

AMENDED AGENDA

AGENDA

Maplewood City Council
7:00 P.M., Monday, April 28, 1986
Municipal Administration Building
Meeting 86-10

(A) CALL TO ORDER

(B) ROLL CALL

(C) APPROVAL OF MINUTES

1. Meeting 86-09, April 14, 1986

(D) APPROVAL OF AGENDA

(E) CONSENT AGENDA

1. Accounts Payable
2. Budget Transfer - Insurance Consultant
3. Investment Authorization
4. Selection of Insurance Agent
5. Revenue Bonds - Hazel Ridge Elderly Project
6. Budget Amendment - Compost Site Monitor
7. Final Plat - Bud Kolby Addition
8. Building Consultant Fee Increase

(E-A) COMMISSION APPOINTMENTS

1. Planning Commission Appointment _____
2. Park Commission Appointment (Richard Bennett) _____

(F) PUBLIC HEARINGS

1. 7:00 - McKnight Rd. Reconstruction-Project 81-20 _____
2. 7:10 - Hazelwood Avenue-Project 85-27 _____
3. 7:30 - Beam Ave. Reassessment-Project 78-24 _____
4. 7:40 - Rezoning & Street Vacation: Burke St. (Gear)
(4 Votes) _____
5. 7:50 - Variance: 2060 Barclay (Monette) _____

(G) AWARD OF BIDS

1. Telephone System _____

(H) UNFINISHED BUSINESS

1. P.U.D., Preliminary Plat & Street Vacation:
Cave's English Street 2nd Addition _____

(I) NEW BUSINESS

1. Budget Transfer for Data Processing Study _____
2. Tax Increment Bond Projects _____
3. Code Amendment: Motor Fuel Stations (1st Reading) _____
4. Code Amendment: BC(M) District Motor Fuel Sales
1st Reading _____
5. Solid Waste Task Force _____
6. Hudson Place/Crestview Drive Water Main, Project 85-7 _____
7. No. Beaver Lake Storm Sewer, Project 83-7 _____
8. Connor Avenue, Project 84-10 _____
9. Castle Design Trunk Water Main Reimbursement _____
10. Battle Creek Park Site _____
11. Tree Removal Specifications _____
12. Radio Tower _____
13. PAC Funds for Playground Equipment _____
14. PAC Charge Funds for Capital Improvement Projects _____
15. FBI National Academy _____

(J) VISITOR PRESENTATION

(K) COUNCIL PRESENTATIONS

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

(L) ADMINISTRATIVE PRESENTATIONS

(M) ADJOURNMENT

MINUTES OF MAPLEWOOD CITY COUNCIL
7:00 P.M., Monday, April 14, 1986
Council Chambers, Municipal Building
Meeting No. 86-09

A. CALL TO ORDER

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

B. ROLL CALL

John C. Greavu, Mayor	Present
Norman G. Anderson, Councilmember	Present
Gary W. Bastian, Councilmember	Present
Frances L. Juker, Councilmember	Present
Charlotte Wasiluk, Councilmember	Present

C. APPROVAL OF MINUTES

1. Meeting No. 86-08 (March 24, 1986)

Councilmember Anderson moved to approve the Minutes of Meeting No. 86-08 (March 24, 1986) as submitted.

Seconded by Councilmember Juker. Ayes - all.

D. APPROVAL OF AGENDA

Mayor Greavu moved to approve the Agenda as amended:

1. Open Meeting Law
2. Highway 61 and Parkway Drive
3. Gambling Ordinance
4. Park Debris
5. Motorcycle Ordinance
6. Drainage Pond Dredging
7. Battle Creek Park
8. Discussion with City Attorney Bannigan
9. Remove Items H-3 and I-1 from Agenda.

Seconded by Councilmember Bastian. Ayes - all.

E. CONSENT AGENDA

Council removed Item E-3 to become Item I-10.

Councilmember Bastian moved, Seconded by Councilmember Juker, Ayes - all, to approve the Consent Agenda, Items E-1 and 2 and E-4 through 8 as recommended.

1. Accounts Payable

Approved the accounts (Part I - Fees, Services, Expenses Check Register dated March 31, 1986 - April 02, 1986 - \$565,766.86: Part II, Payroll dated April 4, 1986 - gross amount \$131,610.79) in the amount of \$697,377.65.

2. Disposal of Old Financial Records

Authorized the City to apply to the State for disposal of old financial records.

Resolution No. 86 - 4 - 44

WHEREAS, M.S.A. 138.17 governs the destruction of City records; and

WHEREAS, a list of records has been presented to the Council with a request in writing that destruction be approved by the Council;

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

1. That the Finance Director is hereby directed to apply to the Minnesota State Historical Society for an order authorizing destruction of the records as described in the attached list.
2. That upon approval by the State of the attached application, the Finance Director is hereby authorized and directed to destroy the records listed.

3. Amendment of Tanners Lake Partners Project 1982 Revenue Note

Discussed under I-10.

4. Final Plat: Cave's English Street Addition

Approved the Final Plat for Cave's English Street Addition to Maplewood.

5. Budget Transfer/Lanier Transcriber

Approved a budget transfer from the Contingency Account in the amount of \$750.00 to purchase a Lanier Transcriber/Dictating/recording device.

6. Roseville Water Service

Resolution No. 86 - 4 - 45

WHEREAS, Construction 70 desires to build on Rice Street adjacent to the Cub Foods site;

WHEREAS, the City of Maplewood cannot provide water service to the site;

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD, MINNESOTA, CITY COUNCIL that the City of Roseville is requested to provide water service to the auto service center proposed by Construction 70.

7. Water Service - Little Canada

Resolution No. 86 - 4 - 46

WHEREAS, Maplewood Acres, Inc., desires to build on County Road B east of Cub Foods;

WHEREAS, the City of Maplewood cannot provide water service to the site;

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD, MINNESOTA, CITY COUNCIL that the City of Little Canada is requested to provide water service to the Hilltop Shopping Center site.

8. Accept Donation - Paramedic Fund

Recommended the acceptance of a \$500.00 gift from the family of Hedvig Johnson to be used by the Maplewood Police Paramedic Program. It was further recommended that this money be placed in paramedic account 01-4600-43 for future use.

F. PUBLIC HEARINGS

1. 7:00 P.M., P.U.D. Revision : Cave's English Street Addition

- a. Mayor Greavu convened the meeting for a public hearing regarding the request of Ed Cave and Sons, Inc., for revision of the conditional use permit for Cave's English Street Addition to build a double dwelling, rather than a single dwelling, on Lot One, Block One.
- b. Manager Lais presented the Staff report.
- c. Director of Community Development Geoff Olson presented the specifics of the proposal and the Planning Commission recommendation for approval.
- d. Mayor Greavu called for proponents. None were heard.
- e. Mayor Greavu called for opponents. None were heard.
- f. Mayor Greavu closed the public hearing.
- g. Mayor Greavu introduced the following resolution and moved its adoption:

86 - 4 - 47

WHEREAS, Ed Cave and Sons, Inc., initiated a conditional use permit to revise Lot One, Block One of Cave's English Street Addition planned unit development from a single to a double dwelling lot. All other lots continue to be designated for single dwelling use.

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

1. This conditional use permit was initiated by Ed Cave and Sons, Inc., pursuant to the Maplewood Code of Ordinances.
2. This conditional use permit was reviewed by the Maplewood Planning Commission on March 17, 1986. The Planning Commission recommended to the City Council that said permit be approved.
3. The Maplewood City Council held a public hearing on April 14, 1986. 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 revision be approved on the basis of the following findings-of-fact:

1. The revised use is in conformity with the City's Comprehensive Plan and with the purpose and standards of the zoning code.
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:

Adherence to the original site plan, dated November 7, 1985, as revised herein and as required to be amended by the Maplewood City Council on December 9, 1985, unless a change is approved by the City's Community Design Review Board.

Adopted this 14th day of April, 1986.

Seconded by Councilmember Wasiluk.

Ayes: Mayor Greavu, Councilmembers Bastian and Wasiluk

Nays: Councilmembers Juker and Anderson

2. 7:10 P.M., P.U.D., Preliminary Plat and Street Vacation - Cave's English Street Second Addition

a. Mayor Greavu convened the meeting for a public hearing regarding the request of Ed Cave and Sons, Inc., for a planned-unit development for five small-lot, single-dwelling lots and 36 condominium units; for the vacation of existing street and alley rights-of-way; and for approval of a preliminary plat.

b. Manager Lais presented the Staff report.

c. Director of Community Development Geoff Olson presented the specifics of the proposal and the Planning Commission recommendation for approval.

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

e. Mayor Greavu called for opponents. The following expressed their opinions:

Ms. Bernal, 2200 English Street

Mr. John Loipersheck, 2156 English Street

f. Mayor Greavu closed the public hearing.

g. Councilmember Anderson moved to table this Item until the meeting of April 28, 1986, so that the Council can question the Developer, Ed Cave and Sons, Inc.

Seconded by Councilmember Juker.

Ayes - all.

3. 7:20 P.M., Code Amendment : Parking (2nd Reading) 4 Votes

a. Mayor Greavu convened the meeting for a public hearing to amend the Maplewood Code of Ordinances (second reading) to permit nine-foot wide parking stalls, rather than ten foot, for 90 degree parking and to require hard-surfaced parking lots and striping.

b. Manager Lais presented the Staff report.

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

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

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

f. Mayor Greavu closed the public hearing.

g. Mayor Greavu moved second reading of an ordinance amending the Code to reduce parking spaces to 9 feet wide and to require parking lots and associated driveways shall be hard surfaced.

Seconded by Councilmember Wasiluk.

Ayes - Mayor Greavu, Councilmembers Bastian and Wasiluk

Nays - Councilmembers Anderson and Juker

Motion failed.

4. 7:30 P.M., Crestview Drive - Hudson Place Watermain (4 Votes)

- a. Mayor Greavu convened the meeting for a public hearing to construct water main improvements on Hudson Place from McKnight Road to Sterling Street and Crestview Drive to approximately 1,100 feet south.
- b. Manager Lais presented the Staff report.
- c. City Engineer Ken Haider presented the specifics of the proposal.
- d. Mayor Greavu called for all who wished to be heard for or against the proposal. The following were heard and stated their opinions:

Letters of approval were read from the following:

Gary and Janice Sherburne, 137 N. Crestview Drive
Donald and Beverly Disselkamp, 188 N. Crestview Drive

Those appearing in person before Council were the following:

Fred McCormick, 230 Crestview Drive
Warren H. Robens, 140 N. Crestview Drive
David Elton, speaking for Christ United Methodist Church
Wilfred Muir, 212 Crestview Drive
Charles Ferrise, 170 Crestview Drive
Henry P. Dembiczak, 140 N. Crestview Drive
Gene Kulzer, 152 Crestview Drive
Mark Skeie, 155 N. Crestview Drive
Joseph Boland, 131 Crestview Drive
Kristine Bergk, 222 N. Crestview Drive

- e. Mayor Greavu closed the public hearing.
- f. Councilmember Anderson introduced the following resolution and moved its adoption:

86 - 4 - 48

WHEREAS, after due notice of public hearing on the construction of water main improvements on Hudson Place from McKnight Road to Sterling Street and Crestview Drive from Hudson Place to approximately 1,100 feet south, a hearing on said improvement in accordance with the notice duly given was duly held on April 14, 1986, and the Council has heard all persons desiring to be heard on the matter and has fully considered the same;

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

1. That it is advisable, expedient, and necessary that the City of Maplewood construct water main improvements on Hudson Place from McKnight Road to Sterling Street and Crestview Drive from Hudson Place to approximately 1,100 feet south as described in the notice of hearing thereon, and orders the same to be made.

2. The City Engineer is designated Engineer for this improvement and is hereby directed to prepare final plans and specifications for the making of said improvement.

Seconded by Councilmember Bastian.

Ayes - Councilmembers Anderson, Bastian,
Juker and Wasiluk

Nays - None

Mayor Greavu abstained.

5. 7:50 P.M., Holiday Inn - Liquor License Application - Morgan P. Nederhiser

- a. Mayor Greavu convened the meeting for a public hearing to approve the liquor license application of Morgan Patrick Nederhiser, Holiday Inn, Maplewood.

- b. Manager Lais presented the Staff report.

- c. Mayor Greavu called for proponents.

Mr. Morgan P. Nederhiser spoke on his own behalf.

- d. Mayor Greavu called for opponents. None were heard.

- e. Mayor Greavu closed the public hearing.

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

86 - 4 - 49

NOTICE IS HEREBY GIVEN that pursuant to action by the City Council of the City of Maplewood on April 14, 1986, an On-Sale Intoxicating Liquor License was approved for Morgan P. Nederhiser, dba Holiday Inn - Maplewood, 1780 East County Road D.

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

Seconded by Councilmember Anderson.

Ayes - all.

G. AWARD OF BIDS

1. Ambulance

- a. City Manager Lais presented the Staff report.

- b. Director of Public Safety Ken Collins presented the specifics of the proposal.

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

86 - 4 - 50

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid

of Road Rescue in the amount of \$56,778.00 is the lowest responsible bid for the purchase of a 1986 modular ambulance 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 Mayor Greavu.

Ayes - all.

H. UNFINISHED BUSINESS

1. Condor Storm Sewer

a. Councilmember Bastian moved to table this Item to be discussed at a shirt-sleeve session scheduled for Monday, May 5 at 7:30 P.M.

Seconded by Mayor Greavu.

Ayes - all.

2. County Solid Waste Plan

a. Mayor Greavu asked for comments from the Council on solid waste.

b. Councilmember Wasiluk moved to appoint a task force to investigate solid waste.

Seconded by Councilmember Bastian.

Ayes - all.

3. Neighborhood Park Acquisition

a. Removed from Agenda.

I. NEW BUSINESS

1. Code Amendment : Home Occupation Signs (1st Reading)

a. Removed from Agenda

2. Reschedule May 26 Council Meeting

a. Mayor Greavu moved to reschedule the May 26 Council Meeting to Thursday, May 22, 1986, at 7:00 P.M. in the Council Chambers.

Seconded by Councilmember Bastian.

Ayes - all.

3. Art Contests - City Hall

a. Councilmember Bastian recommended the appointment of a Committee to formulate plans for an Art Contest to coincide with the opening of the new City Hall. Volunteers to that Committee are as follows:

Gail Speckman, a painter

Frank Zeller, a painter

Charles Helsel from the 3M Company

Sandra Dickey

Maureen Gosselin, Maplewood Community Arts

Rich Doolittle, an art teacher at North High School

Kevin Kupferschmidt, a painter

b. Councilmember Bastian moved that the City of Maplewood initiate a task

force for the arts comprised of the above mentioned volunteers, with Gary Bastian serving as ad hoc and would have the charge to come back to the Council with their recommendations.

Seconded by Councilmember Wasiluk. Ayes - all.

4. Ramsey County 1986 Contract - Overlay Program
Beam Avenue, Hazelwood - White Bear Avenue
Larpenteur Avenue, Van Dyke - Beebe
Lydia, .25 Miles East of White Bear Avenue - McKnight
 - a. Manager Lais presented the Staff report.
 - b. Mayor Greavu introduced the following resolutions and moved their adoption:

86 - 4 - 51

WHEREAS, plans for Project 62-619-11 showing proposed alignment, profiles, grades and cross-sections for the construction, reconstruction or improvement of County State-Aid Highway No. 19 within the limits of the City as a State Aid Project have been prepared and presented to the City.

NOW, THEREFORE, BE IT RESOLVED: That said plans be in all things approved.

Dated this 14th day of April, 1986.

86 - 4 - 52

RESOLUTION REQUESTING RAMSEY COUNTY
TO RESTRICT PARKING ALONG A PORTION OF LARPEN TEUR AVENUE

WHEREAS, the County has planned the resurfacing of Larpenteur Avenue (CSAH 30) from Van Dyke Street to Beebe Road; and

WHEREAS, the County will be expending County State Aid Highway funds (S.A.P. 62-630-23) on the improvement of said street; and

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

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

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the City requests the County to restrict the parking of motor vehicles on the north side of Larpenteur Avenue from Van Dyke Street to Hazel Street.

86 - 4 - 53

WHEREAS, plans for Project 62-630-23 showing proposed alignment, profiles, grades and cross-sections for the construction, reconstruction

or improvement of County State-Aid Highway No. 30 within the limits of the City as a State Aid Project have been prepared and presented to the City.

NOW, THEREFORE, BE IT RESOLVED: That said plans be in all things approved.

Dated this 14th day of April, 1986.

86 - 4 - 54

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

WHEREAS, the County has planned the resurfacing of Beam Avenue (CSAH 19) from Trunk Highway 61 to White Bear Avenue; and

WHEREAS, the County will be expending County State Aid Highway funds (S.A.P. 62-619-10) on the improvement of said street; and

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

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

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the City requests the County to restrict the parking of motor vehicles on both sides of Beam Avenue from Trunk Highway 61 to White Bear Avenue.

86 - 4 - 55

WHEREAS, plans for Project 62-619-10 showing proposed alignment, profiles, grades and cross-sections for the construction, reconstruction or improvement of County State-Aid Highway No. 19 within the limits of the City as a State Aid Project have been prepared and presented to the City.

NOW, THEREFORE, BE IT RESOLVED: That said plans be in all things approved.

Dated this 14th day of April, 1986.

Seconded by Councilmember Anderson. Ayes - all.

5. White Bear Avenue Pavement Rehabilitation
 - a. Manager Lais presented the Staff report.

b. Councilmember Juker introduced the following resolutions and moved their adoption:

86 - 4 - 56

WHEREAS, plans for Project 62-665-29 showing proposed alignment, profiles, grades and cross-sections for the construction, reconstruction or improvement of County State-Aid Highway No. 65 within the limits of the City as a State Aid Project have been prepared and presented to the City.

NOW, THEREFORE, BE IT RESOLVED: That said plans be in all things approved.

Dated this 14th day of April, 1986.

86 - 4 - 57

WHEREAS, plans for Project 62-665-30 showing proposed alignment, profiles, grades and cross-sections for the construction, reconstruction or improvement of County State-Aid Highway No. 65 within the limits of the City as a State Aid Project have been prepared and presented to the City.

NOW, THEREFORE, BE IT RESOLVED: That said plans be in all things approved.

Dated this 14th day of April, 1986.

Seconded by Mayor Greavu.

Ayes - all.

6. Frost Avenue Reconstruction Project 83-1

a. Manager Lais presented the Staff report.

b. Councilmember Anderson introduced the following resolution and moved its adoption:

86 - 4 - 58

WHEREAS, the City Council has previously approved plans and specifications for Frost Avenue Reconstruction (Adele to Birmingham), Project No. 83-1; and

WHEREAS, an agreement has been prepared defining project responsibilities between the City of Maplewood and Ramsey County.

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

The agreement, a copy of which is attached hereto and made a part hereof, is hereby approved. The Mayor and City Manager are hereby authorized and instructed to execute said agreement.

Seconded by Councilmember Juker.

Ayes - all.

7. Hazelwood Reconstruction Project 85-27

a. Manager Lais presented the Staff report.

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

86 - 4 - 59

WHEREAS, the City Engineer for the City of Maplewood has been authorized and directed to prepare a report with reference to the improvement of Hazelwood Avenue from County Road C to Beam Avenue by construction of street, storm sewer, bituminous path and utility services, and

WHEREAS, the said City Engineer has prepared the aforesaid report for the improvement herein described:

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

1. The report of the City Engineer advising this Council that the proposed improvement on Hazelwood Avenue from County Road C to Beam Avenue by construction of street, storm sewer, bituminous path and utility services is feasible and should best be made as proposed, is hereby received.
2. The Council will consider the aforesaid improvement in accordance with the reports and the assessment of benefited property for all or a portion of the cost of the improvement according to M.S.A. Chapter 429, at an estimated total cost of the improvement of \$636,460.00.
3. A public hearing will be held in the Council Chambers of the City Hall at 1380 Frost Avenue on Monday, the 28th day of April, 1986, at 7:10 P.M. to consider said improvement. The City Clerk shall give mailed and published notice of said hearing and improvement as required by law.

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

Nay - Councilmember Bastian

8. McKnight Road Reconstruction Project 81-20

a. Manager Lais presented the Staff report.

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

86 - 4 - 60

WHEREAS, the City Engineer for the City of Maplewood has been authorized and directed to prepare a report with reference to the improvement of McKnight Road from Beaver Lake to Larpenteur Avenue by construction of street, storm sewer, water main, sanitary sewer, bituminous path and concrete sidewalk, and

WHEREAS, the said City Engineer has prepared the aforesaid report for the improvement herein described:

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

1. The report of the City Engineer advising this Council that the proposed improvement on McKnight Road from Beaver Lake to Larpenteur Avenue by construction of street, storm sewer, water main, sanitary sewer, bituminous path and concrete sidewalk is feasible and should best be made as proposed, is hereby received.
2. The Council will consider the aforesaid improvement in accordance with the reports and the assessment of benefited property for all or a portion of the cost of the improvement according to M.S.A. Chapter 429, at an estimated total cost of the improvement of \$2,302,986.00.
3. A public hearing will be held in the Council Chambers of the City Hall at 1380 Frost Avenue on Monday, the 28th day of April, 1986, at 7:00 P.M. to consider said improvement. The City Clerk shall give mailed and published notice of said hearing and improvement as required by law.

Seconded by Councilmember Anderson Ayes - Mayor Greavu, Councilmembers
Anderson, Juker and Wasiluk
Nay - Councilmember Bastian.

9. Purchase of Radio Equipment

- a. Manager Lais presented the Staff report.
- b. Councilmember Juker moved to approve the purchase of the radio equipment from Motorola Communications and Electronics, Inc., on an existing bid from the City of Robbinsdale, as recommended by Staff and that a budget transfer of \$2,450 from the Unappropriated Fund balance in the Capitol Improvement Projects Fund.

Seconded by Mayor Greavu. Ayes - all.

10. Item E-3 became Item I-10, Amendment of Tanners Lake Partners Project 1982 Revenue Note.

- a. Manager Lais presented the Staff report.
- b. Carey LeBlanc, Manager of Cricket Inn, spoke.
- c. Councilmember Juker introduced the following resolution and moved its adoption:

RESOLUTION
OF THE CITY COUNCIL OF THE
CITY OF MAPLEWOOD

WHEREAS,

(a) On August 23, 1982, the City of Maplewood (the "City") issued its \$3,000,000 Commercial Development Revenue Note of 1982 (Tanners Lake Partners Project) (the "Note") pursuant to the terms of a Final Note Resolution adopted by the City on August 9, 1982 (the "Note Resolution"); and

(b) The Note was purchased by First National Bank of Minneapolis (the "Lender") and is still held by the Lender; and

(c) In connection with the issuance of the Note the City and Tanners Lake Partners, a Minnesota general partnership (the "Borrower") entered into a loan agreement dated August 23, 1982 (the "Loan Agreement") pursuant to which the City loaned to the Borrower the proceeds received by the City from the sale of the Note to finance the acquisition of land and construction thereon of a 114 room motel (the "Project") and required that the Borrower pay directly to the Lender sums sufficient to repay the Note according to its terms; and

(d) The interest of the City in the Loan Agreement has been assigned to the Lender pursuant to a pledge agreement also dated August 23, 1982; and

(e) The Borrower and Lender have negotiated a modification of the Note which, in the opinion of Briggs and Morgan, Professional Association, bond counsel to the City, requires the participation of the City in order to ensure that the interest on the Note does not, by virtue of its amendment, become subject to federal income taxation; and

(f) The Borrower and Lender have requested that the City consent to the amendment of the Note to:

1. Allow the Borrower to immediately prepay up to \$500,000 of the Note without penalty.
2. Reduce the primary interest rate on the Note from 14% to 11.65% with payments of interest only to be due from May 1, 1986, until September 1, 1992.
3. Provide for up to \$100,000 of additional interest to be paid on the Note calculated at the rate of 4.035% per annum for the period from May 1, 1986 until September 1, 1992 provided that such additional interest shall be payable only from 50% of the net cash flow of the Project. The additional interest will accumulate, without interest thereon, until September 1, 1992. If the Lender has not received \$100,000 of additional interest on the Note by September 1, 1992, the Lender will be entitled to receive the balance of such additional interest in a lump sum payment from the net proceeds received from the sale or refinancing of the Project in excess of \$600,000.

4. The Lender will release the personal guaranty executed by Newell P. Weed, Jr. and will add a personal guarantee from Edmund Chute; and

(g) The Borrower has represented to the City that the representations on which the City relied in adopting the Note Resolution and in entering into the Loan Agreement remain true and correct as of the date hereof.

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

1. The findings and representations contained in the Note Resolution adopted by the City on August 9, 1982, authorizing the Note, are hereby ratified, reaffirmed and remain in full force and effect with respect to the Note, provided that all references to the Note in the Note Resolution shall, from and after May 1, 1986, be deemed to refer to the Note as amended by this resolution.

2. The Mayor and City Clerk of the City are hereby authorized to execute an amendment to the Note in substantially the form attached hereto as Exhibit A, with such modifications or omissions as may be approved by the city attorney for the City of Maplewood, and any other documents (including an Amendment to the Loan Agreement, an Amendment the Pledge Agreement, an IRS Election Statement and a Form 8038) which in the opinion of Briggs and Morgan, Professional Association, as bond counsel are necessary to allow bond counsel to render its opinion that the amended Note continues to bear interest which is exempt from federal income taxation.

Adopted April 14, 1986.

CITY OF MAPLEWOOD, MINNESOTA

Mayor

ATTEST:

City Clerk

EXHIBIT A

AMENDMENT TO
COMMERCIAL DEVELOPMENT REVENUE NOTE OF 1982
(TANNERS LAKE PARTNERS PROJECT)

THE CITY OF MAPLEWOOD, Ramsey County, Minnesota (the "City"), pursuant to a resolution of the City Council adopted April 14, 1986, hereby amends the \$3,000,000 Commercial Development Revenue Note of 1982 (Tanners Lake Partners) (the "Note") originally issued on August 23, 1982, as follows:

- A. Paragraph 1 of the Note is hereby amended in its entirety to read:
 - "1. (a) Interest only shall be paid for the period from May 1, 1986 through August 31, 1991 at the rate of (i) 11.65% Primary Interest per annum and (ii) 4.035% Contingent Interest per annum, up to a

maximum of \$100,000, all as defined in paragraph 1A, below. Subject to the conditions set forth in paragraph 1A, below, interest shall accrue from the date hereof and shall be payable on the first day of the calendar month next succeeding the date hereof and on the first day of each and every month thereafter through and including August 1, 1992.

(b) Commencing on October 1, 1992 and on the first day of each calendar month thereafter, the Principal Balance shall be amortized in equal consecutive monthly installments of \$24,825.11 and a final installment on August 1, 2012 (the "Final Maturity Date") which shall be equal to the unpaid Principal Balance and accrued interest thereon. Any payment shall be applied first to accrued interest and thereafter to reduction of the Principal Balance.

(c) (i) In the event that the interest on this Note shall become subject to federal income taxation pursuant to a Determination of Taxability (as hereinafter defined), the interest rate on this Note shall be increased, retroactively effective from and after the Date of Taxability (as hereinafter defined) to 19% per annum (the "Taxable Rate"), provided that if the Determination of Taxability occurs prior to September 1, 1992, the Contingent Interest required by paragraph 1(a)(ii), above, shall be paid in addition to the interest at the Taxable Rate required by this subparagraph 1(c)(i). The City shall immediately upon demand pay to the Holder and to each prior Holder affected by such Determination of Taxability an amount equal to the amount by which the interest accrued retroactively at such increased rate from the Date of Taxability to the date of payment exceeds the amount of interest actually accrued and paid to the Holder and any such prior Holder during said period. (Such obligation of the City shall survive the payment in full of the principal amount of this Note). Commencing on the first day of the month next following the date of payment of such additional interest and continuing on the first day of each month thereafter (unless the Holder shall accelerate the maturity of the Note pursuant to clause (ii) of this paragraph (c)), this Note shall be payable as follows:

- (A) if amortization of the Principal Balance had not theretofore commenced, the monthly payments of interest due only hereunder shall be increased to reflect, in addition to the Contingent Interest, the accrual of interest at the Taxable Rate and the monthly installments of principal and interest payable commencing with the October 1, 1992 payment shall be recomputed on the basis of the Taxable Rate on an assumed thirty year amortization; or
- (B) if amortization of the Principal Balance had theretofore commenced the monthly installments of principal and interest payable commencing with the next succeeding payment shall be recomputed on the basis of the Taxable Rate and amortization over the remaining portion of the original assumed amortization.

(ii) Upon a Determination of Taxability, the Holder may declare the entire Principal Balance of this Note together with accrued interest thereon at such retroactively increased Taxable Rate to be immediately due and payable, plus the prepayment premium calculated in accordance with paragraph 8 hereof.

(iii) The Holder shall give notice, as soon as practicable, to the Borrower of any Notice of Taxability, as hereinafter defined, received by the Holder and permit the Borrower to contest, litigate or appeal the same at its sole expense; provided that any such contest, litigation or appeal is, in the reasonable opinion of the Holder, being undertaken and carried forward in good faith, diligently and with reasonable dispatch. In the event any such contest, litigation or appeal is undertaken, the increased interest provided in paragraph (b)(i) shall, nevertheless, be payable to the Holder and shall be held by the Holder in escrow (without paying interest thereon) pending final disposition of such contest, litigation or appeal, provided that the Borrower shall indemnify and hold harmless the Holder and each prior Holder from any and all penalties, interest or other liabilities which they may incur on account of such contest, litigation or appeal.

(iv) The terms "Determination of Taxability," "Date of Taxability" and "Notice of Taxability" shall have the meanings ascribed to such terms in the Loan Agreement, dated as of August 23, 1982 between the City and Tanners Lake Partners (the "Borrower"), as amended by the Amendment to Loan Agreement dated May 1, 1986 (collectively the "Loan Agreement")."

B. The Note is hereby amended by adding the following paragraph 1A:

"1A. (a) Contingent Interest in the maximum amount of \$100,000 is payable out of 50% of the Net Available Cash Flow of the Project, as defined herein. For the purpose of calculating the amount of Contingent Interest payable each year, "Net Available Cash Flow" of the Project shall mean the "Gross Revenues" derived by the Company from the operation of the project less "Debt Service Payments" and "Operating Expenses", all as defined below.

(b) To the extent that the Contingent Interest payments for any year do not equal at least 4.035%, and provided that the Lender has not already received the maximum amount of \$100,000 of Contingent Interest, the Contingent Interest necessary to provide the Holder with a total of 4.035% Contingent Interest per annum will accumulate (without interest thereon) and will be payable from 50% of future Net Available Cash Flow and, to the extent not paid from Net Available Cash Flow, from 100% of any "Sale or Repayment Proceeds" derived from the sale or refinancing of the Project in excess of \$600,000, all as more fully described in the Loan Agreement.

(c) For the purpose of calculating the amount of money available for the payment of Contingent Interest, the terms used in this paragraph 1A shall have the following meanings:

Debt Service Payments: all principal and interest due on (i) this Note, (ii) the \$135,000 loan made by Days Inn to Tanners Lake Partners, (iii) the \$300,000 revolving line of credit to Tanners Lake Partners with the Lender; and (iv) any other loan to Tanners Lake Partners approved by the Lender;

Gross Revenues: all income and revenue from the project and from the operations thereof, paid and or received by Tanners Lake Partners and its manager, agent, employees or representatives;

Net Available Cash Flow: the Gross Revenues derived from the operation of the Project minus Debt Service Payments and Operating Expenses;

Operating Expenses: all operating expenses of the Project (except debt service and depreciation) determined in accordance with generally accepted accounting principles made during a calendar year or applicable portion thereof (in the case of payment for a partial year), including, but without limitation, expenses paid or incurred with respect to:

- (A) the administration or operation of the Project;
- (B) current maintenance and repairs necessary to maintain the Project in adequate repair and operating condition (not including capital improvements or amounts paid from reserve accounts);
- (C) labor and cost of material and supplies necessarily used for such current operation, maintenance and repairs (not including capital improvements or amounts paid from reserve accounts);
- (D) premiums for insurance of the Project against risks and in amounts for which insurance is usually carried by prudent owners of like properties, including but not limited to insurance required by the Loan Agreement or the Mortgage;
- (E) premiums for insurance of the Company and its partners and employees against liability for damage to persons and property incurred in connection with such operation, in amounts such as are usually carried by prudent operators of similar enterprises;
- (F) charges, reasonably required for the accumulation of a reserve for the renewal, replacement, or improvement of the Project not to exceed 3% of gross revenue;
- (G) management fees not to exceed 7.5% of gross revenue;
- (H) real estate taxes and current installments of special assessments;
- (I) license and permit fees; and
- (J) utilities.

Sale or Repayment: means the sale or other disposition of the Project (a "Sale"), or, in the absence of a Sale, the repayment of

the principal and interest, if any, payable upon maturity or remarketing of the Bonds (a "Repayment"). For this purpose, a Sale includes a syndication, after three years following construction completion, of more than 50% of the economic interest (not including tax benefits) in Tanners Lake Partners.

Sale or Repayment Proceeds: means the proceeds from a Sale after deduction of (i) all expenses related to such Sale and (ii) all amounts necessary to repay the loans described in the definition of Debt Service Payments or, in the case of a Repayment, an amount equal to the appraised fair market value of the Project less debt repayment and the estimated expenses of a Sale of such Project."

C. The Note is hereby amended by adding the following Paragraph 1B:

1B. Adjustment upon non-deductible percentage being applicable to the Note and upon change in non-deductible percentage. If the percentage of reduction (the "Disallowance Deduction") set forth in Section 291(a)(3) of the Internal Revenue Code of 1954, as amended (the "Code"), with respect to any financial institution, is determined to be applicable to the Lender's ownership of the Note and once determined to be applicable to the Note, upon any change in the Disallowance Deduction, the interest rate on the Note shall automatically be adjusted as of the effective date of such change by adding thereto a percentage equal to the Disallowance Deduction in effect after such change minus the Disallowance Deduction in effect immediately prior to such change times 4.35, with the disallowance adjustment rate being expressed as decimals.

D. Paragraph 5 of the Note is hereby amended to delete Newell P. Weed, Jr. as one of the guarantors and to add, as a guarantor, Edward Chute.

E. Paragraph 7 of the Note is hereby amended to allow prepayment of up to \$500,000 of the Principal Balance of the Note, without penalty, provided that such prepayment is received on or before May 2, 1986.

IT IS HEREBY CERTIFIED AND RECITED that all conditions, acts and things required to exist, happen and be performed precedent to or in the issuance of this Amendment to the Note do exist, have happened and have been performed in regular and due form as required by law, and that except as specifically stated herein, the terms and conditions of the Note remain unchanged.

IN WITNESS WHEREOF, the City has caused this Amendment to the Note to be duly executed in its name by the manual signatures of the Mayor, City Clerk, and has caused the corporate seal to be affixed hereto, and has caused this Amendment to the Note to be dated May 1, 1986.

CITY OF MAPLEWOOD, MINNESOTA

Mayor

ATTEST:

City Clerk

(SEAL)

Seconded by Councilmember Wasiluk.

Ayes - all.

J. VISITOR PRESENTATIONS

None.

K. COUNCIL PRESENTATIONS

1. Open Meeting Law

a. Councilmember Juker requested a clarification of the Open Meeting Law. City Attorney John Bannigan stated all meetings are open to the public. There are a few stated exceptions, one of which is labor union negotiations. Another would be personnel problems. All meetings need to be taped or notes taken by the City Clerk as Secretary to the Council. Tapes and minutes from personnel meetings shall be kept separately and in a secure location.

2. Highway 61 and Parkway Drive

a. Councilmember Juker questioned if State could be contacted regarding the placement of a "no turn on red" sign while going southbound on Highway 61 at the intersection of Parkway Drive.

b. Staff will investigate.

3. Gambling

a. Gary Bastian would like to review the City's current gambling laws.

b. Tabled to a future date.

4. Park Debris

a. Councilmember Bastian discussed the debris that was put in Cope Avenue Park site.

b. City Engineer Haider will investigate.

5. Motorcycle Ordinance

a. Councilmember Bastian complained of the noise caused by motorcycles near Woodlyn and County Road D.

b. Staff will investigate.

6. Drainage Pond Dredging

a. Councilmember Bastian questioned when the drainage pond at Maplewood Heights Park would be dredged of its sand debris.

b. Councilmember Bastian suggested a strong worded letter be sent to the County requesting them to clean the sand from their roads before it becomes a problem to our system.

c. Staff will investigate.

7. Battle Creek Park

a. Manager Lais will meet with Ramsey County.

L. ADMINISTRATIVE PRESENTATIONS

None.

M. ADJOURNMENT

9:38 P.M.

City Clerk

MEMORANDUM

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Finance Director *R. Rust*
RE: Budget Transfer - Insurance Consultant
DATE: April 17, 1986

The City's annual contract with Corporate Risk Managers, Inc. is based on an estimated five days of work at \$475 per day. At the end of the contract period (April 9th), a billing adjustment is made for actual hours worked. Recently this adjustment was received and amounted to an additional charge of \$1,560 for 26 hours of unanticipated time. This additional charge was incurred because preparation of the specifications and analysis of the bids took longer than anticipated.

The additional charge of \$1,560 was not anticipated in the 1986 Budget. Therefore, it is requested that the Council approve a budget transfer of \$1,560 from the Contingency Account in the General Fund to cover the additional charge.

DFF:lnb

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Finance Director *R. Trust*
RE: Investment Authorization
DATE: April 21, 1986

Endorsed _____
Modified _____
Rejected _____
Date _____

PROPOSAL

It is proposed that the Vanguard Fixed Income Securities Fund G.N.M.A. Portfolio be approved for investment of City monies.

BACKGROUND

It has been City policy to allow the Finance Director to invest in any legally authorized investment in amounts and for maturities as deemed appropriate. State law allows cities to invest in mutual funds whose only investments are in securities of the United States and its agencies. Thus, the proposed investment in the above Vanguard Fund is legal and normally wouldn't require specific Council approval. However, administrators of the Vanguard funds require adoption of a resolution authorizing investments in their fund.

The proposed investment is similar to the investment in the Franklin U.S. Government Securities Fund that the Council authorized on November 6, 1985 (see attached). The basic difference is that the Vanguard Fund is a no-load fund and the Franklin Fund is a load fund. A no-load fund does not have a sales charge on purchases, whereas a load fund does have a sales charge. The initial investment in the Franklin Fund was in excess of \$3,000,000, which resulted in a low initial sales charge of less than 1%. However, subsequent purchases of \$250,000 to \$499,000 would require payment of a 2.5% sales charge. Therefore, the Vanguard no-load fund is proposed for future investments to avoid the sales charge.

The Vanguard Fixed Income Securities Fund G.N.M.A. Portfolio has been in existence since 1980 and has total assets in excess of \$600 million. The fund has low expenses per share and its yield per share has given it a high ranking by Money Magazine. The current yield per share is 10.36%, which is only 0.33% less than the Franklin U.S. Government Securities. In addition to the high interest rate, there is a good potential for capital gains as the price per share is rising as interest rates decline.

RECOMMENDATION

It is recommended that the Vanguard Fixed Income Securities Fund G.N.M.A. Portfolio be approved for investment of City monies, by adoption of the attached resolution.

DFf:lnb

RESOLUTION

BE IT RESOLVED, that the Vanguard Fixed Income Securities Fund G.N.M.A. Portfolio is hereby authorized for investment of City monies, and

BE IT FURTHER RESOLVED, that monies in the above fund may be withdrawn and wire transferred to any other official depository of the City by request of the City Treasurer or Finance Director.

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Finance Director *Robust*
RE: Investment Authorization
DATE: November 1, 1985

Endorsed
Modified _____
Rejected _____
Date 11-6-85

PROPOSAL

It is proposed that certain mutual funds be approved for investment of City monies.

BACKGROUND

It has been City policy to allow the Finance Director to invest in any legally authorized investment in amounts and for maturities as deemed appropriate. State law allows cities to invest in mutual funds whose only investments are in securities of the United States and its agencies. Thus, the proposed investment in certain mutual funds within the Franklin Group of Funds does not need specific Council authorization. However, the administrators of the Franklin Funds require adoption of the attached resolution.

The specific mutual funds for which investments are planned are the Franklin U.S. Government Securities Fund and the Franklin Federal Money Fund. These investments would be through Offerman & Company, Inc., a local securities dealer, (see attached for further information). The U.S. Government Securities Fund invests exclusively in Government National Mortgage Association securities (commonly called "Ginnie Maes"). These securities consist of pools of F.H.A. and V.A. mortgages. The maturity dates on these securities are usually 30 years, yet they tend to have an average life of 12 years. This is because 16% of all Americans move every year and pay off their mortgages. The current yield on the Franklin U.S. Government Securities Fund is about 12.5% and it has been consistently one of the top five government bond mutual funds listed in Money Magazine. Since this fund consists of long-term securities, the market value of the investment is subject to significant fluctuation. Consequently, this investment will have to be carefully monitored. If interest rates start to sharply rise, the investment would have to be liquidated to avoid corresponding sharp decreases in the market value. It should be noted interest rates are not forecast to rise sharply in the near future.

The other mutual fund proposed for investment, (the Franklin Federal Money Fund), would be used only on a limited basis. Its primary purpose would be to receive shares transferred from the U.S. Government Securities Fund to enable quicker redemption procedures. If redemptions were requested to be made directly to the City it would take seven days. However, money can be transferred from the U.S. Government Securities Fund to the Federal Money Fund and to the City within one day.

The proposed initial investment in these funds would involve the sale of \$3,300,000 of Federal National Mortgage Association securities maturing June 12, 1989 that are currently yielding 9.28%. The current market value is slightly less than the book value, which would cause a loss on the sale of about \$28,000. However, this loss would be offset by the higher yield on the mutual fund. If the mutual fund yield averages 12.58% during the next year and the market value does not decrease, the City would realize approximately \$123,000 more in dividends on the mutual fund than interest on the F.N.M.A. security proposed for sale.

RECOMMENDATION

It is recommended that the Council adopt the attached resolution.

MEMORANDUM

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Finance Director *R. Oquist*
RE: Selection of Insurance Agents
DATE: April 22, 1986

Last year when the City requested proposals for property/casualty insurance, the process involved the pre-qualification of insurance agents and the assignment of markets. This process involves requesting agents to complete a questionnaire listing their qualifications and the names of the insurance companies that they want to represent. The completed questionnaires are reviewed to determine which agents should be designated to receive the City's insurance specifications and which insurance companies that they should be given exclusive access to. Attached is additional information regarding this process.

Questionnaires were mailed to insurance agents that completed them last year and to one additional agent who had expressed an interest in providing insurance to the City. The latter agent is Gary Stigsell, American Business and Family Insurance Center, 2580 White Bear Avenue. The City's current insurance agents are Gary Thorn, W. A. Lang Co., for public officials liability insurance and Jerry Ekblad for casualty /property insurance. No agent is used for the City's workers compensation insurance because the coverage is provided by the League of Minnesota Cities joint self-insurance plan.

A completed questionnaire was received only from one agent: Jerry Ekblad. A copy of this questionnaire is attached. It is presumed that other agents did not submit a questionnaire because of the very small number of companies willing to provide insurance to cities.

RECOMMENDATION

It is recommended that Jerry Ekblad be designated as the only agent of record for the purposes of obtaining insurance proposals for the City of Maplewood.

DFF:lnb

MEMORANDUM

Endorsed ✓
Modified _____
Rejected _____
Date 4-22-85

TO: City Manager
FROM: Finance Director *RP*
RE: Selection of Insurance Agents
DATE: April 12, 1985

PROPOSAL

It is proposed that the purchase of insurance to replace policies expiring June 30th be done by the pre-qualification of insurance agents and assignment of markets.

BACKGROUND

On April 27, 1983 the City Attorney issued a legal opinion that the City should abolish its Agent's Insurance Committee and obtain insurance by a method that will not violate anti-trust laws. As a result, the City hired a professional risk management firm in 1984 to determine insurance coverages needed, draft specifications and evaluate quotations. On June 8, 1984, insurance bids were opened. These bids included a quotation from Home Insurance Company on behalf of four insurance agencies. Since the bid from Home Insurance Company was the lowest and best bid, the City was forced to decide which agent to award the bid to.

Obviously, having four identical insurance bids does not provide any special benefits to the City. On the contrary, situations like this create negative feelings with the insurance agents and the insurance companies. Agents not selected may believe they have wasted their time getting the bid and may believe they were treated unfairly. Also, insurance companies generally prefer to deal with only one agent for a customer.

Another potential problem in the purchase of insurance is the potential violation of anti-trust laws. The following excerpt from the Governmental Risk Management manual provides guidance in this area:

The Missouri Attorney General determined that the following practices have the effect of excluding insurance firms or agencies from competing for a local political subdivision's insurance business and, as such, are unreasonable restraints on trade and violative of state and federal anti-trust laws:

1. successively awarding insurance coverage to the same firm or agency without affording other firms or agencies the opportunity to compete;
2. splitting the award of insurance coverage among local firms or agencies;
3. awarding the insurance coverage to only local firms or agencies;
4. utilizing competitive bidding but with the restriction that only local firms or agencies be allowed to compete;
5. utilizing an agent of record system but restricting the agent of record to a local firm or agency, which agent retains a percentage of the commission earned on the insurance premium with the remainder of the commission being split on an agreed-upon manner among other agencies;
6. awarding the insurance coverage only through local insurance agents' associations or like committees of selected insurance agents; and
7. restricting those firms or agencies who can compete for a municipality's insurance coverage to firms or agencies which reside in, maintain offices in, pay taxes in, or maintain some other form of localized contact with the municipality.

From this it can be seen that one of the principal objections is the limitation to only local firms or agencies. It must be remembered that an insurance agent/broker is licensed by the state; therefore, such agent/broker is authorized to write insurance anywhere in the state. Such a limitation against non-local agents/brokers would constitute an undue restraint of trade.

Abolishment of the Agents' Insurance Committee and use of a professional risk management firm have improved the insurance purchasing process. However, the process can be further improved by the pre-qualification of insurance agents and assignment of markets. This process has been effectively used by governmental bodies in California, Arizona and Michigan. Also, this process is used by private companies and is highly recommended by our risk management consultant. According to Pat Kelly, this process is a legal alternative to the use of competitive bidding.

The pre-qualification of insurance agents and assignment of markets process is intended to limit the availability of specifications for insurance coverages to agents who have established with the City their professional capabilities, not only for the marketing of the insurance, but for the servicing of the business after it has been placed. We have begun this process by requesting all agents that submitted bids last year to complete a questionnaire (copy attached) listing their qualifications and the names of the insurance companies that they want to represent. In addition, other agents selected by the City's risk management consultant were also sent the questionnaire. These questionnaires are to be returned to the City by April 19th.

I have asked our risk management consultant to review these completed questionnaires and make a recommendation at the April 22nd Council meeting on which agents should be designated to receive the City's insurance specifications and which insurance companies that they should be given exclusive access to.

It is anticipated that this new process will eliminate the potential for an anti-trust lawsuit. Also, it will eliminate the problem of duplicate bids. Hopefully, it will also improve our relations with the insurance companies and agents.

ALTERNATIVES

If the Council does not approve this new process, the following alternatives are available:

- 1) Designate a limited number of qualified agents but allow them to solicit quotations from any insurance company.
- 2) Same as alternative one, except have the agents submit sealed bids.
- 3) Allow any agent to submit quotations from any insurance company.
- 4) Same as alternative three, except advertise for sealed bids.

All of these alternatives have disadvantages, but the first alternative has the least disadvantages.

RECOMMENDATION

It is recommended that the purchase of insurance to replace policies expiring June 30th be done by the pre-qualification of insurance agents and assignment of markets. It is further recommended that the Council designate the agents that should receive the City's insurance specifications and which companies they should be given exclusive access to based upon the recommendations of Mr. Al Ciliske, risk management consultant.

CITY OF MAPLEWOOD

AGENCY BACKGROUND INFORMATION QUESTIONNAIRE

Agency name & address _____

Agency Owner _____

Number of years agency has been in business _____

Number of full-time personnel in this office _____

Name of account executive and names and number of qualified account handlers who would service this account:

Present limit of errors and omissions coverage in place for this agency _____

Policy expiration date _____

Agency volume less personal lines and health and life business for last fiscal year (cite dates):

List any and total professional insurance designations held by agency personnel:

List any municipal accounts serviced by this agency currently or within the last five (5) years:

List the municipal markets available to this agency by line and by preference:

CITY OF MAPLEWOOD

AGENCY BACKGROUND INFORMATION QUESTIONNAIRE

Agency name & address Ekblad, Pardee & Bewell, Inc.

2050 White Bear Avenue, Maplewood, Minnesota 55109

Agency Owner Stock owned by Jerome Ekblad, Edward Pardee & Claude Bewell

Number of years agency has been in business February 1, 1971 - Ekblad Agency 1925

Number of full-time personnel in this office 10

Name of account executive and names and number of qualified account handlers who would service this account:

Jerome Ekblad, Edward Pardee, Claude Bewell, George Carlson

Present limit of errors and omissions coverage in place for this agency \$1,000,000

Policy expiration date 1-8-87

Agency volume less personal lines and health and life business for last fiscal year (cite dates):

January 1, 1985 to January 1, 1986 - \$1,321,454.00

List any and total professional insurance designations held by agency personnel:

Jerome H. Ekblad CLU

Marlys Stansbury CIC

List any municipal accounts serviced by this agency currently or within the last five (5) years:

City of Maplewood

City of Pine Springs

List the municipal markets available to this agency by line and by preference:

A) Property- 1. League of Municipalities 2. Hartford PENCO B) Auto - 1. League of Municipalities

2. Hartford PENCO C) Boiler - Hartford Steam Boiler D) Workers Compensation - 1. Mn State Work

Comp Mutual Ins. Co. 2. League of Municipalities E) Umbrella - League of Municipalities

F) Paramedic - Casualty Underwriters 1. Western World 2. Northfield

G) Public Officials - 1. League of Municipalities 2. Crowther-International Surplus Lines

H) Bond - 1. League of Municipalities 2. Auto Owners

Services that will be provided to the City of Maplewood by this agency:

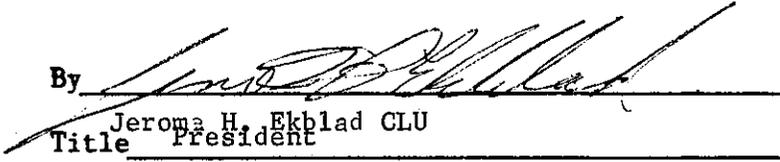
We have in the past and will in the future help with recommendations of coverage.

We have been giving prefernece in claims so we can get police and other vehicles on the road and adjusters out as soon as possible. We will help City advisors in settling claims and getting coverage.

NOTES

1. Any agency submitting quotes will be limited to one (1) quoting carrier per line.
2. The current servicing agency will have exclusive access to the current underwriters, Home Insurance Company and Hartford Steam Boiler Inspection & Insurance Company.

By


Jeroma H. Ekblad CLU
Title President

MATTHEW J. LEVITT
 COLE OEBLER
 ROBERT M. BOWEN
 FRANK HAMMOND
 LEONARD J. KEYES
 ROBERT G. SHARE
 BURT E. SWANSON
 M. J. GALVIN, JR.
 DAVID C. FORSBERG
 JOHN J. MCNEELY
 MCNEIL V. SKYMOUR, JR.
 JERRY F. ROTMAN
 TERENCE N. DOYLE
 RICHARD H. KYLE
 JOHN L. DEVNEY
 RONALD L. SORENSON
 PETER H. SEED
 SAMUEL L. HANSON
 RONALD E. ORCHARD
 JOHN TROYER
 STEPHEN WINNICK
 AVRON L. GORDON
 JOHN R. KENEFICK
 THOMAS A. LARSON

DAVID J. SPENCER
 DANIEL J. COLE, JR.
 DOUGLAS L. SKOR
 MICHAEL H. URBONIMUS
 R. SCOTT DAVIS
 J. PATRICK McDAVITT
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 RICHARD G. MARE
 ANDREW C. BECHER
 JAMES E. NELSON
 JEROME A. GEIS
 STEVE A. BRAND
 JOEL H. GOTTESMAN
 ALAN H. MACLIN
 JEFFREY F. SHAW
 MATTHEW L. LEVITT
 DAVID G. GREENING
 DAVID E. SAND
 DANIEL M. COUGHLIN
 JOSEPH P. NOACK
 CHARLES R. HAYNOR
 ANDREA M. BOND
 TIMOTHY P. FLAHERTY
 MARTIN H. FISK

LAW OFFICES
BRIGGS AND MORGAN
 PROFESSIONAL ASSOCIATION

2200 FIRST NATIONAL BANK BUILDING

SAINT PAUL, MINNESOTA 55101

TELEPHONE (612) 291-1215

TELECOPIER (612) 222-4071

INCLUDING THE FORMER FIRM OF
 LEVITT, PALMER, BOWEN, ROTMAN & SHARE

ROBERT J. PRATTE
 JOHN BULTENA
 JAMES G. RAY
 RICHARD H. MARTIN
 TRUDY J. HALLA
 MARY L. IFFEL
 JAMES A. VOSE
 ROBYN L. HANSEN
 ROBERT E. WOODS
 WILLIAM J. JOANIS
 MARGARET K. SAVAGE
 BRIAN G. BELISLE
 TONY STEMBERGER
 MARY E. SCHARFFNER
 MICHAEL H. STREATER
 JOHN H. LINDSTROM
 RICHARD D. ANDERSON
 SALLY A. SCOGGIN
 DAVID C. McDONALD
 BRUCE W. MOOTY
 ERIC NILSSON
 ANDREW R. KINTZINGER
 FREDERICK P. ANOST
 ROBERT L. LEE

ANN HUNTRODS
 ELIZABETH J. ANDREWS
 GREGORY J. STENMOE
 CHARLES B. ROOBERS
 TERRY L. SLIXE
 PAUL M. GALES
 MARY M. DYBSETH
 KEVIN A. BERG
 MARK SCHROEDER
 MARIAN M. DUBBIN
 NANCY D. ARNISON
 MICHAEL J. McELLISTER
 PAUL S. JACOBSEN
 TIMOTHY J. KHENAN
 CARLOS R. CARRASQUILLO

OF COUNSEL
 J. NEIL MORTON
 RICHARD E. KYLE
 JOHN M. PALMER
 SAMUEL H. MORGAN
 FRANK N. GRAHAM
 A. LAURENCE DAVIS
 CLARENCE G. FRANK
 JOHN M. SULLIVAN

Action by Council:

April 21, 1986

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

To Attached Distribution List

Re: City of Maplewood, MN - \$4,395,000
 Rental Housing Revenue Bonds
 (Hazel Ridge Elderly Project)

Ladies and Gentlemen:

Enclosed for your review and comment in connection with the above transaction are Resolution to be adopted by the City and a First Supplemental Indenture. These documents deal only with the amendment of the Indenture to delete the requirement that the mortgage, assignment and other security documents be in place prior to May 1. These documents do not address the issue of the terms pursuant to which First Bank Saint Paul will continue to hold the Bonds or the pricing mechanism to be used by Juran & Moody to set the interest rate on the bonds as of May 1.

Please call me immediately with any questions or comments as the City will consider adoption of the Resolution at its meeting on April 28.

Very truly yours,

Trudy J. Halla
 Trudy J. Halla

TJH/ks
 Enc.
 cc: Ms. Andrea M. Bond

DISTRIBUTION LIST

Ms. Mary L. Ippel
Ms. Trudy J. Halla
Briggs and Morgan
W-2200 First Bank Building
332 Minnesota Street
St. Paul, MN 55101

Ms. Marcia Hanson, Vice President
First National Bank of St. Paul
332 Minnesota Street
St. Paul, MN 55101

Mr. James Ehrenberg
First Trust Company, Inc.
332 Minnesota Street
St. Paul, MN 55101

Mr. Robert Davis
Fabyanske, Svoboda & Westra
Minnesota Mutual Life Building
400 North Robert Street
St. Paul, MN 55101

Ms. Linda Obidowski
Juran & Moody, Inc.
800 Minnesota Mutual Life Building
400 North Robert Street
St. Paul, MN 55101

Mr. Jerry Buechler
The Towle Real Estate Company
600 Second Avenue South
Minneapolis, MN 55402

Mrs. Lucille Aurelius
City Clerk
City of Maplewood
1380 Frost Avenue
Maplewood, MN 55109

Mr. Donald Lais
City Attorney
409 First Federal Bldg.
St. Paul, MN 55101

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE EXECUTION AND
DELIVERY OF FIRST SUPPLEMENTAL INDENTURE
TO THE INDENTURE OF TRUST RELATING TO
THE \$4,395,000 RENTAL HOUSING REVENUE BONDS
(HAZEL RIDGE ELDERLY PROJECT)**

WHEREAS, the City of Maplewood, Minnesota (the "City") issued its \$4,395,000 Rental Housing Revenue Bonds (Hazel Ridge Elderly Project) pursuant to an Indenture of Trust between the City and First Trust Company, Inc. (the "Trustee") dated as of December 1, 1985 (the "Indenture") and a Loan Agreement dated December 1, 1985 between the City and Hazel Ridge General Partnership (the "Company") (the "Loan Agreement");

WHEREAS, pursuant to the Indenture the rate of interest on the Bonds shall be converted on May 1, 1986 (the "Conversion Date") from the initial rate to a fixed interest rate to remain in effect until December 1, 2000;

WHEREAS, the Indenture currently requires the Company to deliver to Juran & Moody, Inc. (the "Remarketing Agent") and the Trustee prior to the Conversion Date, a mortgage, assignment of rents, disbursing agreement, declaration of restrictions and covenants, and a title insurance policy;

WHEREAS, the Company desires to add additional partners or change its composition in ways which will provide security for the Bonds and in a manner which was not contemplated on the date of issuance of the Bonds and therefore the Company has requested that delivery of the security documents required prior to the Conversion Date be postponed to such time as the composition of the Company and the complete security package for the Bonds has been determined;

WHEREAS, the Company shall not be entitled to withdraw any of the proceeds of the Bonds from the Construction Fund until such time as such security documents have been delivered in form and substance satisfactory to the Remarketing Agent;

WHEREAS, the City has agreed to amend the Indenture to permit the security documents currently required by the Indenture to be delivered at a later date.

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

1. The proposed form of First Supplemental Indenture is hereby approved in substantially the form submitted and the Mayor and City Clerk are hereby authorized to execute and deliver the First Supplemental Indenture in the name of and on behalf of the City along with such other documents as bond counsel considers appropriate in connection therewith upon approval of all documentation by the City Attorney.

2. All other terms and provisions of the Indenture shall remain in full force and effect except as modified by First Supplemental Indenture.

Adopted April 28, 1986.

CITY OF MAPLEWOOD

By _____
Its Mayor

By _____
Its City Clerk

FIRST SUPPLEMENTAL INDENTURE

This First Supplemental Indenture made and entered into as of May 1, 1986 by and between the City of Maplewood, Minnesota, a municipal corporation organized and existing under the laws of the State of Minnesota (the "Issuer") and First Trust Company, Inc., a Minnesota corporation (the "Trustee").

WITNESSETH:

WHEREAS, pursuant to Minnesota Statutes Chapter 462C as amended, the Issuer has authorized, executed and entered into an Indenture of Trust with the Trustee dated as of December 1, 1985 (as originally executed, the "Original Indenture" and with all supplements thereto, including this First Supplemental Indenture, the "Indenture"); and

WHEREAS, pursuant to the Original Indenture the Issuer has authorized, executed and delivered a series of revenue bonds of the Issuer designated Rental Housing Revenue Bonds (Hazel Ridge Elderly Project) in the aggregate principal amount of \$4,395,000 (the "Bonds"), all of which are still outstanding on the date hereof; and

WHEREAS, pursuant to the Indenture, and a Loan Agreement dated December 1, 1985 between the Issuer and Hazel Ridge General Partnership, a Minnesota general partnership, (the "Company") the Company is required to deliver to the Remarketing Agent (Juran & Moody, Inc.) the security documents required by Section 303 of the Indenture no later than May 1, 1986 (the "Conversion Date"); and

WHEREAS, it has been determined that for reasons not foreseen at the date of issuance of the Bonds it will be beneficial to delay delivery of the security documents required in Section 303 until such time as the final security structure for the Bonds following the Conversion Date has been determined to the satisfaction of the Company, the Issuer, and the Remarketing Agent; and

WHEREAS, the Company, City, and Remarketing Agent have agreed to postpone delivery of such security documents providing however that no amounts may be disbursed from the Construction Fund, other than for payment of interest on the Bonds, until such time as such security documents have been delivered; and

WHEREAS, pursuant to Section 1001 of the Indenture the Issuer and the Trustee may, without the consent of Bondholders, enter into a supplemental indenture in connection with a change which shall not prejudice in any material respect the rights of the owners of the Bonds then outstanding and in addition The First National Bank of Saint Paul, currently Holder of all of the Bonds, has agreed to consent to the terms of this First Supplemental Indenture.

NOW THEREFORE FIRST SUPPLEMENTAL INDENTURE FURTHER WITNESSETH:

The Issuer, in consideration of the premises recited in the Original Indenture and of the purchase and acceptance of the Bonds by the Holders thereof, and the Trustee do hereby agree as follows:

(1) Section 303(1) of the Indenture is hereby deleted.

(2) Section 505(b) of the Indenture shall be amended to read as follows:

"(b) In no event shall any disbursements from the Construction Fund be made prior to delivery by the Company to the Remarketing Agent, in form and substance satisfactory to the Remarketing Agent, of: an executed mortgage and assignment of rents covering the Project to secure payment of the Bonds, an executed disbursing agreement between the Company and the Trustee and, if requested by the Trustee, a title insurance company; a policy of title insurance, and the recorded Declaration; provided however that such documents must be delivered no later than _____, 1986. All disbursements from the Construction Fund shall be made in accordance with the terms of this Indenture, the Agreement, and the disbursing agreement referred to above."

(3) Except insofar as herein expressly provided otherwise, all the provisions, terms and conditions of the Original Indenture shall remain in full force and effect.

IN WITNESS WHEREOF the City of Maplewood has caused these presents to be signed in its name and behalf by its Mayor and City Clerk and its official seal to be hereunto affixed and to evidence its acceptance First Trust Company, Inc. has caused these presents to be signed and sealed in its name and behalf by its duly authorized officers as of the day first above written.

(SEAL)

CITY OF MAPLEWOOD

By _____
Mayor

By _____
City Clerk

FIRST TRUST COMPANY, INC.

(SEAL)

By _____
Its _____

By _____
Its _____

Hazel Ridge General Partnership as Company hereby consents to the terms of the above and foregoing First Supplemental Indenture and waives any rights to advanced notice of the proposed execution thereof.

HAZEL RIDGE GENERAL PARTNERSHIP

By HEALTH RESOURCES ASSISTANT CORPORATION, General Partner

By _____
Its _____

E-6

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Director of Community Development
SUBJECT: Budget Adjustment
DATE: April 18, 1986

Endorsed _____
Modified _____
Rejected _____
Date _____

The city is required to hire a part-time site monitor for the compost site on Beam Avenue as part of our agreement with Ramsey County. The city is reimbursed for our expense by the Metropolitan Council. The director of finance requested that the environmental health budget and corresponding revenue account be increased to properly show what is happening.

Recommendation

Increase account 01-4020-74 in the environmental health budget by \$2,860 and increase the corresponding revenue account by the same amount.

mb

MEMORANDUM

Action by Council:

TO: City Manager
 FROM: Thomas Ekstrand--Associate Planner
 SUBJECT: Final Plat
 LOCATION: Dahl Road, South of Linwood Avenue
 APPLICANT/OWNER: Castle Design and Development
 PROJECT: Budd Kolby Addition
 DATE: April 18, 1986

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

SUMMARY

Request

Approval of the final plat for the Budd Kolby Addition.

Past Action

3-10-86:

Council approved this preliminary plat subject to:

1. If all required public improvements, including contracts for telephone and electricity have not been accepted by the city prior to application for final plat, a developer's agreement and required surety shall be submitted for the remaining improvements. The developer shall also provide the city with a temporary easement for the Dorland Road cul-de-sac.
2. Approval by the city engineer for final grading, drainage, and utility plans.
3. A ten-foot wide trail easement shall be deeded to the city within the twenty-foot wide drainage easement along the west boundary of the property, south of Dorland Road. The location of the trail easement within the drainage easement shall be approved by the city engineer.
4. Submission of an erosion control plan to the city engineer, consistent with the recommendations of the soil conservation service.

Comments

All requirements of the preliminary plat have been met.

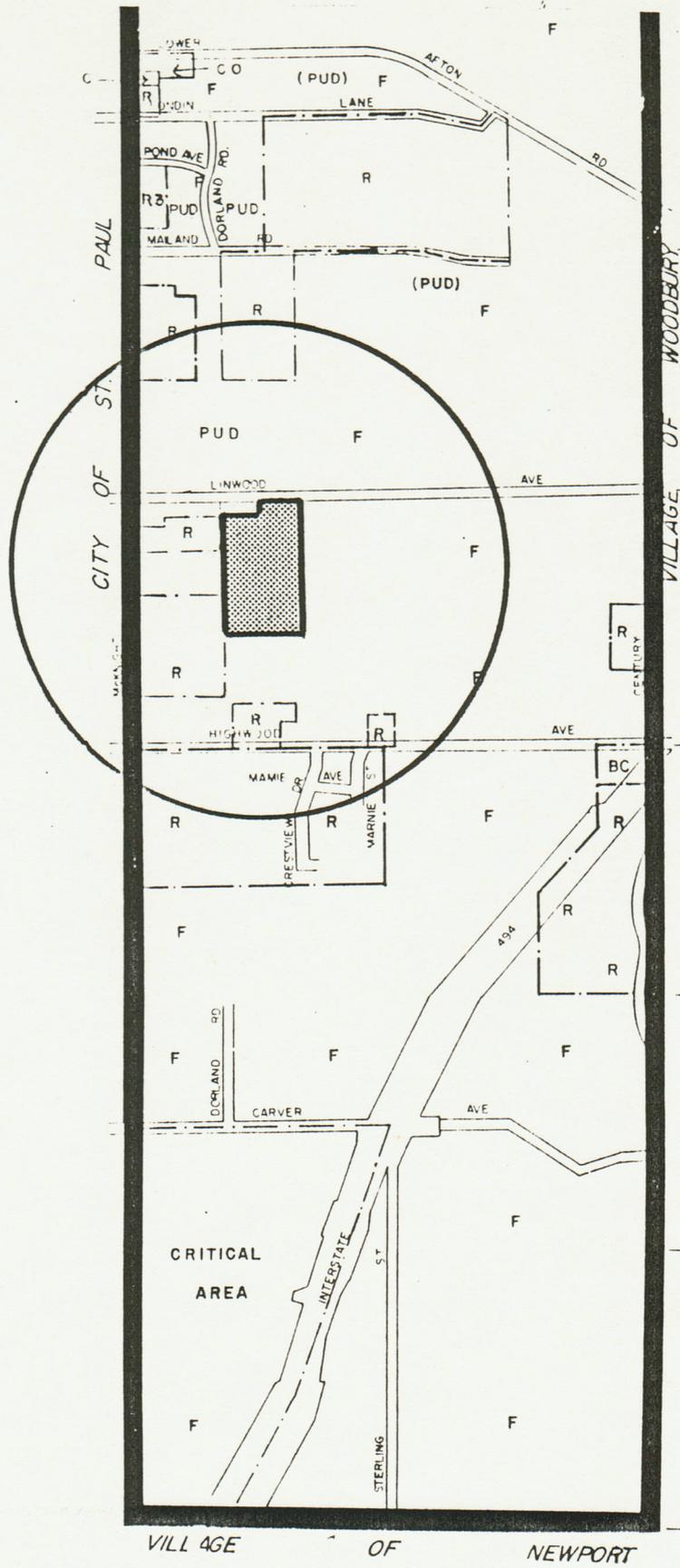
Recommendations

Approval of the Budd Kolby Addition final plat.

mb

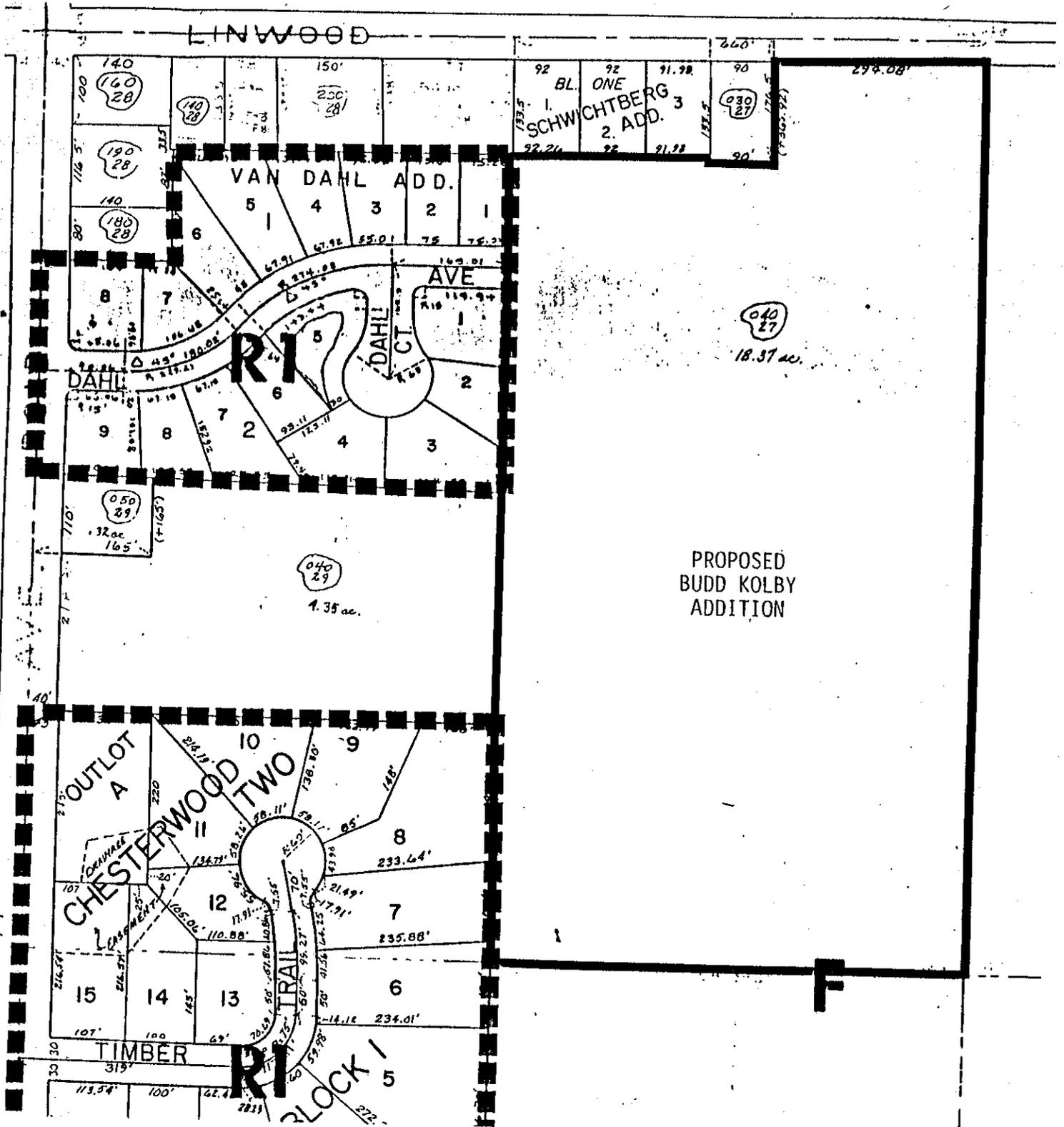
Attachments:

1. Location Map
2. Property Line/Zoning Map
3. Plat Map



LOCATION MAP





PROPERTY LINE / ZONING MAP



MEMORANDUM

Action by Council:

Endorsed_____

Modified_____

Rejected_____

Date_____

TO: City Manager
FROM: Director of Community Development
SUBJECT: Building Consultant Fee
DATE: April 21, 1986

Lou Bracke, one of our building consultants, has requested an increase in his fee rate from \$20/hour to \$22/hour, effective May 1. Lou worked 403 hours in 1985. If he works the same in 1986 this increase would cost the city an additional \$537. The 1986 building inspection budget should be adequate to handle this amount.

Lou's services are essential to providing effective building inspection service.

Recommendation

Approve the increase in fee from \$20/hour to \$22/hour.

jc
Attachment:
Letter

April 2, 1986

Mr. Geoff Olson
Community Development Director
1902 E. Co. Rd. B
Maplewood, Minn.

Dear Mr. Olson:

This letter is to inform you that commencing May 1st, 1986, my fee for inspection services will be increased from \$20.00/hr. to \$22.00/hr. This increase will conform to my fee for like services in other Municipalities.

I hope this increase meets with your approval and that I may continue to serve the City of Maplewood whenever the need arises.

Sincerely,


Louis Bracke
Building Official

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Director of Community Development
SUBJECT: Planning Commission Appointment
DATE: April 17, 1986

Endorsed _____
Modified _____
Rejected _____
Date _____

The planning commission has one vacancy created by Dorothy Hejny's resignation. The commission interviewed four candidates and voted for the top three (a fifth applicant, Albert Jirovec, withdrew). The commission recommends the following three candidates in order of preference:

- 1. Mary Susan Fiola 15 points
- 2. M. Earl Marlow 14 points
- 3. Mavis Hawkins 12 points

The commission made its recommendation based on qualifications and a representative geographical distribution of members.

A copy of the top three resumes and a map showing the location of all five applicants and existing commissioners is enclosed. Mary Susan Fiola was invited to attend the council meeting.

Recommendation

Appoint a new planning commissioner

mb

Attachments:

- 1. Three resumes
- 2. Map

MAPLEWOOD BOARDS & COMMISSIONS

APPLICATION FORM

NAME Fiola, Mary Susan (Sue) Date 2-8-86

ADDRESS 2293 Stillwater Ave 55119 Phone: Home 738-8627
Work 738-2411

AGE 46 HOMEOWNER: YES NO Number of Years as a Homeowner 25
Number of Years as a Resident 25

Would regular attendance at meetings be difficult: Yes No

On which board or commission are you interested in serving on? List 6, number 1 being first choice.

- | | |
|--|--|
| <u>5</u> COMMUNITY DESIGN REVIEW BOARD | <u>2</u> PARK & RECREATION COMMISSION |
| <u>4</u> HOUSING & REDEVELOPMENT AUTHORITY | <u>1</u> PLANNING COMMISSION |
| <u>3</u> HUMAN RELATION COMMISSION | <u>6</u> POLICE CIVIL SERVICE COMMISSION |

If this is a Renewal Application, total number of meetings held on your board or commission this past year? _____ How many have you missed? _____

Education 4 yrs M of m Psychology + Counseling - Real Estate license

Present Occupation and Employer Realtor - Realty World - Harkin
Number of Years 1

New Applicants only: Previous job experience and employers. (list last three).

- Weber's - No. St. Paul - 777-5521 - Joann Hoffman
- R.W. Calhoun, W. St. Paul 457-7361
- Merrill Lynch - Woodbury - 738-9262

List Organizations or Clubs in the Community in which you have been, or are an active participant. S.A.S - Wash Cty Mental Health, V.P.O. - Ramsey Ct.
Girl Scouts, Oneida Comm. College, Bd. of Directors.

Background experience in any of the Boards or Commissions, if any.

Why would you like to serve on any of these boards or commissions?

I feel that I have expertise that can benefit the community & therefore myself & I like to be active in community affairs.
Additional Comments.

MAPLEWOOD BOARDS & COMMISSIONS

APPLICATION FORM

NAME Mavis A. Hawkins Date 2/19/86

ADDRESS 1406 E. Price Ave, Maplewood, MN Phone: Home 777-6248
Work 779-0073

AGE 44 HOMEOWNER: YES X Number of Years as a Homeowner 20 yrs
NO _____ Number of Years as a Resident 20 yrs

Would regular attendance at meetings be difficult: Yes _____ No X

On which board or commission are you interested in serving on? List 6, number 1 being first choice.

- | | |
|--|--|
| <u>3</u> COMMUNITY DESIGN REVIEW BOARD | <u>4</u> PARK & RECREATION COMMISSION |
| <u>2</u> HOUSING & REDEVELOPMENT AUTHORITY | <u>1</u> PLANNING COMMISSION |
| <u>5</u> HUMAN RELATION COMMISSION | <u>6</u> POLICE CIVIL SERVICE COMMISSION |

If this is a Renewal Application, total number of meetings held on your board or commission this past year? _____ How many have you missed? _____

Education Spring Valley High School - Spring Valley WI

Present Occupation and Employer Associate Appraiser - Midwest Federal S&L
2965 White Bear Ave, Maplewood Number of Years nearly 8 yrs

New Applicants only: Previous job experience and employers. (list last three).
Analyst - Real Estate Research Corporation - 12 yrs
Clerk - Northwest Airlines - 1 1/2 yrs

List Organizations or Clubs in the Community in which you have been, or are an active participant. Active primarily in church-related activities:
Past President - Women's Group
Ass't Financial Secretary
Volunteer Committee

Background experience in any of the Boards or Commissions, if any.

Why would you like to serve on any of these boards or commissions? All my work experience has been associated with real estate appraisal & analyses in varying capacities & I find it interesting and challenging. The Planning Commission seems like an area where I may be able to make a contribution and also expand my knowledge of the community development processes.
Additional Comments.

As I both live & work in Maplewood, I have a definite interest in its future.

MAPLEWOOD BOARDS & COMMISSIONS
APPLICATION FORM

NAME M. Earl Marlow Date 02/06/86
ADDRESS 1930 Jackson St., Maplewood 55117 Phone: Home 489-8650
Work _____
AGE 53 HOMEOWNER: YES XX Number of Years as a Homeowner 14 Years
NO _____ Number of Years as a Resident same

Would regular attendance at meetings be difficult: Yes _____ No XX

On which board or commission are you interested in serving on? List 6, number 1 being first choice.

_____ COMMUNITY DESIGN REVIEW BOARD _____ PARK & RECREATION COMMISSION
_____ HOUSING & REDEVELOPMENT AUTHORITY XXX PLANNING COMMISSION
_____ HUMAN RELATION COMMISSION _____ POLICE CIVIL SERVICE COMMISSION

If this is a Renewal Application, total number of meetings held on your board or commission this past year? _____ How many have you missed? _____

Education BS Bus Adm, Southern Illinois University Edwardsville

Present Occupation and Employer Self employed Gen Contractor, specializing in maintenance repairs. Number of Years 4 years

New Applicants only: Previous job experience and employers. (list last three).
Development Specialist, Ramsey County for 9 years. Coordinated planning design, funding and staffing of Adult Detention Center, Juvenile Center, Nursing Home, County-wide Municipal Courts and a great many parks & park facilities.

List Organizations or Clubs in the Community in which you have been, or are an active participant. North Suburban Chamber of Commerce, Better Business Bureau, Minnesota Metroland, Minnesota Regional Tourism Commission.

Background experience in any of the Boards or Commissions, If any.

Maplewood Human Relations Commission for 6 years.

Why would you like to serve on any of these boards or commissions?

I would like to be active in civic affairs again and feel that my experience and continuing business activities can be of value to the work of the Planning Commission.

Additional Comments.

Intelligent master planning of the land areas of our city, to provide a healthy mix of industrial, commercial, residential and recreational opportunities for our corporate citizens is of continuing importance to all of us, and I believe it must be developed and administered with

F. Planning Commission Interviews

3-17-86

Secretary Olson indicated that Ken Gervais and Howard Ehnstrom withdrew their applications.

Chairman Axdahl reviewed the procedure used for interviewing applicants and voting. The commission reviewed their duties and responsibilities. The commission interviewed each of the applicants.

Commissioner Barrett moved the planning commission consider only the four applicants interviewed this evening.

Commissioner Sigmundik seconded
Whitcomb, Barrett

Ayes--Commissioners Sigmundik, Sletten

Larson Ellefson,

Nays--Commissioners Fischer, Cardinal,

Abstained--Commissioner Axdahl

Motion fails for lack of majority.

Commissioner Ellefson moved that the planning commission vote on the candidates interviewed at this meeting and the results of the balloting be temporary until staff contacts the individuals that previously applied during the last opening to see if they are interested and wish to be interviewed. The balloting will become null and void if the previous candidates wish to be interviewed and another balloting will be taken after the interviews.

Commissioner Cardinal seconded

Ayes--Commissioners Ellefson,

Cardinal, Larson, Fischer, Sletten, Whitcomb, Axdahl

Abstained--Commissioners Barrett and

Sigmundik

	Fiola	Hawkins	Marlow	Rossbach	
Commissioner Axdahl		3	1	2	
Commissioner Barrett		2	1		(3--Gervais)
Commissioner Cardinal	2	1		3	
Commissioner Ellefson	3	1	2		
Commissioner Fischer	3	2	1		
Commissioner Larson		2	3	1	
Commissioner Sigmundik	2		3	1	
Commissioner Sletten	2		1	3	
Commissioner Whitcomb	3	1	2		
	15	12	14	10	(3--Gervais)

MEMORANDUM

Action by Council:

To: Don Lais, City Manager
From: Robert D. Odegard, Director of Parks & Recreation
Subj: Appointment of Richard Bennett to the
Park and Recreation Commission
Date: April 22, 1986

RDO

Endorsed _____
Modified _____
Rejected _____
Date _____

At the March 17th meeting of the Park and Recreation Commission, Mr. Richard Bennett's application for the Park and Recreation Commission was discussed. The Board requested the Director to contact Mr. Bennett and invite him to the April 21st meeting at the Maplewood Nature Center. Mr. Bennett had an opportunity to tour a number of parks in the south part of Maplewood, listen to a presentation by a landscape architect organization interested in designing Maplewood parks, participated in the evening's agenda which included discussion of park design, financing, developer's discussion of the Kirby property, staff reports, etc. After spending four hours with the Commission, he expressed a desire to become a member of the Commission, and by motion the Park and Recreation Commission recommends that Mr. Richard Bennett be appointed effective immediately.

He will be requested to attend the April 28th Council meeting if so desired.

Att. (1)

MAPLEWOOD PARK & RECREATION COMMISSION

APPLICANT INFORMATION FORM

NAME Richard C Bennett PHONE 777-3321
ADDRESS 2962 Beebe Parkway Maplewood MN ZIP 55109

- 1) How long have you lived in the City of Maplewood? 45 days
2) Does your employment require travel or being away from the community which would make regular attendance at meetings difficult? yes no
3) Do you have any specific areas of interest within the Commissions scope of responsibilities? (check)

Land Acquisition
 Park Development
 Open Space Conservation
 Community Beautification
 Athletics (Youth)
 Athletics (Adult)
 Program

Financing
 Public Relations
 School Relationships
 Other

- 4) List other organizations or clubs in the Community in which you have been or are an active participant.

- 5) Why would you like to serve on the Park & Recreation Commission?

Working on the Parks Commission would give me the opportunity to meet some of the people who are involved in the local community, and it would also give me a say in the development of the parks system in the area, a concern of mine because one of the maple wood parks do's back up to my property.

F-1

MEMORANDUM

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Assistant City Engineer
SUBJECT: McKnight Road Reconstruction Public Hearing--City Project 81-20
DATE: April 21, 1986

A public hearing has been called by the council for April 28, 1986 at 7 p.m. for the above-named project. All parties in the general project area have been notified of this hearing. A representative from the Ramsey County Department of Public Works will be at the hearing to answer questions.

The feasibility report was presented to the council at the April 14 meeting and the planning commission has reviewed the report. It is recommended that the council hold the hearing and order the project by passing the attached resolution.

RESOLUTION ORDERING IMPROVEMENT
AFTER PUBLIC HEARING

WHEREAS, after due notice of public hearing on the construction of street, storm sewer, pathway, sanitary sewer and water main improvements on McKnight Road from 400 feet north of Larpenteur Avenue to Beaver Lake, City Project 81-20, a hearing on said improvement in accordance with the notice duly given was duly held on April 28, 1986, and the council has heard all persons desiring to be heard on the matter and has fully considered the same;

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

1. That it is advisable, expedient and necessary that the City of Maplewood construct street, storm sewer, pathway, sanitary sewer and water main improvements on McKnight Road from 400 feet north of Larpenteur Avenue to Beaver Lake, City Project 81-20 as described in the notice of hearing thereon, and orders the same to be made.
2. The city engineer is hereby directed to prepare final plans and specifications for the making of said improvement in conjunction with the Ramsey County Public Works Department.

MEMORANDUM Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Assistant City Engineer
SUBJECT: Hazelwood Avenue--County Road C to Beam Avenue Public Hearing
 City Project 85-27
DATE: April 21, 1986

A public hearing has been called by the council for April 28, 1986 at 7:10 p.m. for the above-named project. All parties in the general project area have been notified of this hearing.

The feasibility report was presented to the council at the April 14 meeting and the planning commission has reviewed the report. It is recommended that council hold the hearing and order the project by passing the attached resolution.

jc

RESOLUTION ORDERING IMPROVEMENT
AFTER PUBLIC HEARING

WHEREAS, after due notice of public hearing on the construction of street, pathway, sewer and water services, and storm sewer improvements on Hazelwood Avenue from County Road C to Beam Avenue, City Project 85-27, a hearing on said improvement in accordance with the notice duly given was duly held on April 28, 1986, and the council has heard all persons desiring to be heard on the matter and has fully considered the same;

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

1. That it is advisable, expedient, and necessary that the City of Maplewood construct street, pathway, sewer and water services and storm sewer improvements on Hazelwood Avenue from County Road C to Beam Avenue, City Project 85-27 as described in the notice of hearing thereon, and orders the same to be made.
2. The city engineer is designated engineer for this improvement and is hereby directed to prepare final plans and specifications for the making of said improvement.

Action by Council:

MEMORANDUM

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Associate Planner--Johnson
SUBJECT: Street Vacation and Rezoning (R-1 to R-3)
LOCATION: Burke Avenue, between Hazelwood and Barclay Streets
APPLICANT: William and Bonnie Gear
DATE: April 1, 1986

SUMMARY

Request (See page 8)

1. Vacate the Burke Avenue right-of-way between Hazelwood and Barclay Streets.
2. Rezone the south half of the Burke Avenue right-of-way lying west of the storm water pond together with the north 11 feet of 2124 Barclay Street from R-1, single dwelling to R-3, multiple dwelling.

Reason for the Request

Tenants from the applicant's apartment buildings are using the unimproved Burke Avenue right-of-way as a parking lot. The applicant was informed that to continue to permit cars to park there, the right-of-way must be vacated, the south half of the right-of-way must be rezoned to R-3 use, and the parking area paved.

Proposal

1. To upgrade the overall appearance of the property, the applicant has proposed to construct between 50 and 60 garages and upgrade the open space parking areas in 1986 (see page 9). The site has less parking spaces than required by the code.
2. If the rezoning and vacation requests are approved, the applicant would apply for a lot division to combine the north 11 feet of 2124 Barclay Street (also owned by the applicant) with the apartment property. This additional property is needed to provide a code required 20-foot wide landscaped buffer between the multiple and single-dwelling properties. The existing row of evergreen trees would be retained as part of the required landscape area.

Comments

This proposal would be an improvement to the neighborhood:

1. The paving and garages would provide needed parking to conform more closely with code standards. Paving and storing cars in garages would improve the appearance of the property.

2. There would be no additional traffic, since no additional units are proposed and there is no new access to Barclay Street.
3. Landscaping can be required on Barclay Street to screen the parking.

Recommendation

1. Approve the enclosed resolution (page 12) to vacate the Burke Avenue right-of-way between Hazelwood and Barclay Streets, subject to (see the map on page 11):
 - a. Retention of a 30-foot wide drainage and utility easement over the north half of this right-of-way between Barclay Street and the storm water pond.
 - b. Retention of a 30-foot wide drainage and utility easement, centered on this right-of-way between Hazelwood Street and the storm water pond.
 - c. Retention of a ponding and utility easement over the entire right-of-way where the storm water pond is planned.

Prior to the recording of this resolution, the applicant shall submit the following items to the city engineer:

- a. A signed, hold-harmless agreement to be recorded by the city with the resolution of vacation. Through this agreement the property owner(s) (now and in the future) shall agree not to hold the city responsible for the repair of any parking or driveway facility constructed within the city's utility easements. This agreement shall be prepared by the city attorney at the applicant's expense.
- b. Recordable quit-claim deeds for:
 - (1) A 10-foot wide, permanent utility easement and a 10-foot wide temporary construction easement north of the permanent easement between the storm water pond and Barclay Street.
 - (2) Drainage easements on the properties north and south of the Burke Avenue right-of-way, as shown on page 11.

Approval is on the basis that vacation of this right-of-way would be in the public interest because:

- a. Storm water pond covers the middle third of this right-of-way.
- b. All adjoining properties can be accessed without construction of this street.
- c. Vacation would eliminate the nonconforming setback from this right-of-way of the adjoining uses.

2. Approve the enclosed resolution (page 14), approving a rezoning from R-1, single dwelling to R-3, multiple dwelling for the part of the south half of the vacated Burke Avenue right-of-way, lying between Barclay Street and the storm water pond to the east and an 11-foot wide strip of property abutting to the south. (At least four votes in favor are required for approval.)

BACKGROUND

Site Description

1. This portion of Burke Avenue is an unimproved 60-foot, wide right-of-way.
2. A drainage pond crosses the middle third of the right-of-way (see the map on page 8).

Surrounding Land Uses

North: the applicant's apartment property. The south building has less than the required 30 feet of setback from the Burke Avenue right-of-way.

East: Hazelwood Street

South: two, 94 by 300 foot single-dwelling properties. The west property (2124 Barclay Street) is owned by the applicant. Both dwellings have less than the required 30 feet of setback from the Burke Avenue right-of-way.

West: Barclay Street. Across the street are single dwellings fronting on Burke Avenue.

Planning

1. Land use plan designation: the boundary of RH, residential high density and RL, residential low density.
2. Zoning:
 - a. North half of the right-of-way: R-3, multiple dwelling
 - b. South half of the right-of-way: R-1, single dwelling
3. Compliance with land use laws:
 - a. State Law: Section 412.851 allows a city to vacate any interest in property when the council makes a finding that it appears to be in the public interest to do so.
 - b. City code:
 - (1) Section 36-485 requires four findings to approve a rezoning. Refer to the resolution on page 14.
 - (2) Section 36-109 requires two parking spaces per dwelling unit, half of which to be in a garage, effective for all multiple dwellings constructed after October 16, 1968. Permits for this complex were issued March 15, 1966. Only about 115 open area parking spaces were provided for 96 units. The applicant had received approval in 1977 to build 36 garage stalls north of the

pond. These garages have not been constructed. At that time, the applicant was asked to consider the vacation of Burke Avenue to provide additional parking.

Public Works

1. A storm water pond is located between Barclay and Hazelwood Streets. The drainage plan (page 10) shows storm sewers to and from this pond within the Burke Avenue right-of-way.
2. An easement is needed for the storm water pond and planned storm sewers.
3. Thirty feet of permanent storm sewer easement is adequate for maintenance access. However, at least 50 feet of easement width is desired when constructing the sewer. The extra 10 feet of temporary easement along either side of the permanent easement is needed to reduce the city's liability exposure for possible drainage to adjoining buildings.

Citizen Comments

Thirty-two persons who own property within 350 feet of the area to be rezoned were surveyed. Of the 16 persons who responded, five were in favor, three had no comment and eight were opposed.

Those in favor stated the following reasons:

1. Less cars parked outside would improve the appearance of the site.
2. Need to get the cars off the street.
3. These improvements would raise the tax basis of the property.

Those opposed stated the following reasons:

1. Flooding is already a problem. More building will make the problem worse.
2. This will increase the taxes of or require assessments to nearby property owners.
3. Garage construction would require the trees to be cut down.
4. The apartments are a detriment to the neighborhood because of disabled cars, trash, etc. and the negative effect these items have on the wildlife in and around the pond.
5. Increase in traffic noise.
6. Negative impact on adjacent property values.
7. Increased traffic a hazard to children.

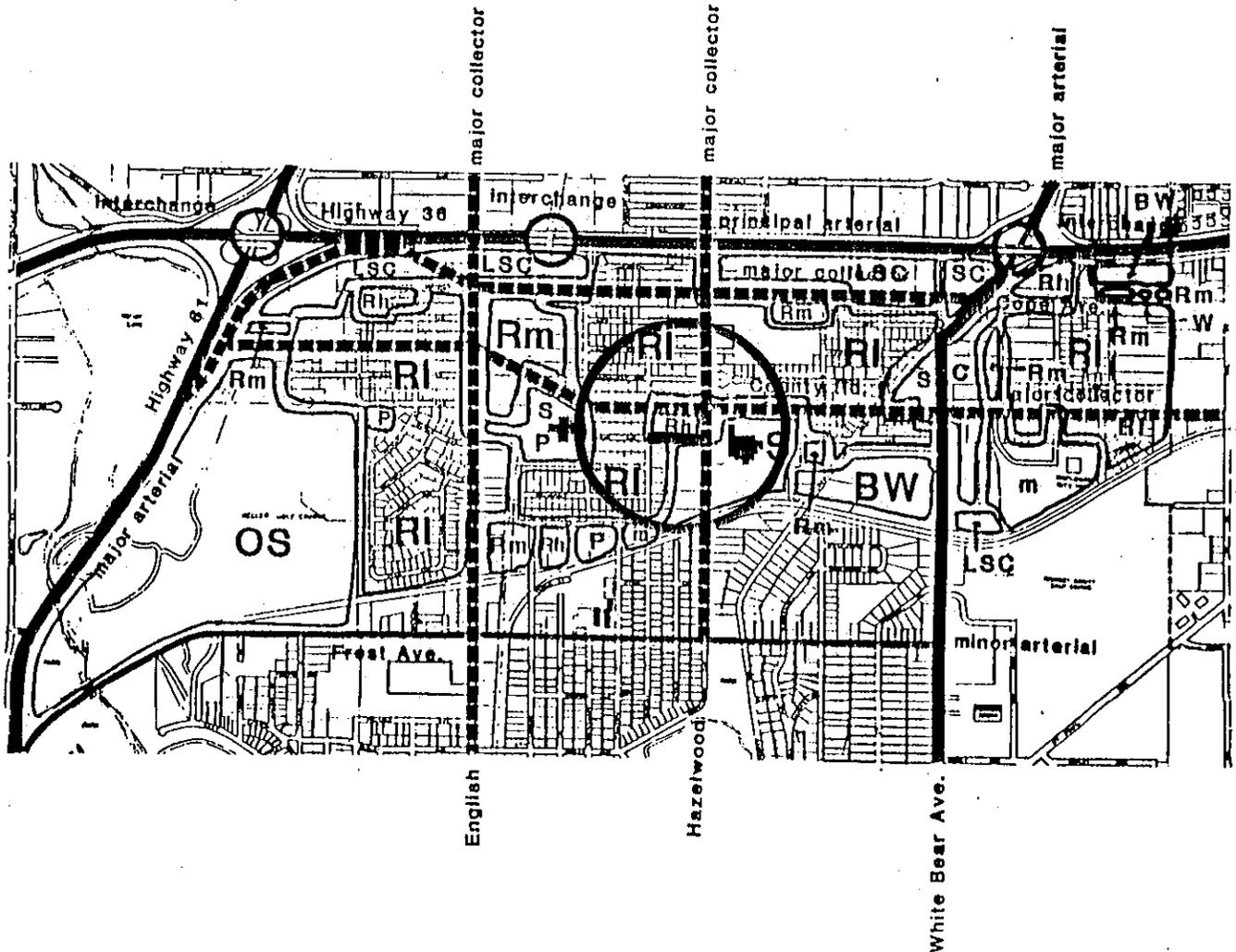
Procedure

1. Planning commission recommendation
2. City council decision

jc

Attachments

1. Sherwood Glen Neighborhood land Use Plan
2. Property Line/Zoning Map
3. Proposed Site Plan
4. Drainage Plan Excerpt
5. Ponding and Storm Sewer Easement Map
6. Resolution (vacation)
7. Resolution (rezoning)

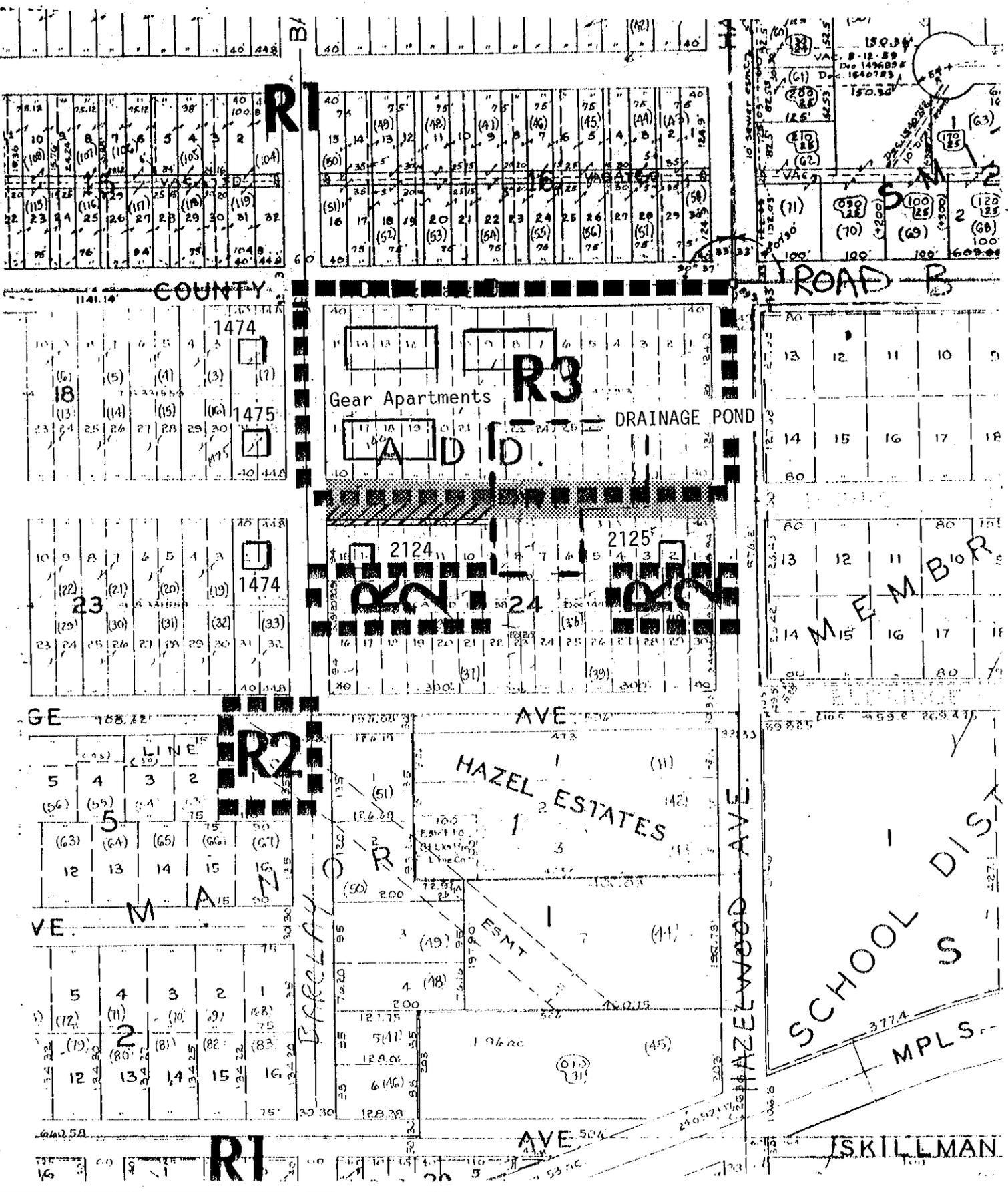


North Saint Paul

REVISED
 8-24-85
 7-23-85

SHERWOOD GLEN NEIGHBORHOOD LAND USE PLAN





PROPERTY LINE / ZONING MAP



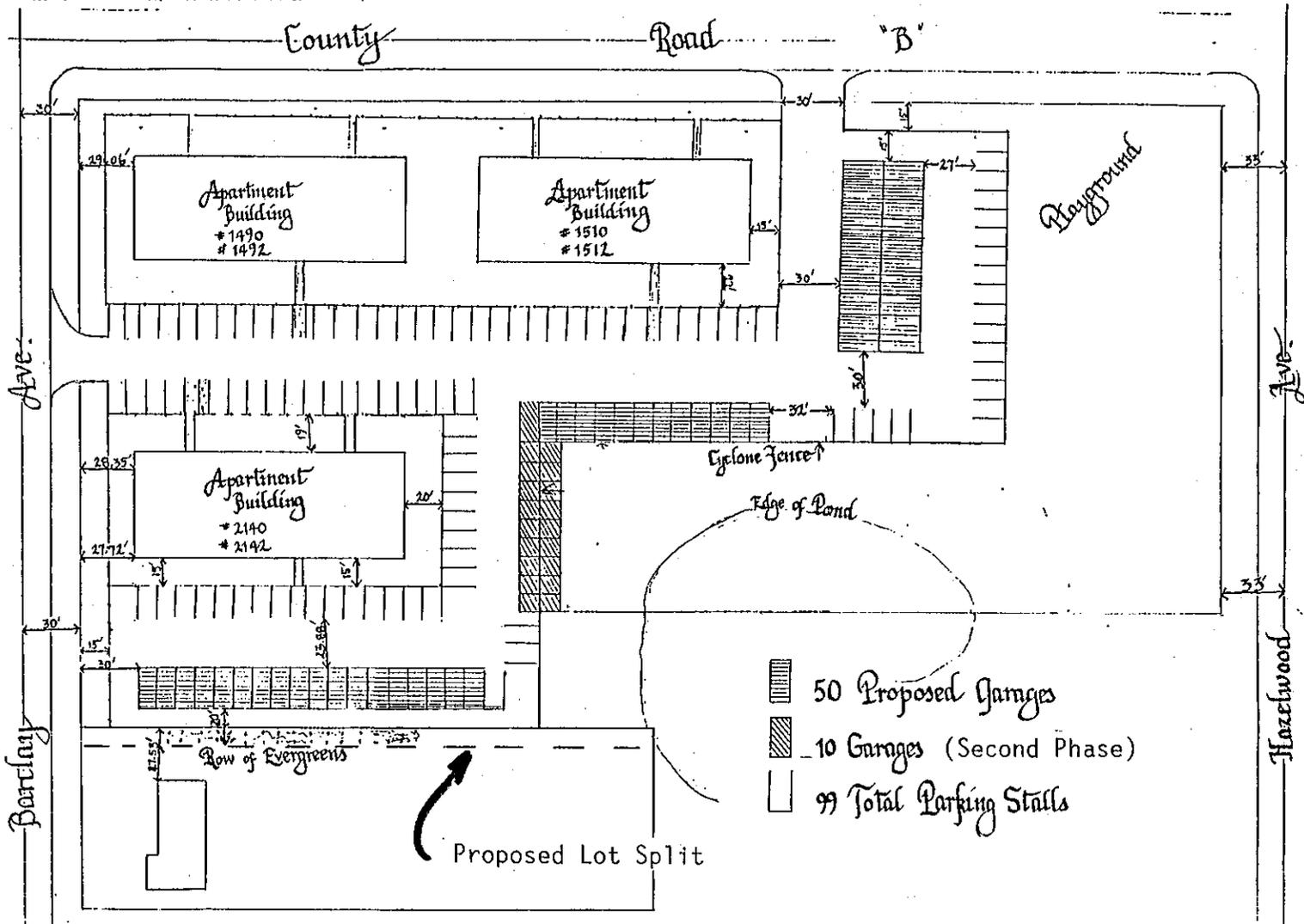
Right-of-Way to be vacated



Area to be rezoned R-1 to R-3

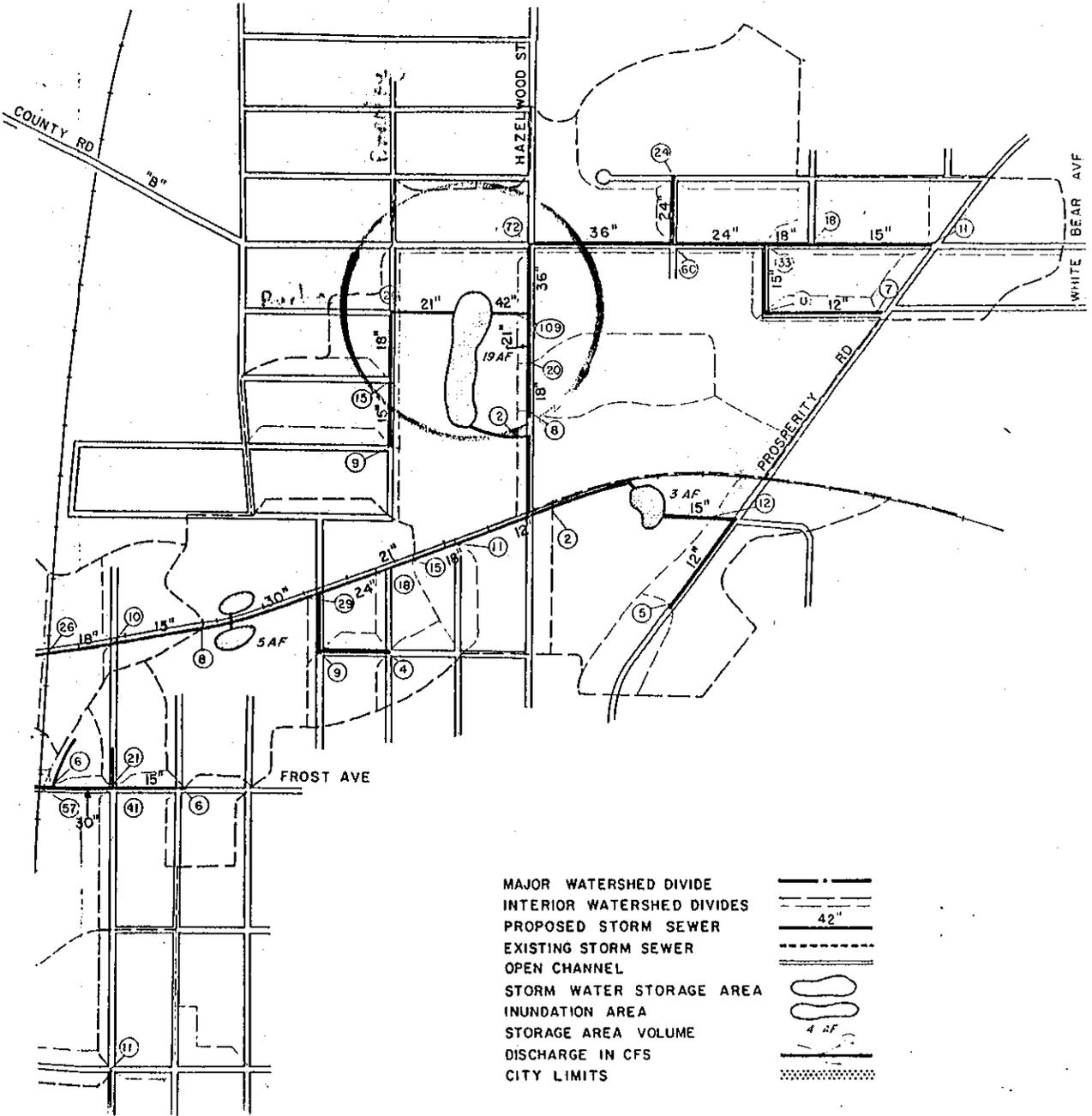


N



Proposed Site Plan
(3-17-86)





DRAINAGE PLAN

(Excerpt)



Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Minnesota was duly called and held in the council chambers in said city on the day of

, 1986 at 7 P.M.

The following members were present:

The following members were absent:

WHEREAS, William and Bonnie Gear initiated proceedings to vacate the public interest in Burke Avenue right-of-way between Hazelwood and Barclay Streets.

WHEREAS, the procedural history of this vacation is as follows:

1. A majority of the owners of property abutting said street right-of-way have signed a petition for this vacation;

2. This vacation was reviewed by the planning commission on April 7, 1986. The planning commission recommended to the city council that this vacation be

3. The city council held a public hearing on 1986 to consider this vacation. Notice thereof was published and mailed pursuant to law. All persons present at this hearing were given an opportunity to be heard and present written statements. The council also considered reports and recommendations to the city staff and planning commission.

WHEREAS, upon vacation of the above-described street right-of-way, public interest in the property will accrue to the following described abutting properties:

Lots 16 through 30, Block 17 and Lots 1 through 15, Block 24, Sabin Addition, Ramsey County.

NOW, THEREFORE, BE IT RESOLVED by the Maplewood City council that it is in the public interest to grant the above-described vacation on the basis:

1. The storm water pond covers the middle third of this right-of-way.

2. All adjoining properties can be accessed without construction of this street.

3. Vacation would eliminate the nonconforming setback from this right-of-way of the adjoining uses.

This vacation is subject to the retention of:

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Minnesota was duly called and held in the council chambers in said city on the day of _____, 1986 at 7 p.m.

The following members were present:

The following members were absent:

WHEREAS, William and Bonnie Gear initiated a rezoning from R-1, residence district (single dwelling) to R-3, residence district (multiple dwelling) for the following-described properties:

The north 11 feet of the West half of Lot Eight and Lots Nine through Fifteen, Block 24, Sabin Addition, together with the South half of the vacated Burke Avenue right-of-way abutting to the north.

WHEREAS, the procedural history of this rezoning is as follows:

1. This rezoning was initiated by William and Bonnie Gear, pursuant to Chapter 36, Article VII of the Maplewood Code of Ordinances.
2. This rezoning was reviewed by the Maplewood Planning Commission on April 7, 1986. The planning commission recommended to the city council that said rezoning be _____.
3. The Maplewood City Council held a public hearing on _____, 1986 to consider this rezoning. 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 rezoning be approved on the basis of the following findings of fact:

1. The proposed change is consistent with the spirit, purpose and intent of the zoning code.
2. The proposed change will no substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.

4-7-86

VIII. NEW BUSINESS

A. Street Vacation and Rezoning--Burke Avenue and Barclay Street

Associate Planner Johnson said the proposal is to vacate Burke Avenue and rezone the south half of the right-of-way to permit parking of tenant's cars on the right-of-way.

The commission questioned if the city should also asked for a hold harmless agreement if the pond should rise beyond the normal height.

Director of Public Works Haider said he did not know if a hold harmless agreement would be appropriate in that instance.

The commission questioned if the neighbors were contacted.

Planner Johnson said the responses are listed in the staff report.

The commission questioned how many additional parking spaces will be provided through this proposal.

Planner Johnson said approximately 34 spaces to 45 spaces.

Mr. Gear said they are in agreement with the staff report. He explained the phasing of construction for the parking stalls and garages.

Commissioner Fischer moved the planning commission recommend to the city council approval of the resolution to vacate the Burke Avenue right-of-way between Hazelwood and Barclay Streets, subject to:

1. Retention of a 30-foot wide drainage and utility easement over the north half of this right-of-way between Barclay Street and the storm water pond.
2. Retention of a 30-foot wide drainage and utility easement, centered on this right-of-way between Hazelwood Street and the storm water pond.
3. Retention of a ponding and utility easement over the entire right-of-way where the storm water pond is planned.

Prior to the recording of this resolution the applicant shall submit the following items to the city engineer:

1. A signed, hold-harmless agreement to be recorded by the city with the resolution of vacation. Through this agreement the property owner(s) (now and in the future) shall agree not to hold the city responsible for the repair of of any parking or driveway facility constructed within the city's utility easements. This agreement shall be prepared by the city attorney at the applicant's expense.

2. Recordable quit-claim deeds for:

a. A 10-foot wide, permanent utility easement and a 10-foot wide temporary construction easement north of the permanent easement between the storm water pond and Barclay Street.

b. Drainage easements on the properties north and south of the Burke Avenue right-of-way, as shown on page 11 of the staff report dated 4-1-86.

Approval is on the basis that vacation of this right-of-way would be in the public interest because:

1. Storm water pond covers the middle third of this right-of-way.

2. All adjoining properties can be accessed without construction of this street.

3. Vacation would eliminate the nonconforming setback from this right-of-way of the adjoining uses.

4. The paving and garages would provide needed parking to conform more closely with code standards. Paving and storing cars in garages would improve the appearance of the property.

5. There would be no additional traffic, since no additional units are proposed and there is no new access to Barclay Street.

The planning commission also recommends the city council approve the resolution approving a rezoning from R-1, single dwelling to R-3, multiple dwelling for the part of the south half of the vacated Burke Avenue right-of-way, lying between Barclay Street and the storm water pond to the east and an 11-foot wide strip of property abutting to the south.

Commissioner Barrett seconded
Cardinal, Ditch, Fischer, Hejny, Whitcomb

Ayes--Commissioners Barrett,

MEMORANDUM

Action by Council:

TO: City Manager
 FROM: Thomas Ekstrand--Associate Planner
 SUBJECT: Size Variance--Home Occupation Sign
 LOCATION: 2060 Barclay Street
 APPLICANT/OWNER: John Monette
 PROJECT: Power Tool Sales and Service
 DATE: April 16, 1986

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

SUMMARY

Request

Approval of a four-square foot sign variance for a six-square foot home occupation sign. Code permits a maximum of two square feet.

Applicant's Justification

1. The sign, mounted on the front of the garage, is not very noticeable, since the garage is partially hidden from view by the adjacent dwellings. See page 6 .
2. The garage is further back from the street making the readability of a two-square foot sign difficult.

Comments

This variance does not meet the state requirements for approval. (See planning considerations.) This is a typical residential home. There is no "undue hardship because of circumstances unique to the property." It would be unfair to grant a variance to this business, when other home occupations comply with the code.

If Council feels that a two-square foot sign is too small, the code should be changed to allow everyone the same opportunity. Staff surveyed 19 cities (page 7). Nine prohibited any home occupation signs. Of those that allowed such signs, three-square feet was the average. Only one city allowed a six-square foot sign. The intent of this ordinance is to preserve the residential character of neighborhoods. Home occupation signs should be limited to a size that permits identification with the smallest size possible. As the survey shows, a six-square foot sign is not needed.

Recommendation

1. Denial of a four-square foot sign size variance for John Monette's home occupation at 2060 Barclay Street, since there is no circumstance unique to the property that would warrant a variance, and approval of the variance would not meet the spirit and intent of the code.
2. Approval of the ordinance amendment on page 8 increasing the maximum size of home occupation signs from two to three square feet.

BACKGROUND

Site Description

1. Lot area: 15,200 square feet.
2. Existing land use: single-dwelling residence and a tool repair business.

Surrounding Land Uses

Single-family homes.

Past Action

10-16-80:

Council approved this home occupation subject to the removal of the ground sign in the front yard and compliance with the sign code.

10-9-85:

Council renewed the conditional use permit for this home occupation for five years, subject to the applicant complying with the sign code by reducing the size of his sign to two square feet.

4-8-86:

The community design review board reviewed a request by the applicant and Councilman Anderson to amend the ordinance to permit home occupation signs up to six-square feet in area. The board denied the amendment, since they felt there was basis for a variance and that the code was appropriate as written. Councilman Anderson and Mr. Monette withdrew the request for the code amendment.

The board recommended to the city council approval of a four-square foot sign variance allowing Mr. Monette to utilize his six-square foot sign for the duration of his conditional use permit, based on the following:

1. Distance from the street makes a two-square foot sign difficult to accomplish the purpose of a sign.
2. The adjacent houses hide the garage and make it difficult to see the sign.

PLANNING CONSIDERATIONS

1. Land use plan designation: RL, low density residential.
2. Zoning: R-1, residence district (single dwelling).

3. Section 36-316 (2) allows one fascia sign, not more than two square feet in area, for a home occupation.

4. Section 367.10, Subdivision 6 (2) of the state law requires that the following findings be made before a variance can be granted:

a. Strict enforcement would cause undue hardship because of circumstances unique to the property under consideration.

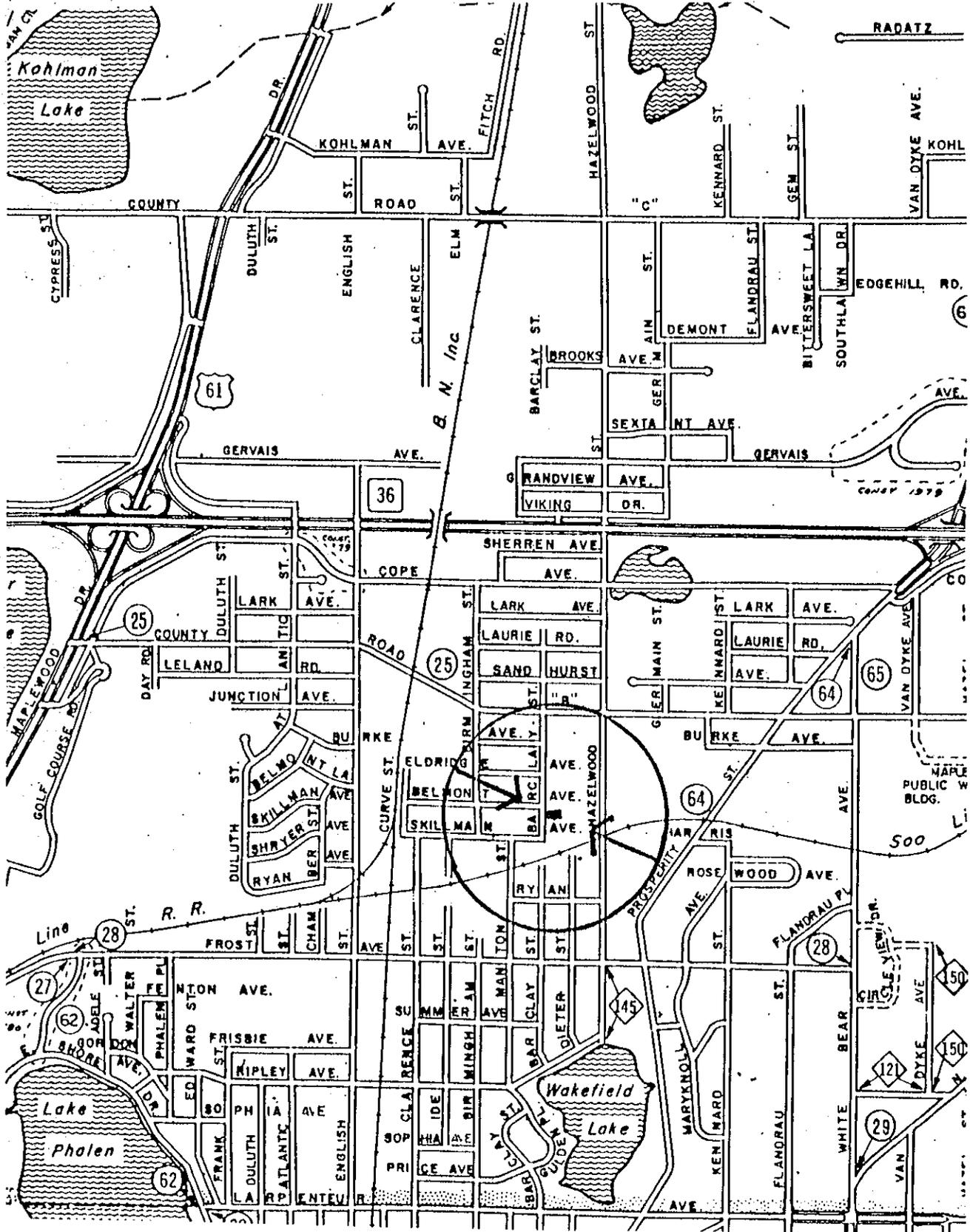
b. The variance would be in keeping with the spirit and intent of the ordinance.

"Undue hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls. The plight of the landowner is due to circumstances unique to his property, not created by the landowner, and the variance, if granted, will not alter the essential character of the locality.

jc

Attachments

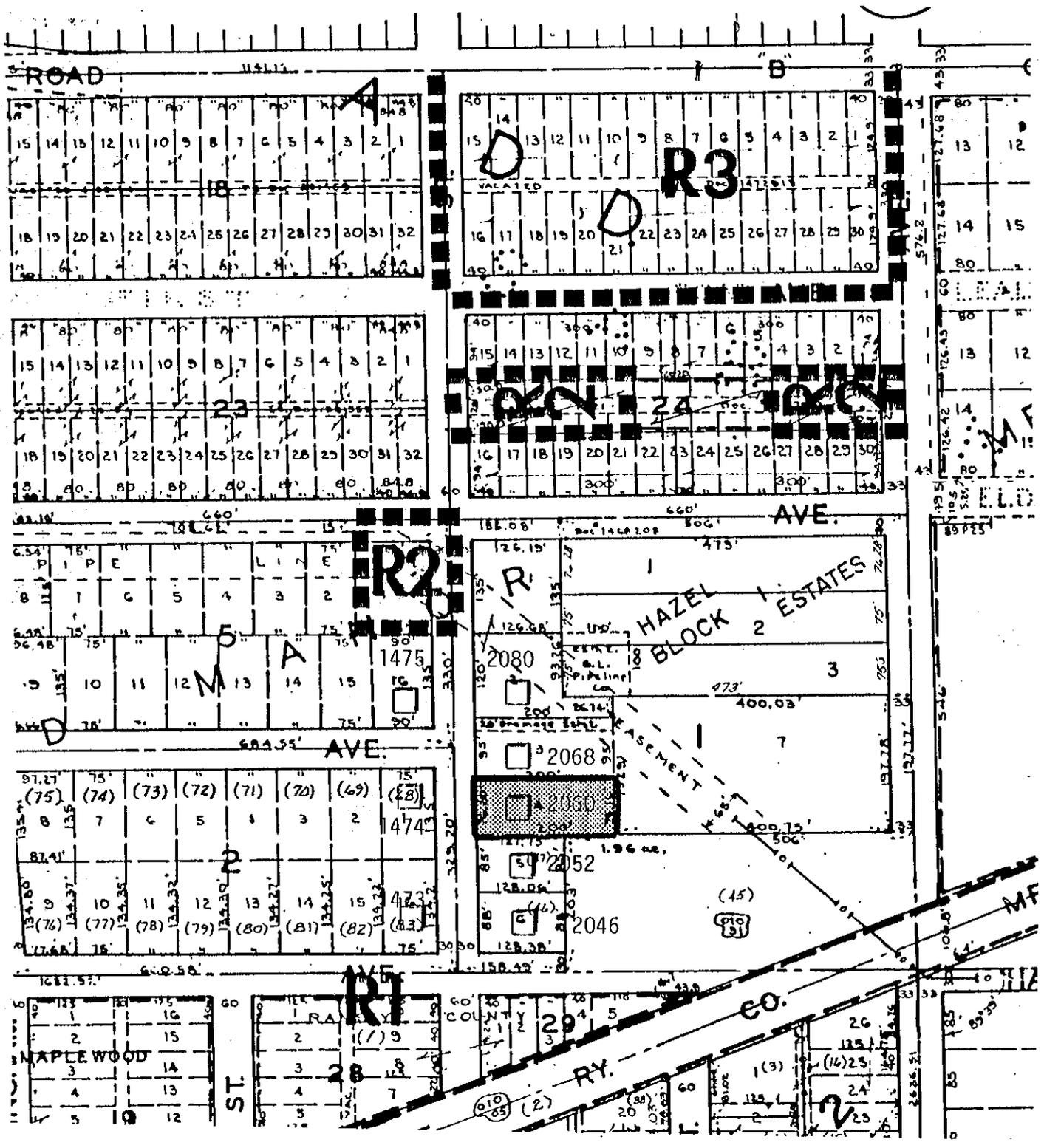
1. Location Map
2. Property Line/Zoning Map
3. Site Plan
4. Survey
5. Code Amendment



LOCATION MAP

Attachment One

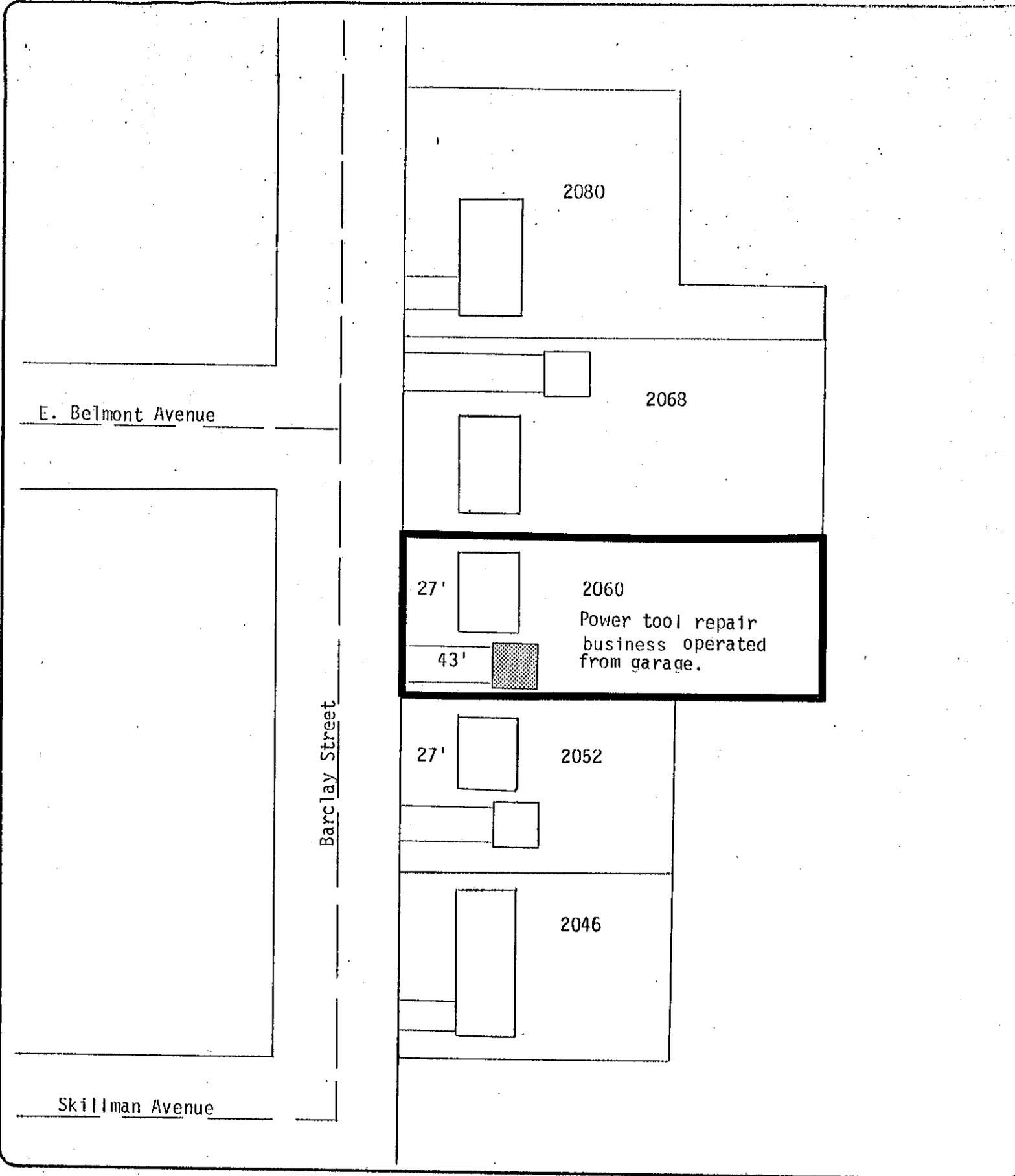




PROPERTY LINE / ZONING MAP

Attachment Two





SITE PLAN

Scale: 1"=60'
(measurements taken from aerial photos)



HOME OCCUPATION SIGNAGE
4-1-86

<u>Municipality</u>	<u>Prohibit</u>	<u>Allow (Maximum Size)</u>	<u>Placement</u>
1. Burnsville	x		
2. Fridley	x		
3. Golden Valley	x		
4. Apple Valley	x		
5. Maple Grove	x		
6. Columbia Heights	x		
7. No. St. Paul	x		
8. New Brighton	x		
9. Woodbury	x		
MAPLEWOOD		2 square feet	wall only
10. White Bear Lake		2 square feet	wall only
11. Newport		2 square feet	wall or ground
12. Brooklyn Center		2.5 square feet	wall or ground
13. Blaine		2.5 square feet	wall or ground
14. Roseville		3 square feet	wall or ground
15. So. St. Paul		3 square feet	wall or ground
16. Cottage Grove		3 square feet	wall or ground
17. Plymouth		4 square feet	wall or ground
18. Crystal		4 square feet	wall or ground
19. Coon Rapids		6 square feet	wall or ground

ORDINANCE NO.

AN ORDINANCE AMENDING THE HOME OCCUPATION
SIGNAGE REQUIREMENTS

THE MAPLEWOOD CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 36-316(2) is amended as follows (additions are underlined, deletions are crossed out):

- (2) One fascia sign of not more than ~~two~~(2)~~three~~(3) square feet in area giving the name and occupation of the occupant of a building carrying on a home occupation as defined in the city zoning ordinance.

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

Passed by the Maplewood
City Council this
day of _____, 1986.

Mayor

Attest:

City Clerk

Ayes--

Nays--

B. Code Amendment--Home Occupation Signs

4-8-86

Secretary Ekstrand said that Mr. Monette is present at the meeting. The original request for the code amendment was made by Councilman Anderson on Mr. Monette's behalf.

Mr. Monette said the sign he previously had was out on the yard and was over six square feet. The sign was in position for eight years. He was instructed, at the time of permit approval, that the sign was too large and a sign should be installed on the wall. At the time he did understand it to be two square feet. The sign painter instructed him to go larger as the sign would be quite a distance from the road and also because the garage is off-set behind his house.

Secretary Ekstrand reviewed with the board the code requirements for home occupations and the use of signs.

Board Member Moe said he preferred to leave the code as it is.

Councilman Anderson said he thought possibly Mr. Monette should ask for a variance for the sign rather than changing the code. The sign does blend with the house, it does not stand out.

The board agreed that this should be handled as a variance rather than a code amendment.

Member Rossbach moved the board recommend to the city council approval of a sign variance allowing him to utilize his six-square foot sign for the duration of his conditional use permit based on the following:

1. Distance from the street makes a two-square foot sign difficult to accomplish the purpose of a sign.
2. The adjacent houses hide the garage and makes it difficult to see the sign.

Board Member Peterson seconded

Ayes--all.

The Board recommended denial of a code amendment.

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Finance Director *R. Deust*
RE: Award of Bids - Telephone System
DATE: April 22, 1986

Endorsed _____
Modified _____
Rejected _____
Date _____

On April 4th, bids were opened for the purchase and installation of a telephone communications system at the new City Hall. An analysis of the bids and recommendation is in the attached report from the City's phone consultant, William E. Schulz & Associates. The 1986 Budget includes an appropriation of \$75,000 for the purchase and installation of the telephone system. The system proposed for purchase will cost \$57,605.

I concur with the consultant's recommendation that (1) the low bid from Telexcoms, with the exception of cable and installation, be accepted and that a contract be authorized with them in the amount of \$53,030; and (2) that a contract be authorized with Peoples Electrical Contractors for phone cable and installation in the amount of \$4,574.95. It should be noted that the contract with Peoples Electrical Contractors may be increased for the installation of cable for the TI990 computer system and that it will be treated as a change order for the new City Hall as they are a subcontractor for Knutson Construction Company.

A representative from William E. Schulz & Associates will be at the Council meeting to answer questions.

DFF:lnb

William E. Schulz & Associates, Inc.

A TELECOMMUNICATIONS REPORT
FOR
CITY OF MAPLEWOOD
MAPLEWOOD, MINNESOTA

Prepared by:
William E. Schulz & Associates, Inc.



Mr. Daniel Faust
City of Maplewood
Bid Critique
April 17, 1986

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Appendix I - Cash Projection and Net Present Value Cash Flow	



Mr. Daniel Faust
City of Maplewood
Bid Critique
April 17, 1986
Page 1

Current System Overview

The City currently subscribes to Centrex service from Northwestern Bell, the local operating company. Subscribers to Centrex service do not have switching equipment on premise. Equipment required to connect the city's voice communications to the communications network are located at Northwestern Bell's central office. The Centrex users have private lines serving each telephone in the system, similar to a residential telephone. The system is maintained by Northwestern Bell on a 24 hour basis and the service is included in the monthly telephone cost. Currently the station equipment is rented from AT&T on a monthly basis. Rate increases on the Centrex system have a greater impact on the city's cost of communications due to the number of lines required by Centrex to serve the city's communications needs.

Specifications were drawn for a new PBX system and invitations to bid were issued to approximately 22 system vendors. This report provides the critique of the bids received and our recommendation on the equipment offered by the lowest qualified vendor.



Mr. Daniel Faust
City of Maplewood
Bid Critique
April 17, 1986
Page 2

Proposed System Overview

We drew the specification for the new telecommunications system to provide a total telecommunications concept for the city. The system we specified was a modern state-of-art PBX system, computer controlled which is capable of transmitting voice and data simultaneously.

We have provided a vendor overview along with a systems overview and developed a ten year cash projection.

The responses to the invitation to bid provided us with state-of-the-art equipment which met the specification. There were seven responses that met the specification which provided us with a large base of equipment to choose from.

Recurring Northeastern Bell costs for the current Centrex system will average \$1885.00 per month, including rate increases for the next 12 months. AT&T billing for station equipment is \$608 per month for a total of \$2493 per month. The AT&T costs are completely eliminated with the new system. We are not able to project efficiencies gained by the new system; however, some increases in productivity will occur due to the conveniences inherent in the new system.

Post Cutover Northwestern Bell monthly recurring charges:

12 Outgoing Trunks @ 69.00	\$828.00
10 DID Trunks @ 95.00	950.00
100 DID Numbers @ 3.50 / 20	18.00

Total	\$1,796.00

Monthly cost reduction to the city approximately \$700.00 per month.



Mr. Daniel Faust
City of Maplewood
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Overview

In today's communication market there are many vendors selling high quality communication systems. This market has reached a point in which, with minor exception, most current offerings are "state-of-the-art" equipment with most of the same capabilities and features. This makes an analysis of one system over another difficult at best. However, by examining certain aspects of the system, as well as the supporting organizations that service the equipment, a better understanding of which vendor offers the best overall system will be evident.

The remainder of this section of our report will set forth the major selection criteria that have been used to perform our analysis. These major selection criteria are as follows:

- . operation of the system
- . system capability and flexibility
- . service and maintenance
- . cost

Operation of the System

Operation of the system refers to what procedures are required to invoke a feature. This may require depressing a switch hook or pressing a feature button. The easier the process, the more likely that employees will use the features, thus making the system more usable.



Mr. Daniel Faust
City of Maplewood
Bid Critique
April 17, 1986
Page 4

System Capability and Flexibility

The proposed system should have the ability to meet The City of Maplewood's current and future needs. Now then, this means that the proposed system should not need to add major components in the near future or be at capacity, say five years down the road. In addition, the system should be able to be flexible so that moves and changes can be handled quickly and efficiently.

Service and Maintenance

Service of the system is one of the most critical areas in selecting a vendor and will be weighed very heavily in making a decision. This is due to the critical nature of communications in a city environment.

Cost

Cost has and always will be a major factor in making a decision such as this. We should point out that while we are not accountants, we have provided the city with a complete financial analyses. You may wish to have your financial staff review our methodologies in calculating the final cost of the system to the city.



Mr. Daniel Faust
City of Maplewood
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System Capability and Flexibility

All proposed systems were required to have the following abilities:

- . a computer-based system
- . expansion ability to meet future needs
- . flexibility to handle moves and changes
- . digital system
- . simultaneous voice and data

In addition, the system should have a good track record with current clients as well as a reliable supporting organization.

Service and Maintenance

As we stated earlier, service and maintenance is one of the most important areas in selecting a vendor. We have broken down service and maintenance into two areas:

- . number of service people
- . response time

Number of Service Personnel

The number of service people that a service organization has available is an indication of the size of the organization and if they can meet a minimum standard of service. It is our opinion that a service organization should have a minimum of three service people available so that in all weather conditions or at any unusual time of day a service person will be available to perform maintenance.



Mr. Daniel Faust
City of Maplewood
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Response Time

Response time is the most critical point of the maintenance agreement. A guideline as to emergency response levels would be as follows:

- 1 hour - excellent
- 2 hours - good
- 4 hours - average
- 4 hours+ - unacceptable

These response levels would be based on actual time durations, not quoted times in a proposal. To support the quality of service and response time required by the city it was required of the vendors to have three factory trained and certified technicians on their staff.

Cost

The cost to purchase a communications system is very expensive and even higher if rented. To calculate the cost of the vendor's proposed system, we have used the following premises:

The private vendor's costs were separated into two areas:

- Basic System
- Maintenance
- Optional Equipment
- Cable and Installation

Basic System

The basic system includes the equipment as stated in the Request For Proposal and Installation.

Maintenance for the first year is included at no cost. Maintenance costs projected over ten years incremented at 10% per annum to cover inflation.



Mr. Daniel Faust
City of Maplewood
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Vendor Responses

The following vendors responded to the request for proposal to supply the telephone communications system, unless otherwise noted met the specifications for City of Maplewood:

*AirComm, Inc.
5845 Blaine Avenue
Inver Grove Heights, MN 55075

Manufacturer: TIE Communications
Model: Mercury TX-2500
System Cost: \$93,647
Annual Maintenance: \$8,016

1 Year Warranty

* Aircomm does not meet the requirement of the system being installed for a period of 24 months.
Aircomm does not have 3 Factory trained technicians on their staff.

Centel Business Systems
6101 Baker Road
Minnetonka, MN 55345

Manufacturer: Northern Telecomm
Model: SL-1MS
System Cost: \$83,393
Annual Maintenance: \$2,808

1 Year Warranty



Mr. Daniel Faust
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Page 8

Vendor Responses

*Executone Systems of St. Paul, Inc.
30 W. Water Street
St. Paul, MN 55107

Manufacturer: Executone Inc.
Model: Entr'ee 400
System Cost: \$74,768
Annual Maintenance: \$2,520

1 Year Warranty

* Executone does not meet the 24 month requirement of the bid specification.

Norstan Communications Systems, Inc.
2905 Northwest Blvd.
Suite 60
Minneapolis, MN 55441

Manufacturer: Rolm
Model: VS CBX-II
System Cost: \$88,264
Annual Maintenance: \$7,207

1 Year Warranty



Mr. Daniel Faust
City of Maplewood
Bid Critique
April 17, 1986
Page 9

Vendor Responses

*US West Information Systems
2520 Pilot Knob Road
Suite 190
Mendota Heights, MN 55120

Manufacturer: NEC America, Inc.
Model: NEAX 2400
System Cost: \$79,175
Annual Maintenance: \$5,290

1 Year Warranty

* U.S. West did not bid the complete system which the city needs.

Telexecom Inc.
808 Transfer Road
St. Paul, MN 55114

Manufacturer: United Technologies Comm.
Model: UTX 1001-VS
System Cost: \$61,130
Annual Maintenance: \$3,495

1 Year Warranty

*H and B Telephone Systems
2629 30th Ave So
Minneapolis, MN

Manufacturer: Mitel
Model: SX 200
System Cost: \$73,405
Annual Maintenance \$3,470

1 Year Warranty

The Mitel SX 200 does not meet the specifications, the system is not fully digital.



Mr. Daniel Faust
City of Maplewood
Bid Critique
April 17, 1986
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Vendor Responses

Universal Communication Systems, Inc.
12450 Wayzata Blvd.
Suite 110
Minnetonka, MN 55343

Manufacturer: NEC America, Inc.
Model: NEAX 2400
System Cost: \$85,108
Annual Maintenance: \$4,704

1 Year Warranty

Collins Communications Systems Co.
273 West Lafayette Frontage Road
St. Paul, MN

Manufacturer: Northern Telecomm
Model: SL-1MS
System Cost: \$98,590
Annual Maintenance: \$4,728

1 Year Warranty

Harris Corporation
Rosemont Ill.

Manufacturer: Harris Corp.
Model: 400/1200
System Cost: \$83,053
Annual Maintenance: \$9,000

1 Year Warranty



Mr. Daniel Faust
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Bidder Summary

Vendor	EQP	Maint.
AirComm, Inc.	\$93,647	\$8,016
Centel Business Systems	\$83,393	\$2,808
Collins Communications	\$98,590	\$4,728
H and B Communications	\$73,405	\$3,470
Harris Corporation	\$103,072	\$9,000
Executone Systems	\$74,768	\$2,520
Norstan	\$88,264	\$7,207
Telexecom	\$61,130	\$3,495
Universal Communication	\$85,108	\$4,704
U.S. West	\$79,175	\$5,290



Mr. Daniel Faust
City of Maplewood
Bid Critique
April 17, 1986
Page 12

Vendor Overview

Executone Systems of St. Paul:

Executone Systems of St. Paul has been sound and paging contractor for many years in the metro area with numerous key and PBX systems installed with a good reputation for maintenance and response time. The system which Executone is proposing is a recent offering with insufficient performance history for evaluation. The system does not meet the 24 month requirement of the specification, however the vendor is well qualified to provide equipment and maintenance.

Norstan Communication Systems Inc.:

Norstan Communications is the local vendor of the Rolm series of PBX systems. The vendor has one of the largest maintenance organizations in the area and has a good reputation for maintenance and response time. The Rolm corporation is currently controlled by IBM and its CBX II is considered one of the top 5 systems currently on the market. The Rolm system is also one of the costliest system on the market.

U.S. West Information Systems:

U.S. West Information Systems is the selling arm of the local operating company and it has an approximate two year history of providing equipment, previously as First Tel and since a recent reorganization as U.S. West Information Technologies. The company has a large maintenance organization and a larger base to draw from should the need occur. The NEAX 2400 system offered has been on the market and installed in the excess of two years. The system has a good track record. U.S. West did not bid the equipment for the dispatchers office and their bid is considered incomplete.



Mr. Daniel Faust
City of Maplewood
Bid Critique
April 17, 1986
Page 13

Vendor Overview

Telexecom:

Telex is a recent entry into the telecommunications industry with its acquisition of the telecommunications division of United Technologies in January of this year. The Lexar product being offered by Telex has been on the market approximately 5 years and has had numerous software and hardware problems which are inherent in a new product. These problems have been corrected. The Lexar system will provide the city with reliable communications for the life of the system.

H and B Telephone Systems:

H and B telephone systems has a large base of installed systems in the area. They have a large maintenance organization and a good reputation for response time and maintenance. The Mitel system is not a fully digital system as required by the specification.

Universal Communications Systems Inc.:

Universal communications is a nationwide organization with a very large installed base. They have a large maintenance organization with a sales and maintenance office in the Metro area. The NEAX 2400 system offered by Universal Communications is the same type and manufacturer as offered by U.S. West Information Technologies.

Collins Communications Systems Inc.:

Collins Communications has a large maintenance organization and is headquartered in St. Paul. Collins is one of the local vendors of the Northern Telcom SL-1 and enjoys a good reputation for equipment performance and maintenance throughout their large installed base.



Mr. Daniel Faust
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Bid Critique
April 17, 1986
Page 14

Vendor Overview

Harris Corporation:

Harris is a more recent manufacturer of telephone systems to offer their equipment factory direct. A track record of their factory direct maintenance and response time is lacking, however there are other local vendors that are qualified to maintain their equipment such as Executone of St. Paul that has a large base of Harris equipment installed. The Harris system has been on the market for approximately 10 years and has a good performance record.

Aircomm Inc.

Aircomm is the vendor of the TIE Mercury system which is a re-write of a system which TIE Communications acquired in its aquisition of Plessey of Canada. The Plessey system had many desirable features and advanced architecture in their software. The system had a very unreliable reputation for performance.

Aircomm has 1 TIE Mercury system in its installed base which does not meet the 24 month requirement of the specification. Aircomm does not have 3 factory certified technicians.

Centel Business Systems:

Centel's parent organization is Central Telephone, an Independent Operating Company headquartered in Illinois. Centel has a large base of SL-1 systems installed in the area. The system offered by Centel is the same system offered by Collins Communications.



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Page 15

Recommendation

After reviewing all of the vendor offerings and comparing system for system features for features any one of the qualified vendors and the system they are offering could be selected to supply the telephone communications system for the City of Maplewood.

The financial evaluation indicates Telexecom is the low bid by \$22,263.00 at \$61,130.00 as compared to Centel Business Systems the next bid at \$83,393.00. The equipment and the vendor meet the requirements of the specification.

As noted in the Telexecom proposal the vendor has no union affiliation which can cause a labor dispute especially on a new construction project as is the case at the City of Maplewood.

We recommend the City of Maplewood follow the following steps in awarding the contract for the telephone system:

Award to Telexecom:

Equipment	33,096
Equipment Installation	17,352
Optional Equipment	2,582

Total	\$53,030

Award to Peoples Communications:

Cable & Installation	\$4,574.95
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Telexecom would have the ultimate responsibility to coordinate the cabling project to meet their standard shop practices. W.E. Schulz and Associates will be responsible for the overall implementation of the system.



CITY OF MAPLEWOOD
NET PRESENT VALUE CASH PROJECTION
PAGE 1
APPENDIX 1

EQUIPMENT: UTX 1001 VS
VENDOR: TELEXECOM
CASH PURCHASE OF SYSTEM
YEAR

	0	1	2	3	4	5	6	7	8	9	10	TOTAL
EQUIPMENT COST	33096											
EQUIPMENT INSTALL	17352											
CABLE & INSTALL.	8100											
OPTIONAL EQUIP	2582											
TOTAL COST	61130											
DEPRECIATION		12226	12226	12226	12226	12226						
ANNUAL MAINT.		0	3495	3845	4229	4652	5117	5629	6192	6811	7492	47462
INSURANCE	611	489	367	245	122	0						1834
NET CASH FLOW	61130	489	3862	4090	4351	4652	5117	5629	6192	6811	7492	49296
PV FACTOR	1	.893	.797	.712	.636	.567	.507	.452	.404	.361	.322	
PRESENT VALUE	61130	437	3078	2912	2767	2638	2594	2544	2502	2459	2412	85473

FACTORS:

MAINTENANCE INFLATION FACTOR =10 %
PRESENT VALUE FACTOR 8%
NET PRESENT VALUE OVER 0+10 YEARS

CITY OF MAPLEWOOD
 APPENDIX I
 PAGE 2

EQUIPMENT: ROLM VSCBX
 VENDOR: NORSTAN COMMUNICATIONS
 CASH PURCHASE OF SYSTEM

YEAR	0	1	2	3	4	5	6	7	8	9	10	TOTAL
EQUIP. COST	73169											
EQUIP. INSTALL.	9765											
CABLE & INSTALL.	5330											
OPTIONAL EQUIPMENT	0											
TOTAL COST	88264											
DEPRECIATION		17653	17653	17653	17653	17653						
ANNUAL MAINT.			7207	7928	8720	9593						
INSURANCE	882	706	530	353	177	0	10552	11607	12768	14044	15449	97867
							0	0				2648
NET CASH FLOW	89146	706	7737	8281	8897	9593	10552	11607	12768	14044	15449	99633
PV FACTOR	1.0	.893	.797	.712	.636	.567	.507	.452	.404	.361	.322	
PRESENT VALUE	88264	630	6166	5896	5659	5439	5350	5246	5158	5070	4975	137853

FACTORS:

MAINTENANCE INFLATION FACTOR = 10%
 PRESENT VALUE FACTOR 8%
 NET PRESENT VALUE OVER 0+10 YEARS

CITY OF MAPLEWOOD
 APPENDIX I
 PAGE 3

EQUIPMENT: NORTHERN TELCOM SL-1 MS
 VENDOR: COLLINS COMMUNICATIONS SYSTEMS CO.

YEAR	0	1	2	3	4	5	6	7	8	9	10	TOTAL
EQUIP. COST	67974											
EQUIP. INSTALL.	15891											
CABLE & INSTALL.	4414											
OPTIONAL EQUIPMENT	10311											
TOTAL COST	98590											
DEPRECIATION		19718	19718	19718	19718	19718						
ANNUAL MAINT.			4728	5201	5721	6293	6922	7614	8376	9214	10135	64204
INSURANCE	986	789	592	394	197	0	0	0				2958
NET CASH FLOW	99576	789	5320	5595	5918	6293	6922	7614	8376	9214	10135	66176
PV FACTOR	1.0	.893	.797	.712	.636	.567	.507	.452	.404	.361	.322	
PRESENT VALUE	99756	705	4240	3983	3764	3568	3510	3442	3384	3326	3263	132941

FACTORS:

MAINTENANCE INFLATION FACTOR = 10%
 PRESENT VALUE FACTOR 8%.
 NET PRESENT VALUE OVER 0+10 YEARS

CITY OF MAPLEWOOD
 APPENDIX I
 PAGE 4

EQUIPMENT: NEC NEAX 2400 1MS
 VENDOR: UNIVERSAL COMMUNICATION SYSTEMS INC.
 CASH PURCHASE OF SYSTEM

YEAR	0	1	2	3	4	5	6	7	8	9	10	TOTAL
EQUIP. COST	58397											
EQUIP. INSTALL.	10531											
CABLE & INSTALL.	6832											
OPTIONAL EQUIPMENT	9348											
TOTAL COST	85108											
DEPRECIATION		17022	17022	17022	17022	17022						
ANNUAL MAINT.			4704	5174	5692	6261	6887	7576	8333	9167	10083	63878
INSURANCE	851	681	511	340	170	0	0	0				2553
NET CASH FLOW	85959	681	5215	5514	5862	6261	6887	7576	8333	9167	10083	65580
PV FACTOR	1.0	.893	.797	.712	.636	.567	.507	.452	.404	.361	.322	
PRESENT VALUE	85959	608	4156	3926	3728	3550	3492	3424	3367	3309	3247	118767

FACTORS:

MAINTENANCE INFLATION FACTOR = 10%
 PRESENT VALUE FACTOR 8%
 NET PRESENT VALUE OVER 0+10 YEARS

EQUIPMENT: NORTHERN TELECOM SL-1 MS
 VENDOR: CENTEL BUSINESS SYSTEMS
 CASH PURCHASE OF SYSTEM

YEAR	0	1	2	3	4	5	6	7	8	9	10	TOTAL
EQUIP. COST	61522											
EQUIP. INSTALL.	15669											
CABLE & INSTALL.	2794											
OPTIONAL EQUIPMENT	3408											
TOTAL COST	83393											
DEPRECIATION		16679	16679	16679	16679	16679						
ANNUAL MAINT.			2808	3089	3398	3737	4111	4522	4975	5472	6019	38131
INSURANCE	834	730	570	380	190	0	0	0	0	0	0	2704
NET CASH FLOW		730	3378	3469	3588	3737	4111	4522	4975	5472	6019	40835
PV FACTOR	1.0	.893	.797	.712	.636	.567	.507	.452	.404	.361	.322	
PRESENT VALUE	83393	652	2692	2470	2282	2119	2084	2044	2010	1975	1938	103660

FACTORS:

MAINTENANCE INFLATION FACTOR = 10%
 PRESENT VALUE FACTOR 8%
 NET PRESENT VALUE OVER 0+10 YEARS

EQUIPMENT: HARRIS 400 L
 VENDOR: HARRIS TELEPHONE SYSTEMS
 CASH PURCHASE OF SYSTEM

YEAR	0	1	2	3	4	5	6	7	8	9	10	TOTAL
EQUIP. COST	77906											
EQUIP. INSTALL.	12592											
CABLE & INSTALL.	4181											
OPTIONAL EQUIPMENT	8393											
TOTAL COST	103072											
DEPRECIATION		20614	20614	20614	20614	20614						
ANNUAL MAINT.			9000	9900	10890	11979	13177	14495	15944	17538	19292	122215
INSURANCE	1030	825	618	412	206	0	0	0	0	0	0	3091
NET CASH FLOW		825	9618	10312	11096	11979	13177	14495	15944	17538	19292	125306
PV FACTOR	1.0	.893	.797	.712	.636	.567	.507	.452	.404	.361	.322	
PRESENT VALUE	103072	737	7666	7342	7057	6792	6681	6552	6441	6331	6212	164883

FACTORS:

MAINTENANCE INFLATION FACTOR = 10%
 PRESENT VALUE FACTOR 8%
 NET PRESENT VALUE OVER 0+10 YEARS

MEMORANDUM

A-1

TO: City Manager
FROM: Associate Planner--Johnson
SUBJECT: PUD, Right-of-Way Vacations and Preliminary Plat
LOCATION: English, South of County Road B
APPLICANT/OWNER: Ed Cave and Sons, Inc.
PROJECT: Cave's English Street Second Addition
DATE: March 31, 1986

SUMMARY

Requests

1. Approve a planned unit development (PUD) for five small-lot single-dwelling lots and 36 condominium units (see page 11).
2. Approve the vacation of existing street and alley rights-of-way.
3. Approve a preliminary plat (see page 10).

Comments

This proposal is consistent with the Comprehensive Plan. The single dwellings on English Street would be more compatible with the homes across the street than the previously approved double dwellings and townhouses.

Lot 6 of the proposed plat cannot be developed without construction of an area-wide storm sewer project. Since the city council denied this project on March 24, Lot 6 should be designated as an outlot. This would prohibit development without council approval. The developer would still like the condominiums approved, so that buyers of the single dwellings will know what to expect when Lot 6 is developed in the future. The PUD, however, should be conditioned on the city contracting for an area storm sewer project.

Recommendation

1. Approve the resolution on page 12 to approve a PUD for five single dwellings and 36 condominiums as shown on page 11, subject to the condition that the condominiums shall not be constructed until the city contracts for an area storm water project.
2. Approve the resolution on page 14 to vacate the obsolete alley and street rights-of-way that cross this site, subject to retaining a thirty-foot wide utility easement centered on the center line of the Second Avenue right-of-way running from English Street, 200 feet east.
3. Approve Cave's English Street Second Addition preliminary plat, subject to:
 - a. Lot six shall be designated as an outlot. It is the city's intention to allow development of the outlot when an area storm sewer project is contracted for.

- b. City engineer approval of final utility, grading and drainage plans.
- c. A ponding easement shall be shown on Lot Six as required by the city engineer.
- d. Submission of a signed developer's agreement, with required surety, to the city engineer for repair of English Street where utility connections are made and for the construction of sewer and water services within the right-of-way.
- e. Recording of the resolutions of vacation for alley and street rights-of-way that exist on this site before final plat approval is requested.
- f. Increase the proposed ten-foot wide easement running along the south line of Lot Five and part of Lot Six, to fifteen feet of width.
- g. Omit the utility easement not within the boundary of the plat.
- h. Switch the proposed lot width of Lots Four and Five to accommodate the wider utility easement required in condition f.

BACKGROUND

Site Description

1. Gross and net area: 5.16
2. Existing land use: undeveloped

Surrounding Land Uses

North: single dwelling at 2200 English and County Road B

East: Burlington Northern Railroad right-of-way

South: Single dwelling at 2156 English Street and city park property

West: English Street. Across the street are three single dwellings, ranging from 85 to 95 feet in width. Two of the three dwellings front on English Street.

Past Actions

7-26-82:

Council conditionally approved the English Manor planned unit development (page 8) for 72 double-dwelling and town house units. That development included this site and Cave's English Street and Cope Avenue Additions north of County Road B.

7-25-83:

Council canceled the English Manor planned unit development and preliminary plat approvals. The applicant had gone out of business.

12-9-85:

Council approved:

1. Cave's English Street Addition, street and alley vacations and a planned unit development (PUD) of 23 single-dwelling lots ranging in width from 60 to 88 feet for interior lots and 85 to 120 feet for corner lots. (Refer to the map on page 9.)
2. A zoning code amendment to allow small-lot single dwellings (60 to 75 feet in width) as permitted uses in R-2, double-dwelling districts, when planned for RM, residential medium use.

Planning

1. Land use plan designation: RM, residential medium density.
2. Permitted density: 22 people/net acre.
3. Proposed density: 16.6 people/net acre (five single dwelling and 36 condominiums).
4. Density approved for the English Manor development: 12.9 people/net acre (22 units).

5. Policy criteria from the plan:

a. Page 18-8: Residential areas should be encouraged, planned and guided to provide a variety of housing types within neighborhoods.

b. Page 18-9: Innovation in subdivision design and housing development shall be encouraged through the use of devises such as cluster and planned unit development concepts.

c. Page 18-30: The RM land use classification is designed for such housing types as single dwellings on small lots, double dwellings, town houses and mobile homes.

6. Zoning: R-1, single dwelling

7. Compliance with land use laws:

a. Section 412-851 of State Statutes allows a city to vacate any interest in property when the council makes a finding that "it appears to be in the public interest to do so."

b. Section 36-439 requires council approval of a conditional use permit to develop an outlot.

Citizen Comments

A survey was sent to the owners of property within 350 feet of the applicant's site. Of the fourteen respondents, seven were in favor, three had no comment and four had objections. The concerns were:

1. Homes on sixty-foot wide lots will make the neighborhood look tacky. (This property owner does not front directly on proposed Lots One through Five).
2. The land should be left undeveloped or used only for single dwellings.
3. Increased traffic.
4. The smaller lots will depreciate the other homes in the area.
5. Increased noise pollution.
6. Assessments to adjoining property owners for water, sewer, lights and streets.
7. Children will be endangered by the pond when it floods.
8. Condominiums will be incompatible with the existing neighborhood given their height, exterior appearance and uncertainty whether they will be rentals. Also, the soils are too poor to support these large buildings.

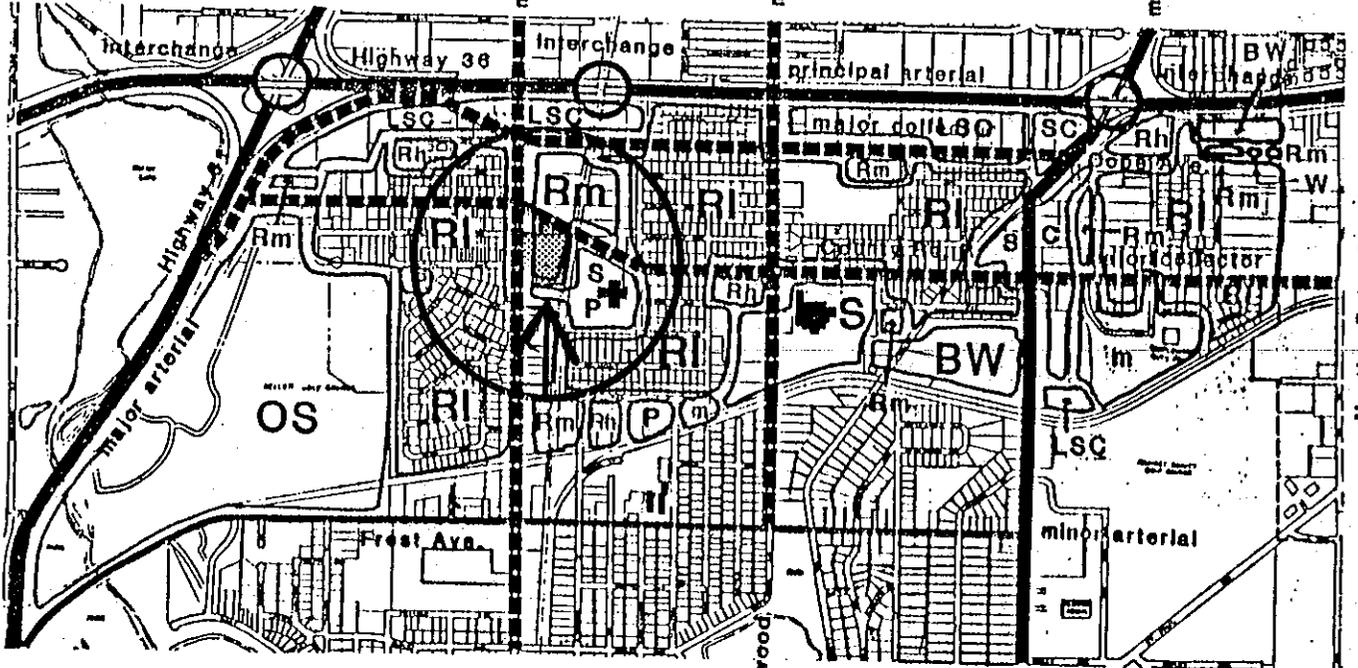
Procedure

1. Planning commission recommendation
2. City council decision following a public hearing

mb

Attachments:

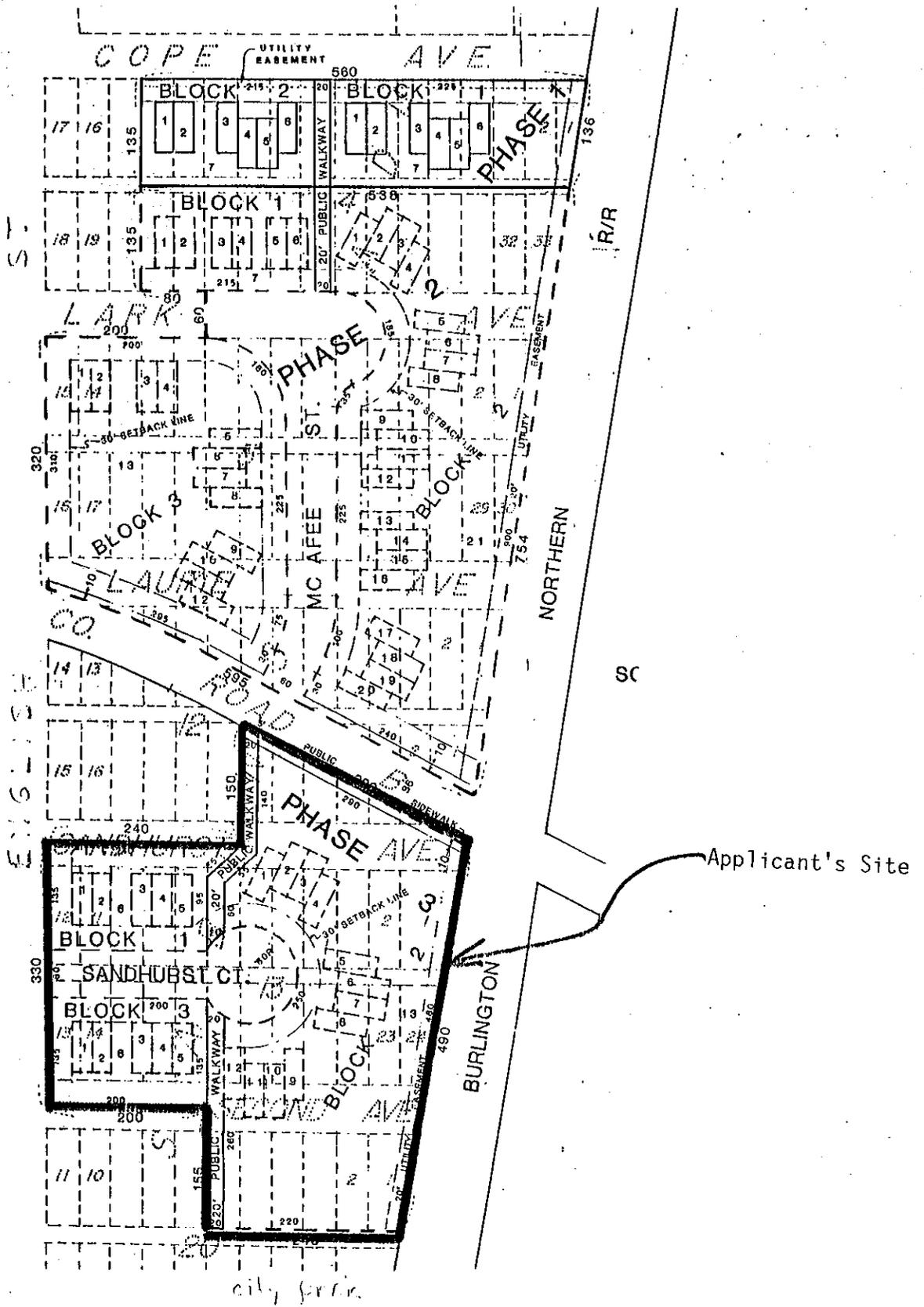
1. Sherwood Glen Neighborhood Land Use Plan Map
2. Property Line/Zoning Map
3. English Manor PUD (1982)
4. Cave's English Street Addition (1985)
5. Preliminary Plat (8 1/2 x 11)
6. Site Plan
7. Resolution (PUD)
8. Resolution (Vacation)
9. Preliminary Plat (separate attachment)



REVISED
 8-24-85
 7-23-85

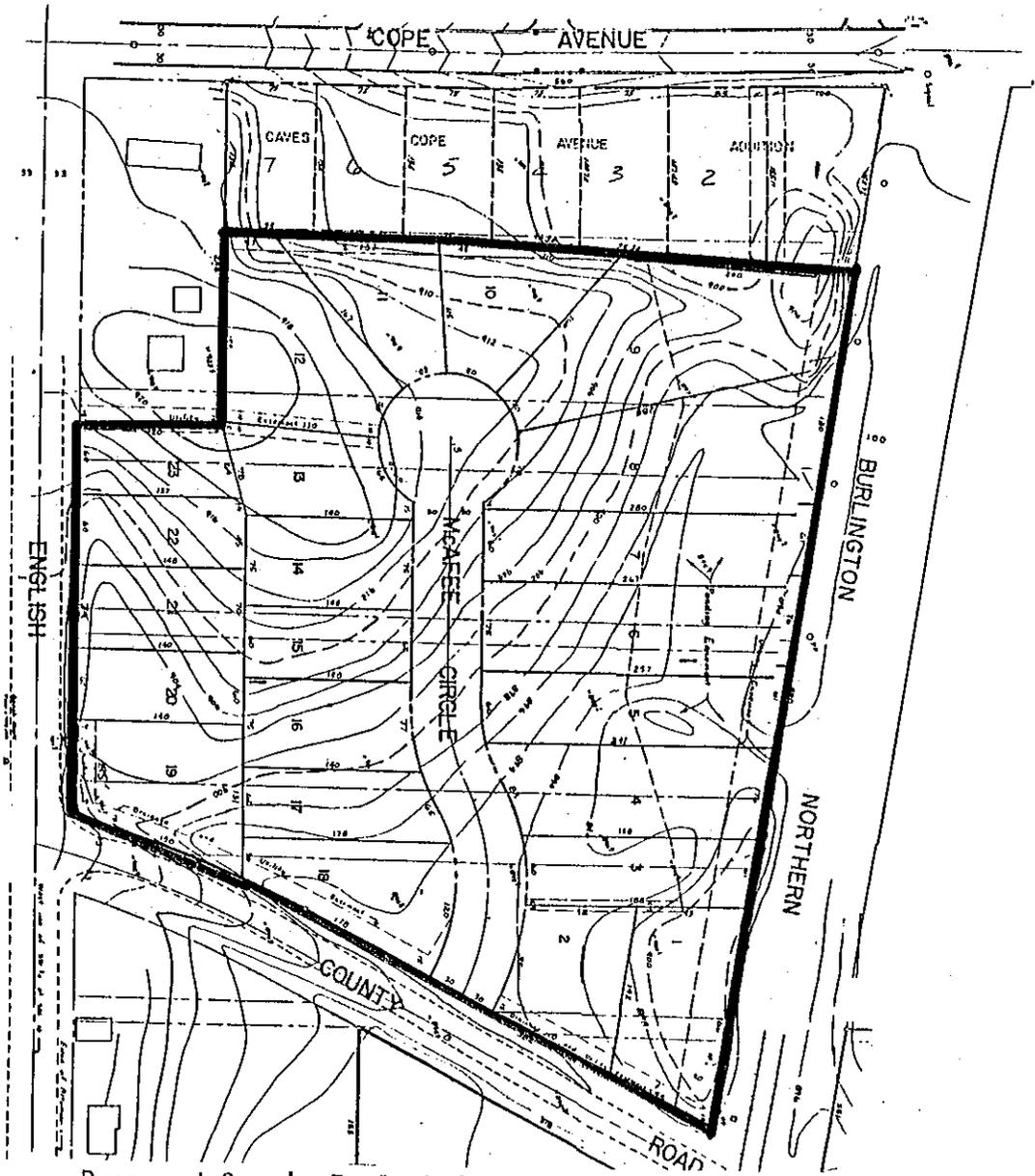
SHERWOOD GLEN
 NEIGHBORHOOD LAND USE PLAN





ENGLISH MANOR TOWN HOUSE PUD
(Approved 7-27-82)





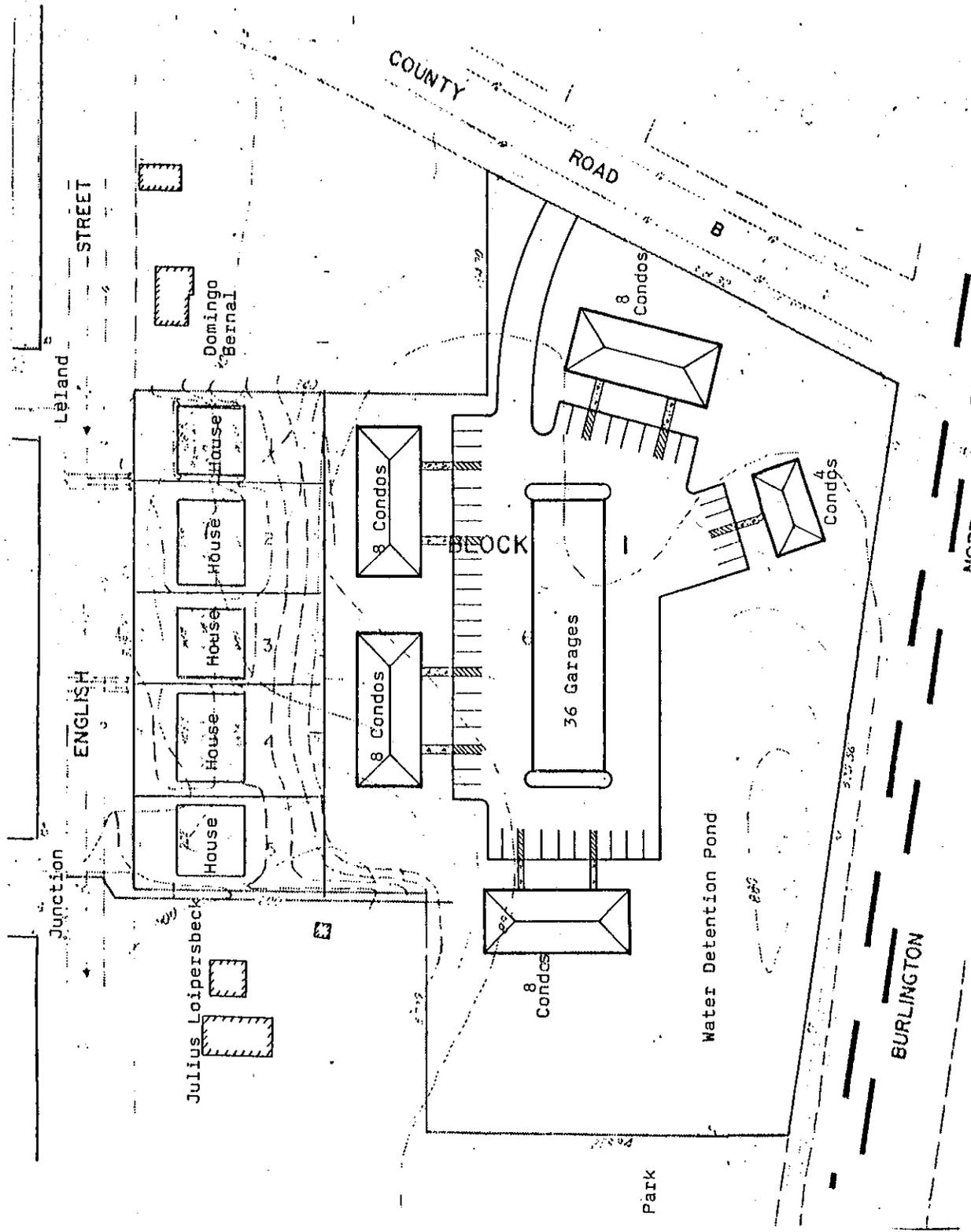
Proposed Cave's English Street
2nd Addition

CAVES ENGLISH STREET ADDITION

PRELIMINARY PLAT

(Approved 12-9-85)





98-81-2

SITE PLAN



Pursuant to due call and notice thereof a regular meeting of the City Council of the City of Maplewood, Minnesota was duly called and held in the council chambers in said City on the _____ day of _____, 1986 at 7 p.m.

The following members were present:

The following members were absent:

WHEREAS, Ed Cave and Sons initiated a conditional use permit for planned unit development of five single dwellings and 36 condominiums at the following-described property:

Lots 21, 22, 23, 24, 25, and 26, Block 12, lying South of County Road "B"; all of Block 13 and Lots 1, 2, 3, 4, 5, and 6, Block 20, all in Sabin Addition to Gladstone, Ramsey County, Minnesota and vacated streets and alleys accruing.

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

1. This conditional use permit was initiated by Ed Cave and Sons, Inc. pursuant to the Maplewood Code of Ordinances.
2. This conditional use permit was reviewed by the Maplewood Planning Commission on April 7, 1986. The planning commission recommended to the city council that said permit be _____.
3. The Maplewood City Council held a public hearing on _____, 1986. 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.

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Minnesota was duly called and held in the council chambers in said city on the _____ day of _____, 1986 at 7 p.m.

The following members were present:

The following members were absent:

WHEREAS, Ed Cave and Sons initiated proceedings to vacate the public interest in the following described rights-of-way located in the Sabin Addition, Ramsey County:

1. Sandhurst and Second Avenues from the East right-of-way line of English Street to the West line of the Burlington Northern Railroad right-of-way;
2. The alley right-of-way in Block 13;

WHEREAS, the procedural history of this vacation is as follows:

1. A majority of the owners of property abutting said alley and street rights-of-way have signed a petition for this vacation;
2. This vacation was reviewed by the planning commission on _____, 1986. The planning commission recommended to the city council that this vacation be approved.
3. The city council held a public hearing on _____, 1986 to consider this vacation. Notice thereof was published and mailed pursuant to law. All persons present at this 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.

WHEREAS, upon vacation of the above-described street and alley rights-of-way, public interest in the property will accrue to the following described abutting properties, all in the Sabin Addition, Ramsey County:

- Lots 15-27, Block 12
- Lots 1-24, Block 13
- Lots 1-11, Block 20

NOW, THEREFORE, BE IT RESOLVED by the Maplewood City Council that it is in the public interest to grant the above-described vacation on the basis of the following findings of fact:

1. The alley right-of-way does not serve as a primary or secondary access to the adjoining property.

2. The adjoining properties are undeveloped and under one ownership, with general site access from County Road B and English Street.

3. Replatting of the site is necessary to eliminate the present substandard-sized platted lots.

This vacation of Second Avenue is subject to the retention of a thirty-foot wide utility easement, centered on the Second Avenue right-of-way center line, from the east right-of-line of English Street to the Northerly extension of the East line of Lot 7, Block 20, Sabin Addition, Ramsey County.

Adopted this _____ day of _____, 1986.

Seconded by _____ Ayes--

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY) SS.
)
CITY OF MAPLEWOOD)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Maplewood, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City of Maplewood, held on the _____ day of 1986 with the original on file in my office and the same is a full, true and complete transcript therefrom insofar as the same relates to the vacation of the above-described alley and street rights-of-way.

Witness my hand as such clerk and the corporate seal of the city this _____ day of _____, 1986.

City Clerk
City of Maplewood, Minnesota

2. Recordable quit-claim deeds for:

a. A 10-foot wide, permanent utility easement and a 10-foot wide temporary construction easement north of the permanent easement between the storm water pond and Barclay Street.

b. Drainage easements on the properties north and south of the Burke Avenue right-of-way, as shown on page 11 of the staff report dated 4-1-86.

Approval is on the basis that vacation of this right-of-way would be in the public interest because:

1. Storm water pond covers the middle third of this right-of-way.
2. All adjoining properties can be accessed without construction of this street.
3. Vacation would eliminate the nonconforming setback from this right-of-way of the adjoining uses.
4. The paving and garages would provide needed parking to conform more closely with code standards. Paving and storing cars in garages would improve the appearance of the property.
5. There would be no additional traffic, since no additional units are proposed and there is no new access to Barclay Street.

The planning commission also recommends the city council approve the resolution approving a rezoning from R-1, single dwelling to R-3, multiple dwelling for the part of the south half of the vacated Burke Avenue right-of-way, lying between Barclay Street and the storm water pond to the east and an 11-foot wide strip of property abutting to the south.

Commsisioner Barrett seconded
Cardinal, Ditch, Fischer, Hejny, Whitcomb

Ayes---Commissioners Barrett,

B. Planned Unit Development, Preliminary Plat and Street Vacation---Cave's English Street Second Addition

Planner Johnson said the applicant is requesting a planned unit development for five small-lot single-dwelling lots and 36 condominium units, vacating of street and alley rights-of-way and a preliminary plat.

The commission discussed with Director of Public Works Haider the storm sewer system in the area. They also discussed the assessment system for improvements.

Sam Cave, applicant, said he was in agreement with the staff report. He said if the storm sewer does not go in within about 2 years, he may propose his own pond that would make the land usable.

Commissioner Whitcomb moved the planning commission recommend approval of the resolution to approve a planned unit development for five single dwellings and 36 condominiums as shown on page 11 of the staff report of March 31, 1986, subject to the condition that the condominiums shall not be constructed until the city contracts for an area storm water project.

The commission also recommends approval of the resolution to vacate the obsolete alley and street rights-of-way that cross this site, subject to retaining a 30-foot wide utility easement centered on the center line of the Second Avenue right-of-way running from English Street, 200 feet east.

Further, the commission recommends approval of Cave's English Street Second Addition preliminary plat subject to:

1. Lot Six shall be designated as an outlot. It is the city's intention to allow development of the outlot when an area storm sewer project is contracted for.
2. City engineer approval of final utility, grading and drainage plans,
3. A ponding easement shall be shown on Lot Six as required by the city engineer
4. Submission of a signed developer's agreement, with required surety, to the city engineer for repair of English Street where utility connections are made and for the construction of sewer and water services within the right-of-way.
5. Recording of the resolutions of vacation for alley and street rights-of-way that exist on this site before final plat approval is requested.
6. Increase the proposed 10-foot wide easement running along the south line of Lot Five and part of Lot Six, to 15 feet of width.
7. Omit the utility easement not within the boundary of the plat.
8. Switch the proposed lot width of Lots Four and Five to accommodate the wider utility easement required in Condition 6.

Commissioner Cardinal seconded
Cardinal, Ditch, Hejny, Whitcomb

Ayes--Commissioners Barrett,

Abstained--Commissioner Fischer

(Questioned delaying the condominiums until the area storm water project is in place in view of the action taken at the last council meeting not to order the project.)

C. Code Amendment--Motor Fuel Stations

Planner Johnson said the proposal is to update the current city code as the industry has shifted from full-service stations to convenience retail stores with self-service gas sales and no repair facilities.

Jim Embertson, fire marshal, said two-way communication is required from the pumps to the dispensers according to state law.

B. Planned Unit Development, Preliminary Plat and Street Vacation---Cave's English Street Second Addition

Planner Johnson said the applicant is requesting a planned unit development for five small-lot single-dwelling lots and 36 condominium units, vacating of street and alley rights-of-way and a preliminary plat.

The commission discussed with Director of Public Works Haider the storm sewer system in the area. They also discussed the assessment system for improvements.

Sam Cave, applicant, said he was in agreement with the staff report. He said if the storm sewer does not go in within about 2 years, he may propose his own pond that would make the land usable.

Commissioner Whitcomb moved the planning commission recommend approval of the resolution to approve a planned unit development for five single dwellings and 36 condominiums as shown on page 11 of the staff report of March 31, 1986, subject to the condition that the condominiums shall not be constructed until the city contracts for an area storm water project.

The commission also recommends approval of the resolution to vacate the obsolete alley and street rights-of-way that cross this site, subject to retaining a 30-foot wide utility easement centered on the center line of the Second Avenue right-of-way running from English Street, 200 feet east.

Further, the commission recommends approval of Cave's English Street Second Addition preliminary plat subject to:

1. Lot Six shall be designated as an outlot. It is the city's intention to allow development of the outlot when an area storm sewer project is contracted for.
2. City engineer approval of final utility, grading and drainage plans.
3. A ponding easement shall be shown on Lot Six as required by the city engineer
4. Submission of a signed developer's agreement, with required surety, to the city engineer for repair of English Street where utility connections are made and for the construction of sewer and water services within the right-of-way.
5. Recording of the resolutions of vacation for alley and street rights-of-way that exist on this site before final plat approval is requested.
6. Increase the proposed 10-foot wide easement running along the south line of Lot Five and part of Lot Six, to 15 feet of width.
7. Omit the utility easement not within the boundary of the plat.
8. Switch the proposed lot width of Lots Four and Five to accommodate the wider utility easement required in Condition 6.

Commissioner Cardinal seconded
Cardinal, Ditch, Hejny, Whitcomb

Ayes--Commissioners Barrett,

Abstained--Commissioner Fischer

(Questioned delaying the condominiums until the area storm water project is in place in view of the action taken at the last council meeting not to order the project.)

MEMORANDUM

I - 1

TO: City Manager
FROM: Department Heads
RE: Budget Transfer for Data Processing Study
DATE: April 15, 1986

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

PROPOSAL

It is proposed that a budget transfer of \$7,000 from the General Fund Contingency Account be made to finance the costs of a data processing study.

BACKGROUND

At the March 25th staff meeting, the need for a data processing study by a consultant was discussed. The impetus for the study is the forthcoming consolidation of City offices into one building, which will require greater coordination of data processing equipment. This change also will provide greater opportunities for sharing data processing equipment.

Specific things that the consultant would be requested to do would include the following:

1. Study the data processing hardware and software used within each department to determine the extent to which needs are being met.
2. Determine what additional activities within each department should be considered for computerization in order to increase the efficiency of operations.
3. Recommend general computer hardware and software options that should be considered by each department to increase the efficiency of operations.
4. Study the TI990 system to determine to what extent it should be expanded, how it should be managed, and to what extent it should be used by other departments.
5. Determine if the City should develop one or more central data bases for use by several or all departments.
6. Evaluate the City's word processing needs and determine if the City should use a decentralized personal computer based word processing system or a centralized (e.g. TI990 based) word processing system.
7. Recommend policies for the City to follow regarding the acquisition, use and compatibility of personal computers.

It is our opinion that the expenditure of approximately \$5,000 to \$7,000 for a professional data processing consultant to perform this study would be worthwhile as it would provide guidance for future data processing purchases and help the City to effectively use existing data processing equipment.

If the Council approves the proposed budget transfer, a detailed request for proposals would be drafted and mailed to data processing consultants. The proposals received would be evaluated and a recommendation on a contract for the study would be made for Council approval within the next two months. Obviously, the exact cost of the study can not be determined until proposals are received and evaluated,

RECOMMENDATION

It is recommended that a budget transfer of \$7,000 from the General Fund Contingency Account be approved to finance the costs of a data processing study.

DFF:1nb

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Finance Director *R. Ottus*
RE: Tax Increment Bond Projects
DATE: April 17, 1986

Endorsed _____
Modified _____
Rejected _____
Date _____

At the April 10th Council meeting, Council members discussed which projects should receive financing by the City's 1986 Tax Increment Bonds. In order to proceed with this bond issue, the Council needs to formally designate the projects to receive financing by the tax increment bonds. Therefore, the following projects and amounts are hereby submitted for Council approval:

<u>Estimated Total City Project Cost</u>	<u>Planned Tax Increment Bonds Portion</u>	
\$1,630,000	\$1,000,000	Water tower south of Larpenteur Ave.
293,000	195,400	Hudson Place water main
1,167,000	205,000	Southlawn Drive from Beam Ave. to Co. Rd. D
546,860	230,470	McKnight Road from Hwy. 36 to Conway Ave.
73,000	73,000	Hazelwood Park acquisition
225,000	75,000	Hazelwood Park development
250,000	100,000	Lydia Ave./McKnight Rd. park development
125,000	110,000	Acquisition of Harvest Park
200,000	200,000	Traffic lights at Hazelwood Ave. and Southlawn Ave. on Beam Avenue
<u>636,460</u>	<u>61,000</u>	Hazelwood Avenue from Co. Rd. C to Beam Ave.
\$5,146,320	\$2,249,870	Totals

After approval of the preceding, the financial projections relating to the tax increment bonds will be revised. Then, at the May 12th Council meeting, the Development Program and Tax Increment Financing Plan will be formally amended to include the above projects and the revised financial projections.

DFF:lnb

MEMORANDUM

Action by C

TO: City Manager
FROM: Associate Planner--Johnson
SUBJECT: Code Amendment (Motor Fuel Stations)
DATE: April 2, 1986

Endorsed_____
Modified_____
Rejected_____
Date_____

SUMMARY

Request

Update the motor fuel station sections of city code.

Reasons

1. The motor fuel station code was adopted in 1967 and is out-of-date. Since it was adopted, the industry has shifted from full-service gas stations to convenience retail stores with self-service gas sales and no repair facilities. Newer city ordinances and community design review board standards also make this section obsolete.
2. There are three pending applications for convenience grocery stores with gas sales. The code should be updated before these stations are built.

Comments

Changes to this ordinance would only apply to new motor fuel stations or existing stations that expand or replace equipment. Existing stations that do not change would not be effected.

The only significant changes are to require leak detection and containment facilities, and odor reduction facilities where residential property would be effected.

Recommendation (at least four votes needed for approval)

Approve the ordinance on page 3 to update the motor fuel station code requirements.

BACKGROUND

Department of Health

Section MHD 217 (c) (dd) of the State water well construction code requires water wells to be:

Fifty feet (50 ft.) from a buried sewer, septic tank, subsurface disposal field, grave, animal or poultry yard or building, privy, petroleum storage tank, or any other sewage or liquid wastes that may drain into the soil.

Fire Marshal

The National Fire Code will permit an underground petroleum storage tank to be located within three feet of a property line.

Minnesota Pollution Control Agency (MPCA)

Air Quality Division

1. There are currently no rules to control the emission of vapors from gasoline. The U.S. Environmental Protection Agency submitted a report to Congress in December 1985 that recommended the development of rules for these vapors, in particular those from benzene. Benzene, a principal component of gasoline, is a known cancer-causing substance. Two options that are being looked at are charcoal absorption systems to filter the vapors emitted when the underground tanks are filled and requiring the vent for the underground tank to be connected to the fill truck. This closed-loop system is presently required in some states.

2. An official from the MPCA estimated that, under normal wind and humidity conditions, vapors from an underground tank vent should not be detectable 200 to 250 feet from the source. Vapors from the dispensers are generally not detectable beyond the vicinity of the pump islands.

Water Quality Division

1. Where the water table is accessible by a petroleum product leaking from a tank, contamination has been detected up to 800 feet from the source. Leaks that migrate only through soil are generally not a problem beyond 200 to 250 feet.

2. New regulations are being written by the MPCA to require such things as leak detection systems, double-jacketed tanks and tanks within vaults to reduce the risks associated with underground petroleum storage at gas stations. These regulations are anticipated to take effect in 1987.

jw

Attachment

Proposed ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING THE CO AND BC ZONING DISTRICTS REGARDING MOTOR FUEL STATIONS

THE MAPLEWOOD CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 36-141 to 153 are amended as follows (additions are underlined and deletions are crossed out):

~~Sec. 36-141. Referral by planning commission to community design review board.~~

~~When, in its judgment, the planning commission determines that any consideration before it concerning a CO district will be benefitted by a review by the community design review board, it shall be empowered to make such referral and to continue its deliberation pending such review. (Ord. No. 380, § 105, 1-16-75)~~

~~Secs. 36-142-36-150. Reserved.~~

~~DIVISION 7, BC BUSINESS AND COMMERCIAL DISTRICT~~

~~Sec. 36-151. Definitions.~~

~~For the purposes of this division, the following words, terms and phrases shall have the following respective meanings ascribed to them:~~

~~Internal motor fuel station: A motor fuel station located at the intersection of two (2) major city thoroughfares, at the intersection of two (2) or more city collector streets, or at the intersection of a major city street and a major collector street, but not within five hundred (500) feet of a designated state trunk highway or federally aided interstate highway. Major streets and major collector streets shall be designated by the city engineer on the city master street plan.~~

~~Major motor fuel station: A motor fuel station located within five hundred (500) feet of the right-of-way of a designated state trunk highway or a federally aided interstate highway on a major city street, city collector street, highway service road or highway.~~

~~Motor fuel station: A retail place of business engaged primarily in the sale of motor fuels and which is also engaged in supplying goods and services generally required in the operation and maintenance of motor vehicles. These may include sale of petroleum products, sale and servicing of tires, batteries, automotive accessories, replacement parts, washing and lubrication services, and the performance of minor automobile maintenance and repair.~~

~~Motor fuel station convenience store: A store operated in conjunction with a major motor fuel station or truck stop for the purpose of offering for sale goods not essential to the operation of an automobile or to the motoring public.~~

~~Truck stop:--A motor fuel station devoted principally to the needs of over-the-road tractor-trailer units and trucks, including a restaurant or sleeping rooms, and located, within five hundred (500) feet of the right-of-way of a designated state trunk highway or federally-aided interstate highway, on a major city street, city collector street, highway service road or highway. (Ord. No. 232, § 5 (§ 907.031), 10-19-67)~~

~~Cross-reference--Rules of construction and definitions generally, § 1-41-et-seq.~~

~~Sec. 36-152. Area and design requirements.~~

~~(a)--A complete plot plan showing the buildings and surrounding land areas of the entire project for any business and commercial district in this division must be submitted for approval by the city council.~~

~~(b)--A complete set of building plans and specifications, sewage disposal and water supply plans, and plans for parking facilities must accompany the plot plan.~~

~~(c)--The city council may submit these plans for consideration and recommendations to the planning commission.~~

~~(d)--Area and design requirements must be such as to establish a business and commercial district which will best serve the general welfare and benefit of the entire city. (Code 1965, § 907.020)~~

Secs. 36-141--36-150. Reserved.

DIVISION 7. BC BUSINESS COMMERCIAL DISTRICT.

~~Sec. 36-453. 151. Use regulations.~~

In a BC Business and Commercial District in the city, the following regulations shall apply:

- (1) Permitted uses: A building may be erected or used, and a lot may be used or occupied, for any of the following purposes, and no other:
 - (a) Apartment A dwelling unit for one family in combination with business use.
 - (b) Hotel, motel, tourist home, rooming house or boarding-house.
 - (c) Retail store, restaurant, office, agency, studio, bank, personal service and craftsmen's shop, or mortuary.
 - (d) Automobile sales agency that sells new cars or new and used cars, parking garage or lot, provided all facilities are located and all services are conducted on the lot.

- (e) Newspaper publishing or job printing establishment.
- (f) Theater.
- (g) ~~Hand-or-automatic~~ Self-service laundry.
- (h) Bakery or confectionery shop, for the production of articles to be sold only at retail on the premises.
- (i) Public repair garage or motor fuel station; ~~provided that a license to operate such business is first obtained from the city council pursuant to chapter 17 of this Code. All public garages and motor fuel stations must be so located on the site and the site shall be of the size as provided in section 36-156 of this division which defines kinds of operation, site area required and other data relating to such business, sales, provided that the licensing requirements in chapter 17 are satisfied.~~
- (j) Parking lot as a principal use.
- (k) Car wash.
- (1) (j) CNG (compressed natural gas) and LPG (liquid petroleum gas) dispensing facilities, except those whose primary purpose is to produce power and light for nonvehicle uses, such as at 3M, NSP's facility on Century Avenue and for temporary use in construction sites. Tanks shall not exceed a water capacity of 1500 gallons. The licensing requirements in Chapter 17.3 shall be complied with.
- (m) (k) Any use of the same general character as any of the above uses, provided that no use which is noxious or hazardous shall be permitted.
- (2) Special exceptions Conditional uses: The following uses are allowed ~~when authorized by the city council as a special exception by conditional use permit:~~
 - (a) All uses permitted in R-3 Residence Districts, except the construction of dwelling houses permitted in divisions 3 and 4 of this article, R-1 and R-2 Residence Districts.
 - (b) Processing and distributing station for milk or other beverages, carting or hauling station.
 - (c) Place of amusement, recreation or assembly, other than a theater, when ~~conducting~~ conducted indoors.
 - (d) Yard for storage, sale and distribution of ice, coal, wood, fuel oil or building materials, when enclosed within a fence of not less than six (6) feet in height, but not including junkyard, salvage, automobile or other wrecking yard.

(e) Used car lot.

- (3) Setback from property zoned residential: The All building(s) or accessory structure(s), except trash enclosures, but including fuel pump islands and canopies, shall have minimum side and rear yard setbacks of fifty (50) feet and a minimum front yard setback of thirty (30) feet.

These minimum required setbacks shall be increased, not to exceed seventy-five (75) feet, subject to the most restrictive of the following requirements:

- (a) Building height: The building setbacks shall be increased two (2) feet for each one foot the building exceeds twenty-five (25) feet in height.
- (b) Exterior wall area: Where an exterior wall faces a residentially zoned property, the wall setback shall be increased five (5) feet for each one thousand (1,000) square feet, or part thereof, in excess of two thousand (2,000) square feet.

Secs. 36-152--36-153. Reserved.

Section 2. Sections 36-156 to 36-170 are amended as follows (additions are underlined and deletions crossed out):

~~Section 36-156.--Motor fuel stations--Generally.~~

~~All automobile garages, motor fuel stations and other businesses providing fuel or service for motor vehicles shall be classified according to the classes set forth in Section 36-151 of this division and shall be placed upon a site having the area and treatment as provided in Section 36-151 and Sections 36-158 through 36-161 of this division.~~

Sec. 36-158 156. ~~Same--Standards of construction and operation~~ Motor fuel stations--Site design and operation.

The following provisions shall apply to any motor fuel station, ~~in any business and commercial district in the city.~~ Motor fuel station shall be defined as the site of any business which includes the sale of motor fuel, except the sale of compressed natural gas or liquid petroleum gas:

- (a) The setback of any overhead canopy or weather protection, free standing or projecting from the station structure shall be not less than ~~ten (10)~~ fifteen (15) feet from the street right-of-way line nor less than twenty (20) feet from any adjacent property line.
- (b) The total height of any overhead canopy or weather protection shall not exceed twenty (20) feet.
- (c) External ~~Open~~ dead storage of motor vehicles, other than motor vehicles for rent, shall not be permitted for a period of more than forty-eight (48) hours.

- ~~(d) No sales of motor vehicles, trailers or campers shall be permitted.~~
- ~~(e) No goods for sale by motor fuel station convenience stores, other than those generally required for the operation and maintenance of motor vehicles, shall be displayed outside of the principal motor fuel station structure.~~
- ~~(f) Each motor fuel station shall be architecturally designed so as to be as compatible as possible with the general architectural intent of the area within which it is located; and all sides shall be considered as front face for architectural appropriateness.~~
- ~~(g) A minimum ten (10) foot landscaped yard shall be planted and maintained behind the property line along all adjacent public streets. A landscape yard, no less than five (5) feet deep, shall be maintained along exterior property lines, except at driveway entrances.~~
- ~~(h) The entire motor fuel station site, other than that part devoted to landscaping and structures, shall be surfaced with concrete or bituminous surface to control dust and provide drainage, and such surfaces shall be designed to meet the load requirements of a minimum four-ton axle load.~~
- ~~(i) Reserved.~~
- ~~(j) Wherever a motor fuel station abuts a residential district, a fence or compact evergreen hedge, not less than fifty (50) percent opaque nor less than six (6) feet in height, shall be erected and maintained along the side and rear lot line that abuts such residential property; provided that, such screening shall stop at least fifteen (15) feet short of the front lot line. Wherever such screening is installed, the five-foot landscaped yard in paragraph (g) above may be omitted.~~
- (d) (k) All trash, waste materials and obsolete parts shall be stored within a separate, architecturally compatible structure, behind the principal structure of the motor fuel station, trash enclosure. This trash enclosure shall comply with the requirements of Section 36-27 (e).
- ~~(l) Interior curbs shall be constructed within the property to separate driving and parking from landscaped areas. Such curbing shall be constructed of concrete and of a six-inch non-surmountable design.~~
- (e) (m) All rental campers, trailers or motor vehicles shall be stored within the rear or side yard not adjacent to the a street. These rentals shall not be stored within the front yard setback, nor the side yard adjacent to the street or adjacent to residential zones.
- (f) (n) All outside parking spaces shall be located to the side or rear of the principal structure. No outside parking space(s) shall be located within the line of vision between self-service fuel pumps and the attendant's window.

- (g) ~~(e)~~ All outdoor illumination shall be provided with lenses, reflectors or shades which will concentrate the light upon the premises so as to prevent undue glare therefrom being directly visible on any adjacent street, roadway or private properties occupied for residential purposes residentially zoned property.
- (h) A maneuvering area with at least twenty feet of width shall be provided along each side of a fuel pump island.
- (i) If an underground petroleum storage tank would be within 800 feet of a ground water well used as a primary source of potable water, or within 200 feet of a residential zone, leak detection and containment facilities shall be required. The type of facility(ies) shall be approved by the city fire marshal and be consistent with the "best available management practices" recommended by the Minnesota Pollution Control Agency (MPCA).
- (j) If the vents to the underground petroleum storage tank(s) would be within 200 feet of a residential zone, vapor odor reduction facilities shall be required. The type of odor reduction facility(ies) shall be approved by the city fire marshal and be consistent with the "best available management practices" recommended by the MPCA.
- (k) If adjacent to a residential zone, external speakers shall be directed away from the dwelling units and the sound shall not exceed fifty decibels (normal conversation level) at the residential property line.
- (l) Whenever possible, a building housing a principal use of the site shall be located between residentially zoned property and fuel pump islands and associated fuel storage tanks.

~~Sec. 36-159. Same Signs.~~

~~Notwithstanding anything to the contrary in other sections of this Code, the following requirements shall be observed for signs for motor fuel stations in any business and commercial district in the city:~~

- ~~(a) Not more than one pedestal sign, not in excess of twenty-six (26) feet in height, shall be allowed; except that, the council may authorize a higher sign on any motor fuel station property when circumstances justify such greater height. The pedestal shall be not less than five (5) feet from a driveway at its nearest point. Such sign shall have no more than three (3) faces and shall not exceed more than one hundred (100) square feet in area per face.~~
- ~~(b) An internal motor fuel station may have two (2) additional signs. Said signs shall have no more than two (2) faces and shall not exceed more than thirty (30) square feet in area per face. The top of any such sign shall not be more than twenty (20) feet in height.~~
- ~~(c) Major motor fuel stations and truck stops shall have not more than one pedestal type, business identification sign, not to exceed thirty-five (35) feet in height, erected within any yard; except that, no part of said sign shall be less than six (6) feet from a property line measured horizontally. Said sign shall have not more than three (3) faces, not in excess of one hundred fifty (150)~~

square feet in area per face. No part of said sign surface shall be less than sixteen (16) feet vertical distance from grade of the nearest driveway or parking area. The pedestal shall be not less than five (5) feet from any driveway at its nearest point.

(d) Major motor fuel stations and truck stops may have two (2) additional signs, each having no more than two (2) faces of not over thirty (30) square feet in area per face. Any such sign shall not exceed twenty (20) feet in height.

Sec. 36-160. Same Lot, yard, setback, etc., requirements.

Notwithstanding any contrary provisions in this division, the following minimum requirements shall be observed for lots, yards and setbacks for motor fuel stations in business and commercial districts in the city:

Side-Yard

	Lot Width	Front Yard	Adj. to Another Lot	Adj. to Street	Rear Yard	Pump Setback
Internal motor fuel station	150'	60'	30'	60'	30'	25'
Major motor fuel station	200'	60'	30'	60'	30'	30'
Truck stop	300'	60'	60'	60'	50'	30'
Rentals or stores (in addition to station minimum)	150'	--	--	--	10'	--

Sec. 36-161. Same Access driveways.

All access driveways for motor fuel stations in business and commercial districts in the city shall be designed and constructed according to the following standards for safe ingress and egress for uses relating to service of the motoring public:

(a) The distance from a driveway to the intersection of two (2) streets shall be at least twenty-five (25) feet measured along the property line from the lot corner to the point where the side line of the driveway intersects with said property line. In any case where the city engineer determines that present or future traffic conditions require a greater distance, such distance as he specifies shall be required.

(b) The minimum distance between driveways shall be thirty (30) feet measured at the property line; except that, greater distance may be required if the city engineer determines that present or future traffic conditions warrant such greater distance.

~~(c) The minimum driveway angle to the street shall be forty five (45) degrees, unless otherwise determined by the city engineer.~~

~~(d) Minimum distance from driveway to adjacent property side lot line shall be ten (10) feet measured along the front property line.~~

~~(e) All access driveways shall be at least thirty (30) feet wide, measured along the property line between curb faces.~~

Secs. 36-462 157--36-170. Reserved.

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

Passed by the Maplewood City Council this day of , 1986.

Mayor

ATTEST:

City Clerk

Ayes--

Nays--

C. Code Amendment--Motor Fuel Stations

4-7-86

Planner Johnson said the proposal is to update the current city code as the industry has shifted from full-service stations to convenience retail stores with self-service gas sales and no repair facilities.

Jim Embertson, fire marshal, said two-way communication is required from the pumps to the dispensers according to state law.

Planner Johnson said the main concern is keeping a separation so it is not a nuisance. In the BC area there may be no problem with this, however, in the BC (M) district there should be a setback to prevent a nuisance.

Mr. Embertson said the speaker could be situated so the back part of the speaker would be facing the residential property.

The commission questioned if the tanks are inspected when installed.

Mr. Embertson said the tanks are tested prior to shipment from the manufacturer and after installation an air test is also required by the city. EPA is proposing a requirement that in the future tanks be installed above ground. He commented on where there was a problem with fuel tanks leaking.

Commissioner Whitcomb moved the planning commission recommend to the city council approval of the ordinance to update the motor fuel station code requirements as outlined in the staff report with the following:

1. Division 7, BC, Business Commercial District, Section 36.151 (a) should state "A dwelling unit for one family in combination with a business use.
2. Clarify under (e) if the words "and/or" should be used in place of "or."
3. By keeping in Section 36.156 (k) the city may be in violation of state law. This section should be modified.

Commissioner Barrett seconded

The commissioner said the condition regarding the speakers should be stated so it is more restrictive than what is required by the state agency.

Voting on the motion:
Cardinal, Ditch, Fischer, Hejny, Whitcomb

Ayes--Commissioners Barrett,

Action by Council:

MEMORANDUM

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Associate Planner--Johnson
SUBJECT: Code Amendment (Gas pumps in a BC-M zone)
APPLICANT: Richard Schreier (North Suburban Company)
LOCATION: Southeast Corner of Beam Avenue and Southlawn Drive
DATE: April 2, 1986

SUMMARY

Request

Amend the BC(M) commercial district (modified) zoning district to allow gas pumps in conjunction with a convenience shopping store.

Reason for the Request

The applicant wants to include four gas pumps as part of a neighborhood convenience center, proposed at Beam Avenue and Southlawn Drive. The site is zoned for BC(M) use. Gas pumps are only allowed in BC, business commercial zones.

Comments

Of 25 cities similar in population or adjacent to Maplewood, 23 allow retail stores with incidental fuel sales to be located adjacent to residential uses. When properly screened from residential uses and where safeguards would be imposed to protect against possible airborne and underground pollution, incidental fuel sales facilities would be no more obtrusive than other BC(M) uses.

Recommendation (At least four votes in favor for approval)

Approve the ordinance on page 5 to amend the BC(M) zoning code to allow motor fuel pumps with convenience stores as a conditional use.

BACKGROUND

Survey of Other Communities

Of the 25 cities surveyed (see Attachment One), 23 allow neighborhood-oriented convenience shopping facilities with accessory gas sales to locate adjacent to residential uses. Maple Grove and Eagan prohibit fuel sales with convenience stores.

Two of the 23 (Oakdale and Shoreview) classify this type of use as a permitted use, provided the sale of fuel is incidental to the sale of other goods or services. Opaque screening is also required and outside displays are restricted.

The other 21 communities require a conditional use permit for the fuel pumps.

Conditions of approval generally consist of increased setbacks, opaque screening and restrictions regarding canopy size, location and signage.

Procedure

1. Community design review board
2. Planning commission
3. City council, public hearing and first reading,
second reading and adoption

mb

Attachments:

1. Survey
2. Ordinance

COMMUNITY SURVEY
Regulation of Convenience Shopping with Gas Pumps
(No Repair Facilities)

	Permitted in Neighborhood Shopping Districts Adjacent to Residential Uses	How Regulated
Apple Valley	Yes	CUP for the pumps
Blaine	Yes	CUP
Brooklyn Center	Yes	Not permitted to abut single dwelling or town house districts. Requires a CUP when abutting other residential uses.
Burnsville	Yes	CUP--No canopies for pumps in neighborhood convenience shopping centers. Gas must be a secondary use.
Columbia Heights	Yes	CUP--Canopy must meet a fifteen-foot front yard setback. Landscaping and screening between pumps and residential uses.
Coon Rapids	Yes	CUP--Fuel must be a secondary use. A maximum of two pumps per neighborhood center.
Cottage Grove	Yes	CUP
Crystal	Yes	CUP
Eagan	No	
Fridley	Yes	CUP
Golden Valley	Yes	CUP for the pumps
Little Canada	Yes	CUP--Pumps must be set back at least twenty feet.
Maple Grove	No	
New Brighton	Yes	CUP--Canopy must comply with front yard building setback requirements, gas must be secondary use.
New Hope	Yes	CUP--Gas must be a secondary use
North St. Paul	Yes	CUP
Oakdale	Yes	Permitted Use. Limited to four self-service pumps. 100% opaque, 10-foot high screening when within 75 feet of abutting residential property. Gas must be a secondary use.

Permitted in Neighborhood
Shopping Districts Adjacent
to Residential Uses

How Regulated

	Permitted in Neighborhood Shopping Districts Adjacent to Residential Uses	How Regulated
Plymouth	Yes	CUP
Roseville	Yes	CUP
Shoreview	Yes	Permitted Use. Twenty-foot landscaped area and no outside displays.
South St. Paul	Yes	CUP--Pumps must be screened from residential uses.
Vadnais Heights	Yes	CUP--Greater setbacks than normal, limit the hours of operation.
West St. Paul	Yes	CUP
White Bear Lake	Yes	CUP

ORDINANCE NO.

AN ORDINANCE REGULATING MOTOR FUEL SALES
IN BC(M) COMMERCIAL DISTRICT (MODIFIED) ZONING DISTRICTS

THE MAPLEWOOD CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 36-155 (c), (d), (3) and (f) is amended as follows (language to be added is underlined and language to be deleted is crossed out):

(c) ~~Special~~ Conditional use permit. The following uses may be allowed when authorized by the city council by means of a ~~special~~ conditional use permit:

- (1) All uses permitted in R-3 Multiple Dwelling Districts, except the construction of houses permitted in R-1 and R-2 Districts.
- (2) Laundromat or similar automatic self-service laundry.
- (3) Restaurant, where there are no drive-up order windows or serving of food to patrons in their automobiles. All cooking odors must be controlled so as not to be noticeable to adjacent residences.
- (4) Place of amusement, recreation, or assembly, other than a theater, where there are no outdoor activities.
- (5) Motor fuel sales in conjunction with a convenience store, that comply with section 36-156, provided there are no more than four conventional fuel pumps (eight dispensors) and two specialty fuel pumps (four dispensors).

(d) Prohibited uses:

- (1) Drive-in theaters or drive-in restaurants.
- (2) Commercial or fee parking lots where such use is the only use of a given parcel or where such use provides for general rather than specific use parking.
- (3) Uses that involve the exterior storage of equipment, goods or materials.
- (4) Car wash.
- (5) Public garage
- (6) Compressed natural gas or liquid petroleum gas dispensing facilities.
- (7) Motor fuel sales not in conjunction with a convenience store.

(e) Definitions: "Drive-in restaurant" means a restaurant with a drive-up order window or serving of food to patrons in their automobiles.

(f) Setback from property zoned residential: The all buildings or accessory structures, except trash enclosures, but including fuel pump islands and canopies, shall have minimum side and rear yard setbacks of fifty (50) feet and a minimum front yard setback of thirty (30) feet.

These minimum required setbacks shall be increased, not to exceed seventy-five (75) feet, subject to the most restrictive of the following requirements:

- (1) Building height: The building setbacks shall be increased two (2) feet for each one foot the building exceeds twenty-five (25) feet in height.
- (2) Exterior wall area; Where an exterior wall faces a residentially-zoned property, the wall setback shall be increased five (5) feet for each one thousand (1,000) square feet, or part thereof, in excess of two thousand (2,000) square feet.

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

Passed by the Maplewood City Council
this day of , 1986.

Mayor

Attest:

City Clerk

Ayes--
Nays--

D. Code Amendment--BC (M) District--Motor Fuel Stations

Planner Johnson said the applicant is requesting the BC (M) district be modified to allow gas pumps in conjunction with a convenience shopping center.

Commissioner Ditch moved the planning commission the city council approve the ordinance to amend the BC (M) zoning code to allow motor fuel pumps with convenience stores as a conditional use.

Commissioner Cardinals seconded
Cardinal, Ditch, Fischer, Hejny, Whitcomb

Ayes--Commissioners Barrett,

4-7-86

Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

MEMORANDUM

TO: City Manager
FROM: Director of Community Development
SUBJECT: Solid Waste Task Force
DATE: April 17, 1986

The city council, on April 14, decided to form a solid waste task force. Councilmembers were to bring names to be considered for membership on the task force to the April 28 meeting.

The council considered the following ideas for the task force to study:

1. Organized collection of garbage--the city would set up collection districts and contact for the collection in each district.
2. Curbside recycling.
3. Recycling centers at city facilities.
4. Expand our leaf composting program.
5. Antifreeze and motor oil disposal.

Enclosed is an article that will be in the next "Maplewood in Motion" that addresses several of these points.

Recommendation

Council should appoint a task force and a temporary chairperson to organize the first meeting.

mb

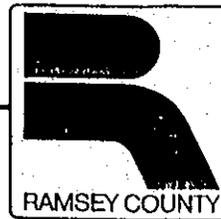
WASTE OIL AND ANTIFREEZE DISPOSAL

Disposal of waste oil and antifreeze need not be a problem for individuals who service their own car. Waste oil can be taken to the Mn.Dot yard at 1779 McMenemy (receptacle by the front gate), or North St. Paul's waste oil tank by the Northeast Learning Center recycling center at 2303 North First Avenue. There are also some service stations that have waste oil tanks for public use.

Proper disposal of antifreeze is somewhat more difficult. The best method is to take it to one of the home hazardous waste collections that are periodically held in the metro area. The next best solution is to pour it into the sanitary sewer (not a home septic system or storm sewer). This may sound hazardous, but the Pigs-Eye sewage treatment plant can properly treat and neutralize it. At this time, antifreeze is not a recyclable item.

Waste oil or antifreeze should never be dumped on the ground or thrown in the garbage.

THE LEAFLET



Spring 1986

Compost Sites Open Again

The Ramsey County composting sites will open Saturday, April 19! Help conserve remaining landfill space by bringing your leaves and grass clippings to our composting sites. New 1986 hours will be:

FRIDAYS - Noon to 6:00 p.m.
SATURDAYS - 9:00 a.m. - 5:00 p.m.
SUNDAYS - 9:00 a.m. - 5:00 p.m.

To find the site nearest you, see the maps on the reverse side or call 633-1204. Note: brush or trash should not be taken to the sites because they don't compost well.

Free Compost Available

Free compost is available at all of the sites on a first-come, first serve basis so come early! Compost benefits almost any soil by improving soil structure, aeration, and water and nutrient holding capacity. Turn 2 - 3 inches of compost into your garden or flower beds, or use it as a mulch around trees and shrubs. For more information about compost use, call 633-1204.

Summer - Long Composting

Did you know that grass clippings account for 75% of the yard waste hauled to landfills? In order to keep clippings out of the landfills, the following sites will be kept open at the same hours all summer: Shoreview/White Bear Township, Maplewood, Eastside/District 5, Summit Hill/District 16, and Battle Creek/District 1. The remaining sites will close May 18.

MEMORANDUM

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Assistant City Engineer
SUBJECT: Hudson Place--Crestview Drive Water Main, City Project 85-7
DATE: April 21, 1986

On April 14, 1986 the city council held a public hearing and ordered the above-named project to be constructed. A set of plans and specifications will be available at the meeting for inspection.

It is recommended that the council approve these plans and specifications and authorize the receiving of bids by passing the attached resolution.

RESOLUTION
APPROVING PLANS, ADVERTISING FOR BIDS

WHEREAS, pursuant to resolution passed by the city council on April 14, 1986, plans and specifications for Hudson Place-Crestview Drive Water Main, Project 85-7, have been prepared by or under the direction of the city engineer, who has presented such plans and specifications to the council for approval.

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

1. Such plans and specifications, a copy of which are attached hereto and made a part hereof, are hereby approved and ordered placed on file in the office of the city clerk.
2. The city clerk shall prepare and cause to be inserted in the official paper and in the Construction Bulletin an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published twice, at least ten days before date set for bid opening, shall specify the work to be done, shall state that the bids will be publicly opened and considered by the council at 10 a.m., on the 22nd day of May, 1986, at the city hall and that no bids shall be considered unless sealed and filed with the clerk and accompanied by a certified check or bid bond, payable to the City of Maplewood, Minnesota for 5% of the amount of such bid.
3. The city clerk and the city engineer are hereby authorized and instructed to receive, open and read aloud bids received at the time and place herein noted, and to tabulate the bids received. The council will consider the bids, and the award of a contract, at the regular city council meeting of May 22, 1986.

Action by Council:

MEMORANDUM

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Assistant City Engineer
SUBJECT: North Beaver Lake Storm Sewer, City Project 83-7
DATE: April 21, 1986

On February 10, 1986, the city council held a public hearing and ordered the above-named project to be constructed. A set of plans and specifications will be available at the meeting for inspection.

It is recommended that the council approve these plans and specifications and authorize the receiving of bids by passing the attached resolution.

RESOLUTION
APPROVING PLANS, ADVERTISING FOR BIDS

WHEREAS, pursuant to resolution passed by the city council on February 10, 1986, plans and specifications for North Beaver Lake Storm Sewer, Project 83-7, have been prepared by (or under the direction of) the city engineer, who has presented such plans and specifications to the council for approval,

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

1. Such plans and specifications, a copy of which are attached hereto and made a part hereof, are hereby approved and ordered placed on file in the office of the city clerk.
2. The city clerk shall prepare and cause to be inserted in the official paper and in the Construction Bulletin an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published twice, at least ten days before date set for bid opening, shall specify the work to be done, shall state that bids will be publicly opened and considered by the council at 10 a.m. on the 21st day of May, 1986, at the city hall and that no bids shall be considered unless sealed and filed with the clerk and accompanied by a certified check or bid bond, payable to the City of Maplewood, Minnesota for 5% of the amount of such bid.
3. The city clerk and city engineer are hereby authorized and instructed to receive, open, and read aloud bids received at the time and place herein noted, and to tabulate the bids received. The council will consider the bids, and the award of a contract, at the regular city council meeting of May 22, 1986.

MEMORANDUM

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Assistant City Engineer
SUBJECT: Connor Avenue--Highway 61 to Maplewood Drive, City Project 84-10
DATE: April 21, 1986

On March 24, 1986 the city council held a public hearing and ordered the above-named project to be constructed. A set of plans and specifications will be available at the meeting for inspection.

It is recommended that the council approve these plans and specifications and authorize the receiving of bids by passing the attached resolution.

jc

RESOLUTION
APPROVING PLANS AND ADVERTISING FOR BIDS

WHEREAS, pursuant to resolution passed by the city council on March 24, 1986, plans and specifications for Connor Avenue, Project 84-10, have been prepared by or under the direction of the city engineer, who has presented such plans and specifications to the council for approval,

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

1. Such plans and specifications, a copy of which are attached hereto and made a part hereof, are hereby approved and ordered placed on file in the office of the city clerk.
2. The city clerk shall prepare and cause to be inserted in the official paper and in the Construction Bulletin an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published twice, at least ten days before date set for bid opening, shall specify the work to be done, shall state that bids will be publicly opened and considered by the council at 10 a.m., on the 28th day of May, 1986, at the city hall and that no bids shall be considered unless sealed and filed with the clerk and accompanied by a certified check or bid bond, payable to the City of Maplewood, Minnesota for 5% of the amount of such bid.
3. The city clerk and city engineer are hereby authorized and instructed to receive, open, and read aloud bids received at the time and place herein noted, and to tabulate the bids received. The council will consider the bids, and the award of a contract, at the regular city council meeting of June 9, 1986.

MEMORANDUM

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: City Engineer
SUBJECT: Castle Design Trunk Water Main Reimbursement
DATE: April 23, 1986

Castle Design has constructed a 1,000 foot trunk water main extension as part of the Beaver Creek apartment project. This pipe was oversized from an eight inch to a sixteen inch to meet the city's need for adequate capacity in Service Area Six.

Service area Six will be provided with water pumped through the Beebe Road station and the new water tower proposed near Stillwater Road. The portion of water main discussed in this report may be of immediate benefit depending on the water main alignment chosen in the forthcoming water tower feasibility study. In any case the oversizing will provide a benefit to all of Service Area Six at some time in the future.

It is recommended the city council approve an expenditure of \$16,106.85 from the hydrant fund to pay Castle Design for the oversizing.

Proposal

F.M. FRATTALONE
EXCAVATING & GRADING, INC.
 Commercial & Residential
 Site Grading & Compaction
 3066 Spruce Street St. Paul, MN 55117
 Phone 484-0448

PROPOSAL SUBMITTED TO		PHONE	DATE
Castle Design and Development		770 - 6158	March 13, 1986
STREET		JOB NAME	
2419 North Margaret Street		Ivy Avenue Extension	
CITY, STATE AND ZIP CODE		JOB LOCATION	
North St. Paul, Minnesota 55109			
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

1 - 8" valve and box @ \$475.00	475.00	16"
1000' - 8" D I P @ \$15.62	15620.00	1421.25
990# - fittings @ \$1.50	1485.00	26010.00
		6255.00
	\$17,580.00	\$ 33,686.85
		\$ 16,106.85

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

Seventeen Thousand Five Hundred Eighty Dollars 00/100 _____ dollars (\$ 17,580.00).

Payment to be made as follows:
 Net thirty (30) days from invoice, 1% per month service charge on any balance over thirty (30) days.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature _____

Denny Habisch

Note: This proposal may be withdrawn by us if not accepted within Thirty (30) days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

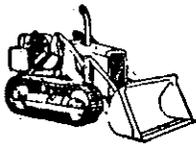
Signature _____

Date of Acceptance: _____

Signature _____

Snow Plowing & Removal

484-0448



F. M. FRATTALONE

EXCAVATING & GRADING, INC.

COMMERCIAL & RESIDENTIAL



3066 Spruce Street

St. Paul, Minn. 55117 2-28 1986

No. 11889

*Ch# 7839
3/27/86
\$65,191.40*

Castle Design and Development

2419 North Margaret Street

North St. Paul, Minnesota 55109

Job Number 4446-1-2*

Job Address Ivy Avenue

WATER MAIN		
1000'	16" DIP @ \$26.01/ft	26010.00
20'	6" DIP @ \$13.20/ft	264.00
2	6" gate valve & boxes @ \$389.00/ea	778.00
1	16" butterfly valve & box	1421.85
1	Hydrant	1100.00
1	Air vent	1300.00
170'	cast iron fittings @ \$1.50/lb	6255.00
1	hook up to existing	200.00
SANITARY SEWER		37328.85
784'	0'-8' depth @ \$11.40/ft	8937.60
191'	0'-10' depth @ \$12.30/ft	2349.30
120'	10'-12' depth @ \$12.70/ft	1524.00
5	manholes @ \$980.00/ea	4900.00
.4'	extra depth over 8' @ manholes @ 72.00	28.80
1400'	break into manhole @ Frenwood/Ivy	500.00
	insulation board @ \$1.10/ft	1540.00
STORM SEWER		19779.70
60'	12" RCP @ \$15.65	939.00
32'	15" RCP @ \$17.00	544.00
1	15" apron @ \$500.00	500.00
130'	18" RCP @ \$18.80	2444.00
2	18" apron @ \$580.00	1160.00
30'	18" PVC Permalock @ \$21.00	630.00
2	Design "H" catch basins @ \$990.00	1980.00
1	Design "G" catch basin @ \$990.00	990.00
1	Design "F" catch basin @ \$990.00	990.00
3.5	yards rip rap @ \$25.00/yd	87.50
Total Due;		10,264.50
LESS 5% RETAINAGE (3362.65)		\$6733.05
		64004.40

TERMS
NET 30 DAYS FROM INVOICE.
BALANCE OVER 30 DAYS SUBJECT TO
1% PER MONTH SERVICE CHARGE.

I-10

MEMORANDUM

Action by Council:

TO: Mayor & Council
FROM: City Manager
RE: Battle Creek Park Site
DATE: April 22, 1986

Endorsed _____
Modified _____
Rejected _____
Date _____

Since my last correspondence with you, I presented the memo of April 18 to the Park & Recreation Commission and Mr. Odegard has advised me they have given informal approval to the proposal.

The letter of April 22, as attached, has been forwarded to the County Board and I expect the Board to approve the proposal at their April 28 meeting.

A copy of the April 22 letter has been given to the Planning Commission for its consideration and possible action.

At this time we are asking for your informal approval of this proposal.

DLL:lnb



CITY OF MAPLEWOOD

1380 FROST AVENUE MAPLEWOOD, MINNESOTA 55109

OFFICE OF CITY MANAGER

612-770-452

April 22, 1986

Diane Ahrens, Chairperson
Ramsey County Board of Commissioners
Room 316
Ramsey County Court House
St. Paul, MN 55102

Dear County Commissioners:

The County and Maplewood staffs have arrived at a plan to protect the 3-1/2 acre site in the Battle Creek Park from private development as hereinafter set out:

1. Maplewood is to purchase the 3-1/2 acre site and lease it back to the County.
2. The County will apply for and obtain Met Council funding for disbursement in 1989 and purchase the site from the City for the City's out-of-pocket expenses, except interest.
3. The County will lease an acreage of approximately 10 acres in the Fish Creek area lying east of 694 and north of Carver Avenue, and land in the Hazelwood Street area just south of Beam Avenue amounting to approximately 10 more acres under long-term leases.

We ask that the County approve of this plan and prepare the detailed agreements, including land descriptions and authorization to turn over to the City materials that the County has dealing with the 3-1/2 acre site.

The City, upon receipt of these finalized documents, will present them to the Mayor and Council for final approval.

Thank you for your consideration.

Very truly yours,

Donald L. Lais
Donald L. Lais
City Manager

MEMORANDUM

TO: Park & Recreation Commission Members
FROM: City Manager *Don Lais*
RE: Battle Creek Park
DATE: April 21, 1986

I am attaching a copy of a memo given to the Mayor and Councilmembers. We did not have a meeting at 12:30 on Monday, 4/21, however, I did discuss this with three members of the Council who have tentatively given their approval for a letter of intention to be addressed to the County Board. The letter would, in essence, ask them to refer the matter of the 3-1/2 acres in Battle Creek Park back to the staff for refinement of ideas and details between the staff of the County Board and the City of Maplewood for presentation to the County Board at a later date. We would, of course, indicate that we were interested in proceeding with this matter.

Mr. Odegard is thoroughly familiar with the plan and the ideas I have which are not articulated in the memo and can discuss them with you.

We are hoping that you endorse our efforts.

I am sorry I could not be with you in person tonight as I feel this particular matter is urgent and that it would be a tragedy to allow construction of a private apartment building or commercial enterprise on the 3-1/2 acres.

DLL:1nb

MEMORANDUM

To: Don Lais, City Manager
From: Robert D. Odegard, Director of Parks & Recreation
Subj: Purchase of Playground Equipment From P.A.C. Funds
Date: April 22, 1986

RDO

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

The Playground Equipment Committee from the Park and Recreation Commission has been meeting to discuss additions to our present playgrounds of suitable apparatus for play in the neighborhood parks. At the April 21st meeting of the Park and Recreation Commission, the Commission approved and recommended the purchase of the attached list of playground equipment.

It is requested that the City Council approve the expenditure of \$21,000 from P.A.C. Funds for the acquisition of playground equipment.

PLAYGROUND EQUIPMENT REPORT

PARK

Afton Heights	Bike Rack - Mexico Forge -10' Double Face 18 Openings	\$245.00
Maplewood Heights Goodrich	Garbage Containers	

GAME TIME

Western Hills Heritage Center Robinhood	15 Picnic Tables - 8' #768 - P.92 @\$175	\$2,625.00
Four Seasons Lions	Buck-a-Bout - P.63 - \$619 (\$200)	\$3,276.00
Wakefield	Four Animals - \$800 - (\$200)	\$4,000.00
Maplewood Heights Afton Heights	Picnic Table #794 - 6' Single Post \$438 (\$100)	\$1,076.00
Lions Wakefield	Snail Climber - P.26 - \$1,226 - (\$400) #6738	\$3,252.00

MIRACLE

Kohlman Robinhood	2 Benches - Miracle #1206, P.115 - @\$160	\$ 326.00
Four Seasons Goodrich Lions	Whirl (Jr) P.51 #300 - \$575 - (\$175)	\$2,256.00
Maplewood Heights	Mexico Forge - \$1478 (\$500)	\$1,978.00
		<u>\$19,034.00</u>

Plus Freight \$2,000.00

TOTAL \$21,034.00

I-14

MEMORANDUM

To: Don Lais, City Manager
From: Robert D. Odegard, Director of Parks & Recreation
Subj: Approval of P.A.C. Funds for Capital Improvement Projects
Date: April 22, 1986

RO

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

The Director submitted to the Park and Recreation Commission for their discussion the attached list of Capital Improvement Projects for 1986. The Park and Recreation Commission discussed each of the projects and recommends their approval.

It is requested that the City Council approve the projects and provide \$75,000 from P.A.C. Funds for carrying out the proposed projects.

MEMORANDUM

To: Park and Recreation Commission
From: Robert D. Odegard, Director of Parks & Recreation
Subj: Capital Improvement Projects
Date: April 21, 1986

1)Curb Goodrich Drive and #1 Parking Lot 2,000' @ \$2.50	\$5,000
2)Curb Main Parking Lot at Edgerton on 3 Sides 400' @ \$2.50	\$1,000
3)Pave Entrance & Parking Area, Curb Parking Area at Heritage Center	\$6,000
4)Curb Lower Afton Heights Parking Lot 900' @ \$2.50	\$2,250
5)Sherwood Excavation	\$5,000
6)Maplewood Heights Parking Lot on Beam (140'x40') 622 Sq. Yds.	\$3,500
7)Ballfield Improvement Flicek, Harvest	\$6,000
8)Geranium Excavation	\$10,000
9)Fill Cracks & Resurface Tennis Courts Afton (2 Courts & Basketball-\$3,100) Four Seasons (2 Courts - \$2,400)	\$5,500
10)Hazelwood Soccer Development	\$30,000
	<hr/>
TOTAL	\$74,250

April 24, 1986

MEMORANDUM

Action by Council:

To: City Manager Donald Lais
From: Chief of Police Kenneth V. Collins *KVC*
Subject: FBI National Academy

Endorsed _____
Modified _____
Rejected _____
Date _____

As I have previously discussed with you and the City Council, I have been selected to attend the FBI National Academy from June 29 through September 12.

I am requesting to make provisional appointments to handle police department duties during my absence.

The provisional appointments would be for the following positions:

- 1. Acting Chief.
- 2. Two acting Captains.

These provisional appointments would be in effect for a period not to exceed 90 days and would be made in accordance with Section 22 of the Maplewood Civil Service Rules and Regulations. I would further recommend that the individuals filling these positions be compensated accordingly.

I submit this for your review and approval.

KVC:js