

**AMENDED AGENDA**

**MAPLEWOOD CITY COUNCIL**  
7:00 P.M., Monday, January 11, 1993  
Council Chambers, Municipal Building  
Meeting No. 93-01

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL**

**D. APPROVAL OF MINUTES**

- 1.Minutes of Meeting No. 92-24 (December 14, 1992)
- 2.Minutes of Council/Manager Meeting December 28, 1992
- 3.Minutes of Meeting No. 92-25 (December 28, 1992)

**E. APPROVAL OF AGENDA**

**EA. PRESENTATIONS**

**F. CONSENT AGENDA**

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

- 1.Approval of Claims
- 2.Financial Transfers for Project 89-12
- 3.1993 Budget Transfer - Finance Department
- 4.Authorization for Temporary Data Entry Operator
- 5.Non-Union Settlement
- 6.Budget Transfer Request - Second Exit
- 7.Conditional Use Permit Termination: 2251 E. Larpenteur Ave. (Ribs Plus)
- 8.Preliminary Plat Time Extension: Knollwood Circle Addition
- 9.Preliminary Plat Time Extension: Miggler Addition
- 10.Lot Division Time Extension: 1230 Sterling St. South (Ski Jump)
- 11.Landfall Contracts
- 12.Ambulance Bill - Application for Cancellation

**G. PUBLIC HEARINGS**

NONE

**H. AWARD OF BIDS**

NONE

**I. UNFINISHED BUSINESS**

1. Time Extension: Cottages of Maplewood West:

a. Land Use Plan \_\_\_\_\_

b. Conditional Use Permit \_\_\_\_\_

c. Tax Exempt Financing \_\_\_\_\_

2. Park Availability Charge (Commercial and Industrial Property) \_\_\_\_\_

3. Reconsideration of Hazelwood Street \_\_\_\_\_

4. Stop Signs \_\_\_\_\_

**J. NEW BUSINESS**

1. Comprehensive Plan Update (4 Votes) \_\_\_\_\_

2. Park Availability Charge (Residential) \_\_\_\_\_

3. Cancellation of Interest: Deferred Assessment \_\_\_\_\_

4. Suburban Community Channels Lease \_\_\_\_\_

5. Annual Designations and Appointments:

a. City Attorney \_\_\_\_\_

b. Prosecuting Attorney \_\_\_\_\_

c. Municipal Legislative Commission \_\_\_\_\_

d. Ramsey County League  
of Local Governments \_\_\_\_\_

e. Cable Commission \_\_\_\_\_

f. N.E.S.T. \_\_\_\_\_

g. Suburban Rate Authority \_\_\_\_\_

h. Official Newspaper \_\_\_\_\_

i. Valley Branch Watershed District  
Technical Advisory Committee \_\_\_\_\_

j. Acting Mayor \_\_\_\_\_

k. Chamber of Commerce \_\_\_\_\_

l. St. Paul Water Treatment Plant Advisor \_\_\_\_\_

m. Ramsey County Light-Rail Transit Committee \_\_\_\_\_

n. Hazmat Committee \_\_\_\_\_

o. Fire Study Committee \_\_\_\_\_

p. The Partnership \_\_\_\_\_

6. Commissions and Boards - Reappointments:

a. Planning Commission \_\_\_\_\_

b. Community Design Review Board \_\_\_\_\_

c. Human Relations commission \_\_\_\_\_

d. Civil Service Commission \_\_\_\_\_

e. Park and Recreation Commission \_\_\_\_\_

7. Rules of Procedure \_\_\_\_\_

8. Council Policies \_\_\_\_\_

9. Purchase Authorization (16-Foot Rotary Mower/Snow Blower) \_\_\_\_\_

**K. VISITOR PRESENTATIONS**

**L. COUNCIL PRESENTATIONS**

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

7. \_\_\_\_\_

8. \_\_\_\_\_

**M. ADMINISTRATIVE PRESENTATIONS**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

**N. ADJOURNMENT**

**MAPLEWOOD CITY COUNCIL**  
7:00 P.M., Monday, December 14, 1992  
Council Chambers, Municipal Building  
Meeting No. 92-24

**A. CALL TO ORDER**

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

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL**

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

**D. APPROVAL OF MINUTES**

1.Minutes of Special Meeting of November 19, 1992

Councilmember Zappa moved to approve the minutes of Special Meeting of November 19, 1992 as presented.

Seconded by Councilmember Carlson Ayes - all

2.Minutes of Meeting 92-22 (November 23, 1992)

Councilmember Zappa moved to approve the minutes of Meeting No. 92-22 (November 23, 1992) as presented.

Seconded by Councilmember Rossbach Ayes - all

**E. APPROVAL OF AGENDA**

Mayor Bastian moved to approve the Agenda as amended:

- L1.Hazelwood Avenue
- J9.City Manager Adjustment
- L2.Used Signs
- L3.Doors at City Hall
- L4.Apartments Needing Repair
- L5.Property Behind Rainbow
- L6.Grafitti
- L7.Grassel Letter
- L8.Gambling 10%
- M1.Council/Manager Meeting

Seconded by Councilmember Rossbach Ayes - all

**EA. PRESENTATIONS**

NONE

**F. CONSENT AGENDA**

Mayor Bastian moved, seconded by Councilmember Zappa; ayes - all, to approve the consent agenda items F-1 thru F-3 and F-6 thru F-14 as recommended. (Items F-4 and F-5 moved to become J-10 and J-11.)

**1. Approval of Claims**

Approved the following claims:

<u>ACCOUNTS PAYABLE:</u>	\$ 563,381.69	Checks #23872 - #23949 Dated 11-10-92 thru 11-30-92
	<u>\$ 334,155.08</u>	Checks #19130 - #19300 Dated 12-14-92
	\$ 897,536.77	Total per attached voucher/check register
<u>PAYROLL:</u>	\$ 212,236.73	Payroll Checks #29488 thru #29728 Dated 11-20-92
	\$ 203,350.47	Payroll Checks #29765 thru #29935 Dated 12-4-92
	\$ 42,583.84	Payroll Deduction Checks #29733 thru #29750 dated 11-29-92
	<u>\$ 42,425.96</u>	Payroll Deduction Checks #29940 thru #29959 dated 12-4-92
	\$ 500,597.00	Total Payroll
	<u>\$1,398,133.77</u>	GRAND TOTAL

**2.1992 Budget Changes for Dental Self-Insurance Fund**

Authorized revision of the 1992 Budget for the Dental Self-Insurance Fund to cover greater than anticipated revenues and expenditures due to more enrollees and higher dental claims than expected. The revisions are:

3801	Investment Interest	\$ 1,300	\$ 1,010
3809	Insurance Premiums	41,480	45,980
	Total Revenue	<u>\$42,780</u>	<u>\$46,990</u>
4480	Fees for Service	\$ 2,640	\$ 3,450
4490	Consulting Fees	620	0
4590	Misc. Contractual Services	38,130	47,400
4930	Investment Management Fee	80	90
	Total Expenditures	<u>\$41,470</u>	<u>\$50,940</u>
	Excess (deficit) of revenues over expenditures	\$ 1,310	\$(3,950)
	Fund Balance January 1	\$19,408	\$17,963
	Fund Balance December 31	\$20,718	\$14,013

### 3. Interfund Transfers for Unassessed Utility Improvement

Authorized the following annual transfers from the Sewer Fund, Water Availability Charge Fund and Hydrant Charge Fund to the Debt Service Funds to amortize the cost of unassessed water and sewer improvements over the terms of the bonds that were issued to finance the improvements:

\$ 12,650	W.A.C. Fund	1973 Bonds (311)
25,470	Hydrant Fund	1977 Bonds (314)
35,670	Hydrant Fund	1988 Bonds (318)
2,130	Sewer Fund	1979 Bonds (316)
6,260	Hydrant Fund	1979 Bonds (316)
38,050	Hydrant Funds	1990 Bonds (322)

### 4. Ambulance Bill - Application for Cancellation (Rowe)

Moved to become J-10.

### 5. Ambulance Bill - Application for Cancellation (Walsh)

Moved to become J-11.

### 6. Joy Park

Accepted the recommendation of the Parks and Recreation Department and directed staff to notify the North St. Paul and Ramsey County Parks and Recreation Departments that: 1) Ramsey County should continue to operate and maintain Joy Park; 2) Ramsey County should work cooperatively with the cities of North St. Paul and Maplewood in an effort to secure outside funding to accelerate improvement of park facilities; and 3) the county Sheriff's Department, the City of Maplewood and the City of North St. Paul police departments should coordinate patrol and surveillance services to assure compliance with park ordinances.

### 7. Budget Transfer Request: Legal Services

Authorized a 1992 Budget transfer of \$20,000 from the Contingency Account, 101-119-000-4910, to the Legal Division, 101-103-000-4480 for the 1992 Budget year to cover expenditures required because of the unusually large volume of special legal projects.

**8. Budget Transfer Request: Building Maintenance**

Authorized a 1992 Budget transfer of \$1,400 from the Contingency Account, 101-119-000-4910, to the City Hall Maintenance, Buildings and Grounds Account, 101-110-000-4410, for the installation of additional lighting in the administrative/clerical areas of the Parks and Recreation and the Community Development Departments.

**9. Roselawn Avenue - Budget Transfer**

Authorized a 1992 Budget transfer of \$9,673.89 from the General Fund Contingency Account to the Engineering Department Account 101-503-000-4490 to pay Ramsey County for the Maplewood share of the feasibility study for Project 89-03 (Roselawn Avenue, I-35E to Arcade Street).

**10. Certification: Removal of Trees Assessment**

92 - 12 - 163

**CERTIFICATION OF TREE REMOVAL COSTS**

BE IT RESOLVED THAT THE CITY CLERK is hereby authorized and directed to certify to the auditor of Ramsey County the following diseased tree removal costs for certification against the tax levy of said property owner for the year 1992, collectible in the years 1993 through 1995, including interest at the rate of seven (7) percent on the total amount each year:

10-29-22-11-0014      \$250.00

**11. Donation to Nature Center - Maplewood Oakdale Lions Club**

Accepted a donation of \$100.00 from the Maplewood/Oakdale Lions Club to support the Fall Birdfeeder Program. The \$100.00 is to be placed in the Nature Center Program Supplies Budget (101-604-000-4120).

**12. Adjustment of Contract - Landfall Police Coverage**

Approved revision of the contract to provide police services in 1993 to the City of Landfall, changing the cost figure to \$80,010 (change due to removal of paramedic services from the contract).

**13. Donation to Nature Center - East Park Lions Club**

Accepted a donation of \$150.00 from the East Park Lions Club to be used for the Fall Birdfeeder Program, with the funds to be placed in the Nature Center Program Supplies Budget (101-604-000-4120).

**14. Approval of 1993 Off-Sale, On-Sale and Club Liquor Licenses**

92 - 12 - 164

**APPROVAL OF 1993 ON-SALE LIQUOR LICENSES**

RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, RAMSEY COUNTY, MINNESOTA, that the following On-Sale Liquor Licenses, having been previously duly issued by this Council, are hereby approved for renewal for one year, effective January 1, 1993, with approval granted herein subject to satisfactory results of required Police, Fire and Health Inspections:

William Patten  
Applebee's  
2112 Maplewood Mall  
3001 White Bear Avenue

Robert D. Gillen  
Ciatti's Italian  
Restaurant  
1900 E. County Road D

Ronald Ringling  
Maplewood Inn  
1730 E. County Road D

Shau K. Chan  
Bali Hai Restaurant, Inc.  
2305 White Bear Avenue

James Dean  
Deans, Inc.  
1986 Rice Street

Gregory Tulgren  
M. T. Pockets & Co., Inc.  
780 East County Road B

Eugene A. Beaulieu  
Beau's Food & Spirits  
2289 E. Minnehaha

Gregory Paul Kuhns  
D. G. Burgers Corp  
2441 Highway 61

Terrence O'Neill  
The Olive Garden  
1749 Beam Avenue

Sam Bongiovanni  
Bleachers  
2220 White Bear Avenue

Raymond R. Emerfohl  
Garrity's  
1696 White Bear Avenue

Rodney Weston Palmer  
Red Lobster Restaurant  
#283  
2925 White Bear Avenue

Tom McDonough  
Chalet Lounge  
1820 Rice Street

Doyle Biggs  
Gulden's  
2999 N. Highway 61

Gary Harvey  
Red Rooster Liquor Lounge  
2029 Woodlynn

Scott Winer  
Champps  
1734 Adolphus

Harry S. Given, Jr.  
Keller Clubhouse  
2166 Maplewood Drive

Thomas K. Buckley  
T-Birds  
2025 White Bear Avenue

Susan Ann Garloff  
Chi Chi's  
3069 White Bear Avenue

Roger T. Claussen  
Keller Lake Lounge  
2280 Maplewood Drive

Steven Michael Ahlquist  
Tortilla Flats  
1745 Cope Avenue E

Mark Anthony Miller  
Chili's Restaurants  
Southlawn & Beam

Barbara Ann Johnston  
Maplewood Bowl  
1955 English Street

**Club On-Sale Liquor License:**

North Maplewood Lions Club  
1310 Frost Avenue

Loyal Order of Moose 963  
1946 English Street

APPROVAL OF 1993 OFF-SALE LIQUOR LICENSES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, RAMSEY COUNTY, MINNESOTA, that the following Off-Sale Liquor Licenses, having been previously duly issued by this Council, are hereby approved for renewal for one year, effective January 1, 1993, with approvals granted herein subject to satisfactory results of required Police, Fire and health inspections:

Steven S. Eberhardt  
Ebbie's Wine and Spirits  
2290 Maplewood Drive

Gary Hanscom  
M.G.M. Liquors  
2950 White Bear Avenue

Arthur Mark Stein  
Laber's Liquors  
1730 Rice Street

Marven C. Koppen  
Party Time Liquor  
1835 E. Larpenteur Ave.

Kenneth C. Hill  
Maplewood Wine Cellar  
1281 Frost Avenue

Gust R. Sarrack  
Sarrack's International Wine &  
Spirits  
2305 Stillwater Road

Mayor Bastian moved to suspend the Rules of Procedure to reverse the order of Public Hearings G-1 and G-2.

Seconded by Councilmember Zappa

Ayes - all

H. AWARD OF BIDS

1. Maplewood-In-Motion

a. Manager McGuire presented the staff report.

b. Director of Parks and Recreation Odegard presented the specifics of the report.

c. Mayor Bastian asked if anyone wished to speak before the Council regarding this matter. No one appeared.

c. Councilmember Zappa moved to approve the bid proposal from Nystrom Printing Company Inc. of \$27,528 to provide twelve 8 1/2 X 11 newsletters of 16 pages each, 13,800 copies per issue, with simplified mailing services.

Seconded by Councilmember Rossbach  
all (4)

Ayes -

Nays - none (0)

Council instructed staff that if 16 pages are not needed they are not be used.

**G. PUBLIC HEARINGS**

**1.7:15 P.M. (7:20 P.M.): Kennel License - 2300 Carver Avenue (Formerly G-2)**

- a. Mayor Bastian convened the meeting for a public hearing regarding an application for a Kennel Permit for Peter M. Berg at 2300 Carver Avenue.
- b. Manager McGuire presented the staff report.
- c. Director of Public Safety Collins presented the specifics of the report.
- d. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:
  - Mike Baubar, 2268 Carver Avenue (Dogs are running) - Against
  - Sandy Weiss, 2284 Carver Avenue (Dogs running, dogs howl)
- e. Councilmember Zappa moved to table until the applicant can appear.
- f. Councilmember Zappa moved to table the public hearing until December 28, 1992.

Seconded by Mayor Bastian

Ayes - all (5)

**2.7:00 P.M.: Kennel License - 2232 English Street (Formerly G-1)**

- a. Mayor Bastian convened the meeting for a public hearing regarding an application for a Kennel Permit for Cindy A. Frey at 2232 English Street.
- b. Manager McGuire presented the staff report.
- c. Director of Public Safety Collins presented the specifics of the report.
- d. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:
  - Carol and Richard Rydeen, 2240 English
  - Dean Laux, 2225 McAfee Circle
  - Noreen Mann, 2231 McAfee Circle
  - Diane Ranalla, 2219 McAfee Circle
  - Bruce Quistad, 2226 English
  - Mike Kimlinger, 2213 McAfee Circle
  - Jane Malean, 2237 McAfee Circle
- e. Mayor Bastian closed the public hearing.
- f. Councilmember Zappa moved to deny the request for a kennel license at 2232 English Street.

**3.7:30 P.M.: Conditional Use Permit - 1850 White Bear Avenue (Aldrich Arena)**

- a. Mayor Bastian convened the meeting for a public hearing regarding a request from Ramsey County for a Conditional Use Permit to allow replacement of the Aldrich Arena ground sign.
- b. Manager McGuire presented the staff report.
- c. Director of Community Development Olson presented the specifics of the report.
- d. Boardmember Mike Holder presented the Community Design Review Board report.
- e. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:

Greg Mack, Director of Parks, Ramsey County, the applicant  
 Paul Holt, 1895 White Bear Avenue  
 Kevin Berglund, 1929 Kingston

- f. Mayor Bastian closed the public hearing.
- g. Councilmember Rossbach moved to approve the sign permit with the third condition amended to: Lights shall be turned off from Midnight to 7:00 a.m.; and a fifth condition that at the end of a 7-year period the commercial sign shall be removed.
- h. Councilmember Zappa moved to table this item for two weeks to have the applicant seek a change in design by Coca Cola.

Seconded by Councilmember Juker

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

**4.7:50 P.M. (8:45 P.M.): 2873 Maplewood Drive (Toyota)**

- a. Mayor Bastian convened the meeting for a public hearing regarding a request from Maplewood Toyota Inc. for a Setback Variance and a Conditional Use Permit to expand a nonconforming use, approval of which would allow them to expand their parking lot and display area to their east property line.
- b. Manager McGuire presented the staff report.
- c. Director of Community Development Olson presented the specifics of the report.
- d. Commissioner Jack Frost presented the Planning Commission report.
- e. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:

Steve McDaniels, representing Toyota

- e. Mayor Bastian closed the public hearing.

**Setback Variance**

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

**92 - 12 - 166**

**SETBACK VARIANCE RESOLUTION**

WHEREAS, Maplewood Toyota, Inc. applied for a variance from the City's zoning ordinance.

WHEREAS, this permit applies to 2873 Maplewood Drive. The legal description is:

SUBJ TO WIDENED STH 61/1 LOT 101 GARDENA ADDITION TO RAMSEY COUNTY, MINN

WHEREAS, Section 36-28(c)(5)(a.) of the Maplewood Code of Ordinances requires a fifteen-foot setback between a parking lot and a street right-of-way.

WHEREAS, Maplewood Toyota, Inc. is proposing to expand their parking lot with no set back to the Highway 61 right-of-way.

WHEREAS, this requires a variance of fifteen feet.

WHEREAS, the history of this variance is as follows:

- 1. The Planning Commission discussed this variance on November 16, 1992. They recommended that the City Council deny this variance.
- 2. The City Council held a public hearing on December 14, 1992. City staff published a notice in the paper and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations 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. The larger-than-normal right-of-way on Highway 61 creates a hardship for the Toyota Dealership.
- 2. The variance would be in keeping with the spirit and intent of the ordinance, since there would be more than the typical setback from the street pavement.
- 3. The variance would not alter the character of the area.

Seconded by Councilmember Carlson

Ayes - Mayor Bastian, Councilmembers Carlson, Zappa

Nays - Councilmembers Rossbach, Juker

**Conditional Use Permit**

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

92 - 12 - 167

**CONDITIONAL USE PERMIT RESOLUTION**

WHEREAS, Maplewood Toyota, Inc. applied for a Conditional Use Permit to expand their parking lot.

WHEREAS, this permit applies to 2873 Maplewood Drive. The legal description is:

SUBJ TO WIDENED STH 61/1 LOT 101 GARDENA ADDITION TO RAMSEY COUNTY, MINN

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

1. The Planning Commission discussed this variance on November 16, 1992. They recommended that the City Council deny this permit.
2. The City Council held a public hearing on December 14, 1992. City staff published a notice in the paper and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

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

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.
2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.
5. The use would generate only minimal vehicular traffic on local streets and would not create traffic congestion or unsafe access on existing or proposed streets.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.

8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
9. The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions:

1. All construction shall follow the site plan that the City stamped September 16, 1992. The Director of Community Development may approve minor changes.
2. The proposed construction must be substantially started or the proposed use utilized within one year of Council approval or the permit shall become null and void. The Council may grant up to one one-year extension of the permit.
3. All drainage shall go to the pond and not the ditch along Highway 61.
4. There shall be no parking on the grass.
5. The City Council shall not review this permit unless there is a problem.

Seconded by Councilmember Carlson

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

#### H. AWARD OF BIDS

Moved and Discussed Before Public Hearings.

#### I. UNFINISHED BUSINESS

##### **1. 1992 Community Survey Results**

- a. Manager McGuire presented the staff report.
- b. Assistant Manager Maglich presented the specifics of the report.
- c. Dr. Bill Morris, Decision Resources, Ltd. presented the survey in detail.
- d. Councilmember Zappa moved to accept the 1992 Community Survey results and direct staff to prepare a brief synopsis for the next issue of Maplewood-In-Motion.

Seconded by Councilmember Carlson

Ayes -all

##### **2. Request by Cottages of Maplewood for Amendment of Agreement Related to Tax Increment**

- a. Manager McGuire presented the staff report.

- b. Mary Dyrseth, Briggs and Morgan provided additional information.
- c. Lorraine Fischer reported on the Housing and Redevelopment Authority position.
- d. Councilmember Zappa moved to deny the request of Cottages of Maplewood for an amendment of agreement to reduce their cost.

Seconded by Councilmember Juker

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

Motion Failed

- e. Councilmember Rossbach moved to approve staff recommendation to grant the request to modify the agreement and have the reduction paid back to the City with interest in the future.

Seconded by Councilmember Carlson

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

**3. Policy on Filing Conciliation Court Claims for Ambulance Bills**

- a. Manager McGuire presented the staff report.
- b. Director of Finance Faust presented the specifics of the report.
- c. Mayor Bastian asked if anyone wished to speak before the Council regarding this matter. No one appeared.
- d. Councilmember Zappa moved to continue the policy but establish a new policy to fill all uncollected bills with Conciliation Court.

Seconded by Councilmember Juker

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

**4. Ordinance to Increase Sewer Rates (Second Reading)**

- a. Manager McGuire presented the staff report.
- b. Mayor Bastian introduced the following Ordinance and moved its adoption:

**ORDINANCE NO. 708**

**AMENDING THE MAPLEWOOD CODE RELATING TO SEWER SERVICE CHARGES**

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

Section 1. Chapter 28-21 is hereby amended to read as follows:

The following rates and charges are hereby established for all sanitary sewer services furnished by and in the City:



Seconded by Mayor Bastian

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

**J. NEW BUSINESS**

**1.MnDOT Property on McMenemy St.**

- a.Manager McGuire presented the staff report.
- b.Director of Community Development Olson presented the specifics of the report.
- c.Commissioner Frost presented the Planning Commission report.

**Mayor Bastian moved to extend the meeting until 11:00 P.M.**

**Seconded by Councilmember Zappa**

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

- d.Councilmember Zappa moved to take no action.

Seconded by Councilmember Rossbach

Ayes -all

**2.Increase in License/Permit Fees and Service Charges**

- a.Manager McGuire presented the staff report.
- b.Director of Finance Faust presented the specifics of the report.
- c.Councilmember Zappa moved to approve the fee changes as recommended.

Seconded by Councilmember Carlson

Ayes -all

**3.Holloway Avenue: Project 87-14 Final Payment**

- a.Manager McGuire presented the staff report.
- b.Mayor Bastian introduced the following Resolution and moved its adoption:

**92 - 12 - 166**

**DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT**

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered made Improvement Project 87-14 and has let a construction contract pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, it is now necessary and expedient that said contract be modified and designated as Improvement Project 87-14, Change Order One.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA that the Mayor and City Clerk are hereby authorized and directed to

modify the existing contract by executing said Change Order One in the amount of \$19,514.79.

The project budget is amended to \$352,907.04. The project financing is amended as follows:

Special Assessment	\$ 48,955.52
Municipal State Aid	112,358.63
Ramsey County	66,938.17
North Saint Paul	<u>164,218.80</u>
	\$392,471.12

Seconded by Councilmember Juker                      Ayes -all

c. Mayor Bastian introduced the following Resolution and moved its adoption:

**92 - 12 - 167**

**ACCEPTANCE OF PROJECT**

WHEREAS, the City Manager for the City of Maplewood has determined that Holloway Avenue - Beebe to Furness, City Project 87-14 is complete and recommends acceptance of the project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that City Project 87-14 is complete and maintenance of these improvements is accepted by the City. Release of retainage in the amount of \$9,416.07 is hereby authorized.

Seconded by Councilmember Juker                      Ayes -all

**4. City Wide Water Main Project 90-07**

a. Manager McGuire presented the staff report.

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

**92 - 12 - 168**

**DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT**

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered made Improvement Project 90-07 and has let a construction contract pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, it is now necessary and expedient that said contract be modified and designated as Improvement Project 90-07, Change Order 2.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA that the Mayor and City Clerk are hereby authorized and directed to modify the existing contract by executing said Change Order 2 in the amount of \$593,455.16.

Seconded by Councilmember Carlson                      Ayes -all

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

92 - 12 - 169

**ACCEPTANCE OF PROJECT**

WHEREAS, the City Engineer for the City of Maplewood has determined that Citywide Water Main Extensions and Miscellaneous Improvements, City Project 90-07 is complete and recommends acceptance of the project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that City Project 90-07 is complete and maintenance of these improvements is accepted by the City. Release of retainage or escrow hereby authorized.

Seconded by Councilmember Carlson                      Ayes -all

**5. Stop Sign Request Procedure**

a. Manager McGuire presented the staff report.

b. Councilmember Carlson moved to table this item.

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

**6. Sidewalk and Bus Stop Snow Removal**

a. Manager McGuire presented the staff report.

b. Councilmember Carlson moved to table this item until a Council/Manager Meeting.

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

**7. Revision of Liquor Ordinance**

a. Manager McGuire presented the staff report.

b. Councilmember Zappa moved first reading of the Revision of Liquor Ordinance.

Seconded by Councilmember Carlson                      Ayes -all

**8. Copyrights**

a. Manager McGuire presented the staff report.

b. City Attorney Kelly presented the specifics of the report.



**L. COUNCIL PRESENTATIONS**

**1.Hazelwood Street vs Hazelwood Avenue**

a.Councilmember Rossbach stated the original request to staff was to find out why Ramsey County had placed Hazelwood "Street" signs instead of Hazelwood "Avenue"; but response was a decision that it would be Hazelwood Street from now on.

b.Director of Public Works Haider stated that staff had looked at various maps and investigated how many things would have to be changed to achieve consistency, finally determining that more things said "Street" than said "Avenue". He also stated he had apparently misunderstood the request.

c.Councilmember Zappa moved to take no action, and it will remain Hazelwood Street.

Seconded by Mayor Bastian

Ayes -Mayor Bastian, Councilmembers  
Carlson, Zappa

**VOTES FROM COUNCILMEMBERS JUKER AND ROSSBACH WERE INAUDIBLE ON TAPE**

It being nearly 11:00, the balance of Council Presentations items will be posted on the Agenda for December 28, 1992.

**M. ADMINISTRATIVE PRESENTATIONS**

**1.Council/Manager Meeting**

a.Mayor Bastian moved to hold the next Council/Manager meeting from 5:30 to 7:30 p.m. on December 28, 1992.

Seconded by Councilmember Zappa

Ayes -all

**N. ADJOURNMENT OF MEETING**

10:58 P.M.

Lucille E. Aurelius  
City Clerk

M E M O R A N D U M

TO: CITY COUNCIL MEMBERS  
FROM: DEPUTY CITY CLERK  
RE: MINUTES OF DECEMBER 14, 1992  
ITEM L-1 - HAZELWOOD  
DATE: December 10, 2007

As requested at the December 28, 1992 Council Meeting, I listened to the tape of the December 14 discussion regarding Hazelwood Street vs Hazelwood Avenue. I have changed the minutes to reflect more detail of the discussion, however, the only votes which were audible on the tape were the "Aye's" of Mayor Bastian and Councilmembers Carlson and Zappa.

If Councilmembers Juker and Rossbach will inform me of what their votes were, I will add that information to the minutes and distribute a new page before the January 11 meeting.

Also, the other corrections discussed at the December 28 meeting have been made on the attached copy. If I missed hearing any corrections, please let me know.

I have also corrected the December 10 Budget Hearing minutes and a new copy is being provided for your records.

Thank you.

cc: City Manager

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

5:30 p.m., Monday, December 28, 1992  
Maplewood Room, City Hall

**MINUTES**

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**A. CALL TO ORDER**

The Council/Manager meeting of the Maplewood City Council was held in the Maplewood Room, City Hall. The meeting was called to order by Mayor Bastian at 5:30 p.m.

**B. ROLL CALL**

Mayor Gary Bastian	Present
Councilperson Dale Carlson	Present (Arrived at 5:50 p.m.)
Councilperson Fran Juker	Present
Councilperson George Rossbach	Present
Councilperson Joseph Zappa	Present

**Others Present:**

City Manager Michael McGuire  
Assistant City Manager Gretchen Maglich  
Director of Public Works Ken Haider

**C. APPROVAL OF AGENDA**

The following items were added to the agenda:

**K. OTHER BUSINESS**

1. HazMat
2. Settlement of Pending Sexual Harassment Lawsuit
3. Ramsey County Library Invitation

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

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

D. UPDATE ON SALARY NEGOTIATIONS

Mayor Bastian recessed the meeting at 5:32 p.m. to enter into a Closed Session to discuss labor negotiations.

Mayor Bastian reconvened the meeting at 5:44 p.m. No action was taken in Closed Session.

E. STOP SIGN REQUEST PROCEDURE

City Engineer Haider presented the staff report about establishing a procedure for handling requests from residents for installation of stop signs in residential areas.

Councilmember Carlson arrived at 5:50 p.m.

Councilmember Zappa moved that the recommended procedure be brought before the City Council for approval at the next regular City Council meeting. The motion was seconded by Councilmember Rossbach and approved.

Ayes: All

F. BUS STOP AND SIDEWALK SNOW REMOVAL POLICY

City Engineer Haider presented a summary of the five different alternatives for the removal of snow from sidewalks and bus stops in the City. Following some discussion, Councilmember Zappa moved that staff prepare an ordinance for Council consideration which includes Options 2, 3, and 4 of the staff report with cost estimates for each option and comparative information from other cities' snow removal policies. The motion was seconded by Mayor Bastian and approved.

Ayes: Bastian, Juker, and Zappa

Nays: Carlson and Rossbach

G. COMMISSION APPOINTMENTS

City Manager McGuire presented information about City commissioners and boardmembers that are due for reappointment on January 1, 1993. Following some discussion, Councilmember Juker moved that staff draft an ordinance that would reduce the Planning Commission's size from the current eleven members to seven members through attrition. The motion was seconded by Councilmember Zappa, and the motion failed.

Ayes: Juker and Zappa

Nays: Bastian, Carlson and Rossbach

Mayor Bastian moved that staff prepare an ordinance for Council consideration which divides the City into districts based on precincts and population which would be used to appoint Commissioners using a district/ward system with some additional at-large members. The motion was seconded by Councilmember Carlson and approved.

Ayes: All

#### H. SECOND EXIT FROM BASEMENT

Assistant City Manager Maglich presented a report about installing a second exit from the basement which is required to meet building code due to the size of the boiler. Following some discussion, Councilmember Zappa moved that this item be placed on the Consent Agenda at the next regular City Council meeting for formal action. The motion was seconded by Councilmember Carlson and approved.

Ayes: All

#### I. SUMMARY OF PUBLIC'S SUGGESTION BOX PROGRAM

City Manager McGuire provided a summary report of the suggestion box program for the last year.

#### J. PUBLIC LIBRARY SITE ON SKILLMAN

City Manager McGuire reported that Ramsey County offered the old library site on Skillman to the City for first right of refusal. Following some discussion, it was the consensus of the City Council to take no action on the purchase.

#### K. OTHER BUSINESS

##### 1. HazMat

City Manager McGuire distributed material regarding the Hazardous Materials team, discussions with the Fire Departments about their responsibilities and future accountability for this service, and 3M's demand for service. Following considerable discussion, it was the consensus of the Council that the City Manager continue his discussions with the City of St. Paul for a possible temporary contractual arrangement for the service. In addition, the late hour prevented further discussion, and another Council/Manager meeting should be scheduled to discuss this in more detail.

2. Settlement of Pending Sexual Harassment Lawsuit

City Manager McGuire requested that the City Council schedule a date for the attorneys from the League of Minnesota Cities and the insurance company to present the proposed settlement in the pending sexual harassment lawsuit against the City. Following some discussion, it was the consensus of the City Council that the date of January 4, 1993, 5:30 - 7:30 p.m. be formally established at the regular Council meeting later this evening to discuss this item and HazMat.

3. Ramsey County Library Invitation

Due to the lack of time, this item will be addressed at the regular City Council meeting later this evening.

L. ADJOURNMENT

The meeting was adjourned at 6:56 p.m.

**MINUTES OF MAPLEWOOD CITY COUNCIL**  
7:00 P.M., Monday, December 28, 1992  
Council Chambers, Municipal Building  
Meeting No. 92-25

**A. CALL TO ORDER**

A regular meeting of the City Council of Maplewood, Minnesota was held in the Council Chambers, Municipal Building, and was called to order at 7:02 P.M. by Mayor Bastian.

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL:**

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

**D. APPROVAL OF MINUTES:**

**1. Minutes of Council/Manager Meeting December 7, 1992**

Councilmember Zappa moved to approve the minutes of Council/Manager Meeting of December 7, 1992 as presented.

Seconded by Councilmember Rossbach	Ayes	-Mayor	Bastian,
		Councilmembers	Carlson,
		Rossbach, Zappa	
	Nays	-None	
	Abstain	- Councilmember Juker	

**2. Minutes of Council/Manager Meeting December 10, 1992**

Councilmember Zappa moved to approve the minutes of Council/Manager Meeting of December 10, 1992 as presented.

Seconded by Councilmember Rossbach                      Ayes - all

**3. Minutes of Meeting 92-23 December 10, 1992)**

Councilmember Zappa moved to approve the minutes of Meeting No. 92-23 (December 10, 1992) as corrected:

Page 2: Mr. Muraski, 55 McClelland, stated he was not in favor of the Share-A-Home Program . . . . .

Seconded by Councilmember Rossbach                      Ayes - all

**4. Minutes of Council/Manager Meeting December 14, 1992**

Councilmember Rossbach moved to approve the minutes of Council/Manager Meeting of December 14, 1992 as presented.

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

Nays -None  
Abstain - Councilmember Juker

**5.Minutes of Meeting 92-24 (December 14, 1992)**

Mayor Bastian moved to table the minutes of Meeting No. 92-24 (December 14, 1992) pending correction of the following items and resolution of the question regarding the discussion and vote on Item L-1, Hazelwood Street vs Hazelwood Avenue:

Page 9: Vote on Resolution 92-12-166: Ayes - Mayor Bastian, Councilmembers Carlson, Zappa  
Nays - Councilmembers Rossbach, Juker

Page 11: Vote on Resolution 92-12-167: Ayes - Mayor Bastian, Councilmembers Carlson, Zappa  
Nays - Councilmembers Rossbach, Juker

Page 13:Item I,5,b: Restated: Councilmember Zappa moved Cadets \$4,870 to be paid for by plus interest on the loan taken for costs incurred for this program.

Page 17:Vote on Item J-9:Ayes -Mayor Bastian, Councilmembers Carlson, Rossbach, Zappa  
Nays -Councilmember Juker

Seconded by Councilmember Rossbach Ayes - all

**6.Minutes of Council/Manager Meeting December 16, 1992**

Councilmember Zappa moved to approve the minutes of Council/Manager Meeting of December 16, 1992 as presented.

Seconded by Councilmember Rossbach Ayes -Mayor Bastian, Councilmembers Carlson, Rossbach, Zappa  
Nays -None  
Abstain - Councilmember Juker

**E. APPROVAL OF AGENDA:**

1.Mayor Bastian stated the applicant had requested Item J-1, Time Extensions: Cottages of Maplewood West, be tabled to January 11, 1994.

a.Mayor Bastian moved to table Item J-1 to January 11, 1994.

Seconded by Councilmember Juker Ayes -all

2.Mayor Bastian moved to approve the Agenda as amended:

- L-8 Reconsideration of Hazelwood Street vs Hazelwood Avenue
- M-1 Oak Ridge Special Meeting
- M-2 Ramsey County Library Invitation
- M-3 Council/Manager Meeting - proposed for January 4

Seconded by Councilmember Rossbach Ayes - all

**EA. APPOINTMENTS/PRESENTATIONS**

NONE

**F. CONSENT AGENDA:**

Councilmember Zappa moved, seconded by Councilmember Juker; ayes - all, to approve the consent agenda items F-1 and F-3 - F-5 as recommended. (Item F-2 removed and moved to January 11, 1993.)

**1. Approval of Claims**

Approved the following claims:

<u>ACCOUNTS PAYABLE:</u>	\$ 721,197.95	Checks #23950 - #24028 Dated 12- 1-92 thru 12-16-92
	\$ 95,354.72	Checks #19311 - #19455 Dated 12-28-92
	\$ 816,552.67	Total per attached voucher/check register
<u>PAYROLL:</u>	\$ 205,888.55	Payroll Checks #30018 thru #30186 Dated 12-18-92
	\$ 50,774.00	Payroll Checks #29970 thru #30001 Dated 12-15-92
	\$ 42,711.30	Payroll Deduction Checks #30187 thru #30208 dated 12-18-92
	\$ 299,373.85	Total Payroll
	<u>\$1,115,926.52</u>	GRAND TOTAL

**2. Financial Transfers for Project 89-12**

Withdrawn from this Agenda to be placed on January 11, 1993 Agenda

**3. Conditional Use Permit Termination: 1918 Kennard Street (Roberts)**

Terminated the Conditional Use Permit for home operation of a furniture reupholstering business at 1918 Kennard Street as the business is no longer operated there.

**4. Conditional Use Permit Review: 2228 Maplewood Drive (Citgo Fuel Station)**

Reviewed the Conditional Use Permit allowing the fuel station canopy at 2228 Maplewood Drive within 350 feet of a residential zone and renewed the permit for an additional five years.

**5. Conditional Use Permit Review: 940 Frost Avenue (St. Paul Tourist Cabins and Manufactured Home Park)**

Reviewed and approved the Conditional Use Permit allowing 45 units in the Mobile Home Park. This permit is not to be reviewed again unless a problem develops.

**G. PUBLIC HEARINGS**

**1.7:00 P.M. (7:15 P.M.): Dog Kennel License (Drees), 1232 Farrell Street**

a. Mayor Bastian convened the meeting for a public hearing regarding . .

- b. Manager McGuire presented the staff report.
- c. Public Safety Director Collins presented the specifics of the report.
- d. Mayor Bastian opened the public hearing, calling for proponents or opponents.  
The following persons were heard:

Julia Drees, 1232 Farrell Street, the applicant

- e. Mayor Bastian closed the public hearing.
- f. Councilmember Zappa moved to deny this Kennel Permit application.

Seconded by Councilmember Juker

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

- g. Councilmember Zappa moved to direct staff to place the Kennel Ordinance on the agenda for one of the next Council/Manager meetings.

Seconded by Councilmember Rossbach

Ayes - all

**2.7:15 P.M. (7:27 P.M.): 2730 Highwood Avenue (Carver General Repair)**

- 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. Kevin Kittridge presented the Planning Commission Report.
- e. Mayor Bastian reported the information from the minutes of the Community Design Review Board.
- f. Mayor Bastian opened the public hearing, calling for proponents or opponents.  
The following persons were heard:

Ken Gervais, Linwood Avenue E., representing the applicant

- g. Mayor Bastian closed the public hearing.

**Conditional Use Permit - Entry Expansion**

- h. Councilmember Zappa introduced the following Resolution and moved its adoption, with approval based on the following agreement from Harold Carver to Fire Marshal Embertson dated 10-8-92:

"On October 8, 1992 Harold Carver/Carver General Repair has applied to the City of Maplewood for a conditional use permit to construct a 400 sq. ft. waiting room area on the Northeast corner of the existing building. It is hereby understood by the undersigned, Harold Carver, that this is the maximum allowed in square footage - where the City of Maplewood would not require fire protection by sprinkling. It is also understood that any future

requests for expansion of the present facility will require that the whole facility be fire-protected by a sprinkling system - so approved by the City of Maplewood."

92 - 12 - 170

**CONDITIONAL USE PERMIT FOR ENTRY EXPANSION**

WHEREAS, Harold Carver applied for a conditional use permit to build a 400-square-foot addition onto the Carver General Repair.

WHEREAS, this permit applies to 2730 Highwood Avenue. The legal description is:

SUBJ TO HWY THE FOL E 157 FT OF LOTS 2, 3 AND LOT 4

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

- 1.The Planning Commission discussed this application on December 7, 1992. They recommended that the City Council approve this permit.
- 2.The City Council held a public hearing on December 18, 1992. City staff published a notice in the paper and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

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

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

9.The use would cause minimal adverse environmental effects.

10.There would not be a significant affect on the development of the parcel as zoned.

Approval is subject to the following conditions:

- 1.All construction shall follow the site plan that the City stamped October 9, 1992. The Director of Community Development may approve minor changes.
- 2.The proposed construction must be substantially started or the proposed use utilized within one year of Council approval or the permit shall become null and void. The Council may extend this deadline for one year.
- 3.The City Council shall not review this permit unless a problem develops.

Seconded by Councilmember Juker

Ayes -all

### **Conditional Use Permit - Metal Building**

g.Mayor Bastian introduced the following Resolution and moved its adoption based on the following information received in a letter to the Maplewood Fire Marshall:

92 - 12 - 171

#### **CONDITIONAL USE PERMIT FOR STORAGE BUILDING**

WHEREAS, Harold Carver applied for a conditional use permit to build a 2,970-square-foot metal storage building on property zoned BC (business commercial).

WHEREAS, this permit applies to 2730 Highwood Avenue. The legal description is:

EX E 157 FT; LOTS 2 THRU LOT 4 & PART OF E 188 FT OF W 264 FT OF N 165 FT OF E 1/2 OF NE 1/4 OF SE 1/4 OF SEC 13 TN 28 RN 22 AND PART OF LOTS 1 & 5 & LOT 6 CARVER LOTS DESC AS BEG AT NE COR OF LOT 1 TH S TO NW COR OF LOT 5 TH E 152.01 FT ALONG NL OF LOT 5 TO NWLY R/W L OF HWY 494 TH S 38 DEG 10 MIN 19 SEC W ALONG SD HWY R/W L 135.78 FT TH N 65 DEG 20 MIN 05 SEC W 269.08 FT TH N 0 DEG 24 MIN 21 SEC W 275.18 FT TO THE INT WITH EXT NL OF LOT 1 TH E ALONG SD EXT NL TO BEG.

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

- 1.The Planning Commission discussed this application on December 7, 1992. They recommended that the City Council approve this permit.
- 2.The City Council held a public hearing on December 28, 1992. City staff published a notice in the paper and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

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

- 1.The use would be located, designed, maintained, constructed and operated to

be in conformity with the City's Comprehensive Plan and Code of Ordinances.

- 2.The use would not change the existing or planned character of the surrounding area.
- 3.The use would not depreciate property values.
- 4.The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.
- 5.The use would generate only minimal vehicular traffic on local streets and would not create traffic congestion or unsafe access on existing or proposed streets.
- 6.The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
- 7.The use would not create excessive additional costs for public facilities or services.
- 8.The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
- 9.The use would cause minimal adverse environmental effects.
- 10.No more than 20% of the building is visible from streets or the highest topographical point of the nearest residential lot line.
- 11.The building would not be of lesser quality than surrounding development.

Approval is subject to the following conditions:

- 1.All construction shall follow the site plan that the City stamped October 9, 1992. The Director of Community Development may approve minor changes.
- 2.The proposed construction must be substantially started or the proposed use utilized within one year of Council approval or the permit shall become null and void. The council may extend this deadline by one year.
- 3.The City Council shall not review this permit unless a problem develops.

Seconded by Councilmember Juker

Ayes -all

#### H. AWARD OF BIDS

Art Wilde approached the microphone and inquired about expiration of the Cottages of Maplewood permit expiring before the date of the meeting when it will be discussed.

Mr. Wilde was informed it is common practice for permits to be reviewed after their expiration, and there would be no adverse consequences from the meeting being

held after that expiration.

## **I. UNFINISHED BUSINESS**

### **1. Increase in Community Development Department License/Permit Fees and Service Charges**

a. Manager McGuire stated staff had requested this item be tabled until the User Fee Study has been completed.

b. Councilmember Juker moved to table this item.

Seconded by Councilmember Rossbach

Ayes -all

### **2. Dog Kennel License - 2300 Carver Avenue**

a. Manager McGuire presented the staff report.

b. Mayor Bastian asked if anyone wished to speak before the Council regarding this matter. The following was heard:

Mr. Peter Berg, 2300 Carver Avenue, the applicant

c. Councilmember Zappa moved to take no action since the applicant presently has only two dogs and since the ordinance will be reviewed soon.

Seconded by Councilmember Juker

d. Mayor Bastian asked Mr. Berg if, under the circumstances, he would prefer to withdraw his application and re-apply at a later date if he acquires another dog.

d. Mr. Berg stated he would like to withdraw his application.

e. Councilmember Zappa moved to accept Mr. Berg's withdrawal of the application.

Seconded by Councilmember Juker

Ayes -all

f. LeAnn Sheiber, 2316 Carver Ave., thanked Council for not approving the permit application.

### **3. Conditional Use Permit: 1850 White Bear Avenue (Aldrich Arena)**

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:

Mike Mattson, Ramsey County Recreation Department

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

## CONDITIONAL USE PERMIT FOR SIGN

WHEREAS, the Ramsey County Parks and Recreation Department applied for a conditional use permit to replace the 728-square-foot Aldrich Arena freestanding sign with a 283-square-foot sign.

WHEREAS, this permit applies to 1850 White Bear Avenue. The legal description is:

Subject to avenues and easements and except the West 620 feet of the North 438 feet the West 810 feet of the N 1/2 of the SW 1/4 of Sec. 14, T 29, R 22.

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

1. On November 10, 1992, the Community Design Review Board recommended that the City Council approve a 300-square-foot sign.
2. The City Council held a public hearing on December 14, 1992. City staff published a notice in the paper and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations from the City staff and Community Design Review Board.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves a conditional use permit for a 283-square-foot sign, because:

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

10.The proposed sign is of a more restrictive nature than the existing sign.

Approval is subject to the following conditions:

- 1.All construction shall follow the sign drawing on page \_ of the December 18, 1992 staff report. The Director of Community Development may approve minor changes.
- 2.The proposed construction must be substantially started within one year of Council approval or the permit shall end. The Council may grant up to one one-year extension of the permit.
- 3.The property owner shall install cool-white lights in the sign panels.
- 4.The property owner shall turn the lights off from midnight to 7:00 a.m.
- 5.The City Council will not review this permit unless a problem develops.

Seconded by Councilmember Juker

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

#### **4.Liquor License Amendment to Ordinance (Second Reading)**

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

#### **ORDINANCE NO. 709**

#### **AN ORDINANCE RELATING TO HOURS OF CLOSING FOR OFF-SALE LIQUOR ESTABLISHMENTS AMENDING SECTION 5-71 OF THE MAPLEWOOD LIQUOR ORDINANCE**

Sec. 5-71. Hours of Sale.

(b) No sale of intoxicating liquor may be made by an off-sale licensee:

- (1)On Sundays;
- (2)Before 8:00 a.m. on Monday through Saturday;
- (3)After 8:00 p.m. on Monday through Thursday and 10:00 p.m. on Friday and Saturday;
- (4)On Thanksgiving Day;
- (5)On Christmas Day, December 25; but on the evenings preceding such days, notwithstanding the above provisions, "off-sales" may be made until 10:00 p.m.; except that no "off-sale" shall be made;
- (6)After 8:00 p.m. on Christmas Eve, December 24.

State law reference - Hours and days of sale, M.S. 340A.504, subds. 2, 4.

**J. NEW BUSINESS**

**1. Time Extensions: Cottages of Maplewood West**

Item tabled to January 11, 1994

**2. Tenth Street Boxing: Gambling Permit**

a. Manager McGuire presented the staff report.

b. Public Safety Director Collins 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:

Lou Danna, the applicant

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

92 - 12 - 173

**APPROVING CHARITABLE GAMBLING FOR TENTH STREET BOXING CLUB**

BE IT HEREBY RESOLVED, by the City Council of Maplewood, Minnesota: that the premises permit for lawful gambling is approved for Tenth Street Boxing Club, Inc. to be located at Bleachers, 2220 White Bear Avenue.

FURTHERMORE, that the Maplewood City Council requests that the Gambling Control Division of the Minnesota Department of Gaming approve said permit application as being in compliance with Minn. Statutes No. 349.213.

NOW, THEREFORE, be it further resolved that this Resolution by the City Council of Maplewood, Minnesota, be forwarded to the Gambling Control Division for their approval.

Seconded by Councilmember Carlson

Ayes -all

**3. Park Availability Charge (Commercial and Industrial Property)**

a. Manager McGuire presented the staff report.

b. Parks and Recreation Director Odegard presented the specifics of the report.

c. Commissioner Jeanne Ewald presented the Park and Recreation Commission report.

d. Mayor Bastian asked if anyone wished to speak before the Council regarding this matter. No one appeared.

e. Councilmember Zappa moved to table this item for additional information on the amount of funds and a comparison of commercial property values, to be placed on the January 11, 1993 Agenda.

Seconded by Councilmember Juker

Ayes -Councilmembers Carlson, Juker,  
Zappa

Nays -Mayor Bastian, Councilmember  
Rossbach

#### 4. Increase in Ambulance Rates

- a. Manager McGuire presented the staff report.
- b. Director of Finance Faust presented the specifics of the report.
- c. Councilmember Zappa moved to approve an 18% increase in rate plus a charge of \$6.60 per mile transported.

Seconded by Councilmember Juker

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

Motion Failed

- d. Justin Mallman, 2400 Flandrau, commented on the paramedic service.
- e. Mary Martin, Maplewood resident, commented on the fact that when she and her son were transported together, they had been charged for two trips.
- f. Pat Kelly reported on information he had received regarding possible legislation relative to collection of ambulance fees.
- g. Councilmember Carlson introduced the following Resolution and moved its adoption:

92 - 12 - 174

#### RESOLUTION ADOPTING 1993 AMBULANCE RATES

WHEREAS, the City of Maplewood is authorized to impose reasonable charges for emergency and paramedic ambulance services by Minnesota Statutes 471.476 and by special laws (Chapter 426, Laws of 1975, and Chapter 743, Laws of 1978); and

WHEREAS, the paramedic ambulance services are partly financed by property taxes; and

WHEREAS, it is fair and reasonable to charge non-residents a higher rate than residents for services rendered; and

WHEREAS, it is fair and reasonable to charge for services rendered based upon the distance a person is transported and by type of services provided; i.e., basic or advanced life support services as defined by Medicare.

NOW, THEREFORE, BE IT RESOLVED, that the following charges shall be effective January 1, 1993:

	<u>Residents</u>	<u>Non-Residents</u>
Base rates:		
Basic ambulance services	\$220	
\$240		
Advanced life support ambulance services	\$395	
\$435		
Rate per mile transported		\$6.60
\$6.60		

BE IT FURTHER RESOLVED, that there shall be no charge for services rendered when the length of services is 10 minutes or less, when the patient is not

transported, when the patient is transported to the detoxification center, or when the patient is transported in a squad car.

Seconded by Mayor Bastian

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

**5. County Road B Storm Sewer, Project 90-14: Reduction of Retainage**

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

**RESOLUTION 175**

**DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT**

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered made Improvement Project 90-14 and has let a construction contract pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, it is now necessary and expedient that said contract be modified and designated as Improvement Project 90-14, Change Order 2.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA that the Mayor and City Clerk are hereby authorized and directed to modify the existing contract by executing said Change Order 2 in the amount of \$5,883.00.

The project budget is amended and does not require revision.

Seconded by Councilmember Juker

Ayes -all

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

**RESOLUTION 176**

**DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT**

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered made Improvement Project 90-14 and has let a construction contract pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, it is now necessary and expedient that said contract be modified and designated as Improvement Project 90-14, Change Order 3 (recapitulation).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA that the Mayor and City Clerk are hereby authorized and directed to modify the existing contract by executing said Change Order 3 in the amount of -\$75,372.04 (deduct).

Additional project funding is not required.

e. Mayor Bastian introduced the following Resolution and moved its adoption:

**RESOLUTION 177**

**ACCEPTANCE OF PROJECT**

WHEREAS, the City Engineer for the City of Maplewood has determined that County Road B/TH 61 Storm Sewer, City Project 90-14, is complete and recommends acceptance of the project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that City Project 90-14 is complete and maintenance of these improvements is accepted by the City. Release of any retainage in the amount of \$33,567.64 or escrow is hereby authorized.

Seconded by Councilmember Juker

Ayes -all

**6. Highwood-McKnight Storm Sewer, Project 90-10: Reduction of Retainage**

a. Manager McGuire presented the staff report.

b. Councilmember Juker moved to approve the reduction in retainage from 5 percent to 1 percent.

Seconded by Mayor Bastian

c. Councilmember Zappa moved to amend the motion to state that if the cost of replacing the sod would be greater than the 1% retainage, the matter be brought back to Council.

**ORIGINAL MOTION WITHDRAWN**

d. Councilmember Rossbach moved to approve the reduction of retainage from 5% to 1% if the cost of replacing the sod would be no greater than retainage; if the cost to replace the sod would be more than 1%, the retainage would be increased to be equal to the retainage.

Seconded by Councilmember Zappa

Ayes -all

**7. Transportation Utility Resolution**

a. Manager McGuire presented the staff report.

b. Councilmember Zappa introduced the following Resolution and moved its adoption.

**RESOLUTION 92 - 12 - 178**

**SUPPORTING LEGISLATION TO AUTHORIZE CITIES TO ESTABLISH A TRANSPORTATION UTILITY**

WHEREAS, the Minnesota legislature is considering legislation which would authorize cities to create "Transportation Utilities"; and

WHEREAS, the League of Minnesota Cities (LMC) and the City Engineers' Association of Minnesota (CEAM) have prepared and submitted concept guidelines and information to the legislature in support of such legislation; and

WHEREAS, it is the opinion of the Maplewood City Council that this City will be unable to meet its needs for reconstruction of local streets unless a new funding source is made available; and

WHEREAS, property taxes of the rates typically being levied do not take into consideration the need to rehabilitate and reconstruct city streets.

WHEREAS, under strict interpretation of Minnesota law pertaining to special assessments, recent court rulings have found minimal benefit accrues to fronting property when a deteriorated street is reconstructed and have struck down or significantly reduced special assessment levies.

WHEREAS, the streets under the jurisdiction of Minnesota cities comprise an integral and necessary component of the overall State transportation network, reducing dependency on the State and County systems.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the City of Maplewood, Minnesota that:

- 1.This City endorses and supports proposed legislation which would authorize cities to establish transportation utilities.
- 2.This City supports the concept and guidelines for establishment of transportation utilities as developed and presented by the LMC and the CEAM.

Seconded by Councilmember Carlson

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

**8.Final Payment: Remove and Install Eight Underground Oil Storage Tanks and Appurtenances**

- a.Manager McGuire presented the staff report.
- b.Mayor Bastian moved to authorize final payment in the amount of \$54,923.

Seconded by Councilmember Juker

Ayes -all

**9.Request Authorization to Hire a Police Officer**

- a.Manager McGuire presented the staff report.
- b.Director of Public Safety Collins responded to questions regarding the position.
- c.Councilmember Zappa moved to authorize hiring a Police Officer, and the appropriate budget transfers to accomplish this.

Seconded by Councilmember Juker

Ayes -all

### 10. Appointment to Community Education Advisory Council

- a. Manager McGuire presented the staff report.
- b. Parks and Recreation Director Odegard presented the specifics of the report.
- c. Commissioner Jean Ewald presented the Park and Recreation Commission's stand on this matter.
- d. Councilmember Zappa moved to take no action, leaving as is.

Seconded by Councilmember Rossbach

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

#### MOTION FAILED

- e. Councilmember Carlson moved to accept the staff recommendation and advertise for a volunteer.

Seconded by Mayor Bastian

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

### K. VISITOR PRESENTATIONS

NONE

### L. COUNCIL PRESENTATIONS

#### 1. Used Signs

- a. Councilmember Zappa expressed concern about the number of dilapidated signs in the City and stated someone needs to be responsible for ensuring sign removal when businesses move.
- b. Councilmember Zappa moved to direct staff to report on alternatives for dealing with this problem.

#### 2. Doors at City Hall

- a. Councilmember Zappa inquired whether the front doors of City Hall can be equipped to open mechanically.
- b. Staff stated they are investigating the possible options regarding this, and are looking into possible obtaining some funding through a Community Development Block Grant.

#### 3. Apartments Needing Repair

- a. Councilmember Zappa inquired whether we need a stronger ordinance or if the ordinance is not being enforced with regard to apartment buildings in need of repair.
- b. Councilmember Zappa moved to direct staff to report on the situation at 1716 Adolphus Street, and to review the ordinance covering this type of

situation.

Seconded by Mayor Bastian

Ayes -all

#### **4. Property Behind Rainbow**

- a. Councilmember Zappa commented on the poor appearance of the area behind the Rainbow store, and the graffiti on the back walls of the buildings, and asked why something had not been done about cleaning it up.
- b. Justin Mallman, 2400 Flandrau, stated the dumpsters behind Rainbow are leaking.
- c. Councilmember Zappa moved to direct staff to investigate the conditions and report to Council.

Seconded by Mayor Bastian

Ayes -all

#### **5. Graffiti**

- a. Councilmember Zappa stated this was covered in Item L-4

#### **6. Grassel Letter**

- a. Councilmember Zappa inquired whether the Grassel/Fleming issue had been resolved.
- b. Staff reported it had been.

#### **7. Gambling 10%**

- a. Councilmember Zappa moved to direct Staff to amend the Gambling Ordinance to reduce the administrative fee from charitable gambling from 10% to 3% and eliminate having funds to distribute.

Seconded by Councilmember Rossbach

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

**MOTION FAILED - ADMINISTRATIVE FEE WILL REMAIN AT 10%**

#### **8. Reconsideration of Vote on Hazelwood Avenue/Street**

- a. Councilmember Rossbach moved to place the Hazelwood Avenue/Street question on the January 11, 1993 Agenda for reconsideration.

Seconded by Mayor Bastian

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

#### **9. Mayor's Update**

- a. Mayor Bastian reported on various meetings and discussions with citizens.

### **M. ADMINISTRATIVE PRESENTATIONS**

#### **1. Oakridge Special Meeting**

a. Manager McGuire stated that the proposed Oakridge Development had generated about 4 hours of discussion at the Planning Commission meeting and suggested a special meeting be held.

b. Mayor Bastian moved to schedule a special meeting for Tuesday, January 19, 1993 from 6:00 - 10:00 p.m.

Seconded by Councilmember Zappa

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

## 2. Ramsey County Library

a. Manager McGuire stated a letter had been received from the Ramsey County Library Association thanking the City for the donation and inviting the Mayor and Council to a meeting on Tuesday, January 12 at 7:00 p.m. at the Shoreview Library to present the check.

b. Council requested an attempt be made to move the presentation to the Maplewood Library at 6:30 p.m. on January 12.

## 3. Council/Manager Meeting

a. Manager McGuire stated there is a Council/Manager meeting scheduled for January 4 from 5:30 - 7:30. He also stated a meeting (about two hours) needs to be scheduled for discussion of the fee study results. He suggested either adding to the January 4 meeting, or scheduling it after the pre-agenda meeting on January 7.

b. Mayor Bastian moved the pre-agenda meeting be extended to include the fee study results.

Seconded by Councilmember Rossbach

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

**MOTION FAILED**

## N. ADJOURNMENT

9:47 P.M.

Lucille E. Aurelius  
City Clerk

AGENDA REPORT

TO: City Manager

FROM: Finance Director *Boast*

RE: APPROVAL OF CLAIMS

DATE: December 31, 1992

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

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

ACCOUNTS PAYABLE:

\$ 891,732.88	Checks # 24029 thru # 24110 Dated 12-17-92 thru 12-31-92
\$ <u>176,212.17</u>	Checks # 19466 thru # 19574 Dated 1-11-93
\$ 1,067,945.05	Total per attached voucher/check register

PAYROLL:

\$ 202,245.93	Payroll Checks # 30220 thru # 30383 dated 12-31-92
\$ <u>647.74</u>	Payroll Deduction check #30389 thru # 30390 dated 12-31-92
\$ 202,893.67	Total Payroll
\$ <u>1,270,838.72</u>	GRAND TOTAL

Attached is a detailed listing of these claims.

lz  
Attachments  
FINANCE/APPRCLM2.AGN

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 12

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
24029	140400	12/17/92	CLERK OF DISTRICT COURT	CNTY DRIVERS LIC FEES PAYABLE	117.50	117.50
24030	101950	12/17/92	BYERLYS	BOX LUNCHES FOR MAUMA	95.66	95.66
24031	541400	12/17/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	264.50	264.50
24032	541400	12/17/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	9,710.00	9,710.00
24033	261205	12/17/92	FIRST TRUST	PAYING AGENTS FEES	591.88	
				PAYING AGENTS FEES	958.13	
				PAYING AGENTS FEES	592.61	
				PAYING AGENTS FEES	936.98	3,079.60
24034	460541	12/17/92	LEAGUE OF MINNESOTA CITIES	TRAVEL & TRAINING	30.00	
				TRAVEL & TRAINING	30.00	60.00
24035	230901	12/17/92	EASTMAN KODAK CREDIT CORP.	DUPLICATING COSTS	120.73	
				DUPLICATING COSTS	4.19	
				DUPLICATING COSTS	110.88	
				DUPLICATING COSTS	114.20	
				DUPLICATING COSTS	156.03	
				DUPLICATING COSTS	98.40	
				DUPLICATING COSTS	218.64	
				DUPLICATING COSTS	152.13	975.20
24036	091440	12/17/92	BROWN AND CRIS, INC.	AWARDED CONSTRUCTION CONTRACTS	96,549.86	96,549.86
24037	091440	12/17/92	BROWN AND CRIS, INC.	AWARDED CONSTRUCTION CONTRACTS	4,500.00	4,500.00
24038	302900	12/17/92	GLENWOOD INGLEWOOD	WATER & COOLER RENTAL	43.50	43.50
24039	020400	12/17/92	AIR SIGNAL, INC.	PAGER SERVICES FOR DEC.	4.53	
				PAGER SERVICES FOR DEC.	16.04	20.57
24040	541400	12/18/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	785.00	785.00
24041	510635	12/18/92	MAPLEWOOD INN	BANQUET FOR BOARD & COMMISSION MEMBERS	1,291.57	1,291.57
24042	190400	12/18/92	DEPT. OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	90.00	90.00
24043	190400	12/18/92	DEPT. OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	330.00	330.00
24044	010464	12/18/92	AT & T	TELEPHONE	109.54	
				A/R - PERSONAL PHONE CALLS	17.66	
				A/R - PERSONAL PHONE CALLS	11.32	
				A/R - PERSONAL PHONE CALLS	3.26	
				A/R - PERSONAL PHONE CALLS	1.41	143.19
24045	230900	12/18/92	EASTMAN KODAK COMPANY	DUPLICATING COSTS	155.05	
				DUPLICATING COSTS	19.63	
				DUPLICATING COSTS	101.29	

VOUCHREG  
12/31/92 14:34

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 12

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				DUPLICATING COSTS	201.48	
				DUPLICATING COSTS	160.36	
				DUPLICATING COSTS	50.71	
				DUPLICATING COSTS	222.22	
				DUPLICATING COSTS	155.96	1,066.70
24046	541400	12/18/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	6,869.50	6,869.50
24047	722200	12/18/92	PUBLIC EMPLOYEE	PERA DEDUCTION PAYABLE	11,430.27	
				PERA CONTRIBUTIONS	14,817.30	
				PERA DEDUCTION PAYABLE	3,027.41	
				PERA CONTRIBUTIONS	3,977.90	33,252.88
24048	341706	12/21/92	HERITAGE BANK	F.I.C.A. PAYABLE	10,462.59	
				FEDERAL INCOME TAXES PAYABLE	30,083.60	
				FICA CONTRIBUTIONS	10,462.59	51,008.78
24049	890285	12/21/92	US POSTMASTER	POSTAGE	75.00	75.00
24050	980700	12/21/92	LINDA ZICK	PROGRAM SUPPLIES	15.00	
				SUPPLIES - VEHICLE	.63	
				SUPPLIES - EQUIPMENT	1.55	
				POSTAGE	3.84	
				SUPPLIES - OFFICE	.75	
				SUPPLIES - EQUIPMENT	24.71	
				SUBSCRIPTIONS & MEMBERSHIPS	40.00	
				TRAVEL & TRAINING	3.00	
				SUPPLIES - OFFICE	5.31	
				PROGRAM SUPPLIES	14.99	
				FUEL & OIL	18.00	
				SUPPLIES - VEHICLE	18.53	146.31
24051	541400	12/21/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	361.50	361.50
24052	541400	12/21/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	8,732.54	8,732.54
24053	560100	12/21/92	MN STATE COMMISSIONER	STATE INCOME TAX PAYABLE	12,255.74	12,255.74
24054	842305	12/22/92	STARK, DOROTHY M.	REFUND - DUPLICAT AMB PAYMENT	102.67	102.67
24055	200900	12/22/92	DISTRICT COURT ADMINISTRATION	SIGNATURE RECORDED	50.00	50.00
24056	531650	12/22/92	METRO WASTE CONTROL COMMISSN	S.A.C. PAYABLE	14,700.00	
				S.A.C. RETAINER	147.00-	14,553.00
24057	541400	12/22/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	713.50	713.50
24058	541400	12/22/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	9,192.15	9,192.15
24059	140400	12/22/93	CLERK OF DISTRICT COURT	CNTY DRIVERS LIC FEES PAYABLE	80.50	80.50

VOUCHREG  
12/31/92 14:34

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 12

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
24060	661750	12/23/92	NORTHERN STATES POWER	UTILITIES	2,840.76	
				UTILITIES	3.14	
				UTILITIES	4.47	
				UTILITIES	4.47	
				UTILITIES	3.14	
				UTILITIES	74.51	
				UTILITIES	87.19	
				UTILITIES	76.18	
				UTILITIES	7.28	
				UTILITIES	129.79	
				UTILITIES	88.17	
				UTILITIES	6.81	
				UTILITIES	63.73	
				UTILITIES	121.61	
				UTILITIES	767.53	
				UTILITIES	39.18	4,317.96
24061	110250	12/23/92	C.W.HOULE INC.	AWARDED CONSTRUCTION CONTRACTS	36,210.71	
				CONTRACTS PAYABLE-RETAINAGE	1,810.54-	34,400.17
24062	302930	12/23/92	GLINES, JACK H.	REFUND-DUPLICATE AMB PAYMENT	230.00	230.00
24063	120325	12/23/92	CELLULAR ONE	TELEPHONE	36.96	36.96
24064	041320	12/23/92	ARTISTIC CABINET & DISPLAY	EQUIPMENT - OFFICE	289.00	289.00
24065	190400	12/23/92	DEPT. OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	10.00	10.00
24066	190400	12/23/92	DEPT. OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	331.00	331.00
24067	541400	12/23/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	270.00	270.00
24068	541400	12/23/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	11,243.77	11,243.77
24069	150800	12/23/92	COMMISSIONER OF REVENUE	NOV DIESEL TAX	199.54	199.54
24070	150800	12/23/92	COMMISSIONER OF REVENUE	OCT FUEL TAX	158.32	158.32
24071	570200	12/24/92	MOSIO, RAY	DEPOSITS PAYABLE	7,100.00	
				INTEREST ON INVESTMENTS	77.53	7,177.53
24073	510100	12/24/92	MAPLE LEAF OFFICIALS ASSN.	VOLLEYBALL OFFICIALS PAY	130.00	130.00
24074	710653	12/24/92	PERF	BOOKS	130.50	130.50
24075	230500	12/24/92	EAST COUNTY LINE FIRE DEPT.	4TH QUARTER PAYMENT	6,246.00	
				4TH QUARTER PAYMENT	66,809.00	73,055.00
24076	302580	12/24/92	GLADSTONE FIRE DEPT.	4TH QUARTER PAYMENT	7,139.00	
				4TH QUARTER PAYMENT	76,358.50	83,497.50

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 12

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
24077	701100	12/24/92	PARKSIDE FIRE DEPT.	4TH QUARTER PAYMENT	4,847.00	
				4TH QUARTER PAYMENT	51,845.50	56,692.50
24078	310710	12/28/92	GOPHER STATE ONE-CALL, INC.	NOV'92 SERVICE	47.50	47.50
24079	021185	12/28/92	AMERICAN ENGINEERING TESTING	OUTSIDE ENGINEERING FEES	75.00	75.00
24080	190200	12/28/92	DEPT OF LABOR AND	BOILER LICENSES EXEMPTION	30.00	
				AIR TANK EXEMPTION	10.00	40.00
24081	391875	12/28/92	INTERTECHNOLOGIES GROUP	TRAVEL & TRAINING	98.00	98.00
24082	541400	12/28/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	2,928.00	2,928.00
24083	541400	12/28/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	8,947.26	8,947.26
24084	541400	12/28/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	213.50	213.50
24085	541400	12/28/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	627.00	627.00
24086	520500	12/29/92	MCGUIRE, MICHAEL	VEHICLE ALLOWANCE	400.00	400.00
24087	541400	12/29/92	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	875.50	875.50
24088	541400	12/29/92	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	10,565.75	10,565.75
24089	940502	12/29/92	WEGWERTH, SANDRA	PROGRAM REGISTRATION FEES	50.00	50.00
24090	722200	12/30/92	PUBLIC EMPLOYEE	LIFE INS. DEDUCT	333.00	333.00
24091	541400	12/30/92	MINN. STATE TREASURER	STATE DRIVERS LIC.	606.00	606.00
24092	541400	12/30/92	MINN. STATE TREASURER	MOTOR VEH LIC.	15,346.28	15,346.28
24093	021300	12/30/92	AMERICAN NATIONAL BANK	PAYING AGENT FEES	50.00	50.00
24094	960450	12/30/92	XEROX CORPORATION	DEVELOPER	19.43	
				DEVELOPER	29.38	
				DEVELOPER	56.09	
				DEVELOPER	15.30	
				DEVELOPER	80.62	
				DEVELOPER	42.00	242.82
24095	722200	12/31/92	PUBLIC EMPLOYEE	PERA DEDUCTION	11,516.42	
				PERA CONTRIBUTION	14,868.00	26,384.42
24096	451825	12/31/92	LANIER	EQUIPMENT OFFICE	361.04	361.04
24097	530825	12/31/92	METRO COUNCIL	PRINCIPAL PAYMENT	4,985.00	4,985.00
24098	120325	12/31/92	CELLULAR ONE	TELEPHONE	10.60	

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 12

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				TELEPHONE	74.58	85.18
24099	842519	12/31/92	STATE OF MINNESOTA	BOOKS	737.65	737.65
24100	091440	12/31/92	BROWN AND CRIS, INC.	AWARDED CONSTRUCTION CONTRACTS PAYABLE	178,531.11 33,567.64	212,098.75
24101	091440	12/31/92	BROWN AND CRIS, INC.	AWARDED CONSTRUCTION	350.00	350.00
24102	390450	12/31/92	INSITUFDRM CENTRAL INC.	AWARDED CONSTRUCTION CONTRACTS PBL.RETAINAGE	51,200.00 2,560.00-	48,640.00
24103	541440	12/31/92	MINN. STATE TREASURER STAX	SURTAX PAYABLE SURTAX RETAINER	1,476.93 29.52-	1,447.41
24104	190400	12/31/92	DEPT. OF NATURAL RESOURCES	DNR LICENSE	674.00	674.00
24105	541400	12/31/92	MINN. STATE TREASURER	STATE DRIVERS LIC.	759.00	759.00
24106	741330	12/31/92	RAMSEY COUNTY	CASH OVER & SHORT	9,450.00	9,450.00
24107	541400	12/31/92	MINN. STATE TREASURER	MOTOR VEH LIC.	14,559.15	14,559.15
24108	140400	12/31/92	CLERK OF DISTRICT COURT	CNTY DRIVERS LIC.	135.00	135.00
24109	541400	12/31/92	MINN. STATE TREASURER	STATE DRIVER LIC.	268.00	268.00
24110	900274	12/31/92	UNITED WAY OF THE ST. PAUL	UNITED WAY DEDUCTION	666.00	666.00
19493	010290	01/11/93	A.K.R.	OUTSIDE ENGINEERING FEES	53,591.52	53,591.52
19494	020825	01/11/93	ALL RITE ELECTRIC COMPANY	REPAIR & MAINT/BLDG & GROUNDS	147.00	147.00
19495	020883	01/11/93	ALPHA COMPUTERS, INC.	REPAIRS & MTNCE./EQUIPMENT	47.00	47.00
19496	021200	01/11/93	AMERICAN FASTENER	MAINTENANCE MATERIAL SUPPLIES - VEHICLE	87.31 50.28	137.59
19497	021700	01/11/93	AMOCO OIL CO.	FUEL & OIL	54.93	54.93
19498	030415	01/11/93	ANDERSON, EARL F., INC.	MAINTENANCE MATERIAL	56.48	56.48
19499	042600	01/11/93	ASSN. OF TRAIN OFFICERS OF MN	TRAVEL & TRAINING	195.00	195.00
19500	050055	01/11/93	ATHLETIC TECHNOLOGIES	EQUIPMENT - OFFICE	743.37	743.37
19501	061000	01/11/93	BANICK, JOHN	TRAVEL & TRAINING	38.00	38.00
19502	061405	01/11/93	BARNES & NOBLE	BOOKS	75.35	75.35
19503	061650	01/11/93	BARTON - ASCHMAN ASSOC., INC.	FEES - CONSULTING	370.05	370.05

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CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 12

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
19504	101400	01/11/93	BUILDERS SQUARE	SUPPLIES - EQUIPMENT	58.87	58.87
19505	110100	01/11/93	C & N.W.TRANSPORTATION CO.	PROPERTY RENTAL	180.00	180.00
19506	110390	01/11/93	CAPITOL RUBBER STAMP COMPANY	3 NOTARY STAMPS	27.75	27.75
19507	150900	01/11/93	COMMISSIONER OF TRANSPORTATION	OUTSIDE ENGINEERING FEES	91.36	91.36
19508	151405	01/11/93	COMPUTER CITY	ADD'L MONIES NEEDED FOR SHIPNG	6.00	6.00
19509	152400	01/11/93	COPY EQUIPMENT, INC.	SUPPLIES - EQUIPMENT	51.08	51.08
19510	180110	01/11/93	D.C.A.	MISC. CONTRACTUAL SERVICES	1,455.60	1,455.60
19511	180150	01/11/93	DAHL & ASSOC.	PROFESSIONAL CONTRACT SERVICES	349.75	349.75
19512	181800	01/11/93	DAVIES WATER EQUIPMENT	MAINTENANCE MATERIAL	184.40	184.40
19513	200200	01/11/93	DICK BLICK ART MATERIALS	PROGRAM SUPPLIES SUPPLIES - OFFICE PROGRAM SUPPLIES SUPPLIES - OFFICE	40.23 20.12 60.35 80.46	201.16
19514	210250	01/11/93	DONNELLY ELECTRIC	OTHER CONSTRUCTION COSTS	676.79	676.79
19515	240105	01/11/93	ELECTRIC MOTOR REPAIR, INC.	MAINTENANCE MATERIAL	115.07	115.07
19516	300800	01/11/93	G.F.O.A.	SUBSCRIPTIONS & MEMBERSHIPS	55.00	55.00
19517	301050	01/11/93	GALL'S INC.	SUPPLIES - EQUIPMENT	123.48	123.48
19518	302300	01/11/93	GEORGE'S BODY SHOP	REPAIR & MAINT/VEHICLE	185.00	185.00
19519	310400	01/11/93	GOODYEAR TIRE COMPANY	REPAIR & MAINT/VEHICLE REPAIR & MAINT/VEHICLE	280.68 280.68	561.36
19520	310650	01/11/93	GOPHER DISPOSAL	NOVEMBER RECYCLING 1992	12,933.36	12,933.36
19521	390300	01/11/93	INDUSTRIAL SUPPLY	SUPPLIES - EQUIPMENT	21.37	21.37
19522	400950	01/11/93	JEAN THORNE TEMPORARY SERVICE	TEMPORARY CLERICAL	53.10	53.10
19523	401800	01/11/93	JOLLY'S, INC.	PROGRAM SUPPLIES	8.59	8.59
19524	410480	01/11/93	KEMPER AND ASSOCIATES	OUTSIDE ENGINEERING FEES	5,400.00	5,400.00
19525	450800	01/11/93	LAKELAND FORD	REPAIR & MAINT/VEHICLE	135.44	135.44
19526	460700	01/11/93	LENFER TRANSMISSIONS	REPAIR & MAINT/VEHICLE	70.83	70.83
19527	500775	01/11/93	M.T.E. INC.	PURCHASE OF COLOR PRINTER	479.25	

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 12

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				<b>INSTALLATION OF NEW MOTHERBOARD</b>	266.25	745.50
19528	500800	01/11/93	M.T.I. DISTRIBUTING CO.	SUPPLIES - VEHICLE	174.87	174.87
19529	511250	01/11/93	MARTIN LUMBER	SUPPLIES - VEHICLE	199.89	199.89
19530	511710	01/11/93	MATRIX MEDICAL, INC.	<b>PURCHASE OF OXIMETER</b>	1,224.75	1,224.75
19531	530500	01/11/93	MENARDS	MAINTENANCE MATERIAL	47.61	47.61
19532	530650	01/11/93	METAL DOCTOR	MAINTENANCE MATERIAL	17.97	17.97
19533	531300	01/11/93	METRO INSPECTION SERVICE	ELECTRICAL INSPECTIONS	5,262.04	5,262.04
19534	542355	01/11/93	MINNESOTA PIPE & EQUIPMENT	SMALL TOOLS	76.40	76.40
19535	570050	01/11/93	MOBILE EMERGENCY SYSTEMS, INC.	REPAIR & MAINT/VEHICLE	665.00	
				REPAIR & MAINT/RADIO	95.24	760.24
19536	570092	01/11/93	MOGREN, GEROLD	DEPOSITS PAYABLE	1,900.00	
				<b>INTEREST ON INVESTMENTS</b>	103.22	2,003.22
19537	630785	01/11/93	NATIONAL SAFETY COUNCIL	<b>PURCHASE OF COMPUTER SOFTWARE</b>	148.00	148.00
19538	650915	01/11/93	ROBERT G. NOBLE	INSPECTIONS	800.00	800.00
19539	660075	01/11/93	NORTH ST PAUL CITY OF	UTILITIES	1,172.75	1,172.75
19540	661180	01/11/93	NORTHERN AIRGAS INC.	<b>PURCHASE OF OXYGEN</b>	109.63	109.63
19541	670950	01/11/93	NYSTROM PUBLISHING COMPANY INC	PUBLISHING	2,222.00	2,222.00
19542	720750	01/11/93	POWER UP!	SUPPLIES - EQUIPMENT	34.89	
				SUPPLIES - EQUIPMENT	34.89	
				SUPPLIES - EQUIPMENT	34.89	
				SUPPLIES - EQUIPMENT	56.17	160.84
19543	720765	01/11/93	PREFERRED RISK CONSULTANTS	FEES - CONSULTING	170.00	170.00
19544	721305	01/11/93	PROFESSIONAL REDEVELOPMENT	FEES - CONSULTING	1,986.25	1,986.25
19545	722400	01/11/93	PUMP & METER	<b>PURCHASE OF OIL STORAGE TANKS</b>	54,232.00	
				<b>PURCHASE OF OIL STORAGE TANKS</b>	700.00	54,932.00
19546	741210	01/11/93	RAINBOW INC.	PROGRAM SUPPLIES	19.64	19.64
19547	741330	01/11/93	RAMSEY COUNTY	FEES - CONSULTING	9,673.89	
				DATA PROCESSING SERV.	21.42	9,695.31
19548	741331	01/11/93	RAMSEY COUNTY	<b>PURCHASE OF CRIMINAL &amp; TRAFFIC TAG BOOKS</b>	1,239.83	1,239.83

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 12

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
19549	742100	01/11/93	RAM CTY CHIEFS OF POLICE ASSN.	TRAVEL & TRAINING	100.00	100.00
19550	761300	01/11/93	ROADRUNNER	PICK UP PKG & DELIVER	14.60	14.60
19551	762071	01/11/93	ROTTLUND CO., INC.	DEPOSITS PAYABLE INTEREST ON INVESTMENTS	1,800.00 164.58	1,964.58
19552	780100	01/11/93	S&D LOCK & SAFE	PROGRAM SUPPLIES	13.31	13.31
19553	780350	01/11/93	S.E.H.	OUTSIDE ENGINEERING FEES	1,480.35	1,480.35
19554	831505	01/11/93	SPECIALTY RADIO SERVICES	REPAIR & MAINT/RADIO REPAIR & MAINT/RADIO	185.83 177.59	363.42
19555	831600	01/11/93	SPS OFFICE PRODUCTS	SUPPLIES - OFFICE SUPPLIES - OFFICE SUPPLIES - OFFICE SUPPLIES - OFFICE	2.99 10.04 258.00 116.93	387.96
19556	840399	01/11/93	ST. PAUL, CITY OF	OTHER CONSTRUCTION COSTS OTHER CONSTRUCTION COSTS OTHER CONSTRUCTION COSTS	1,391.50 64.11 373.34	1,828.95
19557	843575	01/11/93	STREICHERS GUNS	SUPPLIES - RANGE	351.45	351.45
19558	851576	01/11/93	SYSTEMS SUPPLY , INC.	SUPPLIES - OFFICE SUPPLIES - OFFICE SUPPLIES - OFFICE SUPPLIES - OFFICE SUPPLIES - OFFICE	98.32 11.93 35.78 342.67 343.70	832.40
19559	860305	01/11/93	T.J.T. - SHIRTS	PROGRAM SUPPLIES UNIFORMS & CLOTHING UNIFORMS & CLOTHING	748.73 189.80 420.80	1,359.33
19560	860315	01/11/93	T.K.D.A.	FEES - CONSULTING	74.58	74.58
19561	860320	01/11/93	T.R.F. SUPPLY CO.	REPAIR & MAINT/BLDG & GROUNDS	81.76	81.76
19562	880675	01/11/93	TROPHIES UNLIMITED	PROGRAM SUPPLIES	93.72	93.72
19563	880750	01/11/93	TRDY CHEMICAL INDUSTRIES	SUPPLIES - JANITORIAL	71.38	71.38
19564	890600	01/11/93	U.H.L. INC.	SUPPLIES - EQUIPMENT	105.40	105.40
19565	900100	01/11/93	UNIFORMS UNLIMITED	UNIFORMS & CLOTHING UNIFORMS & CLOTHING UNIFORMS & CLOTHING UNIFORMS & CLOTHING UNIFORMS & CLOTHING UNIFORMS & CLOTHING	110.55 30.55 195.88 26.95 411.90 142.51	

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CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
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VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				UNIFORMS & CLOTHING	78.06	
				UNIFORMS & CLOTHING	148.54	
				UNIFORMS & CLOTHING	275.13	
				UNIFORMS & CLOTHING	190.21	
				UNIFORMS & CLOTHING	152.82	1,763.10
19566	901450	01/11/93	UPTECH	EQUIPMENT - OTHER	1,050.09	1,050.09
19567	911350	01/11/93	VIKING ELECTRIC SUPPLY	SMALL TOOLS	8.57	
				SUPPLIES - EQUIPMENT	25.94	34.51
19568	911600	01/11/93	VIKING SAFETY PRODUCTS	UNIFORMS & CLOTHING	195.53	
				UNIFORMS & CLOTHING	134.14	329.67
19569	911900	01/11/93	VIRCHOW, KRAUSE & CO.	FEES - CONSULTING	1,280.00	1,280.00
19570	912100	01/11/93	VIRTUE PRINTING	SUPPLIES - OFFICE	282.07	282.07
19571	912160	01/11/93	VOLUNTARY ACTION CENTER	TRAVEL & TRAINING	50.00	50.00
19572	940500	01/11/93	WEBER-TROSETH INC.	SUPPLIES - VEHICLE	63.25	63.25
19573	940625	01/11/93	WELSH CONSTRUCTION	DEPOSITS PAYABLE	500.00	
				INTEREST ON INVESTMENTS	96.78	596.78
19574	950290	01/11/93	WORD PERFECT CORP.-5.0 UPDATE	BOOKS	69.12	69.12
				TOTAL CHECKS		1,067,945.05

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CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
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VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
19466	080560	01/11/93	BLUEBIRD RECOVERY PROGRAM	SUBSCRIPTIONS & MEMBERSHIPS	5.00	5.00
19467	231525	01/11/93	EDEN SYSTEMS, INC.	REPAIRS & MNCE./EQUIPMENT	8,850.00	8,850.00
19468	301725	01/11/93	GENERAL OFFICE PRODUCTS	RENTAL OF PANELS	31.00	31.00
19469	370076	01/11/93	HUGHES & COSTELLO	PRESECUTION SERVICES	4,500.00	4,500.00
19470	391650	01/11/93	INTL NARCOTIC ENFORCEMENT	SUBSCRIPTIONS & MEMBERSHIPS	30.00	30.00
19471	391690	01/11/93	INTL.SOCIETY OF CRIME PREV.	SUBSCRIPTIONS & MEMBERSHIPS	35.00	35.00
19472	420030	01/11/93	KIDSCIENCE	SUBSCRIPTIONS & MEMBERSHIPS	50.00	50.00
19473	500516	01/11/93	M.O.U.	SUBSCRIPTIONS & MEMBERSHIPS	20.00	20.00
19474	500525	01/11/93	M.P.E.L.R.A.	SUBSCRIPTIONS & MEMBERSHIPS	125.00	125.00
19475	530700	01/11/93	METRO AREA MANAGEMENT ASSN	SUBSCRIPTIONS & MEMBERSHIPS	15.00	15.00
19476	530902	01/11/93	MEMA TREASURER	SUBSCRIPTIONS & MEMBERSHIPS	25.00	25.00
19477	540770	01/11/93	MINN STATE FIRE CHIEFS ASSN	SUBSCRIPTIONS & MEMBERSHIPS	25.00	25.00
19478	551125	01/11/93	MN NATIVE PLANT SOCIETY	SUBSCRIPTIONS & MEMBERSHIPS	20.00	20.00
19479	570500	01/11/93	MOTOROLA, INC	REPAIR & MAINT/RADIO	976.43	976.43
19480	630010	01/11/93	NAAEE MEMBERSHIP	SUBSCRIPTIONS & MEMBERSHIPS	35.00	35.00
19481	630740	01/11/93	NATIONAL ENVIRONMENTAL HEALTH	TRAVEL & TRAINING	70.00	70.00
19482	931100	01/11/93	WALDENBOOKS	BOOKS	38.17	38.17
				TOTAL CHECKS		14,848.60

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

0001

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0030220	12/31/92	JOSEPH ZAPPA	267.63
0030221	12/31/92	DALE CARLSON	267.63
0030222	12/31/92	GEORGE ROSSBACH	267.63
0030223	12/31/92	GARY W BASTIAN	304.15
0030224	12/31/92	FRANCES L JUKER	267.63
0030225	12/31/92	MICHAEL A McGUIRE	3,101.60
0030226	12/31/92	THERESE CARLSON	1,040.00
0030227	12/31/92	GAIL BLACKSTONE	1,977.60
0030228	12/31/92	GRETCHEN MAGLICH	1,744.80
0030229	12/31/92	GINA CASAREZ	875.21
0030230	12/31/92	DAVID J JAHN	1,038.33
0030231	12/31/92	LYLE SWANSON	1,092.58
0030232	12/31/92	LARRY J CUDE	297.32
0030233	12/31/92	ANDREA J OSTER	1,138.40
0030234	12/31/92	WILLIAM MIKISKA	185.63
0030235	12/31/92	DANIEL F FAUST	2,300.80
0030236	12/31/92	LINDA ZICK	884.80
0030237	12/31/92	DEBORAH DEHN	523.25
0030238	12/31/92	RICHARD HANGSLEBEN	1,377.60
0030239	12/31/92	ALANA K MATHEYS	1,407.60
0030240	12/31/92	DELORES A VIGNALO	1,201.60
0030241	12/31/92	CHELEN GORE	222.48
0030242	12/31/92	BRUCE ANDERSON	1,012.80
0030243	12/31/92	CAROLE J ANDERSON	631.19
0030244	12/31/92	LUCILLE E AURELIUS	2,008.80
0030245	12/31/92	BETTY D SELVOG	131.81
0030246	12/31/92	PATRICIA FRY	633.19

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

0002

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0030247	12/31/92	LOIS BEHM	1,244.01
0030248	12/31/92	CONNIE L KELSEY	677.71
0030249	12/31/92	LORRAINE S VIETOR	1,093.60
0030250	12/31/92	PATRICIA A HENSLEY	590.48
0030251	12/31/92	CAROL JAGOE	1,022.40
0030252	12/31/92	JEANETTE E CARLE	1,056.00
0030253	12/31/92	SANDRA OLSON	702.90
0030254	12/31/92	MARY KAY PALANK	1,022.40
0030255	12/31/92	KENNETH V COLLINS	2,291.20
0030256	12/31/92	CAROLE L RICHIE	1,169.22
0030257	12/31/92	JOANNE M SVENDSEN	1,405.05
0030258	12/31/92	ELAINE FULLER	671.16
0030259	12/31/92	CAROL F MARTINSON	1,284.98
0030260	12/31/92	ANTHONY G CAHANES	1,975.20
0030261	12/31/92	ROBERT D NELSON	1,975.20
0030262	12/31/92	VERNON T STILL	1,519.17
0030263	12/31/92	DONALD W SKALMAN	1,982.45
0030264	12/31/92	RAYMOND J MORELLI	1,686.99
0030265	12/31/92	SCOTT L STEFFEN	1,576.62
0030266	12/31/92	DAVID L ARNOLD	1,774.40
0030267	12/31/92	JOHN J BANICK	1,728.36
0030268	12/31/92	JOHN C BOHL	2,091.26
0030269	12/31/92	DALE K CLAUSON	362.49
0030270	12/31/92	RICHARD M MOESCHTER	1,775.73
0030271	12/31/92	JOHN H ATCHISON	1,519.17
0030272	12/31/92	JAMES YOUNGREN	2,129.50
0030273	12/31/92	WILLIAM F PELTIER	1,840.95

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

0003

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0030274	12/31/92	KEVIN RABBETT	1,764.81
0030275	12/31/92	THOMAS J SZCZEPANSKI	1,577.57
0030276	12/31/92	VIRGINIA DOWDLE	1,467.66
0030277	12/31/92	CABOT V WELCHLIN	1,481.28
0030278	12/31/92	RICHARD J LANG	1,746.15
0030279	12/31/92	DALE RAZSKAZOFF	1,519.17
0030280	12/31/92	MICHAEL RYAN	1,924.12
0030281	12/31/92	MICHAEL J HERBERT	1,652.10
0030282	12/31/92	RICHARD C DREGER	1,879.98
0030283	12/31/92	GREGORY L STAFNE	1,763.30
0030284	12/31/92	RONALD D BECKER	1,696.65
0030285	12/31/92	KEVIN R HALWEG	2,192.94
0030286	12/31/92	DERRELL T STOCKTON	1,519.17
0030287	12/31/92	PAUL G PAULOS-JR.	1,647.96
0030288	12/31/92	RICK A BOWMAN	1,642.45
0030289	12/31/92	FLINT D KARIS	1,741.81
0030290	12/31/92	STEPHEN J HEINZ	1,802.60
0030291	12/31/92	JOHN FRASER	1,682.46
0030292	12/31/92	DAVID M GRAF	1,709.75
0030293	12/31/92	DAVID J THOMALLA	1,811.65
0030294	12/31/92	STEVEN PALMA	1,802.56
0030295	12/31/92	ROBERT E VORWERK	1,889.53
0030296	12/31/92	JOSEPH A BERGERON	2,231.86
0030297	12/31/92	JAMES MEEHAN	1,779.63
0030298	12/31/92	JON A MELANDER	1,590.04
0030299	12/31/92	SARAH SAUNDERS	1,133.13
0030300	12/31/92	JAMES M EMBERTSON	1,683.20

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

0004

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0030301	12/31/92	DUANE J WILLIAMS	1,456.00
0030302	12/31/92	JANET L RABINE	1,403.84
0030303	12/31/92	JULIE A STAHNKE	1,320.41
0030304	12/31/92	SCOTT K BOYER	1,579.53
0030305	12/31/92	CAROL NELSON	1,863.34
0030306	12/31/92	JOSEPH FEHR	1,433.67
0030307	12/31/92	JILL PETERS	1,032.52
0030308	12/31/92	JAYME L FLAUGHER	1,445.76
0030309	12/31/92	JUDITH WEGWERTH	563.64
0030310	12/31/92	KENNETH G HAIDER	2,291.20
0030311	12/31/92	JUDY M CHLEBECK	1,204.80
0030312	12/31/92	WILLIAM PRIEFER	1,334.40
0030313	12/31/92	GERALD W MEYER	1,447.53
0030314	12/31/92	MICHAEL R KANE	1,845.73
0030315	12/31/92	BRYAN NAGEL	1,357.05
0030316	12/31/92	DAVID P LUTZ	1,360.41
0030317	12/31/92	JAMES DARST	982.28
0030318	12/31/92	HENRY F KLAUSING	1,411.99
0030319	12/31/92	JOHN SCHMOOCK	1,357.05
0030320	12/31/92	RONALD J HELEY	1,409.48
0030321	12/31/92	ERICK D OSWALD	1,357.05
0030322	12/31/92	RONALD L FREBERG	1,409.48
0030323	12/31/92	WILLIAM C CASS	1,872.80
0030324	12/31/92	RANDAL LINDBLOM	1,232.80
0030325	12/31/92	JAMES G ELIAS	1,454.40
0030326	12/31/92	JOHN DU CHARME	1,196.80
0030327	12/31/92	DENNIS L PECK	1,454.40

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

0005

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0030328	12/31/92	WILLIAM PRIEBE	1,400.80
0030329	12/31/92	BRUCE A IRISH	1,947.20
0030330	12/31/92	WALTER M GEISSLER	1,522.58
0030331	12/31/92	THERESA METZ	1,267.48
0030332	12/31/92	JOHN R LOFGREN	1,035.16
0030333	12/31/92	ROBERT D ODEGARD	2,062.40
0030334	12/31/92	LOIS J BRENNER	1,238.66
0030335	12/31/92	BARBARA A KRUMMEL	557.20
0030336	12/31/92	PAULINE STAPLES	1,838.40
0030337	12/31/92	LUTHER JONES	83.20
0030338	12/31/92	MARGARET KUNDE	120.04
0030339	12/31/92	ROBERT S ANDERSON	1,592.50
0030340	12/31/92	DENNIS P LINDORFF	1,440.75
0030341	12/31/92	WILLIAM GARRY	1,589.53
0030342	12/31/92	ROLAND B HELEY	1,811.18
0030343	12/31/92	MARK A MARUSKA	2,577.05
0030344	12/31/92	JAMES SCHINDELDECKER	1,137.60
0030345	12/31/92	MYLES R BURKE	1,635.25
0030346	12/31/92	TANIA CHASE	39.75
0030347	12/31/92	JEROME MILLER	5.00
0030348	12/31/92	MICHELLE HILSGEN	21.89
0030349	12/31/92	SHERYL MORTON	77.00
0030350	12/31/92	ROBYN HULDEEN	84.00
0030351	12/31/92	PETER BRONSON	17.50
0030352	12/31/92	JEFF KISSELL	23.75
0030353	12/31/92	AARON WILLIAMS	39.75
0030354	12/31/92	JAKE SCHUMANN	28.33

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

0006

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0030355	12/31/92	MANDY ANZALDI	77.00
0030356	12/31/92	STEVE BERGER	25.75
0030357	12/31/92	RACHEL ERSFELD	42.00
0030358	12/31/92	ROY G WARD	419.02
0030359	12/31/92	DOUGLAS J TAUBMAN	1,504.00
0030360	12/31/92	JANET M GREW HAYMAN	588.60
0030361	12/31/92	JEAN NELSON	526.40
0030362	12/31/92	JUDITH A HORSNELL	719.40
0030363	12/31/92	ANN E HUTCHINSON	1,283.20
0030364	12/31/92	KATHLEEN M DOHERTY	1,160.80
0030365	12/31/92	MARIE BARTA	1,078.24
0030366	12/31/92	GEOFFREY W OLSON	2,062.40
0030367	12/31/92	NANCY MISKELL	355.32
0030368	12/31/92	JOYCE L LIVINGSTON	684.32
0030369	12/31/92	TROY LANGER	64.00
0030370	12/31/92	KENNETH ROBERTS	1,450.71
0030371	12/31/92	THOMAS G EKSTRAND	1,478.53
0030372	12/31/92	MARJORIE OSTROM	1,715.20
0030373	12/31/92	NICHOLAS N CARVER	1,409.60
0030374	12/31/92	ROBERT J WENGER	1,428.00
0030375	12/31/92	EDWARD A NADEAU	1,443.37
0030376	12/31/92	ROGER W BREHEIM	1,215.20
0030377	12/31/92	DAVID B EDSON	1,263.62
0030378	12/31/92	RANDALL BELLMORE	853.60
0030379	12/31/92	DAVID GERMAIN	1,226.59
0030380	12/31/92	DENNIS M MULVANEY	1,335.20
0030381	12/31/92	GEORGE C SPREIGL	1,220.80

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

0007

CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0030382	12/31/92	CONNIE WERMAGER	616.88
0030383	12/31/92	ELIZABETH J WEILAND	981.68
0030384 VOID	12/31/92	MAPLEWOOD STATE BANK #1	25,402.30
0030385 VOID	12/31/92	MN STATE COMM OF REVENUE	10,625.18
0030386 VOID	12/31/92	FIRST MINNESOTA (FICA)	8,747.05
0030387 VOID	12/31/92	PUBLIC EMP RETIREMENT ASSOC	5,159.93
0030388 VOID	12/31/92	FIRST MINNESOTA	537.14
0030389 /	12/31/92	AFSCME 2725	629.74
0030390 /	12/31/92	METRO SUPERVISORY ASSOC	18.00
0030391 VOID	12/31/92	PUBLIC EMP RETIREMENT ASSOC	281.53
0030392 VOID	12/31/92	PUBLIC EMP RETIREMENT ASSOC	5,979.88
0030393 VOID	12/31/92	FIRST MINNESOTA (FICA)	8,746.57
0030394 VOID	12/31/92	PUBLIC EMP RETIREMENT ASSOC	5,464.95
0030395 VOID	12/31/92	PUBLIC EMP RETIREMENT ASSOC	367.05
0030396 VOID	12/31/92	PUBLIC EMP RETIREMENT ASSOC	8,969.79
GROSS EARNINGS AND DEDUCTIONS			283,175.04

AGENDA REPORT

Action by Council:

**TO:** City Manager  
**FROM:** Finance Director *R. Daud*  
**RE:** FINANCIAL TRANSFERS FOR PROJECT 89-12  
**DATE:** January 5, 1993

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

On August 24, 1992 the Council approved a revised financing plan for Project 89-12, White Bear Avenue (Larpenteur to Frost). A copy of the agenda report is attached along with a clarification memo dated December 28, 1992. The following is a comparison of the original financing plan to the new plan approved by the Council on August 24th:

<u>SOURCE OF FUNDS</u>	<u>ORIGINAL PLAN</u>	<u>NEW PLAN APPROVED 8/92</u>	<u>DIFFERENCE</u>
1991 Improvement Bonds:			
Special Assessment Portion	\$ 25,993	\$ 0	\$ 25,993
Ramsey County	51,530	51,530	0
Transfer from SCSA Fund	76,180	76,180	0
Transfer from Sewer Fund	<u>222,585</u>	<u>319,370</u>	<u>(96,785)</u>
Total Project Costs	\$376,288	\$447,080	\$ (70,792)

In order to implement this revised financing plan, the following transfers are needed:

- a) \$25,993 of 1991 Improvement Bond proceeds should be transferred from this project to another project as special assessments will not be levied for Project 89-12. Since Project 90-07 has a deficit that needs to be financed, it would be appropriate to transfer the \$25,993 from Project 89-12 to Project 90-07.
- b) \$96,785 should be transferred from the Sewer Fund to Project 89-12.

It is recommended that the Council authorize the appropriate budget adjustments and approve the transfers listed above.

## AGENDA REPORT

Action by Council

Endorsed Modified Rejected Date 8-24-92

TO: City Manager  
FROM: Assistant City Engineer  
SUBJECT: White Bear Avenue—Larpenteur to Frost, City Project 89-12  
DATE: August 17, 1992

Introduction

Bids have been taken for this project. The attached letter from David Rholl gives a tabulation and summary of costs payable to Ramsey County.

Background

During the late phases of the design of the project, Ramsey County Park and Recreation arranged for funds to replace the private sewer and water mains serving Aldrich Arena and the nursing home. An agreement was developed to have the city design the replacements and pay Ramsey County Department of Public Works for their cost. The agreement provides that Ramsey County Department of Parks and Recreation will in turn repay the city for these costs.

This arrangement is beneficial for the city in that it allows a less deep sewer on White Bear Avenue. This will limit construction disruption and delay. Furthermore, the replaced private sewer will eliminate infiltration of groundwater into the sanitary sewer. The city pays the Metropolitan Waste Control Commission for all groundwater in the sewage generated in the city.

Budget Impact

A total of \$57,277.34 is eligible for state-aid funding under an off-system transfer. The city will have to pay Ramsey County an additional \$306,377.76. Funding must also be provided for the engineering, inspection, administrative, legal, and other indirect costs incurred by the city in the amount of \$64,500.

The proposed agreement with Ramsey County Department of Parks and Recreation provides funding of \$51,530. The rest of the project funding is to come from the sanitary sewer fund in the amount of \$319,370.

A summary of the non-state aid eligible costs and financing follows:

Cost:

Costs payable to Ramsey County	\$306,400.00
Engineering and indirect costs	<u>64,500.00</u>
Total Cost	<u>\$370,900.00</u>

Financing:

Payment by Ramsey Co. Parks and Rec.	\$ 51,530.00
Sanitary sewer fund	<u>319,370.00</u>
	<u>\$370,900.00</u>

According to the director of finance, the sanitary sewer fund can pay for projected costs of this project and District 22 sanitary sewer replacement without a rate increase.

Recommendation

It is recommended that the proposed agreement with Ramsey County Department of Parks and Recreation be approved.

BAI

jw  
Attachments

MEMORANDUM

TO: Dan Faust  
FROM: Bruce Irish  
SUBJECT: Clarification of White Bear Avenue, Project 89-12, Financing  
DATE: December 28, 1992

It is the intent of the financing plan of this project to use municipal state aid funds under an off-system transfer to the maximum extent possible. The August 17, 1992, agenda report identifies a total of \$57,277.34 of state aid eligible construction costs. Additional costs for engineering are also eligible. The financing plan should retain the current appropriation of \$76,180.00 from municipal state aid.

The financial summary at the end of the agenda report is for nonstate aid eligible utility work items. Since these costs must be paid with local funds, they were emphasized separately. The total project cost for the city is \$447,080.00. Financing of the total project is

Municipal state aid	\$ 76,180.00
Payment by Ramsey County Park and Recreation	51,530.00
Sanitary sewer fund	<u>319,370.00</u>
	\$447,080.00

BAI

jc

AGENDA REPORT

TO: City Manager  
 FROM: City Engineer  
 SUBJECT: Financial Transfers for Project 89-12  
 DATE: January 8, 1993

There is understandably some confusion over the costs and financing proposal for this project. The following comparison of old and new costs and old and new financing should clarify the issue. Please keep in mind the project costs and project financing are only comparable as totals, not individual line items.

Cost is considered first. The old costs in the table represent the most recent cost estimates prior to receiving bids. They include Maplewood utility betterment costs, MSA eligible costs, and Ramsey County Park's utility costs.

The as-bid costs identify utility costs for both Maplewood and Ramsey County Parks, MSA eligible cost and the indirect costs identified as a separate item. It is important to note that the old costs include indirect costs, but not as a separate item.

<u>Old Costs</u>		<u>As Bid Costs</u>	
Maplewood utilities	\$248,578	Utilities	\$306,380
MSA eligible	76,180	MSA eligible	57,280
Ramsey County Parks	<u>51,530</u>	Indirect	<u>64,500</u>
	\$376,288		\$428,160

The difference between these costs are due to higher bids than estimated for the utility portion of the project.

The financing for this project is as follows:

<u>Source of Funds</u>	<u>Original Plan</u>	<u>As Bid</u>	<u>Difference</u>
1991 improvement bonds: Special assessment portion	\$ 25,933	\$ 0	\$ 25,993
Ramsey County	51,530	51,530	0
Transfer from SCSA fund	76,180	57,280	18,900
Transfer from sewer fund	<u>222,585</u>	<u>319,350</u>	<u>(96,765)</u>
Total project costs	\$376,288	\$428,160	(\$51,872)

Please disregard previous memos on this subject. The as-bid costs and as-bid financing are correct.

Four items are recommended for approval:

- A. Approve the as-bid financing plan set forth above.
- B. Transfer \$25,993 of 1991 improvement bond proceeds from this project to another project, as special assessments will not be levied for Project 89-12. Since Project 90-07 has a deficit that needs to be financed, it would be appropriate to transfer the \$25,993 from Project 89-12 to Project 90-07.
- C. Transfer \$18,900 into the street construction state aid fund (SCSA).
- D. Transfer \$96,765 from the sewer fund to Project 89-12.

It is recommended that the council authorize the appropriate budget adjustments and approve the transfers listed above.

KGH

AGENDA REPORT

Action by Council:

**TO:** City Manager  
**FROM:** Finance Director *R. Rust*  
**RE:** 1993 BUDGET TRANSFER-FINANCE DEPARTMENT  
**DATE:** December 31, 1992

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

PROPOSAL

It is proposed that \$3,350 be transferred from the General Fund Contingency Account to the Finance Department budget to finance wages for a temporary part-time accountant.

BACKGROUND

In January and February of each year there is a very heavy workload in the Finance Department. There are many special projects this time of each year including preparation of the adopted budget document, audit workpapers, statements for the annual financial report, distribution of CIP preparation materials, bidding of banking services, purging/reorganization of vendor files and preparation of W-2 and 1099 forms. To deal with this heavy workload, department employees work many extra hours.

In 1992 a temporary part-time accountant worked 93 hours to assist with the audit workpapers. Also, our auditors worked an extra 71 hours to prepare audit workpapers that finance staff did not have time to complete.

When the 1993 Budget requests for the Finance Department were prepared in May 1992 it was anticipated that extra help would not be needed again in January and February of 1993. However, the present workload situation indicates that a temporary accountant will be needed to work 100 to 200 hours at this time to help complete audit workpapers. The present billing rate for an accountant from a temporary help agency is \$17 to \$19 per hour. For 200 hours, the cost would be \$3,400 to \$3,800. An alternative would be to have the auditors work additional hours but their billing rate is \$45 per hour. For 200 hours, the cost would be \$9,000. A third alternative would be to advertise and hire a temporary accountant. However, this is not feasible because of the time required to review applications, conduct interviews and check references. Also, an accountant is needed immediately.

The best alternative is an accountant from a temporary help agency as it is less costly than having the auditors do extra work. This would require a budget transfer of \$3,350 as there is only \$450 in the Finance Department budget for temporary help.

### RECOMMENDATION

It is recommended that the Council authorize a 1993 budget transfer in the amount of \$3,350 from the General Fund Contingency Account to the Finance Department budget to finance wages for a temporary part-time accountant.

W:\AGN\TEMPACCT.93

## AGENDA REPORT

Action by Council:)

Endorsed\_\_\_\_\_

Modified\_\_\_\_\_

Rejected\_\_\_\_\_

Date\_\_\_\_\_

**TO:** City Manager  
**FROM:** Finance Director *Daust*

**RE: AUTHORIZATION FOR TEMPORARY DATA ENTRY OPERATOR**

**DATE:** January 5, 1993

**PROPOSAL**

It is proposed that the temporary data entry operator position in the Finance Department be approved as an ongoing temporary position.

**BACKGROUND**

The 1993 Budget approved by the Council includes \$7,000 for a temporary data entry operator position. The temporary part-time data entry position will allow the clerk-typist to spend an additional 13.5 hours each week on ambulance bill collections and will provide a back-up person for payroll preparation. During 1991 the Finance Department staff did not have sufficient time to pursue collection of delinquent ambulance bills. By March 1992 delinquent bills since April 1991 still had not been referred to the collection agency. In addition, records were incomplete on which 1989 and 1990 bills needed to be written off.

To deal with this problem, two steps were taken to make time available for the clerk-typist to assume all responsibilities related to ambulance billing and collection. (Previously, the responsibilities were shared between the clerk-typist and the payroll clerk.) The first step involved the installation of new software and a modem to electronically transmit medicare claims. This eliminated the need to type medicare claim forms, improved recordkeeping on pending medicare payments and resulted in quicker payments by medicare. All of these items caused greater efficiencies for the clerk-typist and saved time. The second step was the hiring of a temporary data entry operator to work 4.5 hours per day for three days each week to do BARS data entry that previously was done by the clerk-typist. These changes have allowed the clerk-typist to follow up on more delinquent bills and to refer bills to the collection agency earlier to improve collections. Also, the payroll clerk has now been able to send developer bills on a more regular basis and was able to help prepare data for 1993 personnel cost estimates for budget preparation.

AGENDA REPORT — AUTHORIZATION FOR TEMPORARY DATA ENTRY OPERATOR  
January 5, 1993  
Page 2

The 1993 Budget includes 822 hours for the data entry operator. Of this total, 702 hours are for BARS data entry at 13.5 hours per week. This will allow the clerk-typist to continue to spend more time on ambulance billing and collections. In addition there is 120 hours for the data entry operator to process the payroll. Currently, no one is trained in the Finance Department to prepare the payroll when the payroll clerk is absent. The payroll clerk has rarely been ill and she has scheduled vacations to avoid conflicts with payroll preparation. Procedures for payroll preparation are documented in writing but due to the workload in Finance no one has had time to learn the payroll preparation process. To eliminate this problem, the 120 additional hours requested for the data entry operator would allow her to learn the payroll preparation process. Also, it would provide sufficient hours for her to do the payroll preparation every four months so that once she is trained, she would use the procedures learned on a regular basis.

RECOMMENDATION

It is recommended that this temporary data entry operator position in the Finance Department be approved.

W:\AGN\DATAENTR

AGENDA REPORT

Action by Council:

TO: Mayor and City Council  
FROM: City Manager *Michael M. Juice*  
RE: NON-UNION GENERAL WAGE INCREASE  
DATE: January 5, 1993

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

General wage increases in the Metro area are typically running between 2.5% and 3%. Based on these settlements, I am recommending a general wage increase with no other benefit changes for the non-union employees for 1993 of 2.5%.

**RECOMMENDATION**

It is recommended that all non-union employees, excluding temporary and seasonal, be granted a 2.5% general wage increase retroactive to January 1, 1993. All other benefits will remain the same.

AGENDA REPORT

TO: City Manager  
FROM: Assistant City Manager *Gretchen Naglich*  
RE: SECOND EXIT FROM BASEMENT  
DATE: December 29, 1992

Action by Council:

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

INTRODUCTION

At the Council/Manager meeting on December 28, 1992, the City Council discussed the installation of a second exit from the basement. The purpose of this report is to request that the City Council approve a budget transfer from the Contingency Account, 101-119-000-4910, to the Building Maintenance Account, 101-110-000-4730, for the improvement.

BACKGROUND

Last spring, an OSHA inspector visited City Hall. One of the items noted on his inspection was that a second exit from the basement is required.

This exit is required because of the size of the boiler located in the basement. During the design and construction of the addition, the size of the boiler increased, and the basement exit requirements for the size of that boiler were not caught by the architect or City staff.

Staff investigated the feasibility and cost of three different options for a second exit: a vertical ladder, a ships ladder, and a "legal" exit through the outside basement wall.

After numerous meetings with TKDA and approval by the OSHA inspector, the following recommendation was prepared.

Vertical ladder and location

A vertical ladder would be installed in the basement with a hatch located on the main floor. The hatch cover would be about 30" x 30". The cover would be carpeted, but a very thin metal band would outline the square on the floor.

The ladder would pop through the floor in the Council Office just inside the office door. This location was selected because:

- \* No electrical, plumbing, or HVAC equipment would need to be moved.
- \* It is an optimal location for the width of the plank cutting.
- \* The path of the exit on the main floor is free of obstructions.
- \* The location of the hatch is not a heavy traffic area.

#### Cost of design and installation

The total cost of the installation is \$3,355. The City's portion of the cost is 50% or about \$1,700. (The 50-50 split was agreed upon based on the costs that the City would have incurred if this ladder was installed in the original construction. This includes the cost of the ladder and hatch vs. the costs of cutting the floor, carpentry, and patching.) TKDA provided the architectural design services as part of the 50-50 split in cost.

#### RECOMMENDATION

It is recommended that City Council authorize an expenditure of about \$1,700 for the installation of a vertical ladder and hatch from the basement to the first floor in the location as presented. This expenditure requires a transfer of funds from the Contingency Account to the Building Maintenance Building Improvement Account.

MEMORANDUM

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

TO: City Manager  
 FROM: Thomas Ekstrand, Associate Planner  
 SUBJECT: **Conditional Use Permit Termination**  
 LOCATION: 2251 Larpenteur Ave. (The Mapleleaf Center)  
 PROJECT: The Ribs Plus Restaurant  
 DATE: December 31, 1992

**INTRODUCTION**

The City Council should end the conditional use permit (CUP) for a restaurant at the Mapleleaf Center (2251 Larpenteur Avenue). Ribs Plus had been using the permit. They have since closed. Mr. Michael Lyskey, the property owner, does not want the City to extend the CUP.

**BACKGROUND**

January 12, 1987: The City Council approved this CUP.

January 11, 1988: The Council renewed the permit for five years.

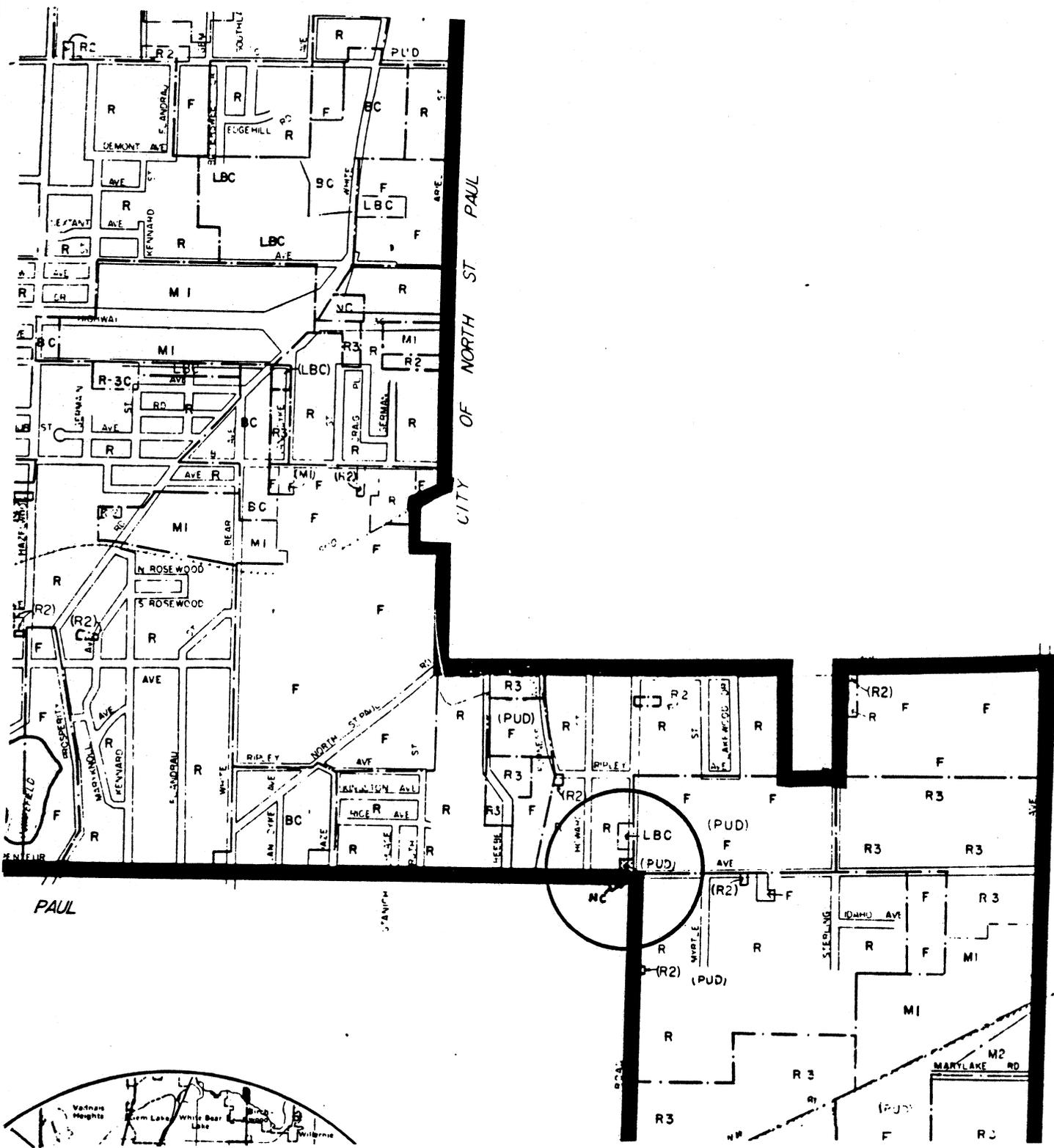
**RECOMMENDATION**

End the conditional use permit.

go\b-3:ribsplus.cup (14)

Attachments:

1. Location Map
2. Property Line/Zoning Map



LOCATION MAP





MEMORANDUM

Action by Council:

TO: City Manager  
 FROM: Director of Community Development  
 SUBJECT: Time Extension - Preliminary Plat  
 LOCATION: Cypress Street  
 PROJECT: Knollwood Circle Addition  
 DATE: December 31, 1992

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

INTRODUCTION

Pat Goff, from Goff Homes, Inc., is requesting a one-year time extension for a 14-lot preliminary plat. Mr. Goff calls the plat the Knollwood Circle Addition. Mr. Goff expects to build this development in 1993 or 1994.

BACKGROUND

December 15, 1988: The City Council approved the preliminary plat, subject to several conditions. Also, the Council changed the zoning map for this site from F to R-1.

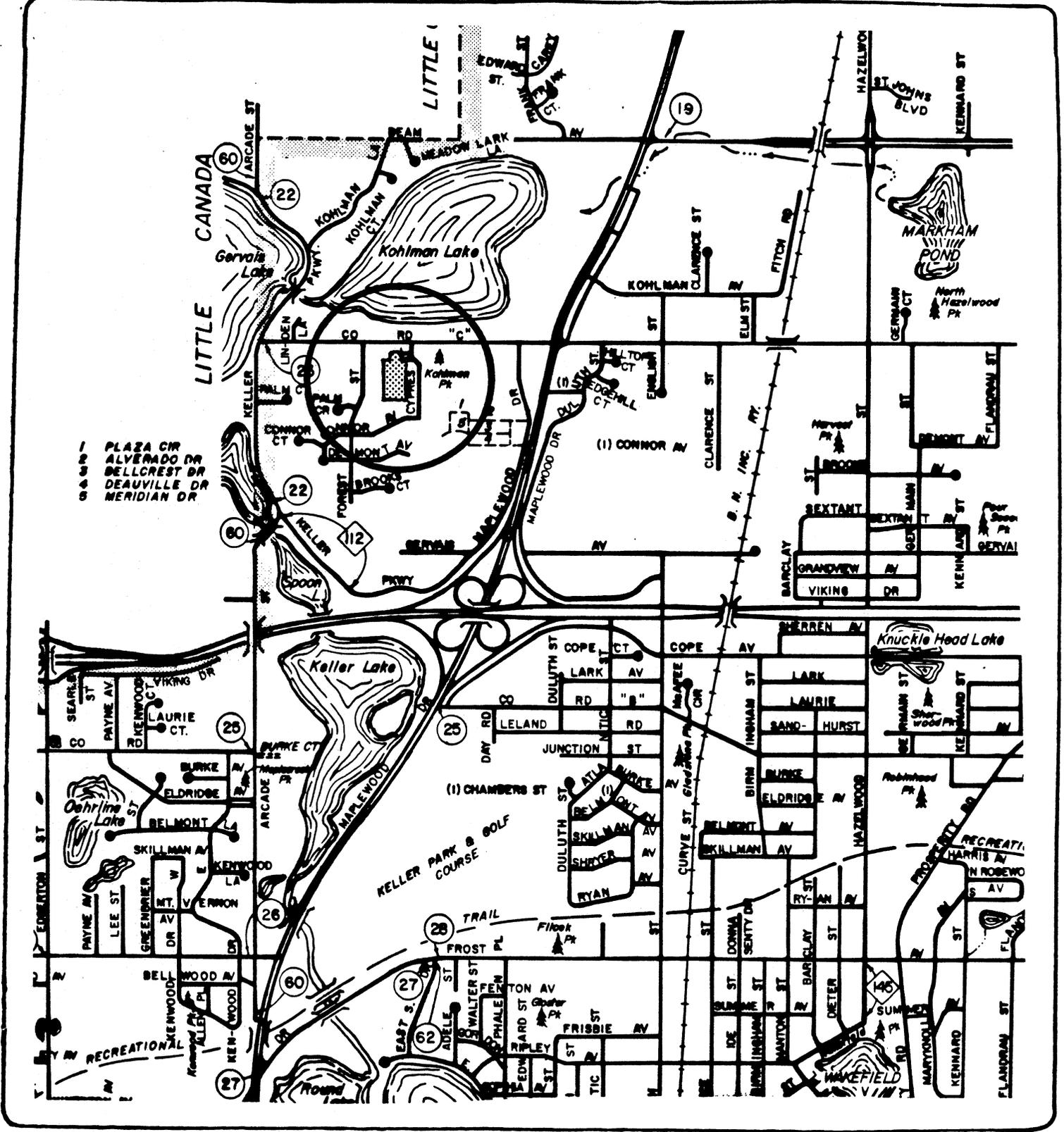
December 12, 1989, December 10, 1990, and January 13, 1992: The Council approved one-year time extensions.

RECOMMENDATION

Extend the approval of the Knollwood Circle Addition preliminary plat for one year.

go/b-3:knollwoo (9)  
Attachments:

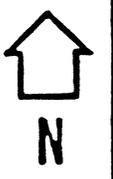
1. Location Map
2. Property Line/Zoning Map
3. Preliminary Plat Map
4. Letter

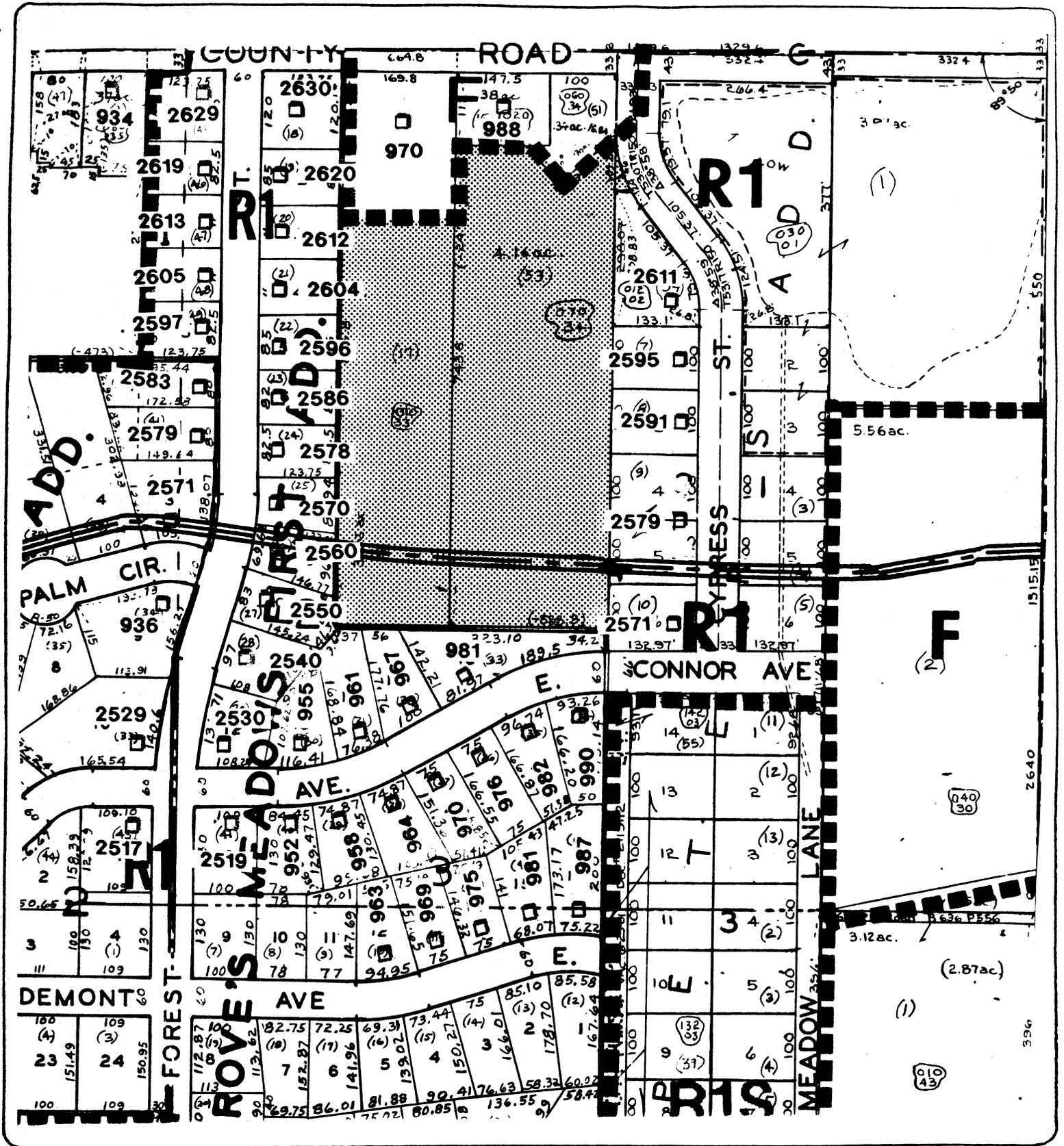


- 1 PLAZA CH
- 2 ALVARADO DR
- 3 BELLCREST DR
- 4 DEAUVILLE DR
- 5 MERIDIAN DR

# LOCATION MAP

 PRELIMINARY PLAT SITE





PROPERTY LINE / ZONING MAP



PRELIMINARY PLAT SITE



N



GOFF HOMES, INC.  
865 ASPEN CIRCLE  
LITTLE CANADA, MINNESOTA 55109  
(612)482-0767  
FAX 482-0876

December 15, 1992

Mr. Troy Langer  
City of Maplewood  
1830 East County Road B  
Maplewood, Minnesota 55109

Re: Conditional Use Permit

Dear Honorable Mayor and City Council:

We are requesting a renewal of the Conditional Use Permit for the Knollwood Circle Addition. Due to economic conditions beyond our control we continue to take a conservative approach to development at this time.

Thank you for your consideration with regards to this renewal request.

Sincerely,



Patrick W. Goff

DEC 17 1992

MEMORANDUM

F-9

TO: City Manager  
 FROM: Director of Community Development  
 SUBJECT: Preliminary Plat Time Extension  
 LOCATION: Highway 61, North of Gervais Avenue  
 OWNERS: Robert and Flora Migglar  
 PROJECT TITLE: Migglar Addition  
 DATE: January 4, 1993

Action by Council:

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

**INTRODUCTION**

Mr. B. B. Chapman is requesting a one-year time extension for the Migglar Addition preliminary plat. (Refer to his letter on page 5.) This plat would have eight commercial lots.

**BACKGROUND**

September 22, 1986: The City Council approved a preliminary plat for nine lots. This approval was subject to seven conditions.

April 27, 1987: The Council dropped a lot from the plat. Also, the Council changed the zoning of the Migglar property. This was so the line between the M-1 (light manufacturing) and CO (commercial office) zoning districts lined up with a lot line in the plat. (See the map on page 4.)

September 14, 1987: The Council approved a one-year time extension, subject to the September 22, 1986 conditions.

September 26, 1988: The Council extended the preliminary plat approval for one year and revised the conditions for final plat approval.

October 9, 1989, November 15, 1990 and January 13, 1992: The Council approved one-year time extensions, subject to the September 26, 1988 conditions.

**RECOMMENDATION**

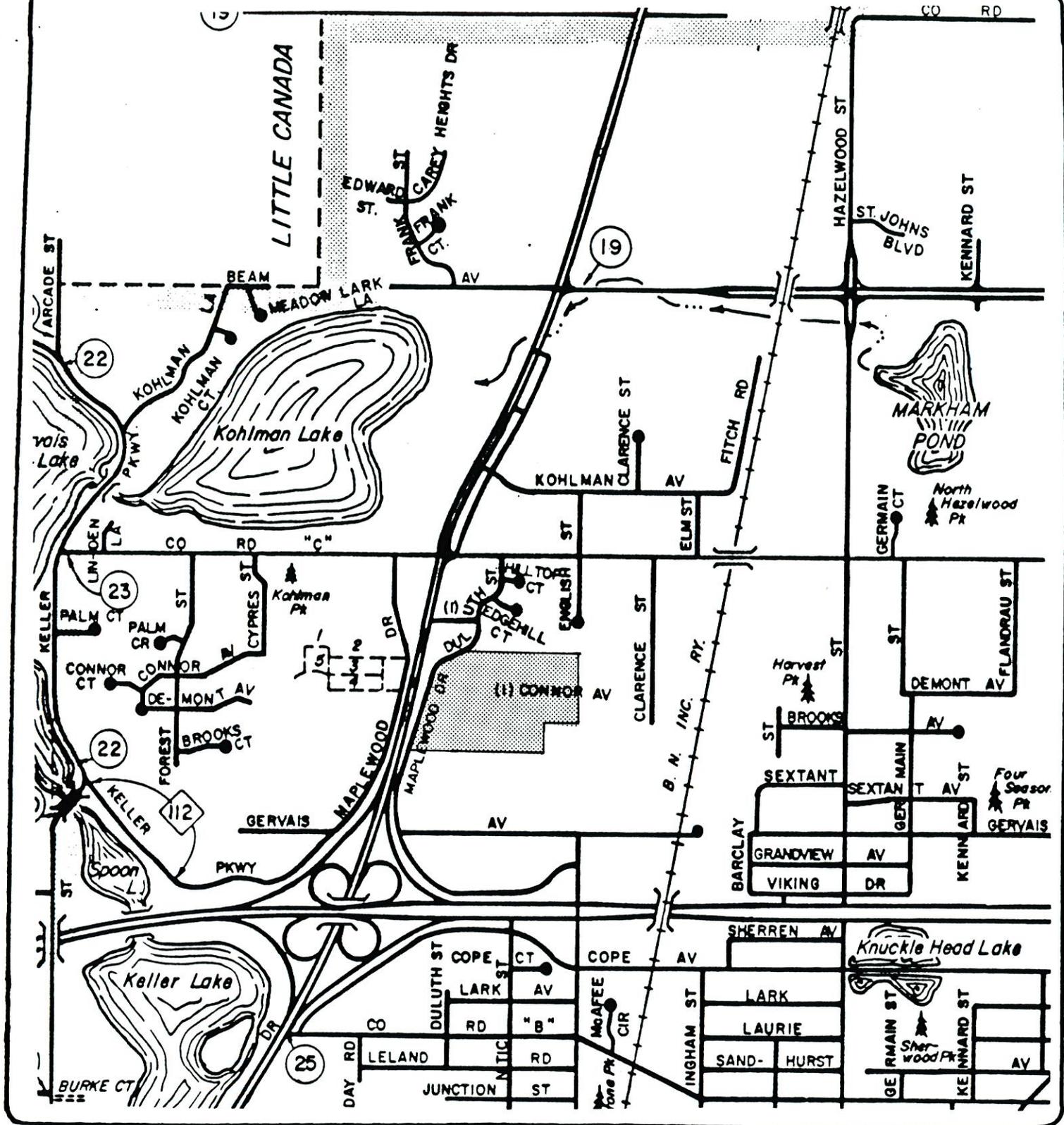
Extend the approval of the Migglar Addition preliminary plat for one year. Approval shall be subject to the September 26, 1988 conditions.

go/b-3:miggler.mem (9)

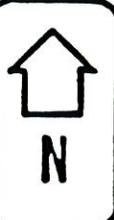
jl/Miggler.mem

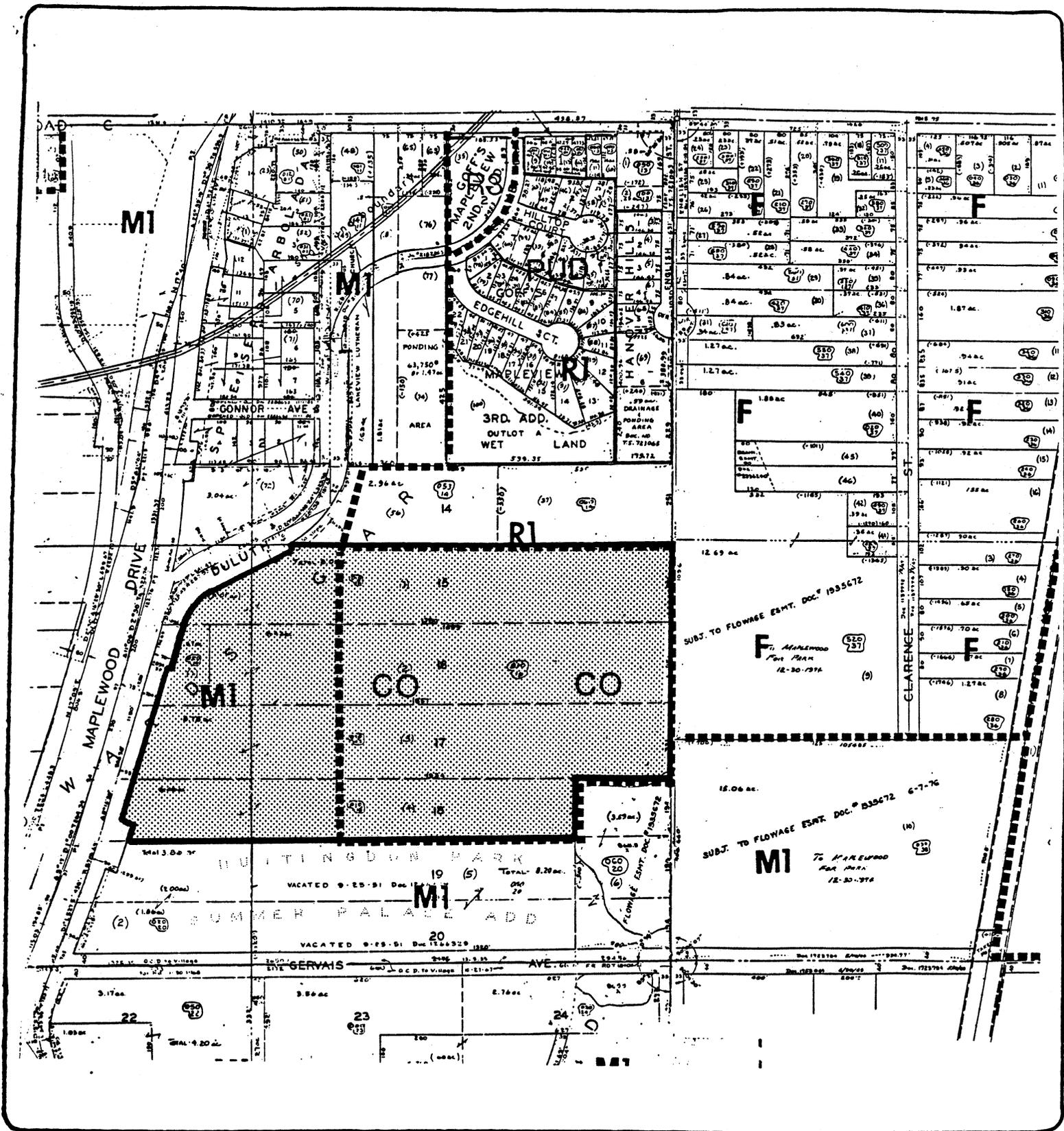
Attachments:

1. Location Map
2. Property Line/Zoning Map
3. Preliminary Plat
4. Letter



# LOCATION MAP





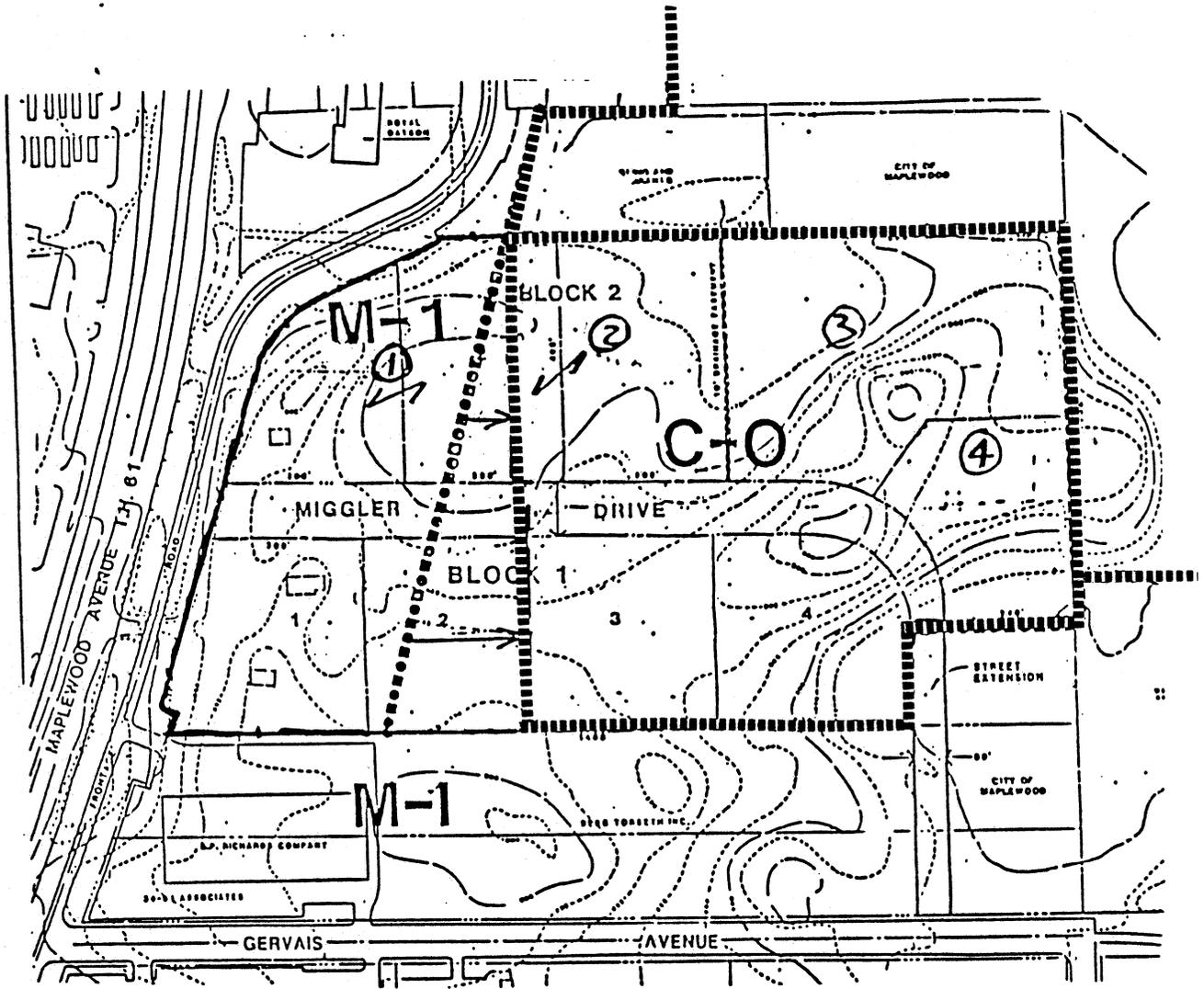
# PROPERTY LINE/ZONING MAP



**AREA IN QUESTION**



**N**



**Migler Addition**

PRELIMINARY PLAT AND ZONING DISTRICT BOUNDARIES  
 (as revised 4/27/87)



## **B.B. CHAPMAN AICP**

---

365 EAST KELLOGG BOULEVARD  
ST. PAUL, MN 55101

(612) 221-0401  
FAX (612) 297-6817

December 9, 1992

Mr. Goeff Olson  
Planning Director  
City of Maplewood  
1830 East County Road B  
Maplewood, Minnesota 55109

RE: Migglers Addition  
Part of Lots 15, 16, 17 & 18 - W.H. Howards Garden Lots  
Preliminary Plat Extension

Dear Mr. Olson,

The City approved the Preliminary Plat a few years ago. We recognize that extensions have been granted in the past. For family reasons, it has not been possible to proceed with the Final Plat. We request an extension of the Preliminary Plat for an additional year. If you have any questions, please call me or Gale Rehnberg (779-2686).

Sincerely,

  
B. B. Chapman AICP

:dmn

cc: G. C. Rehnberg  
Robert Migglers

## MEMORANDUM

Action by Council:

TO: City Manager  
 FROM: Ken Roberts, Associate Planner  
 SUBJECT: **Lot Division Time Extension**  
 LOCATION: 1230 Sterling Street South (Ski-Jump Property)  
 DATE: January 4, 1993

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

**INTRODUCTION**

Mr. Tom Harrington is asking that the City Council approve a three-month time extension for a lot division. Mr. Harrington represents the Saint Paul Educational Foundation. They own the ski jump property. The Foundation wants to create a 180-x 200-foot lot to sell the house at 1230 Sterling Street. (See the map on page 3.)

**BACKGROUND**

September 23, 1991: The City Council approved the lot division and a subdivision code variation. A condition of the lot division was that the owner record the deeds within one year, unless the City approves a time extension.

September 28, 1992: The City Council approved a time extension until January 1, 1993 for the lot division approval.

**DISCUSSION**

The Educational Foundation is still working to complete the conditions the City required for the lot division. (See their letter on page 4.) They expect to record the deeds by April 1, 1993.

**RECOMMENDATION**

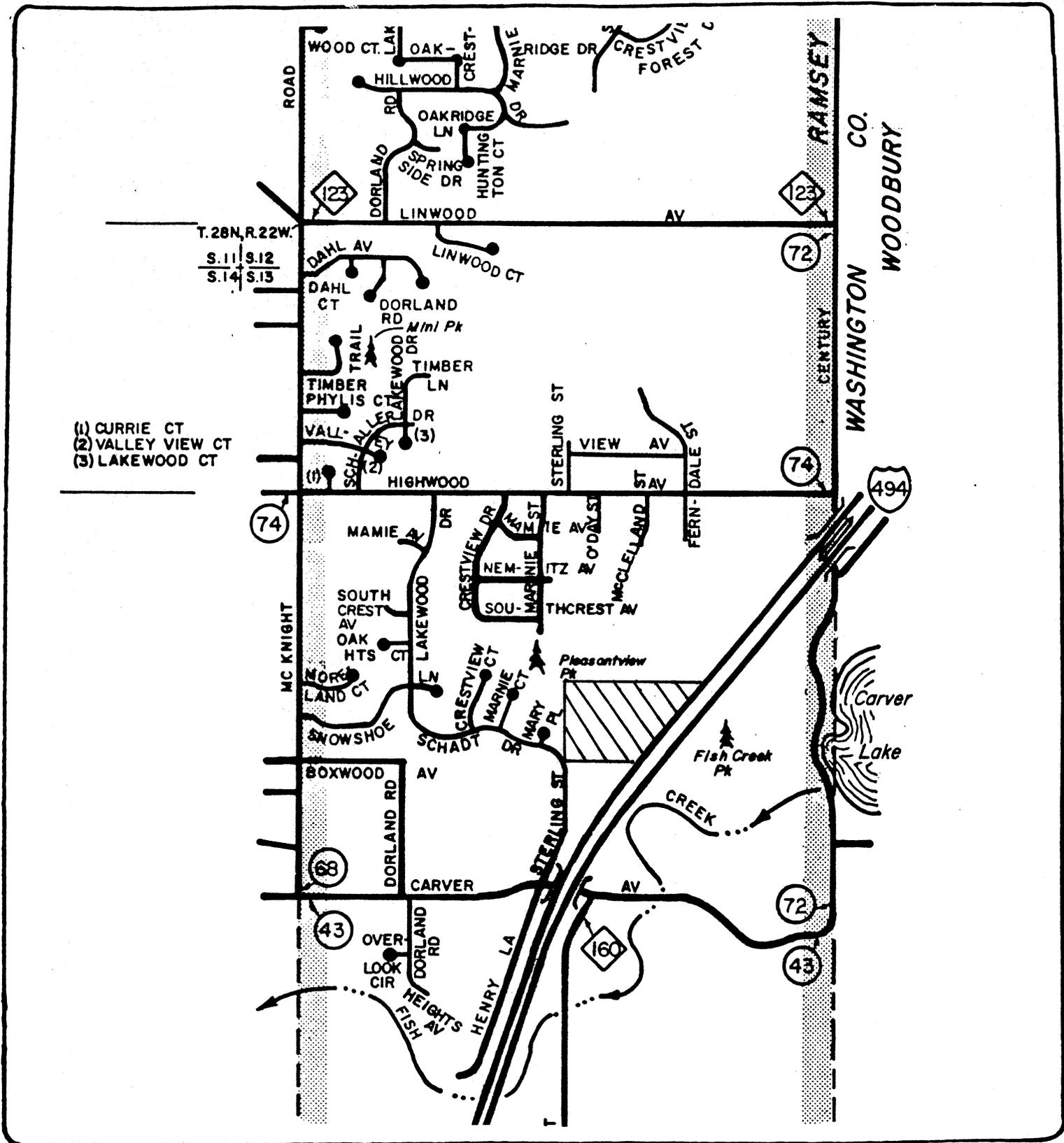
**Extend the lot division approval for 1230 Sterling Street until April 1, 1993.**

go/b-3:memo26b.mem (13-28)

mb\mem\1230sterling

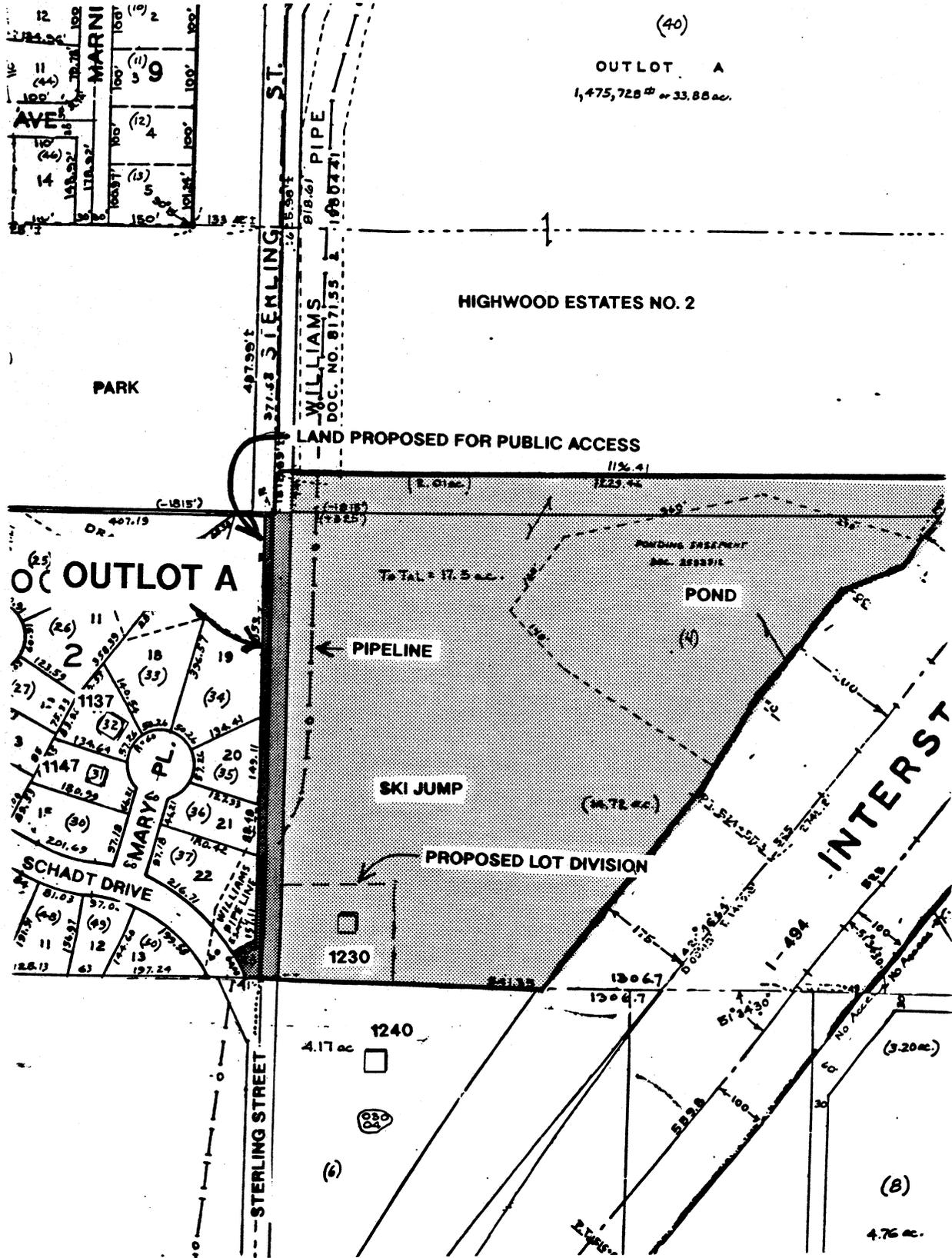
Attachments:

1. Location Map
2. Property Line Map
3. Letter from the Saint Paul Educational Foundation



# LOCATION MAP





# PROPERTY LINE MAP

 PROPERTY IN QUESTION

 LAND PROPOSED FOR PUBLIC OWNERSHIP



The  
*Saint Paul*  
Educational Foundation, Inc.

DEC 16 1992

2278 TIMBERLEA DRIVE  
WOODBURY MN 55125

December 16, 1992

Mr. Kenneth Roberts, Associate Planner  
City of Maplewood  
1830 East County Road B  
Maplewood MN 55109

Subject: Lot Division Time Extension: 1230 S. Sterling St.  
(Ski Jump)

Dear Mr. Roberts:

This is to request a three months time extension for recording the deeds as covered by Council action on September 23, 1991, and on September 28, 1992. (copies enclosed). We are assured that there is substantial agreement on all the points involved, and that the deeds will be filed within the requested period.

Yours very truly,

*Thomas L. Harrington*

Thomas L. Harrington, President  
Saint Paul Educational Foundation

AGENDA REPORT

To: City Manager Michael McGuire  
From: Chief of Police Kenneth V. Collins *KVC*  
Subject: Landfall Contracts  
Date: January 6, 1993

Action by Council:

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

Introduction

The City of Maplewood has entered into a contract for police services with the City of Landfall.

Background

The City of Landfall desired to contract with the City of Maplewood for police services.

A contract has been drawn up and agreed upon by the City Attorneys of Landfall and Maplewood.

Representatives from the City of Landfall have signed two copies of this contract and returned them to the City of Maplewood for signing.

Recommendation

It is recommended that the City Council approve this contract.

Action Required

Submit to City Council for their approval.

KVC:js

## AGREEMENT FOR POLICE SERVICE

1993

This Agreement, made and entered into this 28<sup>th</sup> day of December, 1992, by and between the City of Maplewood, Minnesota ("Maplewood"), and the City of Landfall Village, Minnesota ("Landfall"), WITNESSETH:

### I. PURPOSE

The purpose of this Agreement is to provide the basis upon which Maplewood will provide police service for Landfall. Maplewood hereby agrees to provide police service for Landfall, and Landfall hereby engages Maplewood to provide such service in accordance with and subject to the terms of this Agreement.

### II. LEGAL BASIS

This Agreement is made pursuant to Minnesota Statutes §471.59, Subd. 12. This Agreement is not made pursuant to Minnesota Statutes, Section 436.06, and should not be construed as creating a joint municipal police department.

### III. ADMINISTRATION

The administration of police service within the territory of Landfall under this Agreement shall be the sole responsibility of the appropriate officials of Maplewood, and Landfall shall have no administrative authority over the providing of police service by Maplewood. To facilitate this Agreement, however, and in order to provide for an average of consultation and communication between Landfall and Maplewood, on matters relating to police service, it is agreed that the Mayor of Landfall, or a member of the Landfall Village City Council designated by the Mayor, shall confer with the Maplewood City Manager at least once every three months, and more frequently if necessary, on any matter relating to police service being provided in Landfall by Maplewood. Maplewood agrees that its City Manager shall participate in such discussions with the objective of providing for the satisfactory administration of this contract and for the satisfactory performance of police service for Landfall. Inquiries concerning police service in Landfall, made by its Mayor or the Mayor's designate, shall be responded to by the Maplewood City Manager.

### IV. LEVEL OF SERVICE

During the time that this contract is in effect, Maplewood will provide police service within Landfall which shall be the same service as that which is provided and extended to persons and property within Maplewood, including Animal Control Services. Landfall shall be assigned to a police patrol district in the same manner as though it were a part of Maplewood and no distinction shall be made between the territory of Maplewood and the territory of Landfall, in any respect, in the level, time or other mode of delivery of police services in Landfall. This does not include paramedic service.

### V. HEADQUARTERS AND EQUIPMENT

The headquarters of personnel of Maplewood providing police service in Landfall shall be in Maplewood, and members of the general public having need to communicate with the Maplewood Police Department on matters arising out of or involving persons or property in Landfall may communicate directly with Maplewood police headquarters. Maplewood, under the terms of this Agreement, will provide all communication devices, equipment, records, other materials and personnel necessary to the performance of this contract, except to the extent that this contract specifically provides for the furnishing of any part thereof by Landfall.

#### VI. PUBLIC INFORMATION

Both parties agree to take any or all steps necessary to inform the public of the fact that Maplewood is providing police service for Landfall. Landfall shall advise the City of Maplewood of what information was given to the public and citizens of Landfall concerning Maplewood's police service for Landfall.

#### VII. PERSONNEL, POLICIES AND FRINGE BENEFITS

All personnel used in providing police service to Landfall under this Agreement shall be and remain employees of Maplewood. The personnel policies applicable to Maplewood Police Department employees shall apply, and in all instances, retirement and fringe benefits shall be the responsibility of and subject to determination from time to time by Maplewood.

The standards of performance, discipline of law enforcement officers, the method of providing law enforcement services and other matters incidental to the performance of law enforcement services under this Agreement, including personnel to be employed, shall be determined by the City of Maplewood.

#### VIII. DESIGNATION OF MAPLEWOOD POLICE OFFICERS AS LANDFALL OFFICERS

All members of the Maplewood Police Department shall be designated by Landfall, by Council resolution, as duly appointed police officers of Landfall, authorized to act on all law enforcement matters within the limits of Landfall in the same manner and to the same extent as though they were employees of Landfall. Maplewood shall provide Landfall, from time to time, with the names of the members of the Maplewood Police Department, to permit such action to be taken by Landfall.

#### IX. CHARGES BY MAPLEWOOD FOR POLICE SERVICE

Maplewood shall charge and Landfall shall pay for police service provided for under this Agreement as hereinafter provided.

Maplewood will provide police services to Landfall for the period January 1, 1993, through December 31, 1995, for the sum of \$80,010 (Eighty Thousand Ten Dollars) the first year.

#### X. SUBSEQUENT CONTRACT CHARGES

Charges for 1993 police services shall be based upon the established rate for the sum of \$80,010 as provided in Section IX, and charges for police services for subsequent years shall be progressive, based upon a cost of living increase based on the Minneapolis/St. Paul Consumer Index (or other consumer index utilized by our finance department) being added to the amount paid in the previous year, and the product shall be the amount payable during the ensuing calendar year to Maplewood by Landfall for services under this Agreement. Such sum shall be paid in four (4) equal installments. The first installment shall be paid on or before the 15th day of January 1993, and the remaining payments shall be made on or before April 15, 1993; July 15, 1993; and October 15, 1993. For subsequent years, payments shall be made on the 15th day of January and the remaining payments on or before April 15, July 15 and October 15, in equal amounts.

In July of each year, Maplewood shall notify Landfall in writing of the calculated costs for police service for the following calendar year.

XI. TERM OF AGREEMENT

This Agreement shall be effective as of January 1, 1993, and shall run through December 31, 1995, and shall be renewable for an additional two (2)-year period. This Agreement may be terminated at such an earlier date or time as by mutual agreement of the parties. In the event of such termination, payment shall be made to the City of Maplewood on a pro-rata basis until services cease.

The failure of either party to this Agreement to perform its terms or obligations hereunder shall entitle the other party to cancel this Agreement and to pursue any and all remedies available at law or equity based upon such failures; provided, however, such cancellation or pursuit of remedy shall be available and exercisable if and only if such failure shall not be cured prior to the expiration of twenty (20) days after such other party has given written notice of such failure to the defaulting party. All written notices under this paragraph shall be deemed, satisfactorily given when mailed, certified or registered United States Mail, postage prepaid to the address indicated below:

City of Maplewood  
Attention City Manager Michael McGuire  
1830 East County Road B  
Maplewood, MN 55109

to the City of Landfall:

City of Landfall  
Attention Mayor  
Landfall, MN

The City of Landfall identifies and holds harmless the City of Maplewood, its employees and agents harmless against and from any and all expenses (including attorney fees, costs, judgments and amounts paid in settlement, arising or incurred in connection with any claims, actions, suits or proceedings, to the extent that such claim, action, suit or proceeding is based upon or results from any act of negligence or omission of Landfall, its employees, officers or agents as a result of this Agreement or representations made to the public hereunder.

Dispute resolution/arbitration in the event of any differences, dispute or claim arising under and pursuant to this Agreement or as to the performance thereof by the parties, the parties agree as follows:

- a. Good faith negotiations. The party alleging such difference, dispute or claim shall provide specific written notice of such difference, dispute or claim to the other party. The parties hereto agree that for a sixty (60)-day period thereafter, the parties will engage in good faith negotiations at Maplewood City Hall to take any further action in an attempt to resolve this dispute.
- b. Arbitration. In the event the parties fail to resolve their dispute following good-faith negotiations, the difference, dispute or claim shall be submitted to an arbitrator from City Government mutually agreed on by the parties. The location of the arbitration shall be at the City Hall, City of Maplewood. The decision of the arbitrator shall be final and not subject to appeal.

XII. ORDINANCES, CITY CODE BOOKS, STREET MAPS

Landfall shall provide Maplewood with a copy of all of the ordinances of Landfall and with a copy of each amendment or new ordinance hereafter adopted by Landfall while this Agreement is in effect. Landfall shall provide Maplewood with a copy of the Landfall streets layout and with an updated copy as changes are made.

XIII. PROSECUTIONS: FINES, COURT COSTS, OVERTIME, ETC.

Landfall shall remain responsible for the prosecution of all alleged crimes, ordinance violations or traffic offenses arising within Landfall which are not provided for by the County Attorney, and shall be entitled to receive its appropriate municipal share of fines collected for violations of law occurring within Landfall.

It is understood that this Agreement contains the entire Agreement between Maplewood and Landfall and that no statements, promises or inducements made by any party hereto, or officer, agent or employee of either party hereto, which is not contained in this written Agreement shall be valid and binding; and this Agreement may not be enlarged, modified or altered except in writing signed by the parties and endorsed hereon. It is expressly understood between the parties hereto, and this understanding shall be considered in interpreting the provision of this Agreement, that upon notice given by any party hereto, later negotiations may be undertaken for the purpose of revising, adding to or striking any provision or provisions of this Agreement which appear unworkable or insufficient to perfect, maintain and ensure the purpose of this Agreement and any change of the provisions of this Agreement, after Agreement between Maplewood and Landfall shall be written and attached to this Agreement as provided above and this later revision, addition or deletion shall only apply to the provision revised, added or deleted and the remainder of this Agreement shall remain in full force and effect.

The effective date of this Agreement is January 1, 1993, and its expiration date is December 31, 1995, unless renewed, terminated or altered by operation of law or by terms of this Agreement.

A waiver by any party or any term or condition of this Agreement and any paragraph shall not be deemed or construed to be waiver of such term or condition for the future or any subsequent breach thereof.

This entire Agreement embodies the entire Agreement and understanding of the parties hereto with respect to the subject matter hereof, and it supersedes all prior and contemporaneous agreements and understandings, oral and written, relative to the subject matter of this Agreement.

Each party shall execute and deliver any and all documents and shall perform all acts reasonably necessary to carry out the provisions of this Agreement. And no party shall unreasonably withhold its consent to any action which, by the terms hereof, require such consent.

Agreement for Police Services - 1993  
City of Maplewood and the Village of Landfall  
Page Five

In witness whereof, the parties hereto have executed this agreement the day  
and year first above written:

Approved As To Form:

CITY OF MAPLEWOOD

\_\_\_\_\_  
Maplewood City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Manager

Approved As To Form:

CITY OF LANDFALL VILLAGE

\_\_\_\_\_  
Landfall City Attorney

*Helen Hallid*  
\_\_\_\_\_  
Mayor

*Jeffrey J. Sovereign*  
\_\_\_\_\_  
Clerk

AGENDA NO. F-12

AGENDA REPORT

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

**TO:** City Manager

**FROM:** Finance Director *Raust*

**RE:** AMBULANCE BILL - APPLICATION FOR CANCELLATION (NAFSTAD)

**DATE:** December 22, 1992

An application for cancellation of an ambulance bill has been received from Gunnard Nafstad. On June 24, 1992, he was transported to Ramsey Hospital. The original bill was \$210, and Medicare paid \$107.33. There is a remaining balance of \$102.67, and Mr. Nafstad is financially unable to make monthly payments on the balance due.

The application is attached for the Council's review.

lz

AMB/CANCEL.AGN

APPLICATION FOR CANCELIATION OF  
PARAMEDIC AMBULANCE SERVICE CHARGES

NAME OF APPLICANT: Gunnar Mafstad  
ADDRESS OF APPLICANT: 2565 IVY ST.  
CITY: Maplewood STATE: MINN. ZIP: 55119  
PATIENT'S NAME: Gunnar Mafstad  
DATE OF SERVICE: June 24 '92  
AMOUNT OF CHARGES REQUESTED TO BE CANCELLED: \$102

REASON FOR REQUEST - CHECK ONE:

1. Financial Hardship (fill out reverse side):  
 2. Other: \_\_\_\_\_

Penk 515  
Electric 20  
Rent 20  
255

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

Signed: Gunnar Mafstad Date: 12-14-92

INCOME INFORMATION

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

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

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

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

<u>NAME OF RESIDENT</u>	<u>AGE OF RESIDENT</u>	<u>INCOME OF RESIDENT (per month)</u>	<u>SOURCE OF INCOME (including employer's address, if applicable)</u>
<i>Sumner Nafstad</i>	<i>83</i>	<i>\$ 620</i>	<i>Social Security</i>
<i>Syden Nafstad</i>	<i>45</i>	<i>420</i>	<i>S.S.I.</i>
<i>Garrell Nafstad</i>	<i>45</i>	<i>420</i>	<i>S.S.I.</i>

TOTAL INCOME: *\$1,460* per month = \_\_\_\_\_ per year

MEMORANDUM

TO: City Manager
FROM: Ken Roberts, Associate Planner
SUBJECT: Time Extensions
PROJECT: Cottages of Maplewood West
DATE: December 22, 1992

Action by Council:
Endorsed
Modified
Rejected
Date

INTRODUCTION

Mr. Gerald Mogren is requesting that the City Council approve one-year time extensions for his project. His project is a 106-unit senior housing project on Gervais Avenue. The name of this project is the Cottages of Maplewood West. (See the maps on pages 3 and 4.)

Since Mr. Mogren has not yet started to construct his project, he is requesting time extensions for the following: (See his letter on page 6.)

- 1. Land use plan change. The Council approved the land use plan change from LSC (limited service commercial) to RH (residential high density) on December 23, 1991. As a condition of this approval, the Council required that if construction has not started within a year, the land use plan change is to be brought before the Council. (See the minutes on page 8.)
2. Conditional use permit (CUP). The City Code requires that a project be started within one year after the City Council approves a CUP for a project. The Code allows the Council to approve one, one-year time extension. The Council approved the CUP on December 30, 1991.
3. Tax-exempt financing. Condition 12.b. of the tax-exempt financing resolution states that construction must begin by December 23, 1992. The City Council may grant a time extension if just cause is shown. (See the minutes on page 15.)

BACKGROUND

December 23, 1991: The City Council changed the City's land use plan for this site from LSC (limited service commercial) to RH (residential high density).

December 30, 1991: The City Council approved four additional applications for this project: a conditional use permit (CUP) for a planned unit development, a reduction in parking spaces, tax-exempt financing and tax-increment financing.

February 24, 1992: The City Council changed Condition 14 of the CUP. This change allows a one-way road along the west property line. The condition approved in December prohibited a road along the west property line. (See the minutes on page 17.)

## **DISCUSSION**

Mr. Mogren expects to start constructing this project in the spring of 1993. The delay was because Mr. Mogren could not find someone to finance his project. He now has found someone.

City Code only allows the City Council to approve one, one-year time extension for the conditional use permit (CUP). If the project is not started next year, the CUP will end. A developer would then have to reapply for a new CUP.

## **RECOMMENDATIONS**

**Approve the following for the property that is north of Gervais Avenue and east of the Seasons Park Addition:**

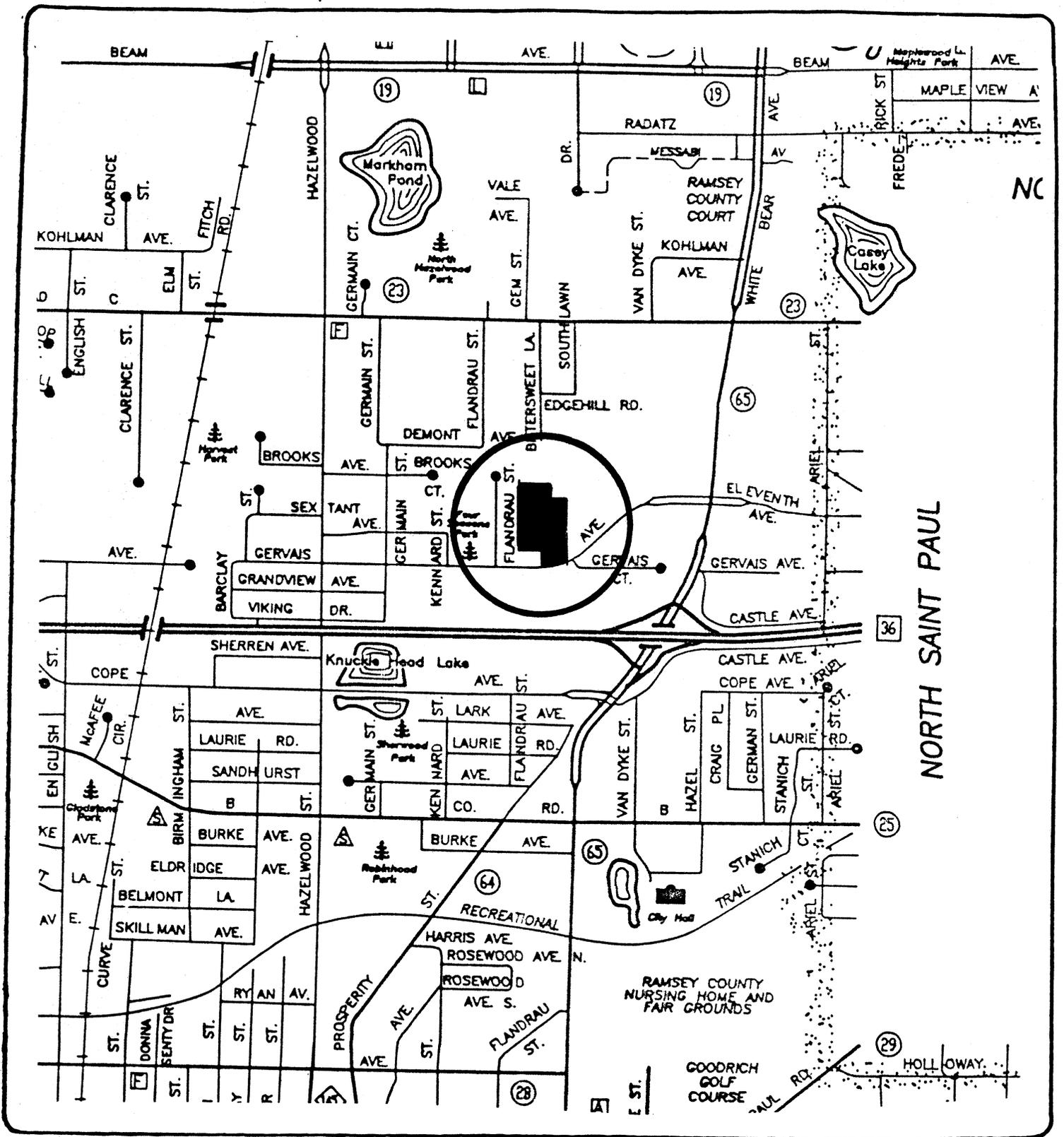
1. **Extend the change in the land use plan for one year.**
2. **Extend the conditional use permit for a 106-unit senior housing project for one year.**
3. **Extend the approval of tax-exempt financing for one year.**

go/Cotwest2.mem (10)

mb\mem\cotwest2

Attachments:

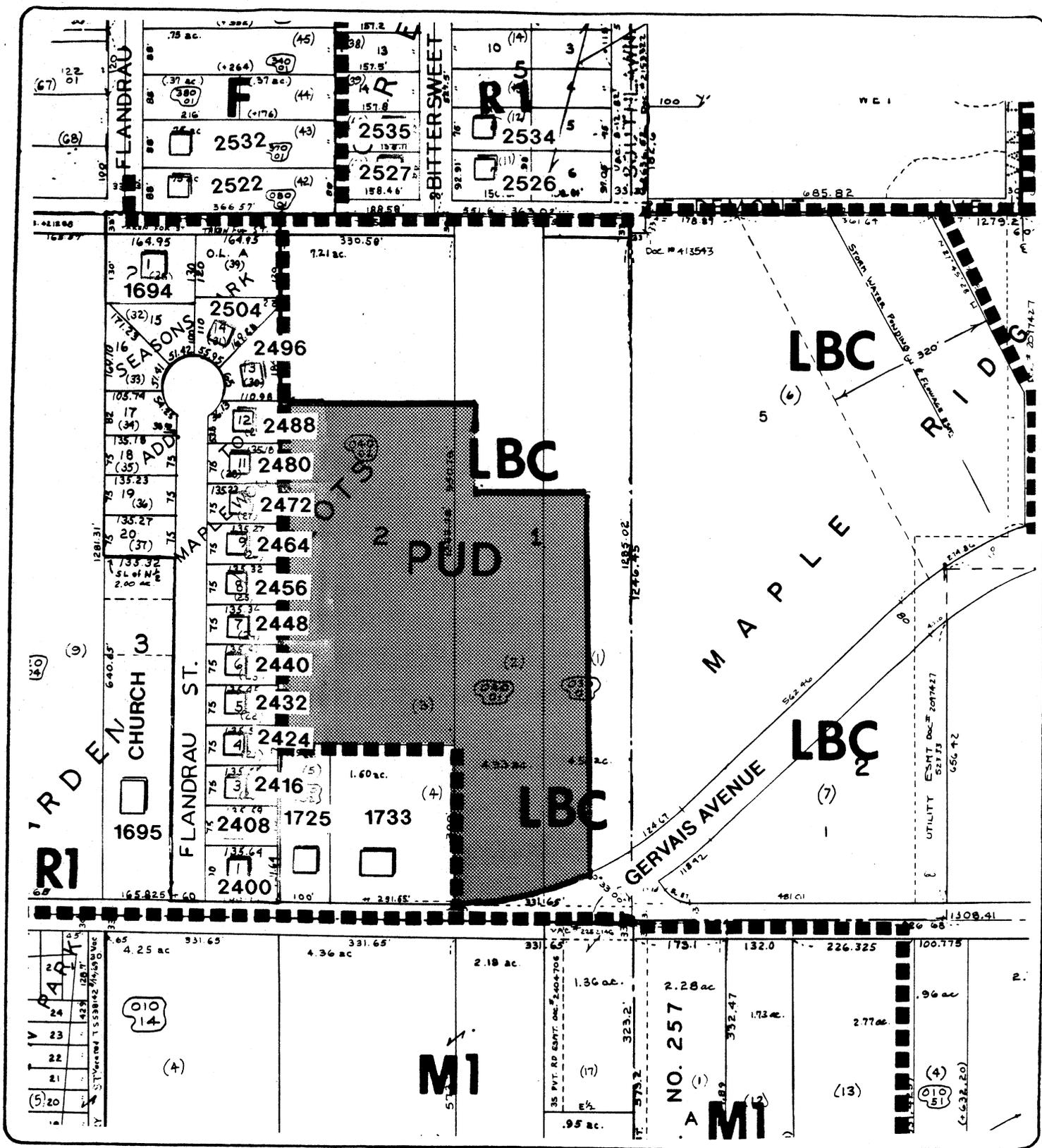
1. Location Map
2. Property Line/Zoning Map
3. Site Plan
4. Letter: Gerald Mogren
5. 12-23-91 minutes
6. 12-30-91 minutes
7. 2-24-92 minutes



NORTH SAINT PAUL

# LOCATION MAP



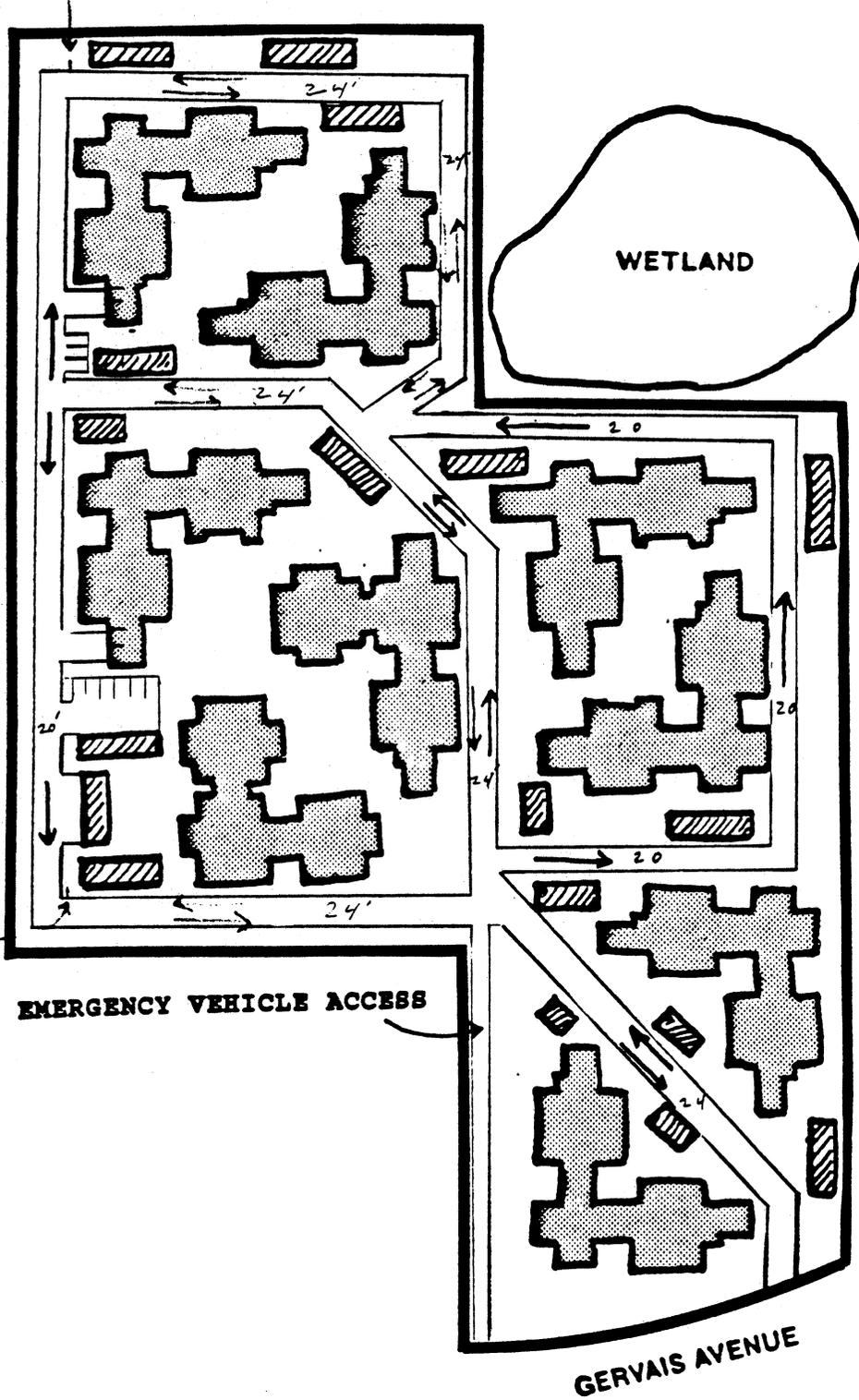


**PROPERTY LINE / ZONING MAP**

**SITE**

**N**

"NO LEFT TURN" SIGN



"NO RIGHT TURN"  
SIGN

EMERGENCY VEHICLE ACCESS

GERVAIS AVENUE

# SITE PLAN

ALTERNATIVE 3



THE CITY OF MAPLEWOOD

The intent of this letter is to inform the City of our progress with the Cottages of Maplewood West. We have experienced some difficulty securing financing for the project. We are still very optimistic that we will secure financing in the near future but because of winter approaching it appears as if the project could be delayed until spring of 1993. As a result of this delay, the City Council's approval of the conditional use permit and the tax exempt financing is scheduled to expire before we start construction.

Due to the above stated circumstances, we request that the City take into consideration and approve a one year time extension for the Conditional use Permit and the tax exempt financing.

Sincerely,

*Gerald C Mogren* 9-30-92

Gerald Mogren

12/23/91

10

- 3. 7:10 p.m. (8:01 p.m.), Gervais Avenue (Cottages of Maplewood):
  - Land Use Plan Change (4 Votes)
  - Reduction of Parking Spaces
  - Conditional Use Permit For a PUD
  - Sanitary Sewer Feasibility Study
  - Tax-Exempt Financing
  - Tax-Increment Financing

- a. Mayor Bastian convened the meeting for a public hearing regarding the Cottages of Maplewood on Gervais Avenue.
- b. Manager McGuire presented the staff report.
- c. Director of Community Development presented the specifics of the report.
- d. Commissioner Rossbach presented the Planning Commission report.
- e. Chairman Fischer presented the Housing and Redevelopment Authority report.
- f. Board Member Moe presented the Community Design Review Board report.
- g. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:

John Arkell, Developer  
 Art Wilde, 2464 Flandrau  
 Brian Schultz, 2473 Flandrau  
 Resident of 2504 Barclay  
 Davis Lundberg, Schwan Sales  
 Jim Glander, 1572 Gervais  
 Bill Barnes, 2527 Bittersweet Lane

- h. Mayor Bastian closed the public hearing.
- i. Councilmember Zappa moved approval of the Land Use Plan change for Cottages of Maplewood.

Seconded by Councilmember Juker

Councilmember Zappa withdrew the motion.

- j. Mayor Bastian introduced the following resolution and moved its adoption:

91 - 12 - 169

**LAND USE PLAN CHANGE RESOLUTION**

WHEREAS, Cottages Lifestyles Inc. (John Arkell) applied for a change to the City's land use plan from LSC (limited service commercial) to RH (residential high density).

WHEREAS, this change applies to the undeveloped property on the north side of Gervais Avenue, east of Flandrau Street. The legal description is:

The north 689.64 feet of the south 989.64 feet of Lot 2, the north 284.67 feet of the south 989.64 feet of the west 15.0 feet of Lot 1, and the south 704.97 feet of Lot 1, all in E. G. Rogers Garden lots, Ramsey County, subject to Gervais Avenue road easement.

WHEREAS, the history of this change is as follows:

1. The Planning Commission held a public hearing on December 2, 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 approved.
2. The City Council discussed the plan amendment on December 23, 1991. They considered reports and recommendations from the Planning Commission and City staff.

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

1. This site is proper for and consistent with the City's policies for high density residential use. This includes:
  - a. Being a transitional land use between low density residential and commercial land uses.
  - b. It is next to a collector street and is near a church, shopping and Four Seasons Park.
2. This development will have no adverse effect on surrounding properties because:
  - a. The existing and proposed vegetation will screen the town houses from the nearby homes.
  - b. Studies have shown there will be no adverse effect on property values.
  - c. There would be no traffic from this development on existing residential streets.
3. The City had planned this site for RH land use from 1973 - 1983.
4. In 1983, the City gave concept approval to a senior housing project on this site.
5. If construction has not started within a year, the Land Use Plan Change is to be brought before the Council.

Seconded by Councilmember Zappa

Ayes - all

Councilmember Zappa moved to table the balance of this item until December 30, 1991 at 6:00 p.m. in the City Council Chambers.

Seconded by Councilmember Juker

Ayes - all

Councilmember Juker moved the meeting be extended until 11:00 p.m.

Seconded by Councilmember Zappa

Ayes - all

**ROLL CALL**

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

**6. PUBLIC HEARINGS: (Continued)**

12/30  
10

**3. 7:10 p.m. (8:01 p.m.), Gervais Avenue (Cottages of Maplewood):**  
(Continued from December 23, 1991)

- a. Land Use Plan Change (4 Votes) (See December 23 Minutes)
- b. Reduction of Parking Spaces
- c. Conditional Use Permit For a PUD
- d. Sanitary Sewer Feasibility Study
- e. Tax-Exempt Financing
- f. Tax-Increment Financing

**a. Land Use Plan Change**

Approved 12-23-91

**b. Reduction of Parking Spaces**

- 1. Councilmember Zappa moved to approve the reduction of the required number of parking spaces to 161 (108 garages and 54 open spaces) rather than the 212 spaces required by code because:
  - 1. The parking space requirement is not proper for senior housing because there are fewer cars per unit in these projects.
  - 2. The City has approved a reduced number of parking spaces for other senior housing, including the Village on Woodlynn.

Seconded by Councilmember Carlson                      Ayes - all

**c. Conditional Use Permit For a PUD**

- 1. Mayor Bastian introduced the following Resolution and moved its adoption:

91 - 12 - 171

**CONDITIONAL USE PERMIT RESOLUTION**

WHEREAS, Cottages Lifestyles Inc. (John Arkell) applied for a conditional use permit for the Cottages of Maplewood West planned unit development.

WHEREAS, this permit applies to the undeveloped property on the north side of Gervais Avenue, east of Flandrau Street. The legal description is:

The north 689.64 feet of the south 989.64 feet of Lot 2, the north 284.67 feet of the south 989.64 feet of the west 15.0 feet of Lot 1, and the south 704.97 feet of Lot 1, all in E. G. Rogers Garden lots, Ramsey County, subject to Gervais Avenue road easement.

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

1. The Planning Commission discussed this application on December 2, 1991. They recommended that the City Council deny the permit.
2. The City Council held a public hearing on December 23, 1991. City staff published a notice in the paper and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

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

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

Approval is subject to the following conditions:

1. All construction shall follow the site plan, date-stamped November 20, 1991, as amended by the CDRB pursuant to Council approval of the Conditional Use Permit for the PUD, except that all buildings, including garages shall be at least ten feet apart. The City Council may approve major changes, after a public hearing and recommendation from the Community Design Review Board. The Director of Community Development may approve minor changes.
2. The owner shall not convert this development to nonseniors housing without the revision of the planned unit development. For this permit, the City defines seniors housing as a residence occupied by persons that are 55 years of age or older, notwithstanding the definition of senior, rental preference shall be given persons 60 years of age or older. This information shall be on file in the Project Manager's office and shall be subject to review.

3. The developer shall install and maintain a 5-foot-wide concrete sidewalk along the north side of Gervais Avenue. This sidewalk shall run from Maple Ridge Property to Four Seasons Park. The plans and specifications for the sidewalk shall be subject to the approval of the City Engineer.
4. Approval by the City Engineer of final grading, utility, drainage, erosion control and driveway plans. The erosion control plan shall be consistent with the Ramsey Soil and Water Conservation District Erosion and Sediment Control Handbook.
5. The design of the pond shall be subject to the approval of the City Engineer. The design shall allow for a future 24-foot-wide drive between the pond and the wetlands to the northeast. The developer shall be responsible for getting all off-site ponding and drainage easements. The drive requirement may not apply if the City changes the zoning map for the land to the north of the Cottages project to R-1.
6. There shall be no outdoor storage of recreational vehicles, boats or trailers.
7. Residents shall not park trailers and vehicles that they do not need for day-to-day transportation on site. If the City determines there are excess parking spaces available on site, then the City may allow the parking of these on site.
8. If the City Council determines there is not enough on-site parking after 95 percent occupancy, the City may require additional parking.
9. The property manager shall keep the emergency access drive plowed of snow so emergency vehicles can pass over the drive.
10. The developer shall provide at least one on-site storm shelter in the development. This shelter, or any shelter, shall be subject to the approval of the Director of Emergency Preparedness and shall have a minimum of three square feet per person for 80% of the planned population.
11. The City Council ordering the construction of a new sanitary sewer to serve this property.
12. The City Council shall review this permit one year from the date of approval, based on the procedures in City Code.
13. If the proposed Cottages of Maplewood West project has not been initiated, apparent financing secured or substantial construction started before 12-20-92, the Council shall review the land use plan designation and a public hearing called for that purpose with the intent to examine other designations appropriate at that time.
14. The CDRB shall review a revised site plan for a project of 94 to 106 units which provides for the following:
  - a. There shall be no road on the abutting westerly property line.
  - b. There may be two (2) access points to the Cottages of Maplewood West project.
  - c. There shall be berming and planting on the westerly property line to provide screening and buffering for the residential properties pursuant to City Code.
  - d. The CDRB shall report back to the Council on the quality of the exterior materials.

**d. Sanitary Sewer Feasibility Study**

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

91 - 12 - 172

**APPROVING FEASIBILITY STUDY**

WHEREAS, it is proposed to replace the trunk sanitary sewer from VanDyke at Kohlman to Kennard at Beam and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

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

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

Furthermore, funds in the amount of \$20,000 from the sanitary sewer fund are appropriated to prepare this feasibility report.

Seconded by Councilmember Juker

Ayes - all

**e. Tax-Exempt Financing**

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

91 - 12 - 173

**RESOLUTION RECITING A PROPOSAL FOR A FINANCING PROGRAM  
FOR A MULTIFAMILY RENTAL HOUSING DEVELOPMENT PROJECT,  
GIVING PRELIMINARY APPROVAL TO THE PROJECT AND THE ISSUANCE OF HOUSING REVENUE BONDS,  
PURSUANT TO MINNESOTA STATUTES, CHAPTER 462C,  
AND APPROVING A HOUSING PLAN AND PROGRAM (THE COTTAGES OF MAPLEWOOD WEST PROJECT)**

- a. Minnesota Statutes, Chapter 462C (the "Act") confers upon cities the power to issue revenue bonds to finance a program for the purposes of planning, administering, making or purchasing loans with respect to one or more multifamily housing developments within the boundaries of the City;
- b. The City of Maplewood, Minnesota (the "City") has received from The Cottages of Maplewood West Limited Partnership (the "Developer") a proposal that the City undertake a program to finance a Project hereinafter described, through the issuance of revenue bonds or obligations (in one or more series) (the "Bonds") pursuant to the Act;
- c. The City desires to facilitate the development of rental housing within the community; encourage the development of affordable housing opportunities for

residents of the City' encourage the development of housing facilities designed for occupancy by elderly persons; and encourage the development of blighted or underutilized land and structures within the boundaries of the City' and the Project will assist the City in achieving these objectives;

- d. The Developer is currently engaged in the business of real estate development. The Project to be financed by the Bonds is the acquisition, construction and equipping of an approximately 97,500 square foot multifamily rental housing development of approximately 106 rental units all designed for elderly housing located in the vicinity of Gervais Avenue, west of White Bear Avenue in the City of Maplewood, Minnesota, and consists of the construction and equipping of buildings thereon which will result in the provision of additional rental housing opportunities to persons within the community;
- e. The City has been advised by representatives of the Developer that conventional, commercial financing to pay the capital costs of the Project is available only on a limited basis and at such high costs of borrowing that the economic feasibility of operating the project would be significantly reduced, but the Developer has also advised the City that with the aid of municipal financing, and resulting low borrowing cost, the Project is economically more feasible;
- f. A public hearing on the Project was held on December 23, 1991, after notice was published and materials made available for public inspection at the City Hall, all as required by Minnesota Statutes, Section 469.154, Subdivision 4, of the Act, at which public hearing all those appearing who desired to speak were heard and written comments were accepted; and
- g. No public official of the City has either a direct or indirect financial interest in the Project nor will any public official either directly or indirectly benefit financially from the Project.

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

1. The Council hereby finds that no information presented at the hearing has caused it to reject the Project.
2. The City hereby gives preliminary approval to the proposal of the Developer that the City undertake the Project, described above, and the program of financing therefor, pursuant to Minnesota Statutes, Chapter 462C, consisting of the acquisition and construction of multifamily rental housing facilities within the City pursuant to the Developer's specifications and to a revenue agreement between the City and the Developer on such terms and conditions with provisions for revision from time to time as necessary, so as to produce income and revenues sufficient to pay, when due, the principal and interest on the Bonds in the total principal amount of approximately \$5,200,000 to be issued pursuant to the Act to finance the acquisition and construction of the Project; and said agreement may also provide for the entire interest of the Developer therein to be mortgaged to the purchasers of the Bonds, or a trustee for the holder(s) of the Bonds; and the City, acting by and through the City, hereby undertakes preliminarily to issue its bonds in accordance with such terms and conditions.
3. At the option of the City, the financing may be structured so as to take advantage of whatever means are available and are permitted by law to enhance the security for, or marketability of, the Bonds; provided that any such financing structure must be consented to by the Developer.

4. On the basis of information available to the City it appears, and the City hereby finds, that the Project constitutes a multifamily housing development within the meaning of subdivision 5 of Section 462C.02 of the Act; that the availability of the financing under the Act and the willingness of the City to furnish such financing will be a substantial inducement to the Developer to undertake the Project, and that the effect of the Project, if undertaken, will be to encourage the provision of additional multifamily senior rental housing opportunities to residents of the City, and to promote more intensive development and use of land within the City.
5. The Project and the program to finance the Project by the issuance of revenue bonds, is hereby given preliminary approval by the City subject to the approval of the Metropolitan Council and the Minnesota Housing Finance Agency ("MHFA") and subject to final approval by the City, the Developer and the purchasers of the Bonds as to ultimate details of the financing of the project.
6. The housing program for financing the project prepared in accordance with the provisions of Minnesota Statutes, Section 462C.03 is hereby approved. The City Clerk is authorized to submit the application to MHFA for its approval.
7. The Developer has agreed and it is hereby determined that any and all costs incurred by the City in connection with the financing of the Project, whether or not the project is carried to completion and whether or not approved by MHFA, will be paid by the Developer.
8. Briggs and Morgan, Professional Association, acting as bond counsel, is authorized to assist in the preparation and review of necessary documents relating to the Project, to consult with the City Attorney, Developer and purchasers of the Bonds (or trustee for the purchasers of the Bonds) as to the maturities, interest rates and other terms and provisions of the Bonds and as to the covenants and other provisions of the necessary documents and submit such documents to the City for final approval.
9. Nothing in this Resolution or the documents prepared pursuant hereto shall authorize the expenditure of any municipal funds on the Project other than the revenues derived from the Project or otherwise granted to the City for this purpose. The Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City except the revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holder of the Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Bonds or the interest thereon, or to enforce payment thereon against any property of the City, except such property as may be expressly pledged for the security of the Bonds. The Bonds shall recite in substance that Bonds, including the interest thereon, are payable solely from the revenue and proceeds pledged to the payment thereof. The Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.
10. In anticipation of the approval by MHFA and the issuance of the Bonds to finance all or a portion of the Project, and in order that completion of the project will not be unduly delayed when approved, the Developer is hereby authorized to make such expenditures and advances toward payment of that portion of the costs of the Project to be financed from the proceeds of the Bonds, as the Developer considers necessary, including the use of interim, short-term financing, subject to reimbursement from the proceeds of the Bonds, if any, when delivered but otherwise without liability on the part of the City.

11. The actions of City Staff in causing the notice of public hearing to be published in the Maplewood Review are hereby ratified, confirmed and adopted.
12. The Developer shall enter into various agreements with the City which shall impose the following restrictions on the Developer and the Project:
  - a. Construction must begin by December 23, 1992. The City Council may grant a time extension if just cause is shown;
  - b. Contracts entered into with contractors doing work on the Project shall provide that:
    - (1) The contractor shall not discriminate in the hiring or firing of employees on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability or age.
    - (2) The contractor shall compensate employees with wages and financial remuneration as provided under the United States Code, Section 276A, as amended through June 23, 1986, and under Minnesota Statutes 1985, Sections 177.41-177.44.
    - (3) The contractor shall be required to employ Minnesota residents in at least 80% of the jobs created by the project; and at least 60% of the group shall be residents of the seven-county metropolitan area. Resident status under both of the above categories shall be determined as of the date of this resolution. However, if the contractor can show that these quotas are not feasible because of a shortage of qualified personnel in specific skills, the contractor may request the City Council for a release from the two residency requirements. The requirements shall continue for the duration of the construction project.
    - (4) The contractor shall be an active participant in a State of Minnesota apprentice program, approved by the Department of Labor and Industry.
    - (5) All provisions of these tax-exempt finance requirements shall apply to all subcontractors working on the Project.
  - c. A written opinion, with supporting justification from a qualified expert acceptable to the City, shall be submitted with the application requesting tax exempt mortgage financing to document that:
    - (1) The Project will not adversely increase the vacancy rates of rental multiple dwellings in the City that are existing or have received preliminary City approval over the metropolitan average.
    - (2) There is reasonable assurance that the Project will be able to comply with the federal, county and City low-to-moderate income requirements over the life of the bond issue.
  - d. The bond indenture for the Bonds shall require:
    - (1) The Developer to periodically certify to the City and trustee, compliance with the federal low-to-moderate income requirement. The frequency of certification shall be determined on a case-by-

case basis.

- (2) The trustee is to inform the City of noncompliance trends with federal low-to-moderate income requirements.
- e. As a condition of approving the Project, a lump-sum fee at Bond closing or an annual fee over the life of the Bond will be required. The City reserves the right to choose the fee option that will be the most beneficial to the City. This choice will be made when the final resolution for the Project and the Bonds is adopted. Factors to be taken into account will include, but not be limited to:
  - (1) The size of the Bond issue.
  - (2) Unbudgeted City funding needs at the time of the request.
  - (3) The number of requests.
  - (4) Federal arbitrage considerations.
- f. The formula for each fee option is as follows:
  - (1) Annual fee:
    - (a) Full bond maturity: An annual fee payable on each anniversary of the Bond issue of not less than one-eighth of one percent of the unpaid balance and one-quarter of one percent of the Bond issue shall be paid at Bond closing, subject to federal arbitrage restrictions.
    - (b) Prepayment of Bonds: The same as the full Bond maturity requirement, except if all of the outstanding Bonds are prepaid prior to final Bond maturity, the developer shall pay, at the time of such prepayment, a lump-sum fee equal to the present value of the remaining annual fee payments, from the date of prepayment to final Bond maturity, subject to federal arbitrage restrictions.
  - (2) Lump-sum fee: At Bond closing, a lump-sum fee shall be paid that is equivalent to the present value of the annual fee option. The present value must be determined by a qualified expert, acceptable to the City.
- g. At least 20% of the units shall have households with an adjusted gross income of 50% or less of the metropolitan median income or at least 40% of the units shall have households with an adjusted gross income of 60% of the median income.
- h. At least 75% of the units shall have households that have an adjusted gross income of not more than 110 percent of the metropolitan median income.
- i. At least 50% of the units shall be affordable to households which have adjusted gross incomes of no more than 80% of the metropolitan median income.

Seconded by Councilmember Rossbach

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

~~4. Submit a drainage plan to the City Engineer before getting a building or moving permit. This plan must show that the storm water run-off from this site will not cause an adverse effect on surrounding properties.~~

~~5. Exterior of house and garage will be in conformance with applicable City Codes.~~

~~i. Councilmember Zappa moved to waive the Rules of Procedure and reconsider the vote on Item G-2.~~

Motion failed for lack of a second.

3. 7:40 P.M. (8:28 P.M.), Conditional Use Permit Revision: Gervais Ave (Cottages of Maplewood West)

a. Mayor Bastian convened the meeting for a public hearing regarding a request from Cottages of Maplewood West for revision of condition fourteen of the Conditional Use Permit.

b. Manager McGuire presented the staff report.

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

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

John Arkett, the developer

Mrs. Art Wilde, 2464 Flandrau

Art Wilde, 2464 Flandrau

Brian Schultie, 2473 Flandrau

Bruce Mogren, speaking on behalf of his Father, Gerald Mogren, one of the developers

Pat Duong, 2448 Flandrau

e. Mayor Bastian closed the public hearing.

f. Councilmember Juker moved to amend condition 14a of Conditional Use Permit, adding a comma after report and adding a statement regarding 2-way traffic on west roadway.

Seconded by Councilmember Zappa

g. Following discussion, Councilmember Juker withdrew her motion.

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

92 - 02 - 23

#### CONDITIONAL USE PERMIT REVISION

WHEREAS, Cottages of Maplewood West Limited Partnership applied for a conditional use permit revision for the Cottages of Maplewood West planned unit development.

WHEREAS, this permit applies to the undeveloped property on the north side of Gervais Avenue, east of Flandrau Street. The legal description is:

The north 689.64 feet of the south 989.64 feet of Lot 2, the north 284.67 feet of the south 989.64 feet of the west 15.0 feet of Lot 1, and the south 704.97 feet of Lot 1, all in E. G. Rogers Garden lots, Ramsey County, subject to Gervais Avenue road easement.

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

1. The City Council approved this conditional use permit on December 30, 1991.
2. The City Council held a public hearing to consider this revision on February 24, 1992. City staff published a notice in the paper and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council revise Condition 14 of the conditional use permit for the Cottages of Maplewood West for the following reasons:

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

14. The CDRB shall review a revised site plan for a project of 94 to 106 units which provides for the following:

- a. Compliance with the site plan concept labelled "Alternative 3" in the February 6, 1992 Staff Report, except as amended by Council at the 2-24-92 meeting. 2-way traffic westerly as indicated up to parking lot, the westerly roadway to be 24 feet wide, with the 4 additional feet to be on the east side.
- b. There may be two (2) access points to the Cottages of Maplewood West project.
- c. There shall be berming and planting on the westerly property line to provide screening and buffering for the residential properties pursuant to City Code.
- d. The CDRB shall report back to the Council on the quality of the exterior materials.

Seconded by Councilmember Carlson

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

9:28 P.M. Mayor Bastian called for a 5-minute recess

Meeting reconvened at 9:37 P.M.

4. 8:00 P.M., Highwood-McKnight Outlet: Project 90-10 (4 Votes)

- a. Mayor Bastian convened the meeting for a public hearing regarding Project 90-10.
- b. Manager McGuire presented the staff report.
- c. City Attorney Kelly explained the procedures of the public hearing.
- d. Assistant City Engineer Irish presented the specifics of the report.
- e. Mayor Bastian opened the public hearing, calling for proponents or opponents. The following persons were heard:

Karl Maidment, 824 So. McKnight Rd.  
Roxanne Moore, 2345 Highwood  
Bruce Lindert, 2334 Oak Heights Ct.  
George Andrea, 1113 Lakewood  
Edward Fitzgerald, 2284 Moreland Court  
Dave Wegner, 2299 Moreland Court  
Letter from Raymond & MaryLee Maida, 2322 Highwood  
Don Monson, 2285 Moreland Court  
Mark LeClair, 770 Dorland  
Dominic Ramacier, 865 Lakewood Drive  
Terry Spawn, 2360 Timber Trail  
Joseph Pittipaldi, 2371 Highwood  
Bill Poppert, 2433 Highwood

MEMORANDUM

To: Michael A. McGuire, City Manager  
From: Robert D. Odegard, Director of Parks & Recreation  
Subj: Park Availability Charge  
(Commercial and Industrial Property)  
Date: December 31, 1992

Action by Council:  
Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

Introduction

At the City Council meeting of December 28, 1992, information was requested as to the balance in the PAC Industrial Account and if property values on Commercial/Industrial property has increased or decreased over the past year.

Information

The balance in the Commercial Fund as of November 30, 1992, was \$1,198,124.07. Budgeted items against this fund are \$302,914.71, leaving a projected balance of \$895,209.36. This fund balance reflects reimbursement of \$214,300.00 from Ramsey County in 1992 for the city's previous purchase of open space land in Battle Creek Park. During 1992, the Commercial Fund provided \$147,645 for Park Improvements, which included major expenditures for the development of Pleasantview Park and the monies that were spent for picnic tables, benches, fences, trees, cement slabs, etc. in the parks. Future expenditures of Commercial Funds might include our working with the Roseville School District on their expansion of Edgerton School as a neighborhood Community Center, property improvements around the new city Community Center (trail, shelter, play equipment, etc.) and major improvements in the parks which are expensive, such as shelters, irrigation system, trees/landscaping, protective lights in our parking lots, trails and acquisition of future sites. It is also interesting to note that in 1992, no Commercial PAC Funds were collected.

In response to property values increasing or decreasing on Commercial/Industrial property over the past years, I contacted the Ramsey County Taxation and Records Department-Valuation Division-Appraisal-Commercial and Apartments. Mr. Kent Smith is the County's appraiser for the area of Maplewood and he indicated that there have been a very limited number of sales in Maplewood over the past two years. In 1991, there were two sales of Commercial property, one of which was purchased by the city for the Community Center and the other by Frank's Nursery for a parking lot. In 1992, two vacant land sales were recorded from Glacier Park Development, with one being a thirty acre site and the second for residential use. Mr. Smith indicated that, due to the limited number of sales in the past few years in Maplewood, it is very hard to determine appreciation or depreciation of property values. His impression is that valuation has dropped since there have been no serious inquiries for purchasing properties. This may be due to the limited desire of banks to lend money and a

lack of demand for shopping and office space in Maplewood where there appears to be a considerable amount of vacant and available properties. His "gut" reaction is that Commercial vacant land value has depreciated in past years and not appreciated, although there are no specific statistics and it is difficult to quantify.

Recommendation

Please find attached the previous memorandum of December 17, 1992, which requests that the City Council approve an increase in the Commercial and Industrial Park Availability Charge effective January 11, 1993 to 9%.

c: City Clerk

MEMORANDUM

To: Michael A. McGuire, City Manager  
From: Robert D. Odegard, Director of Parks & Recreation  
Subj: Park Availability Charge  
(Commercial and Industrial Property)  
Date: December 17, 1992

Introduction

The Maplewood City Ordinance Chapter 21, Division 3, Section 21.67 indicates that "The developer of any tract of land in the city which is to be developed for commercial, industrial or like uses, shall dedicate to the public for public use as parks, playgrounds or public open space, such portion of his development tract equal to seven percent with said rate to be reviewed annually in December."

Background

The Commercial PAC Funds collected from the seven percent of the market value of the commercial or industrial land is kept in a separate fund and can be spent for park acquisition or development throughout the city. Over the years, the acquisition of park properties has been possible because of the Commercial PAC Fund.

Since the Commercial PAC Charge is dependent upon the market value of raw land, it is impossible to determine what our future income may be from land still undeveloped for commercial or industrial use.

In reviewing the history of the PAC Commercial Charge, we have progressed from the inception of the Ordinance in July 1976 at 3½%, to January 1982-5%, to January 1984-6%, and to January 1985-7%.

In our review of other communities throughout the metropolitan area, the Commercial Charge is still 10%.

The Park and Recreation Commission at their November 16, 1992, meeting reviewed the Commercial PAC Charge with the following recommendation: "Commissioner Ewald moved that the Park and Recreation Commission recommends that the City Council increase the Commercial and Industrial Park Availability Charge to 9%; second by Qualley; Motion Adopted."

Recommendation

It is the recommendation of the Park and Recreation Commission that the City Council approve an increase in the Commercial and Industrial Park Availability Charge effective January 4, 1993 to 9%.

c: City Clerk

AGENDA REPORT

AGENDA ITEM I-4

TO: City Manager  
FROM: City Engineer  
SUBJECT: Stop Sign Request Procedure  
DATE: December 7, 1992

Action by Council:

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

Each year the city receives several requests for installing or removing stop signs. These requests are usually handled on a case-by-case basis. Proponents of stop sign installation typically present a relatively emotional plea based on a recent accident or series of "near misses." Likewise, opponents to stop signs voice their dissatisfaction with the inconvenience, noise, and pollution.

The city council has asked for a plan to effectively deal with the stop sign issue. The plan must accomplish the following items:

1. Provide the opportunity to consider any proposal that demonstrates reasonable neighborhood support.
2. Provide information to the entire community about the proposals under consideration.
3. Provide for open discussion before the city council representing all sides of the issue.
4. Utilize the city council's and staff's time most effectively.

There may be a number of ways to meet these criteria. However, utilizing "in-place" resources would seem best. The following is recommended:

1. A minimum of 12 signatures required to show neighborhood support to qualify as a request.
2. A response would be sent to the requesting party indicating that a public meeting will be held the following July.
3. A special article will be published in the June Maplewood in Motion providing a discussion of stop sign pros and cons, along with a list of areas to be considered.
4. Depending on the number of requests, either a special meeting or a regular council meeting would serve as the open meeting for public discussion.

KGH

jc

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Ken Roberts, Associate Planner
SUBJECT: Comprehensive Plan Update
DATE: January 4, 1993

Endorsed
Modified
Rejected
Date

INTRODUCTION

I am proposing several changes to the Comprehensive Plan. These changes are based on comments from the Metropolitan Council.

BACKGROUND

On June 22, 1992, the City Council approved the Comprehensive Plan Update, subject to the Metropolitan Council's review. The City then sent the proposed plan to the Metropolitan Council and adjacent cities. The Metropolitan Council completed their review and sent us their comments. (See their letter on page 4.)

DISCUSSION

Metropolitan Council Review

The Metropolitan Council is requiring one change and recommending three changes. The required change is to remove references to light rail transit (LRT) corridors (Recommendation 2 on page 4). This is because the Metropolitan Council is not planning any LRT corridors that would serve Maplewood. A Metropolitan Council staff member told me that we could keep references to LRT corridors if we called them Ramsey County Regional Rail Authority corridors. He also asked us to add the language on page 11. I took this language from the Metropolitan Council's staff report. This language makes it clear that the Metropolitan Council is not planning any LRT lines in Maplewood at this time.

The Metropolitan Council is recommending, rather than requiring, three changes. The first two changes (Recommendations 4 and 5 on page 4) are:

Prepare a comprehensive sanitary sewer plan and include the Metropolitan Council's water quality implementation strategy in the City's Plan.

I have included the City engineer's comments about these two recommendations on page 18. He is not recommending any changes at this time. Since we did not make any changes to our sanitary sewer plan, we did not ask the Metropolitan Council to review the plan.

The last recommendation from the Metropolitan Council (Recommendation 6 on page 4) is about the parks and open space system. They want the City to include a complete description of the regional park and open space system in the Plan. They also want the Plan to recognize that the Minnesota Department of Natural Resources manages the Willard Munger Trail. I have changed the wording on page 75 of the Plan (page 20 of this memo) to address the Metropolitan Council's concerns.

### **Adjacent City Review**

We sent a copy of the approved Comprehensive Plan to the nine cities surrounding Maplewood. We received letters from Saint Paul, Vadnais Heights and Newport. The Newport City Council had no comment. The Vadnais Heights City Council found the Maplewood Comprehensive Plan to be compatible with their plan. They suggested that both cities should communicate and coordinate planning for future light rail services and bikeways.

Saint Paul had concerns about parts of the Maplewood's land use, transportation and housing plans. (Refer to their letter on page 21.) Their concerns are minor and should not impact Saint Paul or Maplewood.

As an example, Saint Paul is concerned about the use of on-site septic systems in Maplewood. They want to be sure that these systems do not effect Saint Paul. Maplewood's policy is to limit the use of on-site sewage systems to residential sites that can accommodate at least two drain fields. Before Maplewood approves a lot division, we require an applicant to prove that their plans will meet this requirement. We also require perk tests to make sure that the soil will absorb the effluent.

Another concern of Saint Paul is about the classification of several streets. Maplewood based the classification of these streets on the previous plan and the City engineer's recommendations.

### **Safety and Social Order Goal**

At the August 17, 1992 Planning Commission meeting, Commissioner Pearson suggested that the City change the safety and social order goal. I have revised this goal on page 25. Chief Collins provided the wording. Commissioner Pearson thought that the City cannot be free of crime; we can only minimize it.

### **RECOMMENDATION**

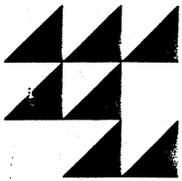
**Adopt the proposed changes to the Comprehensive Plan (requires at least four votes).**

go/b-3:compplan.mem (4.15)

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Attachments:

1. Metropolitan Council letter
2. Page 87 of the Comprehensive Plan
3. Pages 90-92 of the Comprehensive Plan
4. Memo from City Engineer
5. Page 75 of Comprehensive Plan
6. Letter from Saint Paul
7. Page 8 of Comprehensive Plan



**METROPOLITAN COUNCIL**

Mears Park Centre, 230 East Fifth Street, St. Paul, MN 55101-1634 612 291-6359 FAX 612 291-6550 TTY 612 291-0904

November 24, 1992

07/30

Geoff Olson  
Community Development Director  
City of Maplewood  
1830 East County Road B  
Maplewood, MN 55109

RE: City of Maplewood  
Comprehensive Plan Amendment Review  
Comprehensive Sewer Plan Update  
Metropolitan Council Referral File No. 15104-9

Dear Mr. Olson:

At its meeting on November 19, 1992, the Metropolitan Council considered the city of Maplewood's comprehensive plan amendment. This consideration was based on a report of the Metropolitan and Community Development Committee, Referral Report No. 92-63. A copy of this report is attached.

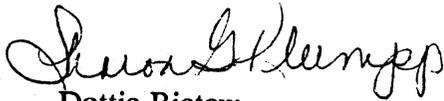
The Council approved the following recommendations contained in the above report:

1. That the Metropolitan Council adopt the staff report and findings as stated above as part of these recommendations.
2. That the Metropolitan Council inform the city of Maplewood that pursuant to the Metropolitan Land Planning Act (Minnesota Statutes Sec. 473.175, Subd. 1), the city must modify its plan by removing references to Light Rail Transit corridors. These LRT corridors are not contained in the Council's *Transportation Development Guide/Policy Plan*.
3. That the Metropolitan Council inform the city of Maplewood that Council action on this plan amendment should not be construed as approval of the proposed interchange at TH 36 and the Burlington Northern Railroad right-of-way.
4. That the Metropolitan Council recommend that the city of Maplewood prepare a Tier-I and II comprehensive sanitary sewer plan in response to the Council's 1988 sanitary sewer system statement.
5. That the Metropolitan Council recommend that the city of Maplewood revise its comprehensive plan to include the Council's interim water quality implementation strategy.
6. That the Metropolitan Council recommend that the city of Maplewood include as part of this plan amendment a complete description of the regional park and open space system, recognize the managing authority for the Munger State Trail, and refer to the Phalen-Keller-Spoon Regional Park as the Phalen-Keller Regional Park.

Geoff Olson  
November 24, 1992  
Page 2

Attached is a copy of a letter from the Metropolitan Waste Control Commission commenting on the plan amendment.

Sincerely,



*for*  
Dottie Rietow  
Chair

DR:lv  
Attachment

cc: Michael McGuire, Manager, City of Maplewood  
Donald Bluhm, Metropolitan Waste Control Commission  
Steven Schwanke, Metropolitan Council Staff

**METROPOLITAN COUNCIL**  
Mears Park Centre, 230 East Fifth St., St. Paul, Minnesota 55101  
612/291-6359

**REPORT OF THE METROPOLITAN AND COMMUNITY DEVELOPMENT COMMITTEE**  
Referral Report 92-63

**DATE:** November 9, 1992  
**TO:** Metropolitan Council  
**SUBJECT** City of Maplewood  
Comprehensive Plan Amendment  
Comprehensive Plan Update  
Metropolitan Council Referral File No. 15104-9  
Metropolitan Council District No. 3

B  
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C

**BACKGROUND**

At its meeting on November 9, 1992, the Metropolitan and Community Development Committee discussed a staff report and recommendations dealing with the review of the city of Maplewood plan amendment.

**ISSUES AND CONCERNS**

Steven Schwanke, Council staff (ext. 6594) presented the report and answered questions from the Committee.

Mr. Krautkremer stated that it was shortsighted of the Metropolitan Council to require the city of Maplewood to remove from its comprehensive plan Light Rail Transit (LRT) corridors. Mr. Krautkremer argued that the city could plan for the corridors and possibly save a considerable amount of time and money in the future.

Mr. Schwanke responded that the staff report supports Maplewood's effort to preserve right-of-way for future public purposes. The city of Maplewood, however, should not state that the expressed purpose for the right-of-way is for a future LRT corridor. The Metropolitan Council has no commitment to providing LRT in this part of the metropolitan area.

**RECOMMENDATIONS**

That the Metropolitan Council:

1. Adopt the staff report and findings as stated above as part of these recommendations.
2. Inform the city of Maplewood that pursuant to the Metropolitan Land Planning Act (Minnesota Statutes Sec. 473.175, Subd. 1), the city must modify its plan by removing references to Light Rail Transit corridors. These LRT corridors are not contained in the Council's *Transportation Development Guide/Policy Plan*.

**METROPOLITAN COUNCIL OF THE TWIN CITIES AREA**

Mears Park Centre, 230 E. 5th St.

St. Paul, Minnesota 55101

612-291-6359/TDD 291-0904/FAX 291-6550

**DATE:** *November 2, 1992*

**TO:** Metropolitan and Community Development Committee

**FROM:** Steven Schwanke, Research and Long Range Planning

**SUBJECT:** *City of Maplewood Comprehensive Plan Amendment*  
*Comprehensive Plan Update*  
Metropolitan Council Referral File No. 15104-9  
Metropolitan Council District No. 3

## **INTRODUCTION**

The city of Maplewood has submitted a comprehensive plan amendment to replace the land use, housing, parks, and transportation policy elements of its comprehensive plan. The city's sanitary sewer element and capital improvement program have not been submitted for review as part of this plan amendment.

## **REGIONAL POLICY ISSUES**

The city's plan amendment is generally consistent with Council system plans. Council staff, however, is recommending a plan modification because the city's transportation element includes Light Rail Transit (LRT) corridors that are not part of the Council's *Transportation Development Guide/Policy Plan* (TPP). The Council, however, encourages the city to preserve rights-of-way for future transportation and recreation uses.

Another transportation issue concerns the plan's reference to reconstructing TH 36 and constructing a new interchange where the Burlington Northern (BN) right-of-way crosses TH 36. According to Minnesota Statutes 473.167, the Metropolitan Council must approve changes to any controlled access highway, including interchanges, prior to reconstruction. The Council recognizes the need to provide better circulation and access in the area. However, a thorough analysis of improvements to this facility needs to be addressed in a comprehensive corridor study before new interchange locations can be determined. Approval of this plan amendment should not be construed as approval of the TH 36/BN interchange.

Council staff is recommending that the city submit a Tier-I comprehensive sanitary sewer plan in response to the Council's 1988 system statement. In July, 1989, the city submitted a Tier-II update to its sanitary sewer plan, but failed to provide the necessary Tier-I information. The Council and Metropolitan Waste Control Commission indicated in a letter to the city that the

## RECOMMENDATIONS

That the Metropolitan Council:

1. Adopt the staff report and findings as stated above as part of these recommendations.
2. Inform the city of Maplewood that pursuant to the Metropolitan Land Planning Act (Minnesota Statutes Sec. 473.175, Subd. 1), the city should modify its plan by removing references to Light Rail Transit corridors. These LRT corridors are not contained in the Council's *Transportation Development Guide/Policy Plan*.
3. Inform the city of Maplewood that Council action on this plan amendment should not be construed as approval of the proposed interchange at TH 36 and the Burlington Northern Railroad right-of-way.
4. Recommend that the city of Maplewood prepare a Tier-I and II comprehensive sanitary sewer plan in response to the Council's 1988 sanitary sewer system statement.
5. Recommend that the city of Maplewood revise its comprehensive plan to include the Council's interim water quality implementation strategy.
6. Recommend that the city of Maplewood include as part of this plan amendment a complete description of the regional park and open space system, recognize the managing authority for the Munger State Trail, and refer to the Phalen-Keller-Spoon Regional Park as the Phalen-Keller Regional Park.

- \* Minnesota Pollution Control Agency (MPCA) urban best management practices manual titled *Protecting Water Quality In Urban Areas* or an equivalent set of standards for all new or redevelopment projects;
- \* Department of Natural Resources (DNR) shoreland regulations as found in the *Statewide Standards For Management Of Shoreland Areas* consistent with the DNR's implementation strategy.

After January 1, 1993, the Metropolitan Council will require local governments to modify their comprehensive plan if the above-referenced strategy has not been adopted. The city of Maplewood should revise its comprehensive plan to include the above-referenced strategy.

#### **Transportation (Karen Lyons)**

The city of Maplewood is served by four metropolitan highways. These highways are I-35E, TH 36, I-694, and I-94.

The city's plan amendment references the need to reconstruct TH 36 and construct a new interchange where the Burlington Northern right-of-way crosses TH 36. The Council's *Transportation Development Guide/Policy Plan (TPP)* recognizes the need for improvements to TH 36. This policy plan recommends the placement of meters, bypass ramps and an HOV lane to TH 36 from I-35W on the west to I-694 on the east by the year 2010.

Comprehensive corridor studies for metropolitan highways are typically initiated to address the need for roadway improvements. Interchange locations and capacity improvements for TH 36 would be determined within the context of such a study, and changes to the highway approved by the Metropolitan Council, consistent with Minnesota Statutes, Chapter 473.167. Appendix H of the TPP outlines the process for requesting interchange revisions. Approval of this plan amendment should not be construed as approval of the proposed interchange at the intersection of TH 36 and the Burlington Northern Railroad right-of-way.

Maplewood's transportation element shows several potential Light Rail Transit (LRT) corridors. The TPP does not include any LRT corridors serving Maplewood. Further, the regional LRT system recommended in 1990 was downsized considerably as part of the Regional Transit Board's (RTB) reevaluation of LRT priorities and the Metropolitan Council's *Regional Transit Facilities Plan*. These plans recommended LRT in only two corridors: one between downtown Minneapolis and downtown St. Paul, and the other in the I-35W corridor between downtown Minneapolis and Burnsville.

The city of Maplewood should not assume that any of the LRT corridors shown in its proposed plan amendment will be implemented within the plan's timeframe. However, the city should support preservation of any available right-of-way for future transportation purposes.

The city of Maplewood addresses transit by acknowledging the need to be involved in regional transit efforts. The Maplewood Mall regional transit hub is scheduled to open in 1993.

The Maplewood transportation element recognizes the importance of bicycling and walking as alternative forms of transportation. The plan includes a number of bicyclist and pedestrian



# Metropolitan Waste Control Commission

Mears Park Centre, 230 East Fifth Street, St. Paul, Minnesota 55101-1633

612 222-8423

July 24, 1992

Ms. Lynda Voge, Referrals  
Metropolitan Council  
Mears Park Centre  
230 East 5th Street  
St. Paul, MN 55101

RE: Metropolitan Council Referral File No. 15104-~~9~~

Dear Ms. Voge:

The Metropolitan Waste Control Commission has reviewed the Comprehensive Plan Amendment submitted by the City of Maplewood for an update for its existing Plan. The Amendment references the sanitary sewer element of the Plan, a part of a separate document that the City has adopted.

The City of Maplewood submitted a Sanitary Sewer Plan Supplementary Report as part of a Comprehensive Plan Amendment in June, 1989. Our review of that document found wastewater flow projections for the years 1990, 2000 and 2010 to be consistent with regional wastewater flow forecasts. However, our review identified recommended guidelines for the regulation of on-site sewage systems that were included in the on-site system information submitted with the Sewer Plan Report. A copy of our October 19, 1989 letter in regard to this review is attached for your information and reference.

The Commission recommends that as part of this Plan Amendment, the City include sewerage households and employment forecasts for the years 2000 and 2010 by Metropolitan Interceptor Service Area.

Very truly yours,

*Kyle L. Calvin*

for Donald S. Bluhm  
Manager, Municipal Services

DSB:EJB:bw  
15104-8



7-28

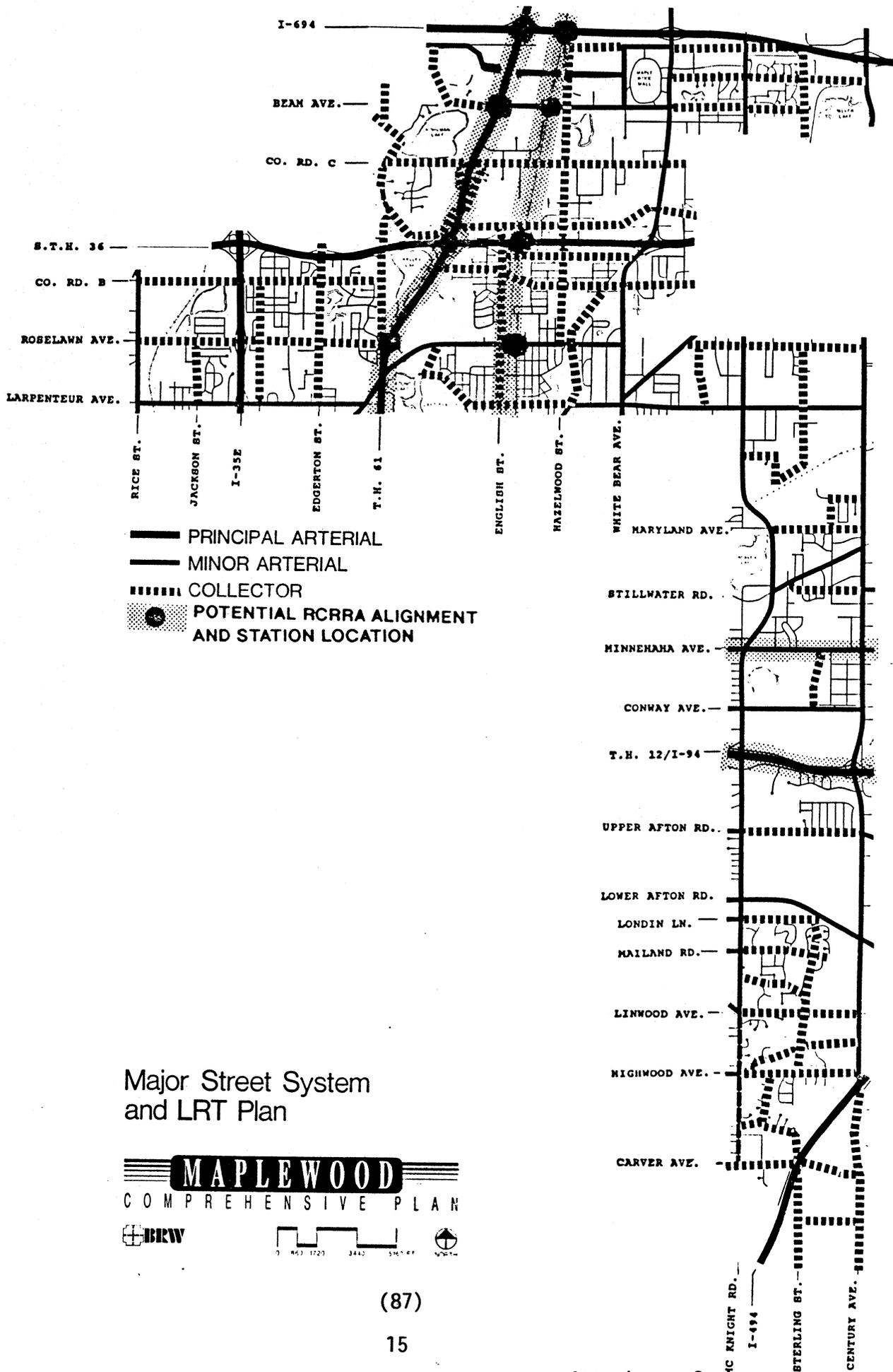


Figure 26

- Maplewood has a mixture of housing and commercial which may help to reduce travel on the metropolitan highway system by allowing people to live near their place of work. The Land Use Plan continues that pattern.
- The City urges the Minnesota Department of Transportation and the Metropolitan Council to conduct educational programs to encourage ride sharing, staggered work hours and off-peak travel. Such campaigns can be most effectively mounted at the metropolitan level.

## **TRANSIT POLICIES**

Effective use of transit can make a significant difference in the level of congestion in certain corridors. Currently, the City is served by 19 Metropolitan Transit Service (MTC) regular bus routes and two express routes operated by North Suburban Lines.

Maplewood has two park-and-ride lots with a total capacity of 55 parking spaces. One-hundred thirty-four residents and five area businesses participate in the Minnesota Rideshare Program.

### **Dial-A-Ride**

The Morley Bus Company operates a general purpose dial-a-ride service called the Northeast St. Paul Transit service (NEST). Metro Mobility and the Independent School District 622 Seniors Program provide special transportation services for the elderly and disabled.

### **Light Rail Transit**

The Ramsey County Regional Railroad Authority (RCRRA) has developed a twenty-year LRT Plan. This plan calls for two light rail corridors providing service through Maplewood: the Northeast Corridor, providing service along I-35E or the Burlington Northern Railroad right-of-way, and the East Corridor, which would use either Minnehaha Avenue or I-94. Preliminary analysis is underway on the design for the Northeast Corridor. Five station locations have been identified to provide service in Maplewood. Figure 26 shows the routes and potential station locations.

Ramsey County officials have not yet determined whether or how Maplewood Mall would be linked with a light rail line. The RCRRA will analyze this issue during design development of the Northeast Corridor.

The Ramsey County Comprehensive LRT Plan also identifies an east-west crosstown LRT alignment which would parallel TH 36 as it passes through Maplewood. This latter line is part of the Phase II Plan which the RCRRA is not scheduling for implementation until after 2010.

The Metropolitan Council's Transportation Development Guide/Policy Plan does not include any LRT corridors in Maplewood. Further, the regional LRT system recommended in 1990 was downsized considerably as part of the Regional Transit Board's reevaluation of LRT priorities and the Metropolitan Council's Regional Transit Facilities Plan. These plans recommended LRT in only two corridors: one between downtown Minneapolis and downtown St. Paul, and the other in the I-35W corridor between downtown Minneapolis and Burnsville. The Metropolitan Council does not believe that the RCRRA corridors in Maplewood will be built within the Metropolitan Council's planning framework of the year 2010.

### Light Rail Transit Policies

- The City will continue to actively participate in the planning for light rail transit systems in the City.
- Maplewood will work closely with RCRRA officials in the siting and design of potential LRT station locations, including park-and-ride facilities. These stations should maximize access for residents and complement the City's land use plan.
- The RCRRA should provide an LRT line to the Maplewood Mall with a station.
- The RCRRA should place a high priority on providing as many grade-separated roadway crossings as possible along LRT lines.
- The RCRRA should bridge over the planned east-west road, between Beam Avenue and County Road D.

## Transit Service Policies

- The City supports MTC's construction of new or improved bus stops and shelters.
- The City supports efforts by the MTC to focus service on the Maplewood Mall transit hub, improve off-peak service and improve express service to St. Paul.
- The City will review major new developments for inclusion of bus shelters and pull-outs, if such sites are along MTC bus routes.
- The City will coordinate its sidewalk plan to encourage bus usage.

## **BICYCLIST AND PEDESTRIAN POLICIES**

The City recognizes that walking and bicycling are alternative forms of transportation for significant numbers of people. In a community survey conducted in the fall of 1989 by Decision Resources, 75 percent of the respondents supported construction of a city-wide trail system. This finding is consistent with survey results which also showed that walking, hiking, jogging and bicycling are among the most popular outdoor activities in Maplewood.

- The City will develop a coordinated sidewalk and trails system.
- There should be sidewalks along all minor arterial and collector streets, as shown in Figure 26. On minor arterial streets, there should be an off-street sidewalk or a bituminous trail on each side. Each collector street should have an on-street trail.
- Where there are no streets, there should be off-street trails provided to sites which are generators of pedestrian and bicycle traffic.
- The City will plan the funding of City-constructed sidewalks through the capital improvements program. Ramsey County should maintain paved shoulders along county roads.
- The City will design sidewalks and trails which:

## MEMORANDUM

TO: Geoff Olson, Community Development Director  
FROM: Ken Haider, City Engineer  
SUBJECT: Metropolitan Council Comprehensive Plan Review  
DATE: October 23, 1992

The Metropolitan Council has reviewed the new Comprehensive Plan for Maplewood and has made several recommendations. In particular, Recommendations 4 and 5 are engineering considerations. The following is a response to these recommendations.

### Recommendation 4

Recommend that the City of Maplewood prepare a Tier I and II comprehensive sanitary sewer plan in response to the council's 1988 sanitary sewer system statement.

Maplewood prepared a comprehensive sewer plan in June 1989, and submitted it for review in July 1989. The Metropolitan Council and the Metropolitan Waste Control Commission submitted comment to the city in October 1989 (copy attached). Most of the items in the comments have been addressed. The major obstacle concerns was on-site sewage disposal systems.

Maplewood's on-site sewage disposal system ordinance requires a large enough lot to construct two adequate systems. This standard recognizes that location, slopes, soil conditions, and other factors are unique to each proposal. The Metropolitan Council requires a maximum density of four units per 40 acres. This is a very restrictive standard. Maplewood could consider changing their ordinance to reflect Metropolitan Council standards, however, this would severely limit development in unsewered areas.

### Recommendation 5

Recommend that the City of Maplewood revise its comprehensive plan to include the council's interim water quality implementation strategy.

Maplewood is very concerned about water quality. Wetland protection and storm water ponding has been a water quality strategy for many years. In late 1990, Maplewood began reviewing a final draft of a new Comprehensive Storm Water Management Plan.

Maplewood has not submitted this plan for approval to any agency because the requirements of the many reviewers are ever-changing. However, in reviewing development proposals the higher standards are used. Two-stage outlets, similar to National Urban

Runoff Program (NURP) standards, are used for pond design. The Ramsey County Erosion and Sediment Control Handbook is the standard for new development. The Minnesota Pollution Control Agency manual Protecting Water Quality in Urban Areas was used in developing Maplewood's Engineering Guidelines.

Maplewood is committed to water resource stewardship. This is evident in the conditions required of development in the city. As soon as the requirements of approval agencies are better defined, Maplewood will amend its comprehensive management plan to comply.

## Regional and County Parks

Maplewood has two regional parks and five county parks. The regional parks are Battle Creek and Phalen-Keller. The County parks in Maplewood are Beaver Lake, Goodrich, Joy, Flicek and Wakefield. Battle Creek Regional Park has 392 acres in Maplewood with two picnic shelters and walking trails. The 248 acres in Maplewood of the Phalen-Keller Regional Park includes Keller Golf Course and Keller, Phalen, Round and Spoon Lakes. Spoon Lake has a public boat access that serves Spoon, Gervais and Keller Lakes and several picnic areas in the park. Beaver Lake Park has 55 acres in Maplewood. The Goodrich complex is 154 acres and includes Aldrich Arena, the County Fair Grounds and Goodrich Golf Course. Joy Park has 63 acres and Wakefield Park has 41 acres.

## Open Space

The County owns ~~There are many creeks, marshlands, ditches, lake shores and 253 acres of open space land other areas in Maplewood owned by Ramsey County for open space.~~ The City has not ~~These lands have not been included~~ these lands in the inventory of Maplewood's recreation facilities, as they do not fit the current classifications of Maplewood Parks.

## Other Facilities

In addition to those facilities described above, ~~maintained by Maplewood, Ramsey County and the two independent school districts serving Maplewood, Roseville (ISD 623) and North St. Paul-Maplewood/Oakdale (ISD 622), also maintain parks and recreation facilities.~~ There is also a regional trail, called the Willard Munger State Trail, that runs through Maplewood from St. Paul to North St. Paul. This is a State trail that is managed by the Department of Natural Resources. ~~There are two regional parks in the City— Battle Creek Regional Park and Phalen-Keller-Spoon Regional Park. They are part of the regional recreation open space system. These facilities, included in Figure 24, are an important component in the provision of recreational facilities for Maplewood residents.~~



**CITY OF SAINT PAUL**

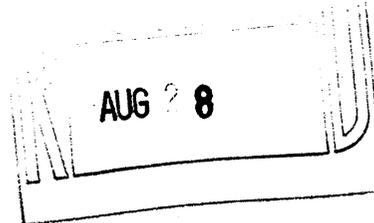
*James Scheibel, Mayor*

347 City Hall  
15 West Kellogg Boulevard  
Saint Paul, MN 55102

Telephone: 612-298-4323  
Facsimile: 612-298-4144

August 25, 1992

Geoff Olson, AICP  
Director of Community Development  
City of Maplewood  
1830 E. County Road B  
Maplewood, MN 55109



Dear Mr. Olson,

We appreciate the opportunity to review the Maplewood Comprehensive Plan and are pleased to say that in general, Maplewood's policies are in keeping with those of Saint Paul. Because we share a long contiguous border, it is encouraging to see that both cities have the same general goals. However, there are several areas the plan does not address that are important to both Saint Paul and Maplewood that we feel deserve some additional attention. Following are specific comments relative to individual plan elements:

Land Use Plan

1. Integration of Plan Elements. It is not clear in the general development policies how the Land Use Plan is integrated with the sewer and transportation plans. Maplewood states that it will not approve new development without providing for adequate public facilities and services, but there is no indication of timing or sequencing, and whether any of the proposed land uses are dependent on transportation or sewer improvements. Without more detailed information, it is difficult to assess the potential impacts on the City of Saint Paul.

2. Development Regulations for Sensitive Areas. The City of Saint Paul is very concerned about development issues in the Highwood-Carver neighborhoods of southeast Ramsey County because of the need to protect the Mississippi River corridor and the sensitive bluffland soils, vegetation, and slopes. In 1991, the City of Saint Paul adopted a set of Highwood Development Policies to specifically address development issues in that area of the city. We are particularly concerned about the amount and rate of stormwater runoff into and through the Highwood area. It would be helpful to discuss your Environmental Protection Ordinance in the Land Use Plan because of its pertinence to development issues and priorities.

The proposed zoning for the Highwood and Carver Ridge neighborhoods in the Plan indicates R-1 (10,000 square foot lots) for residential development. This appears to be inconsistent with the Maplewood Sewer Plan (Supplementary Report, 1989) which indicates these areas are "experiencing a rural-estate type growth which is independent of the need for sanitary sewer facilities". We question whether the proposed R-1 lot size is adequate for individual systems. In its Highwood Plan, the City of Saint Paul found that minimum one-half acre (21,780 square feet) lots are generally necessary for individual septic systems in this sensitive area. As stated in

Geoff Olson  
August 25, 1992  
Page Two

a memo dated August 17, 1989 from the City's Sewer Division regarding the Maplewood Sewer Plan, "the use of on-site systems should be limited by the ability of the land to accommodate on-site disposal without adverse affects to land in Saint Paul".

The Sewer Plan also indicates that future facilities will need to be constructed before the more distant parts of the Highwood and Carver Ridge areas can be served. If these areas develop initially with large estate-type lots, later sewer construction costs would be very high for the owners and could force subdivision of their property. The question of potential future sewer extensions is critical in planning the development of this area and assessing the impacts on Saint Paul.

### Transportation Plan

Differences between Maplewood's proposed and Saint Paul's existing functional classification systems are as follows:

1. Londin Lane in the Maplewood Plan is shown as a collector while the Saint Paul Plan shows it as local street. We believe Londin Lane functions as a local street in Maplewood as well as Saint Paul and should be classified accordingly.
2. McKnight is identified entirely as a minor arterial in the Maplewood Plan while in the Saint Paul Plan it is shown as a minor arterial from Larpenteur to Lower Afton and as a collector from Lower Afton to Carver. We recommend that Maplewood also consider down grading McKnight to a collector from Lower Afton to Carver.
3. In the Maplewood Plan Larpenteur is shown as a collector from Lake Phalen to Hazelwood. The Saint Paul Plan shows all of Larpenteur as a minor arterial. We would consider down grading the segment of Larpenteur west of English to a collector but believe that east of English it should remain a minor arterial.
4. T.H.61 is shown as a principal arterial in the Maplewood Plan, Saint Paul shows it as a minor arterial. We suggest down grading T.H.61 south of Hwy. 36 to a minor arterial.

Saint Paul is currently updating its transportation plan and functional classification system. Additional differences between Maplewood's proposed and Saint Paul's classification system, assuming proposed changes are adopted, are as follows:

1. The Maplewood Plan identifies Burns as a local street while the Saint Paul Plan shows it as a collector. We recommend that Maplewood reconsider the classification of Burns when I-94 is reconstructed between Century and McKnight.

In addition, the City of Saint Paul's bicycle policy states that "all new road construction and major street repair on arterial and collector streets include, wherever feasible and safe, provision for appropriately marked bicycle lanes on both sides of the road or, where appropriate, off-road paths". Maplewood should consider similar policy rather than the proposed policy which suggests only allowing off-road paths along arterials. This will help ensure that similar types of

Geoff Olson  
August 25, 1992  
Page Three

paths (on-road/off-road) connect at city borders. It will also foster the creation of a regionally coordinated system of bicycle/pedestrian trails.

### Housing Plan

1. Maplewood and the City of Saint Paul state policy to promote a greater range of housing opportunities (type, tenure, cost, location ) for low income households and to avoid concentrations of assisted low income persons in few neighborhoods. Missing from the Housing Plan is a discussion of inter-jurisdictional cooperation in assessing and meeting the affordable housing need for low and moderate income households. This is important because the housing market is regional in nature and is generally independent of jurisdictional boundaries. Saint Paul has made a strong effort to provide affordable housing opportunities to meet the needs of its low and moderate income population. It is important that suburban communities, including Maplewood, which enjoy significant growth in job opportunities, share in this effort to provide housing opportunities for low and moderate income households. Maplewood and Saint Paul need to work together, and with other jurisdictions, to ensure equal opportunity and broad neighborhood and regional choice for all households, but particularly, for low income households who have significantly fewer opportunities.

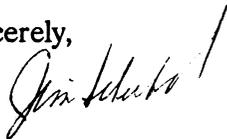
### General Comments on the Plan Overall

1. Discussion of regional context is minimal or absent from the Plan overall. It is important to recognize how individual municipalities fit into and relate to the region. This seems particularly important for Maplewood which, because of its unusual shape, is impacted by numerous surrounding municipalities. Maplewood and Saint Paul share a long contiguous border. Coordinating development and services along this border is important to both municipalities. The City of Saint Paul is interested in working with Maplewood to ensure adequate coordination occurs.

It appears that the issues identified above can be resolved toward agreement with the Saint Paul and Metropolitan Council Plans without much difficulty. Subject to resolving these questions, the Saint Paul staff sees no major conflicts between the Maplewood Comprehensive Plan and the Saint Paul Comprehensive Plan. If you have any questions, please contact Julie Farnham, of PED staff at 228-3325.

Thank you again for the opportunity to comment on your fine effort. I look forward to hearing from you in this regard.

Sincerely,



James Scheibel,  
Mayor

Geoff Olson  
August 25, 1992  
Page Four

cc: Mary Anderson, Chair, Metropolitan Council  
Daniel Cornejo, Deputy Director of Planning, PED

Enclosures:

Saint Paul Housing Policy for the 1990s  
Highwood Development Policies  
Resolution establishing a comprehensive bicycle transportation policy

- **Finance Goal:** The City will finance its activities in a manner which fosters the City's growth, improves the citizens' lives and assures the City's financial stability.
- **Health and Welfare Goal:** The City will encourage the development and availability of activities that protect the health and welfare of its citizens.
- **Housing Goal:** The City will encourage a variety of housing which provides for a choice of type, location, price and ownership versus renting. Housing should be safe, sanitary, secure, comfortable, free from blight, with access to public streets, utilities, schools and parks.
- **Metropolitan Goal:** The City will actively participate in finding solutions to metropolitan problems which affect the City or its citizens.
- **Public Services and Infrastructure Goal:** The City will provide and maintain comprehensive, high-quality and cost-effective public services. The City will provide these services in a fair and democratic way.
- **Safety and Social Order Goal:** The City will try to provide an environment to enjoy life in peace and freedom. The City, in conjunction with the community, will work to minimize from criminal acts and preventable disasters.
- **Significant Natural Features Goal:** The City will preserve, conserve and use wisely its significant natural features.
- **Transportation Goal:** The City will have a transportation system which is safe, efficient, minimizes disruption, promotes better land development, improves the aesthetic appearance of the City and reduces air pollution. This system should provide transportation opportunities for citizens without cars.
- **Urban Design Goal:** The City will strive to improve the appearance of the City, maintain compatible land uses, and encourage a sensitive integration among activities, man-made facilities and the natural environment.

These are the City's overall goals. There are also specific goals and policies in each of the Comprehensive Plan elements.

5. PUBLIC HEARINGS

a. Comprehensive Plan Update

Ken Roberts, Associate Planner, presented the staff report. Commissioner Frost asked Ken Haider, Director of Public Works, to respond to the Metropolitan Council's request that a water quality implementation strategy be included in the plan. Mr. Haider said the City is now meeting the established guidelines and a plan will be submitted in the near future when the requirements are fully defined.

The public hearing was opened. Since there was no one who wished to speak, the public hearing was closed.

Commissioner Frost moved the Planning Commission recommend adoption of the proposed changes to the Comprehensive Plan. Staff was directed to include comments from tonight's discussion in a cover letter to the Metropolitan Council regarding the City's current practices in fulfilling the established criteria.

Commissioner Fischer seconded

Ayes--Allenspach, Anitzberger, Axdahl,  
Fischer, Frost, Gerke, Kittridge, Martin,  
Pearson, Sigmundik

The motion passed.

6. NEW BUSINESS

a. Conditional Use Permit: 2730 Highwood Avenue (Carver General Repair)

Ken Roberts, Associate Planner, presented the staff report. Ken Gervais, 2373 Linwood Avenue, was present representing the applicant. Mr. Gervais explained the request for conditional use permits to build an addition to the front of Carver General Repair and for a 2,970-square-foot metal storage building.

Commissioner Pearson moved the Planning Commission recommend:

- (1) Adoption of the resolution which approves a conditional use permit for an office/waiting room addition at 2730 Highwood Avenue. Approval is based on the findings required by code and subject to the following conditions:
  - (a) All construction shall follow the site plan that the City stamped October 9, 1992. The Director of Community Development may approve minor changes.

Action by Council:

MEMORANDUM

To: Michael A. McGuire, City Manager  
From: Robert D. Odegard, Director of Parks & Recreation  
Subj: Residential Dedication By Developers (PAC)  
Date: December 31, 1992

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

Introduction

The Maplewood Park and Recreation Commission at its November 16, 1992, meeting, discussed the Residential Dedication Fee and made the following motion: "Commissioner Fiebiger moved that the Park and Recreation Commission recommends that the City Council establish the cost per person for the Neighborhood Park Charge at \$147.06 per person to correlate with surrounding communities."; second by Carver; Motion adopted.

Background

The Maplewood City Ordinance for Residential Dedication by Developers (PAC) requires funds collected from developers of residences to be used to acquire or develop parks in the Neighborhood Planning Area from which they are collected. These funds, instead of tax dollars, have been used over the past eighteen years for the acquisition and development of the Park System. Only recently, through the availability of Tax Increment Financing, have our parks been funded for major improvements.

The amount of PAC income from each type of new dwelling constructed in the city has been determined by a cost per person multiplied times the density of each type of dwelling (single family, multiple housing). The cost per person is recommended by the Park and Recreation Commission each year to the City Council after reviewing other community residential charges.

Attached for your review are a Comparison of 1992 With Proposed 1993 Neighborhood PAC Fees, which will in effect raise the single dwelling fee from the present \$459.00 to a new fee of \$500.00. Also attached is a Comparison of Residential Development Charges For Single Dwellings By Other Municipalities. As is evident from the chart, the other municipalities continue to increase their Neighborhood PAC Fees, which reflects the additional costs for developing and acquiring parks that people are demanding.

Recommendation

It is requested that the City Council approve the attached resolution approving the Park and Recreation Commission recommendation that effective January 11, 1993, the City Council establish the cost per person for Neighborhood Park Charge at \$147.06 per person.

c: City Clerk

RESOLUTION FOR PARK ACQUISITION CHARGE  
FOR NEIGHBORHOOD PARKS

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

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

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

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

THEREFORE, the Park and Recreation Commission recommends that effective January 11, 1993, the City Council establish the cost for Neighborhood Park Charge at \$147.06 per person.

**COMPARISON OF INCOME FROM NEIGHBORHOOD PAC FEES  
1992 WITH PROPOSED 1993**

	<u>POP./UNIT</u>	<u>1992 RATE</u>	<u>TOTAL</u>
SINGLE DWELLING	3.4	\$135.00	\$459.00
DOUBLE DWELLING	5.4	\$135.00	\$729.00
MOBILE HOME	2.5	\$135.00	\$337.50
TOWNHOUSES	2.7	\$135.00	\$364.50

	<u>POP./UNIT</u>	<u>1993 RATE</u>	<u>TOTAL</u>
SINGLE DWELLING	3.4	\$147.06	\$500.00
DOUBLE DWELLING	5.4	\$147.06	\$794.12
MOBILE HOME	2.5	\$147.06	\$367.65
TOWNHOUSES	2.7	\$147.06	\$397.06

**IN REGARD TO PAC FEES FOR APARTMENT COMPLEX:**

**IF 3-4 UNITS/BLDG - 2.7 PERSONS X RATE X NUMBER OF UNITS**

**IF 5 UNITS/BLDG - 1.9 PERSONS X RATE X NUMBER OF UNITS**

**IF ELDERLY APARTMENTS:**

**1 BEDROOM - 1.1 PERSONS X RATE X NUMBER OF UNITS**

**2 BEDROOM - 2.0 PERSONS X RATE X NUMBER OF UNITS**

**COMPARISON OF RESIDENTIAL DEVELOPMENT CHARGES  
FOR SINGLE DWELLINGS BY MUNICIPALITIES**

<u>MUNICIPALITY</u>	<u>1990 CHARGE</u>	<u>1992 CHARGE</u>
PLYMOUTH	\$825	\$860
EDEN PRAIRIE	\$760	\$840
MAPLE GROVE	\$610	\$638
WOODBURY	\$450	\$600
COTTAGE GROVE	\$450	\$550
OAKDALE	\$450	\$525
ROSEVILLE	\$500	\$500
MAPLEWOOD	\$358	\$459
STILLWATER	\$400	\$400
LITTLE CANADA	\$300	\$400

FOR 1992, THE PARK AND RECREATION COMMISSION AND CITY COUNCIL CONTINUED THE PAC CHARGE AT \$459 AS ACCEPTED FOR 1991.

NOVEMBER 1992

<u>MUNICIPALITY</u>	<u>RESIDENTIAL DEVELOPMENT</u>
NORTH ST PAUL	NONE (DAVE - ENGINEERING DEPT)
BROOKLYN CENTER	NONE
MAPLEWOOD	\$459 PER SINGLE FAMILY DWELLING
LITTLE CANADA	\$400 PER DWELLING (CHRIS)
COTTAGE GROVE	\$550 PER DWELLING \$120 PER BEDROOM - TOWNHOUSES, APARTMENTS (JANE -PLANNING)
OAKDALE	\$525 SINGLE DWELLING \$425 TOWNHOUSES, APARTMENTS 10% LAND DEDICATION (MARY)
EDEN PRAIRIE	\$840 PER SINGLE FAMILY (LYNN)
MAPLE GROVE	\$638 RESIDENTIAL REVIEWED IN FEBRUARY (PATTY ANDERSON)
APPLE VALLEY	10% DEVELOPMENTAL LAND (RICK KELLY)
STILLWATER	0 -1.9 7% LAND DEDICATION 2.3-3.5 8% LAND DEDICATION 3.6-5.9 9% LAND DEDICATION 6 -10 10% LAND DEDICATION (ADDITIONAL 1/2% OVER 10)  \$400 - PER UNIT....0-4 \$250 .....5-8 \$200 .....9-15 (ANN-PLANNING)
WOODBURY	\$600 PER SINGLE FAMILY \$450 TOWNHOUSES, APARTMENTS (CHANGING IN 1993 - BOB KLATT)
PLYMOUTH	\$860 PER RESIDENTIAL UNIT (REVIEWED IN FEBRUARY 1993)
MOUNDS VIEW	0 -2 UNITS/ACRE - \$100 2.1-3 UNITS/ACRE - \$150 3.1-4 UNITS/ACRE - \$200 4.1-5 UNITS/ACRE - \$250 5-OVER UNITS/ACRE - 10% OF PROPERTY VALUE (BARB)
WHITE BEAR TWP.	\$400/LOT -MINOR SUBDIVISIONS 10% OF LAND VALUE - BEFORE PLAT APPROVAL CASH IN LIEU OF LAND -APPRAISER SENT TO VALUE PROPERTY (BILL SHORT)



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

Action by Council:

TO: City Manager  
 FROM: City Clerk  
 RE: ABATEMENT OF INTEREST  
 DATE: January 5, 1992

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

The City records listed the assessments for Water Improvement 75-16 and County Ditch No. 17 Improvement as "Deferred." Ramsey County had the assessments listed as "Senior Citizens Deferment."

Ramsey County figures interest on Senior Citizen Deferments differently than the regular deferred assessments, creating a discrepancy between the amount the City accepted as the assessment pay-off and the amount Ramsey County records show as due.

The owner of the property, Lenora McArdle, of Prosperity Road, has passed away and the property is being sold. The National Title Company paid off the assessments to the City at the time the property was sold and there is no one from whom the City could collect any more interest.

After discussing this matter with City Attorney Patrick Kelly, and Ramsey County, it is recommended that the difference in interest should be abated. It is requested you adopt the following Resolution to accomplish this abatement.

## ABATEMENT OF INTEREST ON ASSESSMENT

WHEREAS, assessments were levied in the City of Maplewood for Maplewood Public Improvement Project 75-16 and County Ditch 17, and identified on Ramsey County Assessor Records as D/P Numbers 1562 and 1791.

WHEREAS, assessments for said project were levied on that certain real property identified as PIN No. 15-29-22-11-0025.

WHEREAS, the records of the Ramsey County Assessor reflect a senior citizen deferment.

WHEREAS, the records of the City of Maplewood reflect a general deferment.

WHEREAS, the records of the Ramsey County Assessor reflect an unpaid balance of \$0 as special assessments; and \$1,140.35 as interest.

WHEREAS, the outstanding interest is in error due to the request of the property owner and the difference in the method of calculation between the County and City.

NOW, THEREFORE, BE IT RESOLVED,

- 1) That the special assessment interest in the amount of \$1,140.35 relative to PIN No. 15-29-22-11-0025 is hereby abated.
- 2) That the Maplewood City Clerk is hereby instructed to transmit a certified copy of this Resolution to the Ramsey County Assessor immediately.



PROPERTY RECORDS AND REVENUE

LOU MCKENNA
Director

DEC 08 1992
Division Manager
GENENE JOHNSON

December 7, 1992

Lucille Aurelius, City Clerk
City of Maplewood
1830 East County Road B
Maplewood, Minnesota 55109

Re: Sr. Citizen deferral for Lenora Mc Ardle

Dear Lucille;

The following is a breakdown of the account for special assessments for PIN # 15-29-22-11-0025.

Table with 7 columns: Asmt. No., Original Balance, Amt. Principal, Cert. Interest, to Sr. Citizen Def Total, Balance not Certified, Total. Rows include amounts for 1562, 1791, and a summary for 'Less Received Amounts by City'.

As the city has receipted the funds received to pay off the total principal balance the remaining amount is interest that accrued on this senior citizen deferral.

The city of Maplewood must inform Ramsey county how we should handle the balance due toward this assessment.

Thank you for your help in this matter.

Sincerely,

Handwritten signature of Kenneth Puglisi
Kenneth Puglisi, Supervisor
Tax Accounting Section

## AGENDA REPORT

Action by Council:

TO: City Manager

FROM: Assistant City Manager *Gretchen Maggion*

RE: 1993 LEASE: SUBURBAN COMMUNITY CHANNELS

DATE: December 29, 1992

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

INTRODUCTION

Suburban Community Channels (SCC) rents 1,062 square feet in the upstairs of the Public Works building. The proposed lease agreement for 1993 is provided for the City Council's consideration and approval.

BACKGROUND

SCC has rented office space in the Public Works building since 1987. The lease has two basic parts: SCC pays the City a base monthly rent; and SCC provides the City with a fund for production services. The City uses this fund for the personnel costs involved with cable casting Council meetings and special video productions.

The proposed increase in rent and production services is 3.5%. This is the same inflationary increase factor that was used in the preparation of the City's 1993 Budget.

The proposed 1993 rent is \$8,544.72, and the proposed production services is \$1,070. The total of the annual rent and the production services is \$9,614.72. For purposes of comparison, the current market rates for this type of space is about \$9.50 - \$10.00 per square foot. This equates to \$10,089 - \$10,620 annually for that office space.

It should be noted that the future of SCC and its need for the office space are still unknown at this time. There is a 30-day notice clause in the contract if SCC or the City wishes to terminate the lease.

RECOMMENDATION

It is recommended that the City Council approve the one-year lease with SCC for the office space at the Public Works building and authorize the Mayor and City Manager to execute the contract.

## LEASE AGREEMENT

This LEASE made and entered into this 1st day of December, 1992 by and between:

CITY OF MAPLEWOOD, having its principal office at 1830 E. County Road B, Maplewood, MN 55109, hereinafter referred to as "Lessor".

and

Ramsey/Washington Counties Suburban Cable Commission & Ramsey/Washington Counties Public Access Corporation dba/SUBURBAN COMMUNITY CHANNELS, having its principal office at 1902 E. County Road B, Maplewood, MN 55109, hereinafter referred to as "Lessee".

1. **PREMISES.** Lessor leases to Lessee and Lessee hereby takes from Lessor those certain premises located within the City of Maplewood, known as the Public Works Building located at 1902 E. County Road B, Maplewood, Minnesota, designated as:

Office Space: Suburban Community Channels, office space, exclusive of any furnishings and comprised of 1,062 square feet.

2. **TERM.** Lessee shall have and hold the premises as described herein with their appurtenances with a term beginning on January 1, 1993, and ending December 31, 1993, and may be terminated by either party with a thirty (30) day written notice.

3. **RENT.** The total rent paid by Lessee for the certain premises described herein for the term described above shall be \$8,544.72 with \$712.06 due and payable on or before the 1st day of each month. In addition, Lessee agrees to provide up to \$1,070 per year in production services at no cost to Lessor. Production services will be prorated against the actual time of occupancy. Lessor shall not carry over more than \$500 of unused production services to the following year.

4. **PRODUCTION SERVICES FROM PREVIOUS YEARS.** During the years of 1988, 1989, and 1990, production services in the amount of \$4,280 were not used by Lessor. In 1991, it was agreed these services were to be provided to Lessor by Lessee over a three year period at \$1,430 per year. These past production services are in addition to the \$1,070 per year as provided in Section 3. RENT. 1993 is the third year of the three<sup>year</sup> period.

5. **SERVICES TO BE FURNISHED.** The Lessor shall furnish to the Lessee as part of the rental consideration the following services and utilities: heat, air conditioning, parking facilities, toilet facilities, and common corridors. Lessee shall provide janitorial service for its 1,062 square feet.

**6. ALTERATIONS AND CAPITAL IMPROVEMENTS.** Lessee shall make no permanent alterations, additions, or changes in the leased premises without the prior written consent of the Lessor. Lessee may attach signs pertaining to Lessee's operations and appropriate decorative items upon written consent of Lessor. Lessee may paint the leased premises with the Lessor's written approval of wall color. Payment for any alterations, additions, changes or remodeling requested by Lessee shall be subject to negotiation between Lessee and Lessor and the terms of any payment agreement shall be appended as an amendment to this Agreement. In the event that Lessor intends to undertake capital improvements to the entire Public Works Building which will result in a change in annual operations and maintenance costs above and beyond normal annual increases, Lessor shall notify Lessee as to the extent to which Lessee shall share in payment of the cost of said capital improvements and any such agreement shall be appended as an amendment to this Agreement.

**7. MAINTENANCE.** The Lessor shall maintain the premises and property furnished under this Lease in good repair and tenantable condition during the continuance of this lease, except in the case of damage arising out of the negligence of Lessee's agents or employees. For the purpose of maintaining the premises and property, the Lessor may enter and inspect the premises and make necessary repairs thereto at reasonable times approved by the Lessee.

**8. DAMAGE BY FIRE OR OTHER CASUALTY.** If the premises are destroyed by fire or other casualty, this Agreement shall immediately terminate. In case of partial destruction or damage, so as to render the premises untenable as determined by the Lease, the Lessee may terminate the Lease by giving a written notice to the Lessor within fifteen (15) days thereafter. If so terminated, no rent shall accrue to the Lessor after the date upon which partial destruction or damage occurred. If not so terminated, the rent shall be reduced proportionately in accordance with the percentage of space rendered untenable effective from the date upon which the partial destruction or damage occurred and the reduction shall remain in effect until the date upon which the space is restored to tenantable condition.

**9. HOLD HARMLESS.** The Lessor agrees to hold harmless, indemnify, and defend the Lessee, its commissioners, officers, employees, agents, representatives, customers or invitees against any and all claims, losses, damages or losses for damages arising from or allegedly arising from, or related to the Lessors management, operation or maintenance of the leased premises. Lessee agrees that Lessor assumes by this Agreement no liability for loss of Lessee's personal property resulting from fire, tornado, civil disorder, theft or any other cause whatsoever except as may be attributed to Lessor's negligence.

The Lessee agrees to hold harmless, indemnify and defend the Lessor, its council persons, officers, employees, agents, representatives, customers or invitees against any and all claims, losses, damages, or lawsuits for damages arising from or allegedly rising from, or related to the Lessee's management, operation or maintenance or use of the leased premises.

**10. INSURANCE.** The Lessee shall carry a comprehensive general liability insurance policy in the combined single limit of \$600,000 insuring the Lessee and the Lessor as an additional insured with respect to the premises leased by the Lessee located at the Public Works Building. Lessor and Lessee mutually waives subrogation for losses and casualties covered by fire and all risk policy.

**11. HOLDING OVER.** In the event that Lessee shall continue to occupy the premises following expiration of this Agreement, this Agreement shall convert into a holding over from month to month at the same rental rate and under the same term said conditions as prevailed during the last month of the expired term. Said holding over shall be deemed to be terminated upon execution of a new Agreement for the premises by the parties hereto or, in the event that no new Agreement is so executed, said holding over may be terminated by thirty (30) days written notice by either party.

**12. SUBLETTING.** The Lessee above named shall not sublet or rent the premises, or any part thereof, or permit the subject premises or any part thereof to be used by any additional occupants and shall not transfer or assign this Lease.

**13. DAMAGE TO LEASED PREMISES.** The Lessee shall not suffer or commit waste in and about the leased premises. The Lessee agrees that if any damage to the leased premises shall be caused by the act or negligence of Lessee, its agents, employees, visitors or licensees, the Lessor may, at their option, make such repairs and charge the costs thereof to the Lessee and the Lessee shall thereupon immediately reimburse the Lessor for the total cost of damages so caused.

**14. ACCESS BY LESSORS TO REPAIR, INSPECT OR EXHIBIT.** The Lessor shall retain duplicate keys to the leased premises and shall have access to the same in an emergency, or in the absence of an emergency, upon one (1) day's notice in order to inspect the same or to make necessary repairs or alterations either in the leased premises or upon the area surrounding the same. The Lessor shall have the right, during the last thirty (30) days of the lease, or any subsequent extension of the lease, to show the premises to prospective lessees; and during the last ten days of said term shall have free access to the leased premises in order to make repairs for the incoming lessee, should they deem this action necessary.

**15. SURRENDER OF PREMISES.** At the end of the term, or as soon as termination provided herein, Lessee shall return the keys and quit and surrender the leased premises in as good order and condition as they were at the beginning of the term, reasonable wear and use accepted. If the leased premises are not so surrendered, Lessee will make good to Lessor all damages which Lessor shall suffer by reason thereof, and will indemnify Lessor against all claims made by any succeeding Lessee against Lessor founded upon the delay by the Lessor of delivering possession of the leased premises to such succeeding Lessee, so far as such delay is occasioned by failure of Lessee to surrender the leased premises.

**16. ACTION OF OWNER UPON DEFAULT-RIGHT OF REENTRY.** Should the Lessee, at any time during the continuance of their occupancy of the leased premises violate any of the other agreements, terms and conditions of this Lease, or any rules or regulations herein or hereinafter adopted by Lessor for the leased premises, the

Lessor shall have the right and option to terminate the tenancy and, upon ten (10) days notice, specify the default to the Lessee, reenter and take possession of the premises, or proceed by legal process in the court having jurisdiction of the premises and without any previous demand for possession or notice, the said Lessee hereby expressly waiving all right to claim thirty (30) days or other notice to quit or remove from said premises.

**17. ABANDONMENT.** If the Lessee shall abandon the leased premises or vacate the leased premises, voluntarily or involuntarily, the same may be re-entered by the Lessor without notice, let for such rent and upon such terms as the Lessor at their discretion may deem reasonable and advantageous, and in that event, Lessee shall be, and remain, liable for any deficiencies in rent, any expenses incident to such reletting, as well as any damages which the Lessor may have sustained by virtue of the Lessee's use and occupancy of the premises.

**18. REMEDIES OF LESSOR UPON TERMINATION: ATTORNEY FEES, DAMAGES, DEFICIENCIES, ETC.** In the event that the term of this Lease shall terminate pursuant to any provision of this Lease other than expiration:

- (a) Lessee shall pay to Lessor the rent then due, together with all expenses of the Lessor, including such legal fees and disbursements as may be allowed by a court of competent jurisdiction, incurred in connection with any summary proceeding or other action or proceedings in the removal of the property and effects of Lessee or other occupants from the leased premises;
- (b) Lessee shall be liable for all expenses incurred by Lessor in repairing these premises for re-rental;
- (c) Lessor may relet the premises or any part, or parts thereof, either in the name of Lessor or otherwise, for the term or terms which may, at Lessor's option, be more or less than the period which would otherwise have constituted the balance of the term of this lease and may grant concessions or free rent and Lessee shall remain liable for payment of the full rent for the balance of the term;
- (d) the Lessee shall also pay to Lessor as damages, for the failure to observe and perform Lessee's covenants herein contained, any deficiencies between the rent hereby paid, or agreed to be paid, for the remainder of the term hereby originally released from the date of such termination, reentry or repossession, and the net amount of rents collected on account of a lease or leases for the leased premises for each month of such period after the deduction of concessions, free rent, broker's commissions and expenses of Lessor for repair and otherwise preparing the leased premises for occupancy by any other tenant. The Lessor, at their option, may make such alterations and/or repairs in the premises as it considers advisable and necessary for the purpose of reletting the same and making of such alterations and/or repairs and shall not release the Lessee from any liability thereunder;

- (e) the Lessor shall, in no event, be liable for Lessee in any manner whatsoever, for the failure to relet the leased premises, or in the event that the leased premises are relet for failure to collect rent due under such reletting and any such failure to collect the rent under such reletting shall not release or affect Lessee's liability for damages;
- (f) the Lessor's rights and remedies under this lease are cumulative. The use of one or more thereof shall not exclude or waive any other right or remedy.

**19. WAIVER OF ANY BREACH - NOT A GENERAL WAIVER - NO ELECTION OF REMEDIES.** No waiver of any breach of the covenant, provisions or conditions contained in this lease shall be construed as a waiver of the covenant itself or of any subsequent breach thereof; if any breach shall occur and afterwards be compromised, settled or adjusted, this lease shall continue in full force and effect as if no breach had occurred.

**20. NUISANCES, LAWS AND REGULATIONS.** Lessee shall not occupy or use the premises or permit them to be occupied or used in a manner which is unlawful, disreputable or creates any nuisance or fire hazard, or which would invalidate or increase the rate of insurance coverage on the building or its contents, or which would interfere with, annoy, or disturb any other tenant in the use of its premises or the Lessor in the operation of the building.

Lessee shall comply with all laws, ordinances, orders, rules and regulations relating to the use, condition or occupancy of the premises. Lessee shall comply with rules and regulations adopted by Lessor from time to time in good faith for the safety, care and cleanliness and preservation of good order in the premises and the building.

**21. GENERAL.** This Agreement constitutes the entire agreement of the parties. This is a Minnesota contract and shall be construed according to the laws of the State of Minnesota. The captions in this agreement are for convenience and are not part of this Agreement. All preliminary negotiations are merged into and incorporated in this Agreement. This Agreement can only be modified or amended by an Agreement in writing by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

Lessor:

CITY OF MAPLEWOOD

By \_\_\_\_\_  
Its MAYOR

By \_\_\_\_\_  
Its CITY MANAGER

Lessee:

RAMSEY/WASHINGTON COUNTIES  
PUBLIC ACCESS CORPORATION dba/  
SUBURBAN COMMUNITY CHANNELS

By Virginia Holder  
Its Executive Director, SCC

By \_\_\_\_\_  
Its

Ramsey/Washington Counties  
Suburban Cable Commission

Approved as to Form:

Virginia Holder  
Executive Director  
Suburban Community Channels

By Deane Boynton  
Its Chairperson  
12/10/92

By Clifford M. Harris  
Its Sec.  
12/10/92

AGENDA REPORT

TO: City Manager  
 FROM: Assistant City Manager  
 RE: 1993 COUNCIL APPOINTMENTS  
 DATE: January 5, 1993

Action by Council:  
 Endorsed \_\_\_\_\_  
 Modified \_\_\_\_\_  
 Rejected \_\_\_\_\_  
 Date \_\_\_\_\_

**INTRODUCTION**

At the first meeting each year, the City Council officially makes the year's appointments of commission and committee members and others that serve at the pleasure of the City Council. The following list is provided for the City Council for their consideration and approval.

**APPOINTMENTS**

	<u>1992</u>	<u>1993 Recommendation</u>
a. City Attorney	Bannigan & Kelly Current rates: \$70/hr - civil work \$85/hr - litigation	<u>Bannigan &amp; Kelly</u> Recommended change in rates: \$75/hr - civil work \$90/hr - litigation
b. Prosecuting Attorney	Hughes & Costello - Martin Costello - Monthly retainer - \$4,500	<u>Martin Costello</u> - no change in rates
c. Municipal Legislative Commission	Joseph Zappa  Michael McGuire	_____  _____
d. Ramsey County League of Local Governments	George Rossbach  Alternate: Joe Zappa	_____  _____
e. Cable Commission	Gary Bastian  Alternate: Gretchen Maglich  Clifford McGinnis  Alternate: Dale Carlson	Gary Bastian  Alternate: Gretchen Maglich  Clifford McGinnis  Alternate: Dale Carlson
f. N.E.S.T.	Dale Carlson  George Rossbach	_____  _____

	<u>1992</u>	<u>1993 Recommendation</u>
g. Suburban Rate Authority	Joseph Zappa Alternate: Dan Faust	_____
h. Official Newspaper	Maplewood Review	<u>Maplewood Review</u>
i. Valley Branch Watershed District Technical Advisory Committee	George Rossbach	_____
j. Acting Mayor	Dale Carlson	_____
k. Maplewood/North St. Paul/Oakdale Chamber of Commerce	Dale Carlson Alternate: Geoff Olson	_____
l. St. Paul Water Treatment Plan Advisory Board	George Rossbach Dale Carlson	_____
m. Ramsey County Light Rail Transit Committee	George Rossbach	_____
n. HAZMAT Committee	Fran Juker	_____
o. Fire Study Committee	Fran Juker	_____
p. Partnership	Gary Bastian	_____

**RECOMMENDATION**

It is recommended that the City Council make the annual appointments for 1993.

J-5, a

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

Action by Council:

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

**TO:** City Manager  
**FROM:** Assistant City Manager  
**RE:** 1993 CITY ATTORNEY APPOINTMENT AND RATE STRUCTURE  
**DATE:** January 5, 1993

**INTRODUCTION**

Each year, the City Council appoints various Committee & Commission members as well as the City's prosecuting and civil attorney. The recommendation for 1993 is the reappointment of Hughes & Costello as the prosecuting attorney with no change in the monthly retainer amount of \$4,500; and the reappointment of Bannigan & Kelly as the civil attorney with a \$5 per hour increase in fee.

**DISCUSSION**

Bannigan & Kelly are currently receiving \$70 per hour for civil work (attendance at our meetings) and \$85 per hour for litigation. Bannigan & Kelly received a \$5 per hour increase in 1991 to the current hourly rate.

The recommended increase in rates to \$75 per hour for civil work and \$90 per hour for litigation is a 6% increase for the last two years.

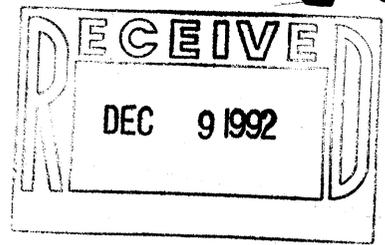
Attached you will find a survey of municipalities conducted in May, 1992. It should be noted that the civil hourly rates of cities with 20,000 plus residents range from \$70 to \$90 per hour with the average being \$83. With this in mind, the recommendation to increase Bannigan & Kelly's rate is recommended.

**RECOMMENDATION**

It is recommended that the law firm of Bannigan & Kelly be reappointed as the City's attorney in 1993 and that the hourly rates be increased by \$5.

Please forward to <sup>the</sup> Lw.  
**lillie suburban newspapers**

J-5, h



December 8, 1992

Honorable Mayor Gary Bastian  
and City Council  
City of Maplewood  
1830 East County Road B  
Maplewood, Minnesota 55109

Dear Mayor Bastian and Council Members:

We are pleased to submit the following quotation on publishing of minutes and other legal publications during 1993.

As you are aware, the Minnesota State Legislature establishes the legal rate for publishing legal notices. However, as in the past, we will discount the legal rate for publishing council proceedings.

Legal publication rates for minutes of regular and special meetings, bids, etc., are \$4.73 per column inch, \$6.31 per column inch tabulated and \$3.17 per column inch for each additional publication.

Thank you for allowing us to serve as your legal newspaper during 1992.

Very truly yours,

A handwritten signature in cursive script that reads "Ted Lillie".

N. Theodore Lillie

A handwritten signature in cursive script that reads "Ray Enright".

Raymond J. Enright

NTL/RJE:mlc

J-6, a, b

Action by Council:

**MEMORANDUM**

TO: City Manager  
FROM: Director of Community Development  
SUBJECT: **Planning Commission and Community Design Review Board Reappointments**  
DATE: January 5, 1993

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

The following terms expired on January 1, 1993. Each member wants the City Council to reappoint them.

**PLANNING COMMISSION (3-YEAR TERMS)**

<u>Members</u>	<u>Original Appointment</u>	<u>1992 Attendance 25 Meetings Held</u>
Roger Anitzberger*	4-23-90	19
Lorraine Fischer	1970	23
Marv Sigmundik	3-14-83	14
Les Axdahl	8-8-74	24

**COMMUNITY DESIGN REVIEW BOARD (2-YEAR TERMS)**

<u>Members</u>	<u>Original Appointment</u>	<u>1992 Attendance 20 Meetings Held</u>
Marv Erickson	2-10-87	18
Bruce Thompson	2-25-91	17

\*Completing the term of a previous member

**RECOMMENDATION**

**Reappoint members to the Planning Commission and Community Design Review Board.**

go/mem010.mem (6.1 Commission Terms & 6.2 CDRB)

Action by Council:

AGENDA REPORT

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

**TO:** City Manager  
**FROM:** Gail Blackstone, Human Resource Director *G. Blackstone*  
**RE:** HUMAN RELATIONS COMMISSION REAPPOINTMENTS  
**DATE:** January 5, 1993

Commission members with terms that expired on 12/31/92 are Karla Sand, Chair, and Gordon Heining. Karla was originally appointed in February 1987 and Gordon in January 1991. For your information, one resident has expressed an interest in serving on the Commission.

It is recommended that Karla Sand and Gordon Heining be reappointed to three-year terms which would expire on 12/31/95.

For review and approval.

AGENDA REPORT

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

**TO:** City Manager  
**FROM:** Gail Blackstone, Human Resource Director *G. J. Blackstone*  
**RE:** POLICE CIVIL SERVICE COMMISSION REAPPOINTMENT  
**DATE:** January 5, 1993

Steve Gunn was first appointed to the Commission on 7/22/85. His current term expired on 12/31/92. For your information, we have had two residents express an interest in serving on this Commission.

It is recommended that Mr. Gunn be reappointed to a three-year term which would expire on 12/31/95.

For review and approval.

AGENDA ITEM: J-6, e

MEMORANDUM

Action by Council:

To: Michael A. McGuire, City Manager  
From: Robert D. Odegard, Director of Parks & Recreation  
Subj: Re-appointment To Park and Recreation Commission  
Date: December 31, 1992

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

The terms of Park and Recreation Commissioners Rita Brenner, John Chegwyn and Michael Fiebiger will expire as of December 31, 1992.

The following Commission members have expressed an interest in re-appointment by the City Council for three year terms:

John Chegwyn, 1631 East Sextant  
Michael Fiebiger, 498 Marnie Street

Rita Brenner has requested that she not be re-appointed.

✓c: City Clerk



# CITY OF MAPLEWOOD

## RULES OF PROCEDURE

March 1989

Revised: January 1990

## SECTION 1: MEETINGS

### A. Regular

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

### B. Special

The Mayor or any two members of the Council by writing filed with the City Clerk at least twenty-four (24) hours before such meeting may call a special meeting. Notice of such meeting shall state the purpose or purposes thereof and shall be personally delivered to each member or be left at the members usual place of residence with a person of suitable age and discretion then residing therein, or written notice thereof shall be left in a conspicuous place at the residence if no such person can be found there. The notice shall be delivered twelve (12) hours before the meeting time. Except for trivial matters, business transacted at a special meeting shall be limited to that mentioned in the call. Emergency meetings may be called at any time providing all members of the Council sign waivers of notice to such meeting and said waivers shall be filed with the City Clerk.

### C. Place

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

### D. Presiding Officers

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

### E. Quorum

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

F. Order of Business

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

G. Curfew

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

H. First Regular

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

SECTION 2: AGENDA FOR REGULAR MEETING

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

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

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

### SECTION 3: LIMITATION ON COUNCIL ACTION

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

### SECTION 4: MINUTES

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

### SECTION 5: DUTIES OF THE PRESIDING OFFICER

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

### SECTION 6: RULES OF DEBATE

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

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

#### SECTION 7: ADDRESSING THE COUNCIL

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

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

#### SECTION 8: GENERAL RULES OF ORDER

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

## SECTION 9: DECORUM AND ITS ENFORCEMENT

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

## SECTION 10: ORDINANCES, RESOLUTIONS, MOTIONS AND REPORTS

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

## SECTION 11: CONDUCT OF CITY EMPLOYEES

- A. The City Manager may take part in the discussions of the City Council and may recommend to the Council such measures as he/she may deem necessary for the welfare of the people and efficient administration of the affairs of the City. The City Manager shall have all the rights, powers and duties prescribed by Minnesota Statutes in regard thereof; however, it is recognized that the City Council is the policy-making body for the City and the City Manager shall confine his/her discussion at Council meetings to statements of fact, recommendations based on his knowledge and experience and explanations of the reasons for the same, and any matters pertaining to administration.
- B. No City employee, other than the City Manager or Attorney, shall enter into discussions of the City Council except to answer questions directed to such employee, or to present factual information.
- C. The above regulations of City employees shall not be construed to limit the appearance before the City Council of any City employee, when such appearance is made as a taxpayer or member of the public, for or against some particular issue under discussion by the Council when such employee has an interest in the outcome thereof.

## SECTION 12: WAIVER

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

## SECTION 13: ADJOURNMENT

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

# COUNCIL POLICIES

J-8

1. Any applicant for an Intoxicating Liquor License who has an interest in or is listed as an owner of a liquor license or establishment, is not eligible to have a liquor license in Maplewood.
2. The Manager of the liquor establishment shall be the license holder of such license. The license holder must be on premise at least 40 hours per week.
3. When payments are made by check for any service that is provided by the City (Motor Vehicle, licenses, permits, maps, driver's license, etc.), the telephone number and a driver's license number must be supplied before the check is accepted.
4. When a Councilmember is absent from a meeting where a four-fifth's (4/5) vote is required, the item is tabled until a full Council is present.
5. When a Councilmember is going to be absent when an Agenda item that they are interested in is scheduled, they may ask for the item to be tabled until they return, but the request must be approved by the City Council.
6. When an applicant has requested a public hearing and does not attend the meeting, the item may be tabled until the applicant can appear.
7. A permit fee for an event provided by the City can be waived.
8. The City, at the discretion of the City Manager, can allow the building to be closed early on the day before Christmas and the day before New Year's.
9. All appointees to commissions, boards, etc., are to appear before the Council.
10. All new permanent employees will be introduced to the City Council.
11. Final plats should not be added to or included on the Agenda, unless all conditions for approval will have been completed before the Council meeting. There should be no contingencies for approval.
12. Double dwellings should be located on the periphery of single-dwelling neighborhoods; preferably on higher volume streets.
- 12A. Commercial and multiple-dwelling traffic should not be directed through single-dwelling neighborhoods.
13. Street Patching. A letter of credit will be required as a condition of lot splits on plats to guarantee proper patching of streets following connection to utilities.
14. No occupancy of dwellings is allowed in a plat until the first lift of asphalt is on the street(s).
15. Items introduced during Council Presentations shall be responded to at the next Council meeting, unless a later date has been stated, with a report of what action has been taken.
16. All material received at City Hall that will require City Council action shall be date stamped on the original.
17. Our City shall follow, with no exceptions, all ordinances.
18. Staff reports or memorandums regarding any City property, such as parks, lift stations, etc., should include the exact street address.
19. When a change is made to an already approved development site plan, the change shall be submitted to Council.

## MEMORANDUM

TO: City Manager  
 FROM: Public Works Coordinator  
 SUBJECT: Purchase Authorization  
 DATE: January 7, 1993

The 1993 approved budget provides for the purchase of a 16-foot rotary mower and snow blower. In anticipation of this purchase, the city had the manufacturers of the two most popular units demonstrate them "on-site". The demonstrations provided our own operators and mechanics the opportunity to operate the equipment.

In the course of these demonstrations, the "Trackless MT 5" proved to be the superior unit in ease of maintenance, reliability, quality of cut and versatility. These facts were later confirmed by field testing done by other cities. There is no other comparable unit on the market, and it is unique to this manufacturer.

The opportunity to purchase the demonstration unit has arisen. This unit has 9.4 hours on the hour meter and therefore is a used unit.

By purchasing this demo unit, the city would realize considerable savings as follows:

Sale price--new unit	\$66,653.00
Discount for purchase of demo unit	- 2,000.00
Savings--January 1, 1993 price increase	<u>- 3,173.00</u>
Purchase price of demo unit	\$61,480.00

The demo unit, as proposed, includes four winter tires and rims, eight summer tires and rims, 168-inch rotary mower, 51-inch snow blower with a 91-inch sidewalk chute and a 132-inch truck loading chute, and a 41-inch sand and salt spreader. All options to be furnished are brand new.

Other options available, but not included in the above price, include 49-inch V plow; 60, 72, and 84-inch reversible front plow; 60-inch angle sweeper; 74-inch flail mower; 5, 6, or 7-foot sickle bar mower; 26-inch under-guardrail mower; spraying system; 48-inch pickup sweeper; PTO; and three-point hitch. The ability to add these options, save for the snow blower, is unique to this manufacturer's equipment.

Due to the unique terrain in the city's parks and other facilities, it is the opinion of the public works coordinator, based on experience, that only this unit will meet the needs of the city. Additionally, the eight-wheel arrangement unique to this equipment will provide stability on the city's steep slopes, thus providing safety to our employees as will no other equipment.

It is recommended that the city manager be authorized to make this purchase.

WCC