent years. The company believes that consumers want fast food convenience but are tiring of the standard burger, fried chicken, and pizza bill of fare. People want more variety and taste. They are more quality oriented. The changing public taste seeks diversity and is increasingly sophisticated. This will require the successful restaurant chain operator to create new menu offerings and generate the birth of new chain concepts.

DEVELOPMENT

The "Development Agreement" requires the opening of:

- 1 unit in year 1
- 1 unit in year 2
- 2 units in year 3
- 1 unit in year 4
- 1 unit in year 5
- 2 units in year 6

The typical unit restaurant will be either free-standing or part of a strip or mall shopping center in prime commercial retail areas, and contain 3,400 square feet of space. It is estimated that the total cost of each restaurant will be \$610,000:

Furniture and Equipment	\$200,000
Leasehold Improvements	200,000
Franchise Fee	27,500
Legal Fees	15,000
Pre-Opening Expenses	24,000
Development Fee	100,000
Working Capital	10,000
Liquor License	3,500
Smallwares	20,000
Inventory	12,000
	<u>\$610,000</u>

AREA PROFILE

<u>Households</u>	762,376
1 Person	24.1%
2 Person	30.4%
3-4 Person	32.5%
5+ Person	12.9%
Average Household Size	2.71

<u>Families</u>	531,293
W/Children	56.8%
Married Couples	84.3%
Married Couples W/Children	55.6%
Average Family Size	3.33
Non-Family Households	30.3%

<u>Occupations</u>	
Professional/Technical	17.3%
Manager/Proprietary	12.4%
Clerical	19.6%
Sales	10.6%
White Collar	59.9%
Blue Collar	40.1%

<u>Employment</u>	
Male	48.6%
Female	51.4%

<u>Unemployed</u>	
Male	4.7%
Female	3.2%

	1980 Census		1983 Est.		1988 Est.	
POPULATION	2113533		2165410		2245499	
In Group Quarters	49039		48641		48012	
PER CAPITA INCOME	\$ 8633		\$ 11291		\$ 15019	
AGGREGATE INCOME (\$Mil)	18245.7		24450.7		33725.1	
HOUSEHOLDS	762376	%	808342	%	873377	%
By Income						
Less than \$ 5,000	68379	9.0	51013	6.3	36007	4.1
\$ 5,000 - \$ 9,999	94382	12.4	83566	10.3	70309	8.1
\$ 10,000 - \$ 14,999	100399	13.2	88088	10.9	82225	9.4
\$ 15,000 - \$ 19,999	102099	13.4	80208	9.9	80335	9.2
\$ 20,000 - \$ 24,999	105738	13.9	98227	12.2	64136	7.3
\$ 25,000 - \$ 29,999	89309	11.7	84361	10.4	71901	8.2
\$ 30,000 - \$ 34,999	66883	8.8	72467	9.0	76573	8.8
\$ 35,000 - \$ 39,999	43442	5.7	64696	8.0	70452	8.1
\$ 40,000 - \$ 49,999	45524	6.0	87172	10.8	113409	13.0
\$ 50,000 - \$ 74,999	32369	4.2	72020	8.9	148176	17.0
\$ 75,000 +	13860	1.8	26542	3.3	59879	6.9
Median Household Income	\$ 20699		\$ 25182		\$ 32076	
Average Household Income	\$ 23694		\$ 29978		\$ 38344	
FAMILIES	531293	%	563093	%	590480	%
By Income						
Less than \$ 5,000	20433	3.8	20601	3.7	17710	3.0
\$ 5,000 - \$ 9,999	43110	8.1	27502	4.9	21766	3.7
\$ 10,000 - \$ 14,999	56028	10.5	40300	7.2	30779	5.2
\$ 15,000 - \$ 19,999	68401	12.9	54195	9.6	37924	6.4
\$ 20,000 - \$ 24,999	84403	15.9	59247	10.5	46078	7.8
\$ 25,000 - \$ 29,999	77669	14.6	78922	14.0	45533	7.7
\$ 30,000 - \$ 34,999	59629	11.2	68127	12.1	49748	8.4
\$ 35,000 - \$ 39,999	39049	7.3	55361	9.8	63131	10.7
\$ 40,000 - \$ 49,999	40921	7.7	77340	13.7	100708	17.1
\$ 50,000 - \$ 74,999	28964	5.5	59569	10.6	128286	21.7
\$ 75,000 +	12686	2.4	21910	3.9	48805	8.3
Median Family Income	\$ 24582		\$ 30056		\$ 38619	
Average Family Income	\$ 27778		\$ 34786		\$ 43967	

RESTAURANTS: ANNUAL SALES POTENTIAL, 1983

	AGGREGATE (\$000)	PER CAPITA	MARKET INDEX
TOTAL FOOD IN RESTAURANTS	954310	450.83	121
Fast Food/Take Outs	378229	178.60	117
Family/Coffee Shops	310776	146.02	119
Cafeterias	36130	17.07	118
Atmosphere/Specialty	229176	108.27	130
TOTAL ALCOHOLIC BEVERAGES IN RESTAURANTS	72485	34.24	128

SUPPORTABLE NUMBER OF SEATS	
Fast Food/Take Outs	46679
Family/Coffee Shops	77047
Cafeterias	12275
Atmosphere/Specialty	66310
TOTAL	202312

CITY OF MAPLEWOOD
1830 E. County Road B
Maplewood, Minnesota 55109

APPLICATION FOR
SUNDAY LIQUOR LICENSE

I, Thomas Benard Athmann, doing business at _____
3001 White Bear Ave, under the business name of
Midwest Restaurant Assoc - Applebee's, hereby make application for a
license to sell liquor between the hours of 10:00 A.M. and 12:00 midnight on Sundays
at the above location.

I hereby certify that meals are served, and will be served on Sundays, at this location,
that there is table seating capacity for 30 or more persons at one time, and that I
presently hold on-sale liquor license, issued by the City of Maplewood.

Signed,

Signature of Applicant

Address

The seating capacity at the above is 1105±.

Date: _____

License Fee is \$200.00 per year. (License year is from January 1, through December 31)

LICENSE FEE PAID _____

RECEIPT NO. _____

LICENSE NO. _____

November 28, 1990



To Whom It May Concern:

I, Thomas Bernard Athmann, do not have any other liquor interests.

Sincerely,

A handwritten signature in cursive script that reads "Thomas B. Athmann". The signature is written over a horizontal line.

Thomas B. Athmann



Personal
Financial Statement

To: Norwest Bank Minnesota, N.A.

If I have any questions regarding the completion of this form, I should contact my representative at the bank.

I may apply for a credit extension, loan or other financial accommodation alone or together with someone else, ("co-applicant"). If I apply with a co-applicant and our combined assets and debts can meaningfully and fairly be presented together, the co-applicant and I may complete this required statement and any supporting schedules jointly. Otherwise, separate forms and schedules are required.

APPLICANT

Name Thomas E. Johnson Social Security number _____

Address _____

Telephone number _____ Date of birth _____

Present employer _____ Position _____

Address _____

Business phone _____ Loan purpose _____

CO-APPLICANT

Name _____ Social Security number _____

Address _____

Telephone number _____ Date of birth _____

Present employer _____ Position _____

Address _____

Business phone _____ Loan purpose _____

Date of valuation _____

- Round all amounts to the nearest \$100
- Attach separate sheet if you need more space to complete detail schedule

Assets (assets you own)	Amount	Liabilities (debts you owe)	Amount
Cash in this bank: Checking	600 —	Loans payable to banks (schedule 7)	7,400 —
Savings	300 —	Loans payable to others (schedule 7)	
C.D.s	— 0 —	Installment contracts payable (schedule 7)	3,000 —
IRA	— 0 —	Amounts due to dept. stores and others	100 —
Cash in other banks	6 — 0	Credit cards (MasterCard, Visa & others)	700 —
Due from friends, relatives and others (schedule 1)	—	Income taxes payable	
Mortgage and contracts for deed owned (schedule 2)	—	Other taxes payable	
Securities owned (schedule 3)	—		
Cash surrender value of life insurance (schedule 4)	—	Loans on life insurance (schedule 4)	
Homestead (schedule 5)	—		
Other real estate owned (schedule 5)	86,000 —	Mortgage on homestead (schedule 6)	84,000 —
Automobiles (year, make, model)		Mortgage or liens on other real estate owned (schedule 6)	
86 Ford Tempo	3,000 —	Contracts for deed (schedule 6)	
85 Ford LTD	4,000 —		
Personal property	20,000 —	Other liabilities (detail)	
Other assets (detail)			
		TOTAL LIABILITIES	
		Net worth (total assets less total liabilities)	
TOTAL	113,900 —	TOTAL	95,200 —

Annual income	Applicant	Co-applicant	Contingent liabilities	Amount
Salary	30,000 —		As endorser	
Commissions	10,000 —		As guarantor	
Dividends			Lawsuits	
Interest			For taxes	
Rentals			Other (detail)	
Alimony, child support or maintenance (you need not show this unless you wish us to consider it).				
Other				
			<input type="checkbox"/> Check here if "none"	
TOTAL INCOME	40,000 —		TOTAL CONTINGENT LIABILITIES	

SCHEDULE 1 DUE FROM FRIENDS, RELATIVES AND OTHERS

Name of debtor	Owed to	Collateral	How payable	Maturity date	Unpaid balance
			\$ per		
			\$ per		
			\$ per		
TOTAL					

SCHEDULE 2 MORTGAGE AND CONTRACTS FOR DEED OWNED

Name of debtor	Type of property	1st or 2nd lien	Owed to	How payable	Unpaid balance
				\$ per	
				\$ per	
				\$ per	
				\$ per	
TOTAL					

Have I ever gone through bankruptcy or had a judgment against me?

APPLICANT

Yes No

CO-APPLICANT

Yes No

Are any assets pledged or debts secured except as shown?

Yes No

Yes No

Have I made a will?

Yes No

Yes No

Number of dependents (if none, check "None")

3 None

 None

Marital status (answer only if this financial statement is provided in connection with a request for secured credit or applicant is seeking a joint account with spouse.)

Married

Married

Separated

Separated

Unmarried

Unmarried

(Unmarried includes single, divorced, widowed)

The foregoing statement, submitted for the purpose of obtaining credit, is true and correct in every detail and fairly shows my/our financial condition at the time indicated. I/we will give you prompt written notice of any subsequent substantial change in such financial condition occurring before discharge of my/our obligations to you. I/we understand that you will retain this personal financial statement whether or not you approve the credit in connection with which it is submitted. You are authorized to check my/our credit and employment history or any other information contained herein.

THE UNDERSIGNED CERTIFY THAT THE INFORMATION CONTAINED ON THIS FORM HAS BEEN CAREFULLY REVIEWED AND THAT IT IS TRUE AND CORRECT IN ALL RESPECTS.

12/5/90
Date

Thomas B. Ahmann
My signature

Date

Co-applicant signature (if you are requesting the financial accommodation jointly)

Mark T. Johnson
Personal Banker



Norwest Bank Minnesota, N.A.
MetroWest Office
1011 First Street South
Hopkins, MN 55343
612/932-3018

CUSTOMER NUMBER 20501500
CUST OFC 1 6-COLEMAN BRENDA
OFC 1 PHN. 612-932-3065 EXT 0000
RESP AREA METROW CONSUMER BNKG
CUSTOMER SINCE 05/02/1986
CUSTOMER TYPE INDIVIDUAL
TIN..... 471-66-4033
HC CMNT N RSTR N

ZIP. 55024 PHONE 000-000-0000
CMNT

STATE MN
EXT 0000

ENTER "I" TO INQUIRE "C" FOR CMNT OR "R" FOR RSTR

CL	ACCT NUM\PROD NAME	PREV DAYS	BAL\LOC	RATE\REL	STATUS\RISK	C	R
LOC	8503999		600.00	.00000	ACTIVE	N	N
	EA LINE OF CREDIT		1,300	PRIMARY JT-OR		N	

*** LAST REQUEST COMPLETED SUCCESSFULLY ***
3270 PASSTHRU EMULATION |11/30/90|

BANK 751660 NORWEST BANK MINNESOTA, N.A. 15:18:33 PAGE 1 MORE
CUSTOMER CREDIT PROFILE CURRENT ICUCRD NEXT
COMMAND

NAME THOMAS B ATHMANN

CUSTOMER NUMBER 20060792
CUST OFC 1 6-SOHLT, PATTY
OFC 1 PHN. 612-435-2001 EXT 0000
RESP AREA BLMTN-BURNS CONS BNK
CUSTOMER SINCE 08/30/1990
CUSTOMER TYPE INDIVIDUAL
TIN..... 471-66-4033
HC CMNT N RSTR N

ADDR 17321 FIRMAN CT

CITY FARMINGTON STATE MN
ZIP. 55024 PHONE 612-432-2724 EXT 0000
CMNT

ENTER "I" TO INQUIRE "C" FOR CMNT OR "R" FOR RSTR

CL	ACCT NUM\PROD NAME	PREV DAYS	BAL\LOC	RATE\REL	STATUS\RISK	C	R
ILA	1677688		7,390.98	12.75000	ACTIVE	N	N
	INSTALLMENT LOAN			PRIMARY BORROWER		N	

*** LAST REQUEST COMPLETED SUCCESSFULLY ***
3270 PASSTHRU EMULATION |11/30/90|

BANK 750161
DEPOSIT PROFILE

NORWEST BANK MINNESOTA, N.A.
CURRENT ICUDEP

15:15:11 PAGE 1 MORE
NEXT

THOMAS B ATHMANN

ADDR 17321 FIRMAN CT

CITY FARMINGTON
ZIP. 55024
CMNT

PHONE 000-000-0000

STATE MN CUSTOMER TYPE
EXT 0000 TIN.....

CUSTOMER NUM 20501500
CUST OFC 1 6-COLEMAN BRENDA
OFC 1 PHN. 612-932-3065 EXT 0000
RESP AREA METROW CONSUMER BNKG
CUSTOMER SINCE 05/02/1986
INDIVIDUAL
471-66-4033

HC CMNT N RSTR N

ENTER "I" TO INQUIRE "C" FOR CMNT OR "R" FOR RSTR

CL	ACCT NUM\PROD NAME	PREV DAYS	BAL\LOC	OPEN DATE\REL	STATUS	C	R
DDA	8503999		127.61	05/02/1986	ACTIVE	N	N
	RETAIL DDA		LOC	PRIMARY JT-OR			
SAV	7189184		277.61	04/29/1988	ACTIVE	N	N
	RETAIL SAVINGS			PRIMARY JT-OR			

*** LAST REQUEST COMPLETED SUCCESSFULLY ***
3270 PASSTHRU EMULATION |11/30/90|

BANK 750161
CUSTOMER DEPOSIT PROFILE
COMMAND

NORWEST BANK MINNESOTA, N.A.
CURRENT ICUDEP

15:16:10 PAGE 2
NEXT

NAME THOMAS B ATHMANN

CUSTOMER NUM 20501500
CUST OFC 1 6-COLEMAN BRENDA

ENTER "I" TO INQUIRE "C" FOR CMNT "OR" "R" FOR RSTR

CL	ACCT NUM\PROD NAME	PREV DAYS	BAL\LOC	OPEN DATE\REL	STATUS	C	R
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TOTAL PREV DAYS BAL: DDA 1

X 3270 PASSTHRU EMULATION |11/30/90|

F-1

MEMORANDUM

Action by Council:

TO:	City Manager	Endorsed_____
FROM:	Director of Community Development	Modified_____
SUBJECT:	Home Occupation License	Rejected_____
LOCATION:	1915 Manton Street	Date_____
APPLICANT/OWNER:	Melvin R. MacFarlane, Sr.	
DATE:	January 2, 1991	

INTRODUCTION

Mr. MacFarlane is requesting a home occupation license to continue operating a wholesale ice business for seven more years. (See his letter on page 8.)

The business is operating as it has in the past:

1. A year-round, seven-day-a-week operation.
2. Mr. MacFarlane is the only employee.
3. No signage.
4. The applicant is a wholesale supplier of ice. There is no on-site retail sales.
5. Mr. MacFarlane uses two pickup trucks. One is used regularly and the other is a backup. He also plans to mount an ice box on a 3' x 8' trailer this spring for special events.
6. There is continuous, low-grade noise from the refrigerator compressor units detectable off site. This is particularly true when the garage door is open or when the truck-mounted unit is operating. The opening and closing of the door for the refrigeration unit located on the truck also generates noise. Loading of this refrigeration unit occurs twice daily, seven days a week.

BACKGROUND

He has operated this business from his garage since the mid-1970's. Mr. MacFarlane had another business at his home before the ice business.

On August 8, 1981, Council granted a special exception permit for a home occupation to operate an ice plant at 1915 Manton Street. This approval was for a maximum of seven years. This approval was subject to nine conditions:

1. The delivery vehicle shall be limited to a pickup truck or like vehicle.

2. No additional ice machines shall be installed.
3. The ice plant shall not be enlarged, except a walk-in cooler may be installed.
4. Hours of operation shall be limited from 8 a.m. to 9 p.m.
5. No more than one person, other than family members residing on the premises, shall be allowed to engage in the business of operation.
6. Signage shall be limited to one sign, not to exceed two square feet in area, and mounted flat against the wall of the dwelling.
7. Noise from the compressor units shall be muffled to the maximum extent possible at all times, given existing opportunities.
8. A fire extinguisher shall be installed in the loft area. Location and extinguisher type to be approved by the Fire Marshal.
9. If the business is in operation, the Council shall review the applicant's compliance with the above conditions in three years.

ALTERNATIVES

1. Approve the request.
2. Require Mr. MacFarlane to close the business by a certain date. The City Council did this for Mr. MacFarlane in 1981.
3. Deny the request. Mr. MacFarlane would then have to stop operating the ice business from this location.

DISCUSSION

There has been a home business of one type or another on this site since at least the 1960's. Mr. MacFarlane's business is small and most of the neighbors are for it.

We did have one complaint about the noise from the compressor units. Most of the other neighbors said it was not a problem. Portable air conditioner units for private homes make as much noise as the compressors.

The strongest issue raised against the ice business in 1981 was the floor area of the business. The area devoted to the ice plant exceeds the area of the house. Home occupation guidelines limit the area for a business to no more than 20% of the floor

area. This situation is inconsistent with the intent of the home occupation guidelines.

RECOMMENDATION

- I. End the special exception permit approved in 1981.
- II. Approve a home occupation license for Melvin MacFarlane to operate an ice plant at 1915 Manton Street for seven years. At that time, Mr. MacFarlane shall end the business. This approval is subject to Mr. MacFarlane:
 1. Limiting the ice delivery vehicle to one pickup truck and one trailer for ice storage. He may use one additional pickup truck for a backup.
 2. No enlarging or adding to the existing ice-making equipment.
 3. Limiting hours of operation from 8:30 a.m. to 8:30 p.m.
 4. Being the only employee.
 5. Not allowing any signs advertising the business.
 6. Having a fire extinguisher on the premises.

CITIZEN COMMENTS

Staff surveyed the 38 property owners within 350 feet of the site. There were 13 replies. Eight were in favor, one was in favor with conditions, one was against, and three had no comment.

Those in favor had the following comments:

1. He has been there for years causing no trouble - a good neighbor.
2. I have no problem with the business. It is quiet and creates no disturbance and has been there for at least 12 years. (Ludke - 1880 Birmingham)
3. This business has not caused any problems in the years Mel has been there and to refuse would be taking away his livelihood.
4. Their operation does not generate noise or pollution.
5. In 10 years we have not incurred any repercussions from the ice business in this location.
6. See the letters on pages 9 and 10.

The one person against the business complained that the compressor noise in the summer time sounds like a semi truck running in my front yard.

REFERENCE INFORMATION

SITE INFORMATION

Existing lot area: 15,795 square feet

Existing land use: A single-family home and a 1,000-square-foot garage, converted to a wholesale ice manufacturing business

SURROUNDING LAND USES

North: Frost Avenue, Gladstone Community Center
East: Manton Street, single-family dwellings
South: Single-family dwelling
West: 4-unit apartment building

PLANNING INFORMATION

Land use plan designation: RL (residential lower density)

Zoning: R-1 (residential single dwelling)

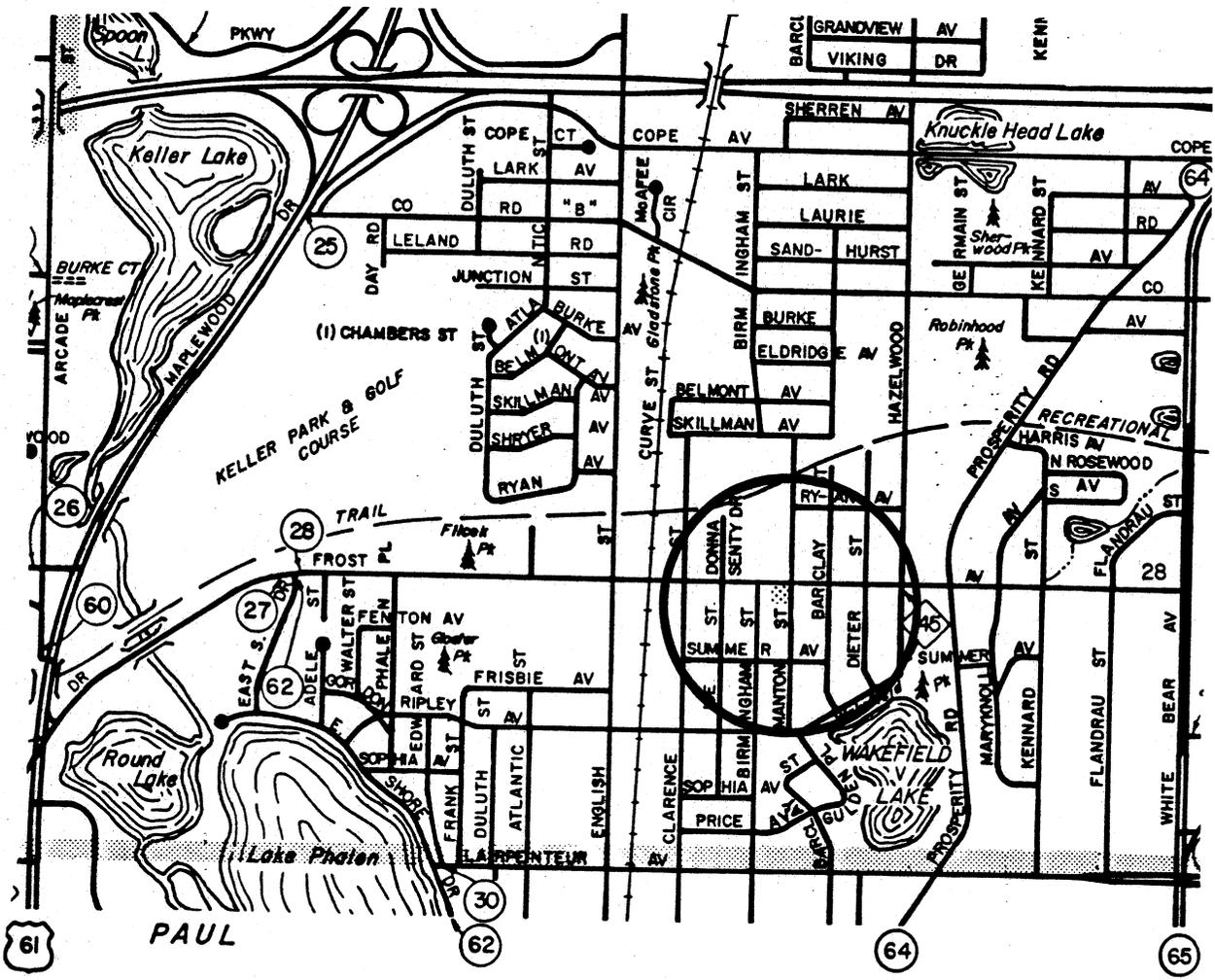
Approval standards:

Section 17-21 of the City Code gives ten standards for approving a home occupation license. (Refer to them on page 8.)

j1/MACFAR.mem

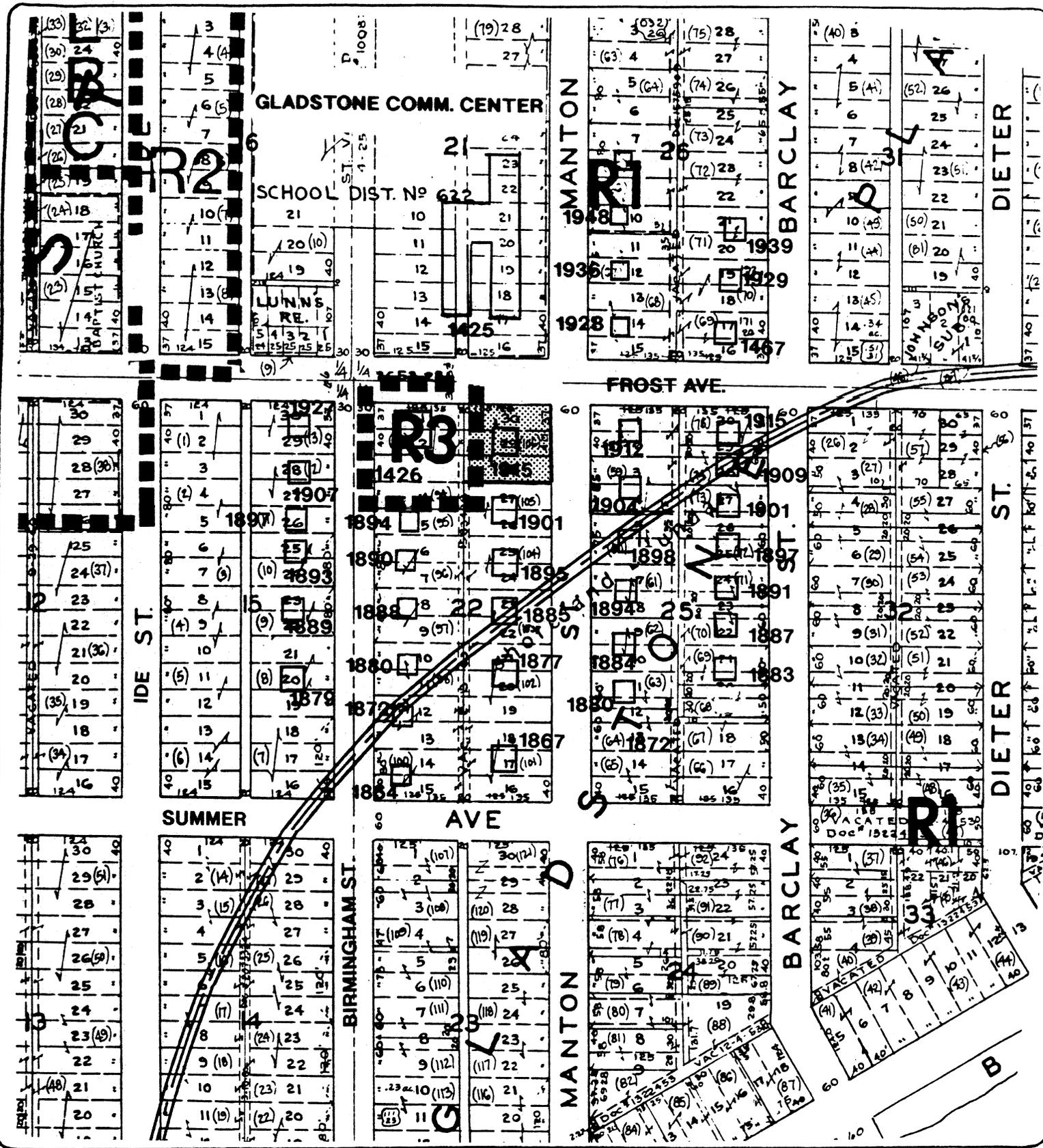
Attachments

1. Location Map
2. Property Line/Zoning Map
3. Standards for Approving a Home Occupation License
4. Letter from Melvin MacFarlane
5. Letter from Dean Andrew
6. Letter from Florence Morris



LOCATION MAP

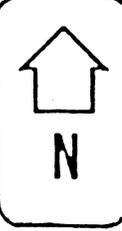




PROPERTY LINE / ZONING MAP

 PROPERTY IN QUESTION

R1=RESIDENTIAL SINGLE DWELLING
R3=RESIDENTIAL MULTIPLE DWELLING



HOME OCCUPATION LICENSE REQUIREMENTS

1. The volume of traffic must not exceed what is normally found in a residential neighborhood. The need for off-street parking spaces shall not exceed more than three spaces at one time, in addition to the parking spaces required by the residents.
2. You must not have more than one nonresident employee working on your property. Nonresident employees who work off-premises may visit your property. If an on-site employee is parking on site, off-site employees shall not leave their vehicles on site. If there is no on-site employee vehicle parked on site, one off-site employee may park his or her vehicle on site.
3. No vehicles associated with the home occupation, including customers or employees, shall be parked on the street or block sidewalks or public easements. Private vehicles used by the residents are not included in this requirement.
4. An area equivalent to no more than 20% of each level of the house, including the basement and garage, shall be used in the home occupation.
5. There shall be no change visible off premises to the outside appearance of the building or premises that would indicate the conduct of a home occupation, other than one sign meeting the requirements of the City sign code.
6. No more than 20% of business income shall come from the sale of products produced off site unless approved by the City Council.
7. You cannot use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. Electrical equipment shall not create visual or audible interference with any radio or television receivers or cause fluctuations in line voltage off the premises.
8. There shall be no fire, safety or health hazards.
9. A home occupation shall not include the repair of internal combustion engines, body shops, machine shops, welding, ammunition manufacturing or other objectionable uses as determined by the City. Machine shops are places where raw metal is fabricated using machines that operate on more than 120 volts of current.
10. If you do not comply with these requirements, the City Council may revoke your license.
11. The City may waive any of these requirements if the home occupation is located at least 350 feet from the property line of an adjacent residence.
12. The City Council may add any additional requirements to insure that your business will be compatible with nearby land uses.

MAPLEWOOD ICE COMPANY

(612) 777-7245

1915 Manton St.

Maplewood, Mn. 55109

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

Attention: Ken Roberts

I would like to respectfully request that you consider extending my special use permit which you gave me over the past years.

With God granting me health and the City's permission I would like to continue to operate my business for another seven years when I hope to retire at the age of 65.

I also want to take this opportunity to express thanks and appreciation for the past years that the City has allowed me to operate.

Kindly,

Mel MacFarlane

Mel MacFarlane
Maplewood Ice Company

I do have several concerns.

Mel has been a good neighbor and has responded to my suggestions and comments in the past. One concern, though, is property value. I would not want to see a permanent rezoning to allow commercial development take place on the corner of Manton and Grant.

Noise after 9 p.m. has been the biggest problem for me with the business. If Mel would restrict business to say 7 AM to 9 PM, this would not be a problem. Especially in summer, late night activities have been a "small" problem. (When I loose sleep, no problem seems "small" at the time.)

Another concern is the number and size of trucks. At the present level of operation - 2 to 3 small pickups, things are fine. But I wouldn't want to see more trucks or an expanded operation.

Debra L. Andrews
1904 MANTON ST.

~~Commissioner Fischer seconded~~

Ayes--Anitzberger,
Axdahl, Fischer,
Frost, Gerke,
Pearson, Rossbach

~~Nays--Cardinal~~

~~The motion passed.~~

6. NEW BUSINESS

- a. 1915 Manton Street (MacFarlane): Special Exception and Home Occupation

Secretary Olson presented the staff report. The Commission discussed this request and asked questions of the applicant.

Commissioner Cardinal moved the Planning Commission:

- (1) End the special exception permit approved in 1981.
- (2) Approve a home occupation license for Melvin MacFarlane to operate an ice plant at 1915 Manton Street for seven years. At that time, Mr. MacFarlane shall end the business. This approval is subject to Mr. MacFarlane:
 - (a) Limiting the equipment delivery vehicle to one pickup truck. He may use one additional pickup truck for a backup.
 - (b) No enlarging or adding to the existing equipment.
 - (c) Limiting hours of operation from 8:30 a.m. to 8:30 p.m.
 - (d) Being the only employee.
 - (e) Not allowing any signs advertising the business.
 - (f) Having a fire extinguisher on the premises.

Commissioner Fischer seconded

Ayes--Anitzberger,
Axdahl, Cardinal,
Fischer, Frost,
Gerke, Pearson,
Rossbach

The motion passed.

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

MEMORANDUM

TO: City Manager
FROM: Director of Community Development
SUBJECT: Land Use Plan and Zoning Change
LOCATION: Ariel Street, north of 11th Avenue
DATE: January 2, 1991

SUMMARY

INTRODUCTION

The City Council is considering changing the City's land use plan for four properties on Ariel Street, north of 11th Avenue. The northerly two properties are owned by Ramsey County. They bought this land to remain as open space. 2499 Ariel Street is a single-family home owned by Louis and P. Kamrath. The corner parcel is owned by Hillcrest Development. The location of these properties are shown on page 10.

The land use plan is the City's guide as to how property should develop in the future. The proposed change is from RH (residential high density) and LSC (limited service commercial) to RL (residential low density). The map on page 8 shows the existing plan. The definitions of each land use classification are on page 6.

The zoning determines the current rights to use property. The Council is proposing to change the zoning of the shaded area on page 10 from F (farm residential) to R-1 (single-dwelling residential). The main difference between these two zones is that the F zone allows single-family homes and agricultural uses, while the R-1 zone only allows single-family homes.

BACKGROUND

November 16, 1989: The City Council asked Staff to study the properties that have zoning and land use designations that allow different types of uses. The Council wanted to study these areas as part of an update of the City's Comprehensive Plan.

August 20, 1990: The Council reviewed staff's study and made proposals for changes to several areas, including this one.

ALTERNATIVES

The Council should change the land use plan for the Ramsey County land to OS (open space). The City has already planned the County land to the north as open space.

The Council should rezone the entire study area to R-1, until someone proposes a development. This will give the City a little more control and avoid tax increases to the property owners.

The only remaining question is what to do with the land use plan

for the remaining land between the County property and 11th Avenue. There are several alternatives:

1. Plan the entire area RL (low density residential).
2. Plan the entire area for RH (high density residential).
3. Plan the entire area for RM (medium density residential).
4. Plan the entire area for LSC (limited service commercial).
5. Plan the the frontage on 11th Avenue for LSC and the rest of the area for RH or RM.

The Council should also decide which classification to use on the update of the land use plan. The Council decided to switch to zoning classifications when the land use plan is updated this year. The RL classification will become R-1. There are choices for the LSC, RH and RM classifications. The LSC could become LBC (office) or BC(M) (business commercial modified). I would recommend LBC, which is the zoning on the site to the west. The RH or RM classification would become R-3 (multiple dwelling). The Council could further define the type of multiple dwelling by using R-3A (17 or fewer units per building), R-3B (18 or more units per building) or R-3C (townhouses).

DISCUSSION

My main objective in recommending an alternative is to protect the homes on Ariel Street and give Hillcrest Development a marketable use for their land. The best way to protect the homes is to plan the property in one classification. The whole property could then be developed as one project. This would make it easier for the City to require a design that is compatible with the homes on Ariel Street. The City could prohibit access to Ariel Street and require screening and increased setbacks to protect these homes. This makes alternative five the least desirable.

Alternative one, single dwellings, is the second least desirable. If a cul-de-sac is built off Ariel Street, it would add traffic in front of the existing homes and result in double-fronting lots on 11th Avenue. This problem could be resolved by building two cul-de-sacs off 11th Avenue. (Refer to the two plans on pages 11 and 12.) The property owner, however, would prefer commercial or multi-family development. He has not had any interest in the property for single dwellings. There will probably be a problem with the traffic noise from 11th Avenue in the future. Staff took sound tests on the north side of 11th Avenue at the 30-foot setback. The sound levels just met the State's regulations. As the north and south sides of 11th Avenue develop, traffic and sound levels will increase and probably exceed State standards. Multiple dwellings could be designed to put the living units on the north and the garages or open space along 11th Avenue.

There are three reasons for an RH or RM use:

1. An RM or RH classification will generally produce less traffic than an office use. Especially since the Council reduced the maximum densities allowed for multiple dwellings. This is important because of the growing traffic congestion at the intersection of 11th and White Bear Avenues.
2. Multiple dwellings may help the City meet regional housing goals. The City could particularly use modest-cost housing, such as townhouses, small apartment buildings and double dwellings.
3. Multiple Dwellings are a practical use for Hillcrest Development. Multiple dwellings were recently built on the south side of 11th Avenue in North St. Paul.

The Council should include 2499 Ariel Street in the same classification as the Hillcrest Development property. It seems possible that this home could be purchased and added to the Hillcrest property to enlarge the site. This may be practical for a developer, since the home is relatively small and the property is large. Including the home with a development to the south would also avoid land use conflicts.

RECOMMENDATION

1. Approve the resolution on page 13. This resolution changes the land use plan for the 11th Avenue frontage of the Hillcrest Development property from LSC to RH. It also changes the plan for the County property from RH to OS. Approval is on the basis that:
 - a. An RM or RH classification will generally produce less traffic than an office use, especially since the Council reduced the maximum densities allowed for multiple dwellings. This is important because of the growing traffic congestion at the intersection of 11th and White Bear Avenues.
 - b. Multiple dwellings may help the City meet regional housing goals. The City could particularly use modest-cost housing, such as townhouses, small apartment buildings and double dwellings.
 - c. Multiple Dwellings are a practical use for Hillcrest Development. Multiple dwellings were recently built on the south side of 11th Avenue in North St. Paul.
 - d. The change would be consistent with the goals and policies in the Comprehensive Plan.
 - e. The RH classification would allow the property to develop as one project. This would allow the City more flexibility in requiring designs that protect the homes on Ariel Street.

- f. The County purchased their property for open space.
2. Approve the resolution on page 15, which changes the zoning on the entire study area from F to R-1. Approval is based on the findings required by code.
 3. Direct staff to designate 2499 Ariel Street and the Hillcrest Development property for R-3C (townhouse) use on the update of the land use plan.

CITIZENS' COMMENTS

Staff surveyed the 42 property owners within 350 feet of the site. There were 15 replies. The five replies from Maplewood were all opposed to single family. The following comments were recieved:

1. I wonder if the surrounding community will be penalized for utilities and roads for this development.
2. This area has become too commercial to make single family dwellings desirable.
3. I object because the proposed zoning change is a more restrictive classification. You should acknowledge that with the changes that have occurred in this area it is not best suited for more residential occupants but rather conducive to more commercial interests.
4. I object because it would be of no benefit to me. It would only raise taxes.
5. I favor either leaving the existing land use plan as is or changing our entire piece of property to LSC. Our inquiries have mostly been commercial in nature, with some multi-family. I believe it's in everyone's best interest to lay this matter over until the Spring of 1991. (Hillcrest Development)

Louis Kamrath, of 2499 Ariel Street, wants his options kept open to develop the back of his lot for either residential or commercial. He would like German Street built for access.

There were ten residents from North St. Paul. Five wanted single dwellings and five wanted multiple dwellings or leave the land use plan as it is. None of these residents wanted office or commercial.

REFERENCE INFORMATION

SITE INFORMATION

Plan change study area: 7 acres

Existing land uses: There is one house at 2499 Ariel Street. Ramsey County Open Space owns the undeveloped land north of 2499.

SURROUNDING LAND USES

Northerly: undeveloped owned by Ramsey County Open Space and land planned for OS (open space)

Southerly: 11th Avenue and undeveloped land planned for LSC

Westerly: White Bear Avenue Professional Center and one house

Easterly: Ariel Street and single dwellings

PLANNING

Land Use Definitions

Limited Service Commercial (LSC) - Permitted uses include: gas sales with no more than two pumps on a single island and other commercial facilities on a neighborhood scale. Prohibited uses include: heavy industrial uses, department stores, motels, auto accessory stores, etc.

High Density Residential (RH) - This classification allows housing types such as apartments, town homes, two-family homes, nursing homes, dormitories and elderly housing. RH allows a density of 8.4 - 12 units per acre.

Medium Density Residential (RM) - This classification also allows a variety of multiple dwellings. The density ranges from 5 - 7 units per acre.

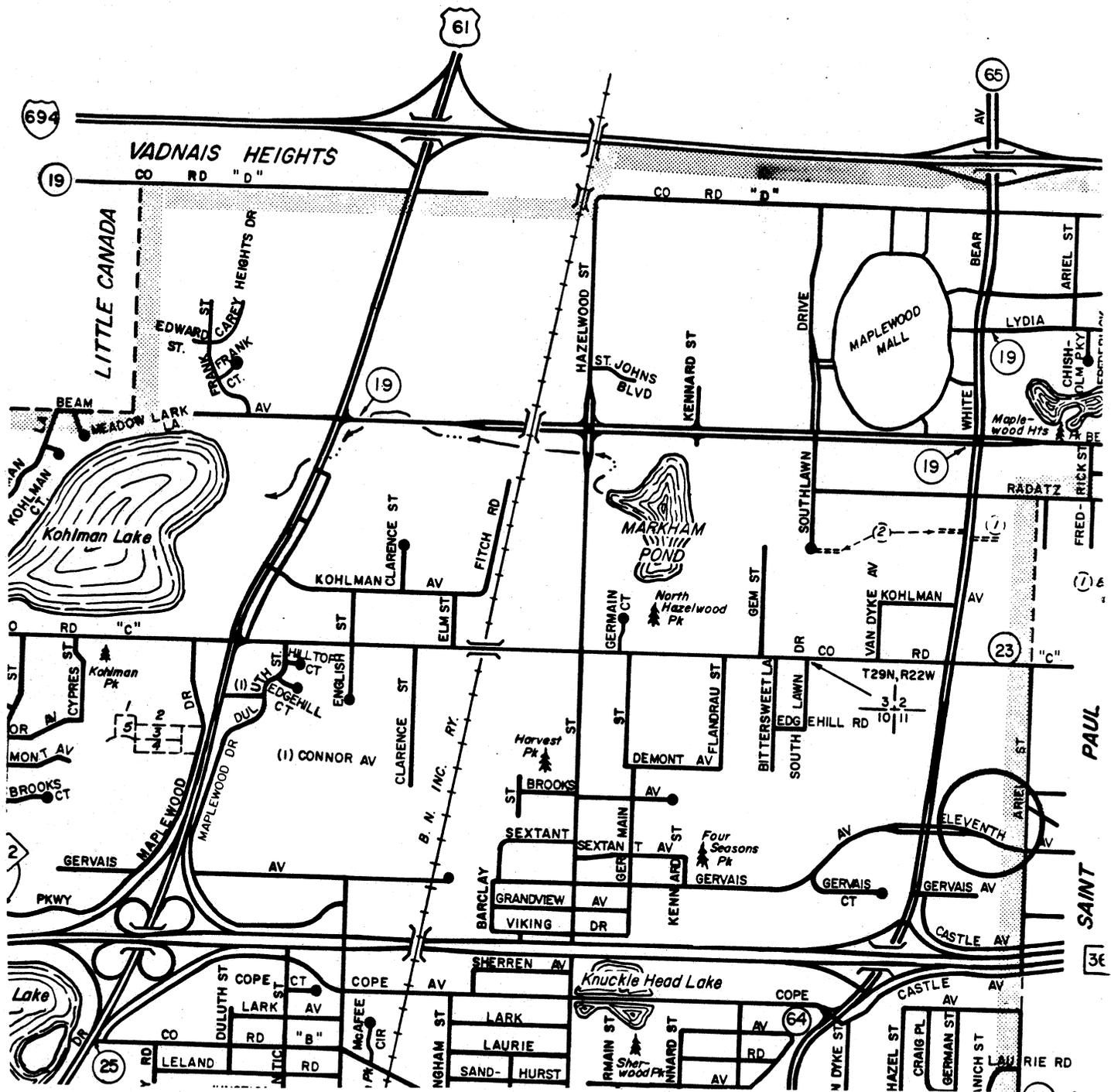
Low Density Residential (RL) - This classification allows a variety of single-dwelling homes and an occasional double dwelling. RL allows a density of 3.5 - 6.3 units per acre.

Open Space (OS) - This classification allows parks/playgrounds, natural drainage courses, cemeteries, school grounds, golf courses, lakes, pedestrian trailways and environmental protection areas encompassing wetlands and flood plains.

TEARIEL (Section 11)

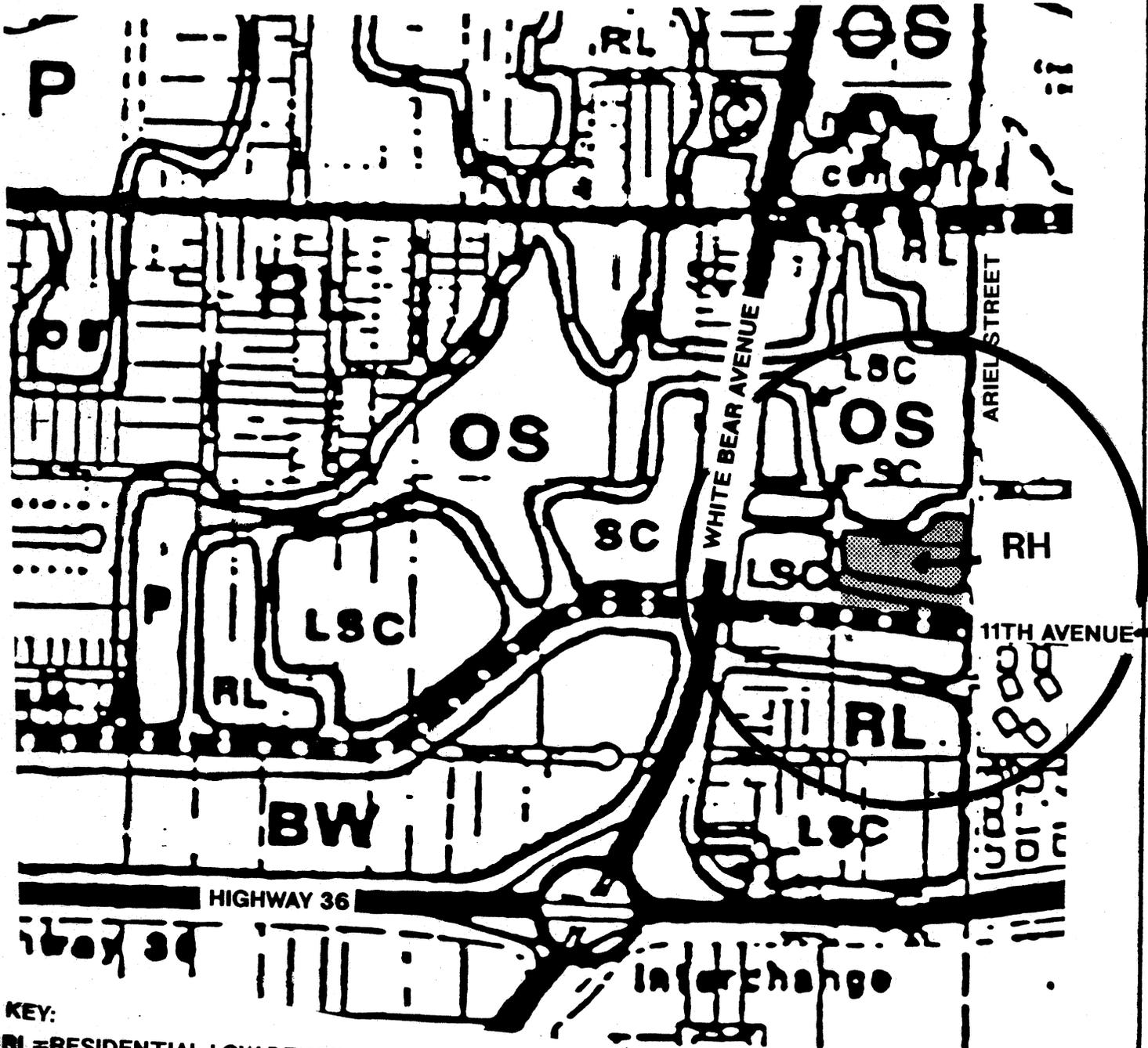
Attachments

1. Location map
2. Land Use Map (Existing)
3. Land Use Map (Staff Proposal)
4. Property Line/Zoning Map
5. Single dwelling plan off Ariel Street
6. Single dwelling plan off 11th Avenue
7. Plan Amendment Resolution - staff proposal
8. Plan Amendment Resolution - Council proposal
9. Rezoning Resolution



LOCATION MAP



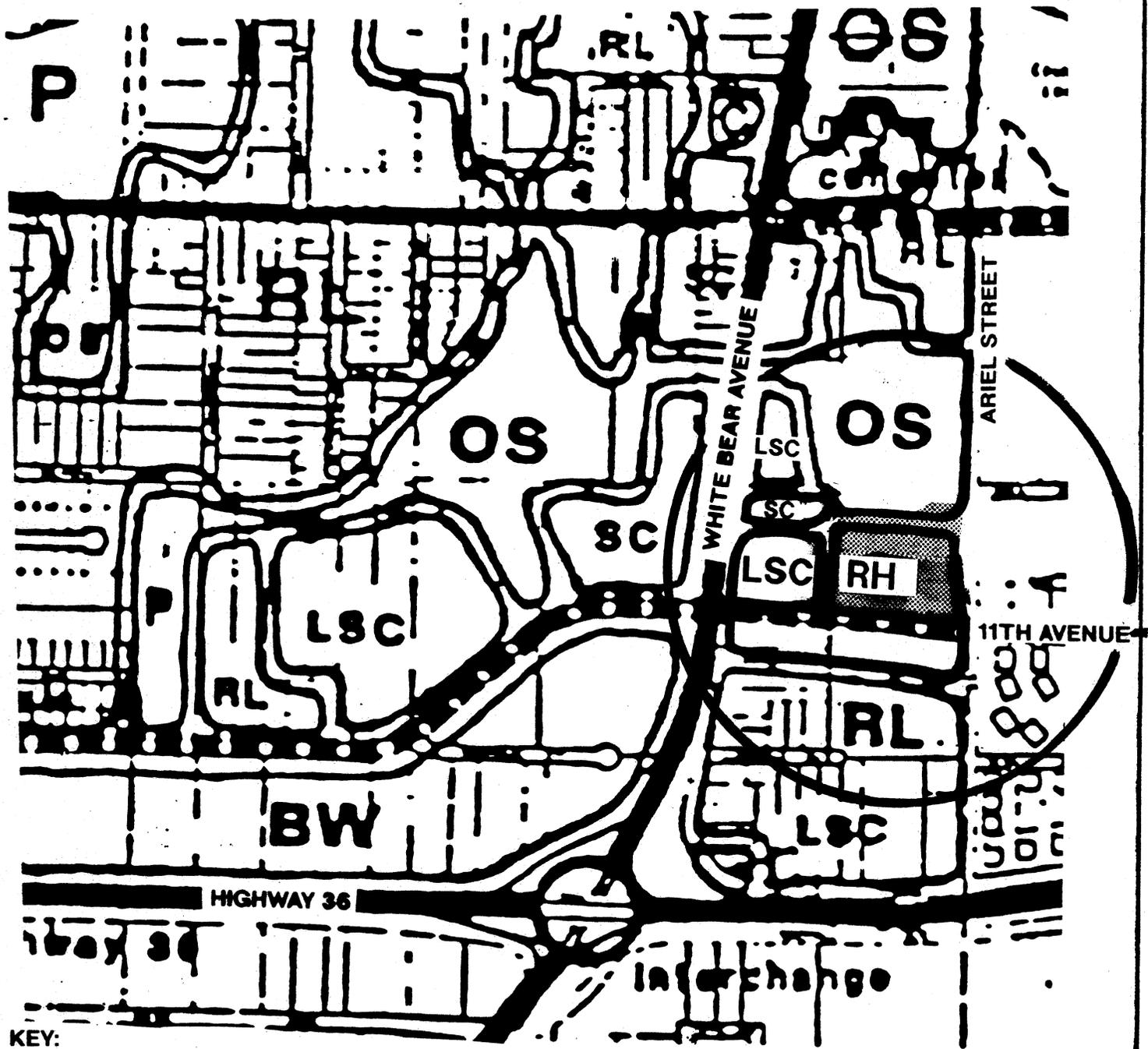


KEY:
 RL=RESIDENTIAL LOW DENSITY (SINGLE DWELLINGS)
 RH=RESIDENTIAL HIGH DENSITY (MULTIPLE DWELLINGS)
 LSC=LIMITED SERVICE COMMERCIAL
 OS=OPEN SPACE

 STUDY AREA

**EXISTING
 LAND USE PLAN**

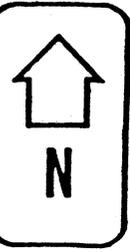


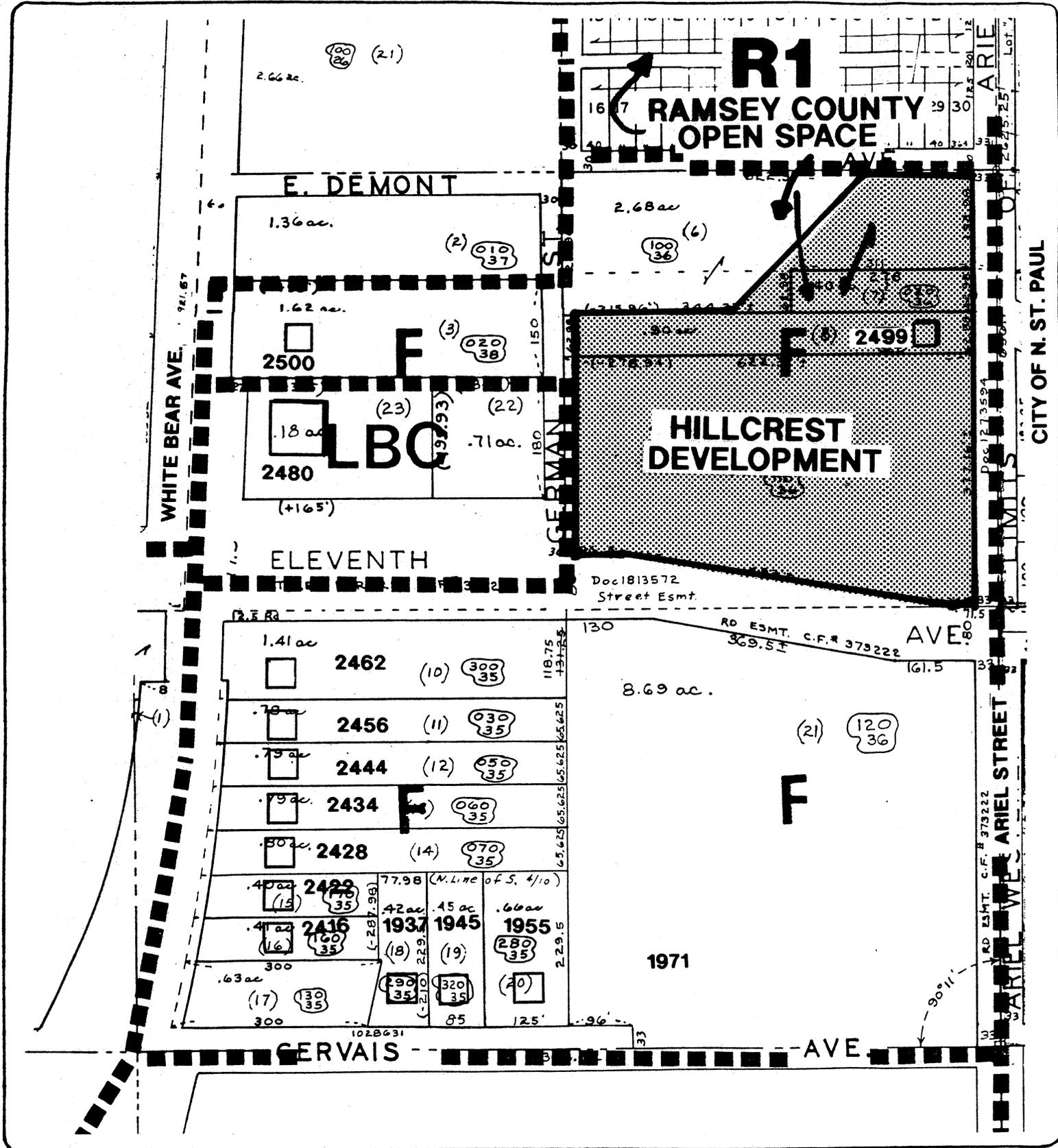


KEY:
 RL=RESIDENTIAL LOW DENSITY (SINGLE DWELLINGS)
 RH=RESIDENTIAL HIGH DENSITY (MULTIPLE DWELLINGS)
 LSC=LIMITED SERVICE COMMERCIAL
 OS=OPEN SPACE

 STUDY AREA

**STAFF PROPOSAL
 LAND USE PLAN**





PROPERTY LINE / ZONING MAP



STUDY AREA

R1= SINGLE DWELLINGS

F= FARM AND SINGLE DWELLINGS

LBC= LIMITED BUSINESS COMMERCIAL (OFFICES)



PLAN AMENDMENT RESOLUTION (LSC to RH and RH to OS)

WHEREAS, the City has initiated a change to the City's land use plan from LSC to RH and RH to OS for the land north of 11th Avenue and west of Ariel Street.

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

1. The Planning Commission held a public hearing on January 7, 1991 to consider this plan amendment. City staff published a notice of this hearing in the Maplewood Review and sent notices to the surrounding property owners as required by law. The Planning Commission gave everyone at the hearing a chance to speak and present written statements. The Planning Commission recommended that the City Council _____ the plan amendment.
2. The City Council discussed the plan amendment on _____, 1991. They considered reports and recommendations from the Planning Commission and City staff.

NOW, THEREFORE, BE IT RESOLVED that the City Council approve the above-described plan amendment as shown in the January 2, 1991 staff report for the following reasons:

1. An RM or RH classification will generally produce less traffic than an office use, especially since the Council reduced the maximum densities allowed for multiple dwellings. This is important because of the growing traffic congestion at the intersection of 11th and White Bear Avenues.
2. Multiple dwellings may help the City meet regional housing goals. The City could particularly use modest-cost housing, such as townhouses, small apartment buildings and double dwellings.
3. Multiple Dwellings are a practical use for Hillcrest Development. Multiple dwellings were recently built on the south side of 11th Avenue in North St. Paul.
4. The change would be consistent with the goals and policies in the Comprehensive Plan.
5. The RH classification would allow the property to develop as one project. This would allow the City more flexibility in requiring designs that protect the homes on Ariel Street.
6. The County purchased their property for open space.

Adopted on _____, 1991.

PLAN AMENDMENT RESOLUTION (LSC and RH to RL and OS)

WHEREAS, the City has initiated a change to the City's land use plan from LSC and RH to RL and OS for the land north of 11th Avenue and west of Ariel Street.

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

1. The Planning Commission held a public hearing on January 7, 1991 to consider this plan amendment. City staff published a notice of this hearing in the Maplewood Review and sent notices to the surrounding property owners as required by law. The Planning Commission gave everyone at the hearing a chance to speak and present written statements. The Planning Commission recommended that the City Council _____ the plan amendment.
2. The City Council discussed the plan amendment on _____, 1991. They considered reports and recommendations from the Planning Commission and City staff.

NOW, THEREFORE, BE IT RESOLVED that the City Council approve the above-described plan amendment as shown in the January 2, 1991 staff report for the following reasons:

- 1.
- 2.
- 3.

Adopted on _____, 1991.

REZONING RESOLUTION

WHEREAS, the City has initiated a rezoning from F (farm residence) to R-1 (single dwelling) for 2499 Ariel Street, the County property to the north and the Hillcrest Development property to the South.

WHEREAS, the history of this rezoning is as follows:

1. The Planning Commission reviewed this rezoning on January 7, 1991. They recommended that the City Council _____ the rezoning.
2. The City Council held a public hearing on _____, 1991. City staff published a notice in the Maplewood Review and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing an opportunity to speak and present written statements. The Council also considered reports and recommendations from the City staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council approve the above-described rezoning as shown in the January 2, 1991 staff report for the following reasons:

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

Adopted on _____, 1991.

MINUTES OF THE MAPLEWOOD PLANNING COMMISSION
1830 EAST COUNTY ROAD B, MAPLEWOOD, MINNESOTA
JANUARY 7, 1991

1. CALL TO ORDER

Chairperson Axdahl called the meeting to order at 7:30 p.m.

2. ROLL CALL

Commissioner Roger Anitzberger	Present
Commissioner Lester Axdahl	Present
Commissioner Robert Cardinal	Present
Commissioner Lorraine Fischer	Present
Commissioner Jack Frost	Present
Commissioner Gary Gerke	Present
Commissioner Gary Pearson	Present
Commissioner William Rossbach	Present
Commissioner Marvin Sigmundik	Absent
Commissioner Brian Sinn	Absent

3. APPROVAL OF MINUTES

a. December 17, 1990

Commissioner Fischer moved approval of the minutes of December 17, 1990, as submitted.

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

4. APPROVAL OF AGENDA

Commissioner Fischer moved approval of the agenda as submitted.

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

5. PUBLIC HEARINGS

a. 7:30 p.m., Ariel Street, North of 11th Avenue: Land Use Plan Change and Zoning Change

Secretary Olson presented the staff report and discussed it with the Commissioners.

Gary Tankenoff of Hillcrest Development, 2431 Cedar Lane, Minneapolis, asked how the traffic levels and police calls on 11th Avenue are different from the

average residential street in Maplewood. Staff responded that 11th Avenue has significantly more traffic than a residential street, but did not have any information on the police calls. Mr. Tankenoff said he did not think the land use and zoning should be changed at this time, since it will have to be rezoned when the property is developed. Since the area already has considerable commercial development, Mr. Tankenoff said he did not think that dwellings fronting on Ariel Street would be appropriate.

Commissioner Fischer moved the Planning Commission recommend:

1. Approval of the resolution which changes the land use plan for the 11th Avenue frontage of the Hillcrest Development property from LSC to RH. It also changes the plan for the County property from RH to OS. Approval is on the basis that:
 - a. An RM or RH classification will generally produce less traffic than an office use, especially since the Council reduced the maximum densities allowed for multiple dwellings. This is important because of the growing traffic congestion at the intersection of 11th and White Bear Avenues.
 - b. Multiple dwellings may help the City meet regional housing goals. The City could particularly use modest-cost housing, such as townhouses, small apartment buildings and double dwellings.
 - c. Multiple dwellings are a practical use for Hillcrest Development. Multiple dwellings were recently built on the south side of 11th Avenue in North St. Paul.
 - d. The change would be consistent with the goals and policies in the Comprehensive Plan.
 - e. The RH classification would allow the property to develop as one project. This would allow the City more flexibility in requiring designs that protect the homes on Ariel Street.
 - f. The County purchased their property for open space.

2. Direct staff to designate 2499 Ariel Street and the Hillcrest Development property for R-3C (townhouse) use on the update of the land use plan.

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

The motion passed.

- b. 7:45 p.m., Land Use Plan Change: East of the BN Corridor, between Larpenteur and Ripley Avenues

Ken Roberts, Associate Planner, presented the staff report. Commissioners questioned staff regarding the projected street plans for this area.

Phillip Oswald, 2676 English Street, owner of seven of the lots proposed for changes, said the cost of street development in Maplewood with R-1 zoning would exceed the value of the lots. Mr. Oswald said he would like this property to remain zoned for multiple-density residential use.

John Shingler, 1740 English Street, said he wants this area zoned for single dwellings.

Dick Peterson, 1375 Price Avenue, said he wants the zoning to be R-1.

Don Misgen, 1367 Price Avenue, said multiple dwellings will de-value the existing dwellings in the area.

Elizabeth Radatz, 1705 Clarence Street, said she is in favor of single dwellings for this property.

Since there were no further comments from the public, the public hearing was closed.

Commissioner Rossbach moved the Planning Commission table this item until they have a chance to study the planned unit development ordinance and determine whether the Commission wants to suggest to the City Council changes to allow handling of unusual pieces of property such as this.

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

MEMORANDUM

TO: City Manager
FROM: Ken Roberts, Associate Planner
SUBJECT: **Street Vacation**
LOCATION: Sandhurst Avenue, east of Van Dyke Street
APPLICANT: Ronald Launderville
DATE: January 3, 1991

SUMMARY

INTRODUCTION

Mr. Launderville is requesting City approval of the vacation of the undeveloped Sandhurst Avenue right-of-way east of Van Dyke street. This is so Mr. Launderville may construct a detached garage on the north one-half of the right-of-way.

BACKGROUND

The City did a feasibility study about the construction of Sandhurst Avenue in 1979. This study showed that it would be unsafe to construct Sandhurst Avenue as a through street, because of the steep grades. The study did show that the City could build Sandhurst Avenue as a cul-de-sac, east from Van Dyke Street. (Refer to page 4 for a detailed history and see the map on page 7.)

ALTERNATIVES

- 1. Vacate the right-of-way.
- 2. Take no action on the vacation request.

DISCUSSION

Vacating this right-of-way would not meet State law. State law states that a City cannot vacate a street unless the vacation is in the public interest. There is public interest in this street. The owners of two of the seven abutting lots (1861 and 1877 County Road B) are opposed to the vacation. They feel the street would clean up the rear area of these lots and increase their property values. A total of six lots could be developed in this area if the City has Sandhurst built. (See the plan on page 8.) Until there is a consensus of abutting owners to vacate or build the street, the Council should take no action.

Mr. Launderville has a large lot and could build a garage without the street vacation. However, it would be easier for him to build the garage if the City vacates the street. This is because of the addition of 30 feet of property to his site. In this case, a detached garage would cause little disruption to Mr. Launderville's rear yard. With the right-of-way in place though, the City requires at least a 30-foot setback from Sandhurst

Avenue. This setback requirement for the garage would make his rear yard less usable.

RECOMMENDATION

Take no action on the street vacation.

CITIZEN'S COMMENTS

Staff surveyed the 12 property owners adjoining the Sandhurst Avenue right-of-way. There were eight replies. Three were in favor and five were opposed.

Those in favor had the following comments:

1. As for the vacation, I would like it vacated and am totally against a street being put in; I do not want a corner lot. (Hardwick - 2182 Van Dyke)
2. I am in favor of vacating Sandhurst Avenue. (Jespersen - 2242 Van Dyke)

Those opposed had the following comments:

1. We don't want any more streets or developing around here. Giving them another street and tow trucks would destroy what little is left of a quiet neighborhood! (Longfellow - 2225 Hazel Street)
2. We don't know about the area, but if it must be developed, then a road (Sandhurst) is the logical choice. (Olsen - 1849 Cty. Rd. B)
3. I would like to see a street go through and clean the land up in those back lots. (Ward - 1861 County Road B)
4. If Sandhurst is vacated it eliminates the future possible development of my rear lot. I don't believe the home owners who have development potential should be denied this right in the future. It reduces the potential to sell the rear lot. (Wilson - 1877 County Road B)
5. It is not fair to the neighbors that own property bordering Sandhurst to deny them access to their land. (Riechert - 2172 Van Dyke)

REFERENCE INFORMATION

SURROUNDING LAND USES

North: A single-family home and the rear yards of homes.
East: Single-family homes on Hazel Street.
South: The Sandhurst Avenue right-of-way and a single-family home.
West: Undeveloped property across Van Dyke Street.

HISTORY OF STREET VACATION

October 19, 1978: The City Council ordered a feasibility study for the construction of Sandhurst Avenue, between Van Dyke and Hazel Streets. The owner of 2201 Hazel Street requested this study. He owned most of the land abutting the right-of-way.

December 6, 1979: The City engineer presented the feasibility to the City Council at a public hearing. The study found that the City could not safely construct Sandhurst Avenue as a through street because of the steep grades. The City, however, could build a cul-de-sac from Van Dyke Street. Several neighbors, including Connie Launderville, spoke against the project. The City Council tabled the matter until January to allow the neighbors and developer to meet.

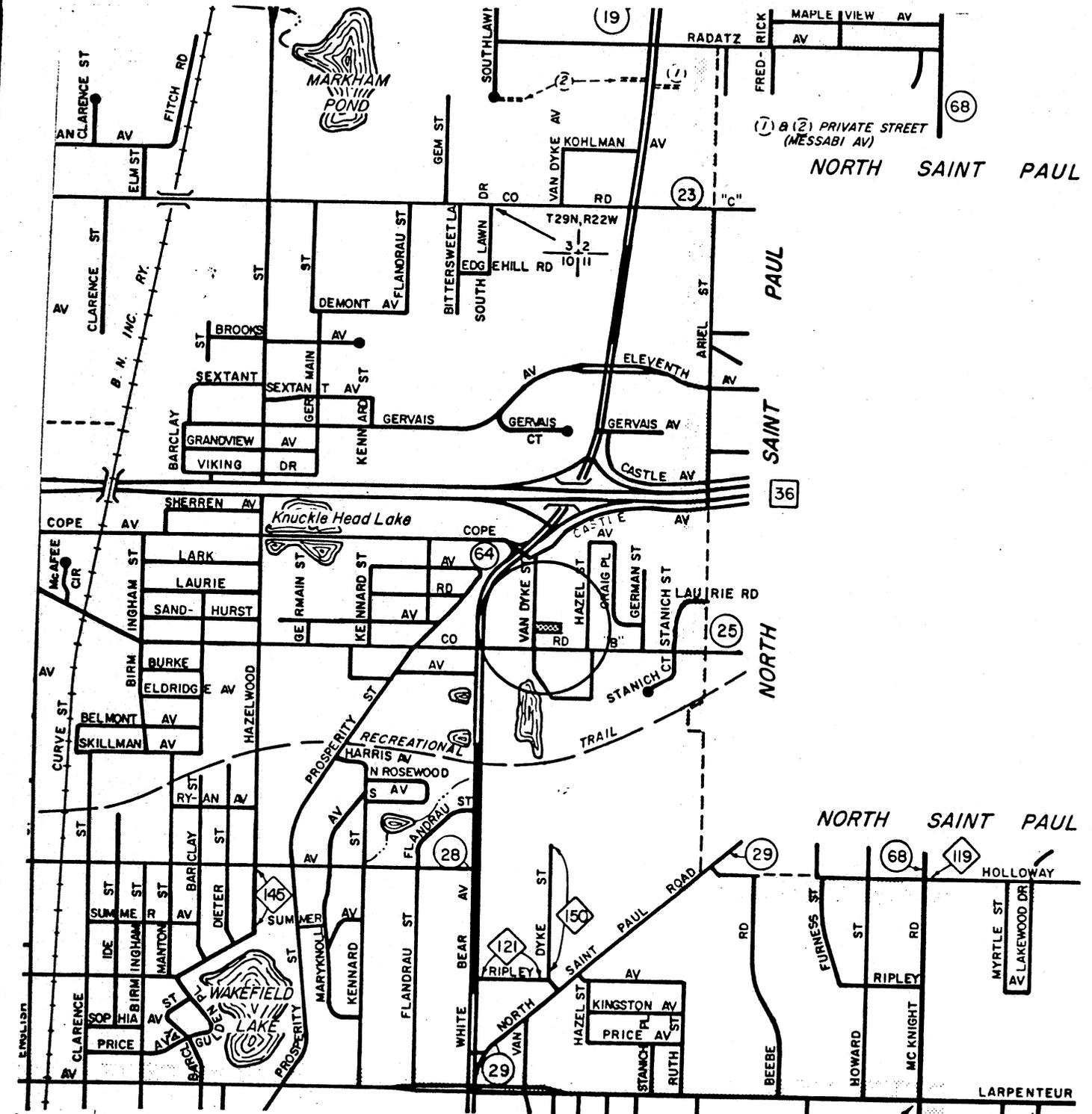
January 17, 1981: The City Council tabled this project "until further consideration was requested." Neighboring property owners were trying to buy the developer's property.

May 7, 1981: The City Council vacated the easterly 175 feet of Sandhurst Avenue and approved a preliminary plat for Hazel Street frontage. The property owner sold the rear property to the Laundervilles.

j1/LAUNDER (Section 11-29)

Attachments

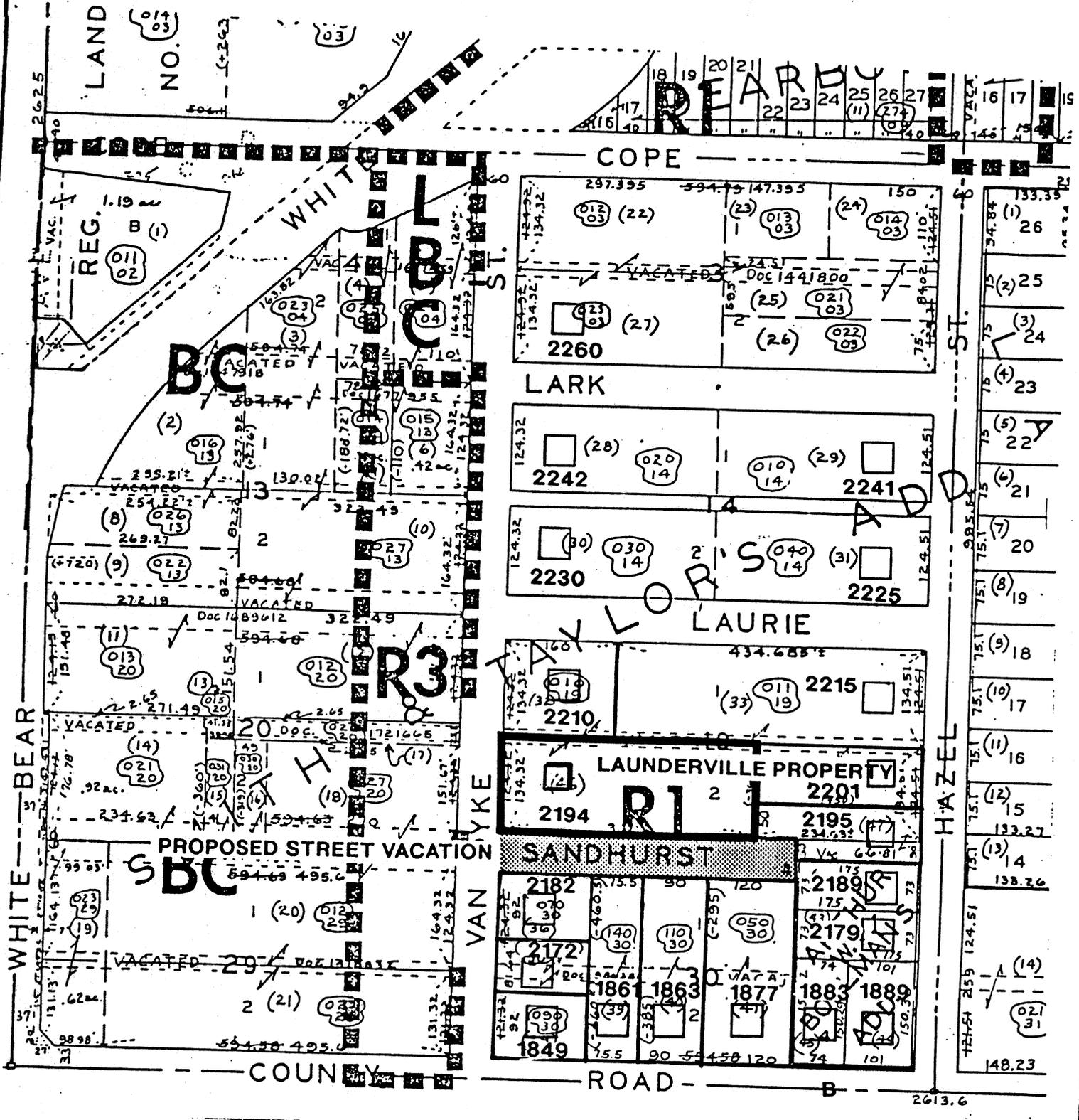
1. Location Map
2. Property Line/Zoning Map
3. Lot Rearrangement Concept and Sandhurst Street Cul-de-sac (from Project 78-21 Feasibility Report)
4. Staff Concept Lot Plan



LOCATION MAP

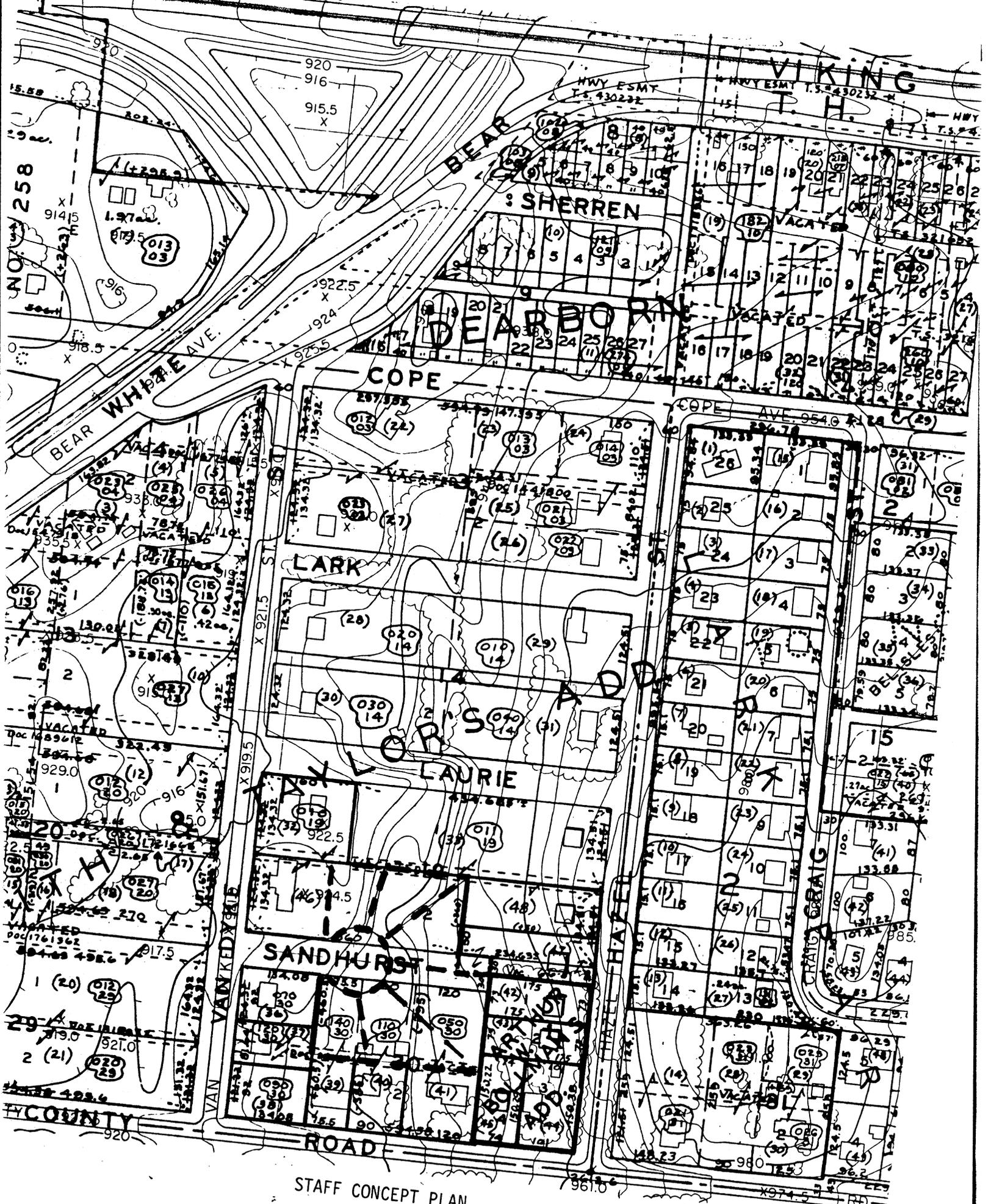


N



PROPERTY LINE/ZONING MAP





STAFF CONCEPT PLAN

b. Street Vacation: Sandhurst Avenue, east of Van Dyke Street

Ken Roberts, Associate Planner, presented the staff report.

Connie Launderville, 2194 Van Dyke Street, the owner of three parcels of land to the east of her house, said a study was done in the past on the construction of Sandhurst Avenue and it was found the cost would prohibit the development of these lots. Ken Haider, Director of Public Works, said this was true of a through street, but there would be more flexibility with a cul-de-sac. Mr. Haider said the real issue is if there is public interest in a street, which in this case there is, there can be no vacation of it.

Roy Hardwick, 2182 Van Dyke Street, said he is in the process of purchasing the property at 1861 County Road B as an enlargement of his yard and does not want Sandhurst Avenue developed, but instead would like it vacated.

Commissioner Cardinal moved the Planning Commission recommend the City Council take no action on the street vacation.

Commissioner Pearson seconded

Ayes--Anitzberger,
Axdahl, Cardinal,
Fischer, Frost,
Pearson, Rossbach

Nays--Gerke

The motion passed.

~~c. 2194 Van Dyke Street (Launderville): Conditional Use Permit and Home Occupation License~~

~~Ken Roberts, Associate Planner, presented the staff report and responded to questions from the Commissioners.~~

~~Ronald Launderville explained his request to the Commissioners.~~

~~Mr. Hardwick, 2182 Van Dyke Street, said even though the tow trucks are parked directly next to his bedroom he does not hear any noise from them. Mr. Hardwick~~

F-4

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

MEMORANDUM

TO: City Manager
FROM: Ken Roberts, Associate Planner
SUBJECT: **Conditional Use Permit and Home Occupation License**
LOCATION: 2194 Van Dyke Street
APPLICANT: Ronald Launderville
DATE: January 3, 1991

SUMMARY

INTRODUCTION

Mr. Launderville is requesting City approval of the following:

1. A conditional use permit to have two heavy commercial vehicles in the R-1 (single-family residential) zoning district.
2. A home occupation license to operate a towing business.

Mr. Launderville has been in the towing business for 11 years. He operates this business with his son, who lives on the property. This is his only business. He uses three tow trucks. He stores one at George's Auto Body on Frost Avenue. The other two he keeps at his house. This requires City Council approval of a home occupation license and a conditional use permit (CUP). The parking of any vehicle with a payload capacity greater than 3/4-ton for a home business requires a home occupation license. The storage or parking of heavy commercial vehicles (including tow trucks) in the R-1 zoning district requires City approval of a CUP.

Mr. Launderville has several vehicles on the site that are not related to the towing business. He has several cars used by the five licensed drivers that live there. He also has a converted school bus and a pick-up truck with a snowplow parked on his property. The bus is a recreation vehicle and thus is legal to have in a residential area. The City code defines a pick-up truck with a snowplow as a light commercial vehicle. Each home in an R-1 zoning district may have one light commercial vehicle.

ALTERNATIVES

1. Approve the requests.
2. Require Mr. Launderville to remove the two tow-trucks by a certain date. There is a precedent in Maplewood for such a requirement for a business. In 1981, the City Council approved a request by Mel McFarlane to operate an ice plant at 1915 Manton Street. The City has zoned this property R-1 (single-dwelling). This request was for a maximum of seven years, after which Mr. McFarlane was to end the business.

3. Deny the requests. Mr. Launderville would then have to remove the two tow-trucks. He could continue the business as an office only.

DISCUSSION

The Council should phase this business out over several years. The intent of the home occupation ordinance is to allow home occupations that do not distract from the residential character of a neighborhood. One of the requirements for a home occupation license is that there shall be no change visible off premises to the outside appearance of the building or premises that would indicate the conduct of a home occupation.

Neighborhood opinion is mixed. Three of Mr. Launderville's neighbors on Van Dyke Street, including those on either side of him, are for his request. Of the eight nearby property owners in opposition to his request, three live on County Road B and four live on Hazel Street. The effects of this home occupation on these property owners is less than the adjacent neighbors. This is because of their distance from the applicant's property as well as because of the trees screening the views between the properties. These neighbors are complaining about the storage of vehicles and junk in the yard. The two tow trucks only add to the problem.

Another issue is whether this business effects the development of the undeveloped property across Van Dyke Street. The City has zoned this property R-3 (multiple family) and planned it RM (medium density residential). These designations are for the east 140 feet of the land between Van Dyke Street and White Bear Avenue on about 3.1 acres. This area could have a maximum of 15 town homes and 22 apartments. If the City approves the towing business, it might make residential development in this area less appealing. A carefully run towing business should have minimal effect on the appeal of this property. The commercial uses along White Bear Avenue (Fina, the Quick-Lube Center and G.A.C. Auto Body) will have a much greater effect on its development appeal.

It does not seem reasonable to deny the permit. Mr. Launderville has been in business for 11 years. It is currently his only business. Mr. Launderville told me that his son could move one of the tow trucks by Oct. 1. He is getting married this summer and will be moving out. Mr. Launderville also told me that he thought he could afford to get another site for his truck after it is paid off in three years. In the meantime, the City can maintain a balance between the interests of the applicant and the nearby property owners. The City can do this through the home occupation licensing requirements and the conditions of approval of the conditional use permit. Mr. Launderville told staff that he will construct an additional garage in the spring to store the tow trucks and his personal vehicles. Mr. Launderville prefers to construct the garage after the City vacates Sandhurst Avenue. A separate report discusses the street vacation request. Mr.

Launderville also told staff that he will remove the metal storage building in the spring. With these improvements and the proposed conditions, the amount of disruption to the neighborhood because of the towing business should be minimal.

RECOMMENDATION

1. Adopt the resolution on page 14 for a conditional use permit to store two one-ton tow trucks at the property. This conditional use permit shall be subject to the following conditions:
 - a. The City Council shall review this permit one year from the date of approval. This permit shall end on Nov. 1, 1994.
 - b. One truck must be removed by Nov. 1, 1991. The other truck must be removed by Nov. 1, 1994.
 - c. The use of the tow trucks at the property between 10 p.m. and 7 a.m. is prohibited.
 - d. The applicant shall have a city-approved garage completed on the property within six months of the City Council approval of this CUP. After constructing the garage, the applicant shall use it to store the tow trucks when they are on the property. Mr. Launderville shall remove the storage shed within one month of the garage completion.
2. Approve the home occupation license for Ronald Launderville for 2194 Van Dyke Street. This license shall be subject to the following conditions:
 - a. Towed vehicles shall not be stored on this site.
 - b. The outdoor storage of junked vehicles and vehicle parts on the property is prohibited.
 - c. The storage and repair of vehicles other than the applicant's is prohibited.
 - d. The parking of vehicles on Van Dyke Street overnight is prohibited.
 - e. The parking and storage of vehicles on the Sandhurst Avenue right-of-way is prohibited, unless the property owner signs a hold-harmless agreement prepared by the City.
 - f. Compliance with all conditions of the conditional use permit and the City's home occupation ordinance.
 - g. The City Council shall review this license in one year. The license shall end on Nov. 1, 1994.

CITIZENS' COMMENTS

Staff surveyed the 21 property owners within 350 feet of the site. There were 14 replies. 6 were in favor and 8 were opposed.

Those in favor had the following comments:

1. Mr. Launderville is a good neighbor and his business is not the least bit disruptive. He is always considerate in the hours of operation and works and the noise level he maintains. (Hardwick - 2182 Van Dyke)
2. The Laundervilles keep their property neat and an a tow service is needed in the area. (Steward - 2210 Van Dyke)
3. He makes a living from his towing business. (Jespersen - 2242 Van Dyke)
4. It would look better. Would it be possible to require a fence around the property? It would make it safer for children who play in their back yards and also for appearance. (Kretsch - 1863 County Road B)

Those opposed had the following comments:

1. My big concern with this proposal would be the noise factor involved of running a business in a residential area. Before I could accept this proposal I would like some kind of guarantee this garage would not be used to work on vehicles or would increase to more than two tow trucks to cause a disturbance late in the evening or early hours of the morning. (Clark - 2201 Hazel Street)
2. You would have to change the zoning and the noise factor. (Harshman - 2215 Hazel Street)
3. Giving them another street and tow trucks would destroy what little is left of a quiet neighborhood! (Longfellow - 2225 Hazel Street)
4. When we bought our property, it was zoned R-1 in that area and don't wish for any sort of business there. We certainly don't want or need a loud, messy business there. (Olsen - 1849 Cty. Rd. B)
5. I do not want anymore of his junk cluttering up the neighborhood. This is residential and not commercial. (Ward - 1861 County Road B)
6. I feel we do not need a towing business in a residential neighborhood. (Wilson - 1877 County Road B)
7. See the letters on pages 9-12.

REFERENCE INFORMATION

SITE INFORMATION

Existing lot area: 48,240 square feet (1.1 acres)
Existing land use: A single-family home and an undeveloped street.
Property Owners: Ronald and Constance Launderville

SURROUNDING LAND USES

North: A single-family home and the rear yards of homes.
East: Single-family homes on Hazel Street.
South: The Sandhurst Avenue right-of-way and a single-family home.
West: Undeveloped property across Van Dyke Street.

PLANNING INFORMATION

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

Approval Standards:

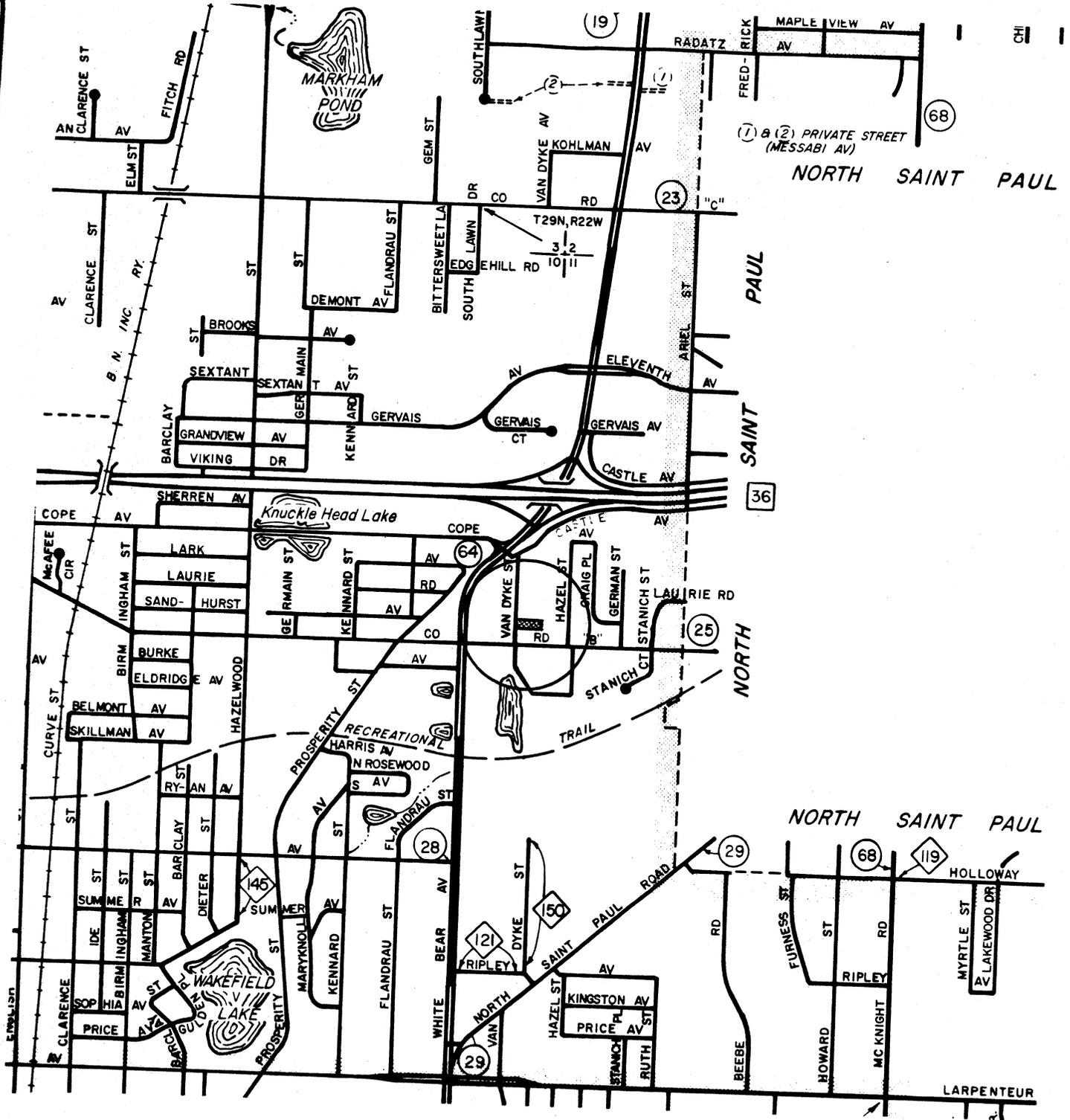
Section 17-21 of the City Code gives ten standards for approving a home occupation license. (Refer to them on page 13.)

Section 36-442 of the City Code gives nine standards for approving a conditional use permit. (Refer to them in the resolution on page 14.)

kd/kenmem7.mem (Section 11-29)

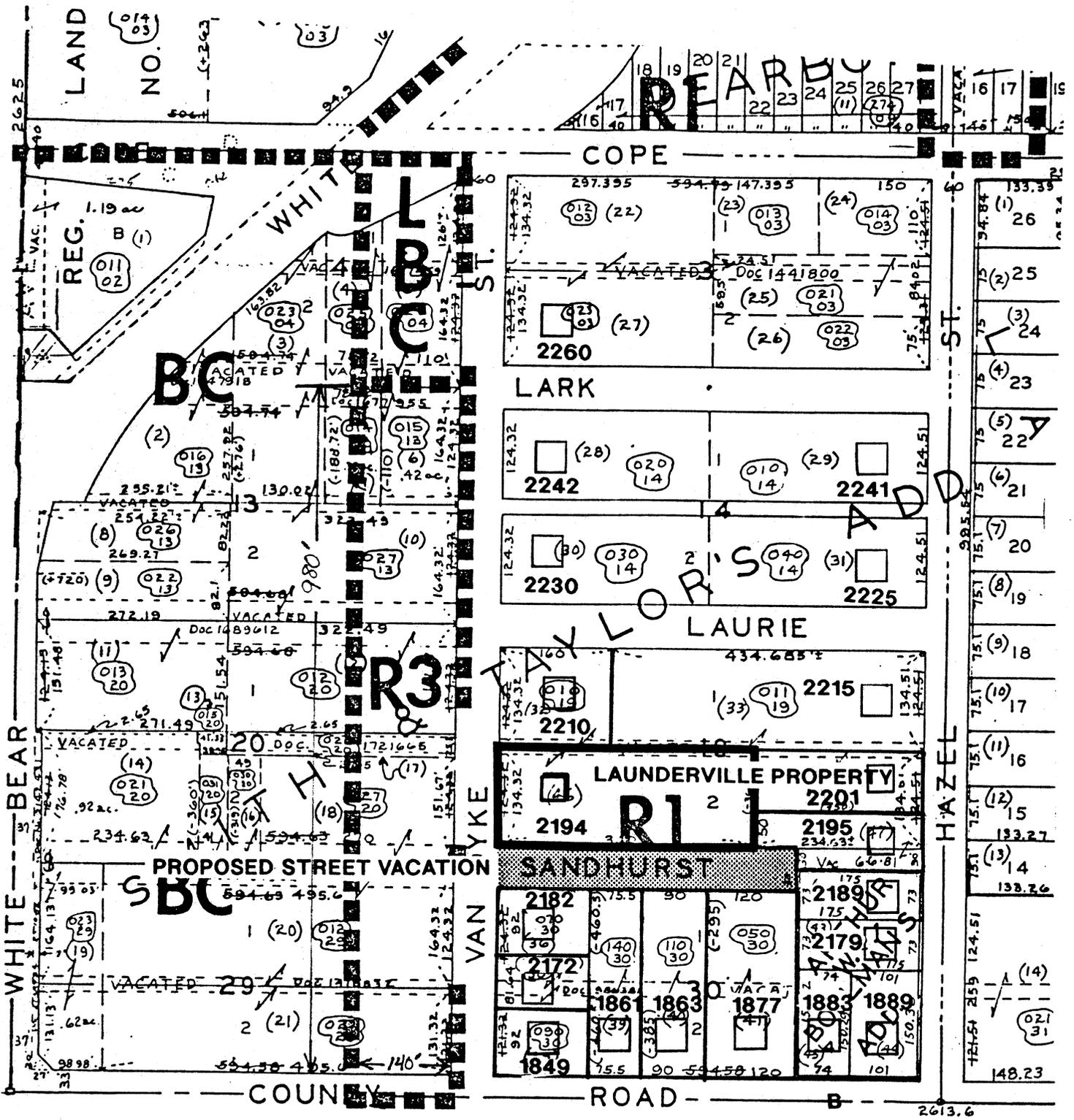
Attachments

1. Location Map
2. Property Line/Zoning Map
3. Lot Rearrangement Concept and Sandhurst Street Cul-de-sac
4. Letter from Riechert's of 2172 Van Dyke
5. Letter from Joseph Lapinski of 2241 Hazel Street
6. Letter from the Wards at 1861 Co. Rd. B
7. Home Occupation License Requirements
8. Conditional Use Permit Resolution

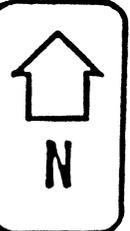


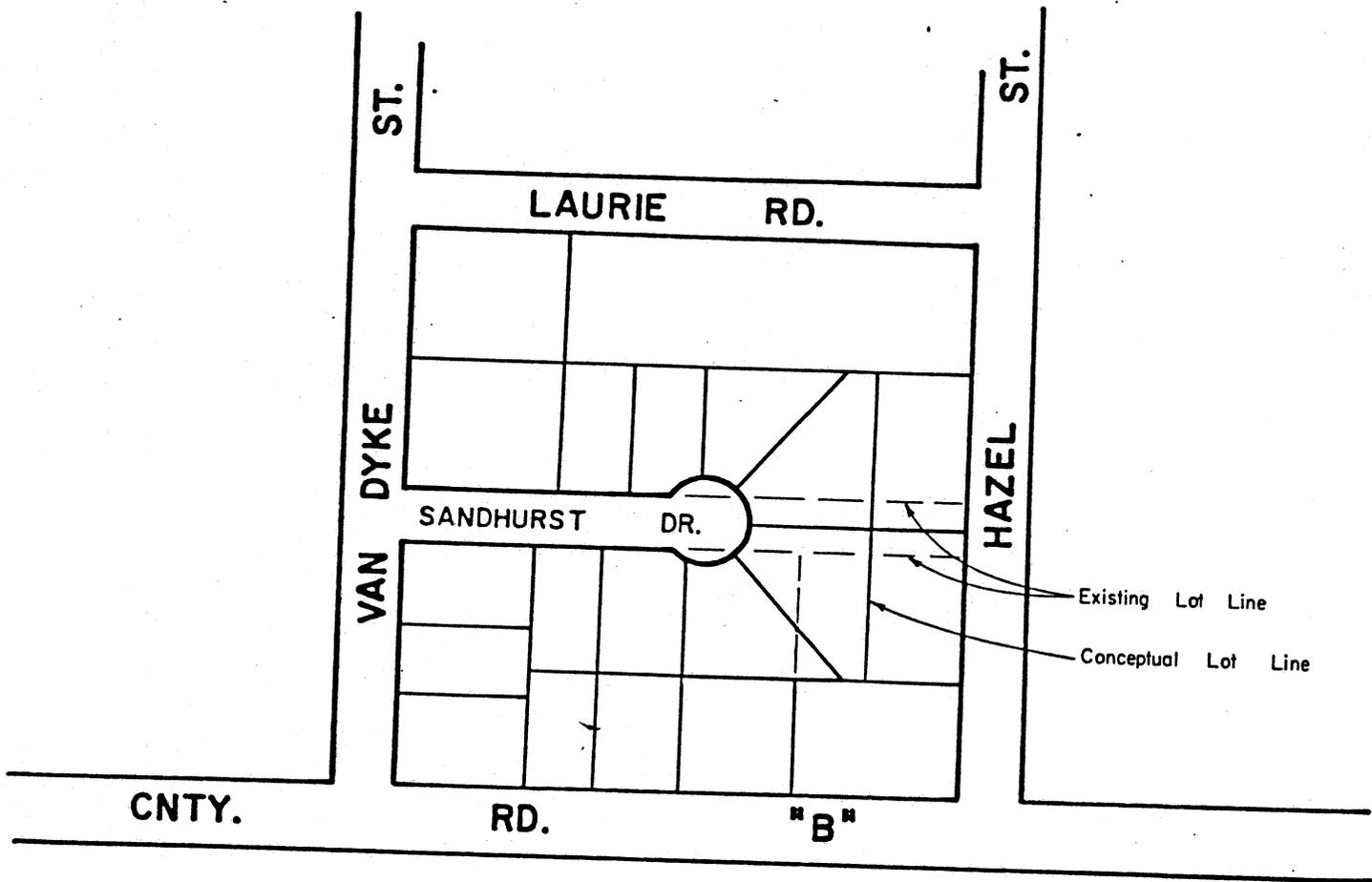
LOCATION MAP





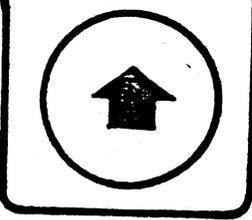
PROPERTY LINE/ZONING MAP





PROPOSED PROJECT 78-21: SANDHURST DRIVE,
 VAN DYKE TO HAZEL
 Lot Rearrangement Concept - Sandhurst Cul-de-sac

SCALE : 1"=200'
 DATE : 10/11/79

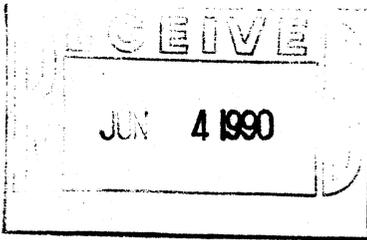


I am not only objecting to Mr. Launderville obtaining a home occupation license to operate a car towing business, I want his present illegal towing business operating from his home, stopped. The neighbors and I have tolerated reluctantly his business operation for years. Now, were this has become a fulltime business and his son has joined him with a second towing-truck, I want him to move his operation were it belongs, to a business zoned area.

To the subject of vacating Sandhurst, I believe it is not fair to the neighbors that own property bordering Sandhurst to deny them access to their Land. Also, it would just further his business plans, therefore I also object to this proposal.

M.F.R. 5-29-90

RIECHERT -
2172 VAN DYKE



2241 NORTH HAZEL STREET
MAPLEWOOD, MN 55109

June 1, 1990

Mr. Thomas Ekstrand
Associate Planner
City of Maplewood
1830 East County Road B
Maplewood, MN 55109

Dear Mr. Ekstrand:

I object to the Launderville proposal to operate a car-tow business because this area is zoned as "single family residential" and I would like to see it remain that way.

Your inquiry comes at a time when there has been a concern about the neglect of some of the properties in our immediate area and the depreciating effect on our property.

We have seen a deterioration in some of the properties for the past few years. We have a neighbor who stores junk vehicles on either side of his house. Another I reported who had the front of his garage stacked with garbage in plastic garbage bags. Our next door neighbor has three cars, a truck, a stored camper, a boat and trailer, two storage sheds, a skateboard ramp plus a large cabin cruiser stored on the property each fall until the following spring.

I'm sure you will agree that this type of neglect has a depreciating effect on the neighborhood. Are there restrictions on this practice in the City of Maplewood?

A reply at your earliest convenience would be greatly appreciated.

Sincerely,


Joseph C. Lapinski

JCL/mky

the neighborhood. If he gets to outed
a garage - it is not commercial
property - and he will have more
junk cars laying or parked all
over - Go take a look for
yourself - This is Residential
and not commercial - I
would like to see a street
go through and clean the land
up in those back lots - He has
junk all over - Let's take
pride in Maplewood - Say
absolutely not! Get some
commercial property - He is
already operating a business on
Residential zoned property. I believe
this is not allowed. I can't believe
the City of Maplewood would allow such
a proposal - It's about time you look
around at the houses and start making
the people clean up - junk, oil, & grease
are all over his yard. Where is this oil
going, in our water system?

NO!

HOME OCCUPATION LICENSE REQUIREMENTS

1. The volume of traffic must not exceed what is normally found in a residential neighborhood. The need for off-street parking spaces shall not exceed more than three spaces at one time, in addition to the parking spaces required by the residents.
2. You must not have more than one nonresident employee working on your property. Nonresident employees who work off-premises may visit your property. If an on-site employee is parking on site, off-site employees shall not leave their vehicles on site. If there is no on-site employee vehicle parked on site, one off-site employee may park his or her vehicle on site.
3. No vehicles associated with the home occupation, including customers or employees, shall be parked on the street or block sidewalks or public easements. Private vehicles used by the residents are not included in this requirement.
4. An area equivalent to no more than 20% of each level of the house, including the basement and garage, shall be used in the home occupation.
5. There shall be no change visible off premises to the outside appearance of the building or premises that would indicate the conduct of a home occupation, other than one sign meeting the requirements of the City sign code.
6. No more than 20% of business income shall come from the sale of products produced off site unless approved by the City Council.
7. You cannot use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. Electrical equipment shall not create visual or audible interference with any radio or television receivers or cause fluctuations in line voltage off the premises.
8. There shall be no fire, safety or health hazards.
9. A home occupation shall not include the repair of internal combustion engines, body shops, machine shops, welding, ammunition manufacturing or other objectionable uses as determined by the City. Machine shops are places where raw metal is fabricated using machines that operate on more than 120 volts of current.
10. If you do not comply with these requirements, the City Council may revoke your license.
11. The City may waive any of these requirements if the home occupation is located at least 350 feet from the property line of an adjacent residence.
12. The City Council may add any additional requirements to insure that your business will be compatible with nearby land uses.

CONDITIONAL USE PERMIT RESOLUTION

WHEREAS, Ronald Launderville applied for a conditional use permit to store or park two (2) heavy commercial vehicles in an R-1 (single-dwelling residential) zoning district.

WHEREAS, this permit applies to 2194 Van Dyke Street. The legal description is: The west 360 feet of Lot 2, Block 9, Smith and Taylor's Addition to North St. Paul (Pin 11-29-22-33-0046).

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

1. The Planning Commission discussed this application on January 7, 1991. They recommended that the City Council _____ said permit.
2. The City Council held a public hearing on _____, 1991. 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. The City Council shall review this permit one year from the date of approval. This permit shall end on June 1, 1994.
2. One truck must be removed by June 1, 1991. The other truck must be removed by June 1, 1994.
3. The use of the tow trucks at the property between 10 p.m. and 7 a.m. is prohibited.
4. The applicant shall have a City-approved garage completed on the property within six months of the City Council approval of this CUP. After constructing the garage, the applicant shall use it to store the tow trucks when they are on the property. Mr. Launderville shall remove the storage shed within one (1) month of the garage completion.

Adopted _____, 1991.

b. Street Vacation: Sandhurst Avenue, east of Van Dyke Street

Ken Roberts, Associate Planner, presented the staff report.

Connie Launderville, 2194 Van Dyke Street, the owner of three parcels of land to the east of her house, said a study was done in the past on the construction of Sandhurst Avenue and it was found the cost would prohibit the development of these lots. Ken Haider, Director of Public Works, said this was true of a through street, but there would be more flexibility with a cul-de-sac. Mr. Haider said the real issue is if there is public interest in a street, which in this case there is, there can be no vacation of it.

Roy Hardwick, 2182 Van Dyke Street, said he is in the process of purchasing the property at 1861 County Road B as an enlargement of his yard and does not want Sandhurst Avenue developed, but instead would like it vacated.

Commissioner Cardinal moved the Planning Commission recommend the City Council take no action on the street vacation.

Commissioner Pearson seconded

Ayes--Anitzberger,
Axdahl, Cardinal,
Fischer, Frost,
Pearson, Rossbach

Nays--Gerke

The motion passed.

c. 2194 Van Dyke Street (Launderville): Conditional Use Permit and Home Occupation License

Ken Roberts, Associate Planner, presented the staff report and responded to questions from the Commissioners.

Ronald Launderville explained his request to the Commissioners.

Mr. Hardwick, 2182 Van Dyke Street, said even though the tow trucks are parked directly next to his bedroom he does not hear any noise from them. Mr. Hardwick

said he has lived next door to the Laundervilles for two years and has not seen any vehicles towed to or from their property.

Commissioner Cardinal moved the Planning Commission recommend:

- (1) Adoption of the resolution for a conditional use permit to store two one-ton tow trucks at the property. This conditional use permit shall be subject to the following conditions:
 - (a) The City Council shall review this permit one year from the date of approval. This permit shall end on June 1, 1994.
 - (b) One truck must be removed by November 1, 1991. The other truck must be removed by June 1, 1994.
 - (c) The use of the tow trucks at the property between 10 p.m. and 7 a.m. is prohibited.
 - (d) The applicant shall have a city-approved garage completed on the property within six months of the City Council approval of this CUP and/or the City Council taking action on the vacation of Sandhurst Avenue. After constructing the garage, the applicant shall use it to store the tow trucks when they are on the property. Mr. Launderville shall remove the storage shed within one month of the garage completion.
2. Approval of the home occupation license for Ronald Launderville for 2194 Van Dyke Street. This license shall be subject to the following conditions:
 - (a) Towed vehicles shall not be stored on this site.
 - (b) The outdoor storage of junked vehicles and vehicle parts on the property is prohibited.
 - (c) The storage and repair of vehicles other than the applicant's is prohibited.
 - (d) The parking of vehicles on Van Dyke Street overnight is prohibited.

- (e) The parking and storage of vehicles on the Sandhurst Avenue right-of-way is prohibited, unless the property owner signs a hold-harmless agreement prepared by the City.
- (f) Compliance with all conditions of the conditional use permit and the City's home occupation ordinance.
- (g) The City Council shall review this license in one year. The license shall end on June 1, 1994.

Commissioner Rossbach seconded

Ayes--Anitzberger,
Axdahl, Cardinal,
Fischer, Frost,
Gerke, Pearson,
Rossbach

The motion passed.

d. 1800-1810 County Road B

Secretary Olson presented the staff report.

Gretchen Maglish, Assistant City Manager, said the city attorney has advised that an environmental assessment of the property be performed to determine if there is any oil or hazardous waste on the property. Ms. Maglish said soil borings testing has been completed for the property to the west of this area which the City is considering purchasing and the soil was determined to be acceptable.

Commissioner Rossbach moved the Planning Commission report to the City Council:

1. The City use of the Fulk property would comply with the Comprehensive Plan. However, the City should change the land use classification to the same classification as City Hall when the update of the Plan is done.
2. The commercial building cannot be used for the maintenance or repair of motor vehicles.
3. The City may need a conditional use permit to use these lots.

H-1

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Director of Community Development
SUBJECT: Code Change - Approval of Plans
DATE: January 16, 1991

Endorsed _____
Modified _____
Rejected _____
Date _____

INTRODUCTION

The City Council, on January 14, gave first reading to a code change on approval of building plans. The Council asked for two changes before second reading:

1. Add a sentence to subsection (a) that allows the director to send any minor project to the Community Design Review Board. I have made this change on page 3 of the attached September 4 staff report.
2. Add a Council policy that the director shall inform the Council after approving a minor construction project.

RECOMMENDATION

1. Approve the ordinance on page 3 of the attached September 4 staff report.
2. Adopt the following Council policy:

The Director of Community Development shall inform the City Council within three days after approving a minor construction project.

go/memo14.mem (5.3)

Attachments:

1. December 3 report
2. September 4 report

MEMORANDUM

TO: City Manager
FROM: Director of Community Development
SUBJECT: Code Change - Approval of Plans
DATE: December 3, 1990

The City Council tabled first reading of this ordinance on November 26. Several council members were concerned with the dollar limits - particularly the \$120,000 limit for additions. They questioned whether they should reduce the limits to send more projects to the Community Design Review Board. Other members agreed with the dollar limits, but wanted standards for the staff approval of buildings. I have left the dollar limits the same, but I have added a sentence to the ordinance on page 3 of the attached September 4 staff report. This sentence states that staff approval of designs must meet the standards of section 25-70(b) of City Code. These are the standards the Board uses in approving designs.

I am not aware of any problems with the current limits. Councilmember Juker, however, felt there had been a problem with the remodeling of 1160 Frost Avenue. The owner of 1160 Frost Avenue started remodeling the front of the building with stucco, including new windows and doors in 1985. He started work without a permit. The building official stopped the job and required a permit. Since the cost of the job was only \$3,000, staff approved the plans, subject to paving and striping the parking lot. We allowed him to wait until 1986 to pave the lot, since the County was reconstructing Frost Avenue.

The intent of the ordinance is to expedite minor construction work, such as remodeling. There is also a small cost savings, since it costs the applicant about \$200 and a two-week delay to go through the Community Design Review Board. There is also a cost to the City for staff time.

I have attached a list of the projects from 1989 and 1990 that staff approved. I excluded maintenance or replacement projects, such as reroofing. Most of the listed projects are small, with little design impact on the surrounding area. Typical projects were temporary greenhouses, storage buildings and fences. I do not believe that it would have been worth the time and expense to send these projects to the Board.

RECOMMENDATION

Approve the recommendation on page 3 of the attached September 4 staff report.

go/memo14.mem

Attachments: List of projects

1989 & 1990 EXTERIOR BUILDING PERMITS
 THAT STAFF APPROVED
 (Does not include repair or replacement
 projects such as reroofing)

LOCATION	TYPE OF WORK	VALUE
<u>1989</u>		
2410 Stillwater Rd.	Window addition	4,000
2280 Maplewood Dr. (Menards)	10' x 16' storage bldg.	3,000
	Chain link fence	2,900
	Chain link fence	3,600
Gerten's Greenhouse 410-30 & 50 McKnight	Temporary greenhouse	2,300
3001 White Br. Ave. (Sears)	Temporary garden center	2,000
100 W. Co. Rd. B (Cub Foods)	Temporary greenhouse	1,400
500 Carlton (U.S. West)	Door & temp. driveway	4,500
Larpenteur & Prosperity (Baseball field)	Dugout	7,000
1810 E. Co. Rd. B. (Fulk Mfg.)	Fence	1,100
3000 White Br. Ave.	Temporary Tent	5,600
676 Dorland Road	Townhouse int. & siding	7,500
2280 Maplewood Dr. (Menards)	Treated board rack	5,000
1270 Cope Avenue	Haglund Dental Add'n.	97,200
<u>1990</u>		
2515 White Br. Ave. (Gerten's Greenhouse)	Temporary greenhouse	2,300
100 W. Co. B. (Cub Foods)	Temporary greenhouse	1,400
3M	Add. to temp. trailer	22,000
2501 Londin Lane (E.L.L. Fire Dept.)	Doorway	5,000
2515 White Bear Ave.	Data Comm. dish antenna	5,000
3M	Slab & excavation	18,750

3000 White Bear Ave. (Plaza 3000)	Dumpster Enclosure	3,000
11 Century Avenue (SuperAmerica)	Fascia replacement	6,800
1750 White Bear Avenue (SuperAmerica)	Fascia replacement	9,000
2684 E. Minnehaha	Fence	250
2249 Kenwood Drive	Retaining wall	8,500
1285 E. Highway 36 (Mayflower)	Fence	8,000
1220 S. McKnight (Capitol City Adventist School)	Storage building	3,500

MEMORANDUM

TO: City Manager
FROM: Thomas Ekstrand, Associate Planner
SUBJECT: Code Change - Approval of Plans
DATE: September 4, 1990

INTRODUCTION

Staff is proposing three changes:

1. Increase the dollar limits for Staff approval of minor building plans.
2. Amend the code to allow the Council to change dollar limits by resolution.
3. Extend the deadline for filing an appeal of a Community Design Review Board motion.
4. Prohibit anyone from changing a plan that was originally approved by the Council without their approval.

BACKGROUND

August 28, 1990 Review Board Action

The Board tabled this review. They agreed with the dollar limit and the appeal period increases, but did not want the code changed to allow future dollar limit changes by resolution. The Board felt that:

1. It would be too easy to circumvent the process for thorough reviews of the dollar limits if only a resolution is needed for future revisions.
2. The dollar limits could be changed for reasons other than inflation.

Dollar Limits

Section 25-65 (c) of the City Code requires that the City Council periodically review the dollar limits that determine the projects that the Board must approve. The present limits allow Staff approval of new buildings under \$12,000. Staff may also approve additions under \$120,000, where the Board had approved the original building. The purpose of the ordinance is to speed the review process by allowing Staff approval of smaller projects.

On February 18, 1982, the City Council increased the valuation limits from \$10,000 and \$100,000 to \$12,000 and \$120,000.

Appeals Deadline

Code requires that appeals be filed within 10 days of the Board's

motion. The Council would like enough time to get the minutes and make an appeal, if they choose.

ALTERNATIVES

1. Revise the dollar limits by resolution. (See the ordinance and resolution on pages 3-5.)
2. Revise the dollar limits by code amendment. (See the ordinance recommended by the Board on pages 6-7.)

DISCUSSION

Dollar Limits

Council should increase the construction cost limits to \$15,000 and \$150,000 to stay even with construction cost increases since 1982. The proposed code amendment would allow future revisions by resolution. This would be easier and faster than making these periodic changes by ordinance. The Review Board would continue to review any revisions to the construction cost guidelines before Council review.

Appeal Period

Council should revise the ordinance to extend the Review Board appeal deadline to 15 days. The secretary sends the minutes to the Council 7-8 days after the Board's meeting. (The Mayor does not get the minutes.) Fifteen days would allow the City Council more time to appeal a Review Board motion if they choose. The only problem with this appeal period increase is that it could delay the issuance of a building permit five extra days.

RECOMMENDATION

1. Approval of the code amendment on page 5 which:
 - (a) Allows the Council to establish dollar limits by resolution.
 - (b) Extends the deadline for appealing a Community Design Review Board motion from 10 to 15 days.
2. Adoption of the resolution on page 7. This resolution increases the dollar limits for Staff review of minor construction projects to \$15,000 and to \$150,000 for additions where the Community Design Review Board reviewed the original building.

TECOSTS

Attachments

1. Code Amendment (Alternative 1)
2. Resolution
3. Code Amendment (Alternative 2)

STAFF RECOMMENDATION

ORDINANCE NO.

AN ORDINANCE CONCERNING APPROVAL OF CONSTRUCTION PROJECTS

The Maplewood City Council hereby ordains:

Section 1. Section 25-65 is amended as follows (additions are underlined; deletions are crossed out):

Section 25-65. Approval of plans. ~~Preliminary reviews by Director of Community Development of certain building or remodeling plans; appeals to board; further appeals; plans reviewed by board, etc.~~

- (a) The Director of Community Development shall review all plans for minor construction building or remodeling projects. plans of twelve thousand dollars (\$12,000.00) or less in value and all additions of one hundred twenty thousand dollars (\$120,000.00) or less, where the addition is consistent with the design of the original building and where the original building was previously reviewed by the Community Design Review Board. The City Council shall define minor construction by dollar valuations set by resolution from time to time. Before approving the plans, the Director must first determine, however that the plans meet all City ordinances and policies, including the design standards in Section 25-70(b). The director may send any minor construction to the Community Design Review Board. and that the proposal would not have an adverse impact on surrounding properties.
- (b) Anyone may ~~If the applicant chooses to appeal the Director's decision of the Director, the case shall be sent to the Community Design Review Board within fifteen (15) days after the director's decision. for a decision. Appeals from The Board's decision shall be final, unless someone appeals it to may be made to the City Council by any effected person within ten (10) fifteen (15) days after the Board's decision.~~
- (c) (b) All other plans shall be reviewed by the ~~The~~ Community Design Review Board shall review all other plans. The Board's decision shall be final, unless someone appeals it appealed to the City Council by the applicant, City staff, or any effected person, within ten (10) fifteen (15) days after the Board's decision. However, no person shall revise a plan that the City Council originally approved without their approval.
- ~~(e) The dollar limits in this section shall be periodically reviewed by the City Council.~~

(d) ~~(e)~~ This section shall not apply to interior construction, repair, maintenance, underground tanks or the same-style replacement of building parts, such as a new roof, door or windows.

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

Passed by the Maplewood City Council on

1991.

Mayor

Attest:

City Clerk

Ayes--
Nays--

RECOMMENDED BY COMMUNITY DESIGN REVIEW BOARD

ORDINANCE NO.

AN ORDINANCE CONCERNING APPROVAL OF CONSTRUCTION PROJECTS

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- (a) The Director of Community Development shall review all plans for minor building or remodeling projects. plans of twelve thousand dollars (\$12,000.00) or less in value and all additions of one hundred twenty thousand dollars (\$120,000.00) or less, where the addition is consistent with the design of the original building and where the original building was previously reviewed by the Community Design Review Board. Minor building projects are defined as new construction of \$15,000 or less and additions of \$150,000 or less, where the Board approved the original building. Before approving the plans, the Director must first determine, however that the plans meet all City ordinances and policies. and that the proposal would not have an adverse impact on surrounding properties. Anyone may ~~If the applicant chooses to appeal this the decision of the Director, the case shall be sent to the Community Design Review Board. for a decision. Appeals from The Board's decision shall be final, unless someone appeals it to may be made to the City Council by any effected person within ten (10) fifteen (15) days after the Board's decision.~~
- (b) ~~All other plans shall be reviewed by the~~ The Community Design Review Board shall review all other plans. The Board's decision shall be final, unless someone appeals it appealed to the City Council by the applicant, City staff, or any effected person, within ten (10) fifteen (15) days after the Board's decision. However, no person shall revise a plan that the City Council originally approved without their approval.
- (c) The dollar limits in this section shall be periodically reviewed by the City Council.

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

Passed by the Maplewood City Council on

1990.

Mayor

Attest:

City Clerk

Ayes--

Nays--

5. UNFINISHED BUSINESS

There was no unfinished business.

6. DESIGN REVIEW

a. Exterior Material Change - Emerald Inn, 2025 County Road D

Fred Chute, former owner and developer of the Emerald Inn, said his architect recommended the proposed steel siding to correct deterioration and rainwater leakage problems. Mr. Chute said the proposed siding is similar in texture and color to the precast concrete exterior on the building.

Boardmember Erickson moved approval of plans date stamped August 14, 1990, for the proposed exterior siding on the Emerald Inn, 2025 East County Road D. The applicant or owner shall keep the building exterior continually maintained.

Boardmember Holder seconded Ayes--Moe, Deans, Erickson, Holder, Molin, Robinson

b. Code Amendment - Appeals and Building Cost Review-Limits

Secretary Ekstrand presented the staff report for the proposed code amendment regarding appeals and building cost review-limits and discussed it with Board members.

The Board agreed with the dollar limit and the appeal period increases, but did not want the code changed to allow future dollar limit changes by resolution. The Board felt that:

1. It would be too easy to circumvent the process for thorough reviews of the dollar limits if only a resolution is needed for future revisions.
2. The dollar limits could be changed for reasons other than inflation.

Boardmember Deans moved to table this item to allow staff to make Board requested revisions.

Boardmember Molin seconded Ayes--Moe, Deans,
Erickson, Molin, Holder,
Robinson

c. Resolution of Appreciation for Roger Anitzberger

Boardmember Erickson moved adoption of the resolution
of appreciation for former Review Board member Roger
Anitzberger.

Boardmember Holder seconded Ayes--Moe, Deans,
Erickson, Molin, Holder,
Robinson

7. VISITOR PRESENTATIONS

There were no visitor presentations.

8. BOARD PRESENTATIONS

Boardmember Robinson reported on the August 27 City Council
meeting.

9. STAFF PRESENTATIONS

There were no staff presentations.

10. ADJOURNMENT

Meeting adjourned at 8 p.m.

~~Boardmember Deans moved approval of the City Hall parking lot landscape plan dated August 23, 1990, subject to the following conditions:~~

- ~~1. Seed the east and west islands.~~
- ~~2. The plant materials shall be of the size and type to meet City landscaping standards.~~
- ~~3. Revisions shall be made subject to staff approval.~~
- ~~4. The revised plans shall include the following: phase I includes island improvements, planting trees and any other improvements within the budget.~~
- ~~5. The second phase, preferably next year, would continue this area of improvement and carry on around the building front.~~
- ~~6. Phase I shall be done this year.~~

~~Boardmember Erickson seconded~~

~~Ayes--Moe, Deans,
Erickson~~

b. Code Amendment - Appeals and Building Cost Review Limits

The Board discussed the proposed changes in the code amendment. Boardmember Deans said he felt this should remain in the form of an ordinance and should not allow future dollar limit changes by resolution.

Boardmember Deans moved approval of the code amendment as shown on Attachment 1 of the staff report dated September 4, 1990, which fixes the dollar value, extends the deadline for appeals of the Community Design Review Board's decision and adds the condition that Council shall review plans they previously approved.

Boardmember Erickson seconded

Ayes--Moe, Deans,
Erickson

6. DESIGN REVIEW

a. ~~Building Addition - 3M Company Building 251~~

~~John Rudquist, an architect representing 3M Company, and Ray Rivera, project coordinator, explained the proposal.~~

AGENDA REPORT

Action by Council:

TO: City Manager
FROM: Assistant City Engineer
SUBJECT: Upper Afton Road, Project 86-07--Schedule Assessment Hearing
DATE: January 22, 1991

Endorsed _____
Modified _____
Rejected _____
Date _____

Introduction

It is requested that preparation of assessment roll and scheduling assessment hearing for the subject project be authorized.

Background

It is proposed to assess based upon the fixed unit rates presented at the public hearing. A copy of the assessment roll based upon these uniform policy rates is attached.

Recommendation

It is recommended that an assessment hearing be scheduled for February 23, 1991 at 7 p.m.

BAI

jw
Attachments

RESOLUTION
ORDERING PREPARATION OF ASSESSMENT ROLL

WHEREAS, construction is essentially complete for the improvement of Upper Afton Road, McKnight Road to Century Avenue, City Project 86-07.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA that the city clerk and city engineer shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land abutting on the streets affected, without regard to cash valuation, as provided by law, and they shall file a copy of such proposed assessment in the city office for inspection.

FURTHER, the clerk shall, upon completion of such proposed assessment notify the council thereof.

RESOLUTION
ORDERING ASSESSMENT ROLL HEARING

WHEREAS, the clerk and the engineer have, at the direction of the council, prepared an assessment roll for the construction of Upper Afton Road, McKnight Road to Century, City Project 86-07, and the said assessment is on file in the office of the city clerk.

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

1. A hearing shall be held on the 25th day of February, 1991, at the city hall at 7 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.

2. The city clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published in the official newspaper, at least two weeks prior to the hearing, and to mail notices to the owners of all property affected by said assessment.

3. The notice of hearing shall state the date, time and place of hearing, the general nature of the improvement the area to be assessed, that the proposed assessment roll is on file with the clerk and that written or oral objections will be considered.

PROJECT NO. 86-07 UPPER AFTON IMPROVEMENT

D/P NO. 6007

ASSESSMENT ROLL

ITEM	QUANTITY	PER	RATE	ASSESSMENT
<u>01-28-22-13-0028</u>				
STREETS (RL-RM)	*****1.000	UNITS	AT \$1,125.000 EA. =	*****\$1,125.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****1.000	UNIT	AT **\$500.000 EA. =	*****\$500.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$1,625.00
<u>01-28-22-13-0042</u>				
STREETS (RL-RM)	*****1.000	UNITS	AT \$1,125.000 EA. =	*****\$1,125.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****1.000	UNIT	AT **\$500.000 EA. =	*****\$500.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$1,625.00
<u>01-28-22-13-0043</u>				
STREETS (RL-RM)	*****1.000	UNITS	AT \$1,125.000 EA. =	*****\$1,125.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****1.000	UNIT	AT **\$500.000 EA. =	*****\$500.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$1,625.00
<u>01-28-22-13-0071</u>				
STREETS (RL-RM)	*****1.000	UNITS	AT \$1,125.000 EA. =	*****\$1,125.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****1.000	UNIT	AT **\$500.000 EA. =	*****\$500.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$1,625.00
<u>01-28-22-13-0072</u>				
STREETS (RL-RM)	*****1.000	UNITS	AT \$1,125.000 EA. =	*****\$1,125.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****1.000	UNIT	AT **\$500.000 EA. =	*****\$500.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$1,625.00
<u>01-28-22-13-0109</u>				
STREETS (RL-RM)	*****1.000	UNITS	AT \$1,125.000 EA. =	*****\$1,125.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****1.000	UNIT	AT **\$500.000 EA. =	*****\$500.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$1,625.00

PROJECT NO. 86-07 UPPER AFTON IMPROVEMENT

D/P NO. 6007

ASSESSMENT ROLL

ITEM	QUANTITY	PER	RATE	ASSESSMENT
<u>01-28-22-13-0110</u>				
STREETS (RL-RM)	*****1.000	UNITS	AT \$1,125.000 EA. =	*****\$1,125.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****1.000	UNIT	AT **\$500.000 EA. =	*****\$500.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$1,625.00
<u>01-28-22-13-0123</u>				
STREETS (RL-RM)	*****1.000	UNITS	AT \$1,125.000 EA. =	*****\$1,125.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****1.000	UNIT	AT **\$500.000 EA. =	*****\$500.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$1,625.00
<u>01-28-22-14-0004</u>				
STREETS (RL-RM)	*****0.000	UNITS	AT \$1,125.000 EA. =	*****\$0.00
STREETS (COMM)	*****20.000	FF	AT ***\$15.000 EA. =	*****\$300.00
STORM SEWER (RES)	*****0.000	UNIT	AT **\$500.000 EA. =	*****\$0.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$300.00
<u>01-28-22-14-0005</u>				
STREETS (RL-RM)	*****0.000	UNITS	AT \$1,125.000 EA. =	*****\$0.00
STREETS (COMM)	*****125.000	FF	AT ***\$15.000 EA. =	*****\$1,875.00
STORM SEWER (RES)	*****0.000	UNIT	AT **\$500.000 EA. =	*****\$0.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$1,875.00
<u>01-28-22-14-0006</u>				
STREETS (RL-RM)	*****0.000	UNITS	AT \$1,125.000 EA. =	*****\$0.00
STREETS (COMM)	*****50.000	FF	AT ***\$15.000 EA. =	*****\$750.00
STORM SEWER (RES)	*****0.000	UNIT	AT **\$500.000 EA. =	*****\$0.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$750.00
<u>01-28-22-14-0007</u>				
STREETS (RL-RM)	*****0.000	UNITS	AT \$1,125.000 EA. =	*****\$0.00
STREETS (COMM)	*****102.000	FF	AT ***\$15.000 EA. =	*****\$1,530.00
STORM SEWER (RES)	*****0.000	UNIT	AT **\$500.000 EA. =	*****\$0.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$1,530.00

D/P NO. 6007

PROJECT NO. 86-07 UPPER AFTON IMPROVEMENT

ASSESSMENT ROLL

ITEM	QUANTITY	PER	RATE	ASSESSMENT
01-28-22-14-0031				
STREETS (RL-RM)	*****1.000	UNITS	AT \$1,125.000 EA. =	****\$1,125.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****1.000	UNIT	AT **\$500.000 EA. =	*****\$500.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				****\$1,625.00
01-28-22-14-0047				
STREETS (RL-RM)	*****1.000	UNITS	AT \$1,125.000 EA. =	****\$1,125.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****1.000	UNIT	AT **\$500.000 EA. =	*****\$500.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				****\$1,625.00
01-28-22-14-0048				
STREETS (RL-RM)	*****0.000	UNITS	AT \$1,125.000 EA. =	*****\$0.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****1.000	UNIT	AT **\$500.000 EA. =	*****\$500.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$500.00
01-28-22-14-0074				
STREETS (RL-RM)	*****0.000	UNITS	AT \$1,125.000 EA. =	*****\$0.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****1.000	UNIT	AT **\$500.000 EA. =	*****\$500.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$500.00
01-28-22-14-0075				
STREETS (RL-RM)	*****0.000	UNITS	AT \$1,125.000 EA. =	*****\$0.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****1.000	UNIT	AT **\$500.000 EA. =	*****\$500.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$500.00
01-28-22-14-0102				
STREETS (RL-RM)	*****0.000	UNITS	AT \$1,125.000 EA. =	*****\$0.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****1.000	UNIT	AT **\$500.000 EA. =	*****\$500.00
STORM SEWER (COMM)	*****0.000	SF	AT ****\$0.100 EA. =	*****\$0.00
TOTAL ASSESSMENT =				*****\$500.00

D/P NO. 6007

ASSESSMENT ROLL

ITEM	QUANTITY	PER	RATE	ASSESSMENT
01-28-22-41-0001				
STREETS (RL-RM)	*****0.000	UNITS	AT \$1,125.000 EA. =	*****\$0.00
STREETS (COMM)	*****150.000	FF	AT ***\$15.000 EA. =	*****\$2,250.00
STORM SEWER (RES)	*****0.000	UNIT	AT **\$500.000 EA. =	*****\$0.00
STORM SEWER (COMM)	****22,500.000	SF	AT ****\$0.100 EA. =	*****\$2,250.00
TOTAL ASSESSMENT =				*****\$4,500.00
01-28-22-41-0005				
STREETS (RL-RM)	*****0.000	UNITS	AT \$1,125.000 EA. =	*****\$0.00
STREETS (COMM)	*****660.000	FF	AT ***\$15.000 EA. =	*****\$9,900.00
STORM SEWER (RES)	*****0.000	UNIT	AT **\$500.000 EA. =	*****\$0.00
STORM SEWER (COMM)	***435,600.000	SF	AT ****\$0.100 EA. =	*****\$43,560.00
TOTAL ASSESSMENT =				*****\$53,460.00
01-28-22-41-0010				
STREETS (RL-RM)	*****0.000	UNITS	AT \$1,125.000 EA. =	*****\$0.00
STREETS (COMM)	*****0.000	FF	AT ***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****0.000	UNIT	AT **\$500.000 EA. =	*****\$0.00
STORM SEWER (COMM)	****22,910.000	SF	AT ****\$0.100 EA. =	*****\$2,291.00
TOTAL ASSESSMENT =				*****\$2,291.00
01-28-22-41-0011				
STREETS (RL-RM)	*****0.000	UNITS	AT \$1,125.000 EA. =	*****\$0.00
STREETS (COMM)	*****147.000	FF	AT ***\$15.000 EA. =	*****\$2,205.00
STORM SEWER (RES)	*****0.000	UNIT	AT **\$500.000 EA. =	*****\$0.00
STORM SEWER (COMM)	****37,242.000	SF	AT ****\$0.100 EA. =	*****\$3,724.20
TOTAL ASSESSMENT =				*****\$5,929.20
22 PARCELS ASSESSED				
STREETS (RL-RM)	*****10.000	UNITS	AT \$1,125.000 EA. =	*****\$11,250.00
STREETS (COMM)	*****1,254.000	FF	AT ***\$15.000 EA. =	*****\$18,810.00
STORM SEWER (RES)	*****14.000	UNIT	AT **\$500.000 EA. =	*****\$7,000.00
STORM SEWER (COMM)	***518,252.000	SF	AT ****\$0.100 EA. =	*****\$51,825.20
TOTAL AMOUNT ASSESSED FOR THIS PROJECT =				*****\$88,885.20
				GRAND TOTALS

PROJECT NO. 86-07 UPPER AFTON IMPROVEMENT
PROJECT SUMMARY

SEC-01-T-28-R-22-QQ-13

8 PARCELS ASSESSED

ITEM	QUANTITY	PER	RATE	ASSESSMENT
STREETS (RL-RM)	*****8.000	UNITS AT	\$1,125.000 EA. =	***\$9,000.00
STREETS (COMM)	*****0.000	FF AT	***\$15.000 EA. =	*****\$0.00
STORM SEWER (RES)	*****8.000	UNIT AT	**\$500.000 EA. =	***\$4,000.00
STORM SEWER (COMM)	*****0.000	SF AT	****\$0.100 EA. =	*****\$0.00

SEC-01-T-28-R-22-QQ-14

10 PARCELS ASSESSED

ITEM	QUANTITY	PER	RATE	ASSESSMENT
STREETS (RL-RM)	*****6.000	UNITS AT	\$1,125.000 EA. =	***\$6,750.00
STREETS (COMM)	*****297.000	FF AT	***\$15.000 EA. =	***\$4,455.00
STORM SEWER (RES)	*****6.000	UNIT AT	**\$500.000 EA. =	***\$3,000.00
STORM SEWER (COMM)	*****0.000	SF AT	****\$0.100 EA. =	*****\$0.00

SEC-01-T-28-R-22-QQ-41

4 PARCELS ASSESSED

ITEM	QUANTITY	PER	RATE	ASSESSMENT
STREETS (RL-RM)	*****0.000	UNITS AT	\$1,125.000 EA. =	*****\$0.00
STREETS (COMM)	*****957.000	FF AT	***\$15.000 EA. =	***\$14,355.00
STORM SEWER (RES)	*****0.000	UNIT AT	**\$500.000 EA. =	*****\$0.00
STORM SEWER (COMM)	***518,252.000	SF AT	****\$0.100 EA. =	***\$51,825.20

GRAND TOTALS 22 PARCELS ASSESSED

ITEM	QUANTITY	PER	RATE	ASSESSMENT
STREETS (RL-RM)	*****14.000	UNITS AT	\$1,125.000 EA. =	***\$15,750.00
STREETS (COMM)	*****1,254.000	FF AT	***\$15.000 EA. =	***\$18,810.00
STORM SEWER (RES)	*****14.000	UNIT AT	**\$500.000 EA. =	***\$7,000.00
STORM SEWER (COMM)	***518,252.000	SF AT	****\$0.100 EA. =	***\$51,825.20

TOTAL AMOUNT ASSESSED FOR THIS PROJECT =

***\$93,385.20

AGENDA REPORT

Action by Council:

TO: City Manager

FROM: Assistant City Engineer Bruce Irish

SUBJECT: Designation of Municipal State Aid Streets

DATE: January 21, 1991

Endorsed _____

Modified _____

Rejected _____

Date _____

Introduction

The City of North St. Paul has proposed several changes in the municipal state aid street (MSAS) designations of streets adjacent to the city border. Resolutions to establish two new routes and revoke an existing designation are attached.

Background

It is proposed to revoke the MSAS designation of Cope Avenue from White Bear Avenue to Ariel Street. It is proposed to be revoked because it no longer meets the requirements for MSAS as defined in Chapter 8820 of Minnesota Rules 1985. A copy of Chapter 8820.0700 is attached for reference.

As shown on the attached figure from the comprehensive plan, Cope Avenue is no longer considered a collector street. The segment from Hazel to Ariel was constructed to local street standards rather than collector street width requirements. The extension of Cope into North St. Paul necessary to connect to another collector street has been platted differently. Therefore, it does not meet MSA standards and should be revoked.

Eleventh Avenue from White Bear to Ariel is not currently a MSAS. However, the comprehensive plan defines it as a major collector. Due to commercial development at White Bear and Eleventh and in the area of McKnight and Eleventh it has become a major route. It meets all requirements for MSAS designation. Although Eleventh Avenue is currently built to improved standards, designation as a MSAS will provide for funding of maintenance and rehabilitation costs.

It is also proposed to jointly designate Ariel Street from County Road C to Eleventh as MSAS together with North St. Paul. This route would have termini on county or municipal state aid routes, and therefore, complies with the requirement for an integrated street system. However, it is not classified as a collector street in either Maplewood or North St. Paul. It may be subject to increased traffic in the future as commercial development

January 21, 1991

proceeds, but this is unclear. There may be a problem in satisfying this requirement for MSAS designation.

It would be beneficial if Ariel Street could be designated as a MSAS to facilitate its reconstruction at some point. Due to the large open space frontage on Ariel, it is difficult to envision how reconstruction could be financed without a significant additional funding source.

The city currently has enough allowable mileage in its MSA system to make these changes.

Recommendation

It is recommended that three attached resolution be adopted.

BAI

jc
Attachment

8820.0500 STATE-AID OPERATIONS

network of highways and streets in accordance with parts 8820.0600 to 8820.0800.

Statutory Authority: *MS s 161.082; 161.083; 162.02; 162.09; 162.155; Laws 1983 c 17*

History: *8 SR 2146*

8820.0600 SELECTION OF ROUTES.

Final selection of routes to be included in the respective county state-aid and municipal state-aid systems are subject to the approval of the commissioner. These routes may be established on new locations where no existing roadway exists or may be located upon or over an established roadway or specified portion of a roadway.

The highway and street systems to be selected and designated in accordance with law are:

A. a county state-aid highway system not exceeding 30,000 miles in extent, excluding trunk highway turnback mileage;

B. a municipal state-aid street system not exceeding 2,500 miles in extent within urban municipalities, excluding trunk highway turnback mileage.

For an undivided, one-way street with a minimum width of 28 feet and with no parking lane or with a maximum width of 36 feet with parking on one side, the chargeable mileage allowed for municipal state-aid street mileage purposes is one-half of the length of the one-way street.

Statutory Authority: *MS s 161.082; 161.083; 162.02; 162.09; 162.155; Laws 1983 c 17*

History: *8 SR 2146*

8820.0700 SELECTION CRITERIA.

Subpart 1. **Basis.** A state-aid route must be selected on the basis of the criteria in subparts 2 and 3.

Subp. 2. **County state-aid highway.** A county state-aid highway which:

A. is projected to carry a relatively heavier traffic volume or is functionally classified as collector or arterial as identified on the county's functional plans as approved by the county board;

B. connects towns, communities, shipping points, and markets within a county or in adjacent counties; or provides access to rural churches, schools, community meeting halls, industrial areas, state institutions, and recreational areas; or serves as a principal rural mail route and school bus route;

C. occurs at reasonable intervals consistent with the density of population; and

D. provides an integrated and coordinated highway system affording, within practical limits, a state-aid highway network consistent with projected traffic demands.

Subp. 3. **Municipal state-aid street.** A municipal state-aid street which:

A. is projected to carry a relatively heavier traffic volume or is functionally classified as collector or arterial as identified on the urban municipality's functional plan as approved by the urban municipality's governing body;

B. connects the points of major traffic interest within an urban municipality; and

C. provides an integrated street system affording, within practical limits, a state-aid street network consistent with projected traffic demands.

Statutory Authority: *MS s 161.082; 161.083; 162.02; 162.09; 162.155; Laws 1983 c 17*

History: *8 SR 2146*

8820.0800 ROU

Subpart 1.

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Statutory A

1983 c 17

History: 8

8820.0900 [Rep

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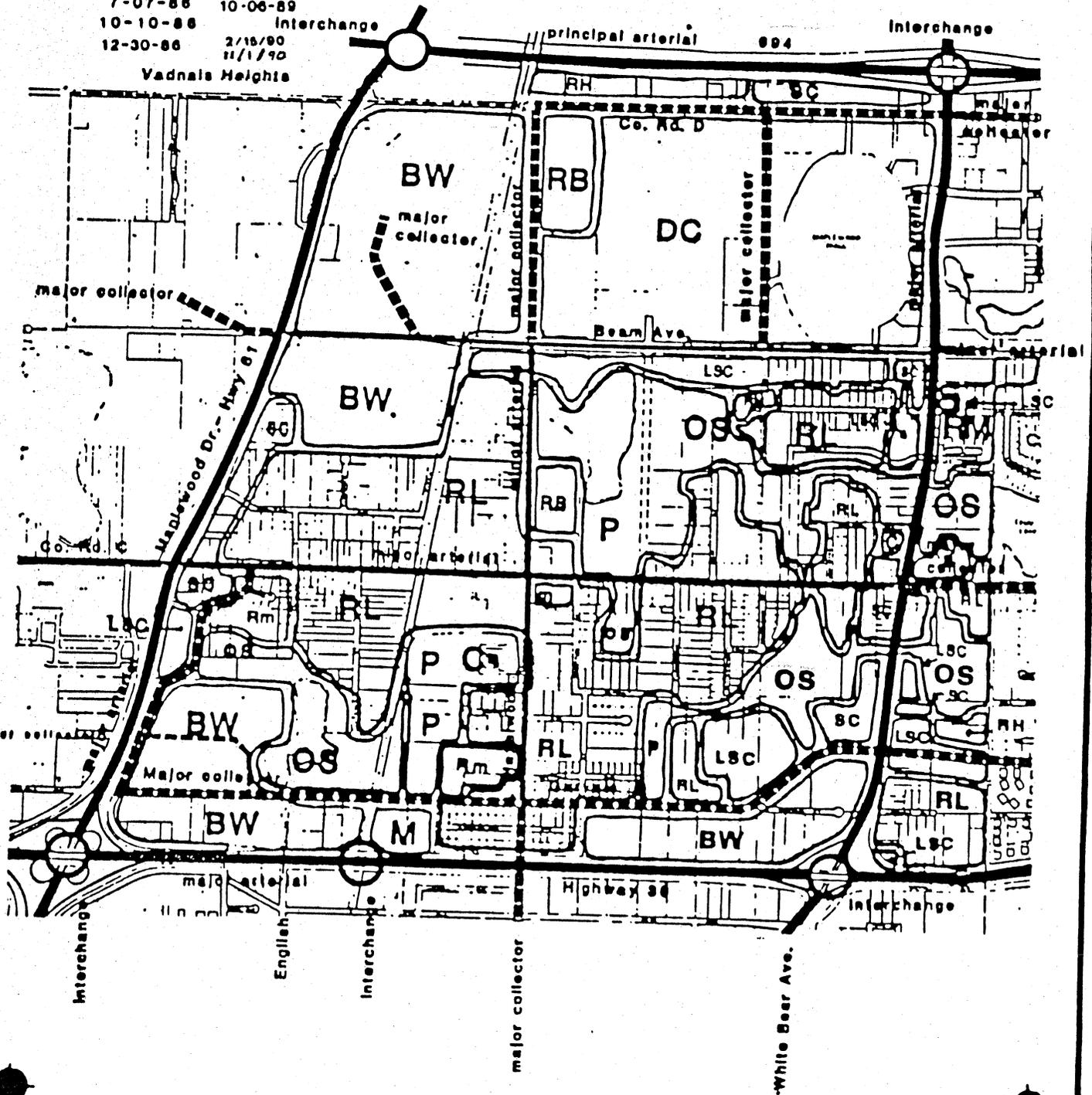
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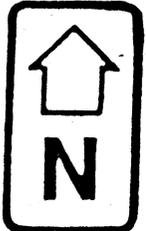
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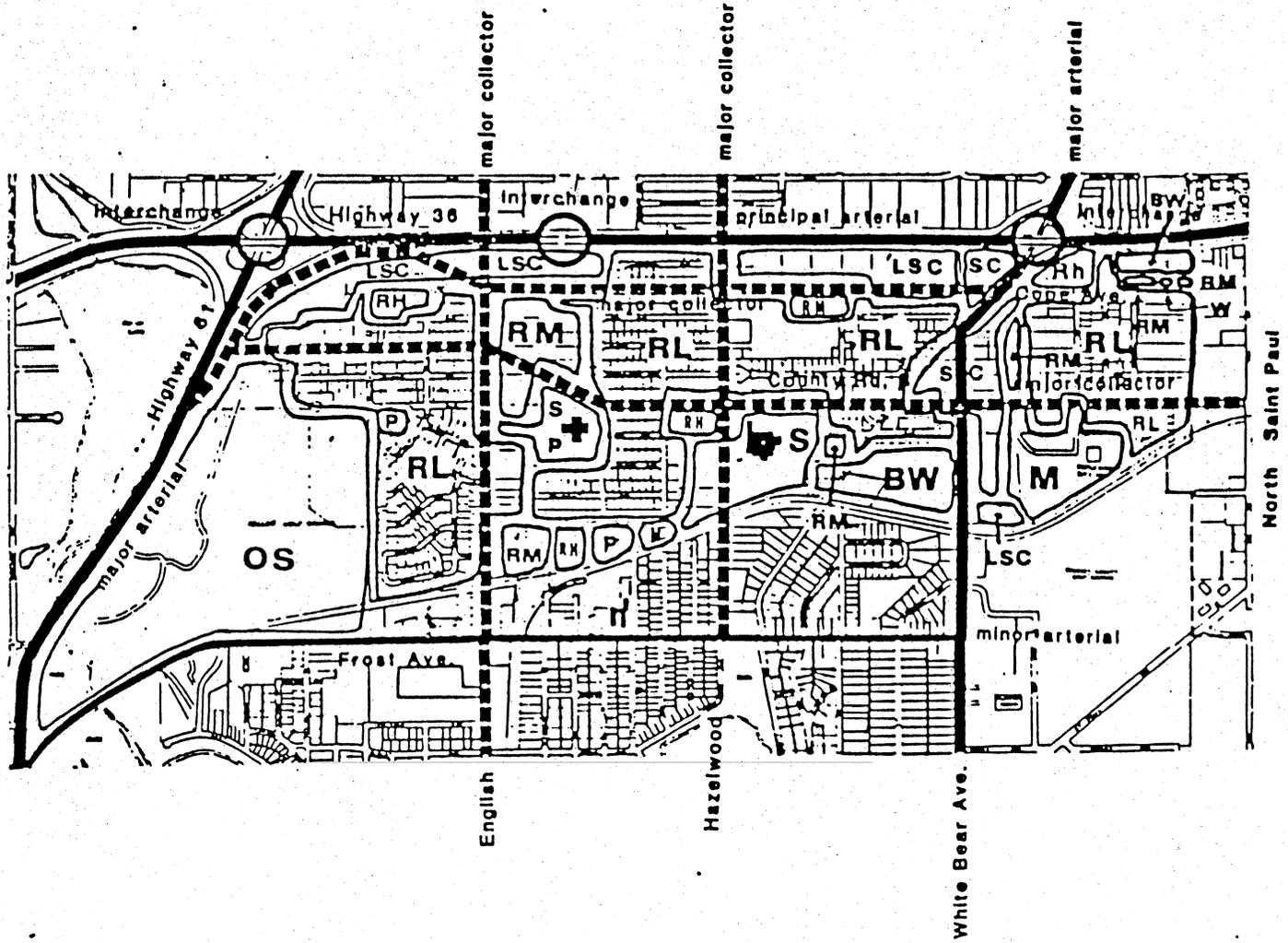
3-26-88	9-29-87
4-08-88	9-21-88
8-28-88	10-27-88
10-08-88	1-4-89
11-08-88	4-17-89
7-07-86	7-21-89
10-10-86	10-06-89
12-30-86	2/16/90
	11/1/90



HAZELWOOD NEIGHBORHOOD LAND USE PLAN

10-11





REVISED
 6-24-85
 7-23-85
 5-12-88
 12-31-90

SHERWOOD GLEN NEIGHBORHOOD LAND USE PLAN



RESOLUTION REVOKING MUNICIPAL STATE AID STREET

WHEREAS, it appears to the City Council of the City of Maplewood that the road hereinafter described should be revoked as a Municipal State Aid Street under the provisions of Minnesota Laws;

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

That portion of Cope Avenue (MSAS 138-115) from White Bear Avenue (CSAH 65) to Ariel Street. Revocation of MSA designation of the extension of Cope Avenue east of Ariel Street is to be made by the City of North St. Paul.

be, and hereby is, revoked as a Municipal State Aid Street of said City, subject to the approval of the Commissioner of Highways of the State of Minnesota.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Highways for his consideration.

ADOPTED _____, 19_____.

Mayor

ATTEST:

City Clerk

CERTIFICATION

I hereby certify that the above is true and correct copy of a Resolution duly passed, adopted and approved by the City Council of said City on _____, 19_____.

City Clerk

City of _____

(SEAL)

RESOLUTION ESTABLISHING MUNICIPAL STATE AID STREET

WHEREAS, it appears to the City Council of the City of Maplewood that the street hereinafter described should be designated a Municipal State Aid Street under the provisions of Minnesota Laws of 1967 Chapter 162:

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

Eleventh Avenue from White Bear Avenue (CSAH 65) to City border at Ariel Street. Municipal State Aid Street designation of the extension of Eleventh Avenue from Ariel Street to McKnight Road (CSAH 68) is to be made by City of North St. Paul.

be, and hereby is, established, located, and designated a Municipal State Aid Street of said City, subject to the approval of the Commissioner of Highways of the State of Minnesota.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Highways for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained as a Municipal State Aid Street of the City of Maplewood, to be numbered and known as Municipal State Aid Street 122.

ADOPTED _____, 19_____.

Mayor

ATTEST:

City Clerk

CERTIFICATION

I hereby certify that the above is true and correct copy of a Resolution duly passed, adopted and approved by the City Council of said City on _____, 19_____.

City Clerk

City of _____

(SEAL)

RESOLUTION ESTABLISHING MUNICIPAL STATE AID STREET

WHEREAS, it appears to the City Council of the City of Maplewood that the street hereinafter described should be designated a Municipal State Aid Street under the provisions of Minnesota Laws of 1967 Chapter 162:

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

Ariel Street from County Road C (CSAH 23) to Eleventh Avenue (proposed to be designated as MSAS 138-122). This route is a border street and is to be jointly designated with the City of North St. Paul.

be, and hereby is, established, located, and designated a Municipal State Aid Street of said City, subject to the approval of the Commissioner of Highways of the State of Minnesota.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Highways for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained as a Municipal State Aid Street of the City of Maplewood, to be numbered and known as Municipal State Aid Street 123.

ADOPTED _____, 19____.

Mayor

ATTEST:

City Clerk

CERTIFICATION

I hereby certify that the above is true and correct copy of a Resolution duly passed, adopted and approved by the City Council of said City on _____, 19____.

City Clerk

City of _____

(SEAL)

AGENDA REPORT

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Assistant City Manager *Bryson B. Maghian*
RE: FULK PURCHASE AGREEMENT
DATE: January 18, 1991

INTRODUCTION

At the December 27, 1991 meeting, the City Council authorized the City Manager to draw up an agreement to purchase the four lots (two parcels) owned by Roger Fulk at 1800 and 1810 E. County Road B. This purchase agreement was scheduled for the January 28, 1991 meeting for Council review. Due to engineering tests and other details, the purchase agreement will not be completed until early February. It will be placed on the February 11, 1991 agenda.

DISCUSSION

Before the purchase agreement can be completed, the engineering tests must be performed. The tests include lead and asbestos testing in the buildings and an environmental assessment of the site. The objective of this assessment is to evaluate potential environmental hazards. The assessment is accomplished by reviewing the history of the site, current and past uses, and surrounding uses. A site reconnaissance is also conducted to observe any signs of dumping, spills or potential sources of contamination. It is very important to have this type of study done, since removal of contaminated soils can be very costly. The results of this study could effect the purchase price.

The engineering tests are expected to be completed by the end of January. At that time, we will evaluate the results and how they may effect the purchase agreement and possibly further negotiations. The purchase agreement will be placed on the February 11, 1991 City Council agenda for consideration.

RECOMMENDATION

It is recommended that the City Council table this item until the February 11, 1991 meeting.

Action by Council:

AGENDA REPORT

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Assistant City Manager *Dutchman S. Magson*
RE: RAMSEY COUNTY/CITY 1991 RECYCLING GRANT AGREEMENT
DATE: January 18, 1991

INTRODUCTION

Each year, Ramsey County and the City enter into an agreement to provide funding for the City's curbside recycling program. Presented for your review and consideration is the 1991 Recycling Grant Agreement.

DISCUSSION

The City established and maintains a city-wide curbside recycling program. At the December 13, 1991 meeting, the City Council approved the contract with Gopher Disposal to provide this service.

Through a reimbursement agreement, Ramsey County funds the City's curbside recycling program. A portion of the County's property taxes are specifically allocated to fund this program. The 1991 reimbursement agreement for the City's recycling program is presented. This is the same agreement that the City and County have approved in the past with one exception. The County Board added a new provision which states that the City is aware that the funding for the City's recycling program will not be the County's responsibility as of December 31, 1991. As of January 1, 1992, the City will have to take over the funding. The City Council was aware of this and created a Recycling Charge on sewer bills as the vehicle to collect the necessary funds.

For some time, staff has had a concern with the funding transition. As of January 1, 1992, the County will stop reimbursing the City. However, there is no guarantee in the agreement that the County will stop collecting that portion of the property taxes that is designated to pay for the service. The residents of Maplewood could, in effect, be charged by the City and County for the same program. We proposed language (see attached letter dated December 28, 1990) to be included in the

1991 agreement. This language states that the County would guarantee that the applicable portion of the Waste Management Service Charge on the Maplewood property tax statements would be eliminated. We received a letter from the County dated January 14, 1991 (copy attached) which states that the County has no intention of collecting the tax if the City has developed a long term funding mechanism. The letter adequately addresses our concern, and will be kept on file with the 1991 agreement.

RECOMMENDATION

It is hereby recommended that the City Council approve the 1991 Municipal Recycling Grant Agreement between the City and Ramsey County and authorize the Mayor and staff to execute the agreement.



CITY OF MAPLEWOOD

1830 E. COUNTY ROAD B MAPLEWOOD, MINNESOTA 55109

OFFICE OF CITY MANAGER

612-770-4524

December 28, 1990

Mr. Zack Hansen
Solid Waste Division Manager
Ramsey County Public Health Department
Room 206
1910 West County Road B
Roseville, MN 55113

Dear Zack:

We received the copies of the 1991 Municipal Recycling Grant Agreement from Cathi Lyman-Onkka. We spoke to Cathi today, and she suggested that we send you a letter which addresses our concern.

The new Section 6. **LONG TERM FUNDING** says that the County will no longer provide funding for curbside recycling services after December 31, 1991. However, the paragraph does not say that the County will no longer collect the funds on the property tax rolls of Maplewood residents. As I stated in my letter dated September 11, 1990, (copy attached), the residents should only be charged once for this service.

We would like this issue addressed in the contract under 6. **LONG TERM FUNDING** or in a separate agreement. Our proposed language is:

"The City acknowledges that on January 1, 1992, the City will provide long term funding for its curbside recycling services. From January 1, 1992 and thereafter, the County will:

a) eliminate the applicable portion of the Waste Management Service Charge on the property tax statements of Maplewood residents that was used to fund the City's curbside recycling service; and

b) cease to provide funding for curbside recycling services."

Mr. Zack Hansen
Page 2
December 28, 1990

We appreciate your cooperation in this important matter and will hold the contract copies until we hear from you. I can be reached at 770-4525.

Sincerely,

A handwritten signature in cursive script that reads "Michael A. McGuire".

Michael A. McGuire
City Manager

MAM:kdb

attachment

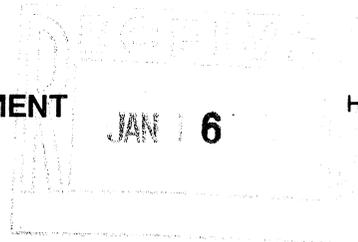


RAMSEY COUNTY
PUBLIC HEALTH DEPARTMENT

150 E. Kellogg Blvd., Suite 610
St. Paul, Minnesota 55101

298-5971

Rob Fulton, *Director*



BOARD OF HEALTH

Hal Norgard, Chairman
Diane Ahrens
John T. Finley
Ruby Hunt
Duane McCarty
Donald E. Salverda
Warren W. Schaber

January 14, 1991

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

Dear Mr. McGuire:

I am writing in response to your letter of December 28, 1991 to Zack Hansen in which you address the issue of funding of curbside recycling programs after December 31, 1991. Your specific request was an amendment to the grant agreement which would state that the County would, "eliminate the applicable portion of the the Waste Management Service Charge on the property tax statements of Maplewood residents that was used to fund the City's curbside recycling service" after the cessation of funding on January 1, 1992.

As you know, the Ramsey County Master Plan for Solid Waste Management contains policies which address the recycling portion of the Waste Management Service Charge (WMSC). According to those policies, if a city has developed a long term funding mechanism for curbside recycling, and if the city meets its recycling goals for the next year, the city can receive an exemption for the recycling portion of the WMSC. In 1991 there are eight cities that have received the exemption, and whose residents do not pay that portion of the charge.

The Ramsey County Recycling Implementation Strategy contains a policy, which was amended in 1990, that states that the County will cease to fund municipal curbside recycling programs after date(s) certain in 1991. The City of Maplewood selected the date of January 1, 1992 when we inquired in September, 1990.

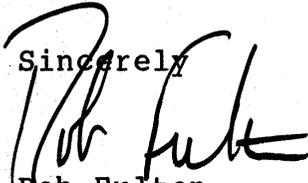
The Recycling Implementation Strategy does not address the issue of what happens to the recycling portion of the WMSC after this date. It does say, however, that if a city fails to develop a long term funding mechanism by the date, the County will operate the local program and that "this will require the continuance of the recycling service charge on the property tax statements." The implication is that if a city develops a long term funding mechanism the recycling portion of the WMSC will be discontinued.

January 14, 1991
Page Two

Your concern is that residents of Maplewood not pay for a service, through the WMSC, that they do not receive. The policies of the County are aimed at developing municipal long term funding programs, and the elimination of County payments. While the County will have the need to fund some aspects of recycling, such as recyclables processing and public education, it is not the County's intent to charge residents for curbside recycling services when municipalities have developed long term funding mechanisms.

If you have any further questions, please call me at 292-5971.

Sincerely



Rob Fulton
Director of Public Health

cc: Hal Norgard
Terry Schutten
Zack Hansen

**AGREEMENT BETWEEN
RAMSEY COUNTY AND _____
FOR A RECYCLING GRANT**

This Agreement is made this _____ day of _____, 1991,
between Ramsey County through the Public Health Department
(the "County") and _____ (the "City").

WITNESSETH:

WHEREAS, The County has established policies and plans supporting curbside recycling as part of an overall waste abatement program; and

WHEREAS, The City supports curbside recycling and desires that it be available to residents of the City; and

WHEREAS, The current Ramsey County policy for funding curbside recycling, found in the Recycling Implementation Strategy and amended by Resolution No. 90-433, provides that Ramsey County will continue to provide 100% funding for curbside recycling until cessation of funding on date(s) certain in 1991; and

WHEREAS, The County will revise its Master Plan for Solid Waste Management following adoption by the Metropolitan Council of a revised Solid Waste Policy Plan; and

WHEREAS, The County has collected funds through its Waste Management Service Charge, and from the State of Minnesota and the Metropolitan Council specifically for curbside recycling; and

WHEREAS, The City has requested funds from the County to support the City's curbside recycling program; and

WHEREAS, The City is aware of the County's policy to cease 100% funding for curbside recycling after December 31, 1991 and is working to develop a long term funding mechanism for curbside recycling; and

WHEREAS, The City has established an in-house recycling program pursuant to Minn. Stat. 115A.151.

NOW, THEREFORE, The County and City mutually agree as follows in consideration of the mutual promises and covenants contained herein:

1. OBLIGATIONS

a. Reimbursement

- 1) The City shall provide a curbside recycling program for at least four materials.
- 2) The City shall incur expenses for reimbursement by the County according to the Budget shown in Attachment A, which is attached and incorporated into this Agreement.

- 3) The City shall not request reimbursement for expenses or that portion of expenses which have been or will be reimbursed by other parties, agencies or programs.
- 4) The City may request reimbursement on a monthly, quarterly or semiannual basis, depending on the schedule the City chooses.
- 5) The City shall submit proper documentation for reimbursement which shall include photocopies of the contractor's bill(s) and bills for public education expenses, a completed County claim form, and monthly tonnages for the period.
- 6) The County shall reimburse the City for up to 75% of program costs described in Attachment A, following receipt of adequately documented requests for reimbursement from the City. The remaining 25% of the program costs shall be reimbursed by the County only upon receipt from the City of the completed semiannual reports by the dates indicated, as required by Subdivision 1.d. herein.

b. Unmarketable Materials

- 1) The County and City recognize that due to market conditions there may be times when recyclable material cannot be delivered to a market. The County and City further recognize that it may be necessary to deliver recyclable materials to a resource recovery facility or landfill in order to sustain the curbside recycling program.
- 2) The City may authorize its contractor to deliver recyclable material to a resource recovery facility or landfill only after the City has received permission from the County through the Public Health Department to do so. In order to receive permission to authorize delivery of materials to a resource recovery facility or landfill the City must demonstrate to the County that the materials cannot be delivered to a market.
- 3) If any recyclable material is processed at a resource recovery facility or landfilled, the County shall reimburse the City provided that proper documentation is submitted. Proper documentation shall include:
 - o a completed County claim form; and

- o invoices from the facility used for resource recovery or landfilling which show the weight and type of material delivered, the date of delivery and the amount charged for the delivery; and
- o documentation showing that the contractor hired by the City has made efforts to secure long-term markets for the recyclable materials being landfilled or processed at a resource recovery facility and has made efforts to avoid future landfilling or processing at a resource recovery facility.

c. Public Education

Any public education materials produced by the City or its subcontractor(s) shall credit the County, the Metropolitan Council, and the State of Minnesota's SCORE fund as funding sources for the recycling program.

d. Reports

- 1) The City shall submit two reports to the County. The first shall be submitted to the County no later than 4:30 P.M. on Monday, July 15, 1991 and the second report shall be submitted no later than 4:30 P.M. on Wednesday, January 15, 1992. The report due July 15, 1991 shall include program information for January 1 through June 30, 1991. The second report will include information for July 1 through December 31, 1991.
- 2) The semiannual reports shall be submitted on forms provided by the County.
- 3) The City shall submit complete reports by the dates described herein in order to receive full reimbursement for expenses.

e. Financial Report

The City shall submit an audited financial report to the Ramsey County Budget and Accounting Office. The report shall show how funds received from Ramsey County were disbursed. The report shall be submitted after the annual audit which included the funds received from Ramsey County for this recycling grant.

2. TERM

The term of this Agreement shall be from January 1, 1991 through December 31, 1991, the date of signatures notwithstanding.

3. CANCELLATION

Either party may cancel this Agreement at any time upon thirty (30) days written notice to the other party. In the event of termination, the City shall be entitled to reimbursement for those expenses incurred up to the termination date provided the expenses have been incurred according to the budget shown in Attachment A.

4. DEFAULT

Any of the following shall constitute default on the part of the City:

- a. The failure of the City to use funds in a manner consistent with this contract and Attachment A.
- b. The failure of the City or its (sub)contractor(s) to use their best efforts to ensure the maximum collection and marketing of recyclable materials from the area served.
- c. The failure of the City to provide information satisfactory to the County as required in 1.a, 1.b, 1.d. and 1.e above.

5. GENERAL CONDITIONS

- a. All services and duties performed by the City pursuant to this Agreement shall be performed to the satisfaction of the County and in accordance with all applicable federal, state, and local laws, ordinances, rules and regulations as a condition of payment. The City agrees that it will comply with all federal, state, and local statutes and ordinances relating to nondiscrimination.
- b. The City shall at all times be an independent contractor and shall not be the employee of the County for any purpose. The County shall not be responsible for the payment of any taxes, either federal or state, on behalf of the City, nor shall the County be responsible for any fringe benefits. No Civil Service or other rights of employment will be acquired by virtue of City's services.
- c. The City and County mutually agree to defend, hold harmless, and indemnify the other party, its officials, agents, and employees, from any liability, loss or damage they may suffer as a result of demands, claims, judgments, or costs arising out of or caused by the indemnifying party's negligence in the performance of their respective obligations under the provisions of this Agreement. This provision shall not be construed nor operate as a waiver of any applicable limits of or exceptions to liability set by law.

- d. All data collected, created, received, maintained or disseminated for any purpose in the course of this Agreement is governed by the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 (1988), any other applicable state statute, or any state rules adopted to implement the act, as well as federal regulations on data privacy. The City agrees to abide by these statutes, rules and regulations.
- e. All books, records, documents and accounting procedures and practices of the City and its subcontractor(s), if any, relative to this Agreement are subject to examination by the County and the State Auditor, as appropriate, in accordance with the provisions of Minn. Stat. 16B.06, Subd. 4 (1988).
- f. Any amendments to this Agreement shall be in writing and signed by both parties.

6. LONG TERM FUNDING

The City acknowledges that on January 1, 1992 the City will provide long term funding for its curbside recycling services, and that from January 1, 1992 and thereafter the County will cease to provide funding for curbside recycling services.

IN WITNESS THEREOF, the parties have subscribed their names as of the date first above written.

RAMSEY COUNTY

BY _____
Chair, Ramsey County Board

Approved:

BY _____
Chief Clerk

Approved to Form:

BY _____
Assistant County Attorney

Insurance Approved:

BY _____
Risk Manager

Funds are available,
code: _____

BY _____
Budget and Accounting

Recommended:

BY _____
Director, Public Health Department

BY _____
Mayor

Approved to Form:

BY _____
City Attorney

BY _____
Clerk-Treasurer

ATTACHMENT A

1991 RECYCLING SERVICE BUDGET

FOR THE CITY OF MAPLEWOOD

I. PROGRAM DESCRIPTION

A. RECYCLING CONTRACTOR: Gopher Recycling

B. SINGLE FAMILY DWELLINGS

1. NUMBER: 8,500

2. FREQUENCY OF COLLECTION: Every Other Week

C. MULTIFAMILY DWELLINGS

1. NUMBER OF BUILDINGS SERVICED: Not Available

2. NUMBER OF UNITS SERVICED: 3,000

3. FREQUENCY OF COLLECTION: Every Other Week

D. MATERIALS COLLECTED: Newspaper, glass, metal cans, plastic, automotive batteries, used motor oil

II. BUDGET DESCRIPTION

	AMOUNT
A. COLLECTION COST	
1. SINGLE FAMILY DWELLINGS:	\$105,960
2. MULTIFAMILY UNITS	\$ 39,740
B. PUBLIC EDUCATION ACTIVITIES	\$ 6,000
C. ADMINISTRATION	\$ 2,500
D. OTHER (LIST)	\$ <u>0</u>
TOTAL	\$154,200