

AGENDA

MAPLEWOOD CITY COUNCIL
7:00 P.M., Monday, November 8, 1993
Council Chambers, Municipal Building
Meeting No. 93-24

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. APPROVAL OF MINUTES

1. Minutes of Meeting 93 - 23 (October 25, 1993)

E. APPROVAL OF AGENDA

EA. PRESENTATIONS

NONE

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. Resolution - Renewal of Merrick Companies Charitable Gambling Permit
3. District 22 Trunk Sanitary Sewer Replacement - Project 91-10, Final Payment
4. CUP Termination & Home Occupation License: 1161 Leland Road (Fosse)
5. Preliminary Plat Time Extension: Phalen Lake Addition
6. 1994 SCORE Application
7. Resignation of Park and Recreation Commissioner
8. Maplewood Nature Center Donations
9. Budget Transfer: Public Works
10. Settlement: Hajicek

G. PUBLIC HEARINGS

1. 7:00 P.M., Carefree Cottages of Maplewood
 - a. Variances _____
 - b. Lot Split _____
2. 7:15 P.M., Off-Sale Liquor License - Lauber _____
3. 7:30 P.M., Moratorium on Clinics _____

H. AWARD OF BIDS

I. UNFINISHED BUSINESS

1. Reconsideration of ADA Compliance Survey Request _____
2. Sign Plan Changes: Birch Run Station _____
3. Truth-in-Housing Ordinances:
 - a. Ordinance Exempting Family Members (page 3): 1st Reading _____
 - b. Ordinance Deleting Exemptions (page 4): 1st Reading _____
 - c. Ordinance on Penalty for Violation (page 7): 2nd Reading _____
4. Flandrau Street Vacation _____

J. NEW BUSINESS

1. Animal Boarding and License Fees _____
2. "No Parking": Connor Avenue East of TH 61 _____
3. Drainage Problem Budget Transfer - Mobile Home Park West of TH 61 _____
4. Litigation Settlement: Budget Transfer - Kastner _____
5. Loud Radio Ordinance _____

K. VISITOR PRESENTATIONS

L. COUNCIL PRESENTATIONS

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

M. ADMINISTRATIVE PRESENTATIONS

1. _____
2. _____

N. ADJOURNMENT

MAPLEWOOD CITY COUNCIL
7:00 P.M., Monday, October 25, 1993
Council Chambers, Municipal Building
Meeting No. 93-23

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. Roszbach, Councilmember	Absent
Joseph A. Zappa, Councilmember	Present

D. APPROVAL OF MINUTES:

1. Council/Manager Workshop, October 4, 1993

Councilmember Zappa moved to approve the minutes of Council/Manager Workshop of October 4, 1993 as presented.

Seconded by _____

Ayes - all

2. Minutes of Meeting 93-22 (October 11, 1993)

Councilmember Zappa moved to approve the minutes of Meeting No. 93-22 (October 11, 1993) as presented.

Seconded by Mayor Bastian

Ayes - all

E. APPROVAL OF AGENDA:

Councilmember Zappa moved to approve the Agenda as amended/submitted.

1. Flashing Yellow
2. House Moving Ordinance
3. Highway 36 Study
4. Mayor's Update
5. Remove J-5 Charitable Gambling Request
6. New J-5: Mitsubishi

Seconded by Mayor Bastian

Ayes - all

EA. APPOINTMENTS/PRESENTATIONS

1. Proclamation: National Unfunded Mandates Day

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

NATIONAL UNFUNDED MANDATES DAY

WHEREAS, unfunded mandates on local government have increased significantly in recent years; and

WHEREAS, federal and state mandates do not consider local circumstances, costs or capacity, and subject cities to civil or criminal penalties for noncompliance; and

WHEREAS, federal and state mandates require compliance regardless of other pressing local needs and priorities affecting the health, welfare and safety of citizens; and

WHEREAS, federal and state burdens on local governments force cities to impose a combination of higher local taxes and fees on local taxpayers and/or reduce local services to citizens; and

WHEREAS, federal and state mandates are often inflexible, "one-size-fits-all" requirements with unrealistic time frames and overly specific and inflexible procedures where less costly alternatives may be just as effective; and

WHEREAS, the cumulative impact of these laws and rules directly affect the citizens of our cities; and

WHEREAS, the League of Minnesota Cities, in collaboration with the National League of Cities, seeks to help citizens understand and then help encourage lawmakers to reduce the burden and inflexibility of unfunded mandates, beginning with a National Unfunded Mandates Day on October 27, 1993.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Maplewood does hereby endorse the League's efforts and those of the National League of cities and will funny inform our citizens about the impact of state federal mandates on our local spending and taxes;

BE IT FURTHER RESOLVED, that the City of Maplewood endorses this year of mandate awareness, beginning on October 27, by informing and working with members of our Congressional delegation and our state legislators to educate them about the impact of federal and state mandates and the actions necessary to reduce these burdens on our citizens.

Seconded by Mayor Bastian

Ayes - all

2. Recognition

- a. Council recognized City Clerk Lucille Aurelius for 30 years service with the City of Maplewood.

F. CONSENT AGENDA:

Councilmember Zappa moved, seconded by Mayor Bastian; ayes - all, to approve the consent agenda items F-1 thru F-4 as recommended.

1. Approval of Claims

Approved the following claims:

ACCOUNTS PAYABLE: \$ 611,358.50

\$ 438,650.29

 \$1,050,008.79

PAYROLL: \$ 203,536.65

\$ 45,563.85

 \$ 249,100.50

\$1,299,109.29

Checks #1520 - #1585
Dated 10- 1-93 thru 10-14-93

Checks #11368 - #11497
Dated 10-25-93

Total per attached voucher/check
register

Payroll Checks #36956 thru #37136
Dated 10- 8-93

Payroll Deduction Checks #37141 thru
#37158 dated 10- 8-93

Total Payroll

GRAND TOTAL

2. Pioneer Booster Club Gambling Permit Renewal

93 - 10 - 136

APPROVING CHARITABLE GAMBLING

BE IT HEREBY RESOLVED, by the City Council of Maplewood, Minnesota: that the premises permit for lawful gambling is approved for Hill Murray Pioneer Booster Club to be located at Maplewood Bowl, 1955 English Street.

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.

3. Maplewood-In-Motion

Authorized changes to the 1994 bid specifications for Maplewood in Motion to include an additional 4 pages per month for 8 months, allowing the inclusion of Community Center information.

4. Grant Application: Board of Government Innovation and Cooperation

93 - 10 - 133

**RESOLUTION SUPPORTING A GRANT APPLICATION
TO THE BOARD OF GOVERNMENT INNOVATION AND COOPERATION
FOR AN EAST METRO ADAPTIVE RECREATION PROGRAM**

WHEREAS, in July 1990, the Americans With Disabilities Act was signed into law with the goal of eliminating the exclusion of persons with disabilities from buildings, participation in programs, receipt of services and employment; and

WHEREAS, the City of Maplewood conducted a self-evaluation of City programs, services and facilities to assess its strengths and weaknesses in providing opportunities to persons with handicaps; and

WHEREAS, during the self-evaluation, the City of Maplewood discovered a need for recreation and leisure services for people with disabilities, particularly children eight to fifteen years of age; and

WHEREAS, the cities of Maplewood, Woodbury, Roseville, Little Canada, Oakdale, North St. Paul, and their respective school districts met to talk about a collaborative program for the entire east metropolitan area; and

WHEREAS, sufficient funding and staff time for the collaborative adaptive recreational program are not available in city and school district budgets.

NOW, THEREFORE, BE IT RESOLVED, that the City of Maplewood, in conjunction with other cities in Ramsey and Washington Counties, does hereby support the collaborative efforts of the Parks & Recreation departments, Community Education and Special Education programs to study, establish and provide programs for persons with disabilities.

AND, BE IT ALSO RESOLVED, that the City Council of the City of Maplewood strongly supports the application submitted to the Board of Government Innovation and Cooperation requesting funds to make this important and timely study possible.

G. PUBLIC HEARINGS

NONE

H. AWARD OF BIDS

NONE

I. UNFINISHED BUSINESS

1. Truth-In-Housing Ordinance (2nd Reading)

- a. Manager McGuire presented the staff report.
- b. Councilmember Zappa moved to table this item for two weeks.

Seconded by Mayor Bastian

Ayes - all

J. NEW BUSINESS

1. Birch Run Station

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

John Johanson, Welsh Companies, agreed to the staff recommendation, except the pylon sign.

Building Remodeling (Office Max)

- e. Councilmember Zappa moved to approve the building design plans (stamped August 12, 1993 for Office Max at Birch Run Station).

Seconded by Councilmember Juker

Ayes - all

Sign Plan Changes

- f. Councilmember Zappa moved to deny the request for changes to the Birch Run Station Sign Plan.

MOTION DIED FOR LACK OF A SECOND

- g. Councilmember Zappa moved approval of staff recommendation B-3, sentence 6, "The Office Max wall sign is approved as described in the October 7, 1993 staff memo.": A 6' X 50' "Office Max" sign on the store front.

Seconded by Mayor Bastian

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

- h. Councilmember Zappa moved to table the balance of the Sign Change Plan request for two weeks to work with staff and current tenants of Birch Run.

MOTION DIED FOR LACK OF A SECOND

- i. Mayor Bastian moved to approve recommendation B-6 on page 5 of the staff report: Six anchor store tenant signs are allowed on the east-end elevation facing Southlawn Drive. These signs shall not exceed two feet in height and must be centered horizontally on this wall.

Seconded by Councilmember Carlson

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

- j. Councilmember Zappa moved to table the balance of the requested Sign Plan Change for Birch Run Station for two weeks.

Seconded by Councilmember Juker

Ayes - all

2. Chemical Abuse Clinics Ordinance (1st Reading)

- 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:

Lori LaBey, representing the neighborhood in the area of the
St. Paul Methadone Clinic

- d. Councilmember Carlson moved to table this proposal and suggestions and refer the ordinance to the Planning Commission and the Human Relations Commission.

Seconded by Councilmember Zappa

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

3. James H. Kayser Request

- 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:

James Kayser, 2516 Linwood

- c. Councilmember Zappa moved to take no action on this request.

Seconded by Councilmember Carlson

Ayes - all

4. Community Center Update

- a. Manager McGuire presented the staff report.
- b. Councilmember Zappa moved to schedule a Community Center Update Meeting on Monday, November 1, 1993, from 4:00 - 5:00 P.M.

Seconded by Mayor Bastian

Ayes - all

5. Charitable Gambling Request

WITHDRAWN FROM AGENDA AT APPLICANT'S REQUEST

6. Mitsubishi

- a. Manager McGuire presented the staff report.
- b. David Adkins, representing Mitsubishi, explained his request.
- c. Councilmember Zappa moved to waive the 15-day appeal period for Mitsubishi.

Seconded by Councilmember Carlson

Ayes - all

K. VISITOR PRESENTATIONS

1. Lori LaBey, 1758 Lark Avenue

- a. Mrs. LaBey requested Council place a moratorium on expansion of the Methadone Clinic.
- b. Councilmember Juker moved to suspend the Rules of Procedure to discuss this request.

Seconded by Councilmember Zappa

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

- c. Mayor Bastian moved that this item be placed on the November 1, 1993 Planning Commission Agenda.

Seconded by Councilmember Zappa

Ayes - all

- d. Councilmember Juker moved to direct a letter to the State of Minnesota that before they approve any such clinic use, the municipalities be notified of any applications.

Seconded by Councilmember Zappa

Ayes - all

- e. Juanita Gustafson stated she had a gun shot through her garage window.
- f. Councilmember Zappa stated nothing was on record.
- g. Bob Parsons, 2229 Prosperity, stated he is keeping a log of activity at the Clinic between the hours of 5:30 A.M. to 10:18 A.M.: there were 155 people between 6:00 and 9:00 and 56 from 9:00 to 10:18. There was no congestion. He feels there should be a way for them to relocate and to break the lease.

L. ADMINISTRATIVE PRESENTATIONS

1. Flashing Yellow Lights

- a. Councilmember Zappa stated that as you drive east to the Washington County line, there are flashing lights that indicate red lights ahead, and asked if the City can have these signs installed.
- b. Councilmember Zappa moved to have staff contact MnDOT for their criteria for such signs and request that signs be placed at County Road C and TH61 and at TH61 and Beam Avenue.

Seconded by Mayor Bastian

Ayes - all

2. House Moving Ordinance

- a. Councilmember Zappa stated that Council had requested staff to amend the House Moving Ordinance to require that when a house is moved in, the landscaping is completed.
- b. Councilmember Zappa requested staff investigate this issue and to investigate the house on Sherren.

3. Highway 36 Study

- a. Councilmember Zappa reported on a meeting with MnDOT concerning Highway 36. He stated that North St. Paul does not wish anything done with Highway 36, and perhaps Maplewood should proceed alone.

4. Mayor's Update

- a. Mayor Bastian stated that the Partnership Parade will be on Saturday, October 30, 1993 at 10:00 A.M., and there will be hot dogs served to the first 400 people.
- b. Mayor Bastian reported there was a dog complaint regarding 407 Kingston.

N. ADJOURNMENT OF MEETING

9:35 P.M.

Lucille E. Aurelius
City Clerk

AGENDA REPORT

TO: City Manager
FROM: Finance Director *W. Stust*
RE: APPROVAL OF CLAIMS
DATE: November 2, 1993

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

ACCOUNTS PAYABLE:

\$ 376,780.60	Checks # 1586 thru # 1658 Dated 10-15-93 thru 10-29-93
\$ <u>159,061.16</u>	Checks # 11511 thru # 11650 Dated 11-08-93
\$ 535,841.76	Total Accounts Payable

PAYROLL:

\$ 206,744.52	Payroll Checks # 37172 thru # 37369 dated 10-22-93
\$ <u>45,540.00</u>	Payroll Deduction check #37374 thru # 37390 dated 10-22-93
\$ 252,284.52	Total Payroll
\$ <u>788,126.28</u>	GRAND TOTAL

Attached is a detailed listing of these claims.

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 10

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
1602	630910	10/19/93	NATIONWIDE ADVERTISING SERV.	ADS FOR COMM CTR MANAGER/ACCT	1,055.60	1,055.60
1603	890900	10/19/93	U.S.WEST COMMUNICATIONS	TELEPHONE	1,676.67	
				TELEPHONE	75.87	
				TELEPHONE	75.85	
				TELEPHONE	75.85	
				TELEPHONE	75.85	
				TELEPHONE	75.85	
				TELEPHONE	56.10	
				TELEPHONE	57.81	
				TELEPHONE	307.09	
				TELEPHONE	1,143.02	
				TELEPHONE	25.92	
				TELEPHONE	25.92	
				TELEPHONE	52.08	
				TELEPHONE	48.70	
				TELEPHONE	51.84	
				TELEPHONE	51.84	
				TELEPHONE	51.84	
				TELEPHONE	31.28	
				TELEPHONE	58.40	
				TELEPHONE	58.40	
				TELEPHONE	58.40	
				TELEPHONE	74.52	
				TELEPHONE	153.19	
				TELEPHONE	606.89	
				TELEPHONE	75.82	
				TELEPHONE	54.18	
				TELEPHONE	52.08	
				TELEPHONE	272.50	
				TELEPHONE	62.56	
				TELEPHONE	115.29	5,601.61
1604	541400	10/19/93	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	546.50	546.50
1605	541400	10/19/93	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	7,081.94	7,081.94
1606	842524	10/20/93	STATE OF MINNESOTA	MOTOR VEHICLE RECORD	6.00	
				MOTOR VEHICLE RECORD	3.00	
				MOTOR VEHICLE RECORD	45.00	
				MOTOR VEHICLE RECORD	30.00	
				MOTOR VEHICLE RECORD	16.00	
				MOTOR VEHICLE RECORD	7.00	107.00
1607	310850	10/20/93	GOVERNMENT TRAINING SERVICE	TRAVEL & TRAINING	55.00	55.00
1608	110430	10/20/93	CAPITAL TITLE CORP.	CLOSING COSTS-2669 E. 7TH STREET	1,182.76	1,182.76
1609	542110	10/20/93	MINNESOTA CRIME PREVENTION	TRAVEL & TRAINING (CAROL NELSON/JIM MEEHAN)	120.00	120.00
1610	541400	10/20/93	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	635.50	635.50

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 10

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
1611	541400	10/20/93	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	13,374.72	13,374.72
1612	530350	10/20/93	MELBY, MARGE M.	REFUND OVERPMT ACCT AMB30743Z	174.15	174.15
1613	020870	10/20/93	ALLIED MEDICAL ACCOUNT CONTROL	COMMISSION FOR COLL AGENCY	464.44	464.44
1614	900180	10/20/93	UNITED OF OMAHA	REFUND FOR AMB ACCT 312191	202.56	202.56
1615	530700	10/21/93	METRO AREA MANAGEMENT ASSN	TRAVEL & TRAINING	11.00	11.00
1616	541400	10/21/93	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	162.00	162.00
1617	541400	10/21/93	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	7,145.75	7,145.75
1618	410410	10/22/93	KEENE, ALICE	REFUND GRADING ESCROW REC 7920	1,000.00	1,000.00
1619	070580	10/22/93	BELTZ CONST.	REFUND GRADING ESCROW REC 6463 REFUND GRADING ESCROW REC 6463	1,000.00 25.48	1,025.48
1620	510100	10/22/93	MAPLE LEAF OFFICIALS ASSN.	PMT SPORTS OFFICIALS	960.00	960.00
1621	190400	10/22/93	DEPT. OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	81.00	81.00
1622	722200	10/22/93	PUBLIC EMPLOYEE	PERA DED PAYABLE 10/08/93 P/R PERA CONTRIBUTION 10/08/93 P/R	11,416.52 14,827.46	26,243.98
1623	541400	10/22/93	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	1,057.75	1,057.75
1624	541400	10/22/93	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	10,553.75	10,553.75
1625	101900	10/22/93	BUSINESS RECORDS CORP., MN	MTNCE. AGREEMENT ON VOTING MAC	10,070.00	10,070.00
1626	720768	10/25/93	PREMIER BANK	F.I.C.A. PAYABLE FED INCOME TAX PBL. FICA CONTRIBUTION	9,441.33 22,599.92 9,441.33	41,482.58
1627	250120	10/26/93	EQUAL ACCESS HOMES	DEPOSIT PAYABLE	1,000.00	1,000.00
1628	842524	10/25/93	STATE OF MINNESOTA	LICENSE VERIFICATION LICENSE VERIFICATION LICENSE VERIFICATION LICENSE VERIFICATION LICENSE VERIFICATION	3.00 1.50 22.50 15.00 8.00 3.50	53.50
1629	540880	10/25/93	MINNESOTA DEPT. OF REVENUE	SEPT FUEL TAX	95.20	95.20
1630	541400	10/25/93	MINN. STATE TREASURER	STATE DRIVERS LIC.	771.25	771.25
1631	541400	10/25/93	MINN. STATE TREASURER	MOTOR VEH LIC.	13,407.95	13,407.95

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 10

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
1632	943500	10/25/93	WISCONSIN DEPT. OF REVENUE	STATE INCOME TAX	292.21	292.21
1633	380202	10/25/93	ICMA RETIREMENT TRUST-457	WORKERS COMP-ROGER BREHEIM	10.00	10.00
1634	010250	10/25/93	A.F.S.C.M.E.	WORKERS COMP-ROGER BREHEIM	9.10	9.10
1635	531650	10/26/93	METRO WASTE CONTROL COMMISSN	SEPT 93 - S.A.C. PAYABLE SEPT 93 - S.A.C. RETAINER	58,500.00 585.00-	57,915.00
1636	661750	10/26/93	NORTHERN STATES POWER	UTILITIES 220 UTILITIES 1200 UTILITIES 2501 UTILITIES 2741 UTILITIES 98 UTILITIES 345 UTILITIES 1501 UTILITIES 1677 UTILITIES 2258 UTILITIES 2516 UTILITIES 2701 UTILITIES 2725 UTILITIES 700 UTILITIES 2104 UTILITIES 2287 UTILITIES 2740 UTILITIES 63 UTILITIES 63	3.31 4.72 4.72 3.31 76.48 88.04 103.84 78.05 94.84 7.60 9.23 147.69 49.54 8.90 1,020.38 16.89 95.29 7.21	1,820.04
1637	541400	10/26/93	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	628.75	628.75
1638	541400	10/26/93	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	9,203.68	9,203.68
1639	021220	10/27/93	AMERICAN HEART ASSOCIATION	INSTRUCTOR FEES	40.00	40.00
1640	310710	10/27/93	GOPHER STATE ONE-CALL, INC.	SEPT 93 SERVICES	22.50	22.50
1641	120325	10/27/93	CELLULAR ONE	9/16 -10/15/93 PHONE CHARGES	278.27	278.27
1642	541400	10/27/93	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	14,253.50	14,253.50
1643	541400	10/27/93	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	338.75	338.75
1644	530110	10/28/93	MEEHAN, JAMES	SUPPLIES RANGE	143.39	143.39
1645	541400	10/28/93	MINN. STATE TREASURER	STATE DRIVERS LIC.	241.00	241.00
1646	541440	10/28/93	MINN. STATE TREASURER STAX	SURTAX PBL. SURTAX RETAINER	3,784.61 75.69-	3,708.92
1647	470825	10/28/93	LINDORFF, DENNIS	LIFE INS. PBL. HCMA DEDUCTION	16.20 5.40	21.60

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 10

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
1648	140200	10/28/93	CLAUSON, DALE K.	L.T.D. INSURANCE	66.54	66.54
1649	541400	10/28/93	MINN. STATE TREASURER	MOTOR VEH LIC.	14,405.88	14,405.88
1650	130450	10/28/93	CHARTRAND, DAVID	REFUND	273.00	273.00
1651	080325	10/29/93	BLACKSTONE, GAIL	TERMINATION SEVERANCE PAY	1,934.68	1,934.68
1652	451430	10/29/93	LANDMARK, INC.	REFUND GRADING ESCROW REC 7932	1,000.00	1,000.00
1653	530105	10/29/93	MEDICARE-THE TRAVELERS INS CO	OVERPAYMENT ON ACCTS	377.12	377.12
1654	190400	10/29/93	DEPT. OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	174.00	174.00
1655	190400	10/29/93	DEPT. OF NATURAL RESOURCES	DNR LICENSE FEES PAYABLE	10.00	10.00
1656	541400	10/29/93	MINN. STATE TREASURER	STATE DRIVERS LIC FEES PAYABLE	591.25	591.25
1657	541400	10/29/93	MINN. STATE TREASURER	MOTOR VEH LIC FEES PAYABLE	14,804.32	14,804.32
1658	722200	10/29/93	PUBLIC EMPLOYEE	NDV PREMUIM - P/R DED OCT	345.00	345.00
11511	010075	11/08/93	A-1 HYDRALIC SALES & SERVICE	REPAIR & MAINT/VEHICLE	469.49	469.49
11512	010150	11/08/93	A.A.A. ALL CITY VACUUM	REPAIRS & MTNCE./EQUIPMENT	56.30	56.30
11513	010290	11/08/93	A.K.R.W.	ARCHITECTURAL SERVICES-COMMUNITY CENTER	10,438.42	10,438.42
11514	010840	11/08/93	ADD ON TEMPORARY SERVICES	TEMP WAGES	105.00	105.00
11515	020125	11/08/93	ADVANCED BUSINESS SOLUTIONS	EQUIPMENT - OFFICE	310.80	310.80
11516	020400	11/08/93	AIR SIGNAL, INC.	PAGER SERVICE FOR OCT. 1993	21.04	21.04
11517	020825	11/08/93	ALL RITE ELECTRIC COMPANY	REPAIRS & MTNCE./EQUIPMENT	108.00	108.00
11518	021185	11/08/93	AMERICAN ENGINEERING TESTING	OUTSIDE ENGINEERING FEES	252.00	252.00
11519	021200	11/08/93	AMERICAN FASTENER	MAINTENANCE	58.18	58.18
11520	021700	11/08/93	AMOCO OIL CO.	FUEL & OIL	31.42	31.42
11521	030400	11/08/93	ANDERSON, CAROLE	VEHICLE ALLOWANCE TRAVEL & TRAINING	79.56 247.04	326.60
11522	030655	11/08/93	ANDREWS, SCOTT A.	TRAVEL & TRAINING	45.56	45.56
11523	040915	11/08/93	ARNALS AUTO SERVICE	REPAIR & MAINT/VEHICLE REPAIR & MAINT/VEHICLE REPAIR & MAINT/VEHICLE	19.12 328.32 95.25	442.69

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 10

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
11524	050800	11/08/93	AUTOMOTIVE INDEX	SUPPLIES OFFICE	33.83	33.83
11525	061000	11/08/93	BANICK, JOHN	OCT 1993 K-9 OFFICER	35.00	35.00
11526	061900	11/08/93	BATTERY TIRE WAREHOUSE	SUPPLIES - VEHICLE SUPPLIES - VEHICLE SUPPLIES - VEHICLE SUPPLIES - VEHICLE	126.58 50.00- 68.16 131.53	276.27
11527	070580	11/08/93	BELTZ CONST.	REFUND GRADING ESCROW REC 6463 REFUND GRADING ESCROW REC 6463	1,000.00 25.48	1,025.48
11528	070800	11/08/93	BERGERON, JOSEPH	TRAVEL & TRAINING	163.43	163.43
11529	081150	11/08/93	BOHL, JOHN	OCT 1993 CANINE HANDLER	35.00	35.00
11530	090525	11/08/93	BRAD RAGAN, INC.	SUPPLIES - VEHICLE	319.18	319.18
11531	101861	11/08/93	BUSINESS CHOISE NETWORK	LONG DISTANCE - SEPT. PERSONAL CALLS	154.09 2.07	156.16
11532	110100	11/08/93	C & N.W.TRANSPORTATION CO.	ANNUAL LAND RENTAL-SAN SEWER	450.00	450.00
11533	110275	11/08/93	CALCOMP INC.	REPAIR & MTNCE./EQUIPMENT	420.00	420.00
11534	110850	11/08/93	CATCO	SUPPLIES - VEHICLE SUPPLIES - VEHICLE SUPPLIES - VEHICLE	25.88 77.64 244.78	348.30
11535	120101	11/08/93	CEDAR COMPUTER	EQUIPMENT - OFFICE	331.75	331.75
11536	120321	11/08/93	CELLULAR ONE	EQUIPMENT - OTHER	382.23	382.23
11537	120323	11/08/93	CELLULAR ONE	PHONE & BATTERY	380.71	380.71
11538	120325	11/08/93	CELLULAR ONE	TELEPHONE TELEPHONE	35.66 104.03	139.69
11539	120450	11/08/93	CENTER FOR EXERCISE & HEALTH	4TH QUARTER - 10/1 - 12/31/93 4TH QUARTER - 10/1 - 12/31/93 4TH QUARTER - 10/1 - 12/31/93 4TH QTR PMT 10/1 - 12/31 4TH QTR PMT 10/1 - 12/31	1,944.00 108.00 54.00 54.00 54.00 54.00 108.00 162.00	2,538.00
11540	120515	11/08/93	CENTRAL STORES	SUPPLIES - OFFICE SUPPLIES - OFFICE	2.91 26.71	29.62
11541	152300	11/08/93	COPY DUPLICATING PROD.	DUPLICATING COSTS	420.33	420.33

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 10

VOUCHER/

CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
11542	180110	11/08/93	D.C.A.	DENTAL CLAIMS	976.80	976.80
11543	181210	11/08/93	DARST, JAMES	UNIFORMS & CLOTHING	20.00	20.00
11544	181800	11/08/93	DAVIES WATER EQUIPMENT	MAINTENANCE MATERIAL	160.64	160.64
11545	181825	11/08/93	DAVIS INSTRUMENTS	SUPPLIES - EQUIPMENT	50.00	
				SUPPLIES - EQUIPMENT	55.00	105.00
11546	200300	11/08/93	DICTAPHONE	MAINTENANCE COSTS	4,370.00	4,370.00
11547	230225	11/08/93	E.K.QUEHL	SUPPLIES - OFFICE	488.66	488.66
11548	240235	11/08/93	ELLIOTT, MARY	REFUND - YOUTH SPECIAL EVENTS	22.00	22.00
11549	250060	11/08/93	ENGFER, NANCY	REFUND - YOUTH SPECIAL EVENTS	22.00	22.00
11550	250200	11/08/93	ESS BROTHERS & SONS INC.	MAINTENANCE MATERIAL	157.62	157.62
11551	260130	11/08/93	F.M.A.M.	BOOKS	30.00	30.00
11552	260400	11/08/93	FAUST, DANIEL	TRAVEL & TRAINING	172.83	
				VEHICLE ALLOWANCE	99.01	271.84
11553	300500	11/08/93	G & K SERVICES	UNIFORMS & CLOTHING	159.76	
				UNIFORMS	272.48	
				UNIFORMS	18.66	
				UNIFORMS	66.14	
				UNIFORMS & CLOTHING	124.20	
				UNIFORMS & CLOTHING	80.96	722.20
11554	302300	11/08/93	GEORGE'S BODY SHOP	REPAIR MAINT VEHICLE	325.00	
				VEHICLE REPAIR	185.00	510.00
11555	302435	11/08/93	GERMAIN, DAVID	UNIFORMS & CLOTHING	20.00	20.00
11556	310650	11/08/93	GOPHER DISPOSAL	SEPT. 1993 RECYCLING	14,441.03	14,441.03
11557	320266	11/08/93	GRAINGER	SUPPLIES - EQUIPMENT	108.39	
				SUPPLIES - EQUIPMENT	119.54	227.93
11558	320325	11/08/93	GREW HAYMAN, JANET M	PROGRAM SUPPLIES	22.16	
				SUPPLIES - EQUIPMENT	17.58	
				BOOKS	12.67	
				PUBLISHING	23.16	
				VEHICLE ALLOWANCE	73.84	149.41
11559	320525	11/08/93	GRUBER'S POWER EQUIPMENT	SUPPLIES - EQUIPMENT	14.86	14.86
11560	330060	11/08/93	H.V. JOHNSTON CULVERT CO.	MAINTENANCE MATERIAL	308.27	308.27

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 10

VOUCHER/

CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
11561	330240	11/08/93	RICK HANGSLEBEN	TRAVEL & TRAINING VEHICLE ALLOWANCE SUPPLIES - OFFICE	153.36 6.24 1.00	160.60
11562	351100	11/08/93	HONEYWELL INC.	LAND IMPROVEMENT-NATURE CENTER BLDG ADDITION	3,100.00	3,100.00
11563	351400	11/08/93	HORWATH, TOM	SEPT-OCT TREE INSPECTION	1,008.00	1,008.00
11564	370076	11/08/93	HUGHES & COSTELLO	PROSECUTION COSTS	198.60	198.60
11565	370100	11/08/93	HUTCHINSON, ANN	PROGRAM SUPPLIES	33.66	33.66
11566	380200	11/08/93	I.C.M.A.	MEMBERSHIP	667.91	667.91
11567	380425	11/08/93	I.O.S.	SUPPLIES - OFFICE	87.15	87.15
11568	400735	11/08/93	JWP TELECOM INC.	1993 TELEPHONE SYS MAINT	650.76	650.76
11569	400800	11/08/93	JAHN, DAVID	SUBSCRIPTIONS & MEMBERSHIPS	20.00	20.00
11570	400950	11/08/93	JEAN THORNE TEMPORARY SERVICE	TEMP. SERVICE	92.52	92.52
11571	410410	11/08/93	KEENE, ALICE	REFUND GRADING ESCROW REC 7920	1,000.00	1,000.00
11572	420265	11/08/93	KLEMM, DARLENE	REFUND - YOUTH SPECIAL EVENTS	30.00	30.00
11573	430420	11/08/93	KNOX LUMBER	MAINTENANCE MATERIAL MAINTENANCE MATERIAL	110.12 217.75	327.87
11574	440230	11/08/93	KROLL, MARY ANN	REFUND REC. FEES	140.00	140.00
11575	440250	11/08/93	KUBES, PHYLLIS	REFUND REC. FEES	70.00	70.00
11576	450125	11/08/93	L.E.T.N.	TRAVEL & TRAINING	488.00	488.00
11577	450700	11/08/93	LAKE MANAGEMENT, INC.	NATURE CENTER PUR LOOSESTRIFE	435.00	435.00
11578	460451	11/08/93	LEAGUE OF MINN. CITIES	BPPKS	213.00	213.00
11579	460541	11/08/93	LEAGUE OF MINNESOTA CITIES	INSURANCE CLAIM	25.00	25.00
11580	460566	11/08/93	LEDO, CAROL	REFUND - YOUTH SPECIAL EVENTS	30.00	30.00
11581	490735	11/08/93	LYNDE COMPANY	CHEMICALS	70.60	70.60
11582	500025	11/08/93	M-R SIGN COMPANY	LAND IMPROVEMENT-MAPLEWOOD PARK	2,839.44	2,839.44
11583	501225	11/08/93	MAC QUEEN EQUIPMENT	SUPPLIES VEHICLE	136.32	136.32
11584	501505	11/08/93	MAGLICH, GRETCHEN B.	VEHICLE ALLOWANCE PROGRAM SUPPLIES	11.52 44.43	

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 10

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				TRAVEL & TRAINING	1.00	
				UNIFORMS & CLOTHING	12.99	
				PROGRAM SUPPLIES	16.11	86.05
11585	530902	11/08/93	MEMA TREASURER	MEMBERSHIP	25.00	25.00
11586	541953	11/08/93	MINNESOTA CITIES	SUBSCRIPTION - M. OSTROM	18.00	18.00
11587	542355	11/08/93	MINNESOTA PIPE & EQUIPMENT	MAINTENANCE MATERIAL	3,983.10	3,983.10
11588	570076	11/08/93	MODERN FENCE & MFG., INC.	LAND IMPROVEMENT-VISTA HILLS PARK	3,375.00	
				LAND IMPROVEMENT-HARVEST PARK	3,675.00	
				LAND IMPROVEMENT-PLAYCREST PARK	1,950.00	9,000.00
11589	570090	11/08/93	MOGREN BROS.	MAINTENANCE MATERIAL	66.56	
				MAINTENANCE MATERIAL	135.79	
				MAINTENANCE MATERIAL	79.88	
				MAINTENANCE MATERIAL	151.12	433.35
11590	610050	11/08/93	MULLEN, LORI	REFUND - YOUTH SPECIAL EVENTS	44.00	44.00
11591	630020	11/08/93	NAI ARCHITECTS	NATURE CENTER EXPANSION	1,000.00	1,000.00
11592	630080	11/08/93	NTX COMPUTERS	SUPPLIES - EQUIPMENT	55.38	55.38
11593	630765	11/08/93	NATIONAL RECREATION & PARK	MEMBERSHIP	315.00	
				MEMBERSHIP	55.00	370.00
11594	630850	11/08/93	NATIONAL WILDLIFE FEDERATION	BOOK	11.20	11.20
11595	660055	11/08/93	NORDIC TRUCK PARTS	SUPPLIES VEHICLE	45.84	
				SUPPLIES VEHICLE	24.47-	21.37
11596	660060	11/08/93	NORDLING CONSTRUCTION CO. INC.	LAND IMPROVEMENT APP #4	22,401.00	
				CONTRACTS PAYABLE-RETAINAGE	2,240.10-	
				LAND IMPROVEMENT PMT #3	29,283.00	
				LAND IMPROVEMENT PMT #3	2,928.30-	46,515.60
11597	660550	11/08/93	NORTH HIGH	CHARITABLE GAMBLING FUND AWARD	800.00	800.00
11598	660905	11/08/93	NORTH STAR WIPER & INDUSTRIAL	SUPPLIES JANITORIAL	214.02	214.02
11599	662201	11/08/93	NORTHWEST FABRICS	PROGRAM SUPPLIES	21.97	21.97
11600	670950	11/08/93	NYSTROM PUBLISHING COMPANY INC	MAPLEWOOD IN MOTION OCT 1993	2,294.00	2,294.00
11601	670980	11/08/93	O'SHEA, CONNIE	REFUND - SOCCER	25.00	25.00
11602	690430	11/08/93	OLSON, PEARL	REFUND - ORDWAY	35.00	35.00
11603	711215	11/08/93	PETERS, MARK	REFUND - YOUTH SPECIAL EVENT	30.00	30.00

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
11604	711500	11/08/93	PHOTOS TO GO	FILM DEV.	14.12	14.12
11605	712111	11/08/93	PLAZA TIRE AND SERVICE INC	REPAIR & MAINT/VEHICLE REPAIR & MAINT/VEHICLE	156.62 92.24	248.86
11606	712115	11/08/93	POLAR CHEVROLET GED	REPAIR & MAINT/VEHICLE	1,351.90	1,351.90
11607	720560	11/08/93	POSSERT, GARY	REFUND - YOUTH SPECIAL EVENTS	22.00	22.00
11608	741200	11/08/93	RAINBOW FOODS	PROGRAM SUPPLIES PROGRAM SUPPLIES	34.68 66.26	100.94
11609	741310	11/08/93	RAMSEY CLINIC ASSOCIATES	TRAVEL & TRAINING TRAVEL & TRAINING TRAVEL & TRAINING	300.00 150.00 600.00	1,050.00
11610	741600	11/08/93	RAMSEY COUNTY	OTHER CONSTRUCTION COSTS SEPT 1993 DATA PROCESSING SERV SEPT 1993 DATA PROCESSING SERV SEPT 1993 DATA PROCESSING SERV	169.33 76.55 1.22 5.48	252.58
11611	742120	11/08/93	RAMSEY COUNTY	PAINTING CITY STREETS	1,478.85	1,478.85
11612	761400	11/08/93	ROHDE'S TREE SERVICE	REMOVE TREE STUMPS	861.88	861.88
11613	762290	11/08/93	RUE, JAMIE	REFUND - YOUTH SPECIAL EVENTS	22.00	22.00
11614	780300	11/08/93	S&T OFFICE PRODUCTS INC.	SUPPLIES - OFFICE SUPPLIES - OFFICE EQUIPMENT - OFFICE	49.22 6.92 1.45 196.80 3.26 90.15 44.03 30.41 21.86 21.46 258.80	637.72
11615	780402	11/08/93	SPS OFFICE PRODUCTS	SUPPLIES - OFFICE	230.52	230.52
11616	780460	11/08/93	SAFETY KLEEN CORP	SERVICE PARTS CLEANER	96.12	96.12
11617	780590	11/08/93	SANDSTROM, EDWARD	REFUND - ADULT TRIP	70.00	70.00
11618	780740	11/08/93	SAVIE SUPPLY COMPANY, INC.	SUPPLIES - JANITORIAL	97.55	97.55
11619	780890	11/08/93	SCAFFOLD SERVICE INC.	RENTAL OF SCAFFOLD	74.43	74.43
11620	810700	11/08/93	SHIELY CO.	MAINTENANCE MATERIAL (SAND)	4,939.87	4,939.87

VOUCHER/

CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
11621	820129	11/08/93	SIGNS BY NORTHLAND	SUPPLIES - EQUIPMENT SUPPLIES - OFFICE	98.79 25.30	124.09
11622	830250	11/08/93	SOKKIA MEASURING SYSTEMS	SUPPLIES - EQUIPMENT	20.86	20.86
11623	831375	11/08/93	SPADINO, MARCY	REFUND - YOUTH SPECIAL EVENTS	66.00	66.00
11624	840400	11/08/93	ST. PAUL CITY OF	SUPPLIES - EQUIPMENT	66.56	66.56
11625	840402	11/08/93	ST. PAUL, CITY OF	MAINTENANCE MATERIAL	26.76	26.76
11626	841810	11/08/93	STANDARD & POORS CORP	LEGAL & FISCAL-CERTIFICATES & BONDS LEGAL & FISCAL-CERTIFICATES & BONDS LEGAL & FISCAL-CERTIFICATES & BONDS	121.50 4,629.00 2,749.50	7,500.00
11627	841820	11/08/93	STANDARD ELECTRIC	REPAIR & MAINT/BLDG & GROUNDS	512.00	512.00
11628	842520	11/08/93	STATE OF MINNESOTA	SEPT 93 ST AID TELEPROCESSING	6.00	6.00
11629	843300	11/08/93	STEICHENS	PROGRAM SUPPLIES	51.11	51.11
11630	843575	11/08/93	STREICHERS GUNS	UNIFORMS & CLOTHING GLOCK 17 FIREARMS EQUIPMENT - OTHER	1,365.82 1,031.99 721.11	3,118.92
11631	850600	11/08/93	SUPERAMERICA	SUPPLIES - VEHICLE	28.07	28.07
11632	851575	11/08/93	SYSTEMS SUPPLY, INC.	SUPPLIES - OFFICE SUPPLIES - OFFICE SUPPLIES - OFFICE SUPPLIES - OFFICE SUPPLIES - OFFICE SUPPLIES - OFFICE	58.79 284.61 20.45 20.45 6.26 6.26	551.84
11633	860050	11/08/93	T & T LANDSCAPE	PURCHASE OF SPRUCE TREES	600.00	600.00
11634	860080	11/08/93	T.A. SCHIFSKY & SONS, INC	BIT MATERIAL T.A. SCHIFSKI MAINTENANCE MATERIAL	908.27 868.04 361.75	2,138.06
11635	860650	11/08/93	TARGET STORES-CPC, A/R	SUPPLIES - OFFICE	12.72	12.72
11636	861600	11/08/93	TESSMAN SEED	MAINTENANCE MATERIAL	136.32	136.32
11637	861660	11/08/93	THECO INC	STACKING CONVEYOR - 1WK RENTAL	1,831.50	1,831.50
11638	862675	11/08/93	TIMMERS, FRANCES	REFUND - ADULT TRIP	70.00	70.00
11639	880590	11/08/93	TRI STATE BOBCAT, INC.	REPAIR & MAINT/VEHICLE REPAIR & MAINT/VEHICLE	621.44 200.00	421.44

CITY OF MAPLEWOOD
VOUCHER/CHECK REGISTER
FOR PERIOD 10

CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
11640	880750	11/08/93	TROY CHEMICAL INDUSTRIES	SUPPLIES - EQUIPMENT	37.40	37.40
11641	881320	11/08/93	TWIN CITIES TRANSPORT AND	TOW	47.93	47.93
11642	890600	11/08/93	U.H.L. INC.	SUPPLIES - EQUIPMENT	53.42	53.42
11643	900100	11/08/93	UNIFORMS UNLIMITED	UNIFORMS & CLOTHING	191.56	
				UNIFORMS & CLOTHING	84.51	
				UNIFORMS & CLOTHING	160.87	
				UNIFORMS & CLOTHING	161.46	
				UNIFORMS & CLOTHING	23.35	
				UNIFORMS & CLOTHING	502.47	1,124.22
11644	911600	11/08/93	VIKING SAFETY PRODUCTS	SUPPLIES - EQUIPMENT	31.41	
				UNIFORMS & CLOTHING	98.01	129.42
11645	911700	11/08/93	VIKING SPECIALTY	SAF-T-SLIDERS	854.00	854.00
11646	930750	11/08/93	WAHLSTRAND, MICHELLE	REFUND - YOUTH SPECIAL EVENTS	22.00	22.00
11647	931850	11/08/93	WARNING LITES OF MN	UNIFORMS & CLOTHING	193.00	193.00
11648	940500	11/08/93	WEBER-TROSETH INC.	MAINT - FIRE EXTINGUISHERS	391.85	
				SUPPLIES - EQUIPMENT	139.31	531.16
11649	960450	11/08/93	XEROX CORPORATION	7/1 - 9/30 MAINT AGREEMENT	23.60	
				7/1 - 9/30 MAINT AGREEMENT	35.70	
				7/1 - 9/30 MAINT AGREEMENT	68.14	
				7/1 - 9/30 MAINT AGREEMENT	18.58	
				7/1 - 9/30 MAINT AGREEMENT	97.94	
				7/1 - 9/30 MAINT AGREEMENT	51.04	295.00
11650	970700	11/08/93	YOCUM OIL CO.	FUEL & OIL	136.06	
				OXLYGENATED N/L GASOLINE/OCTAN	6,849.75	
				FUEL & OIL DRUM CREDIT	20.00-	6,965.81

TOTAL CHECKS 535,841.76

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

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0037172	10/22/93	JOSEPH ZAPPA	286.27
0037173	10/22/93	DALE CARLSON	286.27
0037174	10/22/93	GEORGE ROSSBACH	286.27
0037175	10/22/93	GARY W BASTIAN	325.31
0037176	10/22/93	FRANCES L JUKER	286.27
0037177	10/22/93	MICHAEL A McGUIRE	3,425.17
0037178	10/22/93	THERESE CARLSON	1,226.11
0037179	10/22/93	GAIL BLACKSTONE	2,097.90
0037180	10/22/93	PATRICIA HENSLEY	179.28
0037181	10/22/93	GRETCHEN MAGLICH	2,031.98
0037182	10/22/93	GINA CASAREZ	915.59
0037183	10/22/93	DAVID J JAHN	1,055.60
0037184	10/22/93	LYLE SWANSON	1,119.71
0037185	10/22/93	KEN TILLGES	38.00
0037186	10/22/93	GREGORY J. PIEKARSKI	42.00
0037187	10/22/93	LARRY J CUDE	316.80
0037188	10/22/93	ANDREA J OSTER	1,198.00
0037189	10/22/93	WILLIAM MIKISKA	197.60
0037190	10/22/93	DANIEL F FAUST	2,514.02
0037191	10/22/93	LINDA ZICK	1,050.00
0037192	10/22/93	DEBORAH DEHN	773.35
0037193	10/22/93	RICHARD HANGSLEBEN	1,522.71
0037194	10/22/93	ALANA K MATHEYS	1,285.20
0037195	10/22/93	MARGARET GIBBS	103.84
0037196	10/22/93	DELORES A VIGNALO	1,261.20
0037197	10/22/93	CAROLE J ANDERSON	670.66
0037198	10/22/93	JUDY DeBILZAN	374.56

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

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0037199	10/22/93	LUCILLE E AURELIUS	2,130.86
0037200	10/22/93	BETTY D SELVOG	209.63
0037201	10/22/93	PATRICIA FRY	685.09
0037202	10/22/93	LOIS BEHM	1,307.51
0037203	10/22/93	CONNIE L KELSEY	680.63
0037204	10/22/93	BONNIE JOHNSON	604.88
0037205	10/22/93	LORRAINE S VIETOR	1,162.12
0037206	10/22/93	CAROL JAGOE	1,114.27
0037207	10/22/93	JEANETTE E CARLE	1,156.00
0037208	10/22/93	SANDRA OLSON	786.15
0037209	10/22/93	MARY KAY PALANK	1,119.32
0037210	10/22/93	KENNETH V COLLINS	2,430.80
0037211	10/22/93	CAROLE L RICHIE	1,419.76
0037212	10/22/93	JOANNE M SVENDSEN	1,470.20
0037213	10/22/93	ELAINE FULLER	554.60
0037214	10/22/93	CAROL F MARTINSON	1,543.60
0037215	10/22/93	ANTHONY G CAHANES	2,095.43
0037216	10/22/93	ROBERT D NELSON	2,095.43
0037217	10/22/93	VERNON T STILL	1,642.10
0037218	10/22/93	DONALD W SKALMAN	2,075.72
0037219	10/22/93	RAYMOND J MORELLI	1,642.10
0037220	10/22/93	SCOTT L STEFFEN	1,682.15
0037221	10/22/93	DAVID L ARNOLD	1,905.99
0037222	10/22/93	JOHN J BANICK	2,104.89
0037223	10/22/93	JOHN C BOHL	2,075.56
0037224	10/22/93	DALE K CLAUSON	640.42
0037225	10/22/93	RICHARD M MOESCHTER	1,732.91

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

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0037226	10/22/93	JAMES YOUNGREN	2,109.66
0037227	10/22/93	DAVID KVAM	932.54
0037228	10/22/93	WILLIAM F PELTIER	1,838.10
0037229	10/22/93	THOMAS J SZCZEPANSKI	1,855.63
0037230	10/22/93	CAROL V WELCHLIN	1,566.10
0037231	10/22/93	RICHARD J LANG	1,642.10
0037232	10/22/93	DALE RAZSKAZOFF	1,682.46
0037233	10/22/93	MICHAEL RYAN	1,889.02
0037234	10/22/93	MICHAEL J HERBERT	1,792.13
0037235	10/22/93	SCOTT A ANDREWS	1,336.29
0037236	10/22/93	RICHARD C DREGER	1,889.02
0037237	10/22/93	GREGORY L STAFNE	1,997.87
0037238	10/22/93	RONALD D BECKER	1,702.64
0037239	10/22/93	KEVIN R HALWEG	2,517.00
0037240	10/22/93	DERRELL T STOCKTON	1,725.44
0037241	10/22/93	PAUL G PAULOS-JR.	164.40
0037242	10/22/93	RICK A ROWMAN	2,134.21
0037243	10/22/93	FLINT D KARIS	1,918.11
0037244	10/22/93	STEPHEN J HEINZ	1,942.22
0037245	10/22/93	JOHN FRASER	1,694.35
0037246	10/22/93	DAVID J THOMALLA	1,805.21
0037247	10/22/93	KEVIN RABBETT	1,495.10
0037248	10/22/93	VIRGINIA DOWDLE	1,507.06
0037249	10/22/93	STEVEN PALMA	1,822.83
0037250	10/22/93	ROBERT E VORWERK	2,002.42
0037251	10/22/93	JOSEPH A BERGERON	1,882.05
0037252	10/22/93	JAMES MEEHAN	1,939.06

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

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0037253	10/22/93	JON A MELANDER	1,960.39
0037254	10/22/93	SARAH SAUNDERS	1,240.73
0037255	10/22/93	JAMES M EMBERTSON	1,785.61
0037256	10/22/93	DUANE J WILLIAMS	1,545.00
0037257	10/22/93	JANET L RABINE	1,287.36
0037258	10/22/93	JULIE A STAHNKE	1,220.40
0037259	10/22/93	SCOTT K BOYER	1,482.70
0037260	10/22/93	LINDA ADELSON	679.81
0037261	10/22/93	CAROL NELSON	1,922.97
0037262	10/22/93	WALTER LAFFERTY	937.21
0037263	10/22/93	JOSEPH FEHR	1,198.00
0037264	10/22/93	JILL PETERS	563.25
0037265	10/22/93	JAYME L FLAUGHER	1,266.00
0037266	10/22/93	JUDITH WEGWERTH	658.50
0037267	10/22/93	KENNETH G HAIDER	2,430.80
0037268	10/22/93	JUDY M CHLEBECK	1,266.00
0037269	10/22/93	WILLIAM PRIEFER	1,438.81
0037270	10/22/93	GERALD W MEYER	1,349.20
0037271	10/22/93	MICHAEL R KANE	1,724.68
0037272	10/22/93	BRYAN NAGEL	1,259.08
0037273	10/22/93	DAVID P LUTZ	1,335.18
0037274	10/22/93	JAMES DARST	1,079.60
0037275	10/22/93	HENRY F KLAUSING	1,367.99
0037276	10/22/93	JOHN SCHMOECK	1,276.66
0037277	10/22/93	RONALD J HELEY	1,362.60
0037278	10/22/93	ERICK D OSWALD	1,292.86
0037279	10/22/93	RONALD L FREBERG	1,339.20

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

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0037280	10/22/93	WILLIAM C CASS	1,552.31
0037281	10/22/93	RANDAL LINDBLUM	1,454.32
0037282	10/22/93	JAMES G ELIAS	1,521.20
0037283	10/22/93	JOHN DU CHARME	1,256.40
0037284	10/22/93	DENNIS L PECK	1,521.20
0037285	10/22/93	WILLIAM PRIEBE	1,466.80
0037286	10/22/93	WALTER M GEISSLER	1,521.20
0037287	10/22/93	THERESA METZ	1,399.78
0037288	10/22/93	JOHN R LOFGREN	1,055.21
0037289	10/22/93	ROBERT D ODEGARD	2,187.72
0037290	10/22/93	LOIS J BRENNER	1,242.80
0037291	10/22/93	BARBARA A KRUMMEL	629.04
0037292	10/22/93	PAULINE STAPLES	1,917.11
0037293	10/22/93	LUTHER JONES	104.00
0037294	10/22/93	MARGARET KUNDE	130.00
0037295	10/22/93	ROBERT S ANDERSON	1,254.80
0037296	10/22/93	DENNIS P LINDORFF	1,254.80
0037297	10/22/93	ROLAND B HELEY	1,278.00
0037298	10/22/93	SHANE SWANSON	26.25
0037299	10/22/93	MARK A MARUSKA	1,999.95
0037300	10/22/93	JAMES SCHINDELDECKER	1,252.81
0037301	10/22/93	MYLES R BURKE	1,301.20
0037302	10/22/93	CRAIG MISKELL	399.63
0037303	10/22/93	JANET M GREW HAYMAN	551.32
0037304	10/22/93	JEAN NELSON	581.58
0037305	10/22/93	JUDITH A HORSNELL	819.48
0037306	10/22/93	ANN E HUTCHINSON	1,345.20

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

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0037307	10/22/93	CHARLES THOOFT	35.75
0037308	10/22/93	ELAINE SKOUMBOURIS	141.21
0037309	10/22/93	KATHLEEN M DOHERTY	1,220.40
0037310	10/22/93	MARIE BARTA	1,140.08
0037311	10/22/93	GEOFFREY W OLSON	2,187.73
0037312	10/22/93	NANCY MISKELL	659.52
0037313	10/22/93	JOYCE L LIVINGSTON	665.52
0037314	10/22/93	CHRISTOPHER McGLINCEY	155.13
0037315	10/22/93	KENNETH ROBERTS	1,475.60
0037316	10/22/93	THOMAS G EKSTRAND	1,601.99
0037317	10/22/93	MARJORIE OSTROM	1,790.71
0037318	10/22/93	NICHOLAS N CARVER	1,475.61
0037319	10/22/93	ROBERT J WENGER	1,454.00
0037320	10/22/93	NATHAN WATERHOUSE	63.00
0037321	10/22/93	PETER JANSEN	42.00
0037322	10/22/93	STEVEN FRANK	23.00
0037323	10/22/93	MICHAEL JANSEN	109.00
0037324	10/22/93	TANIA CHASE	118.75
0037325	10/22/93	CHAD LOCKWOOD	28.50
0037326	10/22/93	BRIAN BECK	33.50
0037327	10/22/93	TODD MILLER	28.50
0037328	10/22/93	JOHN LYSTIG	46.00
0037329	10/22/93	EDWARD KOPESKY	42.00
0037330	10/22/93	CHRISSY LYSTIG	49.50
0037331	10/22/93	BERNARD ANDERSON	52.50
0037332	10/22/93	DANIEL BARTEL	60.50
0037333	10/22/93	WESLEY DAVIS	28.50

CITY OF MAPLEWOOD
 EMPLOYEE GROSS EARNINGS AND PAYROLL DEDUCTION CHECKS
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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0037334	10/22/93	ANDREA KIENITZ	87.50
0037335	10/22/93	KARI ANDERSON	57.00
0037336	10/22/93	CONNIE VERHULST	91.00
0037337	10/22/93	JAMES SALTNESS	56.00
0037338	10/22/93	DAVID ECKSTROM	54.00
0037339	10/22/93	WHITNEY OSTREM	57.00
0037340	10/22/93	BRENT METCALF	60.00
0037341	10/22/93	LUKE DUNKLEE	55.50
0037342	10/22/93	MICHAEL VINCENT	66.90
0037343	10/22/93	HEATHER BEHR	80.50
0037344	10/22/93	DAN PONSOLLE	59.00
0037345	10/22/93	MATT LESE	154.50
0037346	10/22/93	TIM BROWN	122.00
0037347	10/22/93	SHANNON STEINBRING	95.00
0037348	10/22/93	MELISSA STEINBRING	76.00
0037349	10/22/93	JOLAINE OLSON	50.05
0037350	10/22/93	KRISTEN WISTRICILL	38.00
0037351	10/22/93	ERICK LATVALA	42.00
0037352	10/22/93	BRIAN SVENDSEN	114.50
0037353	10/22/93	OLAF SIVERSON	53.50
0037354	10/22/93	MATTHEW NELSON	42.00
0037355	10/22/93	MARK PEASLEE	32.50
0037356	10/22/93	MANDY ANZALDI	56.25
0037357	10/22/93	CHRISTY SUMMER	168.00
0037358	10/22/93	ROY G WARD	446.40
0037359	10/22/93	DOUGLAS J TAUBMAN	1,573.91
0037360	10/22/93	EDWARD A NADEAU	1,591.56

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

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CHECK NUMBER	CHECK DATED	PAYEE	AMOUNT
0037361	10/22/93	KEVIN HALWEG, JR	186.88
0037362	10/22/93	ROGER W BREHEIM	772.43
0037363	10/22/93	DAVID B EDSON	1,424.69
0037364	10/22/93	RANDALL BELLMORE	1,098.00
0037365	10/22/93	DAVID GERMAIN	1,322.32
0037366	10/22/93	DENNIS M MULVANEY	1,398.80
0037367	10/22/93	GEORGE C SPREIGL	1,282.00
0037368	10/22/93	CONNIE WERMAGER	591.30
0037369	10/22/93	ELIZABETH J WEILAND	943.32
0037370	VOID	MAPLEWOOD STATE BANK #1	22,599.92
0037371	VOID	MN STATE COMM OF REVENUE	9,678.80
0037372	VOID	FIRST MINNESOTA (FICA)	9,441.33
0037373	VOID	PUBLIC EMP RETIREMENT ASSOC	3,158.09
0037374	10/22/93	ICMA RETIREMENT TRUST-457	11,555.60
0037375	VOID	FIRST MINNESOTA	468.75
0037376	VOID	CITY OF MAPLEWOOD (HCMA)	4,286.13
0037377	10/22/93	CITY & COUNTY EMP CR UNION	31,552.00
0037378	VOID	UNITED WAY OF ST. PAUL AREA	122.44
0037379	VOID	COMMERCIAL LIFE INSURANCE	261.69
0037380	10/22/93	MN STATE RETIREMENT SYSTEM	235.00
0037381	VOID	PUBLIC EMP. RETIREMENT ASSOC.	172.50
0037382	10/22/93	AFSCME 2725	623.15
0037383	10/22/93	METRO SUPERVISORY ASSOC	18.00
0037384	10/22/93	MN. MUTUAL LIFE INS. 19-3968	523.00
0037385	10/22/93	MN BENEFIT ASSOCIATION	633.25
0037386	VOID	PUBLIC EMP RETIREMENT ASSOC	287.56
0037387	VOID	MEDICA CHOICE	92.00

M E M O R A N D U M

TO: City Manager
FROM: City Clerk
RE: MERRICK COMPANIES
DATE: November 1, 1993

The Charitable Gambling License for Merrick Companies is up for renewal with the State. A resolution is needed from the City approving the license. The Council approved the license on March 8, 1993, but the State Board of Charitable Gambling requires a resolution of approval within 60 days of their approval.

APPROVING CHARITABLE GAMBLING

BE IT HEREBY RESOLVED, by the City Council of Maplewood, Minnesota: that the premises permit for lawful gambling is approved for Merrick Companies to be located at Garrity's, 1696 White Bear Avenue N.

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.

AGENDA REPORT

Action by Council:

TO: City Manager

Endorsed _____

FROM: City Engineer

Modified _____

Rejected _____

SUBJECT: District 22 Trunk Sanitary Sewer Replacement, Project 91-10—Final
Payment and Change Order 2

Date _____

DATE: November 1, 1993

The District 22 Trunk Sanitary Sewer repair project is complete. There were four unit price items that changed. They are identified as Items 1-4 through 1-7 on the attached recapitulating Change Order 2. The net cost totals \$1,792.00. It is recommended that recapitulating Change Order 2 be approved and final payment in the amount of \$22,733.10 be approved.

KGH

jc
Attachments

**RESOLUTION
DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT**

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered made Improvement Project 91-10, District 22 Trunk Sanitary Sewer Replacement, 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 91-10, 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 \$1,792.

The project budget remains at \$432,465 with financing from the sewer fund.

**RESOLUTION
ACCEPTANCE OF PROJECT**

WHEREAS, the city engineer for the City of Maplewood has determined that City Project 91-10, District 22 Trunk Sanitary Sewer Replacement is complete and recommends acceptance of the project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that City Project 91-10 is complete and maintenance of these improvements is accepted by the city. Release of any retainage or escrow is hereby authorized.

CITY OF MAPLEWOOD
DEPARTMENT OF PUBLIC WORKS
1830 EAST COUNTY ROAD B
MAPLEWOOD, MINNESOTA 55109

ESTIMATE FOR FINAL PAYMENT

Estimate No. final Period Ending November 8, 1993

Project: 91-10

Project: District 22 Trunk Sanitary Sewer Repair

Contractor : Insituform Central, Inc.

Contract amount: \$355,690.00

ITEM	DESCRIPTION	UNIT	QUANT.	UNIT PRICE	QUANT. TO DATE	TOTAL
1-1	Construct driveway to Manhole 22-69	LS	1.00	\$6,750.00	1	\$6,750.00
1-2	Gem Street hydrant installation	LS	1.00	\$2,300.00	1	\$2,300.00
1-3	Repair 8" outside drop at MH 22-109	LS	1.00	\$3,100.00	1	\$3,100.00
1-4	Line 8" sanitary sewer	LF	4370.00	\$39.00	4374	\$170,586.00
1-5	Line 10" sanitary sewer	LF	2270.00	\$41.00	2276	\$93,316.00
1-6	Open 4" or 6" service	EA	39.00	\$350.00	44	\$15,400.00
1-7	Install manhole step	EA	8.00	\$45.00	0	\$0.00
1-8	Secure manhole casting	EA	6.00	\$385.00	6	\$2,310.00
1-9	Seal Manhole 4-76, D 14.9	LS	1.00	\$1,665.00	0	\$0.00
1-10	Seal Manhole 6-24, D 8.0	LS	1.00	\$1,615.00	0	\$0.00
1-11	Seal Manhole 8-28, D 16.5	LS	1.00	\$1,625.00	1	\$1,625.00
1-12	Seal Manhole 8-77, D 10.4	LS	1.00	\$1,615.00	1	\$1,615.00
1-13	Seal Manhole 12-3, D 9.5	LS	1.00	\$1,615.00	1	\$1,615.00
1-14	Seal Manhole 13-1, D 17.3	LS	1.00	\$1,725.00	1	\$1,725.00
1-15	Seal Manhole 14-2, D 12.5	LS	1.00	\$1,455.00	1	\$1,455.00
1-16	Seal Manhole 17-1, D 19.2	LS	1.00	\$1,515.00	1	\$1,515.00
1-17	Seal Manhole 18-19, D 10.0	LS	1.00	\$1,615.00	1	\$1,615.00

ITEM	DESCRIPTION	UNIT	QUANT.	UNIT PRICE	QUANT. TO DATE	TOTAL
1-18	Seal Manhole 19-4, D 7.9	LS	1.00	\$1,615.00	1	\$1,615.00
1-19	Seal Manhole 19-22, D 8.0	LS	1.00	\$1,615.00	1	\$1,615.00
1-20	Seal Manhole 22-60, D 15.4	LS	1.00	\$1,455.00	1	\$1,455.00
1-21	Seal Manhole 22-61, D 14.2	LS	1.00	\$1,455.00	1	\$1,455.00
1-22	Seal Manhole 22-62, D 24.2	LS	1.00	\$1,815.00	1	\$1,815.00
1-23	Seal Manhole 22-63, D 21	LS	1.00	\$1,815.00	1	\$1,815.00
1-24	Seal Manhole 22-65, D 9.3	LS	1.00	\$1,655.00	1	\$1,655.00
1-25	Seal Manhole 22-66, D 12.6	LS	1.00	\$1,695.00	1	\$1,695.00
1-26	Seal Manhole 22-67, D 11.2	LS	1.00	\$1,695.00	1	\$1,695.00
1-27	Seal Manhole 22-69, D 9.2	LS	1.00	\$1,655.00	1	\$1,655.00
1-28	Seal Manhole 22-70, D 13.1	LS	1.00	\$1,665.00	1	\$1,665.00
1-29	Seal Manhole 22-71, D 12.5	LS	1.00	\$1,665.00	1	\$1,665.00
1-30	Seal Manhole 22-75, D 17.8	LS	1.00	\$1,725.00	1	\$1,725.00
1-31	Seal Manhole 22-76, D 11.1	LS	1.00	\$1,615.00	1	\$1,615.00
1-32	Seal Manhole 22-77, D 10.7	LS	1.00	\$1,615.00	1	\$1,615.00
1-33	Seal Manhole 22-78, D 14.6	LS	1.00	\$1,665.00	1	\$1,665.00
1-34	Seal Manhole 22-79, D 16.2	LS	1.00	\$1,665.00	1	\$1,665.00
1-35	Seal Manhole 22-92, D 11.7	LS	1.00	\$1,765.00	1	\$1,765.00
1-36	Seal Manhole 22-98, D 9	LS	1.00	\$1,515.00	1	\$1,515.00
1-37	Seal Manhole 22-99, D 10.7	LS	1.00	\$1,515.00	1	\$1,515.00
1-38	Seal Manhole 22-111, D 13.3	LS	1.00	\$1,565.00	1	\$1,565.00
1-39	Seal Manhole 26-443, D 8.2	LS	1.00	\$1,515.00	0	\$0.00
1-40	Seal Manhole 32-39, D 14.6	LS	1.00	\$1,565.00	1	\$1,565.00
1-41	Seal Manhole 32-58, D 8.3	LS	1.00	\$1,515.00	1	\$1,515.00
1-42	Seal Manhole 34-11, D 9	LS	1.00	\$1,515.00	1	\$1,515.00
1-43	Seal Manhole 37-53, D 11.0	LS	1.00	\$1,515.00	1	\$1,515.00
1-44	Seal Manhole 37-77, D 17.0	LS	1.00	\$1,565.00	1	\$1,565.00
1-45	Seal Manhole 47-44, D 9.6	LS	1.00	\$1,515.00	1	\$1,515.00
1-46	Seal Manhole 49-6, D 9.2	LS	1.00	\$1,515.00	1	\$1,515.00
1-47	Seal Manhole 49-40, D 8.9	LS	1.00	\$1,305.00	0	\$0.00
1-48	Seal Manhole 50-97, D 6.2	LS	1.00	\$1,305.00	0	\$0.00
1-49	Seal Manhole 13-17, D 16.0	LS	1.00	\$1,665.00	1	\$1,665.00
1-50	Seal Manhole 22-72, D 10.2	LS	1.00	\$1,665.00	1	\$1,665.00

ITEM	DESCRIPTION	UNIT	QUANT.	UNIT PRICE	QUANT. TO DATE	TOTAL
1-51	Seal Manhole 22-95, D11.2	LS	1.00	\$1,665.00	1	\$1,665.00
1-52	Link pipe repair sleeves	LS	1.00	\$4,875.00	1	\$4,875.00
	GRAND TOTAL					\$359,947.00

Total contract work : \$355,690.00

Change Order 1 \$2,465.00
Change Order 2 \$1,792.00

Total approved extra work \$4,257.00

Approved work completed: 359,947.00

Total amount earned this estimate
Less 0 percent retained 0.00

Less previous payments 337,213.90

Amount due this estimate \$ 22,733.10

Contractor _____ Date _____

Engineer _____ Date _____

CITY OF MAPLEWOOD
DEPARTMENT OF PUBLIC WORKS
1830 EAST COUNTY ROAD B
MAPLEWOOD, MINNESOTA 55109

RECAPITULATING CHANGE ORDER 2

Project Name: District 22 Trunk Sanitary Sewer Repair
Project No.: 91-10
Contractor: Insituform Central, Inc.

Change Order No.: 2
Date: November 1, 1993

ITEM	DESCRIPTION	UNIT	QUANT.	UNIT PRICE	QUANT TO DATE	TOTAL
1-1	Construct driveway to Manhole 22-69	LS	1.00	\$6,750.00	1	\$0.00
1-2	Gem Street hydrant installation	LS	1.00	\$2,300.00	1	\$0.00
1-3	Repair 8" outside drop at MH 22-109	LS	1.00	\$3,100.00	1	\$0.00
1-4	Line 8" sanitary sewer	LF	4370.00	\$39.00	4374	\$156.00
1-5	Line 10" sanitary sewer	LF	2270.00	\$41.00	2276	\$246.00
1-6	Open 4" or 6" service	EA	39.00	\$350.00	44	\$1,750.00
1-7	Install manhole step	EA	8.00	\$45.00	0	(\$360.00)
1-8	Secure manhole casting	EA	6.00	\$385.00	6	\$0.00
1-9	Seal Manhole 4-76, D 14.9	LS	1.00	\$1,665.00	1	\$0.00
1-10	Seal Manhole 6-24, D 8.0	LS	1.00	\$1,615.00	1	\$0.00
1-11	Seal Manhole 8-28, D 16.5	LS	1.00	\$1,625.00	1	\$0.00
1-12	Seal Manhole 8-77, D 10.4	LS	1.00	\$1,615.00	1	\$0.00
1-13	Seal Manhole 12-3, D 9.5	LS	1.00	\$1,615.00	1	\$0.00
1-14	Seal Manhole 13-1, D 17.3	LS	1.00	\$1,725.00	1	\$0.00
1-15	Seal Manhole 14-2, D 12.5	LS	1.00	\$1,455.00	1	\$0.00
1-16	Seal Manhole 17-1, D 19.2	LS	1.00	\$1,515.00	1	\$0.00
1-17	Seal Manhole 18-19, D 10.0	LS	1.00	\$1,615.00	1	\$0.00
1-18	Seal Manhole 19-4, D 7.9	LS	1.00	\$1,615.00	1	\$0.00
1-19	Seal Manhole 19-22, D 8.0	LS	1.00	\$1,615.00	1	\$0.00
1-20	Seal Manhole 22-60, D 15.4	LS	1.00	\$1,455.00	1	\$0.00
1-21	Seal Manhole 22-61, D 14.2	LS	1.00	\$1,455.00	1	\$0.00
1-22	Seal Manhole 22-62, D 24.2	LS	1.00	\$1,815.00	1	\$0.00
1-23	Seal Manhole 22-63, D 21	LS	1.00	\$1,815.00	1	\$0.00

ITEM	DESCRIPTION	UNIT	QUANT.	UNIT PRICE	QUANT TO DATE	TOTAL
1-24	Seal Manhole 22-65, D 9.3	LS	1.00	\$1,655.00	1	\$0.00
1-25	Seal Manhole 22-66, D 12.6	LS	1.00	\$1,695.00	1	\$0.00
1-26	Seal Manhole 22-67, D 11.2	LS	1.00	\$1,695.00	1	\$0.00
1-27	Seal Manhole 22-69, D 9.2	LS	1.00	\$1,655.00	1	\$0.00
1-28	Seal Manhole 22-70, D 13.1	LS	1.00	\$1,665.00	1	\$0.00
1-29	Seal Manhole 22-71, D 12.5	LS	1.00	\$1,665.00	1	\$0.00
1-30	Seal Manhole 22-75, D 17.8	LS	1.00	\$1,725.00	1	\$0.00
1-31	Seal Manhole 22-76, D 11.1	LS	1.00	\$1,615.00	1	\$0.00
1-32	Seal Manhole 22-77, D 10.7	LS	1.00	\$1,615.00	1	\$0.00
1-33	Seal Manhole 22-78, D 14.6	LS	1.00	\$1,665.00	1	\$0.00
1-34	Seal Manhole 22-79, D 16.2	LS	1.00	\$1,665.00	1	\$0.00
1-35	Seal Manhole 22-92, D 11.7	LS	1.00	\$1,765.00	1	\$0.00
1-36	Seal Manhole 22-98, D 9	LS	1.00	\$1,515.00	1	\$0.00
1-37	Seal Manhole 22-99, D 10.7	LS	1.00	\$1,515.00	1	\$0.00
1-38	Seal Manhole 22-111, D 13.3	LS	1.00	\$1,565.00	1	\$0.00
1-39	Seal Manhole 26-443, D 8.2	LS	1.00	\$1,515.00	1	\$0.00
1-40	Seal Manhole 32-39, D 14.6	LS	1.00	\$1,565.00	1	\$0.00
1-41	Seal Manhole 32-58, D 8.3	LS	1.00	\$1,515.00	1	\$0.00
1-42	Seal Manhole 34-11, D 9	LS	1.00	\$1,515.00	1	\$0.00
1-43	Seal Manhole 37-53, D 11.0	LS	1.00	\$1,515.00	1	\$0.00
1-44	Seal Manhole 37-77, D 17.0	LS	1.00	\$1,565.00	1	\$0.00
1-45	Seal Manhole 47-44, D 9.6	LS	1.00	\$1,515.00	1	\$0.00
1-46	Seal Manhole 49-6, D 9.2	LS	1.00	\$1,515.00	1	\$0.00
1-47	Seal Manhole 49-40, D 8.9	LS	1.00	\$1,305.00	1	\$0.00
1-48	Seal Manhole 50-97, D 6.2	LS	1.00	\$1,305.00	1	\$0.00
	GRAND TOTAL					\$1,792.00

Original contract:	\$355,690.00
Net change of prior Change Order 1	2,465.00
Change this change order	1,792.00
Revised contract	\$359,947.00

Approved _____
Mayor

Approved _____
Engineer

Agreed to by contractor by _____
Its _____
Title

Action by Council:

MEMORANDUM

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Chris McGlincey, Planning Intern
SUBJECT: CUP Termination and Home Occupation License
LOCATION: 1161 Leland Road
DATE: October 29, 1993

INTRODUCTION

In 1987, the City approved a conditional use permit (CUP) at 1161 Leland Road. The permit was for a home beauty shop. The operator, Jane Christensen Fosse, wants to continue the business. She is requesting a home occupation license.

BACKGROUND

October 15, 1987: The City Council granted a CUP for a beauty shop at 1161 Leland Road. This permit was subject to four conditions. (See the minutes on page 6.)

June 27, 1988: The Council amended the City Code to require licenses for new home occupations rather than CUPs.

September 26, 1988: The Council renewed the CUP at 1161 Leland Road for five years.

DISCUSSION

The Council has been replacing CUPs that come up for renewal with home occupation licenses. A CUP applies to anyone living at the property. A license applies to a specific individual. If Ms. Fosse moved, no one else could operate a beauty shop at this address without applying for a new license.

Ms. Fosse is meeting the original CUP conditions and the criteria for a home occupation license. The staff is not aware of any problems with her business.

RECOMMENDATIONS

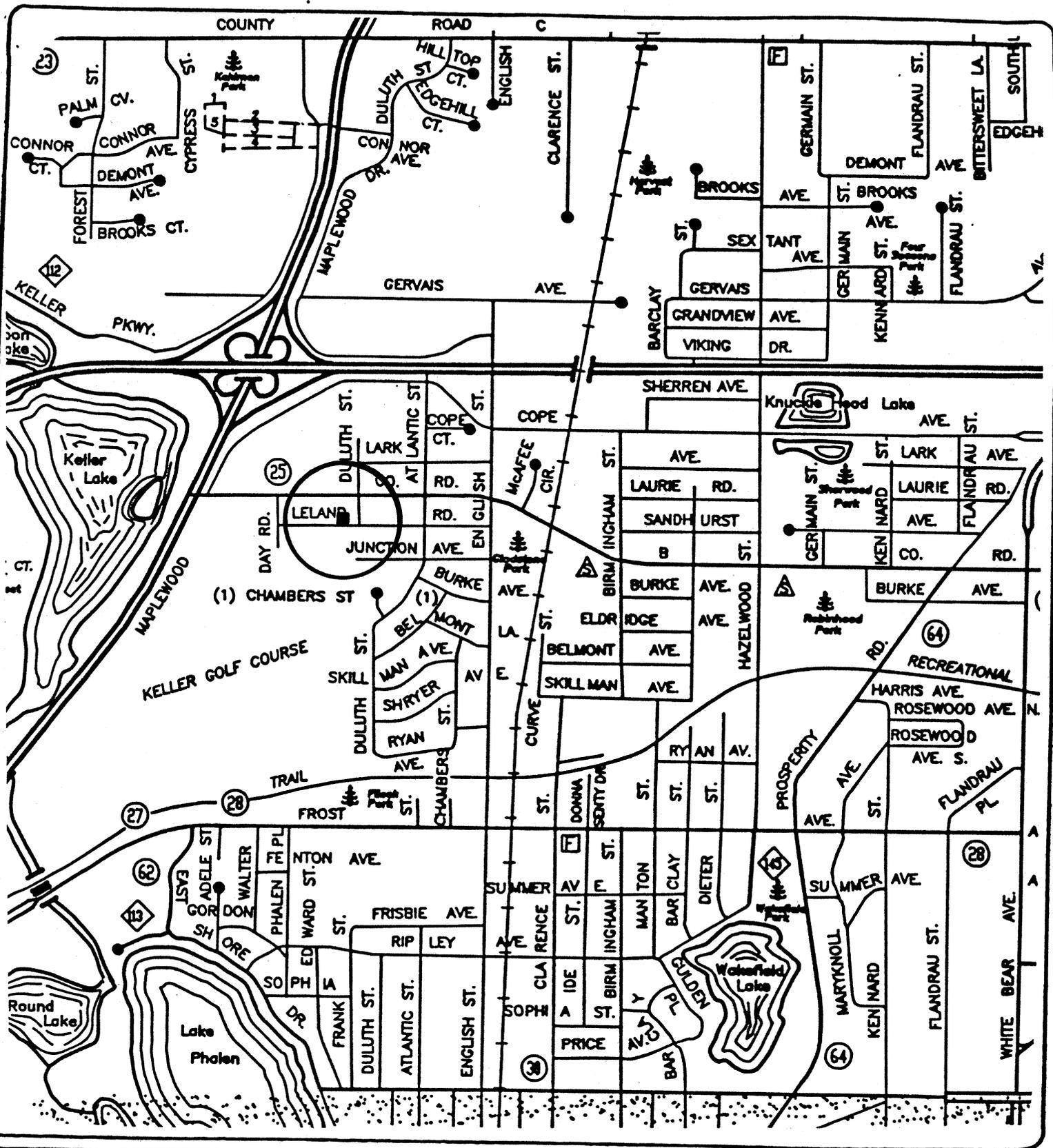
- A. End the conditional use permit at 1161 Leland Road.
- B. Approve a home occupation license for Jane Christensen Fosse. This license is to operate a beauty shop at 1161 Leland Road. The license is subject to the following conditions:
 - 1. Customers shall park in the driveway or directly in front of Ms. Fosse's house.

2. Meeting the City's home occupation license requirements. (See the requirements on page 7.)
3. Ms. Fosse shall provide a smoke detector and fire extinguisher in the beauty shop, as required by the Fire Marshal.
4. Ms. Fosse shall have no more than one wall-mounted, two-square-foot business sign.
5. Ms. Fosse must renew her license each January with the City Clerk.
6. This license shall end when the business ends.

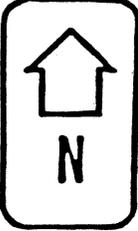
go/b-5:fosse.mem

Attachments:

1. Location Map
2. Property Line/Zoning Map
3. 10-15-87 Council minutes
4. Home Occupation License Requirements



LOCATION MAP



h. Councilmember Juker moved to table this item until such time as Council is presented a map showing where the home occupation permits are located.

Seconded by Councilmember Anderson.

Ayes - Councilmembers Anderson and Juker

Nays - Mayor Greavu, Councilmembers Bastian and Wasiluk

Motion failed.

i. Mayor Greavu introduced the following resolution and moved its adoption:

87 - 10 - 195

WHEREAS, Jane Christensen Fosse initiated a conditional use permit to operate a home beauty salon at the following-described property:

Subject to Leland Road, the South 137 feet of the West 132 feet of the East 264 feet of Block 4, Clifton Addition, Ramsey County.

This property is also known as 1161 Leland Road, Maplewood;

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

1. This conditional use permit was reviewed by the Maplewood Planning Commission on September 31, 1987. The Planning Commission recommended to the City Council that said permit be approved.
2. The Maplewood City Council held a public hearing on October 15, 1987. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City Staff and Planning Commission.

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

1. The use is in conformity with the City's comprehensive plan and with the purpose and standards of this chapter.
2. The establishment or maintenance of the use would not be detrimental to the public health, safety or general welfare.
3. The use would be located, designed, maintained and operated to be compatible with the character of that zoning district.
4. The use would not depreciate property values.
5. The use would not be hazardous, detrimental or disturbing to present and potential surrounding land uses, due to the noises, glare, smoke, dust, odor, fumes, water pollution, water run-off, vibration, general unsightliness, electrical interference or other nuisances.

6. The use would generate only minimal vehicular traffic on local streets and shall not create traffic congestion, unsafe access or parking needs that will cause undue burden to the area properties.
7. The use would be serviced by essential public services, such as streets, police, fire protection, utilities, schools and parks.
8. The use would not create excessive additional requirements at public cost for public facilities and services; and would not be detrimental to the welfare of the City.
9. The use would preserve and incorporate the site's natural and scenic features into the development design.
10. The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions:

1. Customers shall park in the driveway or directly in front of the applicant's house.
2. Compliance with the requirements in Section 36-66 (4) (b) pertaining to the operation of a home occupation.
3. A smoke detector and fire extinguisher shall be provided in the shop area.
4. Signage shall be limited to a wall-mounted, two-square-foot maximum size sign.

Seconded by Councilmember Wasiluk.

Ayes - Mayor Greavu, Councilmembers Bastian and Wasiluk

Nays - Councilmembers Anderson and Juker

G. AWARD OF BIDS

1. Project 86-15D - Mailand Road Booster Station Revisions

a. Manager McGuire presented the staff report.

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

87 - 10 - 196

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of Richmar Construction, Inc., in the amount of \$134,140 is the lowest responsible bid for the construction of Project 86-15D, Mailand Road Booster Station Revisions, and the proper City officials are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the City.

Seconded by Councilmember Anderson.

Ayes - all.

Oct 15, 1987 PM

HOME OCCUPATION LICENSE REQUIREMENTS

1. No traffic shall be generated by a home occupation in greater volumes than would normally be expected in a residential neighborhood. The need for off-street parking spaces shall not exceed more than three off-street parking spaces for home occupation at any given time, in addition to the parking spaces required by the residents.
2. No more than one nonresident employee shall be allowed to work on the premises. Nonresident employees who work off premises may be allowed to visit the premises. If an on-site employee is parking on site, off-site employees shall not leave their vehicles on site. If there is no on-site employee vehicle parked on site, one off-site employee vehicle may be parked on site.
3. No vehicle associated with the home occupation, including customers or employees, shall be parked on the street or block sidewalks or public easements. Private vehicles used by the residents shall not be included in this requirement.
4. An area equivalent to no more than twenty (20) percent of each level of the house, including the basement and garage, shall be used in the conduct of a home occupation.
5. There shall be no change visible off premises in the outside appearance of the building or premises that would indicate the conduct of a home occupation, other than one sign meeting the requirements of the City sign code.
6. No more than 20% of business income shall come from the sale of products produced off site unless approved by the City Council.
7. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
8. There shall be no fire, safety or health hazards.
9. A home occupation shall not include the repair of internal combustion engines, body shops, machine shops, welding, ammunition manufacturing or other objectionable uses as determined by the City. Machine shops are defined as places where raw metal is fabricated, using machines that operate on more than one hundred twenty (120) volts of current.

MEMORANDUM

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Chris McGlincey, Planning Intern
SUBJECT: Preliminary Plat Time Extension
LOCATION: Frisbee Avenue, west of English Street
PROJECT: Phalen Lake Addition (formerly Frisbee Hill)
DATE: October 29, 1993

INTRODUCTION

John Peterson of Good Value Homes is requesting that the City Council approve a time extension. The extension is for the Phalen Lake Addition preliminary plat. The preliminary plat is for fourteen single-dwelling lots.

BACKGROUND

October 12, 1992: The City Council approved a land use plan change and the preliminary plat. The land use plan change was from RM (residential medium density) to RL (residential low density). (See the preliminary plat on page 4 and the plat conditions on page 5.)

October 26, 1992: The Council changed the zoning for the preliminary plat site. The change was from R-2 (single and double dwellings) to R-1 (single dwellings).

DISCUSSION

Good Value Homes has taken over the project and expects to build in 1994. There is no reason to deny the time extension.

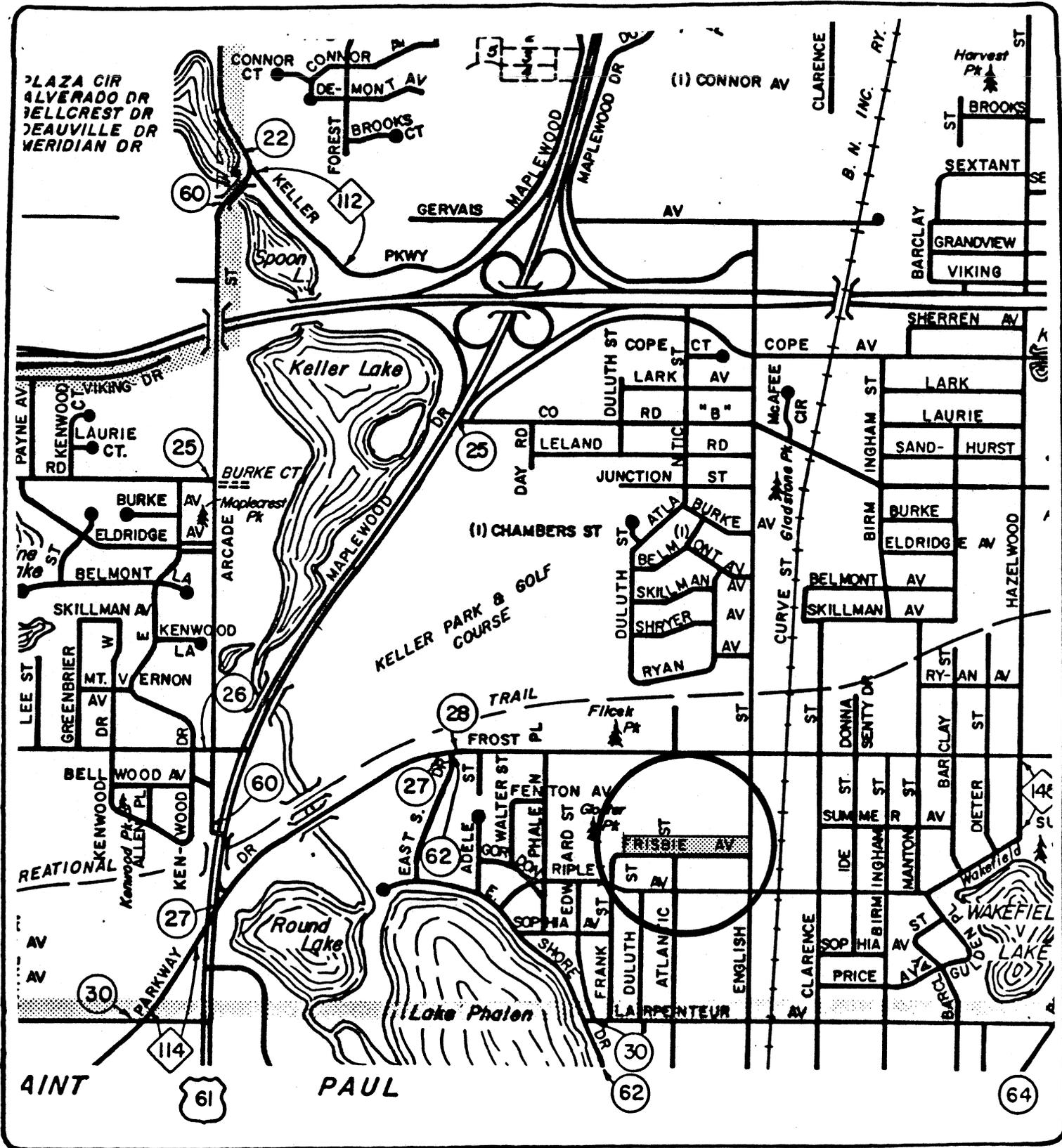
RECOMMENDATION

Approve a one-year time extension for the Phalen Lake Addition preliminary plat. This time extension shall be subject to the October 12, 1992 conditions of approval.

go:b-5:phalen.mem (16)

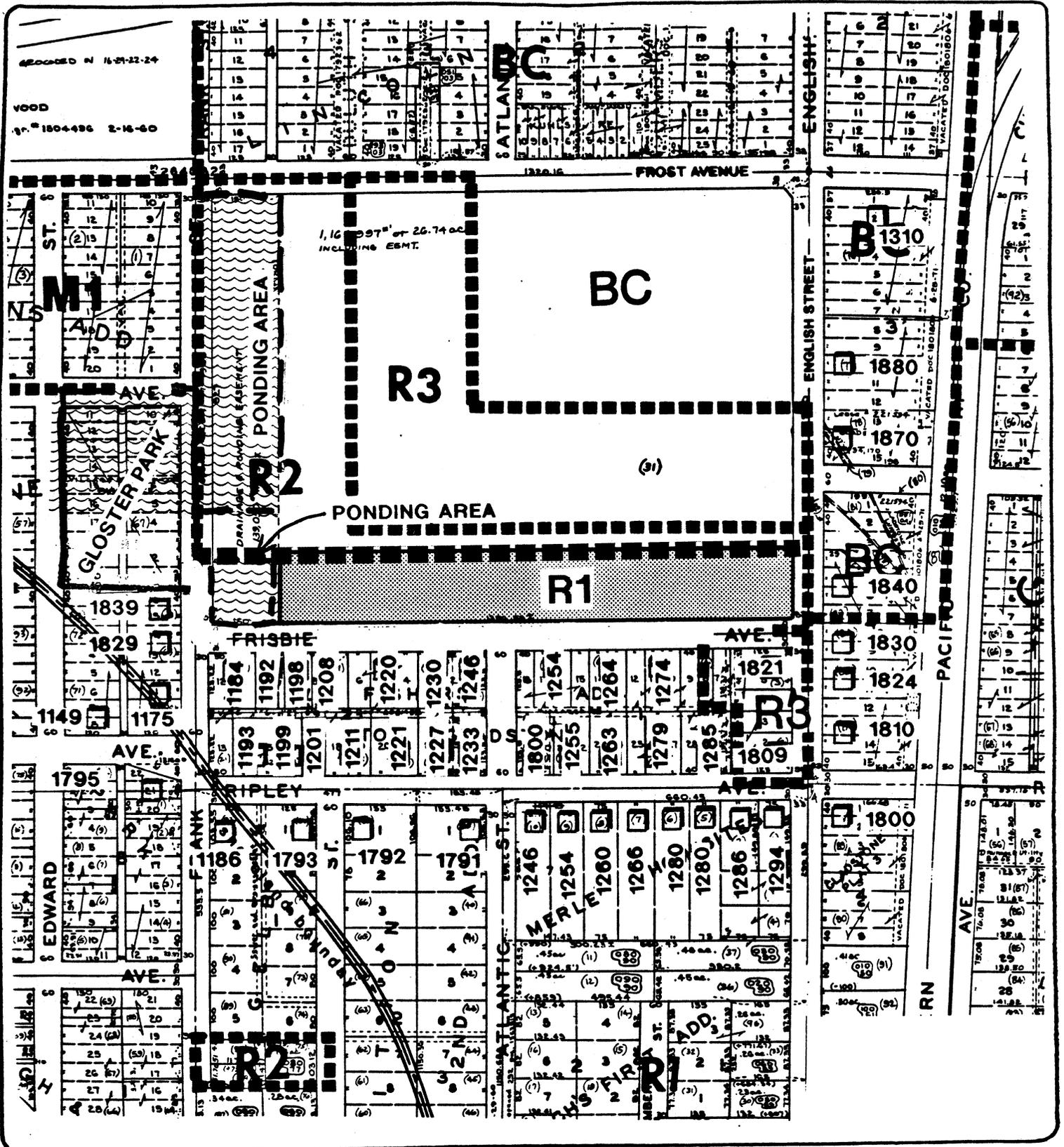
Attachments:

1. Location Map
2. Property Line/Zoning Map
3. Preliminary Plat
4. 10-12-92 Council Minutes



LOCATION MAP





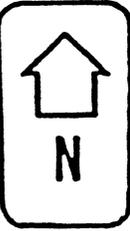
FRISBEE HILL SITE

PROPERTY LINE / ZONING MAP

R-1 = SINGLE DWELLING M-1 = LIGHT MANUFACTURING

BC = BUSINESS AND COMMERCIAL P = PARKS

R-2 = SINGLE AND DOUBLE DWELLINGS R-3 = MULTIPLE DWELLINGS



EXISTING ZONING

1. Mayor Bastian moved to approve the financing of cash connection charges as recommended by staff.

Seconded by Councilmember Carlson

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

- m. Councilmember Zappa moved to direct staff to prepare a notice provision for the preliminary plat.

Seconded by Mayor Bastian

Ayes - all

Preliminary Plat

- n. Councilmember Rossbach moved to approve the preliminary plat subject to the following conditions and changes:

- 1) Sign an agreement with the City that guarantees that the developer will complete all public improvements and meet all City requirements.
- 2) Obtain the City Engineer's approval of final engineering plans. The developer shall change the drainage plan by:
 - a) Extending the storm sewer to English Street
 - b) Adding catch basins along Frisbie Avenue in the ditch
 - c) Extend the storm sewer to the north end of the south soccer field.

The erosion control plan shall be consistent with the Ramsey Soil and Water Conservation District Erosion and Sediment Control Handbook.

- 3) The plat shall include drainage and utility easements along all property lines. These easements shall be ten feet wide along the front and rear property lines and five feet wide along the side property lines.
- 4) The developer shall waive the right to a public hearing and agree to be assessed \$36,750 for a water main over a five-year period at eight percent interest. When the plat is filed, the assessment will be split as follows: \$1,000 per lot on each of 14 lots and \$22,750 on the remaining large parcel.
- 5) The developer shall notify anyone purchasing a lot about the zoning and land use classification for the adjacent property to the north.

If the developer decides to final plat part of the preliminary plat, the Director of Community Development may waive any conditions that do not apply to the final plat.

Seconded by Councilmember Zappa

Ayes - all

10-12-92

MEMORANDUM

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Director of Community Development
SUBJECT: 1994 SCORE Funding Application
DATE: October 27, 1993

INTRODUCTION

I have attached the 1994 SCORE application. The amount is \$65,100. This money is a grant from the County to repay the City for part of its recycling costs. The County is requesting that the City Council approve the application.

RECOMMENDATION

Approve the 1994 SCORE application.

go/b-5:score.mem (8.2 Recycling-Ramsey Co.)
Attachment: application

RAMSEY COUNTY DEPARTMENT OF PUBLIC HEALTH
SOLID WASTE DIVISION

1994 SCORE FUNDING GRANT APPLICATION

CITY/TOWNSHIP Maplewood DATE 10-15-93
CONTACT PERSON Robert Wenger PROGRAM PERIOD: January 1, 1994
ADDRESS 1830 E. County Road B through December 31, 1994
Maplewood, MN 55109
PHONE 770-4560 FAX 770-4506

1. DESCRIPTION OF 1994 RECYCLING PROGRAM:

A. SERVICE DESCRIPTION

SINGLE FAMILY RESIDENCES YES - Every Other Week

MULTI FAMILY RESIDENCES YES - Every Other Week

CONDOMINIUM RESIDENCES YES - Every Other Week

MANUFACTURED HOME PARKS YES - Every Other Week

NAME OF COLLECTOR(S) Gopher Disposal
P. O. Box 5 - Newport, MN

ITEMS COLLECTED FOR RECYCLING: Glass, Paper, Cardboard, Plastic, Used Oil & Antifreeze, Car Batteries

B. DESCRIBE THE LONG TERM SOURCE(S) OF FUNDING FOR RECYCLING SERVICES:

Service Charge on Utility Bills

C. DESCRIBE CHANGES TO THE PROGRAM FOR 1994:

None

2. HOW DO YOU PROPOSE TO USE SCORE FUNDING GRANT FUNDS? PLEASE DESCRIBE HOW A SCORE FUNDING GRANT WOULD ENHANCE/IMPROVE RECYCLING EFFORTS IN YOUR COMMUNITY (PLEASE BY VERY SPECIFIC, AND INCLUDE MEASURABLE GOALS AND ANY PROGRAM CHANGES FOR 1994).

Partial funding for collection service. Measured by tonnage collected.

3. HOW WILL THESE ACTIVITIES BE EVALUATED?

By tonnage collected, and tally of number of stops made.

4. IF THESE ACTIVITIES (INCLUDING RECYCLING COLLECTION) WILL BE CONDUCTED BY A SUBCONTRACTOR, WHAT PROVISIONS WILL BE MADE TO MONITOR AND AUDIT SUBCONTRACTOR ACTIVITIES?

Tonnage and collection reports, from subcontractor

5. IF THESE ACTIVITIES WILL BE ONGOING AFTER THIS GRANT PERIOD, HOW WILL THEY BE FUNDED?

By service charge on utility bills

6. SCORE FUNDING GRANT PROPOSED BUDGET (PLEASE ATTACH A COPY OF YOUR ADOPTED 1994 MUNICIPAL RECYCLING BUDGET):

ADMINISTRATION: \$ _____

PROMOTION ACTIVITIES \$ 5910
PLEASE DETAIL:

Mailing - Maplewood in Motion.

EQUIPMENT \$ _____
PLEASE DETAIL:

None

COLLECTION OF RECYCLABLES \$ #159,450
PLEASE DETAIL:

Other - - - 220

TOTAL \$ 165,170

7. PLEASE DESCRIBE YOUR MUNICIPAL IN-HOUSE RECYCLING PROGRAM:

We collect office paper, newspaper, cans and bottles and junk mail

8. DESCRIBE THE CITY'S RECYCLING PROMOTIONAL EFFORTS; INCLUDE TYPES OF PROMOTIONAL MATERIALS USED AND SCHEDULES FOR DISTRIBUTION OF INFORMATION.

Yearly schedule of collection dates and collection information in City newsletter.

9. PLEASE ATTACH A RESOLUTION FROM YOUR GOVERNING BODY REQUESTING THE FUNDING ALLOCATION OR A CERTIFIED COPY OF THE OFFICIAL PROCEEDINGS AT WHICH THE REQUEST WAS APPROVED.

NAME OF PERSON AUTHORIZED TO SUBMIT GRANT: _____

SIGNATURE

TITLE OF PERSON AUTHORIZED TO SUBMIT GRANT: _____

PLEASE RETURN THE COMPLETED GRANT APPLICATION FORM BY NOVEMBER 1, 1993
TO:

CATHI LYMAN-ONKKA, PROGRAM ANALYST
RAMSEY COUNTY DEPARTMENT OF PUBLIC HEALTH
SOLID WASTE DIVISION
1910 WEST COUNTY ROAD B
ROOM 206
ROSEVILLE, MN 55113

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

AGENDA ITEM F-7

MEMORANDUM

To: Michael A. McGuire, City Manager
From: Robert D. Odegard, Director of Parks & Recreation
Subj: Resignation of Park and Recreation Commissioner
Date: October 27, 1993

Commissioner Fiebiger resigned from the Park and Recreation Commission on October 18, 1993. His three year term would have expired on December 31, 1995.

It is requested that staff be directed to advertise for the open position on the Park and Recreation Commission, refer applicants to the Park and Recreation Commission for review and interviews, and make a recommendation of a candidate to fill the vacancy.

c: City Clerk

October 18, 1993

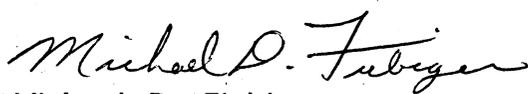
Mr. Robert Odegard
Director of Parks and Recreation
City of Maplewood
1830 E. County Road B
Maplewood, Mn 55109

Dear Bob:

Due to ever increasing demands on my personal and professional time, I must relinquish some of my commitments. With regret, I must resign my appointment as a Maplewood Parks and Recreation Commissioner, effective immediately.

I would like to take this opportunity to thank you and fellow Commissioners for the chance to serve my community over the past few years. This appointment has given me personal satisfaction of being a part of making our community a nicer place to live.

Sincerely,



Michael D. Fiebiger

cc: Jeanne Ewald

MEMORANDUM

To: Michael A. McGuire, City Manager
From: Robert D. Odegard, Director of Parks & Recreation
Subj: Maplewood Nature Center Donations
2659 East Seventh Street
Date: October 22, 1993

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

Introduction

The Maplewood Nature Center has received small donations from visitors amounting to a total of \$36.00 in October 1993.

The Maplewood Nature Center has requested that the donations be added to the Park Development Fund.

Recommendation

It is requested that the City Council accept the \$36.00 in donations and place this amount in the Park Development Fund (403-814-316-4720).

c: City Clerk

AGENDA REPORT

Action by Council:

TO: City Manager
FROM: Public Works Coordinator
SUBJECT: Budget Transfer
DATE: October 28, 1993

Endorsed _____
Modified _____
Rejected _____
Date _____

In the normal course of preparation for the snow fighting season, all equipment is inspected. During this inspection process, two spinner sanders purchased in 1981 were found to need repairs costing in excess of 70 percent of the cost of a new sander.

It is recommended that \$3195 be transferred from the VEM repair and maintenance/vehicle budget to allow for the purchase of two new sanders.

WCC

jc

BANNIGAN & KELLY, P.A.

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

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

FAX (612) 223-8019

November 4, 1993

Mr. Kenneth Haider
Maplewood City Hall
1830 East County Road B
Maplewood, MN 55109-2797

Re: *Robert F. Hajicek v. City of Maplewood*

Dear Mr. Haider:

Please find herein a proposed Stipulation for Settlement and Resolution concerning the Hajicek file. Please review and contact me.

According to case law, it is important that we segregate out the utilities. We should segregate and establish the benefit of each utility to each parcel. As you recall, the *Oxford* case states the City must specifically itemize the value or benefit for the street, storm sewer, public water and public sanitary sewer.

With respect to the Hajicek property, this particular method was not done due to a lump sum assessment. If we continue on a lump sum theory, the whole assessment process may be in jeopardy for that project. It is very important for future projects, that if we are unable to distinguish the value, then we must request an appraiser to establish a separate value for each utility.

Sincerely yours,

BANNIGAN & KELLY, P.A.

Patrick J. Kelly

PJK:kj
Enclosures

STATE OF MINNESOTA
COUNTY OF RAMSEY

CASE TYPE: Assessment Appeal
DISTRICT COURT
SECOND JUDICIAL DISTRICT

Robert F. Hajicek,

Appellant

Court File No. C3-93-5480

vs.

City of Maplewood,

Respondent.

STIPULATION OF SETTLEMENT

THIS AGREEMENT, entered into this ___ day of _____, 1993, by and between ROBERT F. HAJICEK (hereinafter "Hajicek") and the CITY OF MAPLEWOOD, a municipal corporation (hereinafter "City").

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has passed upon all objections to the proposed assessment for Southlawn improvement as described in the files of the City Clerk as Project 85-17.

WHEREAS, pursuant to Minn. Stat. §429 et al, Hajicek has filed a Notice of Appeal with respect to PIN No. 03-29-22-11-0001 to the amount of \$134,422.40. Said amount represents an assessment in a lump sum to said parcel for street, storm water, public water and public sanitary sewer.

WHEREAS, the Notice of Appeal for the assessment was set for trial in Ramsey County District Court on September 2, 1993, as Case No. C3-93-5480.

WHEREAS, the City and Hajicek entered into settlement negotiations in order to avoid continued litigation and costs.

WHEREAS, the City and Hajicek have agreed to the reassessment of the parcel (PIN No. 03-29-22-11-0001) in the amount of One Hundred Ten Thousand Dollars (\$110,000.00) with a deferment of five (5) years or until the property is sold or transferred.

WHEREAS, the parties have reached an agreement concerning the reassessment of the parcel. Hajicek agrees to waive the Notice of Hearing pursuant to Minn. Stat. §429.071, Subd. 2.

NOW, THEREFORE, IT IS AGREED UPON THAT:

1) For street, storm water, public water and public sanitary sewer on the property identified as PIN No. 03-29-22-11-0001 shall be as follows:

Street, storm water, public water, and public sanitary sewer the lump sum \$110,000.00 deferred for five (5) years or until property is sold or transferred.

2) That interest shall continue to run on the deferred assessment of \$110,000.00.

3) That the negotiated deferred assessment was the result of the uniqueness of the Hajicek property that is currently vacant.

4) That Hajicek hereby waives a Notice of Hearing for reassessment of the above-captioned parcel pursuant to Minn. Stat. §429.071, Subd. 2.

5) That Hajicek shall file with the Court a Notice of Dismissal with Prejudice and without cost concerning Case No. C3-93-5480.

6) The City, by resolution, shall reassess PIN No. 03-29-22-11-0001 at \$110,000.00 to represent the lump sum for street, storm water, public water and public sanitary sewer as a lump sum with deference of five (5) years from the date of this Agreement.

7) Said reassessment shall be paid at the time of sale or at the end of the deferment period with interest and the City shall recertify the reassessment of the County of Ramsey, State of Minnesota.

This agreement consists of the agreement of the parties.

CITY OF MAPLEWOOD

Dated: November 4, 1993

By _____
Patrick J. Kelly (Atty. No. 54823)
Bannigan & Kelly, P.A.
409 Midwest Federal Building
50 East Fifth Street
St. Paul, MN 55101
(612) 224-3781
Attorney for Respondent, City of Maplewood

ROBERT F. HAJICEK

Dated: _____, 1993

By _____
Vance P. Grannis (Atty. No. 36821)
Grannis, Grannis, Hauge
1260 Yankee Doodle Road, #200
Eagan, MN 55121
(612) 456-9000

RESOLUTION NO. _____

WHEREAS, pursuant to proper notice duly given as required by law, the City Council met, heard and passed upon all objections to the proposed assessment for the construction of Southlawn Drive with improvements as described in the files of the City Clerk as Project 85-17 passed on March 22, 1993.

WHEREAS, pursuant to Minn. Stat. §429, *et al*, Robert F. Hajicek, filed a Notice of Appeal with respect to PIN No. 03-29-22-11-0001 in the amount of \$134,422.40.

WHEREAS, the assessment appeal was duly scheduled in Ramsey County District Court on September 2, 1993, at 9:00 a.m. as Court File No. C3-93-5480.

WHEREAS, the City of Maplewood and Robert F. Hajicek agreed to a reassessment of the parcel known as 03-29-22-11-0001 in the amount of \$110,000.00 with a deferment for five (5) years with interest. Said amount represents a lump sum for street, storm sewer, public water, and public sanitary sewer.

WHEREAS, that interest shall continue to run on the deferred assessment of \$110,000.00.

WHEREAS, Robert F. Hajicek has waived through stipulation the requirements for notice and hearing pursuant to Minn. Stat. §429.071, Subd. 2.

WHEREAS, Parcel 03-29-22-11-0001 is unique with respect to vacancy and size.

NOW, THEREFORE, be it resolved by the City Council of Maplewood, Minnesota as follows:

The following parcel, 03-29-22-11-0001, assessed as a result of Project 85-17 said assessment be vacated by \$24,422.40 and that the reassessment for Parcel, PIN No. 03-29-22-11-0001 in the amount of \$110,000.00, deferred for five (5) years. Said assessment represents a lump sum for street, storm water, public water and sanitary sewer.

Reassessment for PIN No. 03-29-22-11-0001 is \$110,000.00 deferred for five (5) years with interest.

CITY OF MAPLEWOOD

Dated: _____, 1993

By _____
Gary Bastian, Mayor

By _____
Lucille Aurelius, City Clerk

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Ken Roberts, Associate Planner
SUBJECT: Carefree Cottages of Maplewood
DATE: October 25, 1993

Endorsed _____
Modified _____
Rejected _____
Date _____

INTRODUCTION

Bruce Mogren, representing the Carefree Cottages of Maplewood, is requesting that the City approve:

1. A lot division. He wants to divide the 9.6-acre site into a 5.4-acre lot and a 4.2-acre lot. The 5.4-acre lot would be for the 60 units in Phase I. The 4.2-acre lot would be for the 48 units in Phase II. Mr. Mogren is requesting this lot division to meet the lender's financing requirements. (See the maps on pages 5-7 and his letter on page 8.)
2. A setback variance. The proposed division line would be five to twenty feet from the living units. Section 36-124(6) of the City Code requires a side yard of at least 20 feet for a town house unit.
3. A subdivision code variation. Section 30-8(f)(4) of the City Code requires that all lots abut on a publicly dedicated and maintained street. The westerly lot would not meet this requirement. Section 30-11 allows the Council to approve a variation from the Code when the variation would not adversely affect the plan and spirit of the Subdivision Code.

DISCUSSION

The developer needs the proposed lot division to divide the project into two phases. The lender for the project is requiring this division for financing purposes. The proposed code variation, setback variance and lot division would meet the intent and spirit of the Code. This is because the proposed lots would meet all City size and density standards. The variance and lot division would not change the approved site plan or the distance between the buildings. In addition, the existing and proposed driveways would provide access to the two proposed lots. Finally, the City has already approved dividing the TIF district into two parts.

RECOMMENDATIONS

- A. Adopt the resolution on page 9. This resolution approves a side-yard setback variance for the Carefree Cottages of Maplewood, because:

1. The variance would not alter the neighborhood character since this variance would not change the approved site plan or the distance between the buildings.
 2. The variance is in keeping with the spirit and intent of the ordinance.
- B. Adopt the resolution on page 10. This resolution approves a variation to the subdivision code to divide the Carefree Cottages of Maplewood into two lots, because:
1. It is in keeping with spirit and intent of the Subdivision Code.
 2. The proposed lots meet all City size and density standards.
 3. Existing and proposed driveways provide access to the two proposed lots.
 4. The City has already approved dividing the TIF district into two parts.

This approval shall be subject to the following conditions:

1. The owners recording cross easements for ingress and egress with the lot division.
 2. The owner recording the deeds for the lot division within one year, unless the City approves a time extension.
- C. Approve a lot division into two lots of 5.4 acres and 4.2 acres.

REFERENCE

BACKGROUND

December 30, 1991: The City Council approved a conditional use permit (CUP), reduction in parking, tax-exempt financing and tax-increment financing (TIF) for this project.

February 24, 1992: The Council changed the conditional use permit to allow a one-way road along the west property line. Before this change, the CUP had prohibited a road along the west line.

May 24, 1993: The City Council approved dividing the TIF district into two parts.

June 14, 1993: The City Council approved a change to the conditional use permit for the project. This change dropped a required sidewalk from the project site to Four Seasons Park and restriping Gervais Avenue.

June 28, 1993: The City Council gave final approval to the tax-increment financing development agreement and the loan agreements.

October 21, 1993: The City issued the building permit for Phase II of this project.

Surrounding Land Uses

North and east: Undeveloped property that the City has zoned LBC (limited business commercial)

South: Commercial property across Gervais Avenue

West: Houses along Flandrau Street

Land Use Plan Designation

R3(H) - (residential high density) which allows up to 22.8 people per acre

Proposed Density

Phase I - 60 units with an average of 21.3 people per acre

Phase II - 48 units with an average of 21.7 people per acre

Variances

State law requires that the City make two findings before granting a variance.

1. Strict enforcement of the City ordinances would cause undue hardship because of circumstances unique to the property. Undue hardship means that:
 - a. A person cannot put their property to a reasonable use under City ordinances.
 - b. The problem is due to circumstances unique to the property that the owner did not cause.
 - c. The variance would not alter the character of the area.

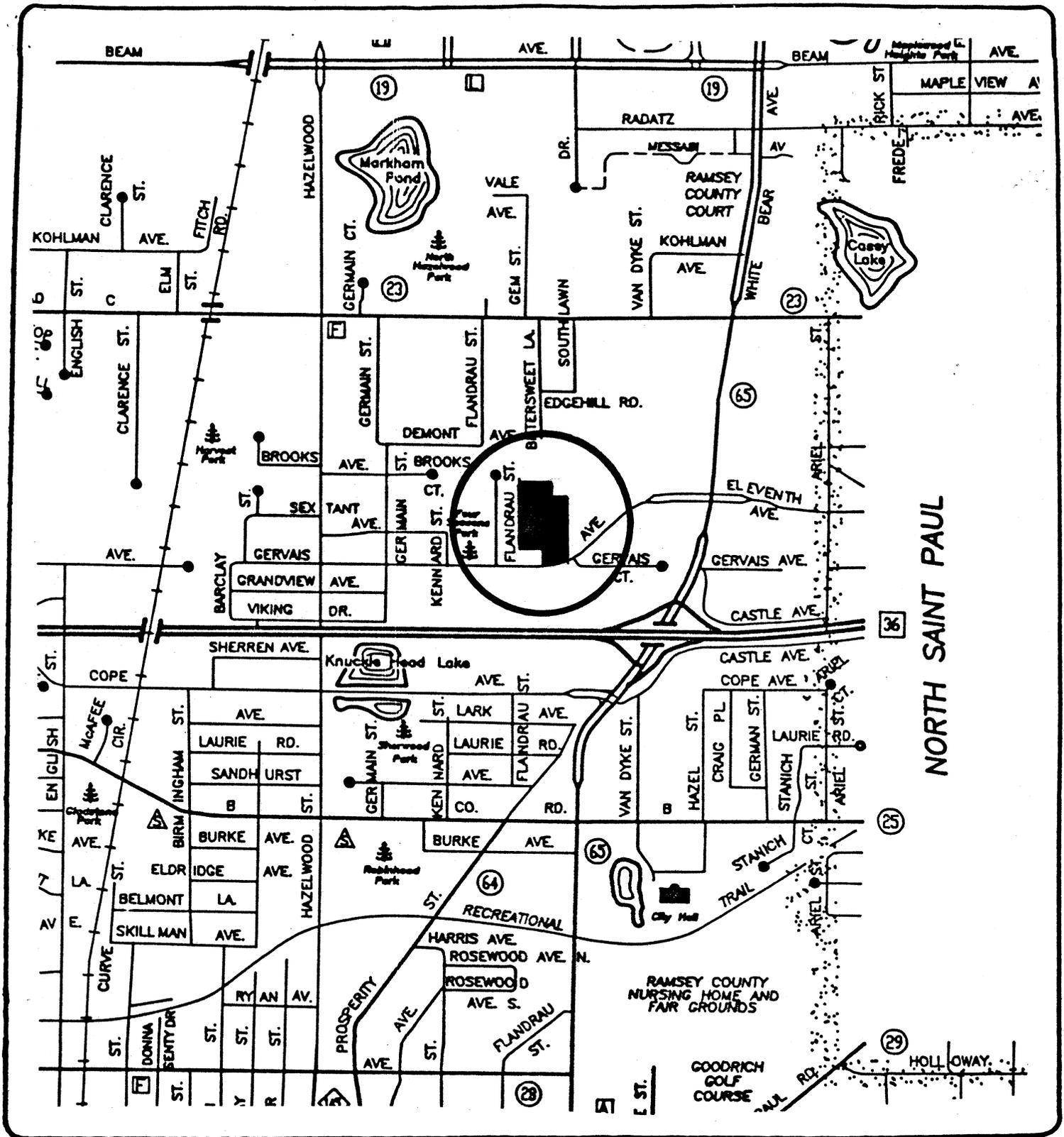
Economic considerations alone are not an undue hardship if reasonable use for the property exists under the ordinance.

2. The variance would be in keeping with the spirit and intent of the ordinance.

go/b-5:Carefre2.mem (10)

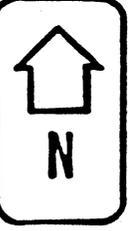
Attachments:

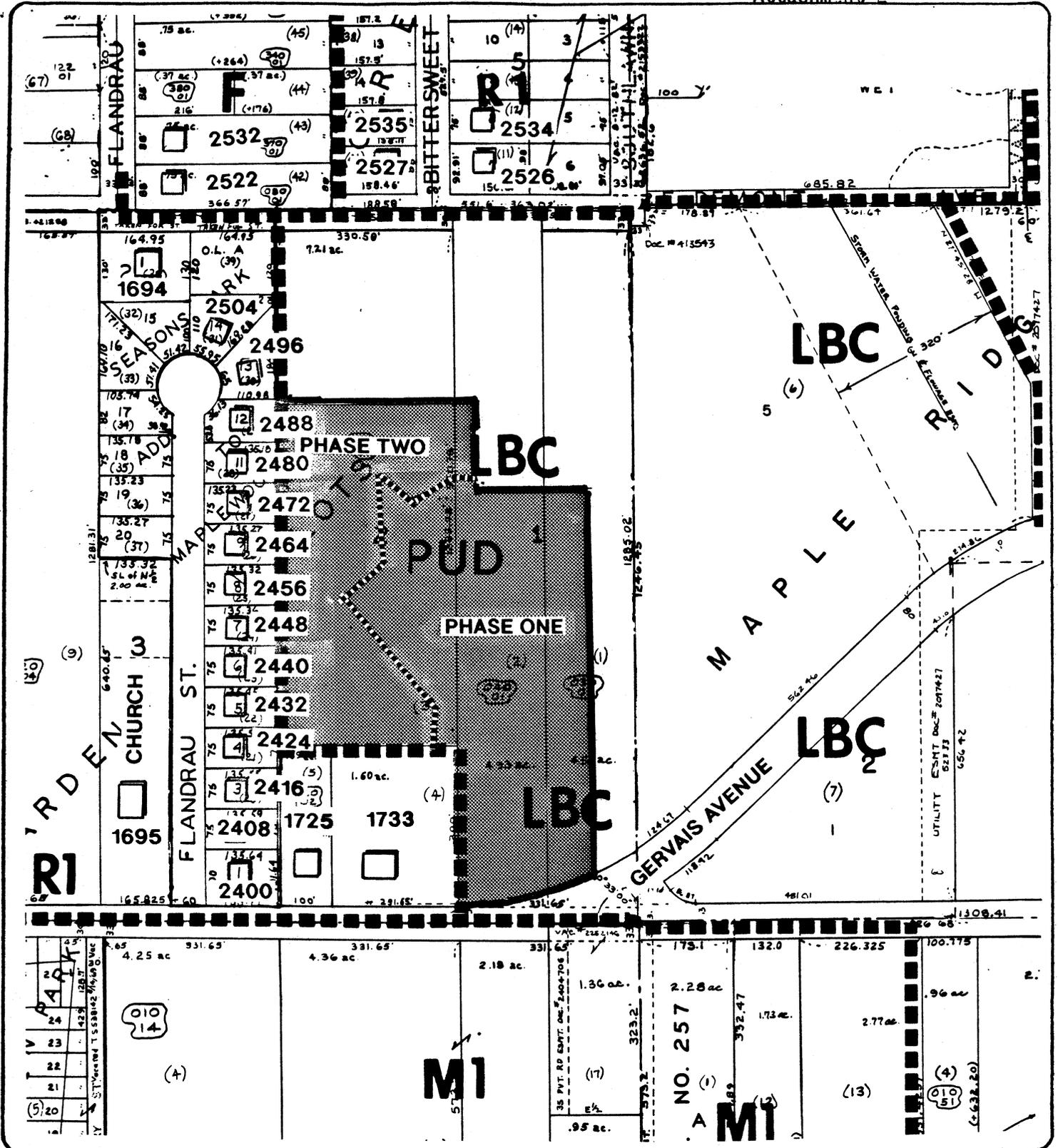
1. Location Map
2. Property Line/Zoning Map
3. Site Plan
4. 9-30-93 Letter from Bruce Mogren
5. Setback Variance Resolution
6. Subdivision Variation Resolution



NORTH SAINT PAUL

LOCATION MAP





PROPERTY LINE / ZONING MAP

SITE

PROPOSED LOT DIVISION

N

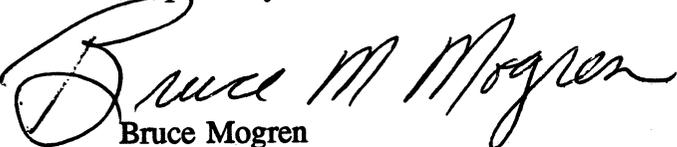
9-30-93

The developers of the Carefree Cottages of Maplewood respectfully request a variance from the normal setback requirements for some of the cottage units located in the Carefree Cottages of Maplewood, Senior Development. The total dollar amount from the construction of this project exceeds the lending limit of Zapp National Bank, the lender for this project. This lending issue required the development to be built in two phases instead of the originally intended one phase. Both phases of the project are owned and controlled by the same general partners and the project is designed as one integrated whole project. As such, the project, for all practical purposes, will remain one development. Attorneys for the developer are preparing complete cross easements for road access, parking, walking, community center, and storm shelter.

This project was originally approved as a P.U.D. which allows for the relaxation of setback requirements for interior buildings. The new boundary line between phase one and two is shown on the attached survey. The developers of the Carefree Cottages feel as though this setback variance is administrative in nature and would not alter the essential character of what has already been approved in P.U.D. form. This variance we feel would be in keeping with the spirit and intent of the approved P.U.D. plan.

We respectfully request your approval of this variance.

Respectfully submitted,


Bruce Mogren

VARIANCE RESOLUTION

WHEREAS, Bruce Mogren, representing the Carefree Cottages of Maplewood, applied for a variance from the zoning ordinance.

WHEREAS, this variance applies to the property at 1739-1757 Gervais Avenue. The legal description is:

Lot 2, except the South 300 feet thereof, and the West 280 feet of Lot 1, E. G. Roger's Garden Lots, subject to road easement for Gervais Avenue.

WHEREAS, Section 36-124(6) of the Maplewood Code of Ordinances requires a twenty foot setback from a property line for town houses.

WHEREAS, the applicant is proposing a setback of five to twenty feet.

WHEREAS, this requires a variance of up to 15 feet.

WHEREAS, the history of this variance is as follows:

1. The Planning Commission recommended that the City Council approve this variance on November 1, 1993.
2. The City Council held a public hearing on November 8, 1993. City staff published a notice in the Maplewood Review and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing an opportunity to speak and present written statements. The Council also considered reports and recommendations from the City staff and Planning Commission.

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

1. The variance would not alter the neighborhood character since this variance would not change the approved site plan or the distance between the buildings.
2. The variance is in keeping with the spirit and intent of the ordinance.

Adopted on _____, 1993.

SUBDIVISION CODE VARIATION RESOLUTION

WHEREAS, Bruce Mogren, representing the Carefree Cottages of Maplewood, applied for a variation from the subdivision code.

WHEREAS, this variance applies to the property at 1739-1757 Gervais Avenue.

WHEREAS, the legal description of the property is:

Lot 2, except the South 300 feet thereof, and the West 280 feet of Lot 1, E. G. Roger's Garden Lots, subject to road easement for Gervais Avenue.

WHEREAS, Section 30-8(f)(4) of the Maplewood Code of Ordinances requires all lots abut on a publicly dedicated and maintained street.

WHEREAS, the applicant is proposing a lot division that would create a lot that would not abut on a publicly dedicated and maintained street.

WHEREAS, this requires a variation from the Code.

WHEREAS, the history of this code variation is as follows:

1. The Planning Commission recommended that the City Council approve this code variation on November 1, 1993.
2. The City Council held a public hearing on November 8, 1993. City staff published a notice in the Maplewood Review and sent notices to the surrounding property owners as required by law. The Council gave everyone at the hearing 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 code variation for the following reasons:

1. It is in keeping with spirit and intent of the Subdivision Code.
2. The proposed lots meet all City size and density standards.
3. Existing and proposed driveways provide access to the two proposed lots.
4. The City has already approved dividing the TIF district into two parts.

This approval shall be subject to the following conditions:

1. The owners recording cross easements for ingress and egress with the lot division.

2. The owner recording the deeds for the lot division within one year, unless the City approves a time extension.

Adopted on _____, 1993.

V. NEW BUSINESS

A. Carefree Cottages of Maplewood: Variances, Lot Split

Ken Roberts, Associate Planner, presented the staff report. Bruce Mogren, 10116 67th Lane North, Stillwater, spoke representing the applicant. Mr. Mogren explained this request.

Commissioner Frost moved the Planning Commission recommend:

- A. Adoption of the resolution which approves a side-yard setback variance for the Carefree Cottages of Maplewood, because:
 - 1. The variance would not alter the neighborhood character since this variance would not change the approved site plan or the distance between the buildings.
 - 2. The variance is in keeping with the spirit and intent of the ordinance.
- B. Adoption of the resolution which approves a variation to the subdivision code to divide the Carefree Cottages of Maplewood into two lots, because:
 - 1. It is in keeping with the spirit and intent of the Subdivision Code.
 - 2. The proposed lots meet all City size and density standards.
 - 3. Existing and proposed driveways provide access to the two proposed lots.
 - 4. The City has already approved dividing the TIF district into two parts.

This approval shall be subject to the following conditions:

- 1. The owners recording cross easements for ingress and egress with the lot division.
 - 2. The owner recording the deeds for the lot division within one year, unless the City approves a time extension.
- C. Approval of a lot division into two lots of 5.4 acres and 4.2 acres.

Commissioner Rossbach seconded Ayes--all

The motion passed.

PUBLIC HEARING NOTICE

The Maplewood City Council invites you to a public hearing. The applicant is Bruce Mogren, representing the Carefree Cottages of Maplewood. He wants to divide the 9.6-acre site into a 5.4-acre lot and a 4.2-acre lot. Mr. Mogren is requesting this lot division to meet the financing requirements of the lender. The Council will hold this hearing on Monday, November 8, 1993 at 7:00 p.m. in the City Hall Council Chambers (1830 East County Road B). To approve this lot division, the City must approve the following:

1. A setback variance. The proposed division line would be five to twenty feet from the living units.
2. A subdivision code variation. Section 30-8(f)(4) of the City code requires that all lots abut on a publicly dedicated and maintained street.

Call Geoff Olson at 770-4562 for more information.

Sign language interpreters are available. You must request this service at least 96 hours in advance. Call 770-4524 to make arrangements.

PUBLISH: October 27, 1993

AGENDA REPORT

Action by Council:

To: City Manager Michael McGuire
From: Director of Public Safety Kenneth V. Collins *KVC*
Subject: Application For Liquor License - Wendy Lauber
Date: October 14, 1993

Endorsed _____
Modified _____
Rejected _____
Date _____

Introduction

Wendy Lauber has applied for an intoxicating liquor license for 1281 Frost Avenue. This will be an off-sale liquor store operated under the name Maplewood Wine Cellar.

Background

A background investigation has been done on Ms. Lauber. She has no known contacts with the police, and we cannot find any evidence that she holds a liquor license in any other establishment in the State of Minnesota.

Recommendation

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

Action Required

Application for intoxicating liquor license to be submitted to the City Council for their review and approval or denial.

KVC:js

cc City Clerk ✓
Liquor File

APPLICATION FOR INTOXICATING LIQUOR LICENSE

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

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

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

EVERY QUESTION MUST BE ANSWERED

1. I, WENDY LYNN LAUBER as OFFICER (CEO) (Individual owner, officer or partner)

for and in behalf of WL INVESTMENTS, INC.

hereby apply for an OFF Sale Intoxicating Liquor License to be located at

1281 FROST AVE.

MAPLEWOOD, MN. - OFFSALE

LIQUOR STORE in the City of (Give address and legal description)

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

2. Give applicants' date of birth: 1 10 1962 (Day) (Month) (Year)

RECEIVED

SEP 22 1993

MAPLEWOOD POLICE

3. The residence for each of the applicants named herein for the past five years is as follows: 2488A COBBLEHILL ALCOVE WOODBURY, MN 55105

4. Is the applicant a citizen of the United States? YES If naturalized state date and place of naturalization

If a corporation or partnership, state citizenship including naturalization of each officer or partner. WENDY LYNN LAUBER - U.S. CITIZEN D.O.B. 10/1/62 DANIEL CRAIG HARTNETT - U.S. CITIZEN D.O.B. 9/20/43 JOHN LOUIS LAUBER SR - U.S. CITIZEN D.O.B. 7/2/41 JUDY WEITZEL LAUBER - U.S. CITIZEN D.O.B. 9/9/41

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

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

Handwritten signature and initials

7. If partnership, state name and address of each partner _____

If a corporation, date of incorporation MAY 4, 1993, state in
which incorporated MINNESOTA, amount of authorized capitalization _____

amount of paid in capital _____

If a subsidiary of any other corporation, so state _____

give purpose of corporation TO OPERATE A BUSINESS

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

(Name)	(Address)	(City)
DANIEL CRAIG HARTNETT	1854 W. WAYZATA BLVD	LONG LAKE MN 55336 (10)
JOHN LOUIS LAUBER, SR	1575 BAILEY RD	NEWPORT MN 55255 (5)
JUDY WEITZEL LAUBER	1575 BAILEY RD	NEWPORT MN 55255 (5)
WENDY LYNN LAUBER	2488A COBBLEHILL ALCOVE	WOODBURY, MN 55125 (5)

If incorporated under the laws of another state, is corporation authorized to do business in this State? YES Number of certificate of authority 014085

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

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

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

10. Is the establishment located near an academy, college, university, church, grade or high school? NO
State the approximate distance of the establishment from such school or church _____

11. State name and address of owner of building ROBERT HALL
12066 CENTRAL AVE NE. BLAINE MN. 55434; has owner of building any connection, directly or indirectly, with applicant? NO

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

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

14. Has the applicant, or any of his associates in this application, during the five years immediately preceding this application ever had a license under the Minnesota Liquor Control Act revoked for any violation of such laws or local ordinances; if so, give date and details NONE

15. State whether applicant, or any of his associates in this application, during that past five years were ever convicted of any Liquor Law violations or any crime in this state, or any other state, or under Federal Laws, and if so, give date and details. NONE
16. Is applicant, or any of his associates in this application, a member of the governing body of the municipality in which this license is to be issued? NO If so, in what capacity? _____
17. State whether any person other than applicants has any right, title or interest in the furniture, fixtures, or equipment in the premises for which license is applied, and if so, give names and details. NO INTEREST
18. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the State of Minnesota? NO Give name and address of such establishment _____
19. Furnish the names and addresses of at least three business references, including one bank reference. NORTHWEST AIRLINES CREDIT UNION
STEVE GREENE 1136 BELLOW'S ST WEST ST. PAUL, MN
DAVE WINKLER 1161 4TH AVE, NEWPORT MN 55055
JIM McELMURY 9177 S. 78TH ST. CT. COTTAGE GROVE, MN 55016
20. Do you possess a retail dealer's identification card issued by the Liquor Control Commissioner which will expire December 31st of this year? Give number of same. NO
21. Does applicant intend to sell intoxicating liquor to other than the consumer? NO
22. State whether applicant intends to possess, operate or permit the possession or operation of, on the licensed premises or in any room adjoining the licensed premises, any slot machine, dice, gambling device and apparatus, or permit any gambling therein. NONE.
23. Are the premises now occupied, or to be occupied, by the applicant entirely separate and exclusive from any other business establishment? YES
24. State trade name to be used MAPLEWOOD WINE CELLAR
25. State name of person that will operate store JOHN LOUIS LAUBER, SR.
26. Give Federal Retail Liquor Dealer's Tax Stamp Number APPLIED FOR

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

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

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

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

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

32. What previous experience have you had in the operation of the type of business described in the answer to No. 31 above _____

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

Wendell Lamber
(Signature of Applicant)

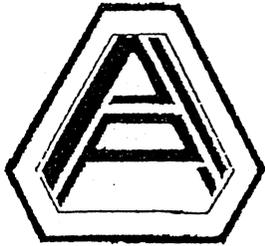
Subscribed and sworn to before me this
21st day of Sept. 1993
Johanna M. Hanson



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

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

468.00
C-39272



ASSURED PROTECTION, INC.

5671 Geneva Avenue (Hwys. 694 & 120)
P. O. Box 9008 St. Paul, MN 55109-0008
Phone: (612) 779-7000 FAX: (612) 779-0921

September 20, 1993

City Of Maplewood
Licensing Clerk
1830 East Co Rd B
Maplewood, MN 55109

Letter of Intent

RE: Wendy Lauber - Liquor License

This agency will provide a workers compensation policy and liquor liability policy to comply with your ordinance requirements if a license is issued.

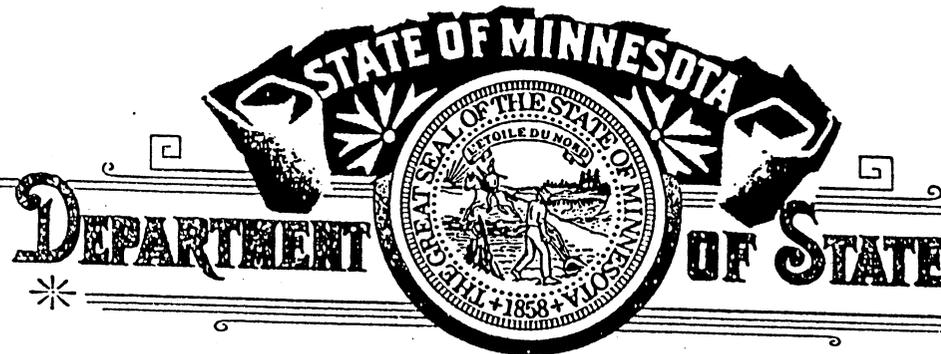
Sincerely,


Kyle A. Anderson



INSURANCE





This is to acknowledge that the items described below have been accepted by the Secretary of State of Minnesota on the date noted. Those documents will be microfilmed and the original will be returned to the submitter within ten days. The microfilm will be available for public inspection at the office of the Secretary of State.

Description of Item <i>Unfiled</i>	Date Accepted <i>5/4/73</i>	RJ No. NOT VALID UNTIL RJ NUMBER IS AFFIXED
Company Name <i>Wk Investments Inc.</i>		014085

State of Minnesota
Office of the Secretary of State
Corporation Division
180 State Office Building
St. Paul, MN 55155 (612) 296-2803

by: *Linda J. Crowley*

Evidence of Filing

SC-00184-01

FINANCIAL STATEMENT
WENDY LAUBER

ASSETS

TOWNHOME BUILT IN 1981	\$55,000
1989 PONTIAC FIREBIRD	\$8,500
BONDS	\$3,000
STOCKS	\$1,000
CASH ON HAND	\$3,500
PERSONAL GOODS	<u>\$10,000</u>
<u>TOTAL ASSETS</u>	\$81,000

LIABILITIES

TOWNHOME BUILT IN 1981	\$48,000
STUDENT LOAN	<u>\$2,500</u>
<u>TOTAL LIABILITIES</u>	\$50,500
<u>NET WORTH</u>	<u>\$30,500</u>



**NWA
FEDERAL
CREDIT UNION**

World Headquarters
Four Appletree Square
Bloomington, MN 55425-1642

Phone inquiries to: 612/726-2073

ACCOUNT NUMBER		PAGE
113090		1
41-1748362	08AUG93	07SEP93
SOCIAL SECURITY NO.	FROM TO STATEMENT PERIOD	

1 1 1

000296
OAKDALE LIQUORS
JOHN & WENDY LAUBER
JUDY W LAUBER
2488A COBBLEHILL ALCOVE
WOODBURY MN 55125

YOUR LINE-OF-CREDIT OFFERS MORE THAN JUST OVERDRAFT PROTECTION, IT'S MONEY YOU CAN BORROW WHENEVER YOU NEED A SMALL LOAN. USE YOUR LINE-OF-CREDIT FOR MOVING EXPENSES, BACK TO SCHOOL EXPENSES, FURNITURE, APPLIANCES, CAR REPAIRS OR A FAMILY VACATION. TO APPLY FOR A LINE-OF-CREDIT, CALL A LOAN REPRESENTATIVE TODAY AT 612/726-2073 OR TOLL-FREE 800/NWA/CASH, EXT. 3.

* Asterisk next to transaction date indicates the date shown is the effective date and not the posting date.

SHARE	Your balance at the beginning of the period.....	\$	96379.84
SAVINGS	Your new balance on 07SEP93.....	\$	96379.84
Suffix 0	DIVIDENDS PAID TO YOU IN 1993 ON SUFFIX 0	\$	374.82

JOINT MEMBER SHOWN MAY NOT APPLY TO ALL SUBSHARE ACCTS

CHECKING	No. 113090. Balance at the beginning of the period.....	\$	2536.34
Suffix 8	31AUG DIVIDEND at Variable %	4.36 =	2540.70
	0 Withdrawals = 0.00 1 Deposits = 4.36		
	Your new balance on 07SEP93.....	\$	2540.70
	DIVIDENDS PAID TO YOU IN 1993 ON SUFFIX 8	\$	37.27

Your Financial Summary	Your total CHECKING balances.....	\$	2,540.70
	Your total SAVINGS balances.....	\$	96,379.84
	Your total Loan balances.....	\$	0.00

YTD Tax Summary

YEAR-TO-DATE INFORMATION FOR TAX PURPOSES:

Total non-IRA dividends earned	(\$)	412.09
(Will be reported to IRS as interest for this calendar year)	(\$)	0.00
Total finance charges paid on loans this calendar year.....	(\$)	0.00

LOANS ARE OPEN END CREDIT. THE BALANCE USED TO COMPUTE THE FINANCE CHARGE IS THE ACTUAL OUTSTANDING UNPAID PRINCIPAL BALANCE EACH DAY AFTER CREDITS ARE SUBTRACTED AND NEW ADVANCES OR OTHER CHARGES ARE ADDED. THE (DAILY) PERIODIC RATE AND THE ANNUAL PERCENTAGE RATE (APR) USED TO CALCULATE THE FINANCE CHARGE IS PRINTED UNDER THE LAST TRANSACTION RELATED TO THAT LOAN

117052A-23010550

NOTICE: SEE REVERSE SIDE FOR IMPORTANT INFORMATION

October 13, 1993

MEMORANDUM

To: Chief Kenneth Collins
From: Sergeant Michael Ryan *MR*
Subject: Liquor License Application, Wendy Lauber

I conducted a brief investigation into Lauber's background. I found nothing that would prevent her from holding a liquor license. Lauber has no arrest record in Washington or Ramsey County, no Criminal History and no local contacts. Her driving record shows one petty misdemeanor. I also spoke with Investigator Hutton from the Oakdale Police Department, and he advised that they had done a liquor license investigation with the same results.

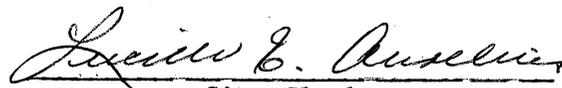
NOTICE IS HEREBY GIVEN, that pursuant to action by the City Council of the City of Maplewood, a public hearing will be held on the 8th day of November, 1993, starting at 7:15 P.M. in the City Hall, 1830 E. County Road B, to consider the application of the following individual for an Off-Sale Intoxicating Liquor License:

Wendy Lynn Lauber
2488A Cobblehill Alcove
Woodbury, Minnesota 55125

such license to be located at 1281 Frost Avenue (Maplewood Wine Cellar).

The Council is proceeding in this matter as outlined under the provisions of City Ordinance. Such persons as desire to be heard in reference to this matter will be heard at the time and place as indicated.

Dated this 19th day of October, 1993.


City Clerk
City of Maplewood, Minnesota

Publish: October 27, 1993

APPROVAL OF LIQUOR LICENSE

NOTICE IS HEREBY GIVEN that pursuant to action by the City Council of the City of Maplewood on September 13, 1993, an On-Sale Intoxicating Liquor License was approved for Wendy Lauber doing business under the name of Maplewood Wine Cellar.

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

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Director of Community Development
SUBJECT: **Moratorium on Clinics**
DATE: November 1, 1993

Endorsed _____
Modified _____
Rejected _____
Date _____

INTRODUCTION

On September 27, 1993, the City Council directed the staff to study changes to the zoning ordinance about clinics. The Council heard complaints from residents near 2223 White Bear Avenue. A methadone clinic is at this address. The clinic concerned the residents because it is so close to their neighborhood. On October 25, 1993, the Council considered first reading of an ordinance regulating chemical abuse clinics within 350 feet of a residential district. The Council tabled first reading and referred the ordinance to the Planning Commission and Human Relations Commission. The Council also asked for a recommendation on a moratorium on clinics for the November 8 meeting. The purpose of the moratorium would be to avoid expansion of existing clinics until the City passes a new ordinance.

BACKGROUND

The City has declared moratoriums in the past. The last time was a moratorium on motor fuel stations. The City was preparing an ordinance to regulate motor fuel stations.

DISCUSSION

A moratorium would give some comfort to residents who are afraid that the methadone clinic will expand before the City adopts a new ordinance. Several residents around the methadone clinic asked for a moratorium to prevent the clinic from expanding. The clinic has stated that they do not intend to expand. The neighbors, however, are not convinced.

I do not see a problem in adopting a moratorium on clinics through December. The City Attorney has advised me that a moratorium must include all clinics, rather than just a specific clinic type. The moratorium should allow existing clinics to remodel their current spaces. We have no plans for clinic expansions. I doubt that we will see plans for new clinic construction this late in the season. The Council should be able to consider first reading of an ordinance regulating chemical abuse clinics on November 22 with second reading on December 13. Limiting the moratorium until December 27 would give the Council one extra meeting. If the Council wants a more extensive ordinance, the staff would like more time.

RECOMMENDATION

Adopt the interim ordinance on page 3. This ordinance establishes a moratorium on the expansion of clinics until December 27, 1993. This ordinance shall not include the remodeling of clinics within their current space. If the Council wants an ordinance dealing with more than chemical abuse clinics, the moratorium should be until the end of January or February.

go/b-5:morator2.mem
Attachment: Ordinance

INTERIM ORDINANCE NO.

AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON NEW OR EXPANDING CLINICS

The Maplewood City Council approves the following interim ordinance:

Section 1. Purpose.

The purpose of this ordinance is to establish a temporary moratorium on new or expanding clinics. This ordinance is not intended to prevent the remodeling of existing clinics within their current space.

Clinics are a permitted use in any commercial zone. Residents have complained to the City about a new methadone clinic on White Bear Avenue. The complaints have centered on the proximity of the clinic to the adjacent residential neighborhood. The City is concerned about the potential effects of clinics adjacent to residential neighborhoods, such as traffic, parking, property values and other land use effects. The City Council has initiated a change to the zoning ordinance to address these concerns. The City should not accept applications for new or expanding clinics until the City adopts a new ordinance.

Section 2. Restrictions.

Pursuant to Minnesota Statutes Section 462.355, Subdivision 4, the City shall not accept applications for new or expanding clinics. This restriction shall not apply to clinics that are remodeling within their existing space. The City Council may waive the requirements of this section where the new clinic or expanded clinic would not be within 350 feet of a residential lot line. A residential lot line is the lot line of any property with a residential building on it or any property that the City is planning for residential use on its land use plan.

Section 3. Term.

This ordinance shall be effective until December 27, 1993 or whenever the City Council adopts a new ordinance on clinics. The Council may extend this term if they determine that the need additional time to study a new ordinance.

Section 4. Effective Date.

This ordinance shall take effect after adoption and publication.

Approve by the Maplewood City Council on _____, 1993.

B. Chemical Abuse Clinics Ordinance: Moratorium, Ordinance

Secretary Olson presented the staff report. Mr. Olson discussed with the Commission the background of this proposal.

Commissioner Fischer said she will be voting no on this item. She said she is concerned with singling out certain types of clinics for restriction. Ms. Fischer said she is concerned with the definition of chemical abuse clinics and which would or should be restricted. She mentioned that recently the Commission has attempted to review the open space issue and the commercial/industrial land abutting single family residences and she felt that this single issue should not be considered without taking into consideration the entire picture. Ms. Fischer explained that the open space issue and the commercial property abutting residential property issue are important issues and should be considered first.

Commissioner Martin said she is uncomfortable with singling out chemical abuse clinics for restriction and felt that the entire commercial property study issue should be considered.

Commissioner Kittridge commented that he felt that the City would be attempting to use a technicality in the zoning law to practice a kind of elitism by trying to limit or control the unsavory elements coming into the City. Mr. Kittridge said the community function should be to attempt to solve the problems of the community and he said he would vote against the moratorium.

Commissioner Rossbach moved the Planning Commission recommend that the issue of further clinic regulation be tied into the overall City commercial-property study that is currently being undertaken and that it not be a separate issue. There are many types of clinics and whether or not additional restrictions should be placed on all, some, or none of them should be addressed and considered carefully as a part of this study.

Commissioner Gerke seconded Ayes--Allenspach, Anitzberger, Axdahl, Fischer, Frost, Gerke, Kittridge, Martin, Pearson, Rossbach, Sigmundik

The motion passed.

Commissioner Rossbach moved the Planning Commission recommend adoption of an interim ordinance that establishes a moratorium on the expansion of clinics until December 27, 1993. This ordinance shall not include the remodeling of clinics within their current space.

Commissioner Pearson seconded

After further discussion regarding the wording of the proposed ordinance, Commissioner Rossbach withdrew his motion.

Commissioner Kittridge moved the Planning Commission recommend the City Council not adopt an interim ordinance that establishes a moratorium on the expansion of clinics within the City of Maplewood.

Commissioner Fischer seconded

Ayes--Allenspach, Axdahl, Fischer, Frost, Gerke, Kittridge, Martin, Pearson, Rossbach, Sigmundik

Nays--Anitzberger

The motion passed.

AGENDA REPORT

Action by Council:

TO: City Manager
FROM: Assistant City Manager *Gregory Maglich*
RE: RECONSIDERATION OF ADA COMPLIANCE
SURVEY REQUEST
DATE: November 1, 1993

Endorsed _____
Modified _____
Rejected _____
Date _____

INTRODUCTION

At the September 27, 1993 meeting, the request for City Council approval of an ADA consultant was denied. At the October 11 meeting, Councilmember Rossbach moved to reconsider that item. The reconsideration of the item was approved and tabled until the November 8 meeting.

A copy of the September agenda item is attached.

tmc

Attachment

AGENDA REPORT

J-7

TO: City Manager
FROM: Assistant City Manager *Gregory Maglich*
RE: ADA COMPLIANCE SURVEY
DATE: September 14, 1993

INTRODUCTION

In June of 1992, staff requested approval for an ADA consultant. The City Council directed staff to handle the required surveys using volunteers or City employees. A four-resident committee, ADAPT, was formed to conduct an evaluation of City facilities and programs. All of the facility survey work has been done by ADAPT. At this time, staff and members of ADAPT are requesting that a consultant be hired to complete the required transition plan and employee training.

BACKGROUND

On July 26, 1990, the Americans With Disabilities Act was signed into law. The goal of the ADA is to provide a clear and comprehensive national mandate for the elimination of discrimination against persons with disabilities. Its intent is to end exclusion of handicapped persons from buildings, participation in programs, receipt of services, and employment. This Federal law requires that governments survey their facilities and programs to assess the accessibility for persons with handicaps and to bring existing buildings and programs into compliance with ADA requirements.

To accomplish compliance with Title II, the City of Maplewood must conduct an **accessibility audit** or a **self-evaluation**. This is basically a walk-through of all existing facilities that are owned or leased, and an evaluation of the programs and policies to see if there are barriers for access and participation to individuals with disabilities. During the last 14 months, members of ADAPT have completed the walk-through of City-owned or City-used facilities. Those members are Pat Svendsen, Scott Rostron, Carolyn Peterson and Susan Lorentz. This plan was to have been completed by January 26, 1993.

ADAPT has identified barriers that require structural changes in facilities to comply with ADA. This means that a **transition plan** must be created. This plan must identify:

- * the **physical obstacles that limit accessibility** of programs and activities (i.e. an undersized door or lack of communications methods for sight impaired people)

- * describes methods to make the activities accessible;
- * sets out a time line for reaching compliance; and
- * names the persons responsible for implementation of the plan.

Members of the community must be given an opportunity to comment on the transition plan, so the City Council should conduct a public hearing when the plan is presented. The plan should have been completed by July 26, 1992.

Since the provisions of ADA are different from State building code, staff felt that an individual with knowledge and familiarity with Federal ADA provisions was needed to help us with the required evaluation and transition plan. In 1992, two proposals were obtained from consultants. The individual that staff recommended was Julee Quarve-Peterson. Staff is still recommending that Ms. Quarve-Peterson be hired to assist in the completion of the transition plan. Her current and past clients include the cities of Brooklyn Center, Robbinsdale, Brooklyn Park, Maple Grove and many others. Her proposal is attached. It should be noted that her proposed fee has dropped \$1,150 due to the work that ADAPT has done.

ADAPT feels that is has completed as much of the work as they are qualified to do. The transition plan, the necessary documentation, and the employee training are very important legal records and long-term planning tools. At this point in time, a person who is qualified in this specific area of expertise is needed.

The 1993 Budget contains funds for this project.

RECOMMENDATION

It is recommended that the City Council authorize the City Manager to enter into a contract with Julee Quarve-Peterson, Inc. not to exceed \$6,100 to review ADAPT's self-evaluation, complete the City's ADA transition plan, and provide training to City employees.

**CONTRACT BETWEEN CITY OF MAPLEWOOD, MINNESOTA
AND JULEE QUARVE-PETERSON, INC.**

Julee Quarve-Peterson, Inc. (hereinafter "JQP, Inc.") will provide consulting services to the City of Maplewood, Minnesota for the purposes of compliance with applicable codes, laws, and guidelines pertaining to accessibility for persons with disabilities.

Julee Quarve-Peterson, Inc. is uniquely qualified to assist the City of Maplewood, Minnesota in this review for compliance with the Rehabilitation Act of 1973 Section 504 requirements and the Americans With Disabilities Act requirements of 1990 Title II.

Julee Quarve-Peterson has been an accessibility specialist since 1978. Focusing exclusively on accessibility for the past 14 years provides the City of Maplewood with a consultant knowledgeable in the "meshing" of laws, design guidelines, and building code requirements of new construction and their application to existing buildings, programs, and budgets.

Julee Quarve-Peterson, Inc. currently holds contracts with several other communities providing similar services including New Hope, Brooklyn Center, Robbinsdale, St. Louis Park, Maple Grove, Burnsville, Plymouth, Crystal, Lakeville, St. Anthony, Brooklyn Park, and Chanhassen.

Julee Quarve-Peterson has participated as a trainer in several National training efforts by the Department of Interior National park services "Project Access" for nearly two and one-half years (17 separate one week trainings) thereby providing Julee Quarve-Peterson, Inc. with "yet to be published design guidelines for outdoor recreation" soon to be added to the Americans With Disabilities Act. Other National trainings have provided Julee Quarve-Peterson, Inc. with Title II Americans With Disabilities Act Technical Assistance Manual by Department of Justice. These special publications and specialized knowledge can definitely assist your community in a comprehensive, effective, and efficient analyses for Americans With Disabilities Act Title II and 504 compliance.

JQP, Inc. will conduct the following activities to assist the City in fulfillment of its Americans With Disabilities Act Title II and 504 requirements:

Self Evaluation Process

- Assist in review of programs, services, policies, and procedures (Title II ADA)
- Assist in completion of appropriate forms:
 - Grievance Procedures
 - Notice Requirements
- Document designated 504/ADA city employee

Proposal to the City of Maplewood
Page 2

- JQP, Inc. will conduct on-site walk through survey of structures, facilities, and improvements based on ADA design guidelines July 1991, Minnesota 1340, and Rehabilitation Act of 1973, and UFAS design guidelines. Note "ADAPT" has conducted a site survey utilizing a survey tool developed by MCIL for its review. JQP, Inc. will revisit to assist in establishing priorities.

Sites to be surveyed include:

- ◆ City Hall
- ◆ Fire Stations (5)
- ◆ Public Works Building
- ◆ Park Maintenance Building
- ◆ 33 Parks and Associated Structures
- ◆ 14 Polling Sites
- ◆ Nature Center

Transition Plan

- JQP, Inc. will facilitate appropriate "public" meetings regarding preliminary findings of structural survey.
- JQP, Inc. will assist the city in development of a transition plan documenting where structural changes are necessary.

Report Overview

A report overview of those issues requiring upgrading as mandated by 504 requirements and a proposed implementation plan appropriate to the City of Maplewood consistent with the intent of the Americans With Disabilities Act Title II will be presented, including required implementation.

Resource Guide

Provide an updated resource guide on suppliers and vendors on specialty equipment and services such as sign language interpreters.

Communication Plan

A review of "communication plan" including cable TV, city publications, telephone systems, sign language interpreters, etc.

Accessibility Training

JQP, Inc. will conduct a 4 hour staff training regarding accessibility, the ADA, and Maplewood, teaming with Stephanie Cunningham of the Lighthouse group. Resource

Proposal to the City of Maplewood
Page 3

materials/training guides will be provided to each participant. Videos, slides, and overheads, as well as participant interaction will be utilized. [\$500 included in fee]

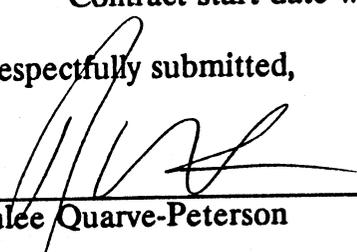
Other Services

Other services for 504 and Americans With Disabilities Act compliance as requested as an additional service.

The fee for the above-listed consulting services is a total of \$5,500. Expenses will be billed additionally at a rate of 28¢ per mile, copying at cost, and secretarial services at \$20 per hour. Expenses not expected to exceed \$600. Total cost not to exceed \$6,100.

Contract start date will be scheduled upon execution of contract.

Respectfully submitted,



Julee Quarve-Peterson

Authorized signature for City of
Maplewood

President of Julee Quarve-Peterson, Inc.

Date: Aug 25 1993

Date: _____

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Thomas Ekstrand, Associate Planner
SUBJECT: Sign Plan Changes
APPLICANT: Welsh Companies (John Johansson)
PROJECT: Birch Run Station
DATE: October 29, 1993

Endorsed _____
Modified _____
Rejected _____
Date _____

INTRODUCTION

On October 25, 1993, the City Council approved building plans and wall signs for Office Max at the Birch Run Station. The Council tabled a request for a third ground sign and Office Max panels on the existing ground signs for two weeks. The Council discussed several options with the applicant, including trading the new ground sign for one of the existing ground signs. The applicant is drawing up plans for a sign to replace the existing ground sign on Southlawn Boulevard. We have not seen the plans as of this memo.

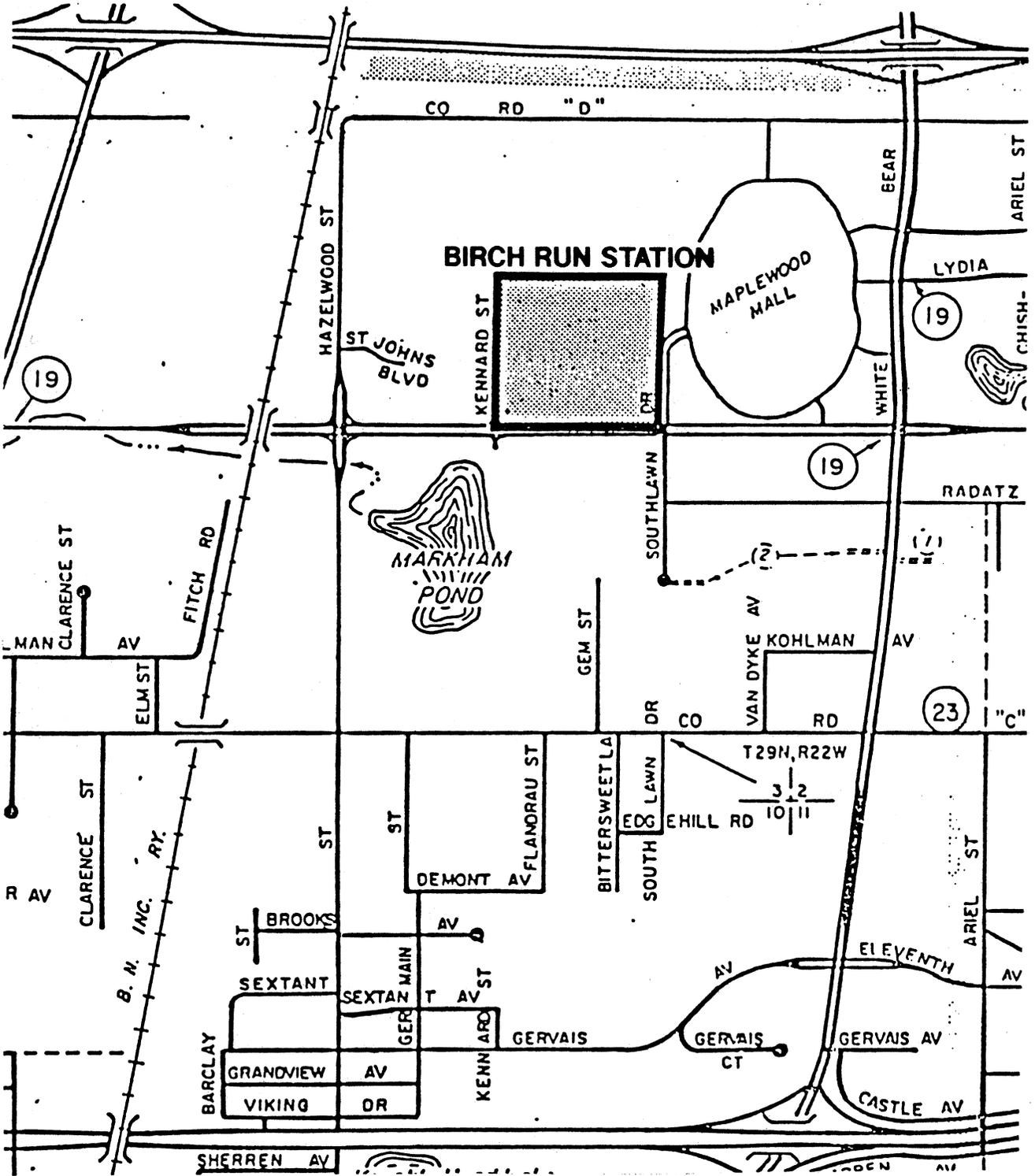
RECOMMENDATION

Table the sign plan changes for Birch Run Station until the applicant comes in with a new sign plan. Refer the plan to the Community Design Review Board for a recommendation.

go\b-5:brsign7.mem (3)

Attachments:

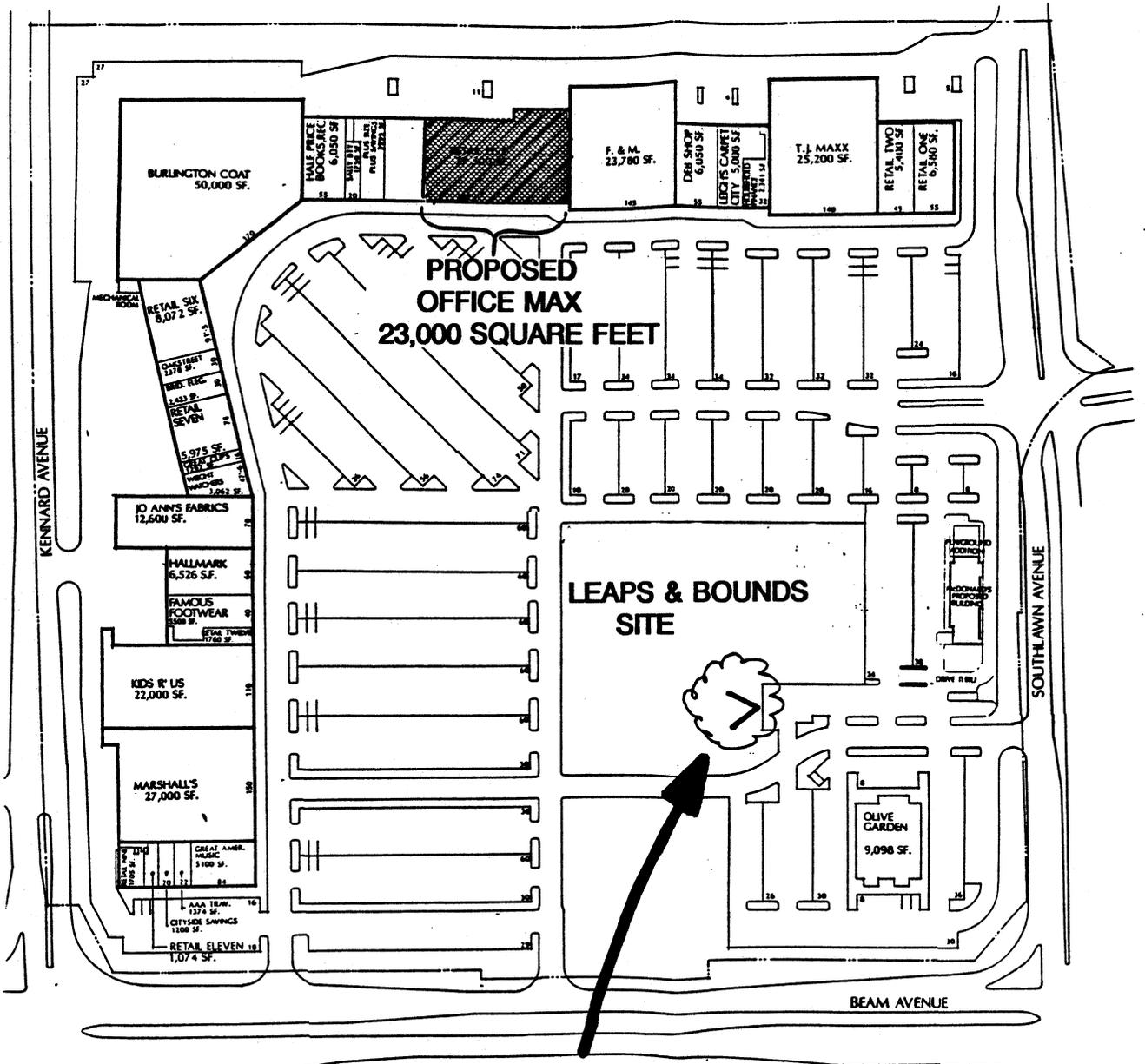
- 1. Location Map
- 2. Site Plan



LOCATION MAP



N



APPROXIMATE LOCATION OF
PROPOSED 70-FOOT-TALL
PYLON SIGN

SITE PLAN



MEMORANDUM

I-2
Additional
Report -

TO: City Manager
FROM: Director of Community Development
SUBJECT: November 8 Council Meeting
DATE: November 5, 1993

The Council requested the attached report for the November 8 City Council meeting, under item I-2.

[Redacted text block]

MEMORANDUM

TO: City Manager
FROM: Thomas Ekstrand, Associate Planner
SUBJECT: Sign Plan Changes
APPLICANT: Welsh Companies (John Johannson)
PROJECT: Birch Run Station
DATE: November 5, 1993

INTRODUCTION

On October 25, 1993, the City Council approved building plans and signs for Office Max at the Birch Run Station. The Council tabled a request for a third ground sign and Office Max panels on the existing ground signs for two weeks. The Council discussed several options with the applicant, including trading the new ground sign for one of the existing ground signs.

John Johannson, of the Welsh Companies, is proposing the following changes:

- a. A new "Office Max" sign panel on the existing ground sign on Beam Avenue. (See page 15.)
- b. Replace the ground sign on Southlawn Drive with a new sign. (See the sketch of this sign on page 11 and the site plan on page 9.) The new sign would be 70 feet tall and 720 square feet. It would be V-shaped and have sign panels for each of the anchor tenants.

See the Narrative Summary on pages 12-13 and the more recent letter on page 10. (Note that the narrative summary was written for the original proposal.)

The Code allows the City Council to make exceptions to the Code for shopping centers. To approve this request, the Council would have to approve three exceptions to the sign code:

1. Waive the maximum sign area for the existing sign on Beam Avenue and the proposed sign on Southlawn Drive. The Code limits the size of any one ground sign to 300 square feet. The sign on Beam Avenue would be 420 square feet or 120 square feet over the Code limit. *New sign on Southlawn 720 sq ft.*
2. Waive the maximum area for combined ground signs. The Code limits the maximum area of the two combined ground signs to 450 square feet. The combined area of the two signs would be 1140 square feet or 690 square feet over the Code limit.

3. Waive the maximum height for the new ground sign. The Code limits the height to 25 feet. The new sign would be 70 feet tall or 50 feet over the Code limit.

could be 50' in previous location.

DISCUSSION

Office Max Sign Panel on the Existing Ground Sign on Beam Avenue

P. 15

The existing ground sign on Beam Avenue already exceeds the maximum size allowed by Code (300 square feet). It has 367 square feet. In 1990, the City approved an additional panel on this sign. The additional panel would have increased the sign size to 407 square feet. The current sign does not have this extra panel. The Office Max panel would increase the actual area of the sign to 420 square feet or an increase of 53 square feet. However, this sign would only increase by 13 square feet over the approved size. The small size increase compared to the overall sign size would not be noticeable. The Office Max panel would be consistent with the other anchor panels. The Office Max panels would be the same size as the smallest panel on the current signs (the Kids "R" Us panels).

New Ground Sign on Southlawn Drive

Reason for the Request

The applicant is requesting a new ground sign because he feels that Birch Run Station is not visible enough. He feels that customers perceive the center to be behind the Maplewood Mall and not seen from heavily travelled roads like White Bear Avenue. This is not a unique problem for this site. The City has about nineteen shopping centers of varying sizes. The City has not approved a sign as large or as tall as this for any other shopping center. (See the table on page 16 which compares the number, size and height of shopping center signs.) Birch Run Station is a large site with extensive frontage on Beam Avenue and Southlawn Drive. While they are behind the Mall, they are not hard to find because of their size and exposure to Beam Avenue.

Sign Area

The new ground sign on Southlawn Drive would be about the size of a large billboard—720 square feet. The Code allows a maximum of 300 square feet. The City already approved an exception to this rule at Birch Run Station. The Beam Avenue ground sign (367 square feet) is already the largest ground sign for a shopping center in the City. With the new Office Max panel, the existing sign would be 420 square feet. A 336-square-foot sign at Crown Plaza is the next largest shopping center sign in the City. It is hard to justify a new sign at Birch Run Station that would be twice the size of the Crown Plaza sign. Particularly when Crown Plaza has been before the Council asking for more sign area. The City should limit the area of the new sign to the maximum allowed by Code—300 square feet.

Number of Signs

There are three undeveloped pads on the center. These include one for McDonalds, one for Leaps and Bounds and a third undetermined use. Each would be entitled to one ground sign. This would be a total of five signs with the two Birch Run signs.

Sign Height

Approving a 70-foot-tall sign would not be consistent with the intent of the ordinance and would encourage similar requests from other businesses. The highest sign we have approved for a shopping center is 39 feet for the Crown Plaza Shopping Center. (See the table on page 16.) The City Code limits the height of signs in the BC (business commercial) zone to 25 feet. The height may be increased by one foot for each additional three feet the sign is set back from the property line. In no case shall the height exceed fifty feet. The previous sign proposed on the Leaps and Bounds site could have been up to 50 feet. The sign on Southlawn Drive would be at the property line and the maximum height would be 25 feet. The existing sign on Southlawn Drive is 25 feet high.

The City has approved higher signs for other commercial uses. The Council approved height variances for Denny's Restaurant/Cricket Inn (I-94 and Century Avenue) and for the Sinclair Station at Rice Street and County Road B. The variances allowed these businesses to go up to fifty feet. They had requested higher signs. In 1989, the Council broke new ground with the Best Western Motel (next to the Birch Run Station Shopping Center). The Council approved a variance for a 100-foot-tall sign. The Council may have approved this sign because the motel caters to drive-by traffic on Highway 694, and the motel site is small with limited exposure to major roads. (See the past actions on signs on page 7.)

RECOMMENDATION

We recommend that the Council approve a third sign on the Leaps and Bounds site. The Council should limit the new sign to 300 square feet and 50 feet in height. To do this, the Council should:

- A. Waive the maximum sign area for the existing sign on Beam Avenue to allow a 420-square-foot sign. The maximum size allowed by Code is 300 square feet.
- B. Waive the maximum combined area for the two ground signs on Southlawn Drive and Beam Avenue. The combined area would be 608 square feet or 158 square feet over the Code limit.

C. Change the Birch Run Station Sign Plan as follows: (I underlined additions and crossed out deletions.)

1. Signage for the outlots shall be subject to CDRB approval upon submittal of those individual sign proposals.
2. The shopping center identification clock tower sign is not approved. Plans shall be submitted for CDRB approval.
3. The two pylon signs are approved as shown on sketches dated August 12, 1993 ~~September 4, 1990~~. A third pylon sign is approved on the Leaps and Bounds site. The maximum size shall be 300 square feet and the maximum height shall be 50 feet. This sign shall be no closer than 100 feet to any other pylon sign. The wall signage for the five original anchor stores are approved as described in the memorandum dated September 5, 1989. The Office Max wall sign is approved as described in the October 7, 1993 staff memo. Changes to anchor store signs may be approved by staff, based on code compliance and proper design. The applicant may place the Maplewood City logo on the pylon signs, subject to design approval by staff.
4. Tenants shall be limited to one sign on the front fascia of the canopy. These signs shall be neon or constructed of individual letters, mounted on a raceway. Copy height shall not exceed 42 inches. Signs shall not be closer than 18 inches to either side of the tenant's store front. This criteria allows an exception for the Famous Footwear sign to be eight inches from the right side of the store's edge. A future sign for the tenant to the north must be at least three feet from the Famous Footwear sign. When the Famous Footwear sign is removed, a new sign shall be at least ten inches from either side of the gable facade.
5. Business identification signs for the west and north sides of the shopping center shall be subject to approval by the CDRB if proposed in the future.
6. Six anchor store tenant signs are allowed on the east-end elevation facing Southlawn Drive. These signs shall not exceed two feet in height and must be centered horizontally on this wall.

Beam o.k.
Southlawn -
50'

If the Council wishes to approve the proposed sign plan changes, they should do the following:

- A. Waive the maximum sign area for the existing sign on Beam Avenue and the proposed sign on Southlawn Drive. This would allow a 420-square-foot sign on Beam Avenue and a ~~720~~-square-foot sign on Southlawn Drive. The maximum size allowed by Code for each sign is 300 square feet.

300
450

- B. Waive the maximum combined area for the two ground signs on Southlawn Drive and Beam Avenue. The combined area of these two signs would be ~~1140~~ square feet or 690 square feet over the Code limit.
- C. Waive the maximum height to allow a ~~70~~⁵⁰-foot-tall sign on Southlawn Drive. The maximum height allowed by the Code is 25 feet.
- D. Change the Birch Run Station Sign Plan as follows: (I underlined additions and crossed out deletions.)
1. Signage for the outlots shall be subject to CDRB approval upon submittal of those individual sign proposals.
 2. The shopping center identification clock tower sign is not approved. Plans shall be submitted for CDRB approval.
 3. A pylon sign is approved on Beam Avenue as shown on the sketch sketches dated August 12, 1993 September 4, 1990. A second pylon sign is approved at a maximum size of 720 square feet and a maximum height of 70 feet. This sign shall replace the existing pylon sign on Southlawn Drive. The wall signage for the five original anchor stores are approved as described in the memorandum dated September 5, 1989. The Office Max wall sign is approved as described in the October 7, 1993 staff memo. Changes to anchor store signs may be approved by staff, based on code compliance and proper design. The applicant may place the Maplewood City logo on the pylon signs, subject to design approval by staff.
 4. Tenants shall be limited to one sign on the front fascia of the canopy. These signs shall be neon or constructed of individual letters, mounted on a raceway. Copy height shall not exceed 42 inches. Signs shall not be closer than 18 inches to either side of the tenant's store front. This criteria allows an exception for the Famous Footwear sign to be eight inches from the right side of the store's edge. A future sign for the tenant to the north must be at least three feet from the Famous Footwear sign. When the Famous Footwear sign is removed, a new sign shall be at least ten inches from either side of the gable facade.
 5. Business identification signs for the west and north sides of the shopping center shall be subject to approval by the CDRB if proposed in the future.
 6. Six anchor store tenant signs are allowed on the east-end elevation facing Southlawn Drive. These signs shall not exceed two feet in height and must be centered horizontally on this wall.

REFERENCE INFORMATION

ORDINANCE REQUIREMENTS FOR GROUND SIGNS IN A BC ZONE

Section 36-351(2) allows one ground sign for each street frontage. This section also limits the maximum height of a ground sign to 50 feet. To put up a 50-foot-tall sign, the sign must have at least a 75-foot setback from the right-of-way.

Section 36-352(2) states that 300-square-feet is the maximum size allowed for a ground sign.

Section 36-353(b) states that in multiple occupancy buildings, ground signs must be at least 100 feet apart. This section also limits the area of two multiple ground signs to 150% of the maximum sign area for one sign. That would be 450 square feet for Birch Run Station.

Section 36-353(c) allows one additional sign for a building at an intersection.

Section 36-231 states that the City may make exceptions to the sign code for shopping centers "if the sign areas and densities for the plan as a whole are in conformity with the intent of this article and if such exception results in an improved relationship between the various parts of the plan."

PAST ACTIONS

Birch Run Station Sign Plan Changes

September 12, 1989: The Community Design Review Board (CDRB) approved the original sign plan for Birch Run Station. This plan included two ground signs of 150 and 300 square feet.

October 24, 1989: The CDRB approved signs on the wall facing Southlawn Drive for the five original anchor stores.

October 9, 1990: The CDRB revised the sign plan to increase the wall sign letter height from 36 to 42 inches. This request was for Crown Shoes. The CDRB also approved maple leaf logos on the two shopping center ground signs.

June 25, 1991: The CDRB revised the sign plan allowing a sign on the west end of the canopy facing Kennard Street for Gung Ho Restaurant.

July 26, 1993: The City Council revised the sign plan for Famous Footwear and the smaller tenants. Tenant signs on the sign band now must be 18 inches in from both ends of the tenant's store front.

Sign Height Variances

September 13, 1982: The City Council approved a 22-foot sign height variance for Denny's Restaurant and the Cricket Inn (now the Super 8 Motel) at I-94 and Century Avenue. The variance allowed them to build a 50-foot-tall pylon signs. (They had requested 80 feet.)

January 14, 1985: The Council approved a 21-foot sign height variance for the Sinclair fuel station at 2158 Rice Street. This variance allowed them to build a 50-foot-tall pylon sign. (They had requested 58 feet.)

October 23, 1989: The Council approved a 50-foot sign height variance for the Days Inn (now the Maplewood Inn / Best Western) northwest of the Maplewood Mall. This sign is 100 feet tall.

Other Shopping Center Signs

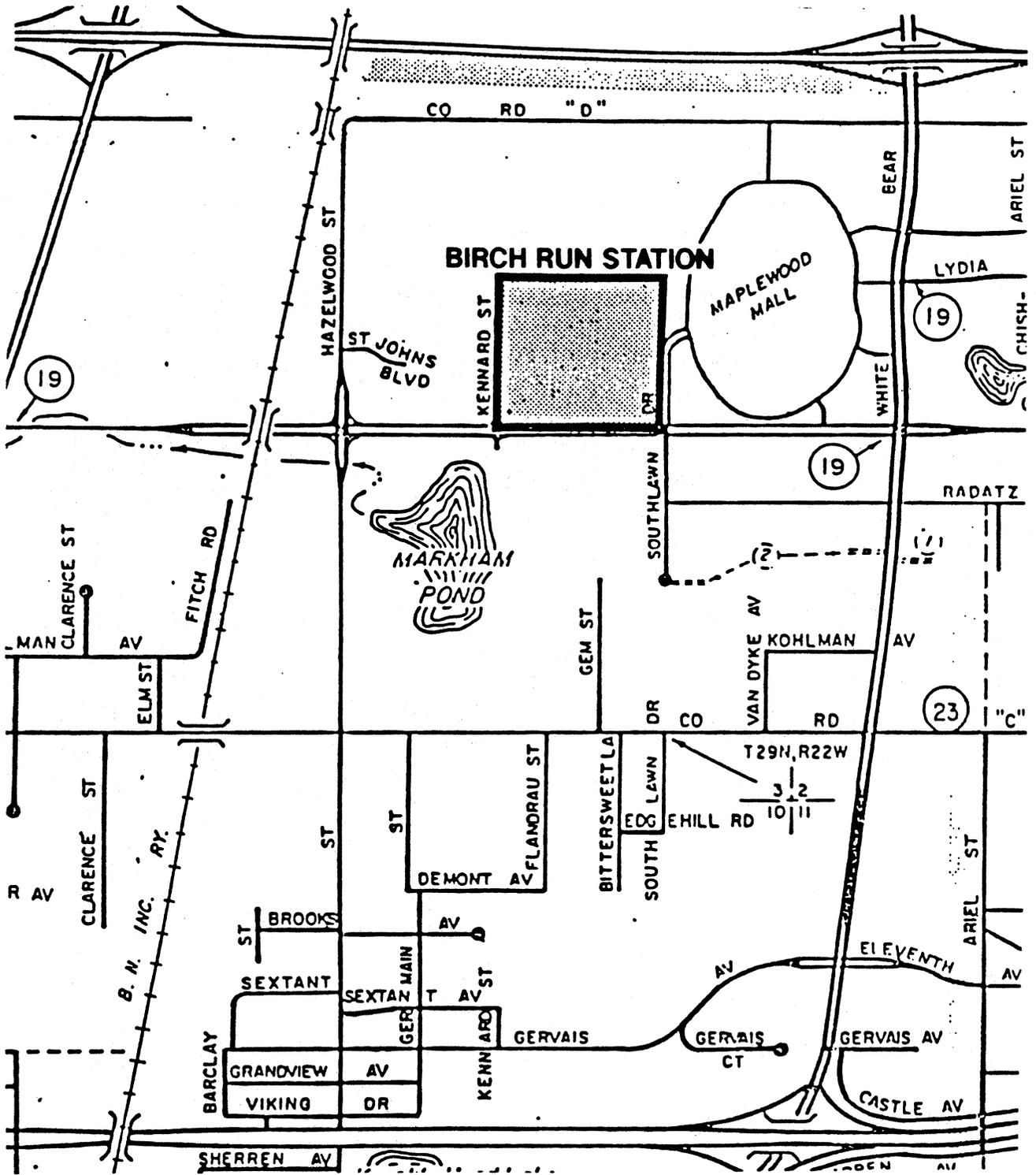
November 12, 1991: The Community Design Review Board denied a request for an additional ground sign at the Crown Plaza Shopping Center. This center is at the corner of Larpenteur Avenue and Rice Street. The Board approved an additional seven-foot-wide sign panel for this business on the existing pylon.

July 12, 1993: The City Council denied a request for a 27-foot-tall, 129-square-foot ground sign for the Crown Plaza Shopping Center on Rice Street. The Shopping Center already had two ground signs.

go\b-5:brsign4.mem (3)

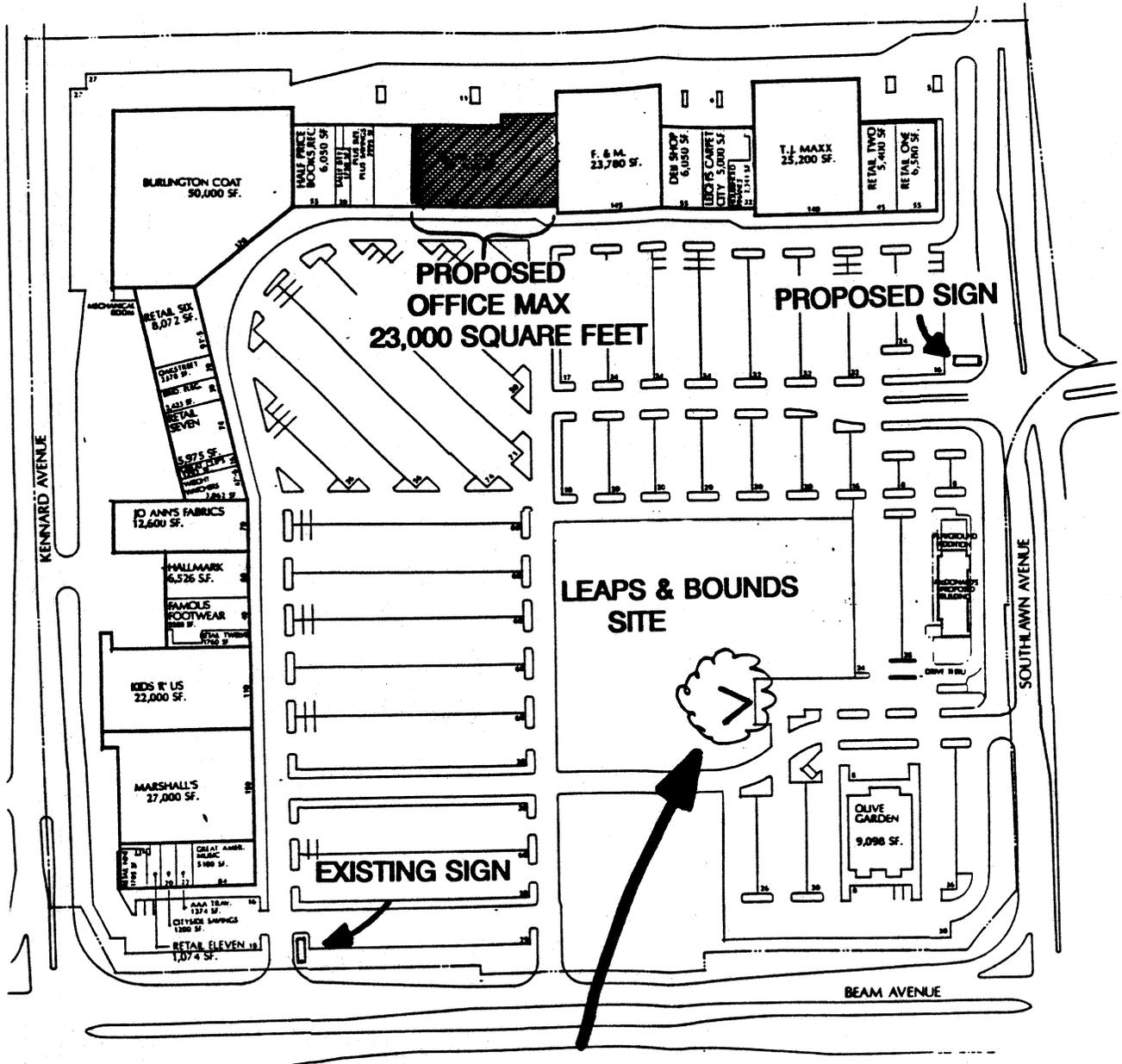
Attachments:

1. Location Map
2. Site Plan
3. November 14, 1993 letter and sign drawing
4. Narrative Summary dated August 12, 1993
5. Existing Ground Sign with Office Max Addition date-stamped August 12, 1993
6. List of Pylon Signs at Other Maplewood Shopping Centers



LOCATION MAP





**RECOMMENDED LOCATION
BY STAFF AND THE CDRB**

SITE PLAN



*Received
11/4/93***WelshCompanies**

November 4, 1993

Mr. Geoff Olson
CITY OF MAPLEWOOD
1830 East County Road B
Maplewood, Minnesota 55109

Re: Birch Run Station - Pylon Signage

Dear Geoff:

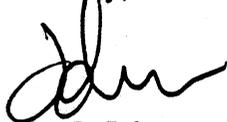
Enclosed is a rendering of the proposed new pylon sign for Birch Run Station. I have enclosed three original color renderings for your reference.

This sign is proposed to be a "V" shape, as similar to the previously proposed sign. Our primary change is that we would agree to placing this sign in the same spot as the existing pylon sign along Southlawn Avenue, and we would remove the existing sign as was suggested in the city council hearing a couple of weeks ago.

I believe the first question we need to answer is whether we can take this directly to city council or if it needs to go to the design review board. It is essentially the same sign as was proposed previously and reviewed by the Design Review Board, with the exception that the sign pole is now covered with a material to match the texture and color of the shopping center, and the sign sits on a brick base.

We appreciate your cooperation. Please let me know how we should proceed.

Sincerely,



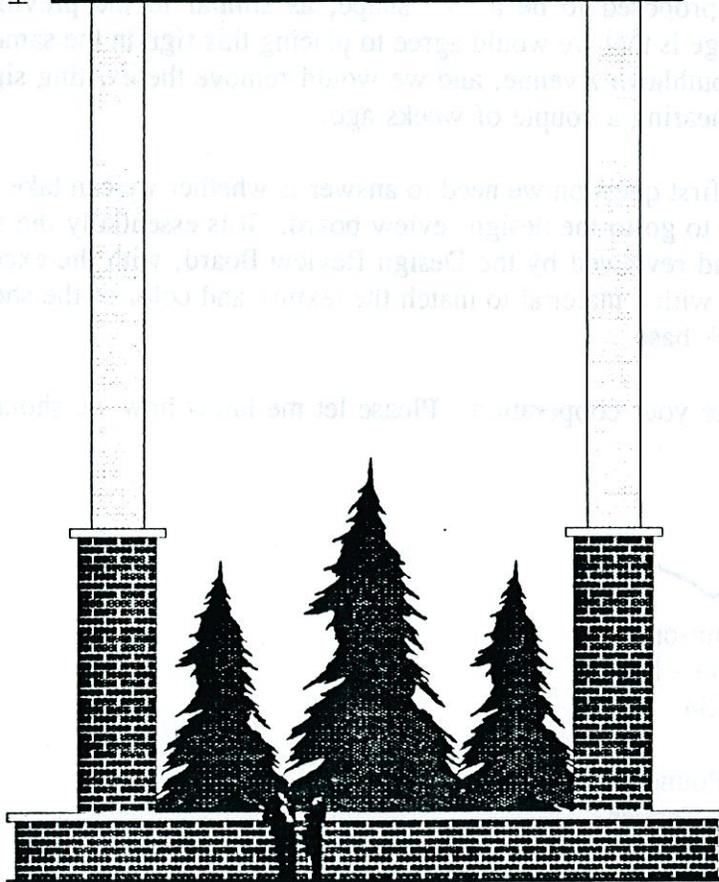
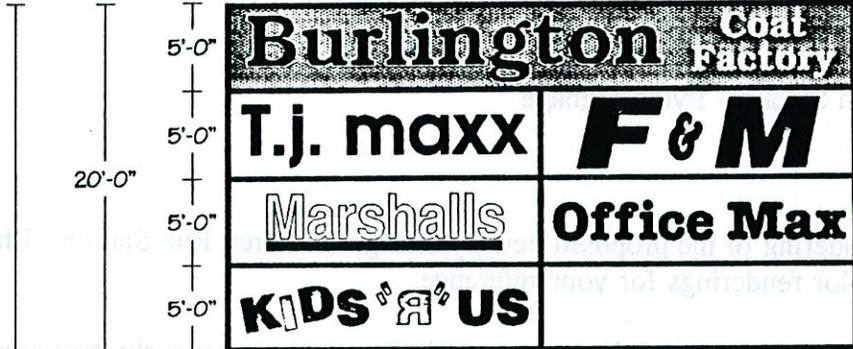
John J. Johannson
Vice President - Retail
(612) 829-3454

C: Bob Pounds
Stuart Tapper
Julie Wrase
Terry Smith
Joe Mannino

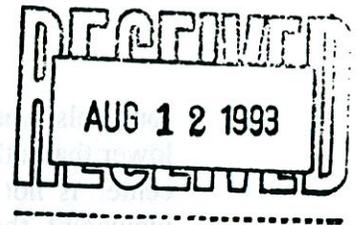


10

36'-0"
18'-0"



11-4-93



**NARRATIVE SUMMARY
BIRCH RUN STATION SHOPPING CENTER
AUGUST, 1993**

Following is a summary of the requested approval items for the Birch Run Station Shopping Center. This application is made by Welsh Companies on behalf of RIMCO II, Inc., the fee owner of the property.

We are intending to undertake the following improvements to Birch Run Station Shopping Center:

- 1) Remodeling of the storefront above the currently vacant space of 27,300 square feet between F & M and Burlington Coat Factory. This is to accommodate the OfficeMax anchor tenancy (see site plan).
- 2) The addition of an "OfficeMax" sign on the east wall of the shopping center.
- 3) The addition of a new pylon sign for the shopping center to accommodate the anchor tenants.
- 4) The addition of the "OfficeMax" sign to the two existing pylon signs along Beam Avenue and Southlawn Avenue. This item is identified merely for reference - we understand that this does not require approval from the Design Review Board.

All of these improvements are requested to accommodate prospective new tenants of the shopping center, and to enhance the exposure of the shopping center. Each item is discussed in detail below.

- 1) Revision of Currently Vacant Storefront. Enclosed is a rendering of the proposed remodeling of the currently vacant storefront located between F & M Distributors and Burlington Coat Factory (south facing storefront). This is in the area of the contiguous vacancy measuring 27,300 square feet. We have a contingent lease signed with OfficeMax for 23,500 square feet of this vacancy. As we have identified previously with the City of Maplewood, Birch Run Station Shopping Center was constructed with too much "speculative" that was originally designed to accommodate smaller tenants in the range of 2,000 to 4,000 square feet. In keeping with the nationwide trend in retail, there has been a significant shrinking in the number of smaller speculative tenants, and a proliferation of the larger anchor tenants. Birch Run Station is a perfect example - it is now dominated by several tenants larger than 20,000 square feet including Marshall's, Kid's 'R' Us, Burlington Coat Factory, F & M Distributors, TJ Maxx, and the now proposed OfficeMax. (OfficeMax is a division of K-Mart Corporation that specializes in the sale of office supplies and furniture.) The storefront currently consists of a low green metal mansard storefront with a narrow sign band that is typical to smaller speculative tenants. We have a lease with OfficeMax which is contingent upon the landlord constructing an "anchor-type" storefront that is comparable to the existing anchor tenants at Birch Run Station. The proposed changes identify a raised storefront, constructed of a dryvit or stucco material and a peak feature above the proposed front door for OfficeMax. The peaked feature is comparable to the similar feature that is

found elsewhere in the shopping center. The highest point of the proposed storefront is lower than other portions of the shopping center - such that the "height" of the shopping center is not increased due to this proposed storefront remodel. From an aesthetic viewpoint, the addition will create a more pleasing, consistent storefront. Currently, the expansive vacancy is nondescript, does not have any distinguishing architectural features, and gives a negative image of significant vacancy in the shopping center. Our contingent lease with OfficeMax allows the tenant the ability to terminate the lease in the event the landlord is not able to deliver the anchor tenant storefront as identified on the enclosed plan. The only signage requested by OfficeMax for the storefront is as identified on the attached plan. The sign is 6' in height.

- 2) East Wall Anchor Tenant Signage. Enclosed is a plan which identifies the proposed addition of OfficeMax to the eastern elevation along Southlawn Avenue. The other five anchor tenants have existing signs on the same frontage. The proposed OfficeMax sign is 24" high. The signage along the eastern wall is intended to provide identification for the anchor tenants at Birch Run Station.
- 3) New Pylon Sign for the Shopping Center. Enclosed is a rendering of a 70' high pylon sign proposed to be installed on one of the outlots in the shopping center. The City of Maplewood ordinance identifies a sign height of 50'. Birch Run Station currently has two pylon signs of 33' high along Beam Avenue and 25'9" high along Southlawn Avenue. Both of these signs provide a limited prominence and visibility for the tenants at Birch Run Station due to their height and location. Also enclosed is a site survey including photographs taken by Schad-Tracy Sign Company. In order to design an adequate sign, we asked Schad-Tracy to hang a panel at varying heights from a crane and take photographs from several different areas surrounding Birch Run Station Shopping Center and the Maplewood commercial retail trade area. The intent is to have a sign that is of adequate height such that the sign is visible from the east along Beam Avenue and from the heavily traveled commercial roads around Maplewood Mall. Currently, there is limited exposure for Birch Run Station Shopping Center, and one of the most common negative remarks from customers and tenants is that Birch Run Station is "behind" Maplewood Mall and is not visible.

As you can see from the enclosed photographs, the proposed sign would have limited visibility if constructed at 50' high, particularly considering that the top of the sign would be 50' and the actual tenant names would be as low as 30' high. The proposed height of 70' would provide visibility to traffic along Beam Avenue and from the adjacent roads around Maplewood Mall. The bottom of the parent panels on the proposed 70' sign would be approximately 50' high.

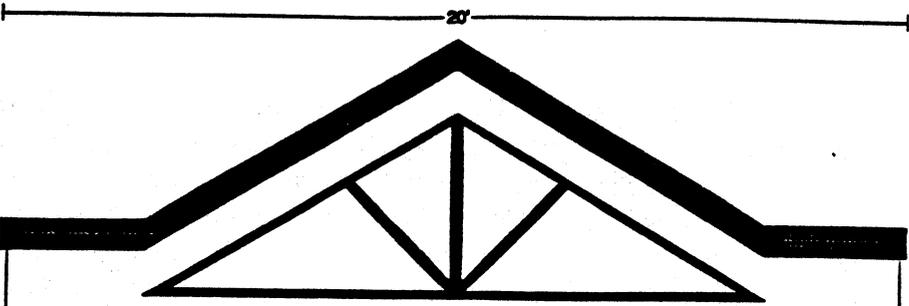
We acknowledge that the proposed top height of the new pylon sign is in excess of the City of Maplewood ordinance. The reason for our request is that a shopping center sign with a maximum height of 50' would not provide the much needed additional exposure and would not resolve the image problem or lack of visibility for Birch Run Station. Though it is not our preference, we would offer to take down the existing pylon sign along Southlawn Avenue in order to get approval of the new proposed 70' high pylon sign.

Additionally, for your reference, several of the anchor tenant leases currently include a restriction on the height of signage for the outlot occupants (Olive Garden and the surrounding outlots). The restriction identified in the anchor leases is 20' in height, which was negotiated between the anchor tenants and the original developer of the shopping center. The anchor tenants and the current owner of the property acknowledge that the 20' restriction on the anchor outlots is arbitrary and actually harms the shopping center by restricting the potential exposure of the outlots, and in return the shopping center. As such, in conjunction with our pending agreements with the anchor tenants regarding the new pylon sign, the anchor tenants will allow the outlot occupants to install signage that conforms to the City of Maplewood ordinance (up to 50' in height).

- 4) Addition of OfficeMax to Existing Pylon Signs. Enclosed are drawings of the two existing pylon signs, which are mounted along Beam Avenue and along Southlawn Avenue. The OfficeMax name is added to the bottom of both signs. It is our understanding that this does not require approval or action by the Design Review Board, and as such it is included merely for reference purposes. The five existing anchor tenants of the shopping center have approved the addition of OfficeMax to the existing pylon signs.

We have made significant progress in the leasing of Birch Run Station Shopping Center. Eighteen months ago, the center was approximately 58% occupied. If we are able to complete the lease with OfficeMax, and complete some other smaller leases that are under final negotiation, the occupancy of the shopping center could be raised to as much as 92%. While the occupancy of the shopping center has improved significantly, there remains plenty of room to help the tenants achieve better sales, and in return, to increase the value of the Shopping Center to something at least resembling its former assessed value and property tax levels. The shopping center has gone through a foreclosure proceeding and the ownership has reverted to the mortgage lender. As owner, the mortgage lender is committing significant money to improve the shopping center, complete new leases, and maintain a first class shopping center. The long term value of the shopping center is dependent on the landlord's commitment of funds and the ability to attract additional tenants.

We hope and trust that the City of Maplewood will find these requested additions/changes as necessary improvements to attract anchor tenants to the shopping center, to address the changed trends in the retail industry, and as the owners willingness to commit additional funds to the long term success to of the shopping center.



Burlington
Coat Factory

Marshalls

T.j. maxx

F&M

KIDS"R"US

Office Max

35'

28'

RECEIVED
AUG 12 1993

PROPOSED INDIVIDUALLY ILLUMINATED
CHANNEL LETTERS

SCALE: 3/8" = 1'

Project	
Address	
City	
State	

Scale	
Drawn by	
Salesperson	
Date	

Revisions	
Customer Approval	Date

This Drawing is the property of
schadtracy signs

325 Minnesota Ave. N
Crosby, MN 55905-0364
(507) 367-2631
(507) 367-2633 (Fax)

1610 E. CHEF Rd.
Bloomville, MN 55337
(612) 894-2421
(612) 894-2748 (Fax)

Existing Pylon Signs at Maplewood Shopping Centers
October 6, 1993

This is a list of the pylon signs at Maplewood shopping centers. The list includes the number of pylon signs each center has, each sign's size in square feet and each sign's height.

<u>Shopping Center</u>	<u>Number</u>	<u>Size (sq. ft.)</u>	<u>Height (feet)</u>
Maplewood Mall	5 (each sign)	69	21
Maplewood Mall Corner Shoppes	2	38	5
		100	20
Maplewood Town Center	3	117	25
		128	35
		128	25
Birch Run Station	2	367	33
		188	26
Maplewood East	1	100	24
Maplewood Square	2	112	20
		72	20
Maplewood Commons	2	24	10
		196	25
Hirshfields/Audio King Building	1	160	24
Mapleridge Center	1	216	29
Maplewood Auto Center	2	128	32
		240	30
Crown Plaza	2	336	39
		144	25
Hillside Center	1	70	23
Maple Leaf Center	1	80	20
Mogren's Corner	2	84	20
Century Center	1	105	19
Englewood Shops	2	50	26
		60	17
Midvale Center	1	192	25
Plaza 3000	2	72	21
		96	30
Plaza 3000 North Annex	1	72	22

te\signs.mem

**MINUTES OF THE MAPLEWOOD COMMUNITY DESIGN REVIEW BOARD
1830 EAST COUNTY ROAD B, MAPLEWOOD, MINNESOTA
OCTOBER 12, 1993**

I. CALL TO ORDER

Chairperson Moe called the meeting to order at 7:02 p.m.

II. ROLL CALL

Donald Moe	Present
Marvin Erickson	Absent
Michael Holder	Present
Marie Robinson	Present
Bruce Thompson	Absent
Roger Anitzberger	Present

III. APPROVAL OF MINUTES

A. October 12, 1993

Boardmember Robinson moved approval of the minutes of October 12, 1993 as submitted.

Boardmember Holder seconded Ayes--all

IV. APPROVAL OF AGENDA

Boardmember Holder moved approval of the agenda as submitted.

Boardmember Robinson seconded Ayes--all

V. UNFINISHED BUSINESS

There was no unfinished business.

VI. DESIGN REVIEW

A. Sign Plan and Building Design Changes - Birch Run Station

Secretary Ekstrand presented the staff report and explained the request from Welsh Companies for sign plan and building design changes at Birch Run Station.

Bob Pounds, Assistant Vice President of Retail for Welsh Companies, said he was also representing Remco II, the landlord for the property. Mr. Pounds gave a presentation regarding this request. He noted their reasons for this request are the need for better visibility due to the location being behind the Maplewood Mall, the

need for an anchor facade treatment to create a presence for Office Max, the addition of a 24-inch sign to the east wall elevation that is consistent with the other tenants, and to construct a third ground sign on the outlot which would be 70 feet tall.

Joe Manino, a representative of Office Max Real Estate, gave a presentation.

Boardmember Robinson moved the Community Design Review Board recommend:

- A. Approval of the building design plans (stamped August 12, 1993) for Office Max at Birch Run Station.
- B. Change the Birch Run Station Sign Plan as follows (additions underlined and deletions crossed out):
 1. Signage for the outlots shall be subject to CDRB approval upon submittal of those individual sign proposals.
 2. The shopping center identification clock tower sign is not approved. Plans shall be submitted for CDRB approval.
 3. The two pylon signs are approved as shown on sketches dated August 12, 1993 ~~September 4, 1990~~. A third pylon sign is approved at a maximum size of 300 square feet and a maximum height of 50 feet. This sign shall be no closer than 100 feet to any other pylon sign. The developer shall submit a plan of this sign to the City staff for approval. The wall signage for the five original anchor stores are approved as described in the memorandum dated September 5, 1989. The Office Max wall sign is approved as described in the October 7, 1993 staff memo. Changes to anchor store signs may be approved by staff, based on code compliance and proper design. The applicant may place the Maplewood City logo on the pylon signs, subject to design approval by staff.
 4. Tenants shall be limited to one sign on the front fascia of the canopy. These signs shall be neon or constructed of individual letters, mounted on a raceway. Copy height shall not exceed 42 inches. Signs shall not be closer than 18 inches to either side of the tenant's store front. This criteria allows an exception for the Famous Footwear sign to be eight inches from the right side of the store's edge. A future sign for the tenant to the north must be at least three feet from the Famous Footwear sign. When the Famous Footwear sign is removed, a new sign shall be at least ten inches from either side of the gable facade.
 5. Business identification signs for the west and north sides of the shopping center shall be subject to approval by the CDRB if proposed in the future.

6. Six Five anchor store tenant signs are allowed on the east-end elevation facing Southlawn Drive. These signs shall not exceed two feet in height and must be centered horizontally on this wall. ~~The total length of these signs shall not exceed 75 feet.~~

Boardmember Anitzberger seconded Ayes--all

VII. VISITOR PRESENTATIONS

There were no visitor presentations.

VIII. BOARD PRESENTATIONS

There were no Board presentations.

IX. STAFF PRESENTATIONS

A. Board Member Representative for the October 25 City Council Meeting: Roger Anitzberger

B. Tentative October 26 Agenda: Holloway Pond Town Homes 2nd Addition, Maplewood Middle School Parking Lot, Phalen Lake Town Homes and Hillside Center Sign/Plan Change

X. ADJOURNMENT

Meeting adjourned at 8:05 p.m.

MEMORANDUM

Action by Council

TO: City Manager
FROM: Director of Community Development
SUBJECT: Truth-in-Housing Ordinance
DATE: November 1, 1993

Endorsed
Modified
Rejected
Date

INTRODUCTION

On October 25, the City Council tabled an ordinance about enforcing the truth-in-housing code. The Council tabled this ordinance until November 8. Councilmember Zappa asked for an ordinance that would exempt sales to family members. I have attached an ordinance to do this. I have also attached an alternate version of this ordinance and the previous staff report and ordinance. The Council can vote on each ordinance separately.

DISCUSSION

Requiring a truth-in-housing report between family members has value. A family member selling a house may not be aware of problems with the house. A truth-in-housing inspection by a trained professional would make the buyer and seller aware of any problems. An inspection may save an embarrassing situation between family members and avoid family disputes. This seems worthwhile considering the cost of an inspection (\$100-\$125).

Karen Christofferson from the St. Paul Area Association of Realtors raised a question about discrimination. (See her letter on page 5.) I asked someone from the State Department of Human Rights. He said that he did not know of any law that would prohibit the City from passing this ordinance. The City Attorney concurred.

If the Council does not exempt family members from truth-in-housing, the Council should still delete subsection 9-237(b). This subsection exempts home sales where purchase or listing agreements were signed before the Council adopted the ordinance. Karen Christofferson, from the St. Paul Area Association of Realtors, told me that these agreements have all expired. She advised me that we could delete this subsection. I have attached an ordinance on page 4 to make this change. If the Council gives first reading to this ordinance, the HRA will review it on November 9.

RECOMMENDATION

- A. Take no action on the ordinance on page 3.
B. Approve the ordinance attached to this memo on page 4 and the ordinance attached to the August 19, 1993 staff report on page 8.

go/b-5:housing.mem (5.6)

Attachments:

1. Ordinance on sale between family members
2. Ordinance deleting exemptions
3. Letter: St. Paul Area Association of Realtors
4. August 19, 1993 staff report and ordinance

ORDINANCE NO.

AN ORDINANCE EXEMPTING HOUSING SALES BETWEEN FAMILY MEMBERS FROM THE TRUTH-IN-HOUSING ORDINANCE

The Maplewood City Council approves the following ordinance: (I have underlined the new wording.)

Section 1. This section changes Section 9-237(b) as follows:

- (b) This article shall not apply to sales between members of the same family. A family is people related by blood, marriage or adoption. ~~the following:~~
- ~~(1) Sales that had an executed purchase agreement or earnest money contract before January 1, 1991.~~
- ~~(2) A housing unit or residential building with a listing agreement that was signed before January 1, 1991. However, this article shall apply when the listing agreement expires.~~
- ~~(3) A housing unit or residential building that the owner marketed for sale without a listing agreement before January 1, 1991. However, this article shall apply to these properties after June 1, 1991. The owner must provide proof that he or she marketed the property before January 1, 1991, such as a copy of an ad in the paper.~~

Section 2. This ordinance shall take effect after the City publishes it.

The Maplewood City Council approved this ordinance on November __, 1993.

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~~(b) This article shall not apply to the following:~~

~~(1) Sales that had an executed purchase agreement or earnest money contract before January 1, 1991.~~

~~(2) A housing unit or residential building with a listing agreement that was signed before January 1, 1991. However, this article shall apply when the listing agreement expires.~~

~~(3) A housing unit or residential building that the owner marketed for sale without a listing agreement before January 1, 1991. However, this article shall apply to these properties after June 1, 1991. The owner must provide proof that he or she marketed the property before January 1, 1991, such as a copy of an ad in the paper.~~

Section 2. This ordinance shall take effect after the City publishes it.

The Maplewood City Council approved this ordinance on November __, 1993.

Saint Paul Area Association of REALTORS®
and MULTIPLE LISTING SERVICE



325 East Roselawn Avenue • Saint Paul • MN 55117
Phone: 612/774-5206 • FAX: 612/774-1177

October 29, 1993

1993 Officers

PRESIDENT

Michael Wood, GRI

PRESIDENT-ELECT

Dean Trampe, GRI

SECRETARY

Kathy Madore, GRI, CRB

TREASURER

Robert Peltier

IMMEDIATE PAST PRESIDENT

Dan Sullivan, GRI

1993 Directors

Jeanine Boyd, GRI, CRS

Sheryl Craven, GRI

Henry Brandis, GRI

Roger Claybaugh, GRI

Larry Harris, CRB

Patrick Igo

Barbara Jandric, CRB

Perry Nelson, GRI

Gail LaShomb

Mary Jane Rohde, GRI

Missy Staples Thompson

Stephen Townley, GRI

Sheri Updyke, GRI

Anne Waters

National Directors

Mike Muske, GRI

State Directors

Patrick Kinney, GRI, CRS

Kathy Madore, GRI, CRB

Mike Muske, GRI

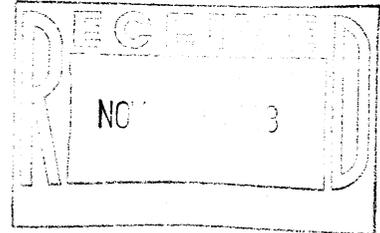
Missy Staples Thompson

Michael Wood, GRI

Executive Vice President

Keith O. Holm

Geoff Olson, Director
Planning and Community Development
1830 E. County Road B
City of Maplewood
Maplewood, MN 55109-2797



Dear Geoff,

Thank you for letting us know about the discussion related to proposed changes of the Maplewood Truth-In-Sale of Housing Ordinance. It is our understanding that a member of the City Council has asked for consideration of an exemption from the ordinance when the transaction is between members of a family.

While Realtors® do facilitate these types of transactions, the exemption would not necessarily impact the industry to any significant extent. Although the law would have to be very clear on how a family is defined. Further, we do wonder if there are issues of discrimination that should be considered by the city. Your attorney may also want to check the language in the state Human Rights Act and other statute that may possibly apply.

Thank you for the opportunity to respond to the proposed change to the ordinance. Because we are interested in all discussions around the ordinance, we will have someone representing the Association attend the Monday, November 8, 1993 hearing regarding this issue.

Sincerely,

Karen Christofferson
Government Affairs Director

cc: SPAAR Government Affairs Committee and Board of Directors



MEMORANDUM

TO: City Manager
FROM: Ken Roberts, Associate Planner
SUBJECT: Truth-in-Housing Ordinance Amendment
DATE: August 19, 1993

INTRODUCTION

On May 24, 1993, the City Council requested that the staff review the truth-in-housing ordinance. The Council wanted staff to include penalties for non-compliance. Councilmember Juker requested this change after she heard of two violations of the truth-in-housing ordinance. (See the Council minutes on page 2.)

BACKGROUND

July 9, 1990: The City Council adopted the Maplewood Truth-in-Housing Ordinance. This ordinance went into effect on January 1, 1991 and had a sunset clause that ended the program on June 30, 1992.

June 8, 1992: The City Council readopted the truth-in-housing ordinance.

DISCUSSION

This ordinance amendment adds a new section about violations. This additional language would clearly identify what could happen to a person if they do not have a truth-in-housing evaluation done. The amendment also should help reinforce the need and importance of the truth-in-housing ordinance.

RECOMMENDATION

Approve the attached ordinance.

kr/memo88b.mem (5.1)

Attachments:

1. 5-24-93 Council minutes
2. Proposed Ordinance Amendment
3. 9-14-93 HRA Minutes

5-24-93
C. Truth-in-Sale-of-Housing Ordinance

- a. Councilmember Juker stated she had heard of two recent violations of the Truth-In-Sale-of-Housing Ordinance; one in which an inspection had not been prepared and another in which the homeowner had prepared his own report.
- b. Councilmember Juker moved to direct staff to review the current ordinance with a view to including penalties for non-compliance, and report back to Council.

Seconded by Councilmember Zappa

Ayes - all

ORDINANCE NO.

**AN ORDINANCE ADDING A VIOLATION SECTION TO THE TRUTH-IN-HOUSING
ORDINANCE**

THE MAPLEWOOD CITY COUNCIL APPROVES THE FOLLOWING ORDINANCE:
(I crossed out the deletions and underlined the additions.)

Section 1. This section adds Section 9-243, Violations, by adding the following:

Section 9-243. Violations.

Any person failing to meet and follow the provisions of this article shall be guilty of a
misdemeanor and shall be subject to prosecution.

Section 2. This ordinance shall take effect after publication.

Passed by the Maplewood City Council on _____, 1993.

kr/memo88b.mem (5.1)

c. Truth-in-Housing Code Amendment

Ken Roberts presented the staff report and explained the wordage proposed to be added to the truth-in-housing ordinance providing for penalties for violation of the ordinance.

Commissioner Connelly moved to recommend approval of the ordinance adding a violation section to the Truth-in-Housing Ordinance.

Commissioner Whitcomb seconded

Ayes--all

~~8. DATE OF NEXT MEETING~~

~~a. October 12, 1993~~

~~9. ADJOURNMENT~~

~~Meeting adjourned at 9:07 p.m.~~

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Ken Roberts, Associate Planner
SUBJECT: Street Vacation
LOCATION: Flandrau Street, north of County Road C
DATE: November 2, 1993

Endorsed _____
Modified _____
Rejected _____
Date _____

INTRODUCTION

The City staff is requesting that the City Council vacate the undeveloped Flandrau Street, north of County Road C. (See the maps on pages 3 and 4.) This vacation would eliminate an access to the property behind 1667-1697 County Road C, which would help to limit building on this property.

BACKGROUND

September 27, 1993: The City Council tabled a request of Steve Lukin to build one house on the property behind 1667-1697 County Road C.

October 11, 1993: The Council approved the Lukin's request and tabled the Flandrau street vacation for one month. The Council asked us to investigate what happened to the westerly portion of the right-of-way. I believe that the Council wanted us to investigate whether a driveway for 1681 County Road C encroached on the right-of-way.

DISCUSSION

The property owner at 1697 County Road C requested this vacation when we surveyed the neighbors about the Lukin's request.

The only use for this right-of-way is for drainage and as a potential access for the Lukin's property. The City has no plans to build a street on this right-of-way. The City should keep a drainage easement over the whole right-of-way.

The easterly three feet of the driveway for 1681 County Road C is on the right-of-way. If the City vacates the right-of-way, the west half would go to 1681 County Road C. The driveway would then be on the owner's property. The east half would to to 1697 County Road C.

RECOMMENDATION

Approve the resolution on page 5. This resolution vacates Flandrau Street, north of County Road C. This vacation is subject to the City keeping a drainage easement over the entire right-of-way. The City should vacate this street because:

1. It is in the public interest.
2. The City has no plans to build a street on this right-of-way.
3. The adjacent properties have street access.
4. The City has a policy of vacating unneeded rights-of-way.
5. Part of the driveway for 1681 County Road C is on the right-of-way.

Note: If the Lukins are not in favor of this vacation, the Council must approve it with at least four votes. The last time I talked to Mr. Lukin, he was in favor if he closed on the property first. He planned to close on November 1. I called him on November 2 to verify his position, but he was out of town until November 5. The Council should verify his position to determine the votes needed to vacate this right-of-way.

REFERENCE

Surrounding Land Uses

North: Undeveloped property that the City has planned for open space and that the City has zoned F (farm residential)

East: A house at 1697 County Road C

South: County Road C

West: A house at 1681 County Road C

State Law

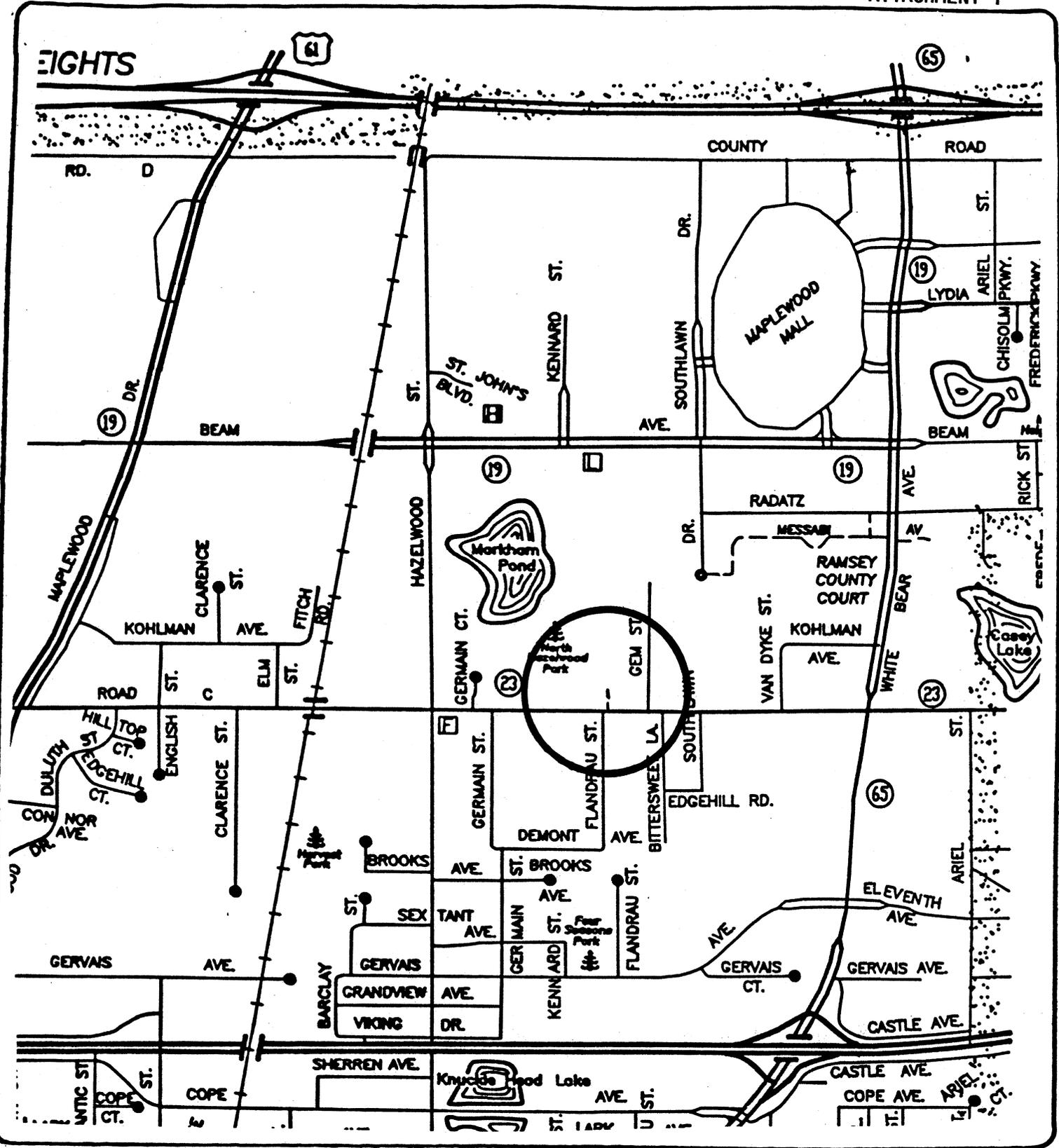
State Law says the City may vacate a street if it appears in the interest of the public to do so.

go/b-5:memo85f2.mem (3)

Attachments:

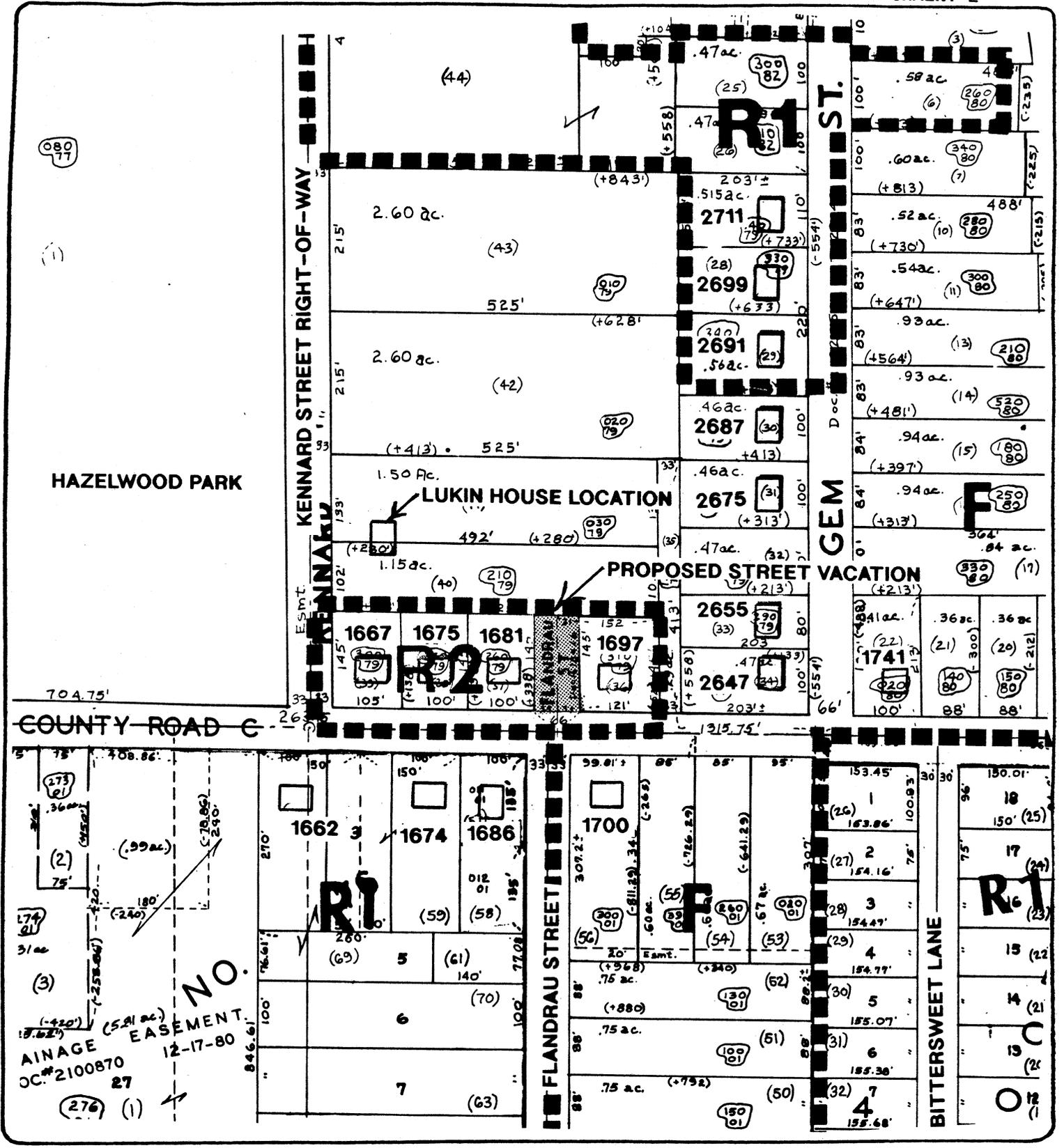
1. Location Map
2. Property Line Map
3. Street Vacation Resolution

EIGHTS



LOCATION MAP





PROPERTY LINE / ZONING MAP

PROPOSED STREET VACATION



VACATION RESOLUTION

WHEREAS, the Director of Community Development requested that the City Council vacate Flandrau Street, from the north line of County Road C to a point 145 feet north of County Road C.

WHEREAS, the history of this vacation is as follows:

1. A majority of the property owners abutting this street are in favor of this vacation;
2. The Planning Commission discussed this vacation on September 20, 1993. They recommended that the City Council approve this vacation.
3. The City Council held a public hearing on October 11, 1993. The City staff published a notice in the Maplewood Review and sent notices to the abutting property owners. The Council gave everyone at the hearing a chance to speak and present written statements. The Council also considered reports and recommendations from the City staff and Planning Commission.

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

1. 1697 County Road C, legally described as:

IN SECTION 3, TOWNSHIP 29, RANGE 22, THE EAST 152 FEET OF THE WEST 525 FEET OF THE SOUTH 178 FEET OF THE SE 1/4 OF SE 1/4 (SUBJECT TO ROADS), IN SECTION 3 TOWNSHIP 29, RANGE 22

2. 1681 County Road C, legally described as:

IN SECTION 3, TOWNSHIP 29, RANGE 22, THE EAST 100 FEET OF THE WEST 338 FEET OF THE SOUTH 178 FEET OF SE 1/4 OF SE 1/4 (SUBJECT TO ROADS) IN SECTION 3, TOWNSHIP 29, RANGE 22

NOW, THEREFORE, BE IT RESOLVED that the City Council vacate the above-described right-of-way for the following reasons:

1. It is in the public interest.
2. The City has no plans to build a street on this right-of-way.
3. The adjacent properties have street access.
4. The City has a policy of vacating unneeded rights-of-way.
5. Part of the driveway for 1681 County Road C is on the right-of-way.

This vacation is subject to retaining a drainage easement over the entire right-of-way.

Adopted on _____, 1993.

V. NEW BUSINESS

A. Conditional Use Permit: 2610 Highway 61 (Mitsubishi) (Section 9)

Ken Roberts, Associate Planner, presented the staff report. Rick Kline was present representing the applicant and answered questions from the Commission. There were no comments from the public.

Commissioner Martin moved the Planning Commission recommend approval of the resolution which approves a conditional use permit to expand a maintenance garage at 2610 Highway 61. This permit is based on the findings required by ordinance and is subject to the following conditions:

1. All construction shall follow the site plan that the City stamped August 4, 1993. 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 City Council shall review this permit in one year.

Commissioner Pearson seconded

Commissioner Rossbach referred to the commercial property study which is under consideration by the Planning Commission. Mr. Rossbach said he is opposed to commercial property next to residential property without a suitable buffer zone. He feels that this proposal will bring more traffic onto County Road C affecting the area to the east which is residential.

The Commission voted as follows: Ayes--Allenspach, Anitzberger, Axdahl, Fischer, Kittridge, Martin, Pearson, Sigmundik

Nays--Rossbach

The motion passed.

B. Kennard Street, North of County Road C (Lukins): Construction Agreement, Street Vacation--Flandrau Street (Section 3)

Commissioner Sigmundik removed himself from participation on the Planning Commission for this item.

Ken Robert, Associate Planner, presented the staff report and answered questions from the Commission. The Commission discussed the possible means of access to the property from County Road C, proposed filling of portions of the wetlands, and the possible acquisition of this property for park or open space land.

Steve Lukin, 1487 East Cope Avenue, the applicant, explained the proposal. Mr. Lukin said he is not a developer and has no plans to become a developer. Mr. Lukin said he is opposed to the recommended staff condition requiring him to record a deed prohibiting any further development on this property, because it will diminish the value of this property. Mr. Lukin said he also is opposed to giving the City a drainage easement for the wetland and the ten feet of land beyond the wetland. He said he finds the \$7,000 sewer cash connection charge unacceptable. Mr. Lukin said he would like to have a reassessment of this charge, taking into consideration the past assessment actions of the City regarding this property.

Commissioner Kittridge asked the applicant if he would be willing to reconsider recording a deed to prohibit further development to assure the adjacent property owners that he does not intend to further develop this property. Mr. Lukin responded that this deed would diminish the value of his property, but he would consider negotiating an agreement with the City to purchase this property.

Bob Corbett, 1667 East County Road C, asked that the City consider purchasing this property for open space and to avoid future problems with wetlands and drainage. Mr. Corbett asked that the Commission table this item until after the open space referendum.

Steve Hagen, 2699 Gem Street, said he has drainage problems on his property and he is concerned about the impact of this proposal.

Nora Meyers, 2711 Gem Street, said she has drainage problems on her property and she is concerned with additional drainage problems.

Marvin Sigmundik, 1697 East County Road C, explained the history of the drainage problems in this area. Mr. Sigmundik said he feels the Lukins should record a deed that prohibits further development on the property.

Janice Hoppe, 1675 East County Road C, said she is concerned about the drainage problems.

Steve Lukin spoke regarding the slope conditions required as part of the Watershed permit.

Vicky Kringle, 2655 Gem Street, asked that this item be tabled until after the open space referendum.

Commissioner Rossbach said this proposal would allow a house to be built in the back yard of the homes on County Road C. Mr. Rossbach said this house would infringe on the neighbors because of the small size of their adjacent lots.

George Rossbach, 1406 East County Road C, spoke regarding the history of Kennard Street.

Commissioner Fischer moved the Planning Commission recommend:

- A. Adoption of the resolution which approves an agreement to construct one house on a lot that does not front on a paved street. The City approves this agreement because:
1. This situation is unusual.
 2. The property owner did not cause the existing conditions.
 3. The drive and one house would not alter the neighborhood's character.
 4. The City has approved other homes on private drives.

This resolution requires that the property owners do the following before the City issues a building permit:

1. Record agreements against the property that:
 - a. Hold the City harmless from any liability for the use of the right-of-way or any delay in emergency vehicles finding the house.
 - b. State that the owner of the Lukin's property is responsible for maintaining the drive.
 - c. State that the City may change this agreement if the City approves another house on this driveway.

The City Attorney shall draft these agreements.

2. Give the City Engineer a grading, drainage and erosion control plan for the proposed house and driveway. The erosion control plan shall be consistent with the Ramsey Soil and Water Conservation District Erosion Control Handbook. The driveway must be an all-weather surface that is at least twelve feet wide. The City shall not issue a building permit unless the City Engineer and the Fire Marshal approve this plan. All construction must follow this plan.
3. All construction shall follow the site plan the City stamped July 14, 1993. The Director of Community Development may approve minor changes.

4. Combine the three properties into one tax parcel.
 5. Record a deed to the City that prohibits any additional houses on these lots.
 6. Deed the 33-foot-wide strip on the east side of 1697 County Road C to that property owner. If the property owner will not accept the property, deed it to the City.
 7. Install a sign at County Road C and the driveway that states the property address and that the drive is private.
 8. Record a drainage easement to the City that covers the wetland and the land that is ten feet beyond the wetland. This easement shall prohibit mowing, cutting, filling or dumping within ten feet of the wetland. The Lukins shall not record this easement until the City Engineer approves it. The wetland's boundary shall be as defined by the Ramsey-Washington Metro Watershed Board.
 9. Pay the City \$7,000 for cash connection charges to connect the house to the City sewer and water.
 10. Have the location of the building staked by a registered land surveyor.
- B. Adoption of the resolution which vacates Flandrau Street, north of County Road C. The vacation is subject to retaining a drainage easement over the entire right-of-way.

Commissioner Martin seconded

Ayes--Allenspach, Anitzberger, Axdahl,
Fischer, Martin, Pearson, Rossbach

Nays--Kittridge

The motion passed.

Mr. Sigmundik resumed his position on the Commission.

VI. VISITOR PRESENTATIONS

There were ~~no~~ visitor presentations.

Action _____
Endorsed _____
Modified _____
Rejected _____
Date _____

AGENDA REPORT

To: City Manager Michael McGuire
From: Director of Public Safety Kenneth V. Collins *KVC*
Subject: Impounding and Dog/Cat License Fees
Date: November 1, 1993

Introduction

The City Council requested that the fees being charged by the City of Maplewood for impounding and licensing dogs and cats be reviewed.

Background

A check was made with several other cities, and we found that our licensing fees were relatively close to those being charged by area communities.

However, the \$5 impound fee that Maplewood charges is considerably lower than these other communities. Most communities charged a \$25 impound fee, however, some communities (such as St. Paul, Afton, Bloomington, Oak Park Heights and Lakeland) charged fees ranging from \$35 to as high as \$100.

It should be explained that the impound fee is charged to the owner of the animal when it is picked up by the Animal Control Officer. This fee is in addition to the daily kenneling fees that are charged by the animal shelter where the animal is housed while it's impounded.

A further check of the records also revealed that Maplewood's boarding fees have not been increased for several years.

Recommendation

It is recommended that Maplewood increase their impound fees from \$5 to \$25.

Action Required

Submit to the City Council for their review and handling.

KVC:js

AGENDA REPORT

Action by Council:

TO: City Manager
 FROM: City Engineer
 SUBJECT: No Parking, Connor Avenue East of Highway 71
 DATE: November 1, 1993

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

It has come to the city's attention that a significant amount of on-street parking occurs on Connor Avenue between Highway 61 and Duluth Street. This situation has been observed on a number of occasions.

Connor Avenue is a 36-foot wide permanent street with concrete curb and gutter. Connor Avenue serves as a convenient access from Highway 61 to the Duluth frontage road and Gervais Avenue. It has been noted that large trucks had difficulty maneuvering due to the cars parked on both sides of the street. The fire marshal also has a concern that emergency equipment may not have convenient access through this area.

I have discussed this situation with a representative of the auto dealership to the north. It was his feeling that some of the parking problem was due to the present construction project. Some employees, as well as some of the construction workers, have been using the street for parking. He requested that if no parking was established on Connor Avenue that a like amount of parking be allowed on Duluth Street to compensate during the construction project.

It is recommended that:

1. No-parking zone be established on the north side of Connor Avenue from Highway 61 to Duluth Street.
2. A no-parking restriction on the west side of Duluth Street from Connor Avenue to 500 feet north be revoked.

KGH

jc

AGENDA REPORT

Action by Council:

TO: City Manager

Endorsed _____

FROM: City Engineer

Modified _____

Rejected _____

Date _____

SUBJECT: Drainage Problem, Budget Transfer, Mobile Home Park West of Highway 61

DATE: November 1, 1993

A resident in the mobile home park west of Highway 61 has requested the city's assistance in resolving a long-standing drainage problem. The city operates a drainage ditch along an unimproved Meadow Lane right of way adjacent to the mobile home park. The ditch is very flat, and contains water much of the time. Most of the area that drains to the ditch is either commercial property or highly developed residential. For this reason, the water flow is relatively intense for short periods of time.

The fast moving water appears to be causing the adjacent mobile home yards to slope towards the ditch. The owners claim that their decks and other landscaping is constantly moving in the way of the ditch.

Installing culverts in this area would certainly help the situation. It is proposed that twin 15 inch culverts be installed in the bottom of the ditch adjacent to the two mobile homes in question. These pipes could be installed by city workers as time and weather permits. The cost to purchase the actual materials would be approximately \$2000. This expenditure was unanticipated and has not been budgeted.

It is recommended the city council approve a \$2000 budget transfer from the contingency fund to the public works maintenance material fund for purchase of the culverts.

KGH

jc

Dear Sir:

AUG 31 1983

Aug 27

I have written before and I never hear anything - the reason is I don't know who takes care of this question.

I live town Country Mobile park. along side of my trailer is a big ditch (owner of park says its not his property) there is a bridge across this, so some one must have put it there (city?) water from 61 Highway, & other properties all run to this ditch. water is 2 + 3 ft. sometimes

Owner here pushes all snow into ditch and spring I have a flood! Now I want to know why some one (city) can't put one of those big tin pipes next to my house so water doesn't seep into the timbers which is sinking my trailer...

Isn't there anyone who will come & look at this.

Please forward this letter to some one who is connected to sewer dept.

thank you
Dolores Schwartz
1040 Deauville Drive
maple wood Inn
55109

J-4

BANNIGAN & KELLY, P.A.

ATTORNEYS AT LAW
 409 MIDWEST FEDERAL BUILDING
 5TH AND CEDAR
 SAINT PAUL, MINNESOTA 55101
 (612) 224-3761

Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

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

FAX (612) 223-8019

November 3, 1993

Mr. Kenneth Haider
 Maplewood City Hall
 1830 East County Road B
 Maplewood, MN 55109-2797

Re: Gary Kastner Construction, Inc. vs. City of Maplewood

Dear Mr. Haider:

Pursuant to our previous conversation of October 29, 1993, Kastner Construction has sued the City of Maplewood in the amount of \$25,000.00 plus attorney fees. After discussions with Kenneth Schivone, attorney for Kastner, he indicated that the amount to purchase the property and settle the case would be approximately \$10,000.00. I have discussed this with Mr. Regnier, the insurance defense attorney for the City.

As you recall, the defense costs, which the City is responsible for would run approximately \$10,000 to \$15,000. In addition, if the City was ordered by the Court to purchase the property, the City deductible is \$25,000.00.

If the City is successful, the property will still be in the title of Gary Kastner Construction, Inc. There is nothing limiting Mr. Kastner from conveying title to another individual, who in turn, may come up with the theory that the property should be developed through a different technique.

It is our understanding that you will make an analysis with Mr. McGuire concerning this matter, specifically the demand has dropped from \$25,000 to \$10,000.

If you have any questions, please do not hesitate to call.

Sincerely yours,

BANNIGAN & KELLY, P.A.


 Patrick J. Kelly

PJK:kj

Action by Council:

AGENDA REPORT

Endorsed _____
Modified _____
Rejected _____
Date _____

To: City Manager Michael McGuire
From: Director of Public Safety Kenneth V. Collins *KVC*
Subject: Amendment to Maplewood Ordinance Chapter 19 - Nuisances
Date: November 1, 1993

Introduction

The Maplewood City Council requested revisions to our nuisance ordinance that would control the loud playing of radios from motor vehicles.

Background

A investigation of several cities revealed that the majority did not have a specific ordinance covering the loud playing of radios or other equipment from motor vehicles.

A check of the Maplewood nuisance ordinances revealed that Section 19-9 (6) was the most appropriate place to insert this new subdivision.

The new subdivision prohibits the operation of any radio or similar device that could unreasonably disturb the peace, quiet and comfort of any person nearby or at a distance of 50 feet or more.

Recommendation

It is recommended that this change in the ordinance be reviewed by the City Council for any changes.

Action Required

Submit to the City Council for action and handling.

KVC:js

Attachment

Amendment to Maplewood Ordinance Chapter 19 - Nuisances

Sec. 19-9 Same - Affecting Peace and Safety

~~(6) All unnecessary noises and annoying vibrations;~~

(6) All operation of any motor vehicle, radio receiving set, tape player, compact disc player, paging system or any other device for the production or reproduction of sound in a distinctly and loudly audible manner so as to unreasonably disturb the peace, quiet and comfort of any person nearby or at a distance 50 feet or more.