

AGENDA

MAPLEWOOD CITY COUNCIL
7:00 P.M., Tuesday, May 28, 1991
Council Chambers, Municipal Building
Meeting No. 91-10

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. APPROVAL OF MINUTES

1. Meeting of May 6, 1991 (Council/Manager)
2. Meeting No. ~~90-09~~, (May 13, 1991)

E. APPROVAL OF AGENDA

91-09

F. CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion on these items. If a member of the City Council wishes to discuss an item, that item will be removed from the Consent Agenda and will be considered separately.

1. Approval of Claims

G. PUBLIC HEARINGS

1. 7:00 P.M., Variance: Highway 61. North of Venburg Tire (Backyard Building Systems)

-
2. 7:10 P.M., West of Highway 61, North of Highway 36

Plan Amendment (4 Votes)_____

Zoning Map Changes (4 Votes)_____

3. 7:45 P.M., Code Change: Planning Fees (1st Reading)_____

H. AWARD OF BIDS

I. UNFINISHED BUSINESS

1. Discussion of Recycling Ordinances _____
2. Parkside Fire Department _____

J. NEW BUSINESS

1. Site Plan Revision: 3M Classroom Building (600 Carlton St.) _____
2. Design Review Appeal - Baker's Square Addition, 3088 White Bear Ave. _____
3. Fourth of July Celebration _____
4. Authorization to purchase Monette Property _____

K. VISITOR PRESENTATIONS

L. COUNCIL PRESENTATIONS

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____

M. ADMINISTRATIVE PRESENTATIONS

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

N. ADJOURNMENT

2-1

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

4:30 p.m., Monday, May 6, 1991
Conference Room A, City Hall

MINUTES

A. CALL TO ORDER

The Council/Manager meeting of the Maplewood City Council was held in Conference Room A, City Hall. The meeting was called to order by Councilperson Zappa at 4:32 p.m.

B. ROLL CALL

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

Others Present:

City Manager Michael McGuire
Assistant City Manager Gretchen Maglich

C. APPROVAL OF AGENDA

The following additions were made to the agenda:

D. NEW BUSINESS

6. Negotiations Update
7. County Road B Storm Sewer Project
8. Letters to the City Council

Councilmember Rossbach moved that the agenda be approved as amended. The motion was seconded by Councilperson Carlson and approved.

Ayes: Carlson, Juker, Rossbach and Zappa

Absent: Bastian

D. NEW BUSINESS

1. Organized Collection

City Manager McGuire and Assistant City Manager Maglich presented the staff report which summarized the history of organized collection in Maplewood.

Mayor Bastian arrived at 4:52 p.m.

Following some discussion, Councilmember Rossbach moved that staff prepare a proposed plan of action with options for organized collection in the City. This report should be presented to the City Council for review within the next 60 days.

The motion was seconded by Councilperson Carlson and approved.

Ayes: Bastian, Carlson, Rossbach and Zappa

Noes: Juker

2. Land Acquisition Update

City Manager McGuire reviewed the status of four properties for which the City is negotiating the purchase. Following some discussion, Councilperson Zappa moved that the City Manager continue negotiations with property owners on White Bear Avenue south of County Road B and bring back firm offers to the Council for review and direction. The motion was seconded by Councilperson Carlson and approved.

Ayes: Bastian, Carlson, Rossbach, and Zappa

Noes: Juker

Human Resource Director Blackstone arrived at the meeting at 5:15 p.m.

There was some discussion about the condition, tenants, and future use of the rental property at 1800 E. County Road B. Mayor Bastian moved that this item be placed on the May 13, 1991 City Council meeting agenda for Council review and action. The motion was seconded by Councilperson Zappa and approved.

Ayes: All

3. Summary Report of the Planning and Leadership Workshop

It was the consensus of the Council that they would review the summary document and provide the City Manager with their thoughts and comments within a week. City Manager McGuire summarized the steps that he and the department heads had completed to date and what was planned for the next step.

4. Suggestion Box Report

City Manager McGuire distributed copies of a summary report about the "Tell It To The City Manager" comment cards that had been received to date. It was the consensus of the City Council that they receive a summary report of every 50 cards received. City Manager McGuire also distributed a copy of a news article about the City's budget that will be published in the **Maplewood Review**. The Council asked that copies of the article be placed in the City Hall lobby and the public library.

5. FINA

Following some discussion about the location and number of driveways at the FINA station on the corner of County Road B and White Bear Avenue, it was the consensus of the City Council that when the CUP comes back to the Council for its one year review, the issue of the driveways and limiting the turn direction of the exiting cars will be addressed.

6. Negotiation Update

City Manager McGuire and Human Resource Director Blackstone summarized the status of the arbitration with L.E.L.S. and the mediation with A.F.S.C.M.E.

Human Resource Director Blackstone left the meeting at 6:15 p.m.

7. County Road B Storm Sewer Project

Councilperson Juker stated her concern about the incomplete County Road B storm sewer project and its effectiveness when complete. Staff was directed to provide a summary of all storm water complaints received in the last month including those related to the County Road B project.

8. Letters to the City Council

Councilperson Zappa discussed a letter that the City Council received from a Maplewood resident about landscaping.

E. OTHER BUSINESS

1. Future Topics

Future topics for the next Council/Manager meeting are:

- a. Maplewood in Motion
- b. Sergeants
- c. Manager's annual evaluation
- d. Take home car policy
- e. Land acquisition update

2. Mayor's Update

Mayor Bastian summarized his Mayor's Forum which was held at the Parkside Fire Station on Saturday, May 4, 1991.

Assistant City Manager Maglich provided two possible dates for the 1992 Goal Setting/Leadership workshop. It was the consensus of the City Council to conduct it on Thursday/Friday, January 30 - 31, 1992.

F. NEXT MEETING DATE

A date for the next Council/Manager meeting was not selected.

G. ADJOURNMENT

The meeting was adjourned at 6:40 p.m.

F. CONSENT AGENDA

Councilmember Zappa moved, seconded by Mayor Bastian; ayes - all, to approve the consent agenda items 1 thru 5 as recommended:

1. Approval of Claims

Approved the following claims:

<u>ACCOUNTS PAYABLE:</u>	\$ 329,862.41	Checks #12206 - #12284
		Dated 04-11-91 thru 04-30-91
	\$ <u>182,805.87</u>	Checks #12915 - #13703
		Dated 05-13-91
	\$ 512,668.28	Total per attached voucher/check register
<u>PAYROLL:</u>	\$ 186,635.53	Payroll Checks dated 04-26-91
	\$ <u>37,323.57</u>	Payroll Deductions dated 04-26-91
	\$ 223,959.10	Total Payroll
	\$ 736,627.38	GRAND TOTAL

2. Ambulance Bill - Application for Cancellation

Authorized cancellation of \$49 in paramedic ambulance service charges for Michael Blazer.

3. Preliminary Plat Time Extension and Revisions: Kohlman Lake Overlook 2nd Addition

Approved a Preliminary Plat Time Extension for Kohlman Lake Overlook 2nd Addition, with revision of the original conditions "j", "m", and "n" as follows: (Conditions "a" through "i", "k", and "l" remain unchanged, "o" is eliminated.)

- j. Submit final grading, utility, drainage, erosion control and street plans, along with the corresponding easements, to the City Engineer for approval. These plans shall include, but not be limited to, the following items:
- (1) Providing temporary on-site storm water ponding as directed by the City Engineer, until the storm sewer system is working and accepted by the City.
 - (2) The grading of the drainage and utility easement between proposed Lots 6 and 7, Block Four, to accommodate maintenance trucks.
 - (3) The final grading plan shall include a proposed building pad elevation and contour information for each lot. It shall also show all basement floors at an elevation of 864.6 feet or greater. The developer may vary the approved building pad elevations if the changes are consistent with the approved plan. The grading plan shall also include contour information for all areas that the construction will disturb. The City Engineer may approve deviations from the approved final grading plan, provided the changes follow the intent of the overall final grading plan.

- (4) The developer shall locate the sanitary sewer deep enough to accommodate as much of the property to the north as possible.
- (5) The erosion control plan shall be consistent with the Ramsey Soil and Water conservation District Erosion and Sediment Control handbook.
- (6) Construction traffic shall travel to County Road D.
- (7) Beam Avenue shall be 36 feet wide, with a sidewalk along the east and north sides.

m. Rename proposed "Lydia Court" to "Lydia Avenue".

n. Complete a signed developer's agreement, with required surety, for all required public improvements, ponds, and erosion control. This agreement shall include, but not be limited to:

- (1) the upgrading of the dike as necessary.
- (2) the construction of a berm on the Var's property (1140 Beam Avenue).

4. Workhouse Sanitary Sewer - Project 89-08: Accept Project

Accepted the Workhouse Sanitary Sewer Project (89-08) as complete and authorized final payment of \$3,855.84 to the contractor.

5. Lydia Avenue, White Bear Avenue to 1/4 Mile East - No Parking Restrictions

Approved the following resolution requesting restriction of parking along Lydia Avenue:

Resolution 91 - 05 - 58

**RESOLUTION REQUESTING RAMSEY COUNTY
TO RESTRICT PARKING ALONG A PORTION OF LYDIA AVENUE**

WHEREAS, the County has planned to improvement of Lydia Avenue (CSAH 19) from White Bear Avenue to .25 miles east; and

WHEREAS, the County will be expending County State Aid Highway funds (S.A.P. 62-619-16) on the improvement of said street; and

WHEREAS, said improvement does not conform to the approved minimum standards as previously adopted for such County State Aid streets and that approval of the proposed construction as a County State Aid street project must, therefore, be conditioned upon certain parking restrictions; and

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

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the City requests the County to restrict the parking of motor vehicles on both sides of Lydia Avenue from White Bear Avenue to 300 feet east of White Bear Avenue.

G. PUBLIC HEARINGS

1. 7:00 P.M.(7:05 P.M.), Dahlen, 1837 No. McKnight Rd. - Kennel License
 - a. Mayor Bastian convened the meeting for a public hearing regarding . .
 - b. Manager McGuire presented the staff report.
 - c. Director of Public Safety Collins presented the specifics of the report.
 - d. The applicant, Nancy Dahlen, spoke on behalf of her request.
 - e. Mayor Bastian opened the public hearing, calling for proponents or opponents.
The following was heard:

A letter from Mrs. Frances Torgerson, 1825 McKnight Road, expressing her concern regarding lower property evaluation if license if approved.

- f. Mayor Bastian closed the public hearing.
- g. Councilmember Zappa moved to deny the request.

Motion died for lack of a second.

- h. Councilmember Carlson moved to grant the kennel license to Nancy Dahlen, 1837 No. McKnight, subject to the following condition:

1. 3 dogs for one year basis

Seconded by Councilmember Rossbach

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

2. 7:15 P.M.(7:30 P.M.), Utility Easement Vacation: Carlton Racquetball Club
 - a. Mayor Bastian convened the meeting for a public hearing regarding . .
 - b. Manager McGuire presented the staff report.
 - c. Director of Community Development Olson presented the specifics of the report.
 - d. Commissioner Frost presented the Planning Commission report.
 - e. Mayor Bastian opened the public hearing, calling for proponents or opponents.
The following person was heard:

Otto Bonestroo, the applicant, spoke on behalf of his request.

- f. Mayor Bastian closed the public hearing.

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

91 - 05 - 58A

VACATION RESOLUTION

WHEREAS, Otto Bonestroo of Carlton Racquetball Club, Inc. applied for the vacation of the following described utility easement:

Original easement:

Said easements be described as: The South fifteen (15) feet of Parcel No. 05001, Section 36, Township 29, Range 22, Ramsey County, Minnesota: together with that portion of the Parcel lying West of a line which is parallel to and 110.1 feet West of the East line of said Parcel. Said East property line being the East line of the East one-half (1/2) of the West one-half (1/2) of the East three-fourths (3/4) of the Northwest one-fourth (1/4) of the Northeast one-fourth (1/4) of Section 36, Township 29, Range 22, Ramsey County, Minnesota.

Vacated portion of easement shall be described as:

That portion of the aforementioned easement lying North of a line which is parallel to and 2.5 feet North of the South line of said easement; West of a line which is parallel to and 83.0 feet West of East Line of said easement; and East of a line which is parallel to and 106.0 feet West of East line of said easement. Said East line of easement being the East line of the East one-half (1/2) of the West one-half (1/2) of the East three fourths (3/4) of the Northwest one-fourth (1/4) of the Northeast one-fourth (1/4) of Section 36, Township 29, Range 22, Ramsey County, Minnesota.

WHEREAS, the history of this vacation is as follows:

1. A majority of the property owners abutting this easement signed a petition in favor of this vacation;
2. The Planning Commission discussed this vacation on April 15, 1991. They recommended that the City Council approve this vacation.
3. The City Council held a public hearing on May 13, 1991. City staff published a notice in the Maplewood Review and sent notices to the abutting property owners as required by law. The council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations from the City staff and Planning Commission.

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

The North portion of Lot 1, Block 2, Carlton Park Addition (PIN 36-29-22-12-0017).

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

1. It is in the public interest.
2. The City will not need this part of the easement. 3M will move the existing water main to the south.

Seconded by Councilmember Carlson Ayes - all

3. 7:25 P.M.(7:50 P.M.), Beebe Road, North of Larpenteur Ave: (Autumnwood Villas)
Land Use Plan (4 Votes)
Conditional Use Permit for a P.U.D.

Preliminary Plat

- a. Mayor Bastian convened the meeting for a public hearing regarding . .
- b. Manager McGuire presented the staff report.
- c. Director of Community Development Olson presented the specifics of the report.
- d. Commissioner Frost presented the Planning Commission report.
- e. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:

Todd Stutz, representing The Rottlund Company, Inc.
Stan Yocum, Georgetown Commons, owner of the property.
(Both spoke on behalf of the request)
Bob Fretz, 2180 Ripley Ave.
Alvin Scheid, 1759 Howard Street
Gerry Hanson, 1783 Howard Street
George Sauro, 466 Baytown, part owner of the property
Lorraine Fischer, 1812 Furness
Marie Robinson, Community Design Review Board

- f. Mayor Bastian closed the public hearing.
- g. Councilmember Rossbach moved to deny the Comprehensive Land Use Plan change.

Seconded by Councilmember Zappa Ayes - all

- h. Councilmember Rossbach moved to table the request for approval of the Conditional Use Permit for a P.U.D. and Preliminary Plat until the 1st meeting in August (August 12, 1991).

Seconded by Councilmember Carlson Ayes - all

H. AWARD OF BIDS

None

I. UNFINISHED BUSINESS

1. City Wide Water Main Extensions and Miscellaneous Improvements - Project 90-07; Award of Bid and Review of Assessment Appeals

- a. Manager McGuire presented the staff report.
- b. Director of Public Works Haider presented the specifics of the report
- c. Councilmember Zappa moved to accept the staff recommendations presented with regard to the assessment appeals, as follows:

2512-2514 Woodlynn	Deny - there are two separate addresses on this parcel
2573 Lydia	Deny - improvement of property value can be sustained.
2587 Lydia	Reduce to single water, sewer, and storm sewer units. Potential split is problematic.
01-29-22-12-0029	Reduce from \$14,000 to \$7,000
3036 Bellaire	Deny - runoff drains to proposed storm sewer.
2370 Gall	Reduce to single water and storm sewer unit. Potential split would be difficult to justify.
01-29-22-22-0019	Reduce from \$7,000 to \$3,875.
2360 Gall	Deny - lot split would be financially sound. Two units justified.
2324 Gall	Deny - lot can be practically split. Two units justified.
2811 White Bear	Delete water main and service assessment. Retain commercial rate for storm sewer assessment.
02-29-22-31-0021	Reduce from \$8,827.85 \$3,049.00.
2812 Southlawn	Deny - runoff will drain to proposed storm sewer.
1941 Arcade	Delete assessment. Property adequately served by existing 6-inch diameter pipe.
17-29-22-14-0078	Reduce from \$2,625 to 0
1931 Arcade	Deny - two separate parcels are illicitly served by same service. Separate services must be provided.
1937 Gervais	Deny - no germane basis presented.
1967 Castle	Deny - no germane basis presented.

West side of Donna Senty Drive

15-29-22-23-0023
15-29-22-23-0024
15-29-22-23-0025
15-29-22-23-0026
15-29-22-23-0027
15-29-22-23-0028
15-29-22-23-0029
15-29-22-23-0030
15-29-22-23-0031

Reclassify as residential. Assess on unit basis for every two platted 40' lots instead of \$35/FF commercial rate.
Reduce from \$6,895 to 0
Reduce from 1,400 to \$1,312.50
Reduce from 1,400 to 1,312.50
Reduce from 3,100 to 1,312.50
Reduce from 1,400 to 1,312.50
Reduce from 5,900 to 1,312.50

1050 Frost

Deny - sufficient suitable land is available for additional three lots.

1740 East Shore Drive

Deny - storm water drainage is tributary to proposed storm sewer.

49 E. Larpenteur

Deny - existing 2-inch common service is insufficient to provide fire protection.

1695 Abel

Deny - use of existing 2-inch common service is substandard.

1683 Abel

Deny - use of existing 2-inch common service is substandard.

2311 Minnehaha

Deny - objection to unit assessment by property owners of less than 75 feet is not consistent.

2315 Minnehaha

Deny - no valid basis apparent.

1235 Dorland

Deny - improvement to property value can be sustained.

2353 Carver

Deny - property is in fact suitable to be split.

2514 Keller

Deny - it is valid to assess prior to start of actual work.

The total amount of the reductions is \$32,323.85. (From \$56,747.85 to \$24,424.00)

1896 Phalen Place
Delores and William Johnston
16-29-22-42-0006

Deny cancellation as no specific reason is given or apparent.
Senior citizen deferment is approved.

1857 Phalen Place
Sidney Fulcher
16-29-22-42-0042 (\$3,875.00)

Deny cancellation of assessment as no specific reason is given or apparent.
Senior citizen deferment is approved.

2230 Van Dyke Street
June Ryan
11-29-22-33-0030

Deny cancellation of assessment as no
specific reason is given or apparent.
Senior citizen deferment is approved

Seconded by Councilmember Carlson

Ayes - all

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

91 - 05 - 59

RESOLUTION FOR AWARD OF BIDS

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of Brown and Cris, Inc. in the amount of \$3,572,123.99 is the lowest responsible bid for the construction of City-Wide Water Main Extensions and Miscellaneous Improvements, City Project 90-07, and the Mayor and Clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the City.

FURTHERMORE, the project budget is amended to \$4,402,100.00, and the project financing is amended as follows:

Special Assessments	\$1,511,354.40
Hydrant Fund	354,500.00
Sanitary Sewer Fund	247,700.00
Sanitary Sewer Operations	70,000.00
(Fund 601, 1991 Budget Capital Expenditure)	

General Obligation	<u>2,218,545.60</u>
	\$4,402,100.00

Seconded by Councilmember Carlson

Ayes - all

2. Open Space Report

- a. Manager McGuire presented the staff report.
- b. Director of Parks & Recreation Odegard presented the specifics of the report
- c. Mayor Bastian asked if anyone wished to speak before the Council regarding this matter. The following were heard:

Terry Spawn, 2360 Timber Trail
Bill Poppert, 2433 Highwood
Char Brooker, 2172 Woodlynn

- d. Councilmember Zappa moved to continue this matter to the 2nd meeting of June, to proceed with the Open Space Open Forum on June 1st.

Seconded by Councilmember Carlson

Ayes - all

- e. Mayor Bastian requested area residents to become interested in serving on the Open Space Committee and attend the Open Forum on June 1.

Councilmember Zappa moved to suspend the Rules of Procedure to revert to Item G-3.

Seconded by Mayor Bastian

Ayes - all

G. PUBLIC HEARINGS: (continued)

3. Continued: Beebe Road, North of Larpenteur Ave. (Autumnwood Villas)

a. Mayor Bastian moved to reconsider the vote whereby Council tabled the Conditional Use Permit for P.U.D.

Seconded by Councilmember Zappa

Ayes - all

b. City Attorney Kelly explained the legal procedures and stated the developers had agreed to extend the 120 day expiration date on applications.

c. Stan Yocum, owner of Autumnwood Property, stated the 120-day platting application period be extended to allow submission of a revised plan. Mr. Yocum stated he represented and was speaking for all parties concerned in this matter.

d. Mayor Bastian moved to accept the platting application extension and to table until developer gives two-week notice to staff to present.

Seconded by Councilmember Juker

Ayes - all

I. UNFINISHED BUSINESS (Continued):

3. Code Change: Sideyard Setbacks (2nd Reading - 4 Votes)

a. Manager McGuire presented the staff report.

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

c. Councilmember Juker introduced the following Ordinance and moved its adoption:

ORDINANCE 687

**AN ORDINANCE AMENDING THE SIDE YARD
SETBACK REQUIREMENTS FOR SINGLE AND DOUBLE DWELLINGS**

THE MAPLEWOOD CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 36-51 in the F (farm residence) district is changed to read as follows:

Sec. 36-51. Permitted uses.

The only uses permitted in a F, Farm Residence District are:

(1) Any uses permitted in the R-1 Residence District subject to its regulations.

(2) Commercial farming or gardening, including the use or storage of associated equipment.

- (3) Commercial greenhouses or nurseries.
- (4) Stands for the sale of agricultural products produced on the premises.

Section 2. Section 36-71 in the R-1 residence district (single dwelling) is changed to read as follows:

Sec. 36-71. Side yards.

Each lot shall have a side yard of at least ten feet on any habitable side of a dwelling and at least five feet on the garage side or for a detached accessory building. There shall be a side yard of at least ten feet where there is a habitable and garage side on the same end of the building, such as a tuck-under garage. The following exceptions shall apply:

- (1) The side yard on the street side of a corner lot shall have a width of at least thirty (30) feet. Except that, if the majority of the dwellings on the same street and within three hundred and fifty (350) feet of the lot to be built on have a predominant setback from that street that is different from thirty (30) feet, than all buildings or additions on that lot shall conform to that predominant setback as a minimum. The City Council may approve a conditional use permit to construct a building addition, or part thereof, into a minimum setback.
- (2) A church or a school shall have a side yard of not less than fifty (50) feet on each side adjoining other property or thirty (30) feet from a public right-of-way.
- (3) When two (2) or more adjoining lots are used as a single building site, the side yard requirements shall apply only to the outside lot lines. (Code 1965, § 904.050; Ord. No. 487, § 904.050, 6-5-8-; Ord. No. 576, § 1, 1-14-85)

Section 3. Section 36-90 in the R-2 district is changed to read as follows:

Sec. 36-90. Side Yards.

Each lot shall have a side yard of at least ten feet on any habitable side of a dwelling and at least five feet on the garage side or for a detached accessory building. There shall be a side yard setback of at least ten feet where there is a habitable and garage side on the same end of the building, such as a tuck-under garage. The following exceptions shall apply:

- (1) The side yard on the street side of a corner lot shall have a width of at least thirty (30) feet. Except that, if the majority of the dwellings on the same street and within three hundred and fifty (350) feet of the lot to be built on have a predominant setback that is different from thirty (30) feet, then all buildings or additions on that lot shall conform to that predominant setback as a minimum. The City Council may approve a conditional use permit to construct a building addition, or part thereof, into a minimum setback.

(2) A church or school shall have a side yard of not less than fifty (50) feet on each side adjoining other property or thirty (30) feet from a public right-of-way.

(3) When two (2) or more adjoining lots are used as a single building site, the side yard requirements shall apply only to the outside lot lines.

Section 3. This ordinance shall take effect upon its passage and publication.

Seconded by Councilmember Rossbach

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

4. Mining Ordinance (Reconsideration)

- a. Manager McGuire presented the staff report.
- b. Councilmember Rossbach moved to reconsider the Council's approval of the mining ordinance and place the item on the next agenda.

Seconded by Councilmember Zappa

Ayes - all

5. Conditional Use Permits for Commercial Zoning Districts

- a. Manager McGuire presented the staff report.
- b. Director of Community Development Olson presented the specifics of the report
- c. Councilmember Rossbach moved to table the discussion on Conditional Use Permits for Commercial Zoning Districts.

Seconded by Councilmember Zappa

Ayes - all

6. Zoning Map Change: N.E. Corner of Radatz and White Bear Avenues (4 Votes)

- a. Manager McGuire presented the staff report.
- b. Director of Community Development Olson presented the specifics of the report
- c. Mayor Bastian asked if anyone wished to speak before the Council regarding this matter. The following was heard:

Mary Magnuson, 1985 Radatz

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

91 - 05 - 60

REZONING RESOLUTION

WHEREAS, Charles Smith applied for a change in the zoning map from LBC (limited business commercial) to BC(M) (business commercial modified),

WHEREAS, this rezoning applies to the northeast corner of Radatz Avenue and White Bear Avenue. The legal description is:

SUBJ TO WHITE BEAR AVE. AND EX N 520 FT AND EX E 455 FT PART OF SW 1/4 OF CL OF SD AVE AND N OF RADATZ AVE IN SECTION 2, TOWN 29, RANGE 22

WHEREAS, the history of this rezoning is as follows:

1. The Planning Commission reviewed this rezoning on February 4, 1991. They recommended that the City Council approve the change in zoning.
2. The City Council held a public hearing on February 25, 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 a change in the zoning map for the west 110.5 feet of the above-described property from LBC to BC(M). Approval is 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.

Seconded by Councilmember Rossbach

Ayes - all

- e. Councilmember Zappa moved to request staff report on a joint study with Ramsey County for traffic improvements on White Bear Avenue between County Road C and Beam Avenue. This study should include alternatives and a recommendation on what improvements to make and how to finance them.

Seconded by Councilmember Rossbach

Ayes - all

J. NEW BUSINESS

1. Transfer for Tax Increment Administrative Costs
 - a. Manager McGuire presented the staff report.

- b. Director of Finance Faust presented the specifics of the report
- c. Councilmember Rossbach introduced the following Resolution and moved its adoption:

91 - 05 - 61

**RESOLUTION APPROVING THE AMENDMENTS TO
TAX INCREMENT FINANCING PLANS FOR ECONOMIC DEVELOPMENT DISTRICT NO. 1-1,
HOUSING DISTRICT NO. 1-1, HOUSING DISTRICT NO. 1-2,
ECONOMIC DEVELOPMENT DISTRICT NO. 1-2, HOUSING DISTRICT NO. 1-3
AND ECONOMIC DEVELOPMENT DISTRICT NO. 1-3, WITHIN DEVELOPMENT DISTRICT NO. 1**

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

Section 1. Recitals

1.01. It has been proposed the City amend Tax Increment Financing Plans for Economic Development District No. 1-1, Housing District No. 1-1, Housing District No. 1-2, Economic Development District No. 1-2, Housing District No. 1-3 and Economic Development District No. 1-3, all pursuant to and in accordance with Minnesota Statutes, Sections 469.124 through 469.134, as amended, and Minnesota Statutes, Sections 469.174 through 469.179, inclusive, as amended.

1.02. The Council has investigated the facts and has caused to be prepared amendments to the Tax Increment Financing Plans for Economic Development District No. 1-1, Housing District No. 1-1, Housing District 1-2, Economic Development District No. 1-2, Housing District No. 1-3 and Economic Development District No. 1-3, defining more precisely project costs to be incurred within Development District No. 1.

1.03. A public hearing is not required by law prior to the adoption of the amendments to the Tax Increment Financing Plans because the City is not increasing the total estimated tax increment expenditures.

Section 2. Amendments to Tax Increment Financing Plans for Economic Development District No. 1-1, Housing District No. 1-1, Housing District No. 1-2, Economic Development District No. 1-2, Housing District No. 1-3 and Economic Development District No. 1-3.

2.01 The Council hereby adopts the amendments to the Tax Increment Financing Plans for Economic Development District No. 1-1, Housing District No. 1-1, Housing District No. 1-2, Economic Development District No. 1-2, Housing District No. 1-3 and Economic Development District No. 1-3. The City is not modifying the boundaries of Development District No. 1 nor the boundaries of Economic Development District No. 1-1, Housing District No. 1-1, Housing District No. 1-2, Economic Development District No. 1-2, Housing District No. 1-3 and Economic Development District No. 1-3 nor is it increasing the total estimated tax increment expenditures.

Section 2. Findings for the Amendments to Tax Increment Financing Plans for Economic Development District No. 1-1, Housing District No. 1-1, Housing District No. 1-2, Economic Development District No. 1-2, Housing District No. 1-3 and Economic Development District No. 1-3.

3.01 Economic Development District No. 101, Economic Development District No. 1-2 and Economic Development District No. 1-3, when established, were established as economic development districts within the meaning of Minnesota Statutes Section 469.174, Subdivision 12. The City reaffirms the findings previously made with respect to the establishment of Economic Development District No. 1-1, Economic Development District No. 1-2 and Economic Development District No. 1-3.

3.02 Housing District No. 1-1, Housing District No. 1-2 and Housing District No. 1-3, when established, were established as housing districts within the meaning of Minnesota Statutes, Section 469.174, Subdivision 11. The City reaffirms the findings previously made with respect to the establishment of Housing District No. 1-1, Housing District No. 1-2 and Housing District No. 1-3.

3.03 The Council reaffirms the findings, reasons and supporting facts previously made that the proposed development, in the opinion of the Council, would not occur solely through private investment within the reasonably foreseeable future and, therefore, the use of tax increment financing is deemed necessary.

3.04 The Council reaffirms the findings, reasons and supporting facts previously made that the Tax Increment Financing Plans for Economic Development District No. 1-1, Housing District No. 1-1, Housing District 1-2, Economic Development District No. 1-2, Housing District No. 1-3 and Economic Development District No. 1-3 conform to the general plan for the development or redevelopment of the City as a whole.

3.05 The Council reaffirms the findings, reasons and supporting facts previously made that the Tax Increment Financing Plans for Economic Development District No. 1-1, Housing District No. 1-1, Housing District 1-2, Economic Development District No. 1-2, Housing District No. 1-3 and Economic Development District No. 1-3 will afford maximum opportunity consistent with the sound needs of the City as a whole, for the development of Development District No. 1 by private enterprise.

Section 4. Approval of the Amendments to Tax Increment Financing Plans.

4.01 The amendments to the Tax Increment Financing Plans for Economic Development District No. 1-1, Housing District No. 1-1, Housing District No. 1-2, Economic Development District No. 1-2, Housing District No. 1-3 and Economic Development District No. 1-3 are hereby approved and adopted.

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

Seconded by Councilmember Zappa

Ayes - all

2. Parkside Fire Department Contract

a. Manager McGuire presented the staff report.

b. Councilmember Zappa moved to deny the request to reimburse the Parkside Fire Department for the computer hardware and software.

Seconded by Councilmember Juker

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

Motion Passed 3 - 2

c. Councilmember Zappa moved to follow legal counsel's advise to investigate the legality of the contract if the 2% reduction can be made in 1991 or wait until 1992.

Motion died for lack of a second.

d. Councilmember Juker moved to table for legal opinion.

Seconded by Councilmember Rossbach

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

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

a. Manager McGuire presented the staff report.

b. Councilmember Bastian moved to enter into an agreement with Ramsey County and proceed with the project.

Seconded by Councilmember Zappa

Ayes - all

4. Grading and Erosion Control Ordinances (1st Reading)

a. Manager McGuire presented the staff report.

b. Councilmember Zappa moved first reading of the Grading and Erosion Control Ordinance and to request staff to number the sections in the proposal.

Seconded by Councilmember Carlson

Ayes - all

5. Conway Avenue Resurfacing

a. Manager McGuire presented the staff report.

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

c. Councilmember Zappa introduced the following resolution and moved its approval.

91 - 05 - 62

WHEREAS, after due consideration on the construction of bituminous overlay and miscellaneous maintenance on Conway Avenue from McKnight Road to Century Avenue, City Project 91-03, the Council has fully considered the same;

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

1. That it is advisable, expedient and necessary that the City of Maplewood construct bituminous overlay and miscellaneous maintenance on Conway Avenue from McKnight Road to Century Avenue, City Project 91-03, as described in the agenda report thereof, and orders the same to be made.
2. The City Engineer is designated engineer for this improvement and is hereby directed to prepare final plans and specifications for the making of said improvement.
3. The project budget is established at \$25,600. The project financing shall be as follows:

Fully funded by Municipal State Aid

Seconded by Councilmember Carlson Ayes - all

- c. Councilmember Zappa moved to enter into an agreement with Short, Elliott, Hendrickson, Inc. for engineering services to resurface Conway Ave. through the 3M Center.

Seconded by Councilmember Carlson Ayes - all

6. M. T. Pockets Inc. and T-Birds Request

- a. Manager McGuire presented the staff report.
- b. Director of Public Safety Collins presented the specifics of the report

Mayor Bastian moved to suspend the Rules of Procedure to extend the meeting past the deadline.

Seconded by Councilmember Zappa Ayes - all

- c. Greg Tulgren and Jim Tulgren spoke on behalf of their request.
- d. Mayor Bastian moved staff prepare an ordinance which will include alternatives 1 and 2 of the staff report, restricting sales and consumption of alcoholic beverages outside of a licenses establishment; and requiring any patio to be reviewed by the Community Design Review Board.

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

7. 1800 E. County Road B - Rental

- a. Manager McGuire presented the staff report.
- b. Mayor Bastian moved to follow staff recommendation and give the current tenants of 1800 E. County Road B a 30-day notice to vacate the premises, following which staff will evaluate the building to determine whether it should be demolished, renovated for public use or sold to be moved.

Seconded by Councilmember Zappa Ayes - all

8. Approval to Advertise for Bid - Siren System

- a. Manager McGuire presented the staff report.
- b. Mayor Bastian moved to approve the specifications and authorize staff to advertise for bids to upgrade the outdoor warning siren system in 1991.

Seconded by Councilmember Zappa Ayes - all

9. Establish Dates for Future Meetings

- a. Manager McGuire presented the staff report.
- b. Councilmember Zappa moved meeting dated be set as follows:

May 20, 1991, 4:30 P.M., Council/Manager
June 17, 1991, 6:30 P.M., Council/Park & Recreation Commission
June 18, 1991, 6:30 P.M., Council/Planning Commission

Seconded by Mayor Bastian Ayes - all

- c. Mayor Bastian moved the second Council Meeting of May (May 27, 1991) be moved to Tuesday, May 28, 1991 because of the Memorial Day holiday.

Seconded by Councilmember Zappa Ayes - all

Council noted that Sister Claire Lynch, member of the Human Relations Commission, will celebrate her 75th Jubilee on June 23, 1991.

K. VISITOR PRESENTATIONS

1. Albert Grenz, 1771 Burr, commended the Council for displaying the flag and having the Pledge of Allegiance.
 - a. Mr. Grenz explained difficulty in getting access to his property. His neighbor wishes to build a road and close the access.
 - b. Councilmember Zappa moved Mr. Grenz be referred to Director of Public Works Haider for investigation.

Seconded by Councilmember Rossbach Ayes - all

- c. Roger Sjolander, resident of 1773 Burr, also spoke regarding access problems.

2. Omar Olson, 1695 Abel, asked to discuss the decision regarding the CWMMI Project 90-07 assessment.

Thomas Stebner, 1683 Abel, questioned Council decision regarding CWMMI Project 90-07 assessment.

- a. Mayor Bastian moved that this item be brought back before the Council.

Seconded by Councilmember Zappa Ayes - all

- b. Council discussed Mr. Olson's and Mr. Stebner's concerns but no change was made to the assessment.

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Thomas Stebner, 1683 Abel, questioned Council decision regarding CWMMI Project 90-07 assessment.

- a. Mayor Bastian moved that this item be brought back before the Council.

Seconded by Councilmember Zappa Ayes - all

- b. Council discussed Mr. Olson's and Mr. Stebner's concerns but no change was made to the assessment.

3. Thomas Sandquist, 635 No. Ferndale, commented on Item G-2: 3M has already started a brick wall on the property that was to be vacated tonight. Stated tins, sewer castings, etc. have been dumped on residents property.
4. Darlene Jones, 2360 Gall Avenue, asked why her lot was treated differently than her neighbors as to the CWWMMI Project 90-07 assessment.
 - a. Council made no change to the assessment.

L. COUNCIL PRESENTATIONS

1. County Road B
 - a. Councilmember Juker reported there is still standing water on County Road B.
 - b. Staff will prepare a report.

M. ADMINISTRATIVE PRESENTATIONS

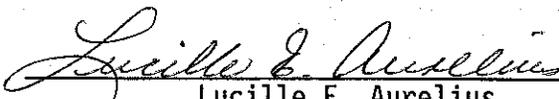
1. Moratorium on Building Permits Due to Levy Limits
 - a. City Manager McGuire presented the staff report.
 - b. Mayor Bastian moved to direct staff to proceed with research on possibility of a moratorium on the issuance of all building permits for new buildings.

Seconded by Councilmember Juker

Ayes - all

N. ADJOURNMENT OF MEETING

11:25 p.m.



Lucille E. Aurelius
City Clerk

AGENDA REPORT

TO: City Manager
FROM: Finance Director *R. D. ...*
RE: APPROVAL OF CLAIMS
DATE: May 20, 1991

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

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

ACCOUNTS PAYABLE:

\$ 480,604.87	Checks # 12234 thru # 13699 Dated 04-17-91 thru 05-14-91
<u>\$ 124,120.90</u>	Checks # 13081 thru # 13195 Dated 05-27-91
\$ 604,725.77	Total per attached voucher/check register

PAYROLL:

\$ 186,044.20	Payroll Checks dated 05-10-91
<u>\$ 37,773.86</u>	Payroll Deductions dated 05-10-91
\$ 223,818.06	Total Payroll
\$ 828,543.83	GRAND TOTAL

Attached is a detailed listing of these claims.

tmc
Attachments

VOUCHREG
05/17/91 12:05

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 05

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
12234	661750	04/17/91	NORTHERN STATES POWER	UTILITIES	2.74	
				UTILITIES	.28	
				UTILITIES	.36	3.38
12235	541440	04/17/91	MINN. STATE TREASURER STAX	SURCHARGE RETAINER	718.25 14.37-	703.88
12236	130300	04/17/91	CHAPIN PUBLISHING	LEGAL FISCAL	140.00	140.00
12237	541400	04/17/91	MINN. STATE TREASURER	STATE DRIVERS LIC.	508.00	508.00
12238	541400	04/17/91	MINN. STATE TREASURER	MOTOR VEH LIC. FEES	17,625.70	17,625.70
12239	140400	04/18/91	CLERK OF DISTRICT COURT	CNTY DRIVERS LIC.	107.00	107.00
12240	190400	04/18/91	DEPT. OF NATURAL RESOURCES	DNR LICENSE	59.00	59.00
12241	190400	04/18/91	DEPT. OF NATURAL RESOURCES	DNR LICENSE	338.00	338.00
12242	541400	04/18/91	MINN. STATE TREASURER	STATE DRIVERS LIC.	363.50	363.50
12243	541400	04/18/91	MINN. STATE TREASURER	MOTOR VEH LIC.	9,787.26	9,787.26
12244	110460	04/18/91	CAREER TRACK INC.	TRAVEL TRAINING TRAVEL TRAINING	110.00 110.00	220.00
12285	320500	05/01/91	GROUP HEALTH INC.	HCMA DEDUCTION PREMIUM PAY HLTH DENTAL INS. INS CONTINUANCE	3,014.21 100.50 10,095.06 609.83	13,819.60
12286	711520	05/01/91	PHYSICIANS HEALTH PLAN	HCMA P/R DEDUCT P/R DEDUCT P/R DEDUCT	1,983.08 12,933.78 241.72 798.99	15,957.57
12287	501400	05/01/91	MADISON NATIONAL LIFE	L.T.D. INSURANCE	1,912.41	1,912.41
12288	541400	05/01/91	MINN. STATE TREASURER	STATE DRIVERS LIC.	458.00	458.00
12289	541400	05/01/91	MINN. STATE TREASURER	MOTOR VEH LIC.	20,404.00	20,404.00
12290	081300	05/01/91	BOYER TRUCK PARTS	VEHICLES PURCHASES	29,734.00	29,734.00
12291	140400	05/02/91	CLERK OF DISTRICT COURT	CNTY DRIVERS LIC.	118.00	118.00
12292	290350	05/02/91	FREIGHT HOUSE	PROGRAMS	229.84	229.84
12293	120325	05/02/91	CELLULAR ONE	TELEPHONE TELEPHONE TELEPHONE	18.85 16.56 17.32	

VOUCHREG
05/17/91 12:05

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD-05

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
12294	541400	05/02/91	MINN. STATE TREASURER	TELEPHONE	7.32	60.05
12295	541400	05/02/91	MINN. STATE TREASURER	MOTOR VEH LIC.	15,617.00	15,617.00
12296	190400	05/03/91	DEPT. OF NATURAL RESOURCES	STATE DRIVERS LIC.	441.50	441.50
12297	190400	05/03/91	DEPT. OF NATURAL RESOURCES	DNR TITLES	155.00	155.00
12298	541400	05/03/91	MINN. STATE TREASURER	DNR LICENSE	473.00	473.00
12299	541400	05/03/91	MINN. STATE TREASURER	LICENSE	12,336.00	12,336.00
13501	640800	05/08/91	NELSON, ROBERT	LICENSE	666.50	666.50
13502	541400	05/08/91	MINN. STATE TREASURER	POLICE AUCTION	150.00	150.00
13503	541400	05/08/91	MINN. STATE TREASURER	LICENSE	11,311.34	11,311.34
13504	140400	05/09/91	CLERK OF DISTRICT COURT	LICENSE	642.50	642.50
13505	722200	05/09/91	PUBLIC EMPLOYEE	COUNTY FILING FEES	117.00	117.00
13506	541400	05/09/91	MINN. STATE TREASURER	PERA DED PAY	10,445.22	
13507	541400	05/09/91	MINN. STATE TREASURER	PERA CONTRIBUTIONS	13,512.48	23,957.70
13508	531650	05/09/91	METRO WASTE CONTROL COMMISSN	LICENSE	10,706.50	10,706.50
13509	230900	05/09/91	EASTMAN KODAK COMPANY	LICENSE	269.50	269.50
				SEWAGE TREATMENT	141,994.00	141,994.00
				SUPPLIES-OFFICE	19.28	
				SUPPLIES-OFFICE	2.54	
				SUPPLIES-OFFICE	12.19	
				SUPPLIES-OFFICE	37.84	
				SUPPLIES-OFFICE	18.78	
				SUPPLIES-OFFICE	15.17	
				SUPPLIES-OFFICE	64.91	
				SUPPLIES-OFFICE	37.29	
				SUPPLIES-OFFICE	19.28	
				SUPPLIES-OFFICE	2.54	
				SUPPLIES-OFFICE	12.19	
				SUPPLIES-OFFICE	37.83	
				SUPPLIES-OFFICE	18.78	
				SUPPLIES-OFFICE	15.16	
				SUPPLIES-OFFICE	64.92	
				SUPPLIES-OFFICE	37.30	
13510	340080	05/09/91	HED, NORMAN	DUPL PAYMENT AMB 101349	135.00	416.00
13511	190400	05/10/91	DEPT. OF NATURAL RESOURCES	DNR TITLING FEES	198.00	198.00

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 05

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
13512	190400	05/10/91	DEPT. OF NATURAL RESOURCES	DNR-LICENSE	435.00	435.00
13513	741725	05/10/91	RAMSEY COUNTY	LAND-EASEMENTS	556.65	556.65
13514	110487	05/10/91	THERESE CARLSON	SUPPLIES-OFFICE	11.11	
				PROGRAM SUPPLIES	9.85	
				TRAVEL & TRAINING	5.50	
				FEES FOR SERVICE	10.00	
				SUPPLIES-OFFICE	13.31	
				SUPPLIES-EQUIP	1.59	
				FUEL & OIL	3.49	
				SMALL TOOLS	4.02	
				MISC COMMODITIES	1.91	
				PROGRAM SUPPLIES	8.65	
				TRAVEL & TRAINING	4.25	
				TRAVEL & TRAINING	2.75	
				SUPPLIES-OFFICE	8.47	
				TRAVEL & TRAINING	6.00	
				FEES FOR SERVICE	30.00	
				SUPPLIES-EQUIP	5.00	
				SUPPLIES-EQUIP	7.07	
				TRAVEL & TRAINING	2.75	
				FEES FOR SERVICE	.80	
				PROGRAM SUPPLIES	19.14	155.66
13515	661750	05/10/91	NORTHERN STATES POWER	UTILITIES	669.45	
				UTILITIES	742.06	
				UTILITIES	215.32	
				UTILITIES	401.39	
				UTILITIES	99.19	
				UTILITIES	23.80	
				UTILITIES	127.71	
				UTILITIES	239.29	
				UTILITIES	8.49	
				UTILITIES	108.02	
				UTILITIES	115.88	
				UTILITIES	86.92	
				UTILITIES	152.66	
				UTILITIES	37.57	
				UTILITIES	61.37	
				UTILITIES	15.93	3,105.05
13516	180135	05/10/91	D.P.M.A. NORTHWEST CHAPER	TRAVEL & TRAINING	19.00	19.00
13517	541400	05/10/91	MINN. STATE TREASURER	LICENSE	13,501.80	13,501.80
13518	541400	05/10/91	MINN. STATE TREASURER	LICENSE	542.00	542.00
13519	662500	05/13/91	NORWEST BANK	FICA PAYABLE	8,413.16	
				FED INC TAX PAY	21,103.90	
				FICA CONTRIBUTIONS	8,413.16	37,930.22

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
13520	661755	05/13/91	NORTHERN STATES POWER	UTILITIES	310.15	310.15
13521	661750	05/13/91	NORTHERN STATES POWER	UTILITIES	59.11	
				UTILITIES	115.24	
				UTILITIES	2.46	
				UTILITIES	37.51	
				UTILITIES	101.66	
				UTILITIES	107.09	
				UTILITIES	78.78	
				UTILITIES	107.17	
				UTILITIES	135.21	
				UTILITIES	118.90	
				UTILITIES	115.97	
				UTILITIES	79.14	
				UTILITIES	76.56	
				UTILITIES	152.75	
				UTILITIES	155.48	
				UTILITIES	129.92	
				UTILITIES	142.79	1,715.74
13522	900600	05/13/91	UNIVERSAL MEDICAL	SUPPLIES-EQUIP	21.21	
				SUPPLIES-EQUIP	95.66	116.87
13523	500675	05/13/91	M.R.P.A.	FEES FOR SERVICE	2,704.00	2,704.00
13524	560100	05/13/91	MN STATE COMMISSIONER	STATE INC TAX PAY	8,509.34	8,509.34
13525	541400	05/13/91	MINN. STATE TREASURER	LICENSE	21,541.00	21,541.00
13526	541400	05/13/91	MINN. STATE TREASURER	LICENSE	489.00	489.00
13527	630785	05/13/91	NATIONAL SAFETY COUNCIL	SUBS & MEMBERS	25.00	25.00
13528	541400	05/14/91	MINN. STATE TREASURER	LICENSE	12,681.50	12,681.50
13529	541400	05/14/91	MINN. STATE TREASURER	LICENSE	709.50	709.50
13530	661750	05/14/91	NORTHERN STATES POWER	UTILITIES	6.73	
				UTILITIES	15.62	
				UTILITIES	2.03	
				UTILITIES	1.07	
				UTILITIES	6.46	
				UTILITIES	89.81	
				UTILITIES	6.62	
				UTILITIES	4.63	
				UTILITIES	64.51	
				UTILITIES	76.23	
				UTILITIES	114.00	
				UTILITIES	6.61	
				UTILITIES	6.62	
				UTILITIES	8.18	

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				UTILITIES	49.96	
				UTILITIES	164.77	623.85
13531	540900	05/14/91	MINN. G.F.O.A.	TRAVEL & TRAINING	10.00	
				TRAVEL & TRAINING	10.00	20.00
13532	300800	05/14/91	G.F.O.A.	SUBS & MEMBERS	165.00	165.00
13533	300800	05/14/91	G.F.O.A.	FEES FOR SERVICE	375.00	375.00
13534	880850	05/14/91	TRW/RECEIVABLES MANAGEMENT SER	FEES FOR SERVICE	364.00	364.00
13535	460520	05/14/91	LEAGUE OF MN CITIES	TRAVEL & TRAINING	495.00	
				TRAVEL & TRAINING	495.00	
				A/R MISC	39.00	1,029.00
13692	240725	05/07/91	EMPLOYEE BENEFIT PLANS	DEPOSITS W/PAYING AGENTS	1,000.00	1,000.00
13693	541400	05/07/91	MINN. STATE TREASURER	LICENSE	14,462.74	14,462.74
13694	541400	05/07/91	MINN. STATE TREASURER	LICENSE	576.00	576.00
13695	712100	05/07/91	PITNEY BOWES INC.	RPR & MAINT/EQUIP	208.00	
				RPR & MAINT/EQUIP	1,185.00	
				RPR & MAINT/EQUIP	919.00	
				RPR & MAINT/EQUIP	215.00	
				RPR & MAINT/EQUIP	95.00	
				OUTSIDE RENTAL-EQUIP	468.00	3,090.00
13696	150600	05/07/91	COMMERCIAL LIFE INS. CO.	HCMA DED PAY	342.56	
				LIFE INS PAY	298.04	
				H,L,D INS	858.03	
				A/R INS CONT	7.75	1,446.38
13697	541400	05/06/91	MINN. STATE TREASURER	LICENSE	19,667.72	19,667.72
13698	541400	05/06/91	MINN. STATE TREASURER	LICENSE	549.50	549.50
13699	660065	05/06/91	ND. MAPLEWOOD LIONESS CLUB	MAINT MATERIAL	52.47	52.47
13081	010575	05/27/91	ACE HARDWARE	SMALL TOOLS	13.49	
				SUPPLIES-JANITORIAL	57.72	
				SUPPLIES-JANITORIAL	16.61	
				SUPPLIES-VEHICLE	31.32	
				SUPPLIES-JANITORIAL	33.02	
				PROGRAM SUPPLIES	8.17	
				MAINT MATERIAL	117.22	
				MAINT MATERIAL	104.22	
				SUPPLIES-JANITORIAL	79.78	
				MAINT MATERIAL	147.98	
				SUPPLIES-JANITORIAL	10.71	

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CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 05

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
13082	020050	05/27/91	ADVANCE CORPORATION	MAINT MATERIAL	155.93	
				SMALL TOOLS	9.49	
				MAINT MATERIAL	49.87	
				MAINT MATERIAL	67.09	
13083	020400	05/27/91	AIR SIGNAL, INC.	SUPPLIES-OFFICE	139.00	869.40
13084	021210	05/27/91	AMERICAN FLAGPOLE	OUTSIDE RENTAL	19.50	139.00
13085	030660	05/27/91	ANIMAL CONTROL SERVICES, INC.	MISC COMMODITIES	58.00	19.50
13086	031100	05/27/91	APPEARANCE PLUS	CANINE CONTROL	2,367.00	58.00
13087	040700	05/27/91	ARDEN SHOREVIEW HOSPITAL	RPR & MAINT/VEHICLE	9.00	2,367.00
13088	040915	05/27/91	ARNALS AUTO SERVICE	FEES FOR SERVICE	485.85	9.00
				RPR & MAINT/VEHICLE	505.50	485.85
				RPR & MAINT/VEHICLE	17.95	
				RPR & MAINT/VEHICLE	155.00	
				RPR & MAINT/VEHICLE	49.00	
				REPAIR MAINT VEHICLE	60.40	787.85
13089	041000	05/27/91	ARNOLD, DAVID	UNIFORMS & CLOTHING	218.15	218.15
13090	042600	05/27/91	ASSN. OF TRAIN OFFICERS OF MN	TRAVEL TRAINING	135.00	135.00
13091	060500	05/27/91	BACHMAN'S	SUPPLIES OFFICE	32.85	135.00
13092	061900	05/27/91	BATTERY TIRE WAREHOUSE	SUPPLIES VEHICLE	79.60	32.85
				SUPPLIES-VEHICLE	116.00	
				SUPPLIES-VEHICLE	85.60	
				SUPPLIES-VEHICLE	116.86	
				SUPPLIES-VEHICLE	190.97	
				SUPPLIES-VEHICLE	38.29	627.32
13093	080325	05/27/91	BLACKSTONE, GAIL	TRAVEL TRAINING	192.00	192.00
13094	080600	05/27/91	BLUMBERG COMMUNICATIONS, INC.	RPR & MAINT/EQUIP	145.65	145.65
13095	080900	05/27/91	BOARD OF WATER COMMISSIONERS	UTILITIES	65.20	
				UTILITIES	23.62	
				UTILITIES	6.48	
				UTILITIES	6.06	
				UTILITIES	12.12	
				UTILITIES	12.12	125.60
13096	091444	05/27/91	BROWN, JAMES M.	FEES FOR SERVICE	630.00	630.00
13097	091450	05/27/91	BROWNING-FERRIS IND.	FEES FOR SERVICE	113.10	113.10

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CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 05

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
13098	101400	05/27/91	BUILDERS SQUARE	MAINT MATERIAL	44.37	
				SMALL TOOLS	31.12	
				SMALL TOOLS	55.06	
				SMALL TOOLS	41.95	
				MAINTENANCE MATERIAL	41.66	
13099	110480	05/27/91	CARLSON EQUIPMENT	EQUIP-PURCHASED	529.95	214.16
13100	110850	05/27/91	CATCO	SUPPLIES-VEHICLE	247.56	529.95
				SUPPLIES-VEHICLE	76.14	
13101	120600	05/27/91	CENTURY FEED	PROGRAM SUPPLIES	9.45	323.70
13102	131100	05/27/91	CHIPPEWA SPRINGS	FEES FOR SERVICE	179.80	9.45
13103	140205	05/27/91	CLEAN STEP RUGS	RUG CLEANING	24.80	179.80
13104	140500	05/27/91	CLUTCH & U JOINT	SUPPLIES-VEHICLE	30.38	24.80
13105	150175	05/27/91	COLLINS ELECTRICAL CONST.	RPR & MAINT/EQUIP	117.00	30.38
13106	152400	05/27/91	COPY EQUIPMENT, INC.	SUPPLIES-OFFICE	16.86	117.00
				SUPPLIES-OFFICE	16.87	
13107	170150	05/27/91	CURTIS 1000	CURTIS 1000	239.95	33.73
				CURTIS 1000	667.07	
				CURTIS 1000	147.12	
				CURTIS 1000	411.17	
				CURTIS 1000	411.17	
				SUPPLIES OFFICE	557.00	
					878.39	
13108	180140	05/27/91	D.P. INDUSTRIAL MARKETING	SUPPLIES EQUIPMENT	6.77	3,311.87
13109	180900	05/27/91	DALEY, PAT	FEES FOR SERVICE	1,710.00	6.77
13110	210315	05/27/91	DORADUS CORPORATION	RPR & MAINT/EQUIP	285.50	1,710.00
13111	230225	05/27/91	E.K. QUEHL	E.K. QUEHL CO.	159.20	285.50
13112	270250	05/27/91	FLEET TECH SERVICE CORP.	REPAIR MAINT VEHICLE	280.30	159.20
13113	280475	05/27/91	FOX VALLEY SYSTEMS	MAINTENANCE MATERIAL	356.09	280.30
13114	300500	05/27/91	G & K SERVICES	UNIFORMS	76.00	356.09
				UNIFORMS	176.92	
				UNIFORMS	141.27	
				UNIFORMS	17.51	
				UNIFORMS	62.09	
				UNIFORMS	229.36	
						703.15

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CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 05

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VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
13115	302900	05/27/91	GLENWOOD INGLEWOOD	WATER SERVICE	103.80	103.80
13116	310650	05/27/91	GOPHER DISPOSAL	FEES FOR SERVICE	8,514.02	8,514.02
13117	310850	05/27/91	GOVERNMENT TRAINING SERVICE	TRAVEL & TRAINING	204.00	204.00
13118	320290	05/27/91	GRAYBOW-DANIELS CO.	SMALL TOOLS SUPPLIES-EQUIP	13.40 11.75	25.15
13119	320310	05/27/91	GREEN VALUE NURSERY	MAINT MATERIAL	52.00	52.00
13120	320525	05/27/91	GRUBER'S POWER EQUIPMENT	SUPPLIES EQUIPMENT SMALL TOOLS SMALL TOOLS	60.27 199.00 63.99	323.26
13121	330400	05/27/91	HARMON GLASS	RPR & MAINT/VEHICLE	53.47	53.47
13122	351400	05/27/91	HORWATH, TOM	CONTRACT PYM.	512.00	512.00
13123	390320	05/27/91	INFO. MANAGEMENT SOLUTIONS	SUPPLIES EQUIPMENT	50.00	50.00
13124	430300	05/27/91	KNOWLAN'S	PROGRAM SUPPLIES	9.95	9.95
13125	430400	05/27/91	KNOX COMMERCIAL CREDIT	MAINT MATERIAL SMALL TOOLS SMALL TOOLS	56.00 10.29 49.01	115.30
13126	430800	05/27/91	KOKESH ATHLETIC	PROGRAM SUPPLIES PROGRAM SUPPLIES	178.50 104.70	283.20
13127	450125	05/27/91	L.E.T.N.	TRAVEL TRAINING	488.00	488.00
13128	450800	05/27/91	LAKELAND FORD	SUPPLIES-VEHICLE	355.16	355.16
13129	451550	05/27/91	LANDSCAPE ALTERNATIVE	MISC. COMMODITIES	42.00	42.00
13130	451950	05/27/91	LASER QUIPT	SUPPLIES-EQUIP	959.40	959.40
13131	460575	05/27/91	LEE COLLINS LIMITED	SUPPLIES EQUIPMENT	80.06	80.06
13132	461200	05/27/91	LESLIE PAPER	SUPPLIES-OFFICE	40.55	40.55
13133	501225	05/27/91	MAC QUEEN EQUIPMENT	SUPPLIES VEHICLE EQUIPMENT PURCHASED VEHICLE PURCHASED EQUIPMENT PURCHASED	83.11 22,227.00 40,645.00 241.65	63,196.76
13134	501505	05/27/91	MAGLICH, GRETCHEN B.	PROGRAM SUPPLIES VEHICLE ALLOWANCE	15.97 94.04	110.01
13135	511600	05/27/91	MASYS CORP	RPR & MAINT/EQUIP	1,265.00	1,265.00

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 05

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
13136	520450	05/27/91	MCCANN ASSOCIATES, INC	FEES FOR SERVICE	1,363.50	1,363.50
13137	520500	05/27/91	MCGUIRE, MICHAEL	VEHICLE ALLOWANCE	350.00	350.00
13138	530500	05/27/91	MENARDS	MAINT MATERIAL	4.94	4.94
13139	540270	05/27/91	MIDWEST BUSINESS PRODUCTS	SUPPLIES-OFFICE	38.11	
13140	540720	05/27/91	MINN COMM	SUPPLIES-OFFICE	25.92	64.03
13141	540875	05/27/91	MINN. DEPT. OF PUBLIC SAFETY	OUTSIDE RENTAL-EQUIP	91.00	91.00
13142	570090	05/27/91	MOGREN BROS.	OUTSIDE RENTAL-EQUIP	600.00	600.00
13143	610400	05/27/91	MUNICILITE CO.	MAINT MATERIAL	32.00	32.00
13144	630745	05/27/91	NATIONAL FIRE PROTECTION ASSN.	SUPPLIES-VEHICLE	200.00	
13145	630945	05/27/91	NCR	SUPPLIES-VEHICLE	108.75	308.75
13146	640550	05/27/91	NELSON, JEAN	MEMBERSHIP	75.00	75.00
13147	640805	05/27/91	NELSONS AUTO SERVICE	REPAIRS MYNCE EDUP.	58.00	58.00
13148	660075	05/27/91	NORTH ST PAUL CITY OF	VEHICLE ALLOWANCE	22.10	22.10
13149	660905	05/27/91	NORTH STAR WIPER & INDUSTRIAL	REPAIR MAINT VEHICLE	55.95	55.95
13150	661600	05/27/91	NORTHERN HYDRAULICS	UTILITIES	189.32	
13151	680600	05/27/91	OCTOPUS CAR WASH	UTILITIES	128.10	317.42
13152	701100	05/27/91	PARKSIDE FIRE DEPT.	SUPPLIES-JANITORIAL	189.00	189.00
13153	710669	05/27/91	PERSONNEL DECISIONS, INC.	SUPPLIES-VEHICLE	140.94	140.94
13154	711345	05/27/91	PETERSON, BELL, CONVERSE & JENSEN	RPR & MAINT/VEHICLE	127.50	
13155	720760	05/27/91	PRECISION BUSINESS SYSTEMS	RPR & MAINT/VEHICLE	52.50	
13156	720765	05/27/91	PREFERRED RISK CONSULTANTS	RPR & MAINT/VEHICLE	15.00	
13157	720780	05/27/91	PRENTICE HALL INC.	RPR & MAINT/VEHICLE	7.50	202.50
				A/R MISC.	700.00	700.00
				CONTRACT PYM.	160.00	160.00
				CONTRACT PYM.	42.80	
				CONTRACT PYM.	4,600.00	4,642.80
				SUPPLIES OFFICE	139.26	139.26
				FEES-CONSULTING	170.00	170.00
				BOOKS	39.95	39.95

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 05

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
13158	721275	05/27/91	PROFESS. ENGIN. CONSULT., INC.	FEES FOR SERVICE	300.00	300.00
13159	741200	05/27/91	RAINBOW FOODS	PROGRAM SUPPLIES	11.32	
				PROGRAM SUPPLIES	19.70	31.02
13160	741330	05/27/91	RAMSEY COUNTY DATA PROCESSING	CONTRACT PYM.	209.02	209.02
13161	741700	05/27/91	RAMSEY COUNTY	MAINT MATERIAL	2,903.78	2,903.78
13162	742110	05/27/91	RAMSEY EMERG. MEDICAL SERVICES	SUPPLIES-EQUIP	374.00	374.00
13163	742725	05/27/91	RAPTOR REHABILITATION	CONTRACT PYM.	75.00	75.00
13164	742900	05/27/91	RAY DAVIS & SONS	SUPPLIES-EQUIP	15.43	
				SUPPLIES-VEHICLE	25.00	
				SUPPLIES-EQUIPMENT	123.77	
				SUPPLIES-EQUIPMENT	127.77	
				SUPPLIES-EQUIPMENT	84.50	376.47
13165	780300	05/27/91	S&T OFFICE PRODUCTS INC.	SUPPLIES OFFICE	55.60	
				SUPPLIES OFFICE	61.90	117.50
13166	780350	05/27/91	S.E.H.	OUTSIDE ENG.	550.21	550.21
13167	780410	05/27/91	S.T.A.C.	SUPPLIES-VEHICLE	100.11	100.11
13168	780460	05/27/91	SAFETY KLEEN CORP	CONTRACT PYM.	75.25	75.25
13169	790500	05/27/91	SCIENCE MUSEUM OF MINNESOTA	TRAVEL TRAINING	95.00	95.00
13170	800075	05/27/91	SEARS	SMALL TOOLS	32.45	
				SUPPLIES JANITORIAL	62.11	94.56
13171	820300	05/27/91	SKON & SKON AUTO INC	RPR & MAINT/VEHICLE	135.00	135.00
13172	831500	05/27/91	SPECIALTY RADIO	SUPPLIES EQUIPMENT	155.55	155.55
13173	831505	05/27/91	SPECIALTY RADIO SERVICES	REPAIR MAINT RADIO	52.00	
				REPAIR MAINT RADIO	34.50	
				REPAIR MAINT RADIO	54.85	
				REPAIR MAINT RADIO	46.15	187.50
13174	840295	05/27/91	ST PAUL BAR & REST	SUPPLIES-OFFICE	14.24	14.24
13175	840300	05/27/91	ST.PAUL BOOK & STATION	SUPPLIES-OFFICE	17.49	
				SUPPLIES-OFFICE	4.34	
				PROGRAM SUPPLIES	9.47	
				SUPPLIES-OFFICE	31.73	
				SUPPLIES-OFFICE	49.95	
				SUPPLIES-OFFICE	39.74	
				PROGRAM SUPPLIES	33.86	

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				SUPPLIES-EQUIP	42.63	130.79
13176	840400	05/27/91	ST.PAUL CITY OF	MAINT MATERIAL	1,560.58	
				FEES FOR SERVICE	54.40	1,614.98
13177	840500	05/27/91	ST.PAUL DISPATCH & PIONEER	SUBS & MEMBERS	13.56	13.56
13178	850315	05/27/91	SUBURBAN PRINTING	FEES FOR SERVICE	36.80	36.80
13179	850600	05/27/91	SUPERAMERICA	FUEL & OIL	38.99	
				FUEL & OIL	211.47	
				SUPPLIES-EQUIP	36.74	287.20
13180	860100	05/27/91	T.J. AUTO PARTS	SUPPLIES-VEHICLE	198.86	
				MAINT MATERIAL	12.17	
				SUPPLIES VEHICLE	30.59	241.62
13181	860250	05/27/91	T.C.P.A.	SUBS & MEMBERS	50.00	50.00
13182	860315	05/27/91	T.K.D.A.	OUTSIDE ENGINEERING	8,800.19	
				OUTSIDE ENGINEERING	1,745.32	10,545.51
13183	860650	05/27/91	TARGET STORES	PROGRAM SUPPLIES	23.92	
				SUPPLIES-EQUIP	81.16	105.08
13184	861175	05/27/91	TELENOVA	TELEPHONE	613.92	613.92
13185	871200	05/27/91	TOLL COMPANY	MAINT MATERIAL	47.15	47.15
13186	880105	05/27/91	TRADE TOOLS INC.	SMALL TOOLS	66.17	
				SMALL TOOLS	84.40	150.57
13187	882800	05/27/91	TWIN CITY TRANSPORT	FEES FOR SERVICE	20.00	
				FEES FOR SERVICE	20.00	40.00
13188	900100	05/27/91	UNIFORMS UNLIMITED	UNIFORMS	264.30	
				UNIFORMS	154.25	
				UNIFORMS	94.35	
				UNIFORMS	78.15	
				UNIFORMS & CLOTH	65.62	
				UNIFORMS & CLOTHING	215.65	
				UNIFORMS & CLOTHING	276.80	
				UNIFORMS & CLOTHING	155.48	
				UNIFORMS	50.24	
				UNIFORMS	109.30	1,464.14
13189	900600	05/27/91	UNIVERSAL MEDICAL	SUPPLIES-EQUIP	54.00	
				SUPPLIES-EQUIP	27.00	
				SUPPLIES EQUIPMENT	12.99	93.99
13190	910400	05/27/91	VAN PAPER COMPANY	PROGRAM SUPPLIES	44.25	44.25

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CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 05

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
13191	910500	05/27/91	VASKO RUBBISH REMOVAL	FEES FOR SERVICE	502.05	502.05
13192	910580	05/27/91	VENTURE PUBLISHING, INC.	BOOKS	26.95	26.95
13193	940700	05/27/91	WESCO	SUPPLIES-EQUIP	40.00	
				SUPPLIES EQUIPMENT	29.30	
				SUPPLIES EQUIPMENT	108.18	
				SUPPLIES EQUIPMENT	82.95	260.43
13194	960450	05/27/91	XEROX CORPORATION	REPAIR MAINT EQUIPMENT	8.92	
				REPAIR MAINT EQUIPMENT	14.02	
				REPAIR MAINT EQUIPMENT	42.08	
				REPAIR MAINT EQUIPMENT	66.30	
				REPAIR MAINT EQUIPMENT	42.08	
				REPAIR MAINT EQUIPMENT	81.60	255.00
13195	980500	05/27/91	ZEP MANUFACTURING COMPANY	SUPPLIES-JANITORIAL	61.35	61.35
				TOTAL CHECKS		604,725.77

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

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1/6	CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
1				
2				
3				
4	0020925	05/10/91	JOSEPH ZAPPA	269.85
5				
6	0020926	05/10/91	DALE CARLSON	269.85
7				
8	0020927	05/10/91	GEORGE ROSSBACH	269.85
9				
10	0020928	05/10/91	GARY W BASTIAN	306.66
11				
12	0020929	05/10/91	FRANCES L JUKER	269.85
13				
14	0020930	05/10/91	JANE ROERING	392.10
15				
16	0020931	05/10/91	MICHAEL A McGUIRE	3,084.74
17				
18	0020932	05/10/91	GAIL BLACKSTONE	1,977.60
19				
20	0020933	05/10/91	GRETCHEN MAGLICH	1,442.00
21				
22	0020934	05/10/91	KATHRYN A. SMITH	1,176.67
23				
24	0020935	05/10/91	DAVID J JAHN	970.50
25				
26	0020936	05/10/91	LYLE SWANSON	1,045.28
27				
28	0020937	05/10/91	LARRY J BUDE	300.00
29				
30	0020938	05/10/91	ANDREA J OSTER	1,074.10
31				
32	0020939	05/10/91	WILLIAM MIKISKA	187.20
33				
34	0020940	05/10/91	DANIEL F FAUST	2,233.86
35				
36	0020941	05/10/91	THERESE CARLSON	840.50
37				
38	0020942	05/10/91	DEBORAH DEHN	466.09
39				
40	0020943	05/10/91	ALANA K MATHEYS	1,152.50
41				
42	0020944	05/10/91	CHRIS REGIS	977.30
43				
44	0020945	05/10/91	MARGARET GIBBS	486.71
45				
46	0020946	05/10/91	DELores A VIGNALO	1,131.70
47				
48	0020947	05/10/91	BRUCE ANDERSON	1,181.60
49				
50	0020948	05/10/91	CAROLE J ANDERSON	1,513.30
51				
52	0020949	05/10/91	LUCILLE E AURELIUS	2,061.30
53				
54	0020950	05/10/91	BETTY D SELVOG	259.00
55				
56	0020951	05/10/91	LOIS BEHM	1,200.50
57				

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

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1/6	CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
1				
2				
3				
4	0020952	05/10/91	CONNIE L KELSEY	574.98
5				
6	0020953	05/10/91	LORRAINE S VIETOR	1,019.54
7				
8	0020954	05/10/91	PATRICIA A HENSLEY	597.90
9				
10	0020955	05/10/91	CAROL JASBE	858.10
11				
12	0020956	05/10/91	JEANETTE E CARLE	1,093.24
13				
14	0020957	05/10/91	SANDRA OLSON	671.39
15				
16	0020958	05/10/91	MARY KAY PALANK	858.10
17				
18	0020959	05/10/91	KENNETH V COLLINS	2,291.54
19				
20	0020960	05/10/91	CAROLE L RICHIE	996.50
21				
22	0020961	05/10/91	JOANNE M SVENDSEN	1,277.98
23				
24	0020962	05/10/91	ROBERT D NELSON	1,975.13
25				
26	0020963	05/10/91	ELAINE FULLER	429.05
27				
28	0020964	05/10/91	CAROL F MARTINSON	978.10
29				
30	0020965	05/10/91	VERNON T STILL	1,480.68
31				
32	0020966	05/10/91	DONALD W SKALMAN	1,506.28
33				
34	0020967	05/10/91	RAYMOND J MORELLI	1,575.81
35				
36	0020968	05/10/91	SCOTT L STEFFEN	1,656.46
37				
38	0020969	05/10/91	DAVID L ARNOLD	1,683.88
39				
40	0020970	05/10/91	JOHN J BANICK	1,753.58
41				
42	0020971	05/10/91	JOHN C BOHL	1,694.13
43				
44	0020972	05/10/91	ANTHONY G CAHANES	1,975.13
45				
46	0020973	05/10/91	DALE K CLAUSON	1,506.28
47				
48	0020974	05/10/91	RICHARD M MOESCHTER	1,506.28
49				
50	0020975	05/10/91	JOHN H ATCHISON	1,506.28
51				
52	0020976	05/10/91	JAMES YOUNGREN	1,848.22
53				
54	0020977	05/10/91	WILLIAM F PELTIER	1,761.73
55				
56	0020978	05/10/91	THOMAS J SZCZEPANSKI	1,430.28
57				

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

0003

1/6	CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
1				
2				
3				
4	0020979	05/10/91	CABOT V WELCHLIN	1,489.73
5				
6	0020980	05/10/91	RICHARD J LANG	1,506.28
7				
8	0020981	05/10/91	DALE RAZSKAZOFF	1,561.48
9				
10	0020982	05/10/91	MICHAEL RYAN	1,683.88
11				
12	0020983	05/10/91	MICHAEL J HERBERT	1,561.48
13				
14	0020984	05/10/91	RICHARD C DREGER	1,683.88
15				
16	0020985	05/10/91	GREGORY L STAFNE	1,506.28
17				
18	0020986	05/10/91	RONALD D BECKER	1,561.48
19				
20	0020987	05/10/91	KEVIN R HALWEG	1,995.28
21				
22	0020988	05/10/91	BERRELL T STOCKTON	1,480.68
23				
24	0020989	05/10/91	PAUL G PAULOS-JR.	1,468.88
25				
26	0020990	05/10/91	RICK A BOWMAN	1,535.63
27				
28	0020991	05/10/91	FLINT D KARIS	1,567.89
29				
30	0020992	05/10/91	STEPHEN J HEINZ	1,588.71
31				
32	0020993	05/10/91	JOHN FRASER	1,351.52
33				
34	0020994	05/10/91	DAVID M GRAF	1,574.28
35				
36	0020995	05/10/91	DAVID J THOMALLA	1,673.46
37				
38	0020996	05/10/91	STEVEN PALMA	1,553.60
39				
40	0020997	05/10/91	ROBERT E VORWERK	1,574.28
41				
42	0020998	05/10/91	JOSEPH A BERGERON	1,742.61
43				
44	0020999	05/10/91	JAMES MEEHAN	1,586.82
45				
46	0021000	05/10/91	JON A MELANDER	1,574.28
47				
48	0021001	05/10/91	SARAH SAUNDERS	901.69
49				
50	0021002	05/10/91	JAMES M EMBERTSON	1,683.44
51				
52	0021003	05/10/91	DUANE J WILLIAMS	1,477.33
53				
54	0021004	05/10/91	JANET L RABINE	1,119.91
55				
56	0021005	05/10/91	JULIE A STAHNKE	1,074.10
57				

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

0004

CHECK NUMBER	CHECK DATED	FAYEE	AMOUNT
0021006	05/10/91	SCOTT K BOYER	1,201.63
0021007	05/10/91	CAROL NELSON	1,656.68
0021008	05/10/91	CYNTHIA WALDT	942.10
0021009	05/10/91	JOSEPH FEHR	942.10
0021010	05/10/91	JILL PETERS	840.50
0021011	05/10/91	JAYME L FLAUGHER	1,114.90
0021012	05/10/91	JUDITH WEGWERTH	525.25
0021013	05/10/91	KENNETH G HAIDER	2,291.54
0021014	05/10/91	JUDY M CHLEBECK	1,134.90
0021015	05/10/91	WILLIAM PRIEFER	1,154.10
0021016	05/10/91	GERALD W MEYER	1,413.52
0021017	05/10/91	MICHAEL R KANE	1,584.78
0021018	05/10/91	BRYAN NAGEL	1,302.44
0021019	05/10/91	DAVID P LUTZ	1,360.92
0021020	05/10/91	HENRY F KLAUSING	1,249.30
0021021	05/10/91	JOHN SCHMOECK	1,264.75
0021022	05/10/91	RONALD J HELEY	1,249.52
0021023	05/10/91	ERICK D OSWALD	1,275.33
0021024	05/10/91	RONALD L FREBERG	1,336.89
0021025	05/10/91	WILLIAM C CASS	1,846.10
0021026	05/10/91	RANDAL LINDBLOM	1,117.30
0021027	05/10/91	JAMES B ELIAS	1,391.71
0021028	05/10/91	JOHN DU CHARME	1,038.90
0021029	05/10/91	DENNIS L PECK	1,391.70
0021030	05/10/91	WILLIAM PRIEBE	1,341.30
0021031	05/10/91	BRUCE A IRISH	1,862.90
0021032	05/10/91	WALTER M GEISSLER	1,428.84

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

0005

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0021033	05/10/91	THERESA METZ	1,150.90
0021034	05/10/91	JOHN R LOFGREN	966.10
0021035	05/10/91	ROBERT D ODEGARD	2,062.47
0021036	05/10/91	LOIS J BRENNER	1,114.90
0021037	05/10/91	BARBARA A KRUMMEL	535.51
0021038	05/10/91	PAULINE STAPLES	1,812.50
0021039	05/10/91	LUTHER JONES	79.20
0021040	05/10/91	MARGARET KUNDE	121.28
0021041	05/10/91	MICHAEL J. MARUSICH	408.25
0021042	05/10/91	ROBERT S ANDERSON	1,182.10
0021043	05/10/91	DENNIS P LINDORFF	1,185.01
0021044	05/10/91	WILLIAM GARRY	1,148.50
0021045	05/10/91	ROLAND B HELEY	1,226.90
0021046	05/10/91	DANIEL BURKHART	474.00
0021047	05/10/91	MARK CARLE	132.00
0021048	05/10/91	MARK A MARUSKA	1,528.50
0021049	05/10/91	JAMES SCHINDELDECKER	1,148.50
0021050	05/10/91	MYLES R BURKE	1,249.30
0021051	05/10/91	JOEL MAHLA	42.00
0021052	05/10/91	ANDREA HANNEGAN	97.75
0021053	05/10/91	RYAN STEVENSON	67.50
0021054	05/10/91	SHAWN DE LOYE	35.00
0021055	05/10/91	AARON WILLIAMS	67.50
0021056	05/10/91	ROY G WARD	422.40
0021057	05/10/91	DOUGLAS J TAUEMAN	1,487.70
0021058	05/10/91	JANET M GREW HAYMAN	1,206.90
0021059	05/10/91	BECKY TAPE	288.00

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

0006

1/6	CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
1				
2				
3	0021059	05/10/91	JEAN NELSON	434.24
4				
5	0021061	05/10/91	JUDITH A HORSNELL	592.25
6				
7	0021062	05/10/91	ANN E HUTCHINSON	1,123.01
8				
9	0021063	05/10/91	RITA MACY	108.00
10				
11	0021064	05/10/91	KATHLEEN M DOHERTY	1,074.10
12				
13	0021065	05/10/91	MARIE BARTA	996.50
14				
15	0021066	05/10/91	GEOFFREY W OLSON	2,062.47
16				
17	0021067	05/10/91	NANCY MISKELL	407.81
18				
19	0021068	05/10/91	JOYCE L LIVINGSTON	586.86
20				
21	0021069	05/10/91	KENNETH ROBERTS	1,227.05
22				
23	0021070	05/10/91	THOMAS RIEDESEL	264.00
24				
25	0021071	05/10/91	THOMAS G EKSTRAND	1,478.58
26				
27	0021072	05/10/91	MARJORIE OSTROM	1,693.30
28				
29	0021073	05/10/91	NICHOLAS N CARVER	1,350.10
30				
31	0021074	05/10/91	ROBERT J WENGER	1,341.30
32				
33	0021075	05/10/91	EDWARD A NADEAU	1,304.95
34				
35	0021076	05/10/91	GEORGE W MULWEE	1,146.71
36				
37	0021077	05/10/91	LAVERNE S NUTESON	1,725.05
38				
39	0021078	05/10/91	ROGER W BREHEIM	1,225.30
40				
41	0021079	05/10/91	DAVID B EDSON	1,225.30
42				
43	0021080	05/10/91	DAVID GERMAIN	1,225.30
44				
45	0021081	05/10/91	DENNIS M MULVANEY	1,343.70
46				
47	0021082	05/10/91	GEORGE C SPREIGL	1,195.70
48				
49	0021083	05/10/91	ELIZABETH J WEILAND	285.99
50				
51	0021084 VOID	05/10/91	MAPLEWOOD STATE BANK #1	21,103.90
52				
53	0021085 VOID	05/10/91	MN STATE COMM OF REVENUE	8,561.02
54				
55	0021086 VOID	05/10/91	FIRST MINNESOTA (FICA)	8,413.16
56				
57				

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	0021087	VOID	05/10/91	PUBLIC EMP RETIREMENT ASSOC	4,547.03
4					
5	0021088	✓	05/10/91	ICMA RETIREMENT TRUST-457	9,202.23
6					
7	0021089	VOID	05/10/91	FIRST MINNESOTA	218.75
8					
9	0021090	✓	05/10/91	AFSCME 2725	595.59
10					
11	0021091	VOID	05/10/91	UNITED WAY OF ST. PAUL AREA	144.46
12					
13	0021092	VOID	05/10/91	CITY OF MAPLEWOOD (HCMA)	3,548.42
14					
15	0021093	✓	05/10/91	CITY & COUNTY EMP CR UNION	26,100.00
16					
17	0021094	VOID	05/10/91	COMMERCIAL LIFE INSURANCE	119.02
18					
19	0021095	VOID	05/10/91	PUBLIC EMP. RETIREMENT ASSOC.	85.50
20					
21	0021096	✓	05/10/91	MN STATE RETIREMENT SYSTEM	358.00
22					
23	0021097	✓	05/10/91	MN. MUTUAL LIFE INS. 19-3988	160.00
24					
25	0021098	✓	05/10/91	METRO SUPERVISORY ASSOC	20.00
26					
27	0021099	VOID	05/10/91	PUBLIC EMP RETIREMENT ASSOC	414.43
28					
29	0021100	VOID	05/10/91	PUBLIC EMP RETIREMENT ASSOC	5,343.31
30					
31	0021101	✓	05/10/91	L.E.L.S.	638.00
32					
33	0021102	✓	05/10/91	L.E.L.S.	154.00
34					
35	0021103	✓	05/10/91	RAMSEY CO SUPPORT & COLLECT	546.04
36					
37	0021104	VOID	05/10/91	EMPLOYEE BENEFIT PLANS	54.04
38					
39	0021105	VOID	05/10/91	PHYSICIANS HEALTH PLAN	120.86
40					
41	0021106	VOID	05/10/91	GROUP HEALTH INC	50.25
42					
43	0021107	VOID	05/10/91	FIRST MINNESOTA (FICA)	8,412.75
44					
45	0021108	VOID	05/10/91	PUBLIC EMP RETIREMENT ASSOC	4,921.68
46					
47	0021109	VOID	05/10/91	PUBLIC EMP RETIREMENT ASSOC	540.33
48					
49	0021110	VOID	05/10/91	PUBLIC EMP RETIREMENT ASSOC	8,015.00
50					
51					
52	GROSS EARNINGS AND DEDUCTIONS				298,531.97
53					
54					
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57					

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

MEMORANDUM

TO: City Manager
FROM: Tom Ekstrand, Associate Planner
SUBJECT: Lawn Sprinkler Variance
LOCATION: Highway 61 (north of Venberg Tires)
APPLICANT: Richard Duerr
OWNER: Clarence Lactorin
PROJECT TITLE: Backyard Building Systems
DATE: May 15, 1991

SUMMARY

INTRODUCTION

Request

Richard Duerr is asking for a variance. Code requires that all developments, other than single and double dwellings, have lawn irrigation systems. Mr. Duerr asks that the City Council waive this requirement for his proposed shed display site. Refer to the applicant's letter on page 8.

Project Description

Mr. Duerr plans to sell back yard storage sheds. He would lease an area that is 100 by 150 feet in size 400 feet north of Venburg Tire. Mr. Duerr plans to display five to ten sheds. He would use an existing graveled driveway from Highway 61. Refer to the site sketch on page 6. Mr. Duerr would operate this sales lot from March through October.

BACKGROUND

Past Action

The City Council, on April 8, 1991, took "no action" on a proposed code change which would drop the lawn sprinkler requirement for smaller projects. Mack Nettleton, the developer of Woodlynn Heights Town Homes, made this request.

The Community Design Review Board, on April 9, 1991, conditionally approved the design plans for Mr. Duerr and recommended approval of a variance to waive the lawn irrigation requirement for this project.

Criteria for Variance Approval

State law requires that the City Council make certain findings to grant a variance. Refer to findings for approval in the resolution on page 10.

DISCUSSION

There is no public water main serving this site. If Council does not grant this variance, Mr. Duerr would have to install a water main and lawn irrigation system or find another location for his business.

City Code requires the replacement of any required landscaping that dies. If the required shrubs die, Mr. Duerr will have to replace them.

RECOMMENDATION

Adoption of the resolution on page 10, granting a variance to drop the lawn irrigation requirement for Backyard Building Systems along Highway 61 since:

1. Strict enforcement of code would cause the applicant undue hardship because:
 - a. There is no public water main serving this property.
 - b. Constructing a water main would be extremely expensive for this small, temporary use.
2. The lack of water main is a circumstance unique to the property, not created by the applicant.
3. The variance would meet the spirit and intent of the ordinance if the applicant hand-waters the required landscaping if there is not enough rainfall.

Mr. Duerr must hand-water the shrubs required by the Community Design Review Board if there is not adequate rainfall.

REFERENCE

SITE DESCRIPTION

Site size: 15,000 square feet

Gross lot area: 22.12 acres

Existing land use: The acreage is undeveloped, except for a Naegele billboard north of the proposed sales lot. The property owner sells Christmas trees from this location each year.

SURROUNDING LAND USES

North, South and East: Undeveloped property zoned M-1 (light manufacturing). Venburg Tire is the nearest neighbor, 400 feet to the south.

West: Highway 61

PLANNING

Land Use Plan designation: BW (business warehouse)

Zoning: M-1 (light manufacturing)

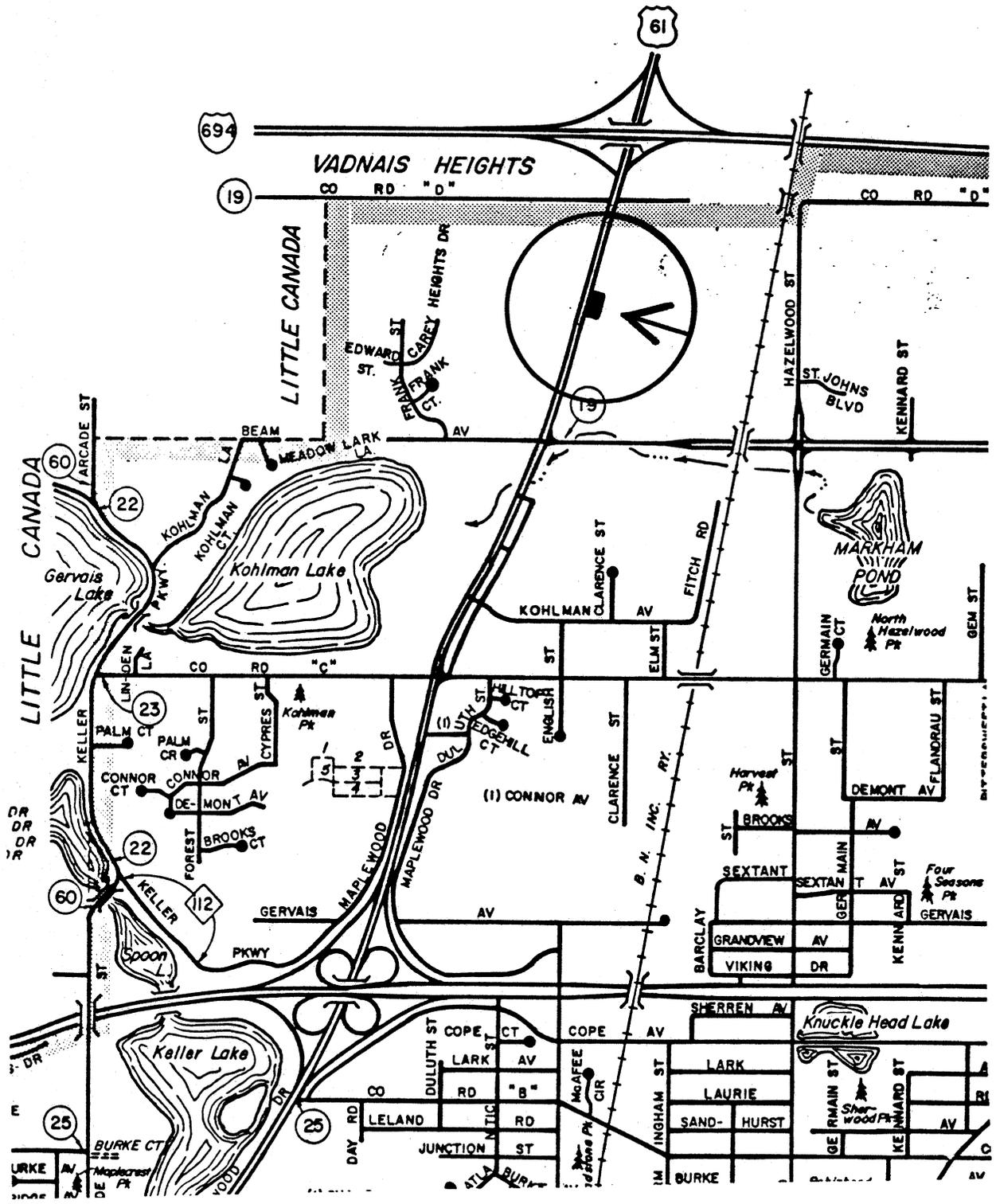
Ordinance Requirements:

Section 36-28 (c) (9) requires an in-ground lawn irrigation system for all commercial development.

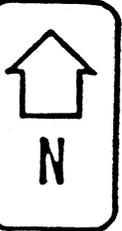
te\backyard.mem (section 3)

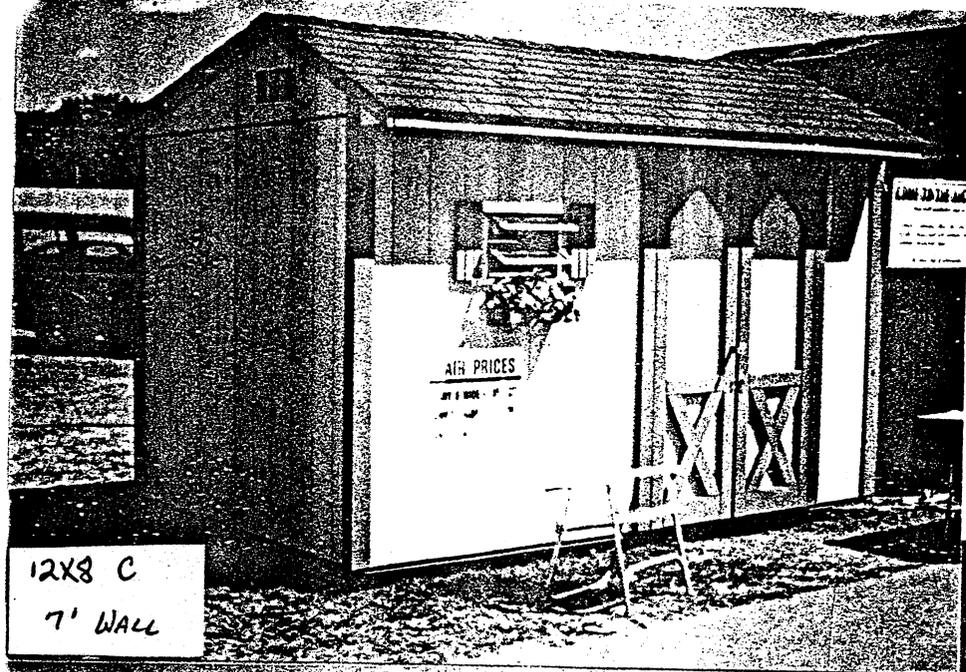
Attachments

1. Location Map
2. Property Line / Zoning Map
3. Site Plan
4. Building Design Photos
5. Letter of request dated April 11, 1991
6. Community Design Review Board motion dated April 9, 1991
7. Resolution

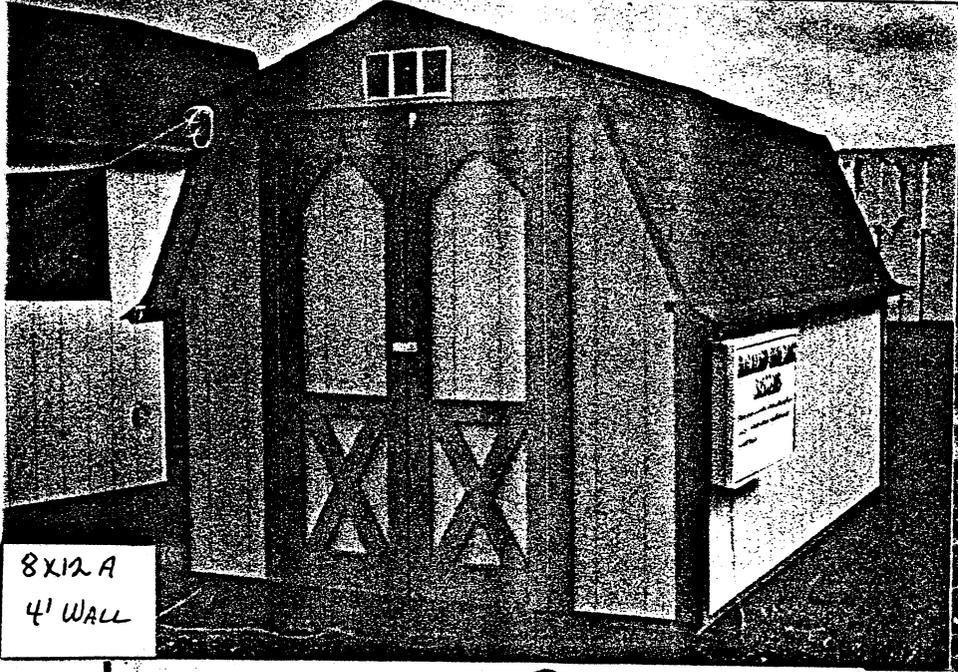


LOCATION MAP

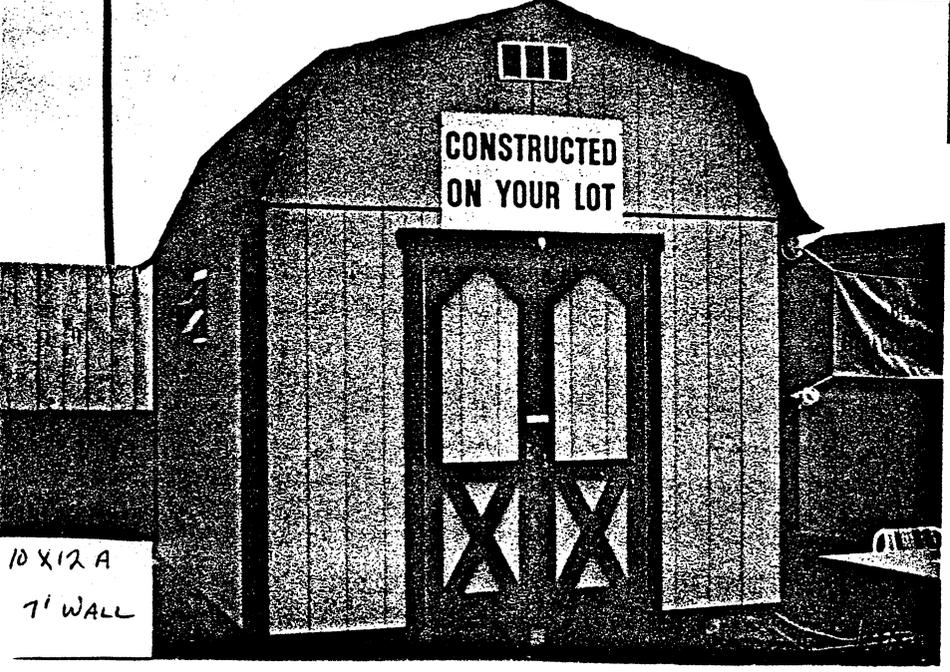




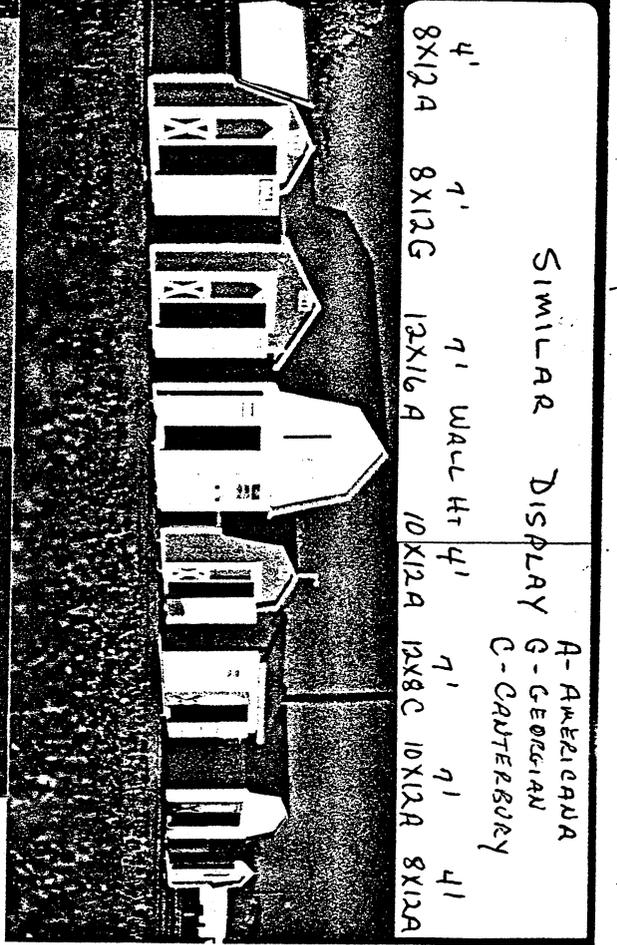
12x8 C
7' WALL



8x12 A
4' WALL



10x12 A
7' WALL



Backyard Building Systems
12579 Ethan Avenue North
White Bear Lake, MN 55110
April 11, 1991

City Officials
City of Maplewood
Maplewood, MN 55109

Dear Sirs:

Backyard Building Systems understands that the city ordinance requires that an underground sprinkler system is required for the use of the property just north of Venberg Tire Company on Highway 61 for a sales lot. The purpose of the sales lot would be to sell our backyard storage buildings to the public on a seasonal basis, generally from about March 15 to October 30 each year.

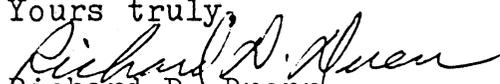
We request that the requirement for an underground sprinkler system be suspended. Presently there is no water available on the property and the expense of installing the necessary water supply system and an underground sprinkler system would be considerable.

We are a fairly small company and consider the cost of installing a water supply system and an underground sprinkler system to be prohibitive for us to be able to commence operations on the property as we have proposed.

The property is now up for sale. Our agreement with the owners of the property requires thirty days' notice for us to vacate the property. Although we do not anticipate the sale of the property in the near future, we would not want to invest in a sprinkler system and then be required to vacate the property in the event of its sale.

We feel that our proposal to establish an attractive and prosperous sales facility on the property would be of considerable value to the community and request that this variance be given favorable consideration.

Yours truly,


Richard D. Duerr
Backyard Building Systems

Secretary Ekstrand reminded Mr. Duerr that he should check with MnDOT to be sure he obtains any necessary permits from the state.

Boardmember Erickson moved approval of the site plan dated March 18, 1991, for Backyard Building Systems on Highway 61. The site operator must meet the following conditions:

1. Stripe the parking stalls with a double-stripe pattern. Parking and driveway areas must be bituminous. He must also keep the parking lot in good repair.
2. Repeat this review if this project has not begun within one year.
3. Install site security lighting. He must direct or shield the lights to block excessive glare from adjacent properties or streets.
4. Provide one shrub between each shed and a four-foot-wide walkway of landscape rock in front of the row of sheds as shown in the April 2, 1991, staff report. He shall also clear and dispose of all scrub vegetation. An alternate landscape plan must be approved by staff.
5. Cut and maintain the grass on the site like a lawn. He shall also replace any of the required shrubs that die.
6. Provide a reflectorized stop sign and handicap parking sign.
7. Maintain the building exteriors. The number of buildings on site is not to exceed 10.
8. Keep the row of buildings at least 30 feet back from the front lot line. He shall also keep the parking lot at least 15 feet back from the front lot line.
9. Provide additional paved on-site parking if the City determines that it is needed. He shall not allow customers to park along the highway.
10. Apply to staff for sign permits. The Design Review Board approval does not include signage.
11. Provide an escrow to guarantee completion of any required improvements not completed by occupancy. An escrow shall be in a form acceptable to staff for 150% of the cost of completing the work. The owner shall also provide a right-of-entry agreement allowing the City onto the property to finish the work. The City Attorney must approve this agreement.
12. Any grading to be done shall be reviewed by the City Engineer or appropriate staff person.

Boardmember Thompson seconded

Ayes--Moe, Erickson,
Holder, Robinson,
Thompson, Wasiluk

Secretary Ekstrand gave Mr. Duerr an application to apply for a variance to waive the lawn sprinkling requirement.

Boardmember Erickson moved the Review Board go on record to recommend a variance be granted to waive the lawn sprinkling requirement for Back Yard Building Systems.

Boardmember Robinson seconded

Ayes--Moe, Erickson,
Holder, Robinson,
Thompson, Wasiluk

7. VISITOR PRESENTATIONS

7

Attachment 6

There were no visitor presentations.

VARIANCE RESOLUTION

WHEREAS, Richard Duerr applied for a variance from the zoning ordinance for a part of the property that is about 400 feet north of 2990 Highway 61. The legal description is:

Registered Land Survey No. 262, Tract C.

WHEREAS, Section 36-28(c)(9) of the Maplewood Code of Ordinances requires an in-ground irrigation system for all commercial development.

WHEREAS, the applicant is proposing to not install such a system.

WHEREAS, the history of this variance is as follows:

1. This variance was reviewed by the Community Design Review Board on April 9, 1991. They recommended that the City Council approve the variance.
2. The City Council held a public hearing on May 28, 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 of code would cause the applicant undue hardship because:
 - a. There is no public water main serving this property.
 - b. Constructing a water main would be extremely expensive for this small, temporary use.
2. The lack of water main is a circumstance unique to the property, not created by the applicant.
3. The variance would meet the spirit and intent of the ordinance if the applicant hand-waters the required landscaping if there is not enough rainfall.

Approval is subject to Mr. Duerr hand-watering the shrubs required by the Community Design Review Board if there is not adequate rainfall.

Adopted on _____, 1991.

Attachment 7

Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

MEMORANDUM

TO: City Manager
FROM: Director of Community Development
SUBJECT: Land Use Plan and Zoning Map Changes
LOCATION: West of Highway 61, north of Highway 36
APPLICANT: City of Maplewood
DATE: January 16, 1991

SUMMARY

INTRODUCTION

The City Council proposed several changes to the City's land use plan and zoning map. The land use plan shows how the City expects property to develop in the future. The zoning map shows how property owners can use their property now. The changes would be for the area west of Highway 61 and north of Highway 36. The Council's proposal for the land use plan is on page 8 and their proposal for the zoning map is on page 11. The existing land use and zoning maps are on pages 7 and 10.

The reason for studying this area is that the City is updating its land use plan. As part of that process, the Council is studying several areas in the City where the land use plan and zoning are different.

CRITERIA FOR APPROVAL

Plan Amendments

Plan amendments require no specific findings for approval. Any amendment, however, should be consistent with the City's land use goals and policies.

Rezoning

The standards for changing the zoning map are found in the resolution on page 17.

The City Attorney's office provided the following information:

The process by which zoning changes reduce an area's density level or limit the intensity of designated land is known as "downzoning." Downzoning is, in effect, "rezoning" of a previously zoned section which results in a concurrent decrease in the value of the real estate within the affected area. The constitutional "reasonableness" test must be satisfied if downzoning plans are to be upheld. As is applicable to zoning ordinances in general, the reasonableness test is based upon a comprehensive evaluation of various factors such as benefit to the public safety, conformity to a comprehensive plan or other overriding public considerations which must be balanced against the landowner's interest in the preservation of the value of his property.

DISCUSSION

The Maple Leaf Drive-in Theater Property

The main area of concern with the Council's proposal is the drive-in property. The Council is proposing R-1 zoning for most of this property. The property owner, Mr. Herringer, wants to work with the Council by planning for some single dwellings. He would like to keep part of the property for commercial use. The City has zoned this property BC (business commercial) and M-1 (light manufacturing). The maps on pages 11 through 13 show the current and proposed zoning.

Mr. Herringer is proposing R-1S zoning for the northwest part of the property. I have included a map on page 14 that shows how this property could be developed with single dwellings. Mr. Herringer feels that the R-1S zone, if adopted by the Council, would create a buffer between the commercial uses to the east and south and the R-1 zone to the west. It would also be easier to market smaller-lot homes next to commercial property than R-1 lots. If the Council does not adopt the R-1S zone, they should rezone this property to R-2. The R-2 zone allows small-lot single dwellings and double dwellings.

Mr. Herringer would like to market the east half his property and the Gervais Avenue frontage for office and warehouse uses. The best zoning for the office-warehouse uses would be M-1 (light manufacturing). The M-1 zone would give the future homeowners in the R-1S area some protection because the City would have to approve any development within 350 feet of the R-1S zone.

South of the Town and Country Manufactured Home Park

The Council should change the land use plan for the properties south of the Town and Country to BW (business-warehouse). The City has zoned these properties M-1. The land use plan now shows this area for RM (residential medium density) and LSC (limited service commercial) uses. This area appears well suited to commercial uses due to its proximity to Highways 36 and 61 and because of the existing commercial development. The area has had a long-standing M-1 zoning which is most consistent with a BW (business warehousing) land use designation.

South of Gervais Avenue Extended

The Council should also change the land use plan for the south side of Gervais Avenue extended from RL (residential low density) to BW (business warehouse). This would make the land use plan consistent with the existing M-1 zoning. Since these lots are within 350 feet of a residential district, anyone developing these lots would have to apply for a conditional use permit from the City.

The City should keep Gervais Avenue as a cul-de-sac. The M-1 lots

would then have access off Gervais Avenue or Keller Parkway. This would discourage trucks from using Forest Avenue after the City extends it.

RECOMMENDATIONS

1. Approve the resolution on page 15 which amends the land use as shown on the map on page 9. These amendments are on the basis that:
 - a. The area proposed for BW is better suited to commercial uses than to residential uses due to its proximity to Highways 36 and 61 and the existing commercial development.
 - b. The BW designation is consistent with the long standing M-1 zoning in the area.
 - c. The RM designation will provide for a buffer between the homes to the west and the commercial uses to the east and south.
2. Approve the resolution on page 17 which changes the zoning map for the Maple Leaf drive-in theater property and 1055 and 1041 Gervais Avenue as shown on the map on page 12. This change is from BC (business commercial) and F (farm residential) to M-1 (light manufacturing) and R-1S (small lot single-dwelling residential). This change change in the zoning map is because:
 - a. It is consistent with the proposed land use plan.
 - b. It meets the findings required by City Code.

REFERENCE

Site Description

Area: about 65 acres

Existing Land Uses: Maple Leaf Drive-in Theater, Northernnaire Motel, DG Burgers restaurant, Swenson's Carriage House, Midwest Mobile Home Supply, Twin City Vending, Maplewood Industrial Park, Zuercher's Well Drilling and residence, three single dwellings and undeveloped land.

Surrounding Land Uses

North: Connor Avenue and the Town and Country Manufactured Home Park

East: Highway 61 and its frontage road

South: Highway 36 frontage road (Keller Parkway)

West: Cypress Street, single-dwelling lots and two large undeveloped parcels, planned for single-dwelling use

Past Actions

September 23, 1958: The Council approved a rezoning from F (farm residence) to BC (business commercial) for the Maple Leaf Drive-in.

July 8, 1985: The City Council held a public hearing about proposed plan amendments and rezonings in the area in question. The City Council tabled this matter for further study.

January 4 and 18 1990: The Planning Commission held public hearings to consider plan amendments and rezonings for this area. The Commission recommended that the Council amend the plan from RM, LSC and RL to BW for the area south and southwest of the Town and County Manufactured Home Park. The Commission also recommended that the City rezone the drive-in theater property and 1055 and 1041 Gervais Avenue from BC and F to M-1. The Commission also recommended changing the land use plan for the area west of 1055 Gervais Avenue and south of Gervais Avenue extended. This change was from RL to BW.

July 9, 1990: The City Council held a public hearing about several plan amendments and rezonings in this area. The Council tabled this matter until there is a five-member council.

October 22, 1990: The City Council changed the land use plan and zoning map for the area immediately to the north of the area in this report.

Planning

Land Use Plan Definitions

Low Density Residential (RL) - "This classification is primarily designated for a variety of single-dwelling homes. An occasional double dwelling may be allowed.

Medium Density Residential (RM) - "This classification is designated for such housing types as single-family houses on small lots, two-family homes, townhouses, and mobile homes.

Limited Service Commercial Centers (LSC) - Limited Service Centers are defined as those providing specialized commercial services on a neighborhood scale, limited as to quantity, location or function, and planned in a quality environment.

The community must restrict these centers because of the effect on surrounding properties, yet provide convenience to the citizens with high standards of safety, amenities and aesthetics (p. 18-17).

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

Business Warehouse (BW) - "Industrial uses found in this classification include government and public utility buildings and structures, storage and warehousing facilities, wholesale business and office establishments, cartage and express facilities, radio and television stations and other industrial uses of a lower-intensity nature" (p. 18-31).

Zoning District Definitions

F, Farm Residential which allows single-family dwellings, general farming, commercial greenhouses and nurseries. Livestock raising, manufactured home parks and golf courses are permitted with a conditional use permit;

R-1, Single Dwelling Residential which allows single-family dwellings, public parks and home occupations. The minimum lot size for single dwellings is 10,000 square feet. Golf courses are permitted with a conditional use permit;

R-1S, Small-lot Single Dwelling Residential would allow single dwellings with a minimum lot size of 7500 square feet.

BC, Business and Commercial which allows a wide variety of uses including hotels and motels, retail stores, restaurants, offices,

banks, automobile sales lots, and theaters. Places of amusement or recreation, storage yards, used car lots and metal storage buildings are permitted with a conditional use permit; and

M-1, Light Manufacturing which allows the permitted uses of the BC district (if not planned LSC or RM), wholesale businesses, custom manufacturing shops, contractors shops, places of amusement, laboratories, offices and warehouses. A conditional use permit is required for used car lots, storage yards, permitted uses of the BC district (if planned LSC or RM) and any building or exterior use conducted within 350 feet of a residential district.

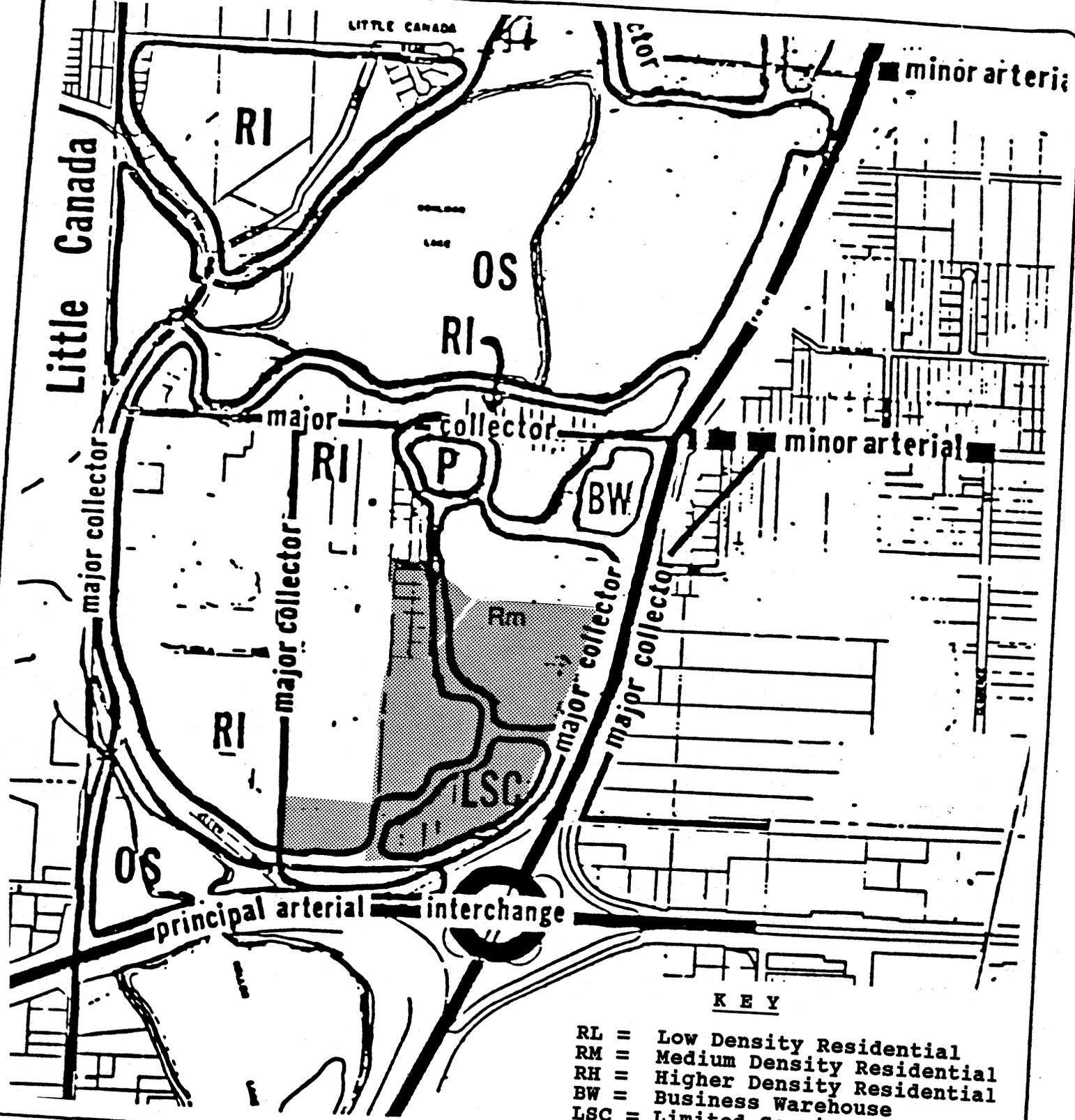
Policy criteria from the plan:

- Page 18-5: Transitions between distinctly differing types of land uses shall be accomplished in an orderly fashion which does not create a negative impact on adjoining developments.
- Page 18-5: Whenever possible, changes in types of land use shall occur along rear property lines so that similar uses front on the same street . . .

KENMEM31 (Section 9)

Attachments

1. Land Use Plan - existing
2. Land Use Plan Map - City Council Proposal
3. Land Use Plan - Staff Proposal
4. Property Line/Zoning Map - existing
5. Property Line/Zoning Map - City Council Proposal
6. Property Line/Zoning Map - Herringer Proposal
7. Staff Concept Plan
8. Plan Amendment Resolution - Council
9. Plan Amendment Resolution - Staff
10. Rezoning Resolution - Council
11. Rezoning Resolution - Staff
12. Letter: Blaufuss

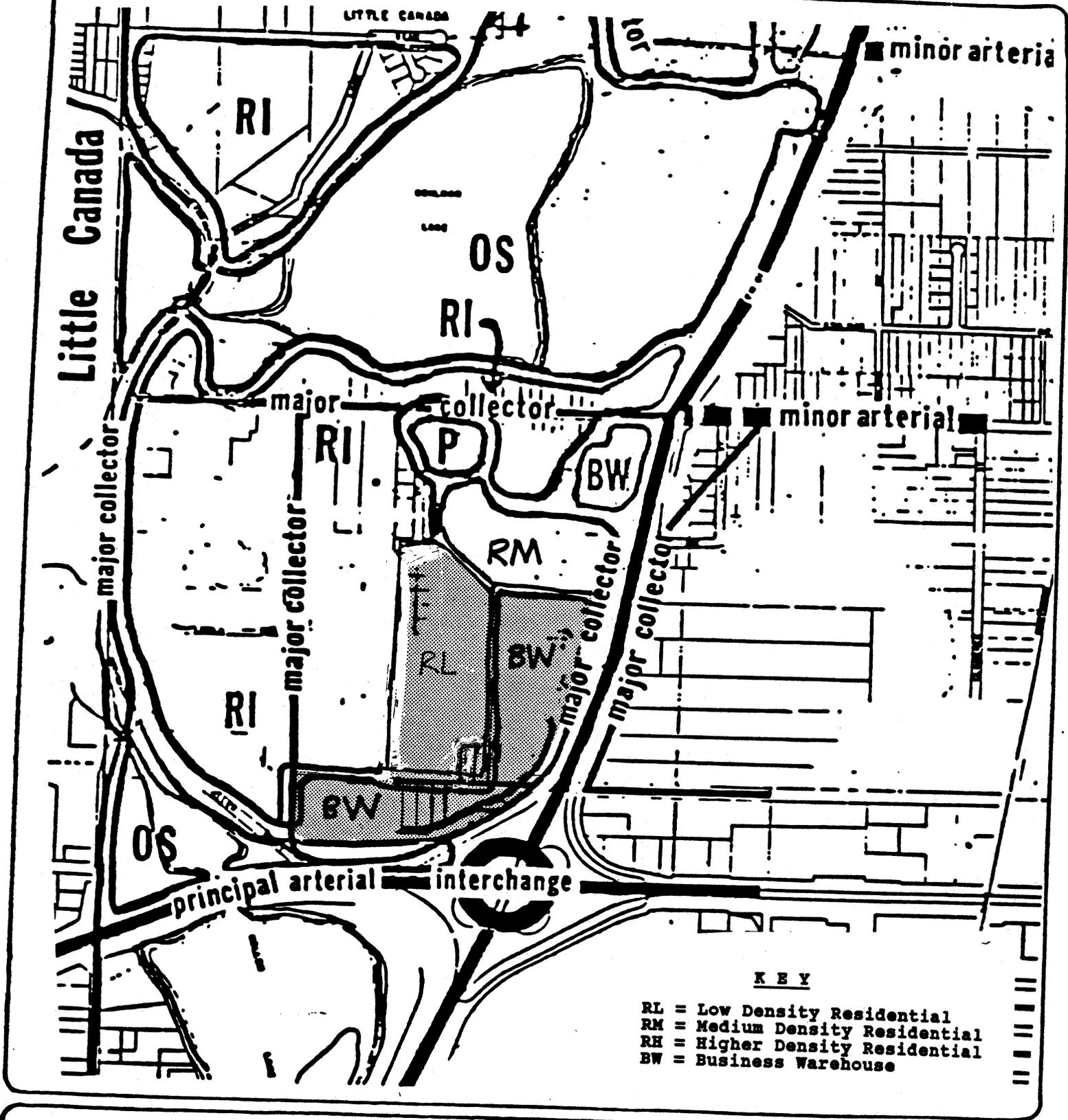


LAND USE MAP

(EXISTING)

AREAS PROPOSED FOR CHANGE



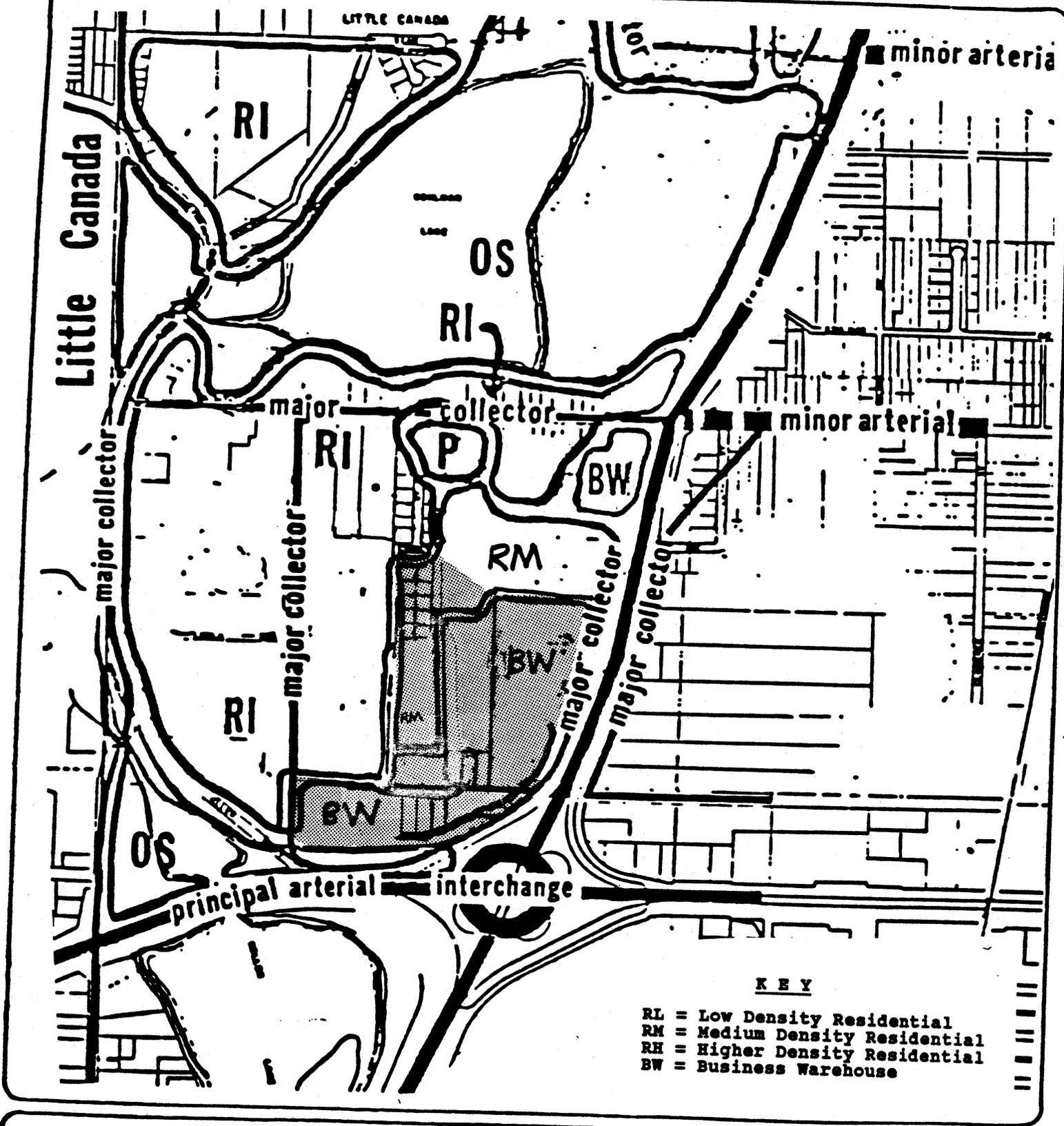


LAND USE MAP

(CITY COUNCIL PROPOSAL)

AREAS PROPOSED FOR CHANGE





LAND USE MAP

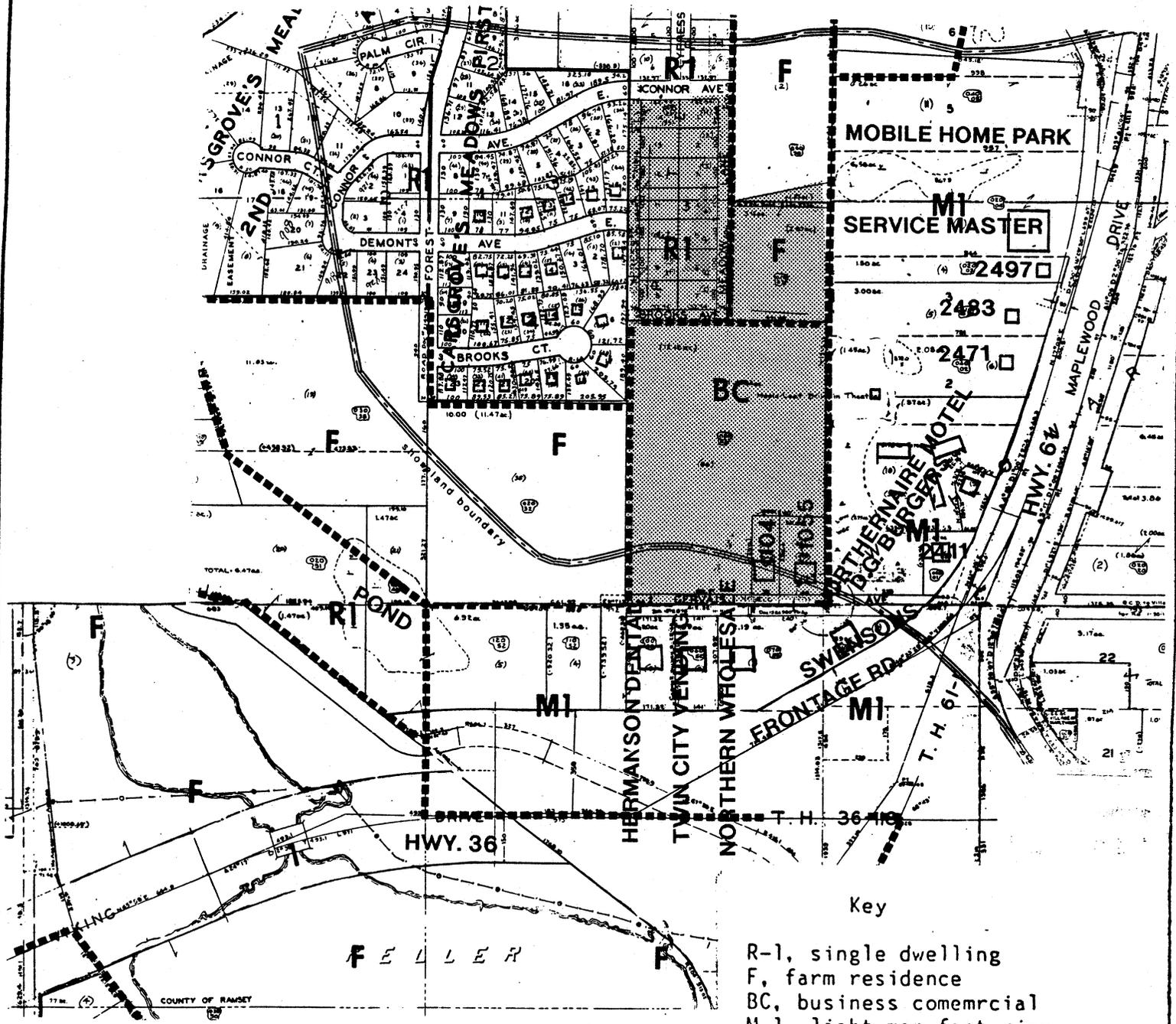
(STAFF, PROPOSAL)



AREAS PROPOSED FOR CHANGE



N

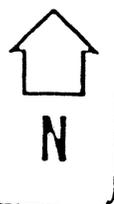


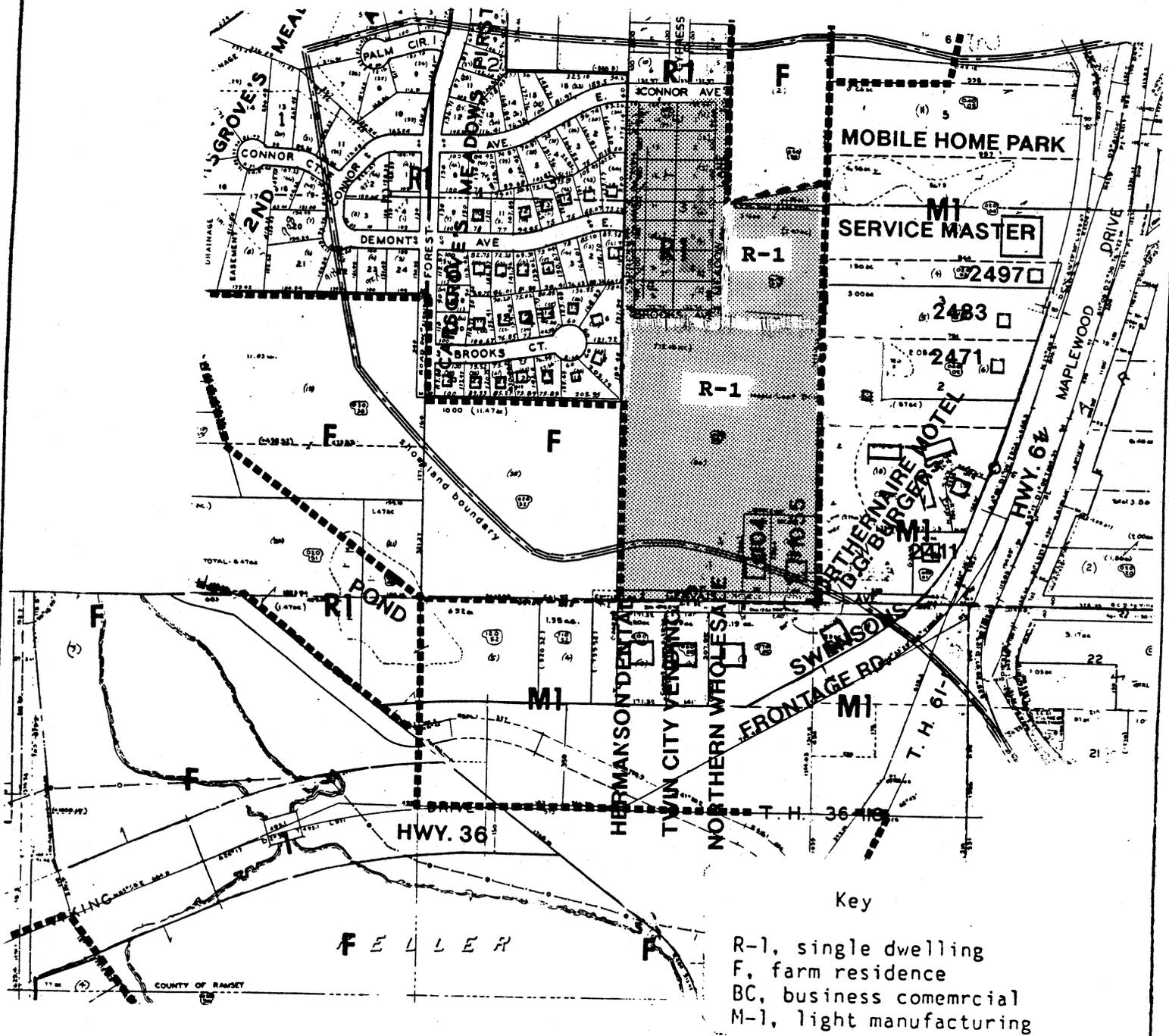
PROPERTY LINE / ZONING MAP

(EXISTING)

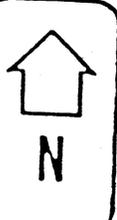


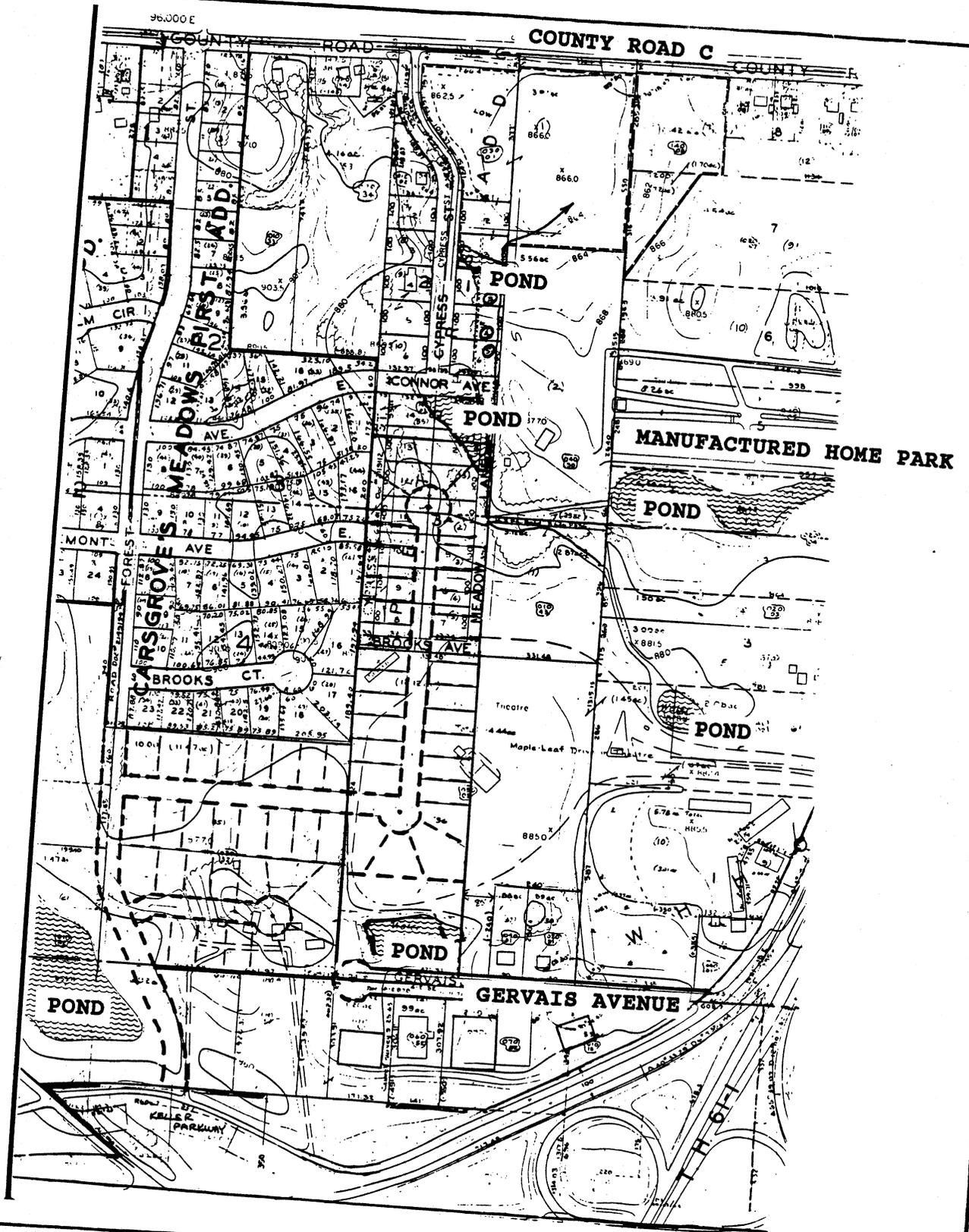
AREAS PROPOSED FOR CHANGE



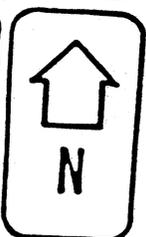


PROPERTY LINE / ZONING MAP
 (CITY COUNCIL PROPOSAL)
AREAS PROPOSED FOR CHANGE





STAFF CONCEPT PLAN



LAND USE PLAN CHANGE RESOLUTION - COUNCIL PROPOSAL

WHEREAS, the City Council requested a study of the land use plan for the area west of Highway 61 and north of Highway 36.

WHEREAS, the history of this change is as follows:

1. The Planning Commission held a public hearing on January 22, 1991. City staff published a hearing notice 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 to the City Council that the plan amendment be _____.
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 adopt the land use plan as shown on page 9 of the January 16, 1991 staff report, on the basis that:

1. The area proposed for BW is better suited to commercial uses than to residential uses due to its proximity to Highways 36 and 61 and the existing commercial development.
2. The BW designation is consistent with the long standing M-1 zoning in the area.
3. The RL designation will provide for a buffer between the homes to the west and the commercial uses to the east and south.

Adopted on _____, 1991.

LAND USE PLAN CHANGE RESOLUTION - STAFF RECOMMENDATION

WHEREAS, the City Council requested a study of the land use plan for the area west of Highway 61 and north of Highway 36.

WHEREAS, the history of this change is as follows:

1. The Planning Commission held a public hearing on January 22, 1991. City staff published a hearing notice 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 to the City Council that the plan amendment be _____.
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 adopt the land use plan as shown on page 10 of the January 16, 1991 staff report, on the basis that:

1. The area proposed for BW is better suited to commercial uses than to residential uses due to its proximity to Highways 36 and 61 and the existing commercial development.
2. The BW designation is consistent with the long standing M-1 zoning in the area.
3. The RM designation will provide for a buffer between the homes to the west and the commercial uses to the east and south.

Adopted on _____, 1991.

REZONING RESOLUTION - COUNCIL PROPOSAL

WHEREAS, City Council requested a study of the zoning map west of Highway 61 and north of Highway 36.

WHEREAS, the history of this rezoning is as follows:

1. The Planning Commission reviewed this rezoning on January 22, 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 zoning map as shown on page 12 of the January 16, 1991 staff report. Approval is based on 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.
5. The proposed change is consistent with the proposed land use plan.

Adopted on _____, 1991.

REZONING RESOLUTION - STAFF RECOMMENDATION

WHEREAS, City Council requested a study of the zoning map west of Highway 61 and north of Highway 36.

WHEREAS, the history of this rezoning is as follows:

1. The Planning Commission reviewed this rezoning on January 22, 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 zoning map as shown on page 13 of the January 16, 1991 staff report. Approval is based on 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.
5. The proposed change is consistent with the proposed land use plan.

Adopted on _____, 1991.

go/memo15.mem

January 11, 1990

Attn: Geoff Olson
City of Maplewood
1830 E Cty Rd B
Maplewood, MN 55109
770-4566

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 2
To <i>Geoff Olson</i>	From <i>Bob Blaufuss</i>	
Co. <i>City of Maplewood</i>	Co. <i>Homesowner</i>	
Dept. <i>Planning</i>	Phone # <i>379-6414</i>	
Fax # <i>770-4506</i>	Fax #	

Dear Mr Olson:

Per my conversation with Ken Roberts of your office, I got a better understanding of the land use planning work that is now occurring for the area north of Hwy 36 and west of Highway 61 (the drive-in theater property). Since I will not be able to attend the January 22 meeting I wanted to give you my comments in writing.

It is my understanding that the owner of the theater property wants to maintain his commercial zoning and bring the land use plan in line with that, while other parties, some living next to the site, want to see more residential zoning and complementing land use planning designations.

While I don't want to see "high intensity" commercial use, I believe allowing the owner to develop the property in to warehouses and office parks and other "light" commercial applications is the best for all parties. The owner gets what he wants, the City of Maplewood gets a larger more lucrative tax base, and the owners in the Carsgrove Meadows Addition (Brooks Court and Demont Ave) don't have to face the addition of potentially lower valued single-family or multi-family homes to the east--increasing the noise and traffic and lowering the value of their property. The developer could be made to berm and plant trees between the "new" commercial area and the existing residential, thereby eliminating the commercial area from both the sight of current residential property owners and limiting the noise to no more than what is heard now from the neighboring highways.

In addition, commercial and residential streets under "modern" development rules typically are not "hooked up", and therefore do not cause a traffic problem--on the contrary, they preserve the existing conditions. I strongly support this cooperation for any kind of development.

The land just adjacent to the existing residential lots would most likely need to be dredged and filled in order for any more homes or streets to be built. This would make any building extremely expensive and probably require additional run-off holding areas to be built nearby. Common sense says that this is a natural barrier which is an excellent "buffer" between the residential and commercial areas--or at least a good start at one.

I realize that the area south of the Carsgrove area will some day be residential. This makes sense given the size of this tract and location. Adding additional residential to the east does not, given the costs and the relatively small amount of that area that could be used for single-family residential due to the need for some commercial use between the residential and the highways (at least as a buffer). Adding to the

existing streets in Carsgrove worries me, especially if it means more lower priced homes. I don't believe those that favor adding more residential zoning understand the costs they're asking ~~business neighbors to~~ bear, including the City, and realize what living next to lower valued residential property either single or multi-family units would be like-- including increased traffic and noise that would decrease their ability to enjoy their own property.

Business neighbors, assuming proper street separation and berming are vastly superior across most criteria, and they have the secondary benefit of sharing in the tax burden, while using arguably fewer City services.

The cost-benefit analysis heavily favors practical, measured commercial development for this tract and no additional residential.

Sincerely,

Bob Blaufuss

Robert M. Blaufuss
962 E Demont Ave
Maplewood, MN 55109
(612) 379-6414 Work
(612) 481-1426 Home

Dennis G. Berry
984 Brooks Ct.
Maplewood, Mn. 55109

Geoff Olson
Community Development Director
City of Maplewood
1902 East Co. Road B
Maplewood, Mn. 55109

May 6, 1991

Mr. Olson,

My name is Dennis Berry, and I live at 984 Brooks Ct., lot 17, Block 4 of the Carsgrove Meadows First Addition, in the City of Maplewood. I am concerned with the proposed zoning changes involving the Maple Leaf Drive-in which shares a common property line with the east side of my lot. Do to extenuating circumstances, I am unable to attend the Planning Meeting this evening, and per our telephone conversation this afternoon, I am submitting this letter for the record.

First, I would like to state, that I agreed with the proposal to re-zone the Drive-in property to M-1, with the stipulation that the buffer zone between the residential property, not be allowed a variance by the city, and that any future owners try to berm or landscape between any buildings and the existing residential area. This is still an acceptable proposal.

The new proposal, to provide residential lots on this adjoining property line, is not considered acceptable for the following reasons:

1). The special R1-S small residential lot designation, does not have adequate justification to burden existing property owners with the subsequent loss in property value associated with this "increased density" and subsequent lower cost housing. The adoption of this proposal by the planning board and the city, would be a flagrant example of politics and money overruling the good of the community, and a total lack of consideration for the property owners affected.

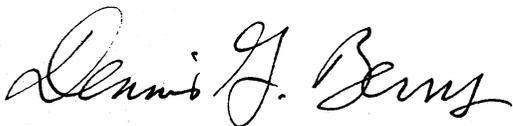
* The statement that this type of "lower cost" lot would be easier to market against the land that is M-1 designation, should not be of concern to the City, and definitely not justification to down zone the area. It is the property owner's responsibility to develop a proposal that is acceptable within the "normal" rules governing such proposals without special privileges being assigned. Further, those of us that bought lots against the drive in property, were not deterred by the existing zoning at that time, so why should we accept the theory that R-1 lots would be hard to sell in a prime area, with little new residential development land available?

* It is hard to understand how the City could embrace this proposal, since it totally disturbs the continuity of the area, and is questionable at best in it's layout and access.

2).The proposed traffic flow and emergency vehicle access to this residential property, should be of concern to both the city and future owners of these lots. Without access to Cypress St. to the north, the distance to the closest main street, Co.Rd.C, to the furthest proposed lot is between 3/4 to 1 mile. This would seem to be an awfully long distance to land lock a residential area within a populated area. We are talking about standard residential streets, in terms of width. This also will increase one way traffic flow on all of these streets, with Forest St. becoming the major artery flooding at one point on to an already crowded Co.Rd.C.

From my perspective, as outlined above, I cannot agree with this proposal, and will take whatever action necessary to see that it is not allowed to go ahead as described at this time.

I would suggest that a proposal, that works within the standard R-1 residential lot size, with planning by the developer to berm or landscape the land between the residential area and the M-1 zoning, with consideration for accessibility, would not only be more palatable for me as a resident and property owner in this area, but would easily provide the monetary return, both in direct monies to the Drive-in property owner, but in tax revenues to the city as well.



Dennis G. Berry

5/6/91

~~Commissioner Gerke moved the Planning Commission recommend that the land use designation remain RM (residential medium density).~~

~~Commissioner Anitzberger seconded~~

~~Staff informed the public that if the RM land use designation remains, any future assessments would be assessed at the RM rate.~~

~~Ayes--Anitzberger,
Axdahl, Cardinal,
Fischer, Frost,
Gerke, Pearson, Sinn~~

~~Nays--Rossbach~~

The motion passed.

- b. 7:40 p.m., West of Highway 61, North of Highway 36

Secretary Olson presented the staff report.

Commissioner Gerke said the parking in the commercial area on Gervais Avenue is inadequate and questioned whether there would be adequate parking for a residential area should the zoning be changed to residential.

Mr. Herringer, the owner of the Maple Leaf Drive-in Theater property, spoke on the history of this property. Mr. Herringer said if this property is rezoned to light manufacturing, in addition to the entrance for the drive-in theater he would like to use Gervais Avenue as an access road.

Gene Lund, 2411 Maplewood Drive, said that Gervais Avenue is a truck route and if Gervais is extended through residential areas, it will bring trucks into the residential areas. Mr. Lund said he is concerned whether he will be able to develop his property commercially if the proposed buffer zone is rezoned to small-lot single dwellings.

Dan O'Gara, 981 Demont Avenue, asked for an explanation on how lot dimensions for the proposed R-1S buffer zone are determined. It was explained to Mr. O'Gara that the lots would be platted using lot widths, but the requirements for square footage must also be met. Mr. O'Gara said he wants the lot sizes in the proposed

buffer-zone area to be comparable to the size of the existing lots in the area.

Steele Stewart, 967 Conner Avenue, said he wants the area proposed as the buffer zone to be zoned for single dwellings so it will have the same zoning as the

property to the west. Mr. Stewart said the small-lot single-dwelling zoning would devalue the existing homes in the area.

John Warner, 983 Brooks Court, said he prefers the zoning east of his property to remain light manufacturing to be assured that the development of the property will remain as it is now. Mr. Warner commented on the existing traffic concerns in the Gervais Avenue area and said he is concerned there will be additional traffic problems should Gervais Avenue be extended through to Forest Street.

The Commissioners discussed the possible R-1S zoning for this area. Staff informed the Commission that if the R-1S zoning designation is not adopted by the City Council, the zoning would then become R-2.

Commissioner Fischer moved to table this item until a decision is made by the City Council on the R-1S zoning designation.

Commissioner Rossbach seconded

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

Nays--Gerke, Sinn

The motion passed.

10. ~~STAFF PRESENTATIONS~~

~~Secretary Olson said the annual report will be on the agenda of the first meeting in February.~~

11. ~~ADJOURNMENT~~

~~Meeting adjourned at 9:02 p.m.~~

5. PUBLIC HEARING

- a. North of Highway 36 & West of Highway 61: Land Use Plan Changes and Zoning Map Changes

Secretary Olson read the public hearing notice and presented the staff report.

Gerry Herringer, 1731 Innsbrook Parkway, Columbia Heights, one of the owners of the Maple Leaf Drive-in Theater property, spoke regarding this proposal.

Commissioner Gerke said he is in favor of R-1 rather than R-1S zoning for this area, because of the above-average valuation of the adjacent existing homes.

Commissioner Rossbach said, since the M-1 zoning requires a conditional use permit, the City will be able to regulate the commercial development to effectively abut the R-1 residential property.

The Commissioners discussed the possibility of zoning the entire area a commercial designation and, if so, whether there is enough room to allow for berming or sound abatement means. The Commissioners discussed zoning classifications in the surrounding area.

Commissioner Rossbach moved the Planning Commission recommend approval of the resolution which amends the land use plan, using the map on page 12 of the staff report, so that the area designated as R-1S has a land use designation as RL, and the area on the map on page 12 designated as M-1 has a land use designation of BW, on the basis that:

- a. By designating and zoning the commercial property as M-1 we would be able to condition that property to create a buffer zone between the commercial and residential areas.
- b. By limiting the encroachment of the business warehouse area into the residential area, we would be setting up a better land use.

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

The motion passed.

Commissioner Rossbach moved the Planning Commission recommend approval of the resolution which changes the zoning, using the map on page 12 of the staff report, on the section designated above with a RL land use designation as R-1 zoning, and on the area designated above as BW land use as M-1 zoning, on the basis that:

1. With M-1 zoning we would be able to use a conditional use permit to condition that property to create a buffer between the M-1 district and the R-1 district.
2. An R-1 zoning would be more compatible with the R-1 zoning which exists to the west.

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

The motion passed.

6. UNFINISHED BUSINESS

There was no unfinished business.

7. NEW BUSINESS

- a. Hillwood Oaks Estates: Street Vacation, Preliminary Plat

Ken Roberts, Associate Planner, presented the staff report. Ken Haider, Director of Public Works, discussed the proposed grading and drainage plans with the Commissioners.

Lawrence Samsted, Itasca Engineering, said he is a civil engineer and represented Bob Hennen for the original development proposal of Hillwood I and II. Mr. Samsted introduced Don Campbell, a registered land surveyor, who is representing Dell Schwanz, who was a land surveyor on Hillwood I and II. Mr. Samsted said he, Don Campbell and Dell Schwanz have not received payment for their services on the project and, by lien, all now share in the ownership of this property. Mr. Samsted asked staff not to take any action on this proposal but to review it with the city attorney.

Action by Council:

MEMORANDUM

TO: City Manager
 FROM: Director of Community Development
 SUBJECT: Code Change: Planning Fees
 DATE: April 25, 1991

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

The City Council requested two new application fees:

1. A fee for a preliminary plat time extension. (There is no fee now.)
2. An additional fee for a mining permit based on the volume of material removed.

I have attached an ordinance for the Council to consider.

ORDINANCE NO. _____

PLANNING FEES

Section 1. Section 36-20 of the Maplewood Code of Ordinances is hereby changed as follows: (Additions are underlined.)

Section 36-26. Fees.

The following nonrefundable application fees shall be required:

Zone Change	\$274
Conditional Use Permit	180
Planned Unit Development	328
Comprehensive Plan Amendment	274
Variances:	
R-1	55
All other districts	82
Vacations	58
Lot Divisions	38 for each lot created
Preliminary Plat	328
<u>Preliminary Plat Time Extension</u>	<u>55</u>
Final Plat	55
Home Occupation Permit	51 for the initial permit 21 for annual renewal

In addition to the application fee for a conditional use permit, the City shall charge the following fee at the time of issuing a permit for mining. This fee shall be based on the quantity of material identified in the permit. This fee shall not be refundable.

1 to 10,000 cubic yards: \$350 for the first 1,000 cubic yards plus \$250 for each additional 1,000 cubic yards or fraction thereof.

10,001 to 100,000 cubic yards: \$2500 for the first 10,000 cubic yards, plus \$1950 for each additional 10,000 cubic yards or fraction thereof.

100,001 cubic yards or more: \$20,000 for the first 100,000 cubic yards, plus \$1600 for each additional 10,000 cubic yards or fraction thereof.

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

Passed by the Maplewood City Council on _____, 1991.

the house may need to have the windows moved to accommodate the neighbors' privacy.

Commissioner Fischer said there are many lots where the topography of the site or existing natural resources would make the house better suited sitting farther back on the lot than the predominant front-yard setback on that street. Commissioner Fischer questioned whether the small amount of problems in the past warrants this action.

Carol Engel, 882 Connor Court, said she didn't want this ordinance to interfere with the preservation of natural resources. Ms. Engel explained that her house was the first house located in this area and was set at a larger setback because of the topography of the lot.

Commissioner Axdahl questioned whether the neighbor, in addition to the homeowner, has the right to appeal the decision on the front setback. Staff responded that the City could require a petition signed by the abutting property owners before approving a front setback which is greater than the predominant setback.

Commissioner Fischer said the 30-foot front setback on a diagonal street with 100-foot lots will automatically place one house in the next house's backyard.

Commissioner Rossbach moved to table this item until the next meeting.

Commissioner Sinn seconded

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

The motion passed.

c. Code Change: Planning Fees

Staff presented the staff report. In response to a question from a Commissioner, staff informed them that the proposed fee schedule for a mining permit was initiated by the City Council.

Commissioner Martin moved the Planning Commission recommend adoption of the ordinance which adds a fee

for a preliminary plat time extension and an additional fee for a mining permit based on the volume of material removed.

Commissioner Rossbach seconded

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

The motion passed.

d. Joint Council/Planning Commission Meeting

The Commissioners proposed three dates, in order of preference, for the City Council to choose from for a joint meeting: (1) June 18, (2) June 4, or (3) June 25.

8. VISITOR PRESENTATIONS

There were no visitor presentations.

9. COMMISSION PRESENTATIONS

a. Planned Unit Developments

The Commission discussed the principles and procedures governing planned unit developments.

The Commissioners proposed that planned unit developments be discussed at the joint meeting with the City Council.

Commissioner Rossbach suggested that the Commission establish criteria for protection of natural resources. The Commissioners discussed the difficulties involved in establishing definitions of land or water areas, such as wetlands, for protection.

The Commission decided to submit the subcommittee report to the City Council, in order that they may have time to review it before the joint meeting.

The Commission requested this item be placed on the agenda for continued discussion for the next Planning Commission meeting. Commissioner Rossbach said he would prepare a list of criteria for protection of natural resources for the next meeting.

I-1

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

MEMORANDUM

TO: City Manager
FROM: Director of Community Development
SUBJECT: Mining and Construction-Materials Recycling Ordinance
DATE: May 21, 1991

The City Council, on May 13, decided to reconsider the mining and construction-materials recycling ordinance. Several Councilmembers had suggestions for changes. The Council should decide which of these changes they wish to make.

There is a problem with the Council's Rules of Procedure. They state that after passing a motion to reconsider, the parties entitled to notice on the original action shall be notified and the reconsideration of the action shall be taken at the next regular meeting following passage of the motion to reconsider. The only notice on the original action was in the Maplewood Review. There was not enough time to publish a hearing notice by the next regular meeting. The Paper's deadline was noon on May 13. The City Attorney has advised me that the Council should not take final action on this ordinance until the City has the Paper publish a new notice. The Council should revise their Rules of Procedure to allow time to publish notices, when required, for items the Council decides to reconsider.

go/memo28.mem (5.1)
Attachment: Mining & Construction-Materials Recycling Ordinance

ORDINANCE NO. _____

A CHANGE TO THE MINING ORDINANCE TO INCLUDE RECYCLING OF
CONSTRUCTION MATERIALS

THE MAPLEWOOD CITY COUNCIL HEREBY ORDAINS AS FOLLOWS: (Additions are underlined and deletions are crossed out.)

Section 1. Section 1-27 is added as follows:

Sec. 1-27. Liability for approvals.

Any approval required by this Code, or compliance with the conditions of such approval or with the requirements of this Code shall not relieve any person from any responsibility for damage to persons or property; nor shall such approvals or requirements impose any liability on the City, its officers or employees for any injury or damage to persons or property.

Section 2. Section 36-437 is amended as follows:

Sec. 36-437. Conditional Uses.

The City Council may issue conditional use permits ~~may be issued by the city council~~ for the following uses in any zoning district from which they are not permitted and not specifically prohibited:

- (1) Public utility, public service or public building uses.
- (2) ~~Mineral extraction.~~ Mining or construction-material recycling. (Refer to the requirements under Article IV of this chapter.)
- (3) Library, community center, state-licensed day care or residential program ~~treatment center~~ (unless exempted by state law), church, hospital, any institution of any educational, philanthropic or charitable nature, cemetery, crematory, mausoleum or any other place for the disposal of the human dead.
- (4) An off-street parking lot as a principal use in a commercial or industrial zoning district.
- (5) Part of an apartment building for commercial use, intended for the building's residents, such as a drugstore, beauty parlor, barbershop, medical office or similar use.
- (6) Planned unit developments (PUD).
- (7) Construction of an outlot. (Ord. No. 648, § 5, 7-20-89)

Section 3. Article IV of Chapter 36 is changed to read as follows:

**ARTICLE IV. ~~MINERAL AND SOIL EXCAVATIONS AND EXTRACTIONS~~
MINING OR CONSTRUCTION-MATERIAL RECYCLING**

Sec. 36-401. Purpose and intent.

The purposes and intent of this article is are: To provide for the ~~economical~~ availability of minerals and recycled construction sand, gravel, rock, soil and other materials needed for continued growth of the region and the City; to establish reasonable and uniform limitations, safeguards and controls for the future production of said materials minerals; to control the effect of any mining operations upon adjacent property and other areas of the City; to provide for the restoration of any mining operation and mining area used for mining or construction-material recycling; ~~during and after termination of the removal operation;~~ to provide for the subsequent use of any mined area in accordance with the ~~comprehensive plan;~~ to control and minimize pollution; caused by erosion or sedimentation, all in furtherance of the health, safety and general welfare of the citizens of the City. (Ord. No. 415, § 917.010, 4-28-77)

Section 36-402. Applicability. ~~Applicable to areas where removal of minerals is allowed.~~

This article shall apply to all mining and construction-material recycling operations. ~~areas within the City in which the removal of minerals, including sand and gravel, is a permitted or special use. The standard and requirements set by this article shall govern the issuance, renewal and termination of the mineral extraction permit required by section 36-404 of this article.~~ (Ord. No. 415, § 917.020, 4-28-77)

Sec. 36-403. Definitions.

The following words, terms and phrases shall have the following meanings respectively ascribed to them:

Construction-material recycling: The crushing, processing, stockpiling and sale of construction debris.

Dust: Air-borne inorganic particulate matter other than smoke.

~~Extraction permit or permit: The permit required by section 36-404 of this article.~~

Minerals: Nonmetallic materials found in the earth including, but not limited to, sand, gravel, rock and soil, which may be covered by overburden.

~~Mining or extraction:~~ The removal, stockpiling or and processing of minerals. Mining does not include grading, excavation or filling approved by the City as part of a subdivision, building permit or grading permit.

Operator: The person responsible for operating a use regulated by this article.

~~Overburden:~~ Those materials which lie between the surface of the earth and the mineral deposits ~~to be mined.~~

~~Rehabilitation:~~ To renew land to a self-sustaining long-term use which is compatible with adjacent contiguous land uses, present and future, according to ~~in accordance with~~ the standards set forth in this article.

~~Topsoil:~~ That part portion of the overburden which lies ~~closest to the earth's surface and~~ supports the growth of vegetation. (Ord. No. 415, § 917.030, 4-28-77)

Sec. 36-404. Permit required.

Except as otherwise provided in this article, it shall be unlawful for any person operator to engage in mining or construction-material recycling ~~the extraction of minerals in the~~ city without getting having first obtained a conditional use written permit from the City ~~authorizing the same in accordance with this article.~~ (Ord. No. 415, § 917.040, 4-28-77)

Sec. 36-405. Exemptions from permit requirements. emergency exceptions.

~~The permit requirement established by Section 36-404 of this article shall not apply to emergency work necessary to preserve life or property. Before when emergency work is performed under this section, the operator performing it shall report the pertinent facts about relating to the work to the city manager. prior to the commencement of the extraction. The city manager shall review the facts and determine whether an emergency exists. If so, the manager and shall, by written memorandum, authorize commencement of the work. emergency exception if he so determines. An The operator commencing emergency work shall, within ten (10) days following the start commencement of the work, that activity, apply for a conditional use the issuance of an extraction permit. and on the issuance thereof shall be required to perform such work as determined to be reasonably necessary to correct any environmental impairment occasioned by such work. The city manager may also authorize an emergency exception for similar actions necessary to preserve life or property relative to a mineral extraction operation processing a valid permit. If action contrary to the existing permit or conditions attached thereto is necessary for safety reasons the~~

The city manager may, also upon review of pertinent facts, authorize an emergency exception to any of the conditions of an existing permit. (Ord. No. 415, § 917.050, 4-28-77)

Sec. 36-406. Applications for permits; procedures; contents of application.

- ~~(a) An application for a mineral extraction permit shall be processed in accordance with the same procedures specified in section 36-436 et seq., of the Code relating to special use permits.~~
- ~~(b) An In addition to the general application requirements for a conditional use permit, the application for a mineral extraction permit shall contain:~~
- ~~(1) The name, telephone number and address of the operator or responsible person; and owner of the land;~~
 - ~~(2) The correct legal description of the property where the extraction is proposed to occur;~~
 - ~~(3) A certified abstract listing the names of all land owners owning property within one-half mile of the boundary of the property described above;~~
 - ~~(4) Specifications of the following, using appropriate maps, photographs and surveys:
 - ~~a. The physical relationship of the proposed mining area to the community and existing and future community development;~~
 - ~~b. Site topography and natural features, including location of watercourses and water bodies;~~~~
- ~~(2) e. The quality and quantity of minerals to be mined; excavated;~~
 - ~~(3) d. The depth of water tables on the site; throughout the area; and~~
 - ~~(4) e. The average thickness of overburden on the site. in the area subject to mineral extraction.~~
- ~~(5) The purpose of the operation;~~
- ~~(5) (6) The estimated time required to complete each phase of the operation;~~
 - ~~(6) (7) The plan of operation, including processing (any operation other than direct mining and removal),~~

nature of the processing and equipment, location of the plant, work, source of water, disposal of water and reuse of water;

(7) ~~(8)~~ Travel routes to and from the site;

(8) ~~(9)~~ The plans for drainage, wind and water erosion control, site security, sedimentation and dust control;

~~(10) A geology report analyzing structure, soils and related geological factors to determine appropriateness of the proposed operation as well as suitability of site to support subsequent use;~~

(9) ~~(11)~~ A rehabilitation plan. provided for the orderly and continuing rehabilitation of all excavated land. Such plan shall illustrate, using appropriate photographs, maps and or surveys, the following:

a. ~~The Two-foot contours of the site before contour of land prior to excavation, after completion of excavation and after completion of rehabilitation;~~

b. Those areas of the site to be used for storage of topsoil and overburden;

c. A schedule of setting forth the timetable for any, mining or excavation and rehabilitation of the site; land lying within the extraction facility;

d. ~~The slope of all slopes after rehabilitation and A description of the type and quantity of plantings for where revegetation; is to be conducted; and~~

e. ~~The criteria and standards to be used to achieve final rehabilitation as well as intermittent stabilization. (Ord. No. 415, § 917.060(1), (2), 4-28-77)~~

(10) A screening and berming plan, showing how views from surrounding land uses and public streets will be screened. This plan shall include cross-section drawings to scale along typical sight lines.

~~Sec. 36-407. Council review and approval of overall plan; function of renewable annual permits.~~

~~(a) Approval by the city council of the plan outlined in the application for a permit under this article shall be for a~~

~~period not to exceed five (5) years and shall be renewable for a three (3) year period thereafter. An overall plan for mineral extraction will be reviewed by the city council.~~

~~(b) Implementation of the overall plan shall be by means of renewable annual permits. The purpose of the renewable permit is to assure compliance with the longer range overall plan and to retain the ability to modify existing or to attach new conditions in accord with changing characteristics of the site or its surroundings. (Ord. No. 415, § 917.060(3), (4), 4-28-77)~~

~~Sec. 36-408. Termination of permit.~~

~~(a) The mineral extraction permit may be terminated for violation of this article or any conditions of the permit. No permit may be terminated until the city council has held a public hearing to determine whether the permit shall be terminated, at which time the operator shall be afforded an opportunity to contest the termination. The city council may establish conditions, which if not complied with, will result in automatic termination of either the overall plan permit or a given annual mineral extraction permit.~~

~~(b) It shall be unlawful to conduct mineral extractions after a permit has been terminated pursuant to this section. (Ord. No. 415, § 917.060(5), (6), 4-28-77)~~

~~Sec. 36-407. 36-409. Annual mineral extraction permits, renewal; Conditions.~~

~~(a) Request for renewal of an annual mineral extraction permit shall be made sixty (60) days prior to the expiration date. If application for renewal is not made within the required time, all operations shall be terminated, and reinstatement of the permit may be granted only upon compliance with the procedures set forth in this article for an original application.~~

~~(b) An extraction permit may be approved or renewed subject to compliance with conditions in addition to those set forth in this article when such conditions are reasonable and necessary to ensure compliance with the requirements and purpose of this article. When such conditions are established, they shall be set forth specifically in the permit. Conditions may, among other matters, The City may attach conditions to the permit that limit the size, kind or character of the proposed operation, require the staging of construction of structures, require the staging of operations, extraction over a time period, require the alteration of the site design, to ensure compliance with the standards, or require the provision of an irrevocable letter~~

~~of credit a performance bond by the operator to ensure compliance with these regulations in this article or other similar requirements.~~

~~Sec. 36-410. Issuance of permit imposes no liability on city and relieves the permittee of no responsibilities, etc.~~

~~Neither the issuance of a permit under this article, nor compliance with the conditions thereof or with the provisions of this article shall relieve any person from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of any permit under this article serve to impose any liability on the City, its officers or employees for any injury or damage to persons or property. A permit issued pursuant to this article does not relieve the permittee of the responsibility of securing and complying with any other permit which may be required by any other law, ordinance or regulation. (Ord. No. 415, § 917.060 (9), 4-28-77)~~

~~Sec. 36-411. Fees.~~

~~A schedule of fees for the examination and approval of applications for mineral extraction permits under this article and the inspection of mineral extraction operations for compliance with the conditions of this article and the permit shall be determined by resolution of the city council, which may, from time to time, change such schedule. Prior to the approval and issuance or renewal of any mineral extraction permit under this article, such fees shall be paid to the City and deposited to the credit of the general fund. (Ord. No. 415, § 917.080 (1), 4-28-77)~~

~~Sec. 36-412. Performance bond or irrevocable letter of credit.~~

~~Prior to the approval and issuance of any mineral extraction permit, there shall be executed by the operator and submitted to the city manager an agreement to construct such required improvements, to dedicate such property or easements, and to comply with such conditions as may have been established by the city council. Such agreement shall be accompanied by bond with surety or condition acceptable to the city manager in the amount of the established costs of complying with the agreement. The aforesaid agreement bond or letter of credit shall be provided for guaranteeing completion and compliance with the conditions set forth in the permit within the time to be approved by the city council. The adequacy, conditions and acceptability of any bond or letter of credit hereunder shall be determined by the city manager. (Ord. No. 415, § 917.080(2), 4-28-77)~~

Sec. ~~36-408.~~ 36-413. Hold harmless agreement and insurance.

Any operator issued a permit under this article shall furnish the City with a "hold harmless agreement," subject to the approval of the city attorney, and shall provide evidence of, and shall maintain in force at all times, comprehensive general liability and automobile liability insurance with limits of at least ~~\$250,000.00/\$500,000.00~~ bodily injury and ~~\$100,000.00~~ property damage liability, as per the maximum liability pursuant to MSA 465.04, with the City shown as an additional insured for this operation. (Ord. No. 415, § 917.080 (3), 4-28-77)

Sec. ~~36-409.~~ 36-414. Setbacks. ~~Standards--Extraction site location.~~

- ~~(a) The extraction site for any permitted operation under this article shall consist of at least ten (10) acres, unless contiguous to an existing permitted mining operation.~~
- (b) Operations permitted under this article shall not be conducted within:
- (1) Fifty (50) feet of an existing street or highway;
 - (2) Thirty (30) feet of the right-of-way of an existing public utility;
 - (3) Fifty (50) feet of the boundary of any zone where such operations are not permitted; or
 - (4) Thirty (30) feet of the boundary of an adjoining property not in mining or construction-material recycling use.

Sec. ~~36-410.~~ 36-415. ~~Same--Fencing.~~

~~During operations permitted under this article, The operator shall fence any area where collections of water are one and one-half (1 1/2) feet in depth or more, or where excavation slopes are steeper than one foot vertical to one and one-half (1 1/2) feet horizontal, and any other areas where obvious danger to the public exists, shall be fenced when such a situation has existed or will exist for a period of five (5) working days or longer. The city engineer shall review such fencing to assure its adequacy. He may waive this requirement or require additional measures based on his judgment and the characteristics of the particular instances. As an alternative, the city engineer may require perimeter fencing of the entire extraction site.~~

~~Sec. 36-411. 36-416. Same--Appearance and screening. at the extraction site.~~

The operator shall:

~~The following standards are required at the extraction site of any operation permitted under this article:~~

- (1) Keep machinery shall be kept in good repair and painted paint it regularly;
- (2) Remove abandoned machinery, equipment and rubbish shall be removed from the site regularly;
- (3) All structures that have not been used for a period of one year shall be removed from the site; Have all structures necessary to the operation of the site approved by the City Council at the time that the Council approves the conditional use permit.
- (4) Remove all equipment and temporary structures shall be removed and dismantled not later than six (6) months after ending the termination of the mining operation or expiration of the permit;
- (5) Where practical, use stockpiles of overburden and materials, including plantings shall be used to screen the mining site;
- (6) Plant trees, berm or screen the perimeter of the mining site as required by shall be planted or otherwise screened when such is determined by the city council. to be necessary; The Council may also limit the height of material piles, where they would be visible to adjacent properties;
- (7) Preserve existing tree and ground cover shall be preserved to the extent where feasible, maintained and supplemented by selective cutting, including the transplanting of trees, shrubs and other ground cover along all setback areas.

~~Sec. 36-417. Same--Operations; noise; hours; explosives; dust; water pollution; topsoil preservation; vibration.~~

~~The following operating standards shall apply to be observed at the extraction site of any operation permitted under this article:~~

- (1) The maximum noise level at the perimeter of the site shall be within the limits set by the Minnesota Pollution Control Agency and the Federal Environmental Protection Agency.

- (2) Mining Operations shall not start eommence before 7:00 a.m. nor continue after 7:00 p.m. The City Council may limit the operation to Monday through Friday.
- (3) ~~The use and handling of explosives shall be reviewed and approved by the public safety department. Blasting shall occur only at hours specified in the permit and at no other time. The operator shall not use explosives.~~
- (4) Operators shall use utilize all practical means to reduce the amount of dust caused by the operation. ~~In no case shall~~ The amount of dust or other particulate matter shall not exceed the standards established by of the Minnesota Pollution Control Agency. If a problem develops, the City shall have the authority to stop the operation until the problem is solved.
- (5) Operators shall obey eemply with all applicable city, county, state and federal regulations for the protection of water quality, including the Minnesota Pollution Control Agency and Federal Environmental Protection Agency regulations for the protection of water quality. No waste products or process residue, including untreated wash water, shall be deposited in any lake, stream or natural drainage system.
- (6) The operator shall retain all topsoil ~~shall be retained~~ at the site until complete rehabilitation of the site has taken place according to the rehabilitation plan.
- (7) The operator shall not allow any equipment on the site to cause vibrations on adjacent property.

Sec. 36-418. ~~Same--Rehabilitation. standards.~~

The operator shall: ~~The following rehabilitation standards shall apply to the extraction site of any operation permitted under this article:~~

- (1) Start rehabilitating the site ~~Rehabilitation shall be a continuing operation occurring as quickly as possible after the mining operation has moved suffieiently into another part of the extraction site.~~
- (2) Rehabilitate the site in accordance with the rehabilitation plan. ~~All banks and slopes shall be left in accordance with the rehabilitation plan submitted with the permit application.~~ No rehabilitation slopes shall be steeper than five (5) feet horizontal to one foot vertical; except that the City may permit steeper slopes if the City has approved them for ~~may be permitted in accordance with the rehabilitation plan when said slopes are planned for~~

approved recreational uses such as ~~for example,~~ ski hills and sliding hills.

- (3) Cover all slopes and graded areas and backfilled areas shall be surfaced with at least three (3) inches of topsoil and planted such areas with enough ground cover sufficient to hold the soil. The operator shall maintain such ground cover shall be tended as necessary until it is self-sustained.
- (4) Eliminate all water areas resulting from excavation shall be eliminated upon rehabilitation of the site, unless these water areas are on the approved plan. In unique instances where the city council has reviewed proposals for water bodies at the time of approval of the overall plan and has determined that such would be appropriate as an open space or recreational amenity in subsequent reuse of the site, water bodies may be permitted.
- (5) Grade the site so that no part, except land planned for of the rehabilitation area which is planned for utilization for uses other than open space, or agriculture shall be at an elevation lower than the minimum required for gravity connection to a sanitary or storm sewer.

Sec. 36-419.

The Council, in approving a conditional use permit under Article IV, may require an advisory body constituted pursuant to its motion on the permit.

Secs. 36-420--36-435. Reserved.

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

Passed by the Maplewood City Council on April 8, 1991.

At this time, Commissioner Pearson resumed his position on the Commission.

6. NEW BUSINESS

a. Code Change: Mining Ordinance

Secretary Olson presented the staff report.

Frank Frattalone explained the process of recycling construction materials. Mr. Frattalone discussed Ramsey County's specifications for recycling, which encourages using recyclable construction materials in road construction whenever possible and recycling construction materials when removed. Mr. Frattalone said recycling allows blacktop and oil-based materials to remain on the surface rather than burying them.

The commission made changes to the proposed ordinance clarifying what constitutes construction materials, requiring a rehabilitation plan to be in conformance with the comprehensive plan, and requiring the planting of trees or screening for the added purpose of moderating noise.

Commissioner Fischer moved the Planning Commission recommend approval of the mining ordinance to include recycling of construction materials.

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

The motion passed.

b. Conditional Use Permit: Highway 61 (Frattalone)

Frank Frattalone, the applicant, explained his request. Discussion on this request included the issues of hours of operation and site lines.

Commissioner Rossbach moved the Planning Commission recommend approval of the resolution granting a conditional use permit for mining and road material recycling northwest of Gulden's Restaurant for one year. Future renewals may be granted, based on code requirements. This conditional use permit is subject to compliance with the original conditions for mining established on June 28, 1982, and:

BANNIGAN & KELLY, P.A.

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

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

FAX (612) 223-8019

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

May 20, 1991

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

RE: FIRE PROTECTION AGREEMENT

Dear Mr. McGuire:

Pursuant to our previous City Council Meeting, the following question was raised:

"Whether the City can unilaterally reduce the contract to Parkside Fire Department?"

It is my understanding due to the State of Minnesota directives, certain budget reductions are required as a matter of necessity.

It is also my understanding that East County Line and Gladstone Fire Departments have agreed to a two (2%) percent reduction in the amount of dollars with respect to the 1991 contract. The position and agreement of both East County Line and Gladstone Fire Departments represent an amendment to their contracts.

Both East County Line and Gladstone Fire Departments realize the budgeting dilemma of the City of Maplewood and in the spirit of cooperation have agreed to reduce their budgets appropriately. However, Parkside apparently is taking the position that the City is obligated to \$224,010 to be paid in quarterly statements.

ANALYSIS:

A contract is a promise, or a set of promises, to which the law attaches a legal obligation. Both in popular and legal usage a promise is an assurance, in whatever form of expression given, that a thing will or will not be done. It is often defined as "an agreement between two or more parties for the doing or not doing of some particular thing". Sharpe vs. Rogers, 10 Minn. 207 (1865).

Mr. Michael McGuire

Page Two

May 20, 1991

A contract is an agreement between parties whereby one of them acquires a right to an act by the other, and the other assumes an obligation to perform the act. When parties enter into contract, they assume liabilities.

Generally, in the absence of circumstances indicating otherwise, it is inferred that a person who requests another to perform services for him thereby bargains to pay for the services rendered. Jacobson vs. Edman, 233 Minn. 476, 47 N.W.2d 103. The intent to pay for services may be inferred from the facts that tend to negate that the presumption that they were rendered and accepted as a gratuity. In Re Tilghman's Estate, 240 Minn. 494, 61 N.W.2d 743.

CONCLUSION:

The City entered into a contract which states that:

"The Parkside Fire Department (hereinafter 'Department') is a volunteer fire department operating as a non-profit association under the laws of the State of Minnesota; and as an independent contractor with the City of Maplewood . . ."

In order to reduce the contract, there would have to be an agreement to amend the agreement to reflect the agreed reduction. If the City unilaterally reduces the contract the City shall have exposure with respect to a breach of the terms. Specifically, the provision that would be breached is as follows:

"(b) To pay the department for its services during the period hereinbefore specified the sum of \$224,010 in quarterly installments . . .".

Unfortunately, the governor's directive or State directive does not give the authority under law to the City to unilaterally reduce contract amounts with independent contractors.

SUGGESTION:

The best approach is to contract negotiations for 1992. As an alternative, the City may want to contact Parkside Fire Department and re-negotiate a reduction by agreement for the last quarterly payment. The basis for the request is consideration for overall budgetary and for the good of the citizens of Maplewood

Sincerely yours,

BANNIGAN & KELLY, P.A.

Patrick J. Kelly

PJK:kas

9-1

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Thomas Ekstrand, Associate Planner
SUBJECT: **Site Plan Revision**
LOCATION: 600 Carlton Street
OWNER: Otto Bonestroo
APPLICANT: 3M Company
PROJECT TITLE: 3M Classroom Building
DATE: May 20, 1991

Endorsed _____
Modified _____
Rejected _____
Date _____

INTRODUCTION

3M Company is requesting that the City Council allow a change to the approved site plan for this project. They are proposing to place four satellite dish antennas on the property. Two would go next to the southeast corner of the building on a concrete pad and two would go on poles next to the northeast corner of the building. (See page 5.) The ground-mounted antennas would replace two parking stalls.

The two ground-mounted antennas would be seven and fifteen feet in diameter. The fifteen-foot-diameter antenna would extend eight feet above the roof. The two pole-mounted antennas would both be three feet in diameter and would extend four feet above the roof. 3M is proposing the antennas at this site because they are for the use of the classroom building.

BACKGROUND

On February 25, 1991, the City Council approved a land use plan change, rezoning and conditional use permit to allow the 3M classroom facility. Condition one requires that the Council approve any changes to the site plan.

On February 13, the Council vacated a utility easement which would have been under a new loading dock.

DISCUSSION

The main concern with this proposal is the visibility of the antennas from the adjacent homes. Some of the antennas would be higher than the existing building. The trees in the back yards to the east would screen the antennas in the spring and summer. They would be partially visible, however, the rest of the year. The six-foot-tall evergreens proposed on the berm east of the antennas would eventually help to hide them in the winter. In addition to the screening, the antennas would be at least 300 feet away from the nearest house.

The proximity of the antenna to the City's water line is another concern. The St. Paul Water Department will require that the base for the ground antennas be at least fifteen feet from the water line. The dishes must be at least ten feet from the line.

The Council should also require this, in case the City needs to repair the pipe.

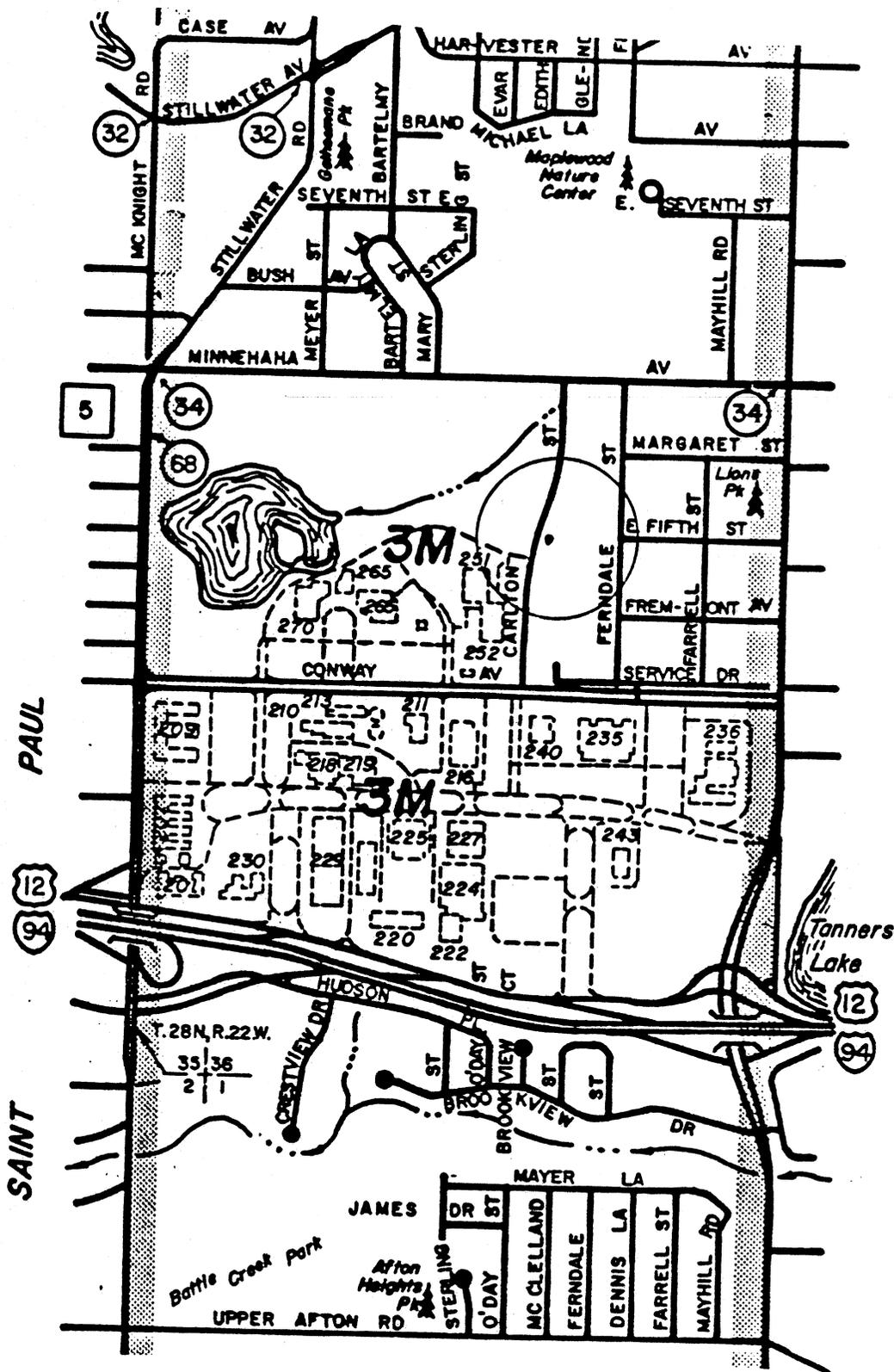
RECOMMENDATION

Approve the revised site plans on pages five and six of the May 20 Staff report. These plans allow the addition of four antennas, as described in the May 20 report. Approval is subject to 3M installing the base for the ground antennas at least fifteen feet from the water line and the antenna dishes at least ten feet from the water line.

te\carlton.mem (section 36-29)

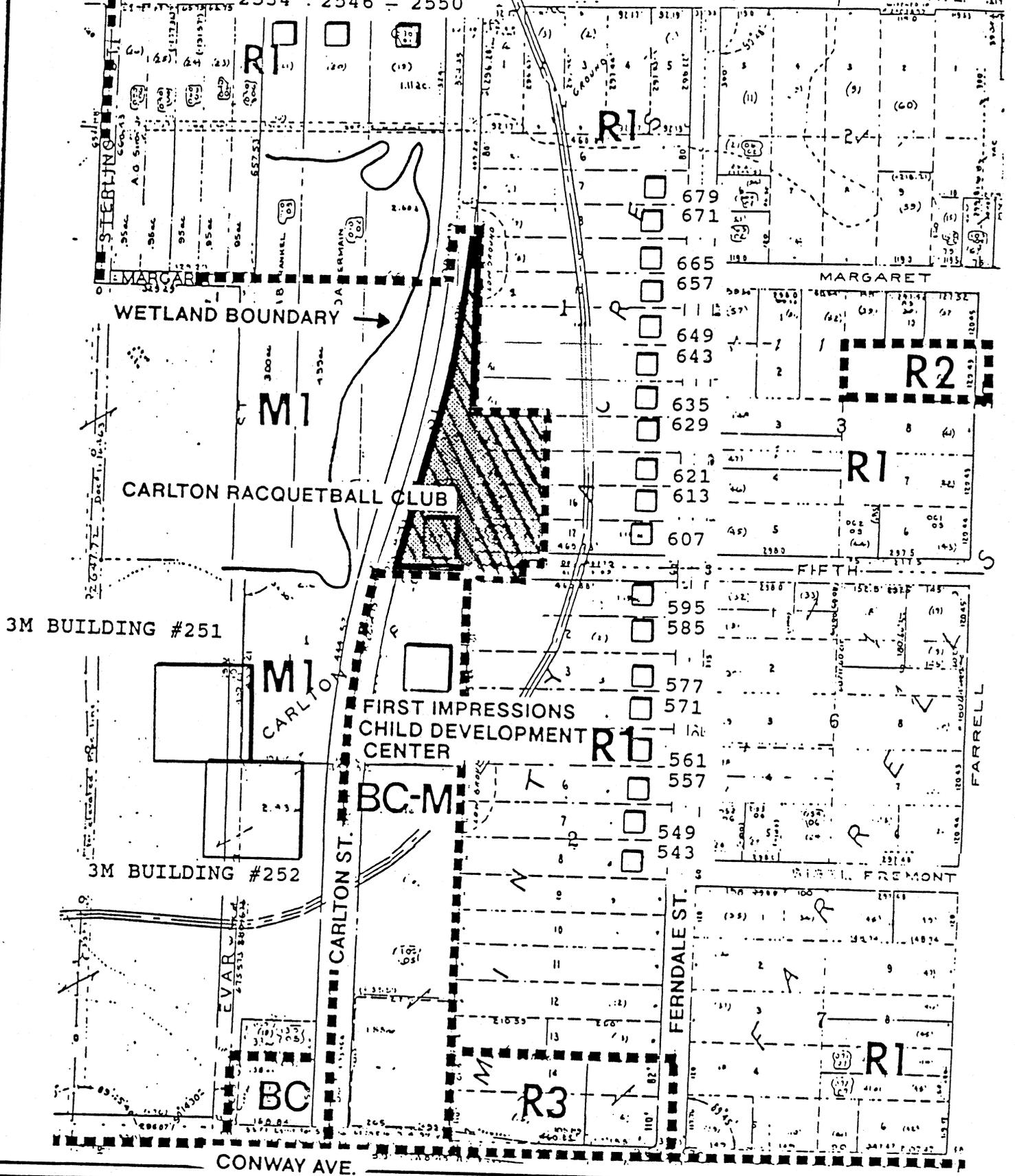
Attachments

1. Location Map
2. Property Line / Zoning Map
3. Site / Landscape Plan
4. Applicant's Site Plan

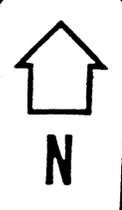


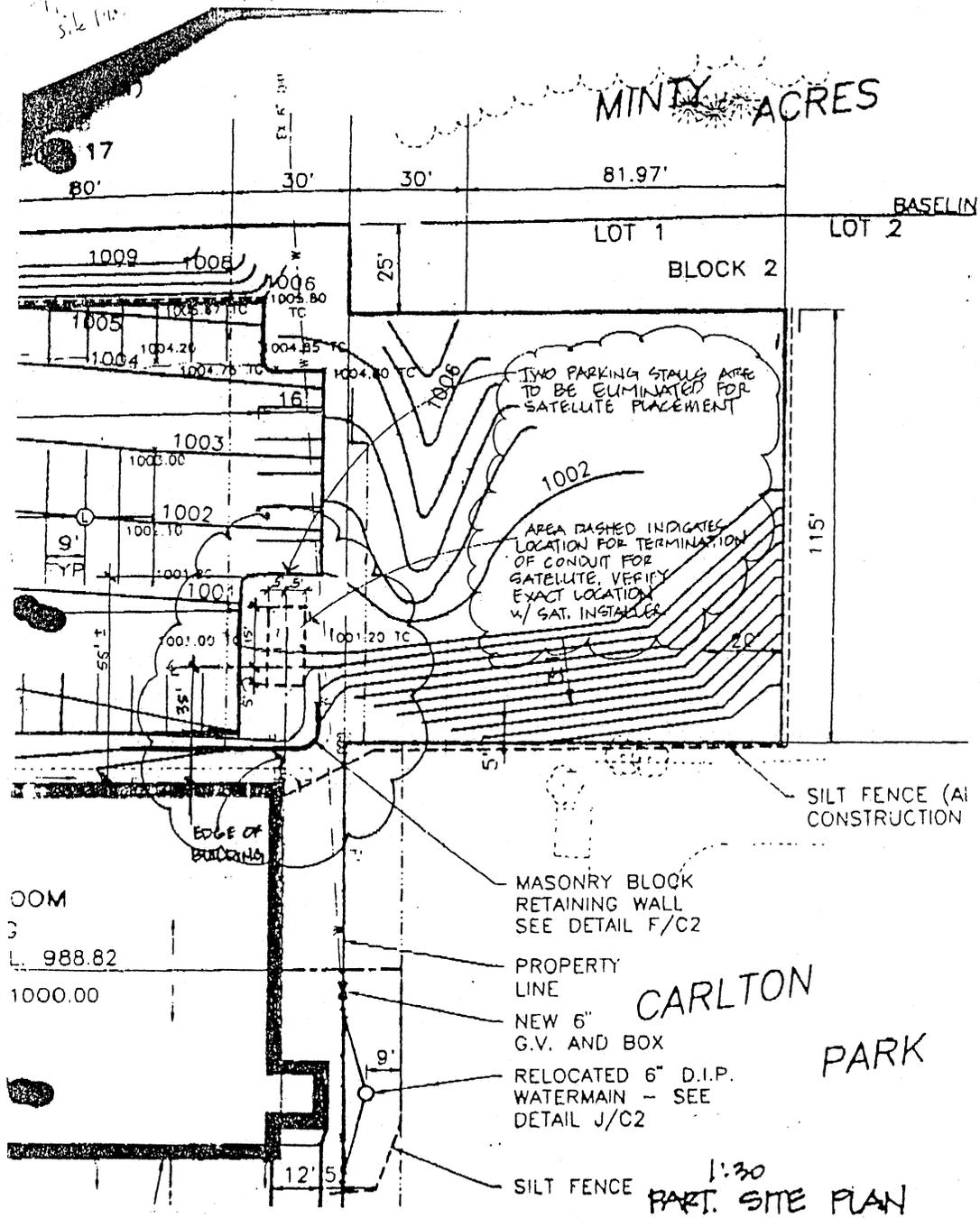
LOCATION MAP





PROPERTY LINE / ZONING MAP





SITE PLAN



Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

J-2

MEMORANDUM

TO: City Manager
FROM: Director of Community Development
SUBJECT: Design Review Appeal - Bakers Square Addition
DATE: May 15, 1991

Staff is appealing approval of an addition for Bakers Square. Staff had recommended that the Community Design Review Board require easements and drives to connect the parking lots to the north and south. The Board did not include this requirement. I thought that the Council should decide this since they previously asked for a drive or alley connection between these businesses to Woodlynn Avenue.

MEMORANDUM

TO: City Manager
FROM: Thomas Ekstrand, Associate Planner
SUBJECT: Design Review
LOCATION: 3088 White Bear Avenue
APPLICANT: Dane Randolph
PROJECT: Bakers Square Addition
DATE: May 20, 1991

INTRODUCTION

The applicant proposes to build two additions for more seating and another to expand the entrance at Bakers Square. The exterior materials will match the existing building. The applicant will landscape the front yard. Refer to the plans.

BACKGROUND

Council approved the plans for this building on April 5, 1973. This was originally the Golden Bear Family Restaurant. Council required that all roof equipment must be screened from view from all property lines. Some units on the roof are visible.

DISCUSSION

The City Council has previously asked Staff to investigate ways to get southbound drivers from Bakers Square and Schwinn Bicycles to an intersection. Some of these drivers are exiting onto White Bear Avenue and making illegal U-turns at County Road D. A solution is to connect these two parking lots to the drive south of Bakers Square that goes to Woodlynn Avenue. Cars are already driving over the curb from Bakers Square to this drive.

Baker's Square should pave driveway connections to the Schwinn lot and Skipper's drive, if these owners agree. (Bob Haijek owns the land under the Skippers drive. He gave Skippers an easement for the drive.) If not, Bakers Square should pave to their property lines and grant cross-easements. The City can then pick up easements from Schwinn and Mr. Haijek the next time they need something from the City.

Bakers Square should also put a drive through the center island in their parking lot. This would provide a clearly visible connection between Schwinn and Skippers. Bakers Square may wish to close their loop drive at the east end of their lot to avoid losing parking.

RECOMMENDATION

Approval of plans date-stamped May 6, 1991, for the Bakers Square building addition. Approval is subject to the applicant:

1. Installing a stop sign and "right-turn only" sign at White Bear Avenue.
2. Removing the weeds around the parking lot and resod where there is no grass.
3. Paving driveways to the Schwinn parking lot and Skippers drive if the owners agree. Sign the drive to Skippers as "to southbound White Bear Avenue". If the adjacent owners do not agree, pave the drive to the property lines. In either case, grant cross-easements to these owners.
4. Constructing continuous, six-inch-high concrete curbing around the parking lot, wherever it does not exist now. The area behind the curb should be back-filled and resodded. Curbing should not be placed where the drives in the previous condition are proposed.
5. Constructing a drive through the center island in the parking lot to provide clearly visible access to Skipper's drive from the Schwinn parking lot. Bakers Square may close the drive at the east end of their lot to avoid losing parking.
6. Submitting plans for the drives and parking lot to City Staff for approval.
7. Restriping the parking lot with hairpin striping as required by Code.
8. Screening all roof-mounted equipment on the building. Submit the design and the screening material to the Board for approval.

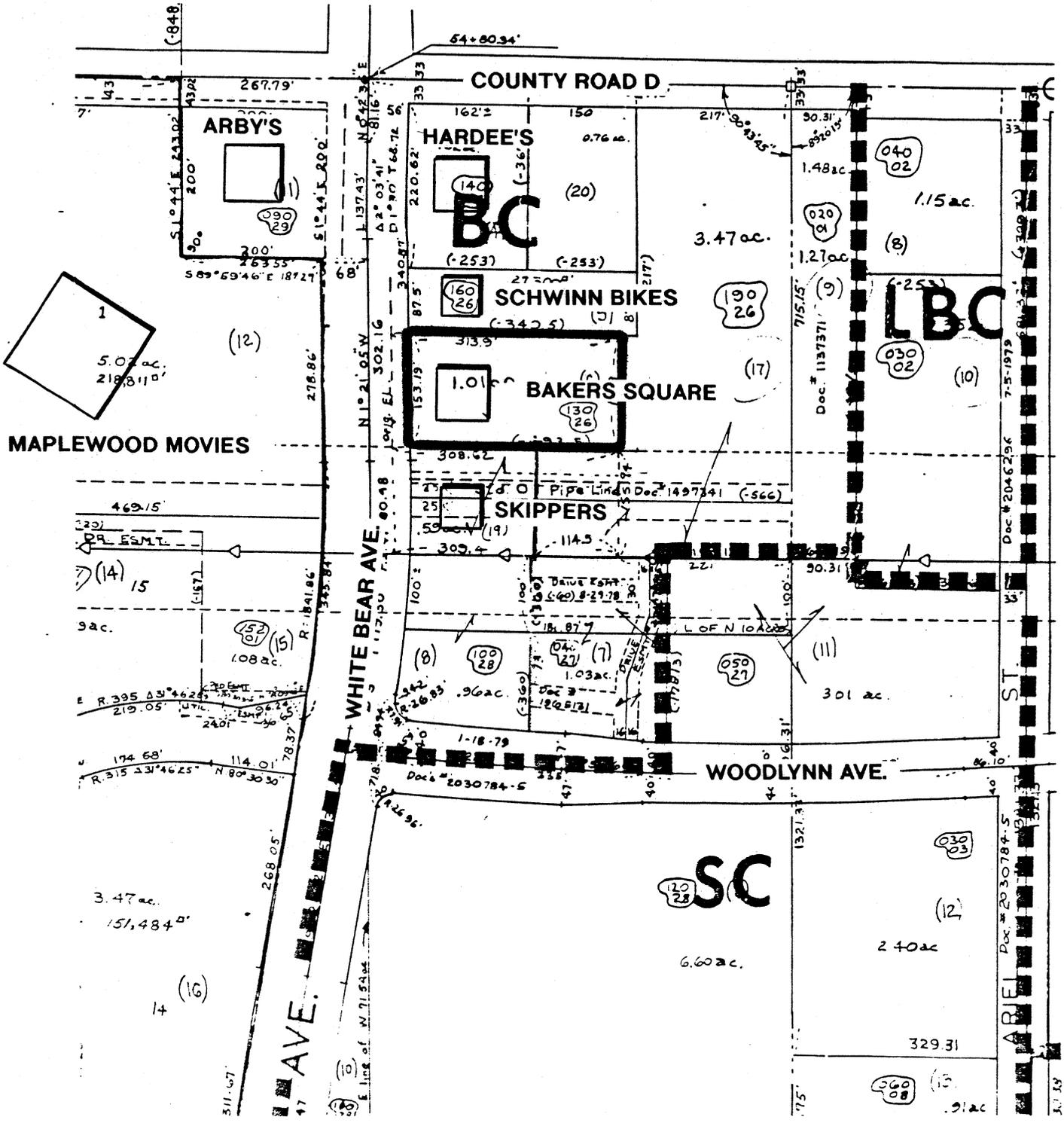
Appeals

Anyone may appeal the Board's decision to the City Council by calling Tom Ekstrand at 770-4563 within fifteen days after the Board's decision.

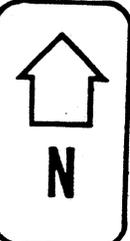
te\bakers.mem (section 2, north 1/2)

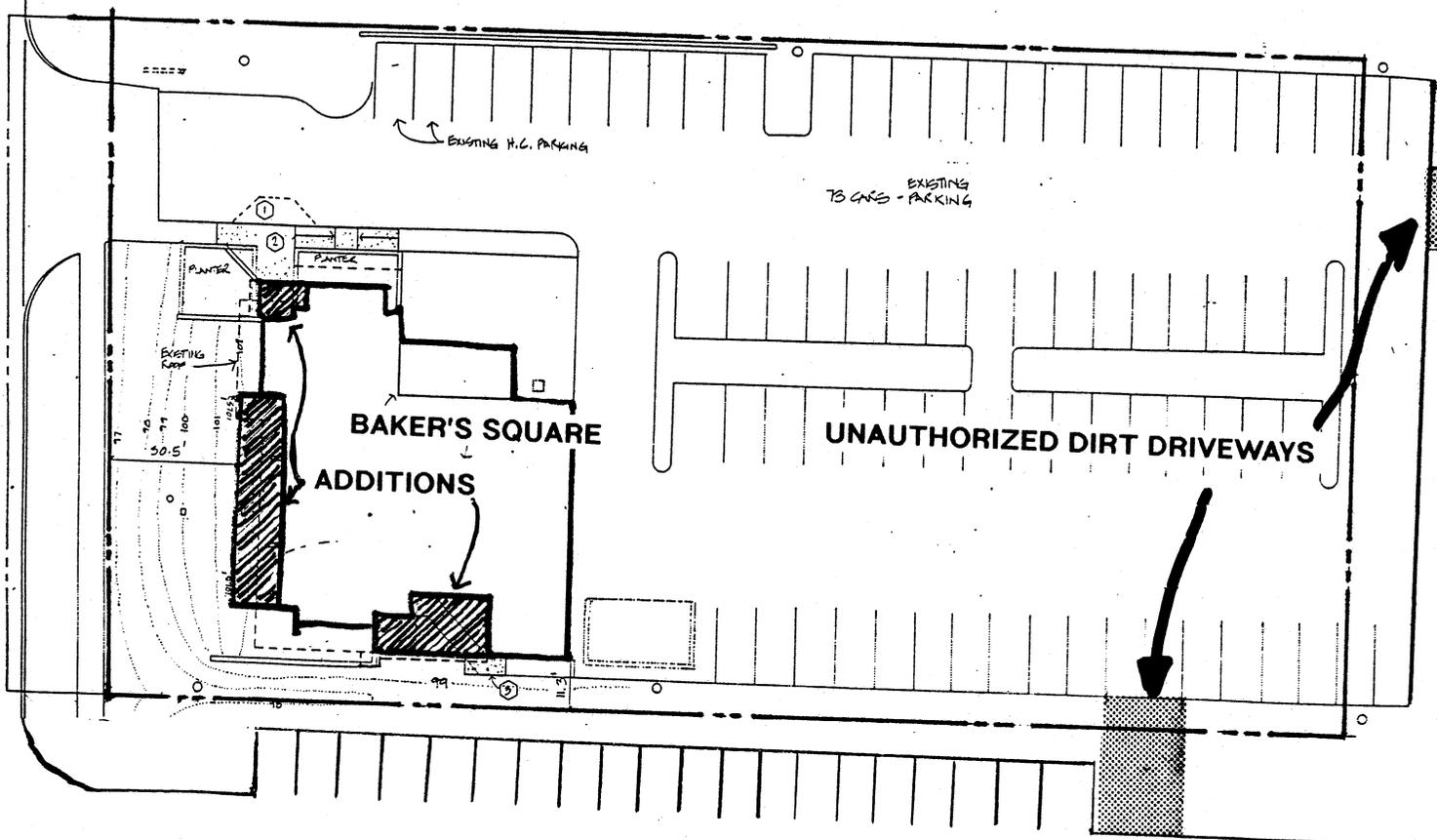
Attachments

1. Location Map
2. Property Line/Zoning Map
3. Site Plan
4. Plans date-stamped May 6, 1991 (separate attachment)

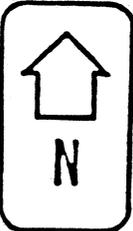


PROPERTY LINE / ZONING MAP





SITE PLAN



MAY 14 1991

1700 E. County Road D
Maplewood, Minnesota 55109
May 14, 1991

City of Maplewood
Community Design Review Board
1830 E. County Road B
Maplewood, Minnesota 55109

Re: Bakers Square Building Addition

Dear Design Review Board Members:

Since I am unable to attend the meeting called for May 14, 1991, I would like to express our concerns through this letter.

The Hajicek family property is directly adjacent to the eastern border of the Bakers Square property and also on the eastern portion of the southern property line.

Both the unauthorized dirt driveways trespass on the Hajicek property.

The notice does not state the increased seating capacity of the addition, nor its impact on parking space. Currently Bakers Square customers and employees are utilizing adjacent private property for parking and for entry and exit.

There are times when the Bakers Square lot is completely filled and customers drive out again without finding a parking space. The number of spaces may be adequate according to code, but not in practice.

An establishment of the correct east lot line and the allowance for a proper green space may reduce the present parking spaces.

Trash and debris are being thrown over the bank on the eastern property line.

We trust that all of these problems will be addressed and corrected as a condition of granting the expansion permit.

Any proposals for cross easements will have to be evaluated as to the impact on the development of our family property.

Sincerely yours,

Robert F. Hajicek

Robert F. Hajicek, representing

R. F. & L.E. Hajicek, W. R. & G. Hajicek,

D.E. & J.R. Galloway, Mary R. Duncan

J-3
J-2
(5-28-91)
mtg.

5. Striping the parking lot as shown on the site plan. Code requires that parking stalls have double stripes. Handicap parking stalls must be 12 feet wide and be posted with handicap parking signs.
6. Submitting a cash escrow or an irrevocable letter of credit to the City for any required work not completed by occupancy. The amount of escrow required shall be 150% of the cost of the unfinished work. The Church must also give the City an agreement, approved by the City Attorney, that grants the City permission to enter onto the Church land to complete any unfinished work.

Boardmember Robinson seconded

Ayes--Moe, Erickson,
Holder, Robinson,
Thompson, Wasiluk

c. Bakers Square Addition - 3088 White Bear Avenue

Dane Randolph, project manager for Bakers Square, said he has reviewed the conditions of the staff recommendation. Mr. Randolph said Bakers Square is in the process of negotiating with Skipper's to buy their property for additional parking. Staff said that, even with the proposed addition, Bakers Square does meet the parking requirement.

George Rossbach, a member of the Maplewood City Council, said the Council has received many complaints on the difficulties with entering and exiting Bakers Square. Mr. Rossbach asked if some kind of blockade could be installed to discourage people from illegally exiting Bakers Square down the embankment and through Skipper's rear driveway.

Mark Leisman, representing the property owner for Hardee's restaurant and the Schwinn property, said they do not plan to join the Schwinn parking lot with the Bakers Square parking lot, as they want to retain that parking space.

Walter Hajicek, 3185 Karth Road, said he is a part-owner of the undeveloped property adjacent to the Bakers Square property. Mr. Hajicek said the unauthorized driveway does not go from the Bakers Square property to the Skipper's property, but goes from the Bakers Square property to his property, which contains an easement.

Secretary Ekstrand presented a letter to the Board from Robert Hajicek.

George Rossbach spoke again in response to a question regarding whether the City had considered building a street to run east of these properties. Mr. Rossbach said that this was researched thoroughly because of the traffic problems in this area, but constructing a street would be very expensive and would benefit only two or three properties so the concept was abandoned.

Mr. Randolph said that if Bakers Square is able to reach an agreement with Skipper's to use their property they will construct a curb cut between the two properties for exiting to the rear of the Skipper's property, without encroaching on the other undeveloped property.

Mr. Hajicek said it is unclear from the site plan whether a green strip will be required next to the parking lot. Staff responded that ideally a five-foot green strip is required, but in this case the paving for the parking lot is already more than twenty feet over the lot line. Staff said the fact that the Bakers Square parking lot is over their lot line is a civil matter between the two property owners and does not require any City action.

Boardmember Erickson moved approval of plans date-stamped May 6, 1991, for the Bakers Square building addition. The applicant must do the following:

1. Install a stop sign and "right-turn only" sign at White Bear Avenue.
2. Remove the weeds around the parking lot and re-sod where there is no grass.
3. Pave driveways to the Schwinn parking lot and Skippers drive if the owners agree. Sign the drive to Skippers as "to southbound White Bear Avenue." If the adjacent owners do not agree, pave the drive to the property line. In either case, grant cross-easements to these owners.
4. Construct continuous, 6" concrete curbing around the parking lot, wherever it does not exist now. The area behind the curb should be back-filled and resodded. Curbing should not be placed where the drives in the previous condition are proposed. The curb block in front of the drive to Skipper's drive should be removed.

5. Construct a drive through the center island in the parking lot to provide clearly visible access to Skipper's drive from the Schwinn parking lot. Bakers Square may close the drive at the east end of their lot to avoid losing parking.
6. Submit plans for the drives and parking lot to City staff for approval.
7. Re-stripe the parking lot with hairpin striping as required by code.
8. Screen all roof-mounted equipment on the building. Submit the design and the screening material to the Board for approval.

Boardmember Thompson seconded

The Board discussed how the conditions of the motion will be affected if the applicant is not able to negotiate an agreement with Skipper's to use their property for an exit. It was decided a new motion should be made. The Board members at this time voted on the above motion.

Nays--Moe, Erickson,
Holder, Robinson,
Thompson, Wasiluk

Boardmember Erickson moved approval of plans date-stamped May 6, 1991, for the Bakers Square building addition. The applicant must do the following:

1. Install a stop sign and "right-turn only" sign at White Bear Avenue.
2. Remove the weeds around the parking lot and re-sod where there is no grass.
3. Construct continuous, 6" concrete curbing around the parking lot wherever it does not exist now. The area behind the curb should be back-filled and re-sodded.
4. Submit plans for the drives and parking lot to City staff for approval.
5. Re-strip~~e~~ the parking lot with hairpin striping as required by code.

6. Screen all roof-mounted equipment on the building. Submit the design and the screening material to the Board for approval.

Boardmember Thompson seconded

Ayes--Moe, Erickson,
Holder, Robinson,
Thompson, Wasiluk

d. G.A.C. Auto Body Site Plan Revision - 2210 White Bear Avenue

Bill and George Tait, the applicants, were present. The Board asked staff to explain each of the alternatives listed in the staff report. Bill and George Tait addressed the Board and requested that the conditions of the staff recommendation requiring re-sodding of the area north of the building and installing curbing for the new pavement area be dropped.

Boardmember Erickson moved:

1. Adoption of the resolution amending conditions 6 and 7 of the conditional use permit and adding new conditions 15 and 16 as follows:
 6. The drive and parking area on the south side of the building shall be surfaced with bituminous.
 7. Parking shall be allowed on bituminous areas only. All parking spaces shall be striped to meet City standards (9-foot-wide stalls for public and sales stalls). The total number of off-street parking stalls shall be subject to the approval of parking reduction authorization. The number of required parking stalls are in addition to those stalls designated for sales. The storage area behind the buildings shall be excluded from the requirements contained in this condition.
 15. Remove the brush along the north property line.
 16. Sod the strip of property north of the parking lot.
 17. Remove the fence along the north lot line.

AGENDA REPORT

TO: CITY MANAGER
FROM: PAULINE STAPLES, ASSISTANT DIRECTOR
 PARKS AND RECREATION DEPARTMENT
RE: BUDGET TRANSFER FROM CONTINGENCY FUND
DATE: MAY 20, 1991

Pauline Staples
 5-20-91

Action by Council:

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

PROPOSAL

IT IS PROPOSED THAT \$1250.00 BE AUTHORIZED FROM THE CONTINGENCY FUND TO THE JULY 4TH CELEBRATION TO FUND THE WELCOME HOME VETERANS CELEBRATION.

BACKGROUND

THE WELCOME HOME VETERANS CELEBRATION, AS RECOMMENDED BY THE MAPLEWOOD CITY COUNCIL, WILL BE PART OF THE MAPLEWOOD JULY 4TH CELEBRATION FROM 3:00 - 5:00 PM, AT WAKEFIELD PARK. THE CITIES OF WHITE BEAR LAKE, NORTH ST. PAUL, OAKDALE, AND WOODBURY WILL ALSO BE PARTICIPATING.

THE COSTS FOR THE CELEBRATION INCLUDE:

YELLOW RIBBONS	50	.31	15.50
AMERICAN FLAGS	500	55.00/GROSS	165.00
BALLOONS IMPRINTED	500	24.00/GROSS	72.00
HELIUM TANK	2	50.00/EACH	100.00
PRIZES FOR GAMES	50	2.00/EACH	100.00
HOT DOGS	500	145.00	145.00
HOT DOG BUNS	500	37.50	37.50
KETCHUP	2	5.98/EACH	11.96
MUSTARD	2	5.98/EACH	11.96
INDIVIDUAL CHIPS	500	86.40	86.40
BEVERAGE		5.45/GALL	38.15
CUPS			FREE
NAPKINS	500	32.50	32.50
CHARCOAL	2	4.59	9.18
LIGHTER FLUID	1	1.69	1.69
STAFF (3HR. MIN.)	8	5.00/HR.	120.00
MUSICAL ENTERTAINMENT	1 GROUP		300.00

\$1246.84

THE \$1250.00 HAS BEEN DIVIDED EQUALLY AMONGST THE FIVE CITIES WITH CITY CONTRIBUTING \$250.00. WHEN THE FEE'S ARE RECEIVED FROM THE OTHER COMMUNITIES, THE FEE'S WILL BE DEPOSITED BACK INTO THE MAPLEWOOD CONTINGENCY FUND.

RECOMMENDATION

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

\$1250.00 FROM THE MAPLEWOOD CONTINGENCY FUND TO THE MAPLEWOOD JULY 4TH CELEBRATION 101-603-291-4120.

AT THIS TIME SOME OF THE CITIES DO NOT HAVE COUNCIL AUTHORIZATION TO FUND THEIR SHARE OF THE CELEBRATION. IF THEIR FUNDING DOES NOT MATERIALIZE, THE CITY OF MAPLEWOOD MUST BE PREPARED TO PAY THE EXTRA COSTS.

Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

AGENDA REPORT

TO: Mayor and City Council
FROM: City Manager *Michael M. Sims*
RE: AUTHORIZATION TO PURCHASE MONETTE PROPERTY
DATE: May 21, 1991

INTRODUCTION

At the May 6, 1991 Council/Manager meeting, the City Council directed the City Manager to continue negotiations for the four different properties on White Bear Avenue south of County Road B. The Council also directed staff to bring back any firm offers for further authorization or direction. We have reached a negotiated purchase price of \$548,750 for the Monette property, 2050 White Bear Avenue.

BACKGROUND

Monette Construction owns a 2.52 acre parcel which fronts White Bear Avenue. It is located on the south end of the pond adjacent to the City Hall building. Currently, there are an industrial/office building plus storage buildings on the site.

The 1990-1994 Five Year Capital Improvement Plan includes the construction of a community center. The preferred location for the proposed center is the property directly west of City Hall which fronts on White Bear Avenue. Negotiations with two property owners, Monette Construction and Richard Pearson, for that location began in March, 1990. We are still negotiating with Mr. Pearson for his larger parcel north of the Monette property.

Tax increment funds can be used for this purchase. The Monette property is an eligible use of tax increment funds for two reasons. Due to the condition of some of the buildings, the property is considered "blighted", and such property is considered an allowable use. Another eligible use of TIF is for recreational projects, and the community center is considered an recreational use.

City staff feels that the terms of the negotiated purchase agreement are equitable and determined through good faith negotiations with the property owners. The purchase price of

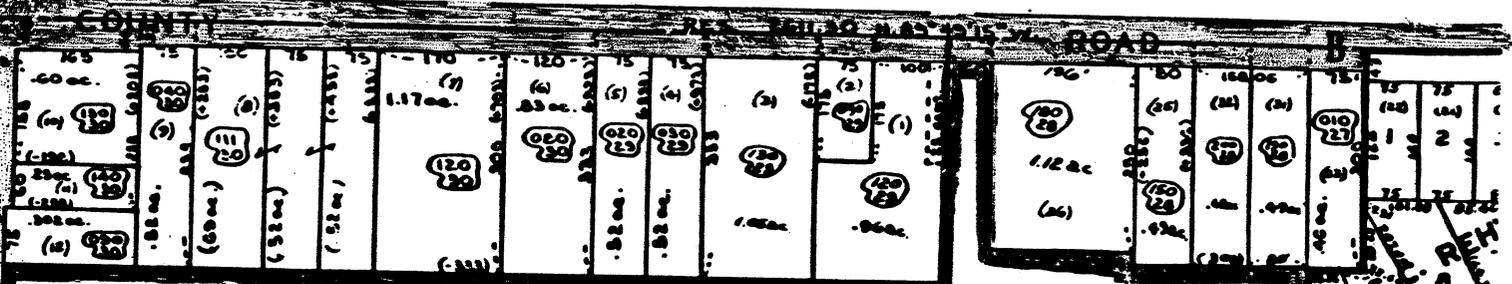
\$548,750 includes monies for the owners' relocation of their business. Two other terms of the agreement would be that Monette Construction can remain in the building as a rent-paying tenant with a 90 day notification period to vacate. The second requested term is that before demolition, Monette Construction would be given salvage rights to any building parts that the City does not want. The salvage items and the specific schedule for entry to the building would be submitted to the City in preparation for the demolition.

RECOMMENDATION

It is recommended that the City Council authorize the City Manager and the Mayor to enter into a purchase agreement with Monette Construction for the purchase of the 2.52 acre parcel located at 2050 White Bear Avenue for a price of \$548,750.

SABIN GARDEN LOTS

WHITE BEAR AVENUE



(3)
7.42 ac.
PEARSON

CITY HALL
15.53 ac.
TO CITY OF MAPLEWOOD 12-29-76
(4)

2.52 ac.
(4)
MONETTE CONSTRUCTION

(1.42 ac.)

(27)
7.57 ac.
PUBLIC WORKS BUILDING

