

AGENDA

MAPLEWOOD CITY COUNCIL

7:00 P.M., Monday, May 11, 1987
Municipal Administration Building
Meeting 87 - 10

(A) CALL TO ORDER

(B) ROLL CALL

(C) APPROVAL OF MINUTES

1. Meeting No. 87 - 7 (April 13, 1987)
2. Meeting No. 87 - 8 (April 20, 1987)

(D) APPROVAL OF AGENDA

(E) CONSENT AGENDA

1. Accounts Payable
2. Disposal of Old Financial Records - 1978 & 1980
3. Budget Changes - 1987 Labor Settlements
4. Time Extension - Preliminary Plat - Huntington Hills
5. Time Extension - Bonanza Restaurant
6. Time Extension - Southwinds of Maplewood 2nd Addition
7. PAC Funds - Cancellation and Addition
8. Transfer of Funds

(F) PUBLIC HEARINGS

1. 7:00 P.M., Assessment Hearing, Project 86-03 A & B - District No. 6 Water Tower_____
2. 7:10 P.M., Rezoning, Preliminary Plat, Street Vacation, Plan Amendment - Highwood Estates_____
3. 7:20 P.M., Registered Land Survey - Cub Foods_____
4. 7:30 P.M., Preliminary Plat : Highwood 2nd Addition_____
5. 7:40 P.M., Conditional Use Permit : Rolling Hills 2nd Addition_____

(G) AWARD OF BIDS

1. Arkwright Street : Project 86-12_____
2. Cab and Chassis_____

(H) UNFINISHED BUSINESS

1. Purchase of Computer System_____
2. Code Amendments - Smaller Single Dwelling Lots (2nd Reading)_____
3. Rezoning (4 Votes) and Preliminary Plat : Lynnwood Terrace_____
4. Reconsideration : Upper Afton_____

(I) NEW BUSINESS

1. Community Development Block Grants _____
2. Feasibility Report - Water Service - District 8 and Sterling Street,
Project 86-15 _____
3. Developer Project Financing and Construction Report _____
4. Billboard Lease Renewal _____
5. Noise Ordinance _____
6. Vacant House - 1744 Prosperity Road _____
7. Vacant Lot - Prosperity - Dick Sagstetter _____

(J) VISITOR PRESENTATIONS

(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 13, 1987
Council Chambers, Municipal Building
Meeting No. 87-07

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 7:04 P.M. by Mayor Greavu.

B. ROLL CALL

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

C. APPROVAL OF MINUTES

Councilmember Wasiluk moved to approve the Minutes of Meeting No. 85-05 as submitted.

Seconded by Councilmember Bastian. Ayes - all.

D. APPROVAL OF AGENDA

Mayor Greavu moved to approve the Agenda as amended:

1. Castle Avenue Parking
2. Hazelwood Pond
3. Resource Recovery
4. Reconsideration of Arkwright Project Assessments
5. Extra Meeting, May 7
6. Pending Lawsuits
7. Request Citizens and Council Meeting
8. Delete Item I-1
9. Establish 2nd meeting date in May.

Seconded by Councilmember Bastian. Ayes - all.

E. CONSENT AGENDA

Council removed Item E-8 to become Item I-15.

Mayor Greavu moved, seconded by Councilmember Bastian, Ayes - all, to approve the Consent Agenda, Items 1 through 7 as recommended:

1. Accounts Payable

Approved the accounts - Part I (Fees, Services, Expenses check register dated April 2 and 3, 1987 - \$525,234.35; Part II, Payroll dated March 20, 1987, gross amount \$149,522.89; dated April 3, 1987 - \$139,221.11) as submitted.

2. Selection of Insurance Agents

The Ekblad, Pardee and Bewell Agency is designated as the only agent of record for the purposes of obtaining insurance proposals for City policies expiring July 1, 1987.

3. Policy Regarding Pay Period Changes

Approved that the City provide two extra days of pay to police officers that are promoted above the rank of Sergeant to ease the change in pay periods.

4. 1987 Budget - Tax Increment Fund

Established a 1987 Budget for the Development District No. 1 Tax Increment Fund consisting of the following amounts:

\$ 1,691,900	Beginning fund balance
+ 118,500	Estimated investment interest
<u>-1,615,370</u>	Transfers out to construction projects
\$ 196,030	Ending fund balance

5. Revision of Personnel Policies

Revise Section 7-6, Part A of the City Personnel Policies to conform with the provisions of all four union contracts and present policies. The revised provisions should be as follows:

7-6 VACATIONS

A. Employees earn vacation at the following rate:

One month to one year	- Prorated Basis
One through four years of service	- 10 days
Five through eleven years of service	- 15 days
Twelve through twenty years of service	- 20 days
After twenty years of service	- 25 days
Permanent Part-time Employees	- Prorated Basis

Vacation days earned shall be credited to employees bi-weekly.

This error was discovered during contract negotiations with the new City Manager.

6. Approve Construction License with C.N.W. Railroad - Project 81-20

Resolution No. 87 - 4 - 55

WHEREAS, the Council has ordered made City Project 81-20 and McKnight Road reconstruction, and

WHEREAS, the approved project plans call for construction of water main within the Chicago and Northwestern Transportation Company right-of-way, and

WHEREAS, said company requires a construction agreement with all right-of-way users,

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

That the construction agreement with the Chicago and Northwestern Transportation Company is hereby approved for execution by the Mayor and City Clerk.

7. Final Plat : Woodlynn Heights Townhomes No. 2

Approved the Woodlynn Heights Townhomes No. 2.

8. Manager's Contract

Discussed as Item I-15.

F. PUBLIC HEARINGS

1. 7:10 P.M., Preliminary Plat : Cave's Nebraska Addition

a. Mayor Greavu convened the meeting for a public hearing regarding the request of Ed Cave and Sons, Inc., for preliminary plat approval to create 57 single dwelling lots and five outlots in two phases.

b. Director of Community Development Geoff Olson presented the Staff report.

c. Commissioner George Rossbach presented the Planning Commission report.

d. Mr. Sam Cave, representing Ed Cave and Sons, Inc., the developer, spoke on behalf of the proposal.

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

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

g. Mayor Greavu closed the public hearing.

h. Mayor Greavu moved to approve Cave's Nebraska Addition preliminary plat (plan dated on page 10), subject to the following conditions being met before final plat approval:

1. All necessary contracts must be executed by the County for the construction of a trunk water main within McKnight Road before final plat application will be accepted for more than 28 lots. The remaining lots in Phase I may be final-platted after contracts are signed for the McKnight Road construction.

If water is not available in McKnight Road, proposed Phase II shall be platted as an outlot. A final plat for these lots can be applied for once the McKnight Road water main is functional.

2. Outlot A shall be expanded to include the area agreed to between the City and developer for a park. Outlot A shall be dedicated to the City for drainage and park purposes.
3. The City will pay for the additional park land and the cost of paving the trails in the park from PAC funds. The developer shall provide the grading and subsurface materials for the trails. If the developer and Parks Director cannot agree on a price for the two lots, the developer shall pay for an appraisal, which shall determine the price of the lots.
4. The ponding easement may go outside Outlot A, provided that all lots have at least 10,000 square feet of area outside the easement.
5. A signed developer's agreement, with required surety, shall be submitted for all required public improvements. This agreement shall include, but not be limited to:
 - a. The construction of trails on Outlot A as required by the Director of Parks and Recreation. A grading plan shall be submitted for approval by the City Engineer and Director of Parks and Recreation.
 - b. The provision of a water and sewer service in Currie Street for 1464 McKnight Road with Phase II. If the City collects a cash connection charge within five years, it will revert to the developer.
6. Submittal of final grading, drainage, erosion control and utility plans for approval by the City Engineer.

Seconded by Councilmember Wasiluk. Ayes - all.

2. 7:10 P.M., McKnight Road (Beaver Lake to Larpenteur Avenue) Project 81-20
 - a. Mayor Greavu convened the meeting for a public hearing regarding the proposal for the first phase of the McKnight Road reconstruction from Beaver Lake to Larpenteur Avenue.
 - b. Acting City engineer chuck Ahl presented the Staff report.
 - c. A letter from Ed Cave and Sons, regarding storm water in the pond, was read.
 - 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:

87 - 4 - 56

WHEREAS, after due notice of public hearing on the construction of McKnight Road from Beaver Lake to Larpenteur Avenue, City Project 81-20, a hearing on said improvement in accordance with the notice duly given was duly held on April 13, 1987, 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 McKnight Road from Beaver Lake to Larpenteur Avenue, City Project 81-20 as described in the notice of hearing thereon, and orders the same to be made.
2. Plans and specifications prepared by Ramsey County Department of Public Works and the City Engineer and previously approved, a copy of which plans and specifications is attached hereto and made a part hereof, are hereby approved and shall be filed with the City Clerk.
3. The council shall approve the letting of the contract for all or a part of said improvement or order all or part of the work done by day labor or otherwise as authorized by Minnesota Statutes, Section 429.041, Subdivision 2, no later than December 31, 1988.

Seconded by Councilmember Bastian. Ayes - all.

3. 7:20 P.M., Street Vacation : Highway 61 Service Road

- a. Mayor Greavu convened the meeting for a public hearing regarding the request of Hess Kline to vacate a portion of the service road right-of-way on the east side of Highway 61.
- b. Director of Community Development Olson presented the Staff report.
- c. Commissioner Rossbach presented the Planning Commission recommendation.
- d. Mayor Greavu called for proponents. None were heard.
- e. Mayor Greavu called for opponents. The following were heard:

Pastor Gary Olson, Lakeview Lutheran Church
Ms. Janice Hoppe, President Lakeview Lutheran Church Congregation.

f. Mayor Greavu closed the public hearing.

g. Councilmember Bastian moved that if a driveway is not constructed within a time period determined by the City Engineer, in no event earlier than December 31, 1991, the easement may be vacated with notice to the City which may approve the easement vacation.

Seconded by Mayor Greavu.

Ayes - Mayor Greavu, Councilmembers
Bastian and Wasiluk

Nay - Councilmember Juker

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

87 - 4 - 57

WHEREAS, Hess Kline initiated proceedings to vacate the public interest in the service drive right-of-way in Speiser's Arbolada, Section 9, Township 29, Range 22, subject to Minnesota Department of Transportation right-of-way designated and located by Order No. 19936 and No. 43907, subject to amended Width Order No. 71199 effective October 15, 1986, with the following exception:

A sixty-foot-wide corridor, centered on the westerly extension of the center line of Park Street (now called Connor Avenue) between Highway 61 and a line connecting the southwest corner of Lot Eight, Block One, and the northwest corner of Lot Four, Block Two, all in Speiser's Arbolada.

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 March 16, 1987. The Planning Commission recommended to the City Council that this vacation be approved.
3. The City Council held a public hearing on April 13, 1987, 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 right-of-way, public interest in the property will accrue to the following described abutting properties:

Lots 4, 8-12, Speiser's Arbolada, Section 9, Township 29, Range 22 in Ramsey County, Minnesota.

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. This service road has been declared to be excess right-of-way by the Minnesota Department of Transportation. This service road was to have been part of an overpass intersection which has been abandoned.

2. Each of the abutting properties has been combined with property that is accessed from Duluth Street and/or Connor Avenue which are improved and maintained as public streets.

This vacation is subject to the retention of a utility easement over the west ten feet of the right-of-way.

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

Nay - Councilmember Juker.

4. 7:30 P.M., Site Plan Revision and Variances : Precision Tune and Tires Plus
 - a. Acting Mayor Wasiluk convened the meeting for a public hearing regarding the request of Precision Tune and Tires Plus for approval of a site plan revision changing the approved building location and parking plan at 1990 E. County Road D.
 - b. City Attorney Patrick Kelly explained to the Council and audience that the hearing notice stated 1380 Frost Avenue instead of 1830 E. County Road B.
 - c. Director of Community Development Olson presented the Staff report.
 - d. Board Member Don Moe presented the Community Design Review Board recommendation.
 - e. Mayor Greavu called for persons who wished to be heard for or against the proposal. The following expressed their views:

Mr. Jim Trapp - Realtor
Mr. Mark Leisman, General Manager of Hardees
Mr. George Rossbach, 1406 E. County Road C
 - f. Mayor Greavu closed the public hearing.
 - g. Councilmember Bastian moved approval of the site plan revision for Precision Tune/Tire Plus subject to the following being completed before construction resumes:
 1. Reciprocal parking easements must be recorded against Hardee's and the Precision Tune/Tires Plus site.
 2. A detailed grading and drainage plan for both properties must be approved by the City Engineer.
 3. Signs shall be provided to direct traffic flow as shown on the site plan. This signage shall be subject to the requirements of the Director of Public Safety.
 4. A new survey shall be done to verify the location of the building.

Seconded by Mayor Greavu.

Ayes - all.

5. 7:40 P.M., Conditional Use Permit : 1201 Frost Avenue (S & S Auto)
- a. Mayor Greavu convened the meeting for a public hearing regarding the request of Jonathan and Timothy Skon for approval of a conditional use permit to sell used cars at 1201 Frost Avenue.
 - b. Director of Community Development Olson presented the Staff report.
 - c. Commissioner Rossbach presented the Planning Commission recommendation.
 - d. Mayor Greavu called for proponents. The following were heard:

Mr. Jonathan Skon, the applicant
 - 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:

87 - 4 - 58

WHEREAS, Jonathan and Timothy Skon initiated a conditional use permit to sell used cars at the following-described property:

Lots 1-9, Block 4, Lincoln Park and the west half of vacated
Duluth Street

This property is also known as 1201 Frost Avenue, Maplewood;

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

1. This conditional use permit was initiated by Jonathan and Timothy Skon, pursuant to the Maplewood Code of Ordinances.
2. This conditional use permit was reviewed by the Maplewood Planning Commission on March 16, 1987. The Planning Commission recommended to the City Council that said permit be approved.
3. The Maplewood City Council held a public hearing on April 13, 1987. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City Staff and Planning Commission.

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

1. The use is in conformity with the City's Comprehensive Plan and with the purpose and standards of this chapter.
2. The establishment or maintenance of the use would not be detrimental to the public health, safety or general welfare.

3. The use would be located, designed, maintained and operated to be compatible with the character of that zoning district.
4. The use would not depreciate property values.
5. The use would not be hazardous, detrimental or disturbing to present and potential surrounding land uses, due to the noises, glare, smoke, dust, odor, fumes, water pollution, water run-off, vibration, general unsightliness, electrical interference or other nuisances.
6. The use would generate only minimal vehicular traffic on local streets and shall not create traffic congestion, unsafe access or parking needs that will cause undue burden to the area properties.
7. The use would be serviced by essential public services, such as streets, police, fire protection, utilities, schools and parks.
8. The use would not create excessive additional requirements at public cost for public facilities and services; and would not be detrimental to the welfare of the City.
9. The use would preserve and incorporate the site's natural and scenic features into the development design.
10. The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions:

1. No more than two automobiles shall be displayed for sale at any one time that would be visible from Frost Avenue.
2. No more than four vehicles shall be offered for sale at any time.
3. A portion of the gravel parking lot shall be blacktopped and striped as determined by the Community Design Review Board.
4. No cars shall be within fifteen feet of the right-of-way, unless the Community Design Review Board approves a parking lot with a closer setback.
5. Vehicle parts are not to be stored outside.

Seconded by Councilmember Wasiluk. Ayes - all.

6. 7:50 P.M., Hillwood Drive - Project 86-05 Assessment Hearing
 - a. Mayor Greavu convened the meeting for a public hearing regarding adoption of the proposed assessment roll for Hillwood Drive Project 86-05.
 - b. Acting City Engineer Ahl presented the Staff report.

- c. Mayor Greavu called for proponents. None were heard.
- d. Mayor Greavu called for opponents. The following were heard:
 - Mr. John Peterson, Good Value Homes, stated he had purchase agreements for property owned by Castle Design.
- e. Mayor Greavu closed the public hearing.
- f. Mayor Greavu introduced the following resolution and moved its adoption:

87 - 4 - 59

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met and heard and passed upon all objections to the proposed assessment for the construction of Hillwood Drive from Crestview Drive to Marnie Street as described in the files of the City Clerk as Project 86-05, and has amended such proposed assessment as it deems just,

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

1. Such proposed assessment, as amended, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 20 years, the first of the installments to be payable on or after the first Monday in January, 1988, and shall bear interest at the rate of nine (9) percent per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 1987. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
3. It is hereby declared to be the intention of the Council to reimburse itself in the future for the portion of the cost of this improvement paid for from municipal funds by levying additional assessments, on notice and hearing as provided for the assessments herein made, upon any properties abutting on the improvement but not made, upon any properties abutting on the improvement but not herein assessed for the improvement, when changed conditions relating to such properties make such assessment feasible.
4. To the extent that this improvement benefits nonabutting properties which may be served by the improvement when one or more later extensions or improvements are made, but which are not herein assessed, therefore, it is hereby declared to be the intention of the Council, as authorized by Minnesota Statutes Section 420.051, to reimburse the City by adding any portion of the cost so paid to the assessments levied for any of such later extension or improvements.

5. The Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.
6. Prepayment of each parcel's assessment shall be allowed, without an interest charge, from the date of adoption of said assessment roll to May 15, 1987. All unpaid assessments shall bear interest at the rate of nine (9) percent per annum from the date of adoption of the assessment roll. Partial prepayment shall be allowed according to City policy.

Seconded by Councilmember Juker. Ayes - all.

G. AWARD OF BIDS

1. County Road C Water Main - Project 86-04
 - a. Acting City Engineer Ahl presented the Staff report.
 - b. Mayor Greavu introduced the following resolution and moved its adoption:

87 - 4 - 60

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of F.M. Frattalone Excavating, Inc., in the amount of \$137,193.00 is the lowest responsible bid for the construction of County Road C Water Main, Project 86-04, and the Mayor and Clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the City.

Seconded by Councilmember Juker. Ayes - all.

H. UNFINISHED BUSINESS

1. Code Amendment : Building Code (2nd Reading)
 - a. Director of Community Development Olson presented the Staff report.
 - b. Maplewood Building Official Marge Ostrom explained the proposed ordinance.
 - c. Mr. Gary Jackson, Maplewood Mall, spoke regarding the proposal.
 - d. Mayor Greavu introduced the following ordinance and moved its adoption:

ORDINANCE NO. 602

AN ORDINANCE AMENDING THE SECTIONS OF CITY CODE
DEALING WITH THE ADOPTION AND ADMINISTRATION OF
THE STATE BUILDING CODE

THE MAPLEWOOD CITY COUNCIL DOES ORDAIN AS FOLLOWS:

Section 1. Sections 9-21 through 9-24 are amended as follows:

Sec. 9-21. Adoption of State Building Code.

The Minnesota State Building code, established pursuant to Minnesota Statutes 16B.60 through 16B.73, is hereby adopted as the building code for the City and is a part of this code as completely as if fully set forth herein. A copy of the building code shall be kept available for public use in the office of the building official.

Sec. 9-22. Adoption of optional chapters.

The following optional chapters of the Minnesota State Building Code are hereby adopted by reference:

- 1, Chapter 1305.0150 Subpart 2:
UBC Appendix Chapters 1, 7, 38, 55 and 70
2. Chapter 1305.6905, Special Fire Suppression Systems with the option of 8 (a) Group B-2 2000 or more gross sq. ft.
3. Chapter 1335, Floodproofing Regulations

Sec. 9-23. Administration.

(a) The organization of the building department and enforcement of the State Building Code shall be conducted within the guidelines established by Chapter 2 of the Uniform Building Code.

(b) The Community Development Department shall be the building code department of the City. The administrative authority shall be a state certified building official so designated by the City Manager.

(c) The building official is responsible for the administration of the building code. (Ord. No. 325, §300.020, 6-22-72)

Sec. 9-24. Permits, inspections and fees.

The issuance of permits, conduction of inspections and collection of fees pursuant to this article shall be as provided for in Chapter 3 of the Uniform Building Code, except that a building permit shall not be required for nonstructural, residential maintenance items such as the same size replacement of doors, windows, the first or second layer of shingles, trim or siding. Separate permits, fees and inspections shall be required for all electrical, heating and plumbing work regulated by the State Building Code.

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

Passed by the City Council of the City of
Maplewood, this 13th day of April, 1987.

Mayor

ATTEST:

City Clerk

Ayes - 4
Nays - 0

I. NEW BUSINESS

1. Driveway Approval : Bush avenue (Kinney)

Deleted from Agenda.

2. C.D.R.B. Appeal : N.A.P.A. Auto Parts

a. Director of Community Development Olson presented the Staff report.

b. Board Member Don Moe presented the Community Design Review Board recommendation.

c. Mr. Jim Newell and Mr. Bill Johnson, N.A.P.A., spoke on behalf of their proposal.

d. Councilmember Wasiluk moved to approve the building exterior revision for N.A.P.A. Auto Parts at the Plaza 3000 north annex.

Seconded by Mayor Greavu.

Ayes - Mayor Greavu and Councilmember Wasiluk

Nays - Councilmembers Bastian and Juker

Tied vote - motion defeated.

3. Portable Sign Permit : N.A.P.A. Auto

a. Director of Community Development Olson presented the Staff report.

b. Councilmember Bastian moved approval of a special sign permit for N.A.P.A. Auto Parts to use a portable sign for a 20 day period at the Plaza 3000 shopping center subject to them obtaining a sign permit.

Seconded by Councilmember Juker.

Ayes - all.

4. Code Amendment : Exterior Siding (1st Reading)

a. Director of Community Development Olson presented the Staff report.

b. Mr. George Rossbach, 1406 E. County Road C, presented his views.

c. Mayor Greavu moved first reading of an ordinance regulating exterior finishes on residential dwellings and their accessory buildings.

Seconded by Councilmember Bastian.

Ayes - all.

5. County Rail Authority

a. Director of Community Development Olson presented the Staff report.

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

87 - 4 - 61

WHEREAS, Ramsey County is considering creating a regional rail authority; and

WHEREAS, the City of Maplewood would like the Burlington Railroad corridor to be in public ownership; and

WHEREAS, a regional rail authority would be the most practical way to acquire the corridor and represent the multiple agencies and jurisdictions affected.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF MAPLEWOOD supports the creation of a county rail authority, provided that Maplewood has a strong voice in any decision as to how the corridor is to be used. It is, therefore, requested that Maplewood be represented on the rail authority board.

Seconded by Councilmember Bastian. Ayes - all.

6. The Metro East Coalition

a. Director of Community Development Olson presented Council with information describing the latest efforts to develop a Metro East Coalition to promote development on the East Side.

b. No action taken.

7. Order Assessment Roll : Frost Avenue Reconstruction, Project 83-01

a. Acting City Engineer Ahl presented the Staff report.

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

87 - 4 - 62

WHEREAS, the City Clerk and City Engineer have presented the final figures for the reconstruction of Frost Avenue, Adele to Birmingham Streets, City Project 83-01.

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

FURTHER, the Clerk shall, upon completion of such proposed assessment notify the Council thereof.

Seconded by Councilmember Bastian. Ayes - all.

8. Public Improvement Petition : Carver Heights Plat, Project 86-19

a. Acting City Engineer Ahl presented the Staff report.

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

87 - 4 - 63

WHEREAS, it is proposed to construct and acquire easements for a ponding system east of the Carver Heights preliminary plat and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

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

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

2. That this study shall not begin until the petitioner establishes with the City a cash escrow in the amount of \$6,000.00. This cash escrow shall guarantee the payment of the feasibility study preparation costs with payment to be made only if the project is not ordered and is equal to 150% of the estimated preparation cost. The cash escrow shall be either a letter of credit or a certified check.

Seconded by Councilmember Bastian. Ayes - all.

9. Approval of Preliminary Layout - Century Avenue Intersection Improvements.

a. Acting City Engineer Ahl presented the Staff report.

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

87 - 4 - 64

WHEREAS, the Commissioner of the Department of Transportation has prepared a preliminary layout for the improvement of a part of Trunk Highway Number 117 renumbered as Trunk Highway No. 120 within the corporate limits of the City of Maplewood, from Upper Afton Road to Holloway Avenue; and seeks the approval thereof, and

WHEREAS, said preliminary layouts are on file in the Office of the Department of Transportation, Saint Paul, Minnesota, being marked, labeled, and identified as Layout No. 1A S.P. 6227-43 (120=117) from Upper Afton Road to County Road "B".

NOW, THEN, BE IT RESOLVED that said preliminary layouts for the improvement of said Trunk Highway with the corporate limits be and hereby are approved.

Seconded by Mayor Greavu.

Ayes - all.

10. Order Assessment Hearing - Water Service No. 6 Improvements, Project 86-03

a. Acting City Engineer Ahl presented the Staff report.

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

87 - 4 - 65

WHEREAS, the Clerk and the Engineer have, at the direction of the Council, prepared an assessment roll for the construction of Water Service District 6 Improvements, City Project 86-03, and the assessment roll is on file in the Office of the City Clerk;

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

1. A hearing shall be held on the 11th day of May, 1987, at the City Hall at 7:00 P.M. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published in the official newspaper, at least two weeks prior to the hearing, and to mail notices to the owners of all property affected by said assessment.
3. The notice of hearing shall state the date, time and place of hearing, the general nature of the improvement, the area proposed to be assessed and the proposed assessment roll is on file with the Clerk, and that written or oral objections will be considered.
4. Prepayment of each parcel's assessment shall be allowed, without an interest charge, from the date of adoption of said assessment roll to June 10, 1987. All unpaid assessments shall bear interest at the rate of ten (10) percent per annum from the date of adoption of the assessment roll.

Seconded by Councilmember Bastian.

Ayes - all.

11. Order Public Hearing - Upper Afton Road, Project 86-07

- a. Acting City Engineer Ahl presented the Staff report.
- b. Councilmember Bastian requested Staff to obtain traffic counts for McKnight Road and Century by Upper Afton.
- c. Councilmember Wasiluk introduced the following resolution and moved its adoption:

87 - 4 - 66

WHEREAS, the City Engineer for the City of Maplewood has been authorized and directed to prepare a report with reference to the improvement of Upper Afton Road, City Project 86-07, by construction of street and storm sewer, 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 Upper Afton Road by construction of street and storm sewer 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 \$1,309,000.00.

3. A public hearing will be held in the Council Chambers of the City Hall at 1830 East County Road B on Monday, the 27th day of April, 1987, at 7:20 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 Juker. Ayes - All.

12. Approval of Preliminary Concept - Larpenteur Avenue, 35E to Edgerton, Project 86-27

- a. Acting City Engineer Ahl presented the Staff report.
- b. Mayor Greavu introduced the following resolution and moved its adoption:

87 - 4 - 67

WHEREAS, the Ramsey County Department of Public Works has prepared a preliminary layout for the reconstruction of Larpenteur Avenue from 35E to Edgerton Street; and

WHEREAS, said preliminary layout has been presented for approval.

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

That the preliminary layout for the reconstruction of Larpenteur Avenue from 35E to Edgerton Street is hereby approved.

Seconded by Councilmember Wasiluk. Ayes - all.

13. Public Improvement Petition - Holloway Avenue, Beebe Road to Furness Parkway

a. Acting City Engineer Ahl presented the Staff report.

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

87 - 4 - 68

WHEREAS, it is proposed to construct Holloway Avenue between Beebe Road and Furness Parkway and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

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

1. That the proposed improvement be referred to the City Engineer for study and that he is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.
2. That this study shall not begin until the petitioner establishes with the City a cash escrow in the amount of \$6,000.00. This cash escrow shall guarantee the payment of the feasibility study preparation costs with payment to be made only if the project is not ordered and is equal to 150% of the estimated preparation cost. The cash escrow shall be either a letter of credit or a certified check.

Seconded by Mayor Greavu. Ayes - all.

14. Request for Sergeant's Promotion

a. Director of Public Safety Ken Collins presented the Staff report.

b. Councilmember Bastian moved to correct the 1987 Budget to reflect eight sergeants that are needed to continue efficient operation.

Seconded by Mayor Greavu. Ayes - all.

15. Manager's Contract

- a. Acting Manager Haider presented the agreement for adoption.
- b. Councilmember Juker requested this item be tabled until Councilmember Anderson is in attendance.
- c. Councilmember Bastian moved to approve the employment agreement between the City and Michael McGuire as submitted and that a budget transfer of \$12,780 from the contingency account be approved.

Seconded by Councilmember Juker. Ayes - all.

J. VISITOR PRESENTATION

1. Mr. Gerke, 1252 Cope Avenue
 - a. Mr. Gerke stated he had to obtain a heating permit at City Hall. In doing so, he was rudely treated.
 - b. No action taken.

K. COUNCIL PRESENTATIONS

1. Castle Avenue Parking
 - a. Councilmember Juker stated there should be "No Parking" signs on Castle Avenue.
 - b. Staff to investigate.
2. Hazelwood Pond
 - a. Councilmember Juker stated the ponds on the west side of Hazelwood south of County Road B should be cleaned up.
 - b. Staff to investigate.
3. Resource Recovery Plant
 - a. Councilmember Wasiluk informed the Council that on April 23, 1987, the Ramsey County League will be touring the Resource Recovery Plant at Hastings.
4. Reconsideration
 - a. Councilmember Wasiluk moved reconsideration of the Arkwright Street assessments.

Seconded by Mayor Greavu.

Ayes - Mayor Greavu and Councilmember Wasiluk

Nays - Councilmembers Bastian and Juker

Vote tied. Motion defeated.

5. Establish Meeting Date

- a. Council established May 21, 1987, at 7:00 P.M. as the second regular meeting in May.

Mayor Greavu moved to waive the Rules of Procedure and extend the meeting past the 10:30 P.M. deadline.

Seconded by Councilmember Juker.

Ayes - all.

6. Pending Lawsuits

- a. Mayor Greavu requested an update on all pending litigation.

7. Citizen and Council Meeting

- a. Mayor Greavu stated residents are questioning the Community Development block grants that are available.

L. ADMINISTRATIVE PRESENTATIONS

None.

M. ADJOURMENT

10:55 P.M.

Council and City Attorney Patrick Kelly met in closed session to discuss pending litigation.

City Clerk

MINUTES OF MAPLEWOOD CITY COUNCIL
5:00 P.M., Monday, April 20, 1987
Conference Room 110, Municipal Building
Meeting No. 87-08

A. CALL TO ORDER

A special meeting of the City Council of Maplewood, Minnesota, was held in the Conference Room 110, Municipal Building, and was called to order at 5:01 P.M., by Mayor Greavu.

B. ROLL CALL

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

C. COUNCIL PRESENTATION

1. Court Consolidation

a. Mayor Greavu stated he had attended a meeting with the Mayors of New Brighton, North St. Paul, White Bear Lake, and Roseville, and Ramsey County Commissioner Diane Ahrens to discuss the Ramsey County Court consolidation problem. The County has submitted a proposal.

b. Council reached a consensus that the following proposal be submitted to Ramsey County.

1. The immediate return of implied consent cases to the suburban court locations.
2. When two adequate suburban court locations, one in New Brighton, and one located in Maplewood (in the proximity of White Bear Avenue and County Road D) are available, jury trials will be resumed immediately at New Brighton and within four months at the Maplewood location.
3. When the locations are reduced to two sites, the Cities of White Bear Lake and North St. Paul will be compensated for actual police overtime required by the reduction in sites.
4. Maplewood is a definite location for a court site with two court rooms in each building and equal amount of representation of judges, plus adequate coverage of staff; (probation department, etc.).

D. ADJOURNMENT

6:02 P.M.

City Clerk

Endorsed _____

Modified _____

Rejected _____

MANUAL CHECKS DATED THRU APRIL 30, 1987

Page: 1

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
103163	04/30/87	235.00 235.00 *	RACINE RENE	PROGRAMS

103M20	04/30/87	11,550.00	METRO WASTE CONTROL	SAC PBL
103M20	04/30/87	115.50-	METRO WASTE CONTROL	SAC PBL
		11,434.50 *		

103M69	04/30/87	10,447.49	MINN STATE TREASURER	LICENSE
103M69	04/30/87	11,892.61	MINN STATE TREASURER	LICENSE
103M69	04/30/87	412.00	MINN STATE TREASURER	LICENSE
		22,752.10 *		

103N80	04/30/87	475.01	N. S. P	SUPPLIES
103N80	04/30/87	398.67	N. S. P	UTILITIES
103N80	04/30/87	122.43	N. S. P	UTILITIES
103N80	04/30/87	173.79	N. S. P	UTILITIES
		1,169.90 *		

104161	04/30/87	265.00 265.00 *	AMER PUBLIC WORKS	MEMBERSHIP

104D24	04/30/87	135.00 135.00 *	NATL RESOURCES DEPT	DNR LIC

104M69	04/30/87	7,117.69	MINN STATE TREASURER	LICENSE
104M69	04/30/87	30.00	MINN STATE TREASURER	LICENSE
104M69	04/30/87	7,215.57	MINN STATE TREASURER	LICENSE
104M69	04/30/87	431.00	MINN STATE TREASURER	LICENSE
104M69	04/30/87	324.00	MINN STATE TREASURER	LICENSE
104M69	04/30/87	323.00	MINN STATE TREASURER	LICENSE
		15,441.26 *		

105A77	04/30/87	2.30	A T & T	TELEPHONE
105A77	04/30/87	61.31	A T & T	TELEPHONE
		63.61 *		

105C25	04/30/87	1,580.39 1,580.39 *	CANADA LIFE	INSURANCE

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
105C42	04/30/87	13.26	COMMERCIAL LIFE	INSURANCE
105C42	04/30/87	150.88	COMMERCIAL LIFE	INSURANCE
105C42	04/30/87	623.76	COMMERCIAL LIFE	INSURANCE
105C42	04/30/87	500.90	COMMERCIAL LIFE	INSURANCE
105C42	04/30/87	502.35	COMMERCIAL LIFE	INSURANCE
		1,791.15 *		

106162	04/30/87	30.00	SCHWARTZ YVONNE	TRAVEL TRAINING
106162	04/30/87	96.00	SCHWARTZ YVONNE	TRAVEL TRAINING
		126.00 *		

106167	04/30/87	610,237.63	HYDROSTORAGE INC	CONTRACT PYM
		610,237.63 *		

106C40	04/30/87	124.00	CLERK OF COURT	FILING FEE
		124.00 *		

106N80	04/30/87	9.56	N.S.P	UTILITIES
106N80	04/30/87	2.50	N.S.P	UTILITIES
106N80	04/30/87	3.67	N.S.P	UTILITIES
106N80	04/30/87	2.50	N.S.P	UTILITIES
106N80	04/30/87	2.50	N.S.P	UTILITIES
106N80	04/30/87	2.50	N.S.P	UTILITIES
106N80	04/30/87	2.50	N.S.P	UTILITIES
106N80	04/30/87	2.50	N.S.P	UTILITIES
106N80	04/30/87	28.62	N.S.P	UTILITIES
106N80	04/30/87	5.45	N.S.P	UTILITIES
106N80	04/30/87	93.78	N.S.P	UTILITIES
106N80	04/30/87	89.88	N.S.P	UTILITIES
106N80	04/30/87	114.89	N.S.P	UTILITIES
106N80	04/30/87	5.45	N.S.P	UTILITIES
106N80	04/30/87	6.15	N.S.P	UTILITIES
106N80	04/30/87	6.21	N.S.P	UTILITIES
106N80	04/30/87	56.00	N.S.P	UTILITIES
106N80	04/30/87	137.18	N.S.P	UTILITIES
106N80	04/30/87	277.72	N.S.P	UTILITIES
106N80	04/30/87	12.08	N.S.P	UTILITIES
106N80	04/30/87	60.69	N.S.P	UTILITIES
106N80	04/30/87	133.27	N.S.P	UTILITIES
106N80	04/30/87	53.16	N.S.P	UTILITIES
106N80	04/30/87	94.21	N.S.P	UTILITIES
106N80	04/30/87	188.47	N.S.P	UTILITIES
106N80	04/30/87	132.44	N.S.P	UTILITIES
106N80	04/30/87	6.30	N.S.P	UTILITIES
106N80	04/30/87	7.93	N.S.P	UTILITIES
106N80	04/30/87	131.97	N.S.P	UTILITIES

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		1,670.08 *		

107D24	04/30/87	723.00	DEPT NATL RESOURCES	DNR LICENSE
		723.00 *		

107E64	04/30/87	1,000.00	EMP BENEFIT	DENTAL CLAIMS
107E64	04/30/87	1,000.00-	EMP BENEFIT	DENTAL CLAIMS
107E64	04/30/87	1,000.00	EMP BENEFIT	DENTAL CLAIMS
		1,000.00 *		

107M69	04/30/87	4,365.40	MINN STATE TREASURER	LICENSE
107M69	04/30/87	522.00	MINN STATE TREASURER	LICENSE
		4,887.40 *		

107P95	04/30/87	8,144.18	P.E.R.A	PERA
107P95	04/30/87	10,826.56	P.E.R.A	PERA
		18,970.74 *		

110A05	04/30/87	436.90	AFSCME	UNION DUES
		436.90 *		

110C35	04/30/87	21,142.50	CTY CNTY CREDIT UN	CREDIT UNION
		21,142.50 *		

110D24	04/30/87	54.00	DEPT NATL RESOURCES	DNR LICENSE
110D24	04/30/87	165.00	DEPT NATL RESOURCES	DNR LICENSE
110D24	04/30/87	36.00	DEPT NATL RESOURCES	DNR LICENSE
		255.00 *		

110I15	04/30/87	4,034.41	ICMA	DEFERRED COMP
110I15	04/30/87	3,499.53	ICMA	DEFERRED COMP
		7,533.94 *		

110M15	04/30/87	5,381.75	MAPLEWOOD ST BANK	FWT PBL
110M15	04/30/87	15,527.83	MAPLEWOOD ST BANK	FWT PBL
110M15	04/30/87	5,381.75	MAPLEWOOD ST BANK	FWT PBL
		26,291.33 *		

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION

110M18	04/30/87	18.00 18.00 *	METRO SUPERVISORY	UNION DUES

110M35	04/30/87	376.55	MN BENEFIT ASSOC	P/R DEDUCT
110M35	04/30/87	376.55	MN BENEFIT ASSOC	DENTAL CLAIM
110M35	04/30/87	376.55- 376.55 *	MN BENEFIT ASSOC	DENTAL CLAIM

110M61	04/30/87	446.15	MN MUTUAL	INSURANCE
110M61	04/30/87	13.85 460.00 *	MN MUTUAL	INSURANCE

110M65	04/30/87	7,691.98 7,691.98 *	MN ST COMM/REV	SWT PBL

110M68	04/30/87	110.84 110.84 *	MN ST RETIREMENT	DEFERRED COMP
110M69	04/30/87	7,048.42	MINN STATE TREASURER	LICENSE
110M69	04/30/87	400.00	MINN STATE TREASURER	LICENSE
110M69	04/30/87	46.16 7,494.58 *	MN ST RETIREMENT	DEFERRED COMP

110W25	04/30/87	130.77 130.77 *	WISC DEPT REVENUE	SWT PBL

111H10	04/30/87	17.98	HAGEN ARLINE	PETTY CASH
111H10	04/30/87	7.96	HAGEN ARLINE	PETTY CASH
111H10	04/30/87	4.00	HAGEN ARLINE	PETTY CASH
111H10	04/30/87	4.04	HAGEN ARLINE	PETTY CASH
111H10	04/30/87	4.39	HAGEN ARLINE	PETTY CASH
111H10	04/30/87	1.35	HAGEN ARLINE	PETTY CASH
111H10	04/30/87	5.25	HAGEN ARLINE	PETTY CASH
111H10	04/30/87	3.97 48.94 *	HAGEN ARLINE	PETTY CASH

111M69	04/30/87	6,091.65	MINN STATE TREASURER	LICENSE
111M69	04/30/87	406.00	MINN STATE TREASURER	LICENSE

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		6,497.65 *		

111P95	04/30/87	45.00 45.00 *	P. E. R. A	PERA

112164 *	04/30/87	250.00 250.00 *	USAA INSURANCE	CONTRACT PYM

112M69	04/30/87	5,493.39	MINN STATE TREASURER	LICENSE
112M69	04/30/87	227.00 5,720.39 *	MINN STATE TREASURER	LICENSE

112W21	04/30/87	31.95 31.95 *	WARNERS TRUE VALUE	SUPPLIES

113C14	04/30/87	1,440.00 1,440.00 *	CARROLL ANNE R	CONTRACT PYM

113C40	04/30/87	118.00 118.00 *	CLERK OF COURT	FILING FEE

113G56	04/30/87	120.00 120.00 *	GOVT TRAINING	TRAVEL TRAINING

113M69	04/30/87	5,783.24	MINN STATE TREASURER	LICENSE
113M69	04/30/87	196.00 5,979.24 *	MINN STATE TREASURER	LICENSE

113M95 *	04/30/87	90.00 90.00 *	MRPA	TRAVEL TRAINING

114097 *	04/30/87	261.70 261.70 *	STROH BREWERTY	PROGRAMS

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
114165 *	04/30/87	60.00 60.00 *	CHIMERA THEATRE	PROGRAMS
114166 *	04/30/87	20.00 20.00 *	RIVERS EDGE TUBINHG	PROGRAMS

114G56	04/30/87	60.00	NELSON ROBERT	TRAVEL TRAINING
114G56	04/30/87	60.00-	NELSON ROBERT	TRAVEL TRAINING
114G56	04/30/87	60.00 60.00 *	GOVT TRAINING	TRAVEL TRAINING

114M69	04/30/87	8,256.33	MINN STATE TREASURER	LICENSE
114M69	04/30/87	5,409.89	MINN STATE TREASURER	LICENSE
114M69	04/30/87	474.00	MINN STATE TREASURER	LICENSE
114M69	04/30/87	305.00 14,445.22 *	MINN STATE TREASURER	LICENSE

114N15	04/30/87	24.00 24.00 *	NELSON ROBERT	TRAVEL TRAINING

114W50	04/30/87	41.92 41.92 *	WEBER TROSETH	SUPPLIES

117D24	04/30/87	279.00 279.00 *	DEPT NATL RESOURCES	DNR LICENSE

117M69	04/30/87	6,055.25	MINN STATE TREASURER	LICENSE
117M69	04/30/87	335.00 6,390.25 *	MINN STATE TREASURER	LICENSE

118G56	04/30/87	10.00-	NELSON ROBERT	TRAVEL TRAINING
118G56	04/30/87	10.00	GOVT TRAINING	TRAVEL TRAINING
118G56	04/30/87	10.00	NELSON ROBERT	TRAVEL TRAINING
118G56	04/30/87	20.00 30.00 *	GOVT TRAINING	TRAVEL TRAINING

118M69	04/30/87	9,503.87	MINN STATE TREASURER	LICENSE
118M69	04/30/87	411.00	MINN STATE TREASURER	LICENSE

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		9,914.87 *		

118M71	04/30/87	1,184.20	MN ST TREAS SURTAX	SURTAX PBL
118M71	04/30/87	23.68-	MN ST TREAS SURTAX	SURTAX PBL
		1,160.52 *		

118N42	04/30/87	2.96	NORTHERN FIRE PRO	SUPPLIES
118N42	04/30/87	206.04	NORTHERN FIRE PRO	SUPPLIES
		209.00 *		

118W21	04/30/87	10.00	WARNER TRUE VALU	SUPPLIES
118W21	04/30/87	12.78	WARNER TRUE VALU	SUPPLIES
118W21	04/30/87	20.67	WARNER TRUE VALU	SUPPLIES
		43.45 *		

118W50	04/30/87	9.44	WEBER TROSETH	SUPPLIES
118W50	04/30/87	13.00	WEBER TROSETH	SUPPLIES
		22.44 *		

120C40	04/30/87	118.00	CLERK OF COURT	FILING FEE
		118.00 *		

120E64	04/30/87	1,000.00	EMP BENEFIT	DENTAL CLAIMS
		1,000.00 *		

120M69	04/30/87	9,917.75	MINN STATE TREAS	LICENSE
120M69	04/30/87	196.00	MINN STATE TREAS	LICENSE
		10,113.75 *		

63617	04/30/87	3.00-	453	HARVEY GILDENZOR
63617	04/30/87	1.00-	453	HARVEY GILDENZOR
63617	04/30/87	1.00	453	HARVEY GILDENZOR
63617	04/30/87	3.00	453	HARVEY GILDENZOR
		.00 *		

		192,894.82	FUND 01 TOTAL	GENERAL
		277.72	FUND 03 TOTAL	HYDRANT CHARGE
		206.04	FUND 13 TOTAL	C.I.P.

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO. DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
	610,237.63	FUND 63 TOTAL	86-3 CENTURY AVE
	1,116.74	FUND 90 TOTAL	SANITARY SEWER F
	2,000.00	FUND 94 TOTAL	DENTAL SELF-INSU
	22,351.49	FUND 95 TOTAL	PAYROLL BENEFIT
	829,084.44	TOTAL	

* NECESSARY EXPENDITURES SINCE LAST COUNCIL MEETING

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
131042	05/01/87	200.00 200.00 *	PEOPLES ELECTRIC	SUPPLIES

131046	05/01/87	16.00	GOODYEAR	REPAIR VEH
131046	05/01/87	131.28	GOODYEAR	REPAIR VEH
131046	05/01/87	11.70	GOODYEAR	REPAIR VEH
131046	05/01/87	154.16	GOODYEAR	REPAIR VEH
131046	05/01/87	131.28	GOODYEAR	REPAIR VEH
131046	05/01/87	131.28	GOODYEAR	REPAIR VEH
131046	05/01/87	155.28	GOODYEAR	REPAIR VEH
131046	05/01/87	96.00	GOODYEAR	REPAIR VEH
131046	05/01/87	63.48	GOODYEAR	REPAIR VEH
		890.46 *		
131047	05/01/87	702.60 702.60 *	GOVT BUSINESS SYS	EQUIP

131074	05/01/87	4.00 4.00 *	BATHKE CO	OXIDE

131099	05/01/87	22.60 22.60 *	RUDOLPHS	OXYGEN

131139	05/01/87	124.71 124.71 *	NICHOLSON CO	REPAIR

131148	05/01/87	429.98 429.98 *	A.J.O CONNOR SALES	EQUIP
131149	05/01/87	568.75	NATL CHEMSEARCH	SUPPLIES
131149	05/01/87	193.40	NATL CHEMSEARCH	SUPPLIES
		762.15 *		
131150	05/01/87	25.00 25.00 *	EMER MEDICAL SERV	TRAVEL TRAINING
131151	05/01/87	65.00 65.00 *	M/A ASSOCIATES	SUPPLIES
131152	05/01/87	43.01 43.01 *	MUSEUM PRODUCTS	SUPPLIES
131153	05/01/87	150.00 150.00 *	RESEARCH & TEST EXAM	TESTS
131154 *	05/01/87	145.00	RAMSEY CNTY PARK REC	SHOWMOBILE

VOID

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		145.00 *		
131155	05/01/87	21.08 21.08 *	RYAN MICHAEL	TRAVEL TRAINING
131156 *	05/01/87	252.00 252.00 *	STAR SPORTS	SUPPLIES
131157	05/01/87	28.14 28.14 *	SZCZEPAUSKI THOMAS J	TRAVEL TRAINING

131A07	05/01/87	430.00 430.00 *	ABRA	SUPPLIES

131A15	05/01/87	852.00 852.00 *	AEC ENGINEERS	CONTRACT PYM

131A44	05/01/87	34.44	AMOCO OIL CO	FUEL
131A44	05/01/87	1.50-	AMOCO OIL CO	FUEL
131A44	05/01/87	.24-	AMOCO OIL CO	FUEL
131A44	05/01/87	10.80	AMOCO OIL CO	FUEL
		43.50 *		

131A52	05/01/87	98.62 98.62 *	ARDEN SHOREVIEW HOS	CANINE CARE
131A53	05/01/87	193.34	ARI MECH SERVICES	REPAIR
131A53	05/01/87	643.55 836.89 *	ARI MECH SERVICES	REPAIR

131A69	05/01/87	577.44	ARNALS AUTO SERV	REPAIR VEH
131A69	05/01/87	695.98 1,273.42 *	ARNALS AUTO SERV	REPAIR VEH

131A72	05/01/87	9.90 9.90 *	ARTSIGN	SUPPLIES

131A75	05/01/87	27.34	A T & T	SUPPLIES
131A75	05/01/87	10.80 38.14 *	A T & T	SUPPLIES

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
131B11	05/01/87	35.00 35.00 *	BANICK JOHN	CANINE ALLOWANCE

131B13	05/01/87	3,928.50 3,928.50 *	BAHT JAMES C	CONTRACT PYM

131B34	05/01/87	19.25 19.25 *	BOWMAN RICK A	TRAVEL TRAINING

131B45	05/01/87	60.00 60.00 *	BOARD OF WATER COMM	UTILITIES

131B95	05/01/87	114.80 114.80 *	BURFEIND MARY	EMT INSTRUCTOR

131C13	05/01/87	97.92 97.92 *	CARX	REPAIR MAINT

131C17	05/01/87	19.00	CAPITOL RUBBER STAMP	SUPPLIES
131C17	05/01/87	14.05	CAPITOL RUBBER STAMP	SUPPLIES
		33.05 *		

131C38	05/01/87	32.75	CLEAN STEP RUGS	RUG CLEANING
131C38	05/01/87	31.45	CLEAN STEP RUGS	RUG CLEANING
		64.20 *		

131C45	05/01/87	93.53 93.53 *	CHIPPEWA SPRINGS	RUG CLEANING

131C56	05/01/87	109.34	COLLINS ELECTRIC	SUPPLIES
131C56	05/01/87	3,021.35	COLLINS ELECTRIC	SUPPLIES
		3,140.69 *		

131C58	05/01/87	21.50	COPY EQUIPMENT INC.	SUPPLIES

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		21.50 *		
131C59	05/01/87	430.00	CORPORATE RISK MGM	CONTRACT PYM
131C59	05/01/87	1,968.75	CORPORATE RISK MGM	CONTRACT PYM
		2,398.75 *		

131D22	05/01/87	112.74	DAVIES WATER EQUIP	SUPPLIES
		112.74 *		

131D30	05/01/87	204.60	DALCO	SUPPLIES
131D30	05/01/87	8.00-	DALCO	SUPPLIES
		196.60 *		

131E04	05/01/87	131.20	EASTLUND RICHARD	EMT INSTRUCTOR
131E04	05/01/87	49.20	EASTLUND RICHARD	EMT INSTRUCTOR
		180.40 *		
131F05	05/01/87	9.00	FAUST DANIEL	TRAVEL TRAINING
131F05	05/01/87	5.62	FAUST DANIEL	TRAVEL TRAINING
		14.62 *		

131F38	05/01/87	144.77	FLEXIBLE PIPE TOOL	SUPPLIES
		144.77 *		

131G57	05/01/87	1,681.50	GRACE DUANE C	CONTRACT PYM
		1,681.50 *		

131I85	05/01/87	400.00	INTL ASSN OF	TRAVEL TRAINING
131I85	05/01/87	400.00	INTL ASSN OF	TRAVEL TRAINING
		800.00 *		

131L28	05/01/87	35.00	LANG RICHARD	CANINE ALLOWANCE
		35.00 *		

131L70	05/01/87	1,937.39	LOGIS	CONTRACT PYM
131L70	05/01/87	5.56	LOGIS	DP CHARGES
		1,942.95 *		

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
131M11	05/01/87	1,669.21 1,669.21 *	MAC. QUEEN EQUIPMENT	REPAIR

131M19	05/01/87	12.88 12.88 *	MERIT CHEVROLET	SUPPLIES

131M48	05/01/87	4,832.60 4,832.60 *	METRO INSP SERVICE	CONTRACT PYM

131M59	05/01/87	48.00 48.00 *	MINNESOTA BLUEPRINT	SUPPLIES

131M79	05/01/87	622.95 622.95 *	MN UC FUND	CONTRACT PYM

131M98	05/01/87	5.00 5.00 *	MULVANEY DENNIS	TRAVEL TRAINING

131N02	05/01/87	29.64 29.64 *	NADEAU EDWARD	MIELAGE

131N12	05/01/87	14.00 14.00 *	NATL WILDLIFE FED	MEMBERSHIP

131N15	05/01/87	19.91 19.91 *	NELSON ROBERT	TRAVEL TRAINING

131N19	05/01/87	161.08 161.08 *	NATL BUSINESS SYST	SUPPLIES

131N26	05/01/87	74.60 74.60 *	NEBS	SUPPLIES

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
131N30	05/01/87	1,141.32	NORTH ST PAUL CITY	UTILITIES
		1,141.32 *		

131N50	05/01/87	102.05	NORTHWESTERN BELL	TELEPHONE
131N50	05/01/87	38.90	NORTHWESTERN BELL	TELEPHONE
131N50	05/01/87	38.90	NORTHWESTERN BELL	TELEPHONE
131N50	05/01/87	38.90	NORTHWESTERN BELL	TELEPHONE
131N50	05/01/87	19.50	NORTHWESTERN BELL	TELEPHONE
131N50	05/01/87	39.00	NORTHWESTERN BELL	TELEPHONE
131N50	05/01/87	38.90	NORTHWESTERN BELL	TELEPHONE
131N50	05/01/87	379.99	NORTHWESTERN BELL	TELEPHONE
131N50	05/01/87	17.34	NORTHWESTERN BELL	TELEPHONE
131N50	05/01/87	50.33	NORTHWESTERN BELL	TELEPHONE
131N50	05/01/87	116.38	NORTHWESTERN BELL	TELEPHONE
131N50	05/01/87	58.73	NORTHWESTERN BELL	TELEPHONE
131N50	05/01/87	89.05	NORTHWESTERN BELL	TELEPHONE
131N50	05/01/87	81.80	NORTHWESTERN BELL	TELEPHONE
131N50	05/01/87	67.95	NORTHWESTERN BELL	TELEPHONE
		1,177.72 *		

131N52	05/01/87	50.00	NORTHWOODS AUDBON	TRAVEL TRAINING
		50.00 *		
131N53	05/01/87	10.00	NORTHERN MALLABLE	REFUND
		10.00 *		

131N80	05/01/87	2.50	N.S.P.	UTILITIES
131N80	05/01/87	3.67	N.S.P.	UTILITIES
131N80	05/01/87	3.67	N.S.P.	UTILITIES
131N80	05/01/87	71.34	N.S.P.	UTILITIES
131N80	05/01/87	68.67	N.S.P.	UTILITIES
131N80	05/01/87	6,228.21	N.S.P.	UTILITIES
131N80	05/01/87	75.72	N.S.P.	UTILITIES
131N80	05/01/87	21.24	N.S.P.	UTILITIES
131N80	05/01/87	36.58	N.S.P.	UTILITIES
131N80	05/01/87	15.22	N.S.P.	UTILITIES
131N80	05/01/87	38.17	N.S.P.	UTILITIES
131N80	05/01/87	103.93	N.S.P.	UTILITIES
		6,668.92 *		

131029	05/01/87	6.00	OCTOPUS CAR WASH	MAINT VEH
131029	05/01/87	155.00	OCTOPUS CAR WASH	MAINT VEH
131029	05/01/87	47.00	OCTOPUS CAR WASH	MAINT VEH
131029	05/01/87	25.00	OCTOPUS CAR WASH	MAINT VEH
		233.00 *		

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
131P08	05/01/87	131.20	PAYETTE GREGORY	EMT INSTRUCTOR
131P08	05/01/87	65.60	PAYETTE GREGORY	EMT INSTRUCTOR
		196.80 *		

131P12	05/01/87	196.80	PAYETTE JEAN	EMT INSTRUCTOR
131P12	05/01/87	65.60	PAYETTE JEAN	EMT INSTRUCTOR
		262.40 *		

131P30	05/01/87	319.09	PETERSON BELL CONV	CONTRACT PYM.
		319.09 *		

131R27	05/01/87	71.70	REEDS SALES SERVICE	SUPPLIES
		71.70 *		

131R47	05/01/87	26.70	ROADRUNNER	CONTRACT PYM
131R47	05/01/87	54.80	ROADRUNNER	CONTRACT PYM
		81.50 *		

131R49	05/01/87	478.81	ROAD RESCUE	SUPPLIES
		478.81 *		

131R90	05/01/87	49.75	RYCO SUPPLY CO	SUPPLIES
		49.75 *		

131S02	05/01/87	6.60	S & D LOCK SAFE	SUPPLIES
		6.60 *		
131S03	05/01/87	37.90	SPS OFFICE PROD	SUPPLIES
131S03	05/01/87	56.96	SPS OFFICE PROD	SUPPLIES
131S03	05/01/87	46.33	SPS OFFICE PROD	SUPPLIES
131S03	05/01/87	8.85	SPS OFFICE PROD	SUPPLIES
131S03	05/01/87	191.00	SPS OFFICE PROD	SUPPLIES
131S03	05/01/87	143.82-	SPS OFFICE PROD	SUPPLIES
		197.22 *		

131S58	05/01/87	469.68	ST PAUL CITY OF	CONTRACT PYM
131S58	05/01/87	740.15	ST PAUL CITY OF	CONTRACT PYM
131S58	05/01/87	869.61	ST PAUL CITY OF	CONTRACT PYM

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
131S58	05/01/87	755.43	ST PAUL CITY OF	JAN FEB MAR
131S58	05/01/87	520.50	ST PAUL CITY OF	CONTRACT PYM
131S58	05/01/87	378.00	ST PAUL CITY OF	CONTRACT PYM
131S58	05/01/87	10.00	ST PAUL CITY OF	CONTRACT PYM
		3,743.37 *		

131S69	05/01/87	7.52	ST PAUL BOOK	SUPPLIES
		7.52 *		

131S72	05/01/87	23.38	STILL VERNON T	TRAVEL TRAINING
		23.38 *		

131S82	05/01/87	440.63	STATE OF MN DOT	CONTRACT PYM
		440.63 *		

131S84	05/01/87	35.00	STEFFEN SCOTT	CANINE ALLOWANCE
		35.00 *		

131S90	05/01/87	7.10	SUPERAMERICA	CONTRACT PYM
131S90	05/01/87	11.57	SUPERAMERICA	CONTRACT PYM
131S90	05/01/87	.53	SUPERAMERICA	CONTRACT PYM
131S90	05/01/87	9.79	SUPERAMERICA	CONTRACT PYM
131S90	05/01/87	2.37	SUPERAMERICA	CONTRACT PYM
		31.36 *		

131T29	05/01/87	184.81	T. A. SCHIFSKY SONS	CONTRACT PYM
		184.81 *		
131T30	* 05/01/87	27.33	TARGET	SUPPLIES PROC
		27.33 *		

131T43	05/01/87	4,490.00	TESSMAN SEED	SUPPLIES
		4,490.00 *		

131T50	05/01/87	61.50	T J AUTO PARTS	SUPPLIES
131T50	05/01/87	56.25	T J AUTO PARTS	SUPPLIES
131T50	05/01/87	72.68	T J AUTO PARTS	SUPPLIES
		190.43 *		

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
131T59	05/01/87	91.64 91.64 *	TOUSLEY FORD	REPAIR

131T80	05/01/87	14.28 14.28 *	TRUCK UTILITIES MFG	SUPPLIES

131T93	05/01/87	111.57 111.57 *	TWIN CITY FILTER	REPAIR MAINT

131U86	05/01/87	72.80 72.80 *	UNIVERSAL MEDICAL	SUPPLIES

131V49	05/01/87	136.40 136.40 *	VIKING SAFETY PROD	SUPPLIES

131W34	05/01/87	131.20 131.20 *	WEGNER RUDY	EMT INSTRUCTOR

131W70	05/01/87	40.00 40.00 *	WINFIELD MITCHELL	CONTRACT PYM

131W90	05/01/87	128.55	W W GRAINGER	SUPPLIES
131W90	05/01/87	31.66	W W GRAINGER	SUPPLIES
		160.21 *		

131Y50	05/01/87	5,370.00 5,370.00 *	YOCUM OIL	FUEL OIL

131Z10	05/01/87	9.36 9.36 *	ZAPPA JOSEPH	TRAVEL TRAINING

131Z30	05/01/87	60.10	ZEP MFG CO	SUPPLIES
131Z30	05/01/87	3.40-	ZEP MFG CO	SUPPLIES
		56.70 *		

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION

131240	05/01/87	62.31	ZIEGLER INC	SUPPLIES
		62.31 *		

		45,608.25	FUND 01 TOTAL	GENERAL
		327.17	FUND 03 TOTAL	HYDRANT CHARGE
		702.60	FUND 13 TOTAL	C.I.P.
		40.00	FUND 31 TOTAL	78-24 BEAM W OF 6
		852.00	FUND 63 TOTAL	86-3 CENTURY AVE
		464.47	FUND 90 TOTAL	SANITARY SEWER FU
		622.95	FUND 95 TOTAL	PAYROLL BENEFIT
		7,811.53	FUND 96 TOTAL	VEHICLE & EQUIP M
		56,428.97	TOTAL	

* INDICATES ITEMS FINANCED BY RECREATIONAL FEES

DATE 04/28/87

CITY OF MAPLEWOOD

PROGRAM PR10

PAYROLL CHECK REGISTER REPORT

E-1
Payroll
5-1-87

CHECK NUM	EMPLOYEE NUMBER	NAME			GROSS PAY
09422	02-1812	LAIS	DONALD		2239.20
09423	02-9671	BEHM	LOIS	N	852.25
DIVISION 02 CITY MANAGER					3091.45
09424	10-4474	JAHN	DAVID	J	743.25
09425	10-6523	SWANSUN, JR.	LYLE	E	897.47
DIVISION 10 CITY HALL MAINT					1640.72
09426	12-0166	CUDE	LARRY	J	242.40
09427	12-0908	ZUERCHER	JOHN	L	157.60
09428	12-5905	OSTER	ANDREA	J	630.47
DIVISION 12 EMERGENCY SERVICES					1030.47
09429	21-1078	FAUST	DANIEL	F	1846.28
DIVISION 21 FINANCE ADMINISTRATION					1846.28
09430	22-0614	HAGEN	ARLINE	J	1168.06
09431	22-4432	MOELLER	MARGARET	A	491.47
09432	22-4446	MATHEYS	ALANA	K	868.25
09433	22-7550	VIGNALO	DELORES	A	852.25
DIVISION 22 ACCOUNTING					3380.03
09434	31-2198	AURELIUS	LUCILLE	E	1982.28
09435	31-4816	SELVOG	BETTY	D	310.00
09436	31-9815	SCHADT	JEANNE	L	745.85
DIVISION 31 CITY CLERK ADMINISTRATION					3038.13

CHECK NUM	EMPLOYEE NUMBER	NAME			GROSS PAY
09437	33-0547	KELSEY	CUNNIE	L	331.08
09438	33-4435	VIETOR	LORRAINE	S	726.65
09439	33-4994	HENSLEY	PATRICIA	A	415.83
09440	33-6105	CARLE	JEANETTE	E	629.71
09441	33-8389	GREEN	PHYLLIS	C	929.05
DIVISION 33 DEPUTY REGISTRAR					3032.32
09442	41-1717	COLLINS	KENNETH	V	1917.48
09443	41-2356	RICHIE	CAROLE	L	706.65
09444	41-2934	SVENDSEN	JOANNE	M	888.28
09445	41-3183	NELSON	ROBERT	D	1675.88
09446	41-7636	OMATH	JOY	E	720.25
09447	41-9263	MARTINSON	CAROL	F	619.45
DIVISION 41 PUBLIC SAFETY ADMIN					6527.99
09448	42-0130	ZAPPA	JOSEPH	A	1455.26
09449	42-0251	STILL	VERNON	T	1308.68
09450	42-0457	SKALMAN	DONALD	W	1357.48
09451	42-0990	MORELLI	RAYMUND	J	1332.68
09452	42-1204	STEFFEN	SCOTT	L	1420.58
09453	42-1364	ARNOLD	DAVID	L	1455.26
09454	42-1577	BANICK	JOHN	J	2631.10
09455	42-1660	BOHL	JOHN	C	1843.40
09456	42-1899	CAHANES	ANTHONY	G	1675.88
09457	42-1930	CLAUSON	DALE	K	1357.48
09458	42-2063	MUESCHTER	RICHARD	M	1357.48
09459	42-2115	ATCHISON	JOHN	H	1396.68
09460	42-2884	PELTIER	WILLIAM	F	1455.26
09461	42-2899	SZCZEPANSKI	THOMAS	J	1031.88
09462	42-3243	WELCHLIN	CABOT	V	1112.44
09463	42-3591	LANG	RICHARD	J	1473.04
09464	42-4775	PALMA	STEVEN	T	819.08
09465	42-4916	HERBERT	MICHAEL	J	1371.88
09466	42-6119	DREGER	RICHARD	C	1455.26
09467	42-7686	MEEHAN, JR	JAMES	E	1308.68
09468	42-7887	GREEN	NORMAN	L	1455.26
09469	42-8226	STAFNE	GREGORY	L	1332.68

CHECK NUM	EMPLOYEE NUMBER	NAME			GROSS PAY
09470	42-8434	BECKER	RONALD	D	1332.68
09471	42-8516	HALWEG	KEVIN	R	2182.64
09472	42-9204	STOCKTON	DERRELL	T	1368.94
09473	42-9867	BOWMAN	RICK	A	1425.72
DIVISION 42 POLICE SERVICES					37717.40
09474	43-0009	KARIS	FLINT	D	3821.94
09475	43-0466	HEINZ	STEPHEN	J	1639.62
09476	43-0918	NELSON	CAROL	M	1419.19
09477	43-1789	GRAF	DAVID	M	1405.48
09478	43-2052	THOMALLA	DAVID	J	2667.26
09479	43-2201	YOUNGREN	JAMES	G	1581.72
09480	43-4316	RAZSKAZOFF	DALE	E	1396.68
09481	43-6071	VORWERK	ROBERT	E	1690.60
09482	43-7418	BERGERON	JOS+PH	A	2387.24
09483	43-7791	MELANDER	JON	A	1559.77
DIVISION 43 PARAMEDIC SERVICES					19569.50
09484	45-1878	EMBERTSON	JAMES	M	1431.88
09485	45-3333	WILLIAMS	DUANE	J	1256.68
DIVISION 45 FIRE PREVENTION					2688.56
09486	46-0183	RABINE	JANET	L	852.25
09487	46-0322	STAHNKE	JULIE	A	827.45
09488	46-0389	BOYER	SCOTT	K	787.03
09489	46-4801	RYAN	MICHAEL	P	1550.47
09490	46-5919	NELSON	KAREN	A	852.25
09491	46-7030	MARTIN	SHAWN	M	852.25
09492	46-7236	FLAUGHER	JAYME	L	868.25
DIVISION 46 DISPATCHING SERV					6589.95
09493	51-0267	BARTA	MARIE	L	700.01

CHECK NUM	EMPLOYEE NUMBER	NAME			GROSS PAY
09494	51-6872	HAIDER	KENNETH	G	2164.68
09495	51-8993	CHLEBECK	JUDY	M	884.25
DIVISION 51 PUBLIC WORKS ADMIN					3748.94
09496	52-0547	MEYER	GERALD	W	1125.67
09497	52-1241	KANE	MICHAEL	R	1120.49
09498	52-1431	LUTZ	DAVID	P	1019.29
09499	52-1484	REINERT	EDWARD	A	1102.65
09500	52-3473	KLAUSING	HENRY	F	1112.01
09501	52-4037	HELEY	RUNALD	J	1062.65
09502	52-6224	TEVLIN, JR.	HARRY	J	1124.77
09503	52-6254	FREBERG	RUNALD	L	1046.55
09504	52-6755	PRELITNER	JOSEPH	B	1424.86
09505	52-8314	CASS	WILLIAM	C	1470.46
DIVISION 52 STREET MAINTENANCE					11609.40
09506	53-1010	ELIAS	JAMES	G	1203.45
09507	53-1688	PECK	DENNIS	L	1270.37
09508	53-2522	PRIEBE	WILLIAM		1159.45
09509	53-3970	AHL-JR.	RAY	C	1674.46
09510	53-4671	GESSELE	JAMES	T	1269.45
09511	53-6109	GEISSLER	WALTER	M	1181.85
DIVISION 53 ENGINEERING					7759.03
09512	54-3775	LOFGREN	JOHN	R	832.25
DIVISION 54 PUBLIC WORKS BLDG MAINT					832.25
09513	58-1014	NADEAU	EDWARD	A	1135.66
09514	58-1590	MULWEE	GEORGE	W	1061.05
09515	58-1720	NUTESUN	LAVERNE	S	1424.86
09516	58-2563	BREHEIM	ROGER	W	1061.05

DATE 04/28/87

CITY OF MAPLEWOOD

PROGRAM PR10

PAYROLL CHECK REGISTER REPORT

CHECK NUM	EMPLOYEE NUMBER	NAME			GROSS PAY
09517	58-2582	EDSON	DAVID	B	1100.32
09518	58-5993	OWEN	GERALD	C	1121.85
DIVISION 58 SAN SEWER OPERATION					6904.79
09519	59-1000	MULVANEY	DENNIS	M	1194.65
09520	59-9760	MACDONALD	JOHN	E	1161.85
DIVISION 59 VEH & EQUIP MAINT					2356.50
09521	61-0389	UDEGARD	ROBERT	D	1723.08
09522	61-1066	BRENNEK	LOIS	J	932.33
09523	61-1993	KRUMMEL	BARBARA	A	359.72
09524	61-2618	STAPLES	PAULINE		1367.26
DIVISION 61 COMM SERVICES ADMIN					4382.39
09525	62-3790	ANDERSON	ROBERT	S	913.05
09526	62-3915	LINDORFF	DENNIS	P	1081.85
09527	62-4097	YUKER	WALTER	A	81.00
09528	62-4121	HELEY	ROLAND	B	1062.65
09529	62-5506	MARUSKA	MARK	A	1175.45
09530	62-7219	BURKE	MYLES	R	1102.65
09531	62-8182	GERMAIN	DAVID	A	1086.94
DIVISION 62 PARK MAINTENANCE					6503.59
09532	63-0170	STRAUS	LAURA	J	7.50
09533	63-1808	LINDORFF	TODD	M	97.50
09534	63-4246	WARD	ROY	G	406.40
09535	63-6422	TAUBMAN	DOUGLAS	J	1056.86
09536	63-9219	DIEBEL	GERALD	D	42.00
DIVISION 63 RECREATION PROGRAMS					1610.26

DATE 04/28/87

CITY OF MAPLEWOOD

PROGRAM PR10

PAYROLL CHECK REGISTER REPORT

CHECK NUM	EMPLOYEE NUMBER	NAME			GROSS PAY
09537	64-0508	GREW	JANET	M	892.25
09538	64-0989	FLICK	BARBARA	L	281.02
09539	64-2163	SOUTTER	CHRISTINE		452.42
09540	64-4624	HORSNELL	JUDITH	A	433.32
DIVISION 64 NATURE CENTER					2059.01
09541	71-0124	DOHERTY	KATHLEEN	M	780.16
09542	71-0551	OLSON	GEOFFREY	W	1701.48
09543	71-3174	WEGWERTH	JUDITH	A	415.83
09544	71-8754	LIVINGSTON	JOYCE	L	224.00
DIVISION 71 CUMM DEVELOPMENT ADMIN					3121.47
09545	72-7178	EKSTRAND	THOMAS	G	1150.39
09546	72-8505	JOHNSON	RANDALL	L	1254.90
DIVISION 72 PLANNING					2405.29
09547	73-0677	OSTROM	MARJORIE		1391.26
09548	73-1942	CARVER	NICHOLAS	N	1059.45
DIVISION 73 BUILDING INSPECTIONS					2450.71
09549	74-0776	WENGER	ROBERT	J	1159.45
09550	74-9223	GIRARD	LAWRENCE	M	210.00
DIVISION 74 HEALTH INSPECTIONS					1369.45
FUND NOT ON FILE					147265.88
GRAND TOTALS					147265.88

E-2

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Finance Director *R. Sturst*
RE: Disposal of Old Financial Records
DATE: April 22, 1987

Endorsed _____
Modified _____
Rejected _____
Date _____

Authorization is requested to make application to the State for disposal of old financial records.

BACKGROUND

For the past several years, the City has been microfilming its financial records. The main reason for microfilming has been to conserve valuable space in the City Hall -- microfilming results in a 96% reduction in the number of file cabinets and space required for records storage. Once records are microfilmed, the original copies are packed and sent to the Public Works Building for storage. (The State Auditor requires that the original copies be kept for six years.) The microfilm copies are kept in the City Hall and copies are also in safe deposit boxes at a local bank.

Annually the City disposes of records that are over six years old. However, before the records can be destroyed, the City is required by law to submit the attached resolution and application for approval to the State. It should be noted that the application requests approval to destroy only the original copies. The microfilm copies will be kept as a permanent record.

RECOMMENDATION

The attached resolution is recommended for adoption.

DFF:1nb

RESOLUTION

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.

MINNESOTA HISTORICAL SOCIETY
1500 Mississippi St., St. Paul, MN 55101
APPLICATION FOR AUTHORITY TO DISPOSE OF RECORDS

INSTRUCTIONS: Make original and three copies. Complete items 2, 3, 4, 5, 6 and 9a, b, c. Use reverse side of form to continue records description. If more space is needed, use white bond paper similarly spaced. Send original and two copies to the above address. Retain one copy while your application is being processed. You will receive an approved copy of your application, which will be your authority to dispose of records. The approved copy should be retained permanently.

NOTE: Laws of 1971, Chapter 529, Section 3 reads as follows: "It is the policy of the legislature that the disposal and preservation of public records be controlled exclusively by Minnesota Statutes, Chapter 138 and by this act, thus, no prior, special or general statute shall be construed to authorize or prevent the disposal of public records at a time or in a manner different than prescribed by such chapter or by this act and no general or special statute enacted subsequent to this act shall be construed to authorize or prevent the disposal of public records at a time or in a manner different than prescribed in chapter 138 or in this act unless it expressly exempts such records from the provisions of such chapter and this act by specific reference to this section."

1. TO: Minnesota Historical Society

2. FROM: CITY OF MAPLEWOOD Finance Department
Agency or Office Subdivision or Section

3. Quantity of Records; cubic feet 27.36 or linear feet _____

4. Location of Records: Maplewood Public Works Building

5. Laws other than M.S. 138.17 that relate to the destruction or safekeeping of the records: None to our knowledge

6. I certify that the records listed on this application are accurately described, and that they have no further administrative, legal, or fiscal value for this agency.

Authorized Signature Date
 DANIEL F. FAUST - FINANCE DIRECTOR
4/21/87
Name and Title (please print or type)

7. AUTHORIZATION

Under the authority of Minnesota Statutes 138.17, it is hereby ordered that the records listed on this application be destroyed, except as shown below (item 8).

_____ Director, Minnesota Historical Society	_____ Date
_____ Legislative or State Auditor	_____ Date
_____ Attorney General	_____ Date

8. Exceptions to Destruction. (For use by Director, Legislative Auditor, State Auditor, and Attorney General only.)

9. Description of Records - Describe each record series or type of record separately. Number each series, beginning with "1".

a. Item No	b. Name of record, form numbers, content, usage, arrangement, original, duplicate, or microfilmed	c. Inclusive Dates
1.	FINANCIAL RECORDS Schedule of Accounts Original Monthly Batch Proof Original Monthly Activity Listing Original Monthly Sub-Ledger Original Monthly Budget & Revenue Original End of Year Sub-Ledger Original Monthly General Ledger Books Original Accounts Payable Listings Original Monthly Bank Statements Original	1979 & 1980 1979 & 1980

a. Series No.	b. Name of record, form numbers, content, usage, arrangement, original, duplicate, or microfilmed.	c. Inclusive Dates
1.	<u>(CON'T.) FINANCIAL RECORDS</u>	
	End of Year Vendor Cards Original	1979 & 1980
	Expenditure Vouchers & Documents	
	(#28632 - 29473 & #1001 - 4093) Original	1979
	(#4094 - 7995) Original	1980
	Direct Expenditure Vouchers & Documents	
	(#3153 - 3945) Original	1979
	(#3946 - 5128) Original	1980
	Receipt Books	
	(#163 - 1100, #15901 - 21100) Original	1979
	(#1101 - 2066, #21101 - 26618) Original	1980
	Journal Entries Original	1979 & 1980
	Time Sheets Original	1979 & 1980
	Vehicle Equipment Maintenance Records Original	1979 & 1980
	Ambulance Billings Reports Original	1979 & 1980
	Cancelled Checks & Direct Checks	
	(#27478 - 29473, 2983) Original	1978
	(#1001 - 4093, 3262, 3301 - 3943) Original	1979
	(#3326 - 4091, 3434 - 3945) Original	1979
	(#4094 - 7994, 3946 - 5124) Original	1980
	Workman's Comp. Claims Original	1979 & 1980
	Accident Reports Original	1979 & 1980
	Pay Rate Documentation Book Original	1979 & 1980
	Health Insurance Book Original	1979 & 1980
2.	<u>PAYROLL RECORDS</u>	
	Cancelled Payroll Checks	
	(#19087 - 19482) Original	1978
	(#19483 - 22969, 22690 - 22970) Original	1979
	(#22971 - 26482) Original	1980
	Bi-weekly Payroll Registers Original	1979 & 1980
	Quarter-to-Date Payroll Registers Original	1979 & 1980
	Payroll Deductions Listings Original	1979 & 1980

MEMORANDUM

Action by Council:

TO: City Manager
 FROM: Finance Director *R. Quinn*
 RE: Budget Changes - 1987 Labor Settlements
 DATE: May 1, 1987

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

Earlier this year the Council approved annual wage and benefit increases for several bargaining units and non-union employees. Budget adjustments are needed to finance these labor settlements.

It is recommended that the Council authorize the appropriate budget adjustments to finance the previously approved 1987 wage and benefit increases and that they be financed by transfers from the contingency accounts within the following funds:

- \$163,550 - General Fund
- 390 - Hydrant Charge Fund
- 7,860 - Sewer Fund
- 3,040 - V.E.M. Fund

DFF:lnb

Action by Council:

MEMORANDUM

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Associate Planner--Johnson
SUBJECT: Time Extension--Preliminary Plat
LOCATION: Marnie Street and Teakwood Drive
APPLICANT/OWNER: Good Value Homes
PROJECT: Huntington Hills
DATE: May 4, 1987

SUMMARY

Request

Approve a one-year time extension for the undeveloped portion of the Huntington Hills preliminary plat. This area was designated as Outlot A when the first addition was final-platted. (See page 5.)

Reason for the Request

Outlot A cannot be final-platted until contracts are signed to construct Hillwood Drive across the south boundary of Outlot A. Council ordered the Hillwood Drive project on April 13. A final plat for Outlot A should be submitted in late May or June.

Recommendation

Approve a one-year time extension for the undeveloped portion of the Huntington Hills preliminary plat, now referred to as Outlot A.

BACKGROUND

Past Actions

5-22-86:

Council approved the Huntington Hills preliminary plat (page 3). One of the conditions is that Blocks Three and Four shall not be final-platted until contracts are signed for the construction of Hillwood Drive along the south boundary of the site. The final plat for these blocks shall conform with council's chosen alignment for the Hillwood Drive right-of-way. Blocks One and Two may be developed as a first phase, provided Teakwood Drive is constructed.

9-22-86

Council approved the final plat for the first phase. (See page 5.)

4-13-87:

Council ordered the construction of Hillwood Drive.

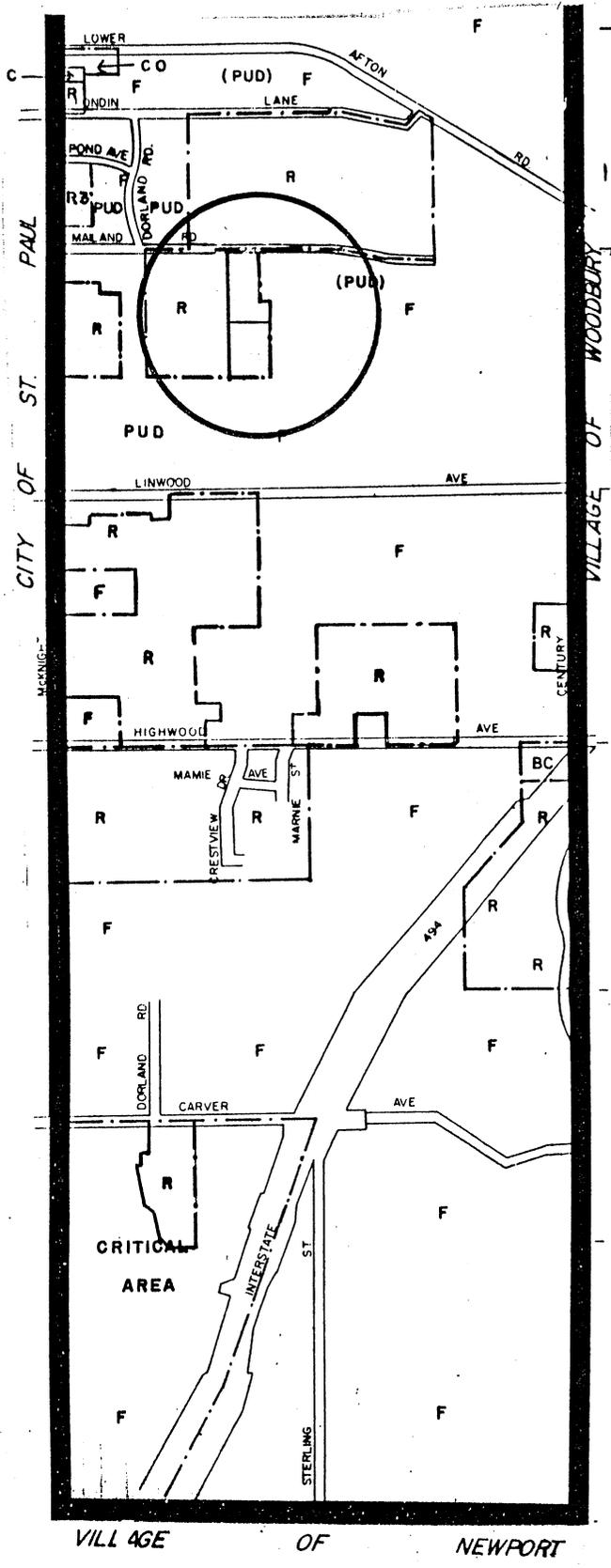
Planning

Section 30-5 of city code states that the approval period for a preliminary plat is one year. After one year, the applicant may apply for a time extension.

jw

Attachments

1. Location Map
2. Preliminary Plat Map
3. Final Plat (First Phase)
4. Letter



LOCATION MAP



GOOD VALUE HOMES

April 20, 1987

Randy Johnson
City of Maplewood
1902 East County Road B
Maplewood, MN 55109

RE: Huntington Hills

Dear Mr. Johnson:

This letter is to request an extension on the Preliminary Plat approval for the second Phase of our Huntington Hills Addition. The project was delayed due to the uncertainty of the alignment of Hillwood Avenue.

Sincerely,



John R. Peterson
Director of Development

JRP:db

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

MEMORANDUM

TO: City Manager
FROM: Thomas Ekstrand--Associate Planner
SUBJECT: Conditional Use Permit Renewal
LOCATION: Beam Avenue and Southlawn Drive
APPLICANT: Richard Schreier
OWNER: Richard Schreier, James Lennow and Fred Plessel
PROJECT: Bonanza Family Restaurant
DATE: May 4, 1987

SUMMARY

Request

Renewal of the conditional use permit allowing the Bonanza Family Restaurant in a BC(M), business commercial (modified) district.

Proposal

In addition to the restaurant, a 15,470 square foot shopping center with fuel sales was also proposed. The fuel sales portion of the proposal was denied by council. The shopping center is a permitted use in a BC(M) district.

Comments

The applicant has explained that "due to change in the franchise and development ownership, the construction of the Bonanza on Beam has been delayed." Mr. Schreier requested that the renewal be granted since he still anticipates constructing the restaurant once ownership and franchise considerations have been resolved.

Recommendation

Renewal of the conditional use permit for one year for the Bonanza Family Restaurant, subject to the original conditions.

BACKGROUND

Past Action

3-11-86:

The review board conditionally approved the site plan for the Bonanza Restaurant and a separate shopping center building to the south.

5-12-86:

The city council approved a conditional use permit for the Bonanza Restaurant, subject to the following conditions:

1. Adherence to the site plan, dated March 26, 1986, unless a change is approved by the city's community design review board.
2. All cooking odors shall be controlled so not to be detectable at the boundary of residentially-zoned property.

8-12-86:

The review board conditionally approved the architectural plans.

Code Requirement

Section 36-442 (e) states that all conditional use permits shall be reviewed by the council within one year of the date of initial approval, unless such review is waived by council decision or ordinance. At the one year review, the council may specify an indefinite term or specific term, not to exceed five (5) years, for subsequent reviews. The council may impose new or additional conditions upon the permit at the time of the initial or subsequent reviews. A conditional use permit shall remain in effect as long as the conditions agreed upon are observed, but nothing in this section shall prevent the city from enacting or amending official controls to change the status of conditional uses. Any conditional use that meets the agreed upon conditions and is later disallowed because of the city enacting or amending official controls shall be considered a legal nonconforming use.

jw

Attachments

1. Location Map
2. Property Line/Zoning Map
3. Site Plan

Action by Council:

MEMORANDUM

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Associate Planner--Johnson
SUBJECT: Time Extension--Preliminary Plat
LOCATION: Beebe Road, North of Larpenteur Avenue
APPLICANT: Castle Design and Development
OWNER: George Town Commons, Limited Partnership
DATE: May 4, 1987

SUMMARY

Request

Approval of a one-year time extension for the Southwinds of Maplewood 2nd Addition preliminary plat.

Comments

A requirement of the preliminary plat approval was to obtain a containment easement from Williams Brothers Pipeline Company for the three pipelines that cross the north boundary of the site. The negotiations for this easement took longer than expected. Final plat approval should be applied for in late May or early June.

Recommendation

Approve a one-year time extension for the Southwinds of Maplewood 2nd Addition.

BACKGROUND

Past Actions

5-22-86:

Council approved the Southwinds of Maplewood 2nd Addition preliminary plat and associated right-of-way and easement vacations.

Planning

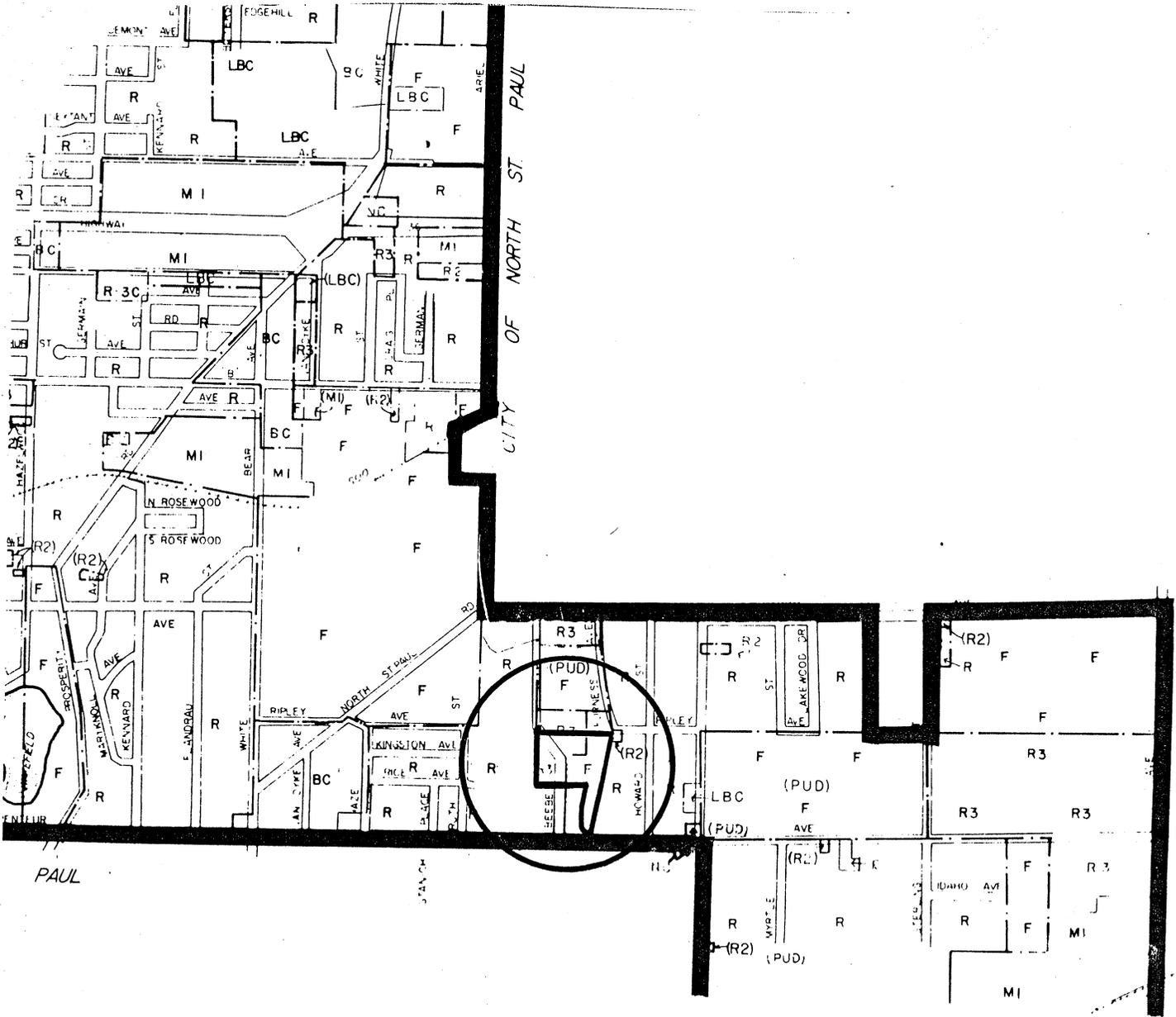
1. Section 30-5 of city code states that the approval period for a preliminary plat is one year. After one year, the applicant may apply for a time extension.

2. The building proposed for Lot One, Block One will be more than 150 feet from the closest pipeline. A setback of 100 to 150 feet is generally being accepted as adequate.

jw

Attachments

1. Location Map
2. Preliminary Plat Map
3. Applicant's Letter of Request



LOCATION MAP





Design & Development Co. Inc.

2419 No. Margaret St. North St. Paul, MN 55109 Phone 770-6138

April 16, 1987

City of Maplewood
Planning Commission
1830 E. County Road B
Maplewood, Mn. 55109

Dear Planning Commission Members,

At this time we are requesting an extension for the property known as Southwinds in Maplewood.

We thank you for your cooperation in this matter and hope to hear from you soon.

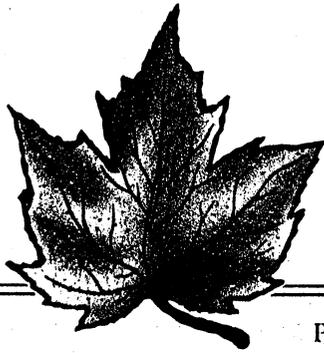
Sincerely,

Kenneth D. Gervais
Vice President

KDG:grs

4.20. '87





CITY OF MAPLEWOOD

1830 EAST CO. ROAD B

MAPLEWOOD, MINNESOTA 55109

PARKS AND RECREATION DEPARTMENT

612-770-4570

Action by Council:

Endorsed_____

Modified_____

Rejected_____

Date_____

MEMORANDUM

TO: Michael McGuire, City Manager
FROM: Robert D. Odegard, Director of Parks and Recreation
SUBJECT: PAC Funds - cancellation and addition
DATE: May 4, 1987

At the April meeting of the Park and Recreation Commission we discussed the return of fund balances from completed projects to the Commercial PAC account, and new funding for projects at Kohlman Park.

It is requested that the City Council authorize the return of \$4,140 from Account 11-4720-372-94 to Commercial Account 94 due to completion of projects.

It is requested that the City Council authorize the expenditure of \$16,500 from the Kohlman Lake neighborhood fund for improvements to Kohlman Park including: parking lot, trail, infield, backstop, and trees.

MEMORANDUM

Action by Council:

To: Michael McGuire, City Manager
From: Robert D. Odegard, Director of Parks & Recreation
Subj: Transfer of Funds
Date: May 1, 1987

Endorsed _____
Modified _____
Rejected _____
Date _____

In February 1987, the Maplewood Athletic Association requested that the Recreation Division take over the Boy's Softball and Girl's Softball Programs. Over the years the City has funded the umpires for the youth sports, and the Maplewood Athletic Association has received all of the registration fees for the purchase of uniforms and equipment. We anticipate the following revenues and expenditures:

Girl's Softball (01-287-63)

Revenue from registration and billing outside areas for umpires	\$5,000
Expenditures - Umpires, shirts, balls, equipment, etc.	\$5,570
Presently budgeted for expenditures	\$3,300
Transfer needed to cover additional expenditures	\$2,270

Boy's Softball (01-290-63)

Revenue from registration, billing outside areas	\$1,380
Expenditures - umpires, shirts, balls, equipment	1,530
Presently budgeted for 1987	450
Transfer needed to cover additional expenditures	\$1,080

From the anticipated revenues and expenditures, the Girl's Softball Program for 1987 will cost the City \$570 instead of the previously expected \$1,800. In the case of the Boy's Softball Program, the cost to the City will be approximately \$150 instead of the previously budgeted \$450.

Request

It is requested that the City Council authorize the transfer from the General Fund to the Girl's Softball Program \$2,270, and to Boy's Softball Program \$1,080.

GIRL'S SOFTBALL

(01-287-63)

EXPENDITURES

Umpires (250 Games @ \$8.00)	\$2,400
Shirts (Adult \$2.85 x 315 = \$900.00) + (Youth \$2.46 x 90 = \$225.00)	1,125
Balls - \$22.00/1/2 Dozen x 24	525
Equipment - Bats, Masks, Bases	1,400
USSSA Team Registration - 12 Teams x 10	<u>120</u>
TOTAL EXPENDITURE	\$5,570

REVENUE

Registration (350 x \$12.00)	\$4,200
Bill Outside Areas	<u>800</u>
TOTAL REVENUE	\$5,000

BREAKDOWN BY CODE

4120.....	\$3,050
4480.....	<u>2,520</u>
	\$5,570

PRESENTLY BUDGETED

4480.....	\$3,300
-----------	---------

ANTICIPATED REVENUE.....	\$1,500
--------------------------	---------

BOY'S SOFTBALL
(01-290-63)

EXPENDITURES

Umpires (60 Games @ \$8.00)	\$480
Shirts (Adult \$2.85 x 96 + Youth \$2.46 x 50)	400
Balls - \$22.00/1/2 Dozen x 7 Teams	150
Equipment	<u>500</u>
TOTAL EXPENDITURES	1,530

REVENUE

Registration (105 x \$12.00)	\$1,260
Bill Outside Areas	<u>120</u>
TOTAL REVENUE	\$1,380

BREAKDOWN OF EXPENDITURES BY CODE

4120.....	\$1,050
4480.....	<u>480</u>
	\$1,530

PRESENTLY BUDGETED FOR 1987

4480.....	\$450
-----------	-------

F-1

MEMORANDUM

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

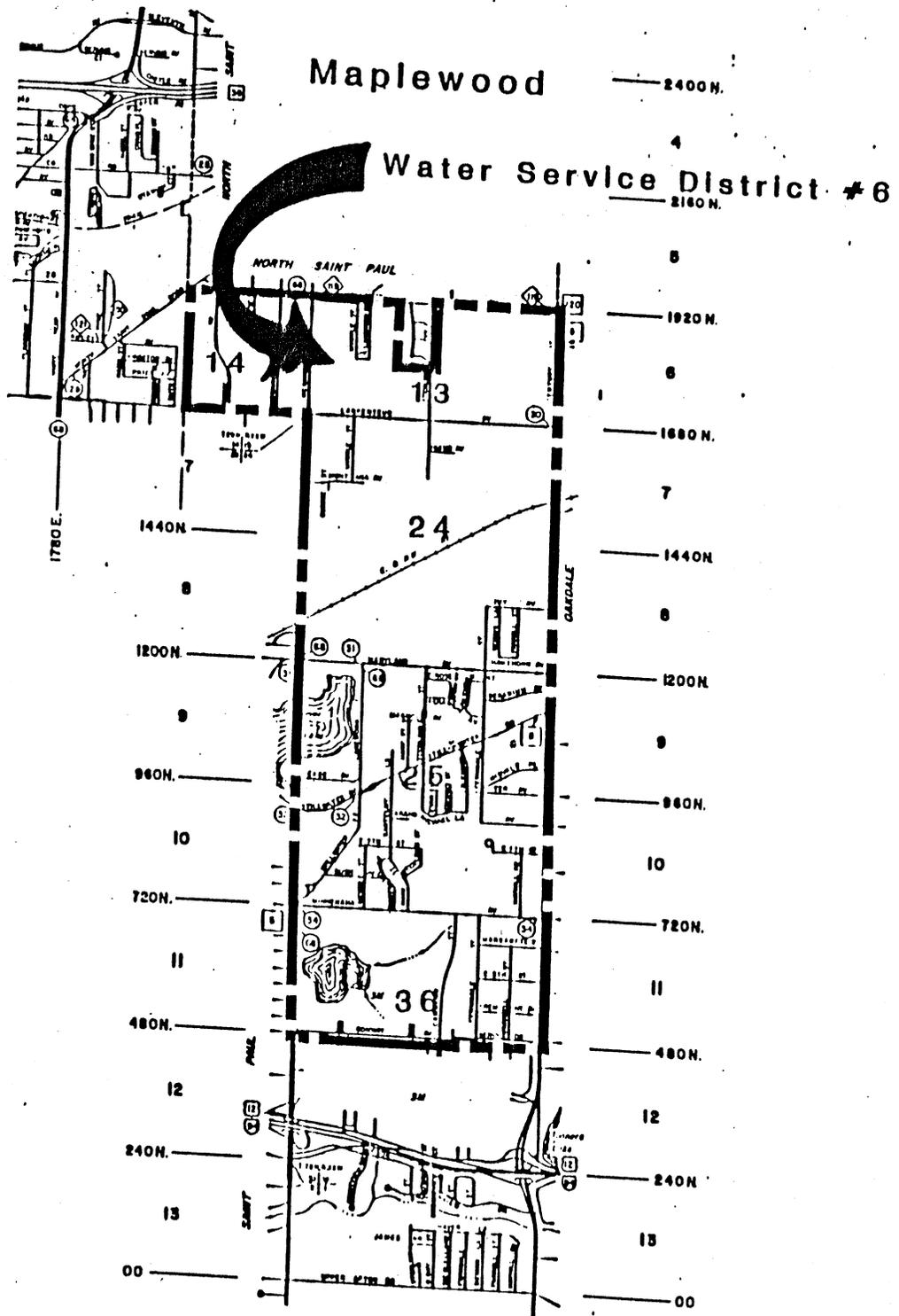
TO: City Manager
FROM: Assistant City Engineer
SUBJECT: Water Service District 6 Improvements
City Project 86-03 A and B
Assessment Hearing
DATE: May 4, 1987

An assessment hearing was called for 7 p.m. on May 11, 1987 for the Water Service District 6 improvement project. All parcel owners within the assessment area shown on the attached map have been notified of this hearing and the amount proposed to be assessed against their parcel. A copy of the notice of hearing is also attached.

A number of appeals have been filed with the city clerk. An up-to-date report on each of these appeals will be presented to the council at the May 11 meeting along with the assessment roll books. It is anticipated that a large number of appeals may be filed at the hearing. A number of the appeals will be requesting deferral of the assessment either because water is not yet available to their street or for senior citizen hardship as allowed by Minnesota Statute Chapter 435. The rate per single-family home is proposed to be \$237.50 payable over a nineteen year period at a 10.0 percent interest rate which calculates to an average annual assessment payment of approximately \$36.00. The council should indicated in the motion adopting the assessment whether deferments are to be allowed for senior citizens and/or whether they will be allowed for those properties not currently served by water main. All deferments accumulate interest until paid in full.

Attached is a summary of the assessment roll and a comparison of the rates and costs proposed for assessment with those estimated in the feasibility report. It is recommended that the council hold the assessment hearing, receive all testimony and appeals and adjourn the hearing until Thursday, May 14, 1987 at which time all appeals will be acted on and the assessment roll will be adopted.

jc
Attachments



Proposed Assessment Area

Water Service District #6
 Water Tank & Mains
 Improvement 86 - 3

SCALE
 N/A



NOTICE OF ASSESSMENT HEARING

NOTICE IS HEREBY GIVEN that the City Council of Maplewood, Minnesota, will meet in the council chambers of the Maplewood Municipal Building, 1830 East County Road B, Maplewood, Minnesota at 7 p.m. on Monday, May 11, 1987, to hear all persons concerning the adoption of the assessment roll for Public Improvement Project 86-03 A & B, Water Service District 6 Water Tank and Mains and to adopt the assessment roll as presented or amended. This hearing is scheduled pursuant to Minnesota Statutes Chapter 429. The assessment roll as herein described is on file in the office of the city clerk.

AREA TO BE ASSESSED:

Generally, that area between Holloway Avenue on the north, Conway Avenue on the south, Century Avenue on the east and Ruth Street on the west, all within the City of Maplewood and excepting the Minnesota Mining complex.

All persons who wish to be heard, or to object with reference to this matter may present their cases at this hearing, either orally or in writing. No appeal may be taken as to the amount of any assessment adopted unless a written objection signed by the property owner is filed with the city clerk prior to the assessment hearing or presented to the presiding officer at the hearing.

An owner may appeal an assessment to District Court pursuant to MSA Section 429.081 by serving notice of the appeal upon the mayor or city clerk of the City of Maplewood within thirty (30) days after the adoption of the assessment and by filing such notice with the District Court within ten (10) days after service upon the mayor and city clerk.

Under provisions of Minnesota Statutes, Section 435.193 to 435.195 the city may, at its discretion, defer the payment of assessments for any home-stead property owned by a person 65 years of age or older for whom it would be a hardship to make the payments. The procedures for applying for such deferment are available from the city clerk.

The following information shall also apply:

1. The property owner shall have the right to prepay the entire assessment. Your assessment may be paid without interest from May 12, 1987 to June 10, 1987 to the city clerk at city hall, 1830 East County Road B, Maplewood, Minnesota.
2. Partial prepayment of the assessment has been authorized by city council.
3. The rate of interest to be accrued, if the assessment is not prepaid within the required time period, is proposed to be 10.0 percent commencing on the date of adoption by the city council.
4. The amount to be specially assessed against your property is shown on the attached notice of pending public improvement.

This is an important hearing because this is your last opportunity to be heard on the matter of this assessment which affects your property. If you have any questions regarding this assessment, please call the engineering department at 770-4550 or the city clerk at 770-4500.



Lucille E. Aurelius, City Clerk
City of Maplewood, Minnesota

SUMMARY OF PROJECT BY SECTION AND 1/4 1/4

04-03-1987 09:21:27 RATE = \$ 237.50

SEC.	1/4-1/4	PARCELS	UNITS	ASSESSMENT
13	31	2	23	\$5,462.50
13	32	57	57	\$13,537.50
13	33	61	91	\$21,612.50
13	34	2	250	\$59,375.00
13	41	1	0	\$0.00
13	42	7	8	\$1,900.00
13	43	1	35	\$8,312.50
13	44	1	17	\$4,037.50
14	41	54	107	\$25,412.50
14	42	3	128	\$30,400.00
14	43	13	103	\$24,462.50
14	44	44	48	\$11,400.00
24	11	2	150	\$35,625.00
24	12	35	70	\$16,625.00
24	13	0	0	\$0.00
24	14	3	111	\$26,362.50
24	21	49	107	\$25,412.50
24	22	33	80	\$19,000.00
24	23	53	105	\$24,937.50
24	24	7	206	\$90,425.00 *
24	31	2	100	\$23,750.00
24	32	0	0	\$0.00
24	33	12	103	\$24,462.50
24	34	2	172	\$40,850.00
24	41	1	247	\$58,662.50
24	42	1	180	\$42,750.00
24	43	41	320	\$76,000.00
24	44	120	173	\$41,087.50
25	11	51	74	\$17,575.00
25	12	108	114	\$27,075.00
25	13	60	73	\$17,337.50
25	14	56	58	\$13,775.00
25	21	5	169	\$40,137.50
25	22	1	1	\$237.50
25	23	10	12	\$2,850.00
25	24	69	81	\$19,237.50
25	31	27	37	\$8,787.50
25	32	20	113	\$26,837.50
25	33	63	109	\$25,887.50
25	34	97	109	\$25,887.50
25	41	49	53	\$12,587.50
25	42	28	33	\$7,837.50
25	43	1	1	\$237.50
25	44	44	56	\$13,300.00
36	11	47	122	\$28,975.00
36	12	26	174	\$41,325.00
36	13	19	72	\$17,100.00
36	14	57	60	\$14,250.00

TOTALS ----- 1445 4512 \$1,113,100.00

* INCLUDES \$41500.00 FOR 1660 F.F. OF WATER MAIN AT \$25.00 PER F.F.

<u>Item</u>	<u>Assessment Hearing</u>	<u>Feasibility Report</u>
Assessment Units	4,512 Units	5,321 Units
Unit Rate	\$ 237.50/Unit	\$ 192.50/Unit
Water Main Frontage	1,660.00 FF	2,650.00 FF
Frontage Rate	\$ 25.00/FF	\$ 25.00/FF
City Portion (Tax-Increment)	\$1,000,000.00	\$1,000,000.00
Total Project Cost	\$2,113,100.00	\$2,107,200.00

MEMORANDUM

F-2

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: Acting City Manager
FROM: Associate Planner--Johnson
SUBJECT: Plan Amendments (S and OS to RL, and RL to S)
LOCATION: South of Highwood to Linwood Avenue
APPLICANT: A & R Properties
OWNERS: A & R Properties and James Kayser
DATE: March 19, 1987

SUMMARY

Request

1. Amend the land use plan from S, school, and OS, open space, to RL, residential low density, for the property located south of Highwood Avenue, east of Sterling Street.
2. Designate an elementary school search area between Highwood and Linwood Avenues in the vicinity of future Sterling Street.

Reasons for the Request

1. A & R Properties has proposed a residential development south of Highwood Avenue. The westerly three-fourths of the site is planned for OS, open space, and S, school use. (page 3)
2. The Maplewood--North St. Paul--Oakdale School Board decided in November, 1986, that an elementary school will not be constructed south of Highwood Avenue. The school district has directed its business agent to negotiate for the acquisition of a site north of Highwood Avenue. Refer to the letter on page 6.

Comments

The southerly two-thirds of this site is proposed to be designated as OS, open space, until a study is done to determine the feasibility of acquiring and constructing a storm-water pond on the ski-jump property to the south. Until a pond is constructed, the southerly two-thirds of the A & R development site cannot be developed.

Recommendation (At least four votes in favor are required for approval.)

1. Approve the resolution on page 7 to amend the comprehensive plan (land use and elementary school service areas) from S, school, and OS, open space, to RL, residential low density, for the area south of and draining to Highwood Avenue and east of Sterling Street, on the basis that on November 5, 1986, the school district dropped this site from consideration for a future school. They want a site to the north that is more centrally located within the residential portions of this service area.

2. Approve the resolution on page 8 to amend the comprehensive plan (land use and planned elementary) to locate an elementary school-search area between Linwood and Highwood Avenues near future Sterling Street on the basis that:

a. The school district is currently investigating the purchase of a site in this vicinity.

b. Proposed Sterling Street is being designed as a minor collector and would handle future school property.

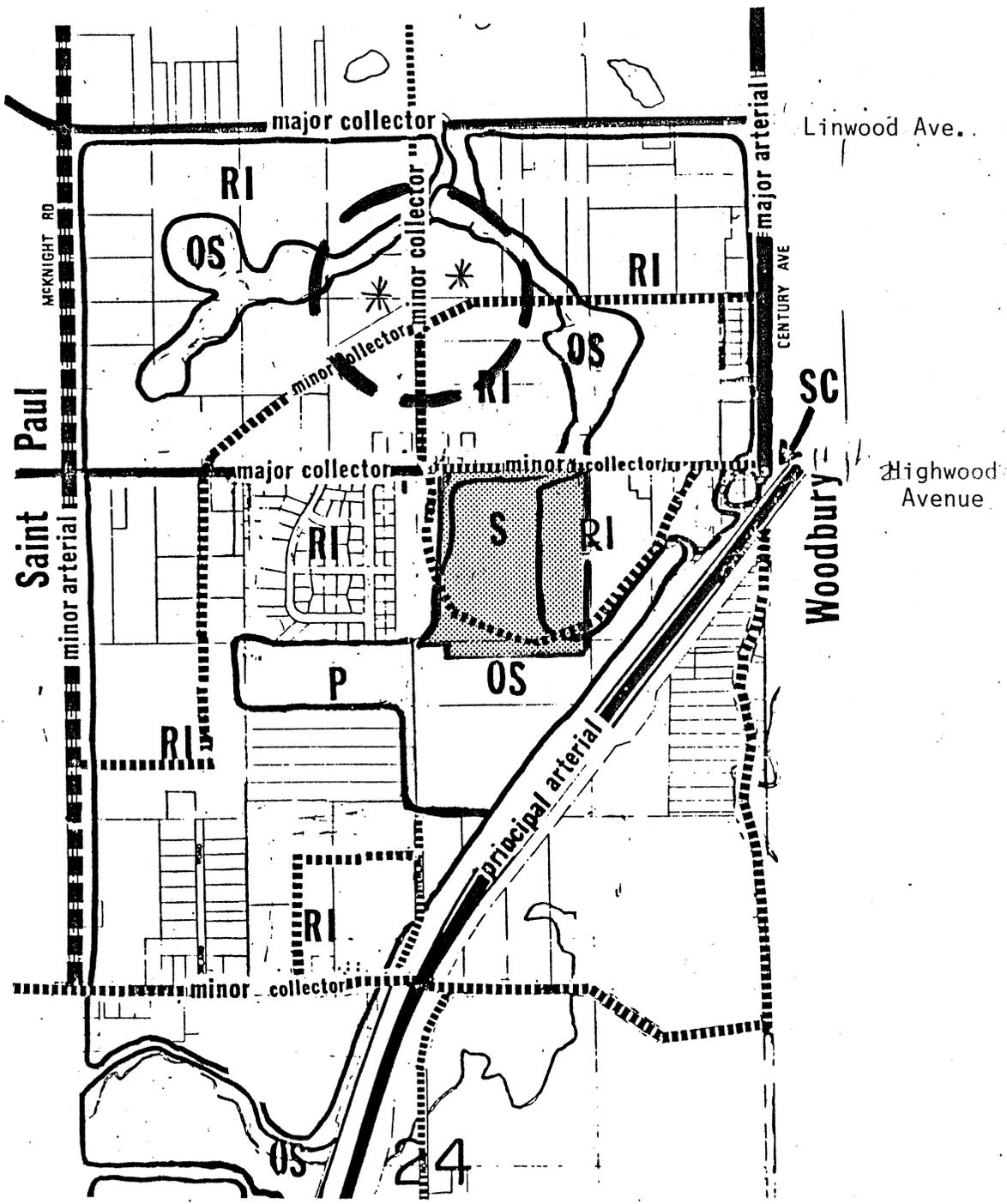
Procedure

1. Planning Commission recommendation following a public hearing
2. City Council decision
3. Metropolitan Council review

jl

Attachments

1. Highwood Neighborhood Land Use Plan Map (existing)
2. Highwood Neighborhood Land Use Plan Map (proposed)
3. Elementary School Service Area Map
4. Letter from the school district
5. Resolution (OS and S)
6. Resolution (school-search area)



Highwood NEIGHBORHOOD LAND USE PLAN



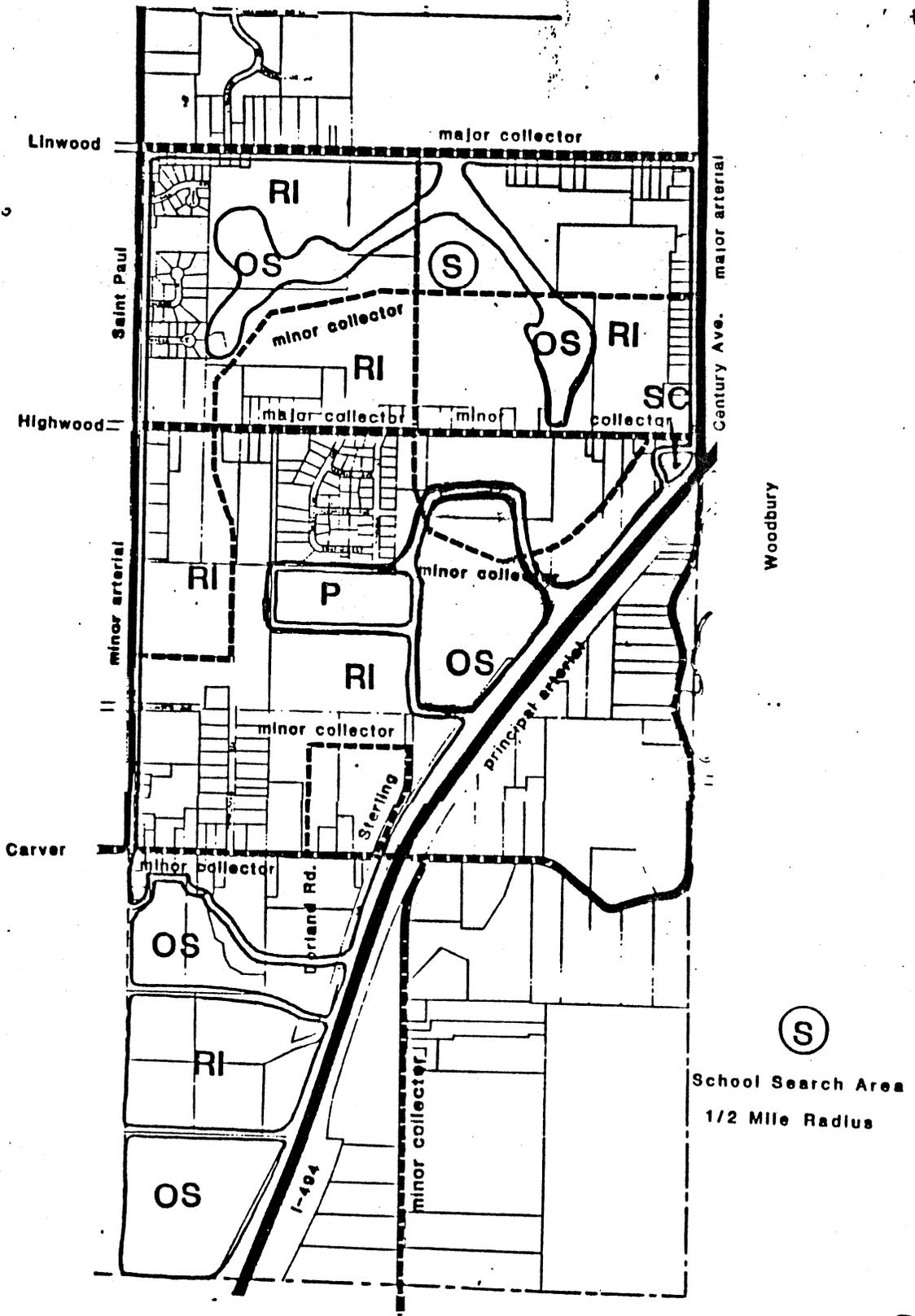
Area proposed for residential development by A & R. Properties (Highwood Estates).



School District Search Area for an elementary school site. *Sites being considered.

- S - School
- OS - Open Space
- P - Park
- RL - Residential Low Density





**HIGHWOOD
NEIGHBORHOOD LAND USE PLAN**
(PROPOSED)

Attachment 2





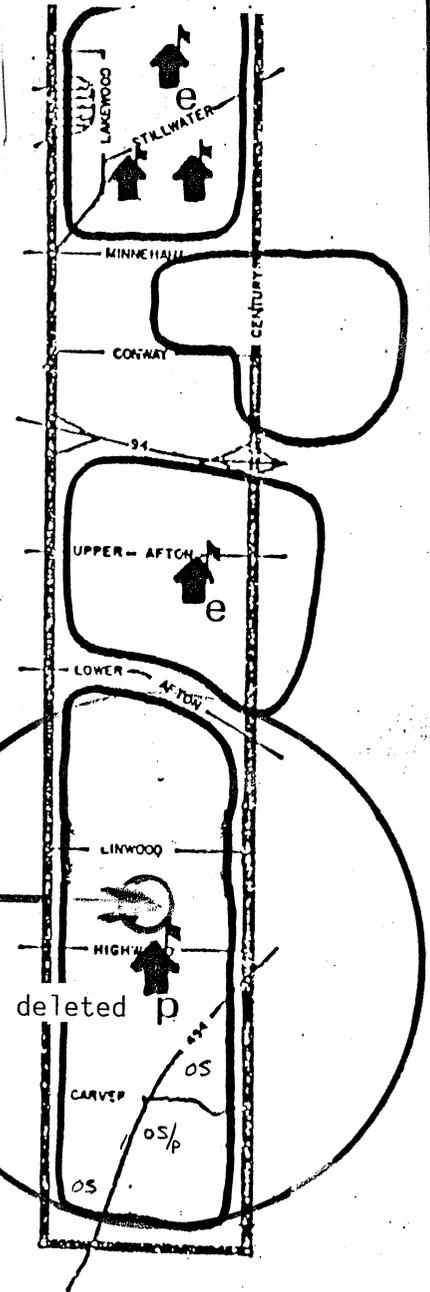
(Excerpt)

Planned Elementary School Service Areas

and Facility: e = existing
p = planned

Proposed elementary school site

site to be deleted p



SCHOOL ELEMENT OF
COMMUNITY FACILITIES PLAN
(Existing)

Attachment 3



(612)770-4603

NORTH ST. PAUL-MAPLEWOOD-OAKDALE SCHOOLS
INDEPENDENT SCHOOL DISTRICT NO. 622
2055 East Larpenteur Avenue
Maplewood, MN 55109



February 5, 1987

Randy Johnson
Community Development
City of Maplewood
1830 East County Road B
Maplewood, MN. 55109

Randy:

This letter is intended to put the City of Maplewood officially on Notice that Independent School District No. 622 of North St Paul - Maplewood - Oakdale is conducting a search for an elementary school site in Maplewood, between Linwood and Highwood Avenues.

Our primary search areas border the proposed Sterling Street. Currently, we are concentrating on land owned by Mr. James Kayser and his family.

It is the School District's intention to purchase a piece of property as soon as possible. That property will be used in the future as a need develops.

We also ask the City of Maplewood to plan the development of this area so that children, from the ages of 5 to 12, who live within one mile of the school, have safe walking access to the school. To provide a safe access may mean providing a separate walking path along minor collector streets and controlled crossings as necessary.

Thank you for your continued cooperation and support. We appreciate the personal efforts you are providing.

Sincerely,

Brian C. Buchmayer
Director of Business Affairs

BCB:sc
cc: Ken Haider, Acting City Manager
Richard St.Germain, Superintendent, ISD 622

Attachment 4

2.09.87

PLAN AMENDMENT RESOLUTION

WHEREAS, A & R Properties initiated an amendment to the Maplewood Comprehensive Plan from S, school, and OS, open space, to RL, residential low density, for the property south of and draining to Highwood Avenue and east of Sterling Street.

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

1. The Maplewood Planning Commission held a public hearing on March 16, 1987, to consider this plan amendment. 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 planning commission recommended to the city council that said plan amendment be approved.

2. The Maplewood City Council considered said plan amendment on , 1987. The council considered reports and recommendations from the planning commission and city staff.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described plan amendment be approved on the basis that the school district has dropped this site from consideration for a future school. They want a site farther to the north to be more centrally located within the residentially planned portions of this school service area.

Adopted this day of , 1987.

Seconded by Ayes--

Brian Buchmeyer, Director of Business Affairs for the school district, presented a history of the property. Mr. Buchmeyer stated the school district has ruled out constructing a school south of Highwood Avenue. He stated the school district would like the school located off of minor collector streets because of bus and general traffic, and in the area where the majority of housing is going to be located, which appears to be between Highwood and Linwood. He said the school district is, at this time, talking with land owners and doing engineering studies of the site and continuing to assess it.

Steve Kayser, 18520 23rd Avenue North, Plymouth, Minnesota, spoke representing a land owner. Mr. Kayser questioned why the school site would be moved 1/4 mile north because of increased housing.

Mr. Buchmeyer responded that the school district would like an elementary school located in a residential area, since the busing policy requires students within a mile to walk to school unless they must cross a hazardous street. Highwood is considered a hazardous street, therefore, the school district would prefer to locate the school where students can walk to it easily, and the north location will cause this to happen.

Ron Rich, Rosedale Towers, said he was representing Mr. Kayser, who is an owner of the property being affected by this proposed amendment. He questioned the school district's studies which are in the process of being done, regarding the appropriate location of the school and what demographics or costs have been considered.

A commissioner questioned Mr. Buchmeyer if he felt that, based on the topography of the area in question, a workable school design could be found on the site that is under construction which will meet the school district's needs. Mr. Buchmeyer stated that they have engineering consultants commissioned to study the two sites and they expect the study to be completed within a month.

A commissioner questioned Secretary Olson whether this amendment would restrict land owners or development in the area. Secretary Olson said this would not inhibit development.

Bill Mahre, 1737 Clarence Street, Maplewood, Minnesota, spoke representing St. Paul Ski Club, who owns approximately 20 acres of land south of the proposed school site. He shared the results of an engineering report detailing the drainage problems on this site. He expressed his concerns regarding these problems when the property is developed.

MEMORANDUM

Action by Council:

Endor _____
Modified _____
Rejected _____
Date _____

TO: Acting City Manager
FROM: Director of Community Development
SUBJECT: Street Vacation, Preliminary Plat and Rezoning
LOCATION: Highwood Avenue, East of Sterling Street
APPLICANT: A & R Properties (Art Werthausser, Mike Dahl and Karen Dahl)
OWNERS: Jurek Werthausser, Mike Dahl and Karen Dahl
PROJECT: Highwood Estates
DATE: April 2, 1987

REQUEST

1. Vacation of the Sterling Street right-of-way 519.1 feet south of Highwood Avenue (page 10).
2. Preliminary plat approval for the first phase of a three-phase development. The first phase would consist of 36 single-dwelling lots. The second phase would consist of 47 lots. The third phase would consist of multiple dwellings. (See the plan on page 11.)
3. Rezone Phase I from F, farm, to R-1, single dwelling.

ISSUES RAISED BY NEIGHBORS

The 28 persons who own property within 350 feet of that site were surveyed on developing Phases I and II. Of the 20 responses received, one person favors the proposal and 19 are opposed. The person in favor felt that Highwood Avenue should be widened to handle the increased traffic.

Those opposed raised the following concerns:

1. Ski Club - drainage to our property must be limited to prevent erosion of the steep slopes and flooding of our facilities. (See letter on page 13.)

Staff reply: Phase I does not drain to the ski club property.

2. The lot sizes would be too small compared to the Pleasantview Park subdivision.

Staff reply: The Pleasantview Park lots range in area from 77,268 to 10,935 square feet. The median size is 15,000 square feet. The proposed lots in Phases I and II of Highwood Estates range from 25,215 to 10,028 square feet. The median size would be 12,399 square feet. The minimum lot area required by code is 10,000 square feet. It is the city attorney's opinion that the city cannot require a larger minimum lot size than is established by code. The city has considered raising the minimum lot sizes in the "leg" several times in the past. The last meeting was held between the city council and planning commission last year. The consensus was that the city should not require larger lots for the sake of larger lots, unless they are used

to preserve natural features. The proposed development has no significant natural feature. In addition, increasing the minimum lot size in this area to 15,000 square feet would leave half the lots in Pleasantview Park non-conforming. This means that any building additions would require a conditional use permit from the city.

3. Highwood Avenue will not be able to handle the traffic to be generated from the proposed developments in this area. Sight distances over the hill will also be a problem if four intersections are allowed.

Staff reply: Highwood Avenue is designated as a collector street. It is planned to handle the traffic from this and other developments in the area. The Ramsey County Highway Department uses a guideline of nine trips per day per house. Phase I of the Highwood Estates plat would have 36 homes and generate 324 trips per day. The Jefferson Fourth Addition and Highwood plats would add 504 trips per day. The current traffic count on Highwood Avenue is 850 trips per day. Adding all these trips gives a total of 1,678 trips per day. According to the county traffic engineer, a two-lane county road, such as Highwood Avenue, can safely handle 6,000 - 7,000 trips per day. These three plats would bring Highwood Avenue up to 24% - 28% of its capacity. The county traffic engineer also stated that the separation between the intersections along Highwood Avenue would be consistent with county standards. The city engineer has reviewed the sight distances at the proposed intersections and finds that all sight distances exceed minimum safety standards established by the American Association of State Highway and Transportation officials.

4. The water pressure is already too low in this area.

Staff reply: A water tower and trunk water main are proposed for construction this fall. Until the project is completed, development will be limited to Phase I.

5. The proposed development will decrease the value of our home unless the new homes are at least \$100,000.

Staff reply: The city requires minimum floor areas, lot areas and widths. The lot widths and areas in Highwood Estates are above minimum standards.

6. Homes would be constructed directly over the Williams Brothers' Pipeline.

Staff reply: All homes in this development would be set back approximately 100 feet from the center of the three pipelines. Refer to public safety comments.
(Pages 6 and 7)

7. We should not eliminate the planned elementary school site when this area is seeing tremendous expansion.

Staff reply: The school district plans to purchase land between Highwood and Linwood Avenues. They do not plan to construct a school south of Highwood Avenue.

8. Too much development - leave the country in the country.

Staff reply: This area is planned for low density residential use, such as proposed.

9. Any improvements for sewer or utilities should be paid for by the developer, including any upgrading of Highwood Avenue.

Staff reply: The developer will pay for all improvements internal to the plat and extending sewer and water connections to the site. There are no plans to upgrade Highwood Avenue.

10. Development is occurring much too fast in this area. An impact study is needed to look at the effects that the developments already in progress will have on this neighborhood. The study should review traffic levels, water pressure for fire protection, and the need for larger lots.

Staff reply: Traffic levels would be well within the capacity of Highwood Avenue. (See Comment 3. above.) The city is doing a feasibility study on a new water tower. The number of new lots is recommended by staff to be restricted until the tower is operational. The lot sizes are consistent with the city land use plan and zoning ordinance. (See Comment 2. above.)

STAFF SUMMARY

Phase I of this plat meets all city policies and requirements. Phases II and III will be delayed until drainage and water pressure problems are resolved.

RECOMMENDATION

1. Approve the resolution on page 19 to vacate Sterling Street 519.1 feet south of Highwood Avenue. Approval is on the basis that:

a. Sterling Street should be realigned to the west to coincide with Sterling Street north of Highwood Avenue.

b. The present alignment would result in double-fronting lots. Double-fronting lots are prohibited by code, unless there is no other reasonable way to plat.

c. Constructing a street and underground utilities over a pipeline is difficult and hazardous. It is hazardous during construction because of the potential for rupturing the pipeline. It is hazardous after construction because of the potential for a leak to enter the storm sewer or flow along the street, as happened in Moundsvew.

2. Approve Phase I of the Highwood Estates preliminary plat (plans stamped 4-3-87) subject to the following conditions being completed before final plat approval:

a. Only the lots that drain to Highwood Avenue shall be platted in Phase I.

b. The drainage easement between O'Day Street and McClelland Street shall be one foot above the 100-year storm design. All adjacent lots shall have at least 10,000 square feet outside the easement.

c. Submittal of a developer's agreement, with required surety, for all public improvements, including:

(1) Temporary cul-de-sacs for proposed O'Day Street, McClelland Street, and Ferndale Street.

(2) Construction of storm sewer from proposed O'Day, McClelland and Ferndale Streets to the pond proposed between O'Day Street and McClelland Street.

d. Submission of 100-foot diameter easements for the three temporary cul-de-sacs.

e. Final grading, utility, erosion control, and drainage plans shall be approved by the city engineer. The grading plan shall show the depth and location of Williams Brothers' Pipeline.

3. Adopt the resolution on page 21 rezoning Phase I from F, farm, to R-1, single dwelling. (At least four votes are required for approval.)

BACKGROUND

Site Description

Gross acreage of the overall property: 49.42

Net acreage in Phase I: 11.7

Existing land use: undeveloped

Easements: Williams Brothers' Pipeline and the east half of the unimproved Sterling Street right-of-way

Surrounding Land Uses

North: Highwood Avenue and single dwellings

East: Undeveloped land planned for residential low-density use

South: St. Paul Educational Foundation (ski jump) property, planned for open space use

West: The west side of the plat is bordered by the undeveloped Sterling Street right-of-way and Williams Brothers' Pipeline. There is undeveloped land and a farm house west of the Sterling right-of-way that is all planned for single dwellings. The Pleasantview Park subdivision is west of the undeveloped land.

Planning

1. Current land use plan designation: S, school; OS, open space; and RL, residential low density.
2. Proposed land use plan designation: RL for the north part of the site that drains to Highwood Avenue and OS for the rest of the site.
3. Compliance with land use laws:

a. State law:

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. City code:

(1) Section 36-485 requires four findings for a rezoning. Refer to the resolution on page 21 .

(2) Section 30-8 (f) (6) states "double-frontage lots shall not be permitted, except where topographic or other conditions render subdividing otherwise unreasonable. Such double-frontage lots shall have an additional depth of at least twenty (20) feet in order to allow space for a protective plant-screen along the back lot line."

The current Sterling Street alignment would create double-fronting lots west of proposed Roar Street. Realigning Sterling Street would resolve this problem in Phase I.

Environmental

The north two-thirds of this site have been cultivated. Two small stands of trees remain. The larger of these areas is located along the west property line. It would not be disturbed. The southerly one-third is wooded and contains steep slopes. This area would not be disturbed.

Public Works

1. The city is designing a water tower and trunk water system to serve this property and the properties north to Mailand Road. Water pressure in this area is adequate for fire fighting until the proposed water system improvements are completed.
2. A 50-acre-foot storm water pond is planned for the ski-jump property that abuts to the south. The south two-thirds of this site will drain to this ponding area. A ponding easement has not been acquired but should be before the south two-thirds of the applicant's site is developed. The first phase drains to Highwood Avenue.

Public Safety

1. Each of the homes that would abut the Williams Brothers' Pipeline would be about 100 feet away from the pipeline.
2. The state legislature is considering a bill that would create an office of pipeline safety. If created, this office would be charged with developing a model ordinance for use by local governments. The issue of setbacks from a pipeline would be addressed.
3. At the federal level, a bill has been proposed which includes a 150-foot setback requirement for the installation of new pipelines from habitable structures. An official from the Minnesota Environmental Quality Board believes this setback requirement will probably have to be reduced to 100 feet if the bill is to be approved.
4. The Federal Housing Administration (FHA) allows homes to be constructed to within ten feet of a pipeline easement. Recent easements obtained from Williams Brothers' Pipeline have been 50 feet either side of the center pipe. The easement on this property is offset, with about 15 feet to the west of the center pipe and 60 feet to the east. The applicant's proposed setback of about 100 feet would substantially exceed that permitted by the FHA.
5. There are many variables to consider in defining a relatively safe setback from a pipeline. Homes that are uphill from a pipeline, on porous soils, on a cold day, with no wind require less setback than homes that are downhill, on non-porous soils, on a hot day, with a wind. The homes in this plat are uphill from the pipeline and would

be built on kingsley sandy loam and crystal lake silt loam, which has moderate to moderately slow permeability. The city fire marshal feels that the proposed 100-foot setback should be relatively safe.

6. The City of Woodbury proposed the adoption of a 100-foot pipeline setback requirement for new construction. Due to considerable concern that 100 feet is an arbitrary number, the city has dropped further consideration of an ordinance until the state's model ordinance has been drafted.

7. New plats should be designed, as this plat is proposed, with the pipeline along rear property lines whenever possible. This will reduce the possibility of the liquid entering a storm sewer or street gutter and migrating greater distances from the rupture point.

Parks

Pleasantview Park is a neighborhood park designated to serve a population of 3,000 to 5,000 persons. The main street entrance should be from a collector street, rather than from a local street. Consequently, the main access should be moved from Marnie Street to Sterling Street when it is built. Marnie Street should be reduced to a maintenance and walkway entrance.

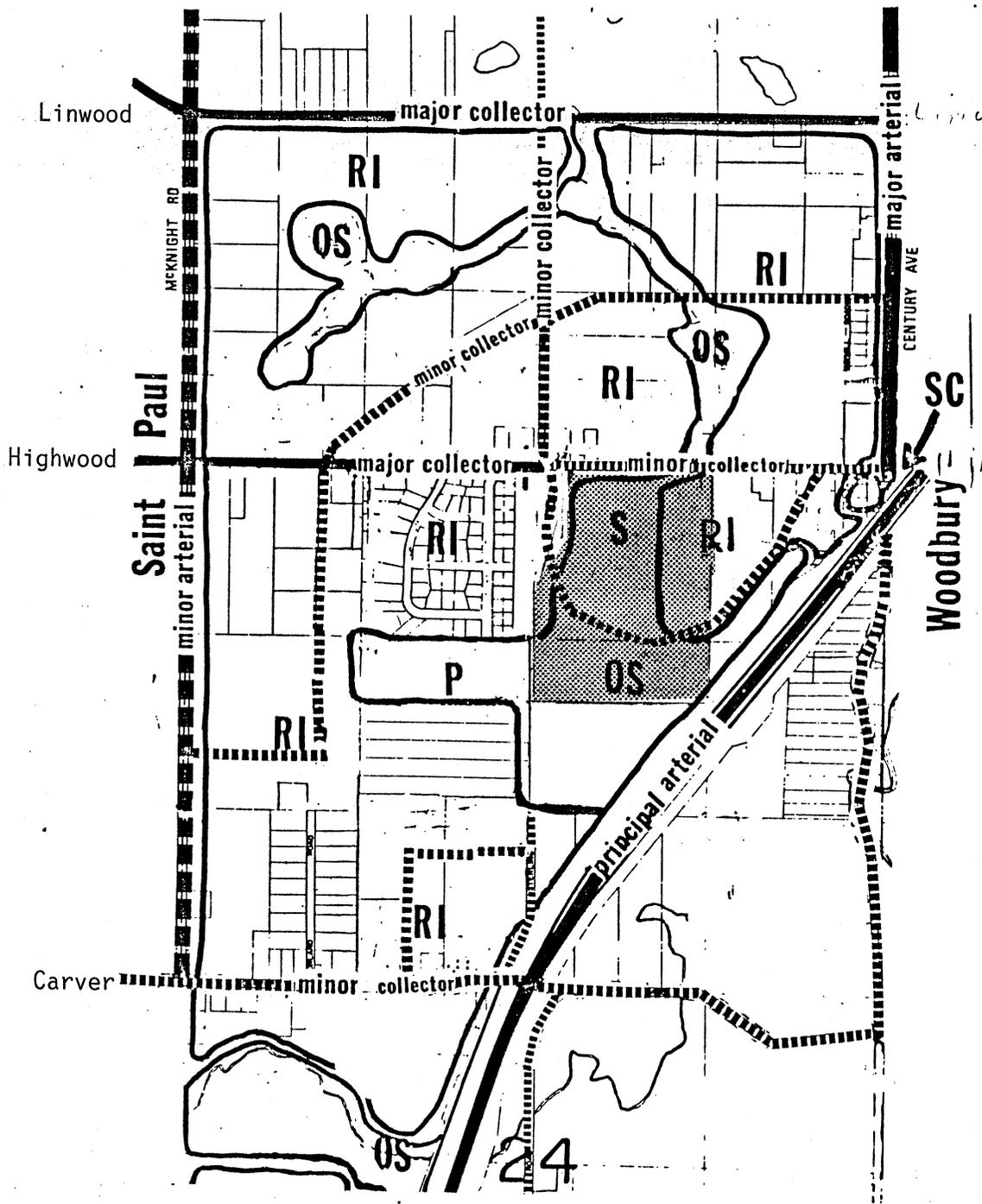
Procedure

1. Planning Commission recommendation
2. City Council decision following a public hearing

j1

Attachments

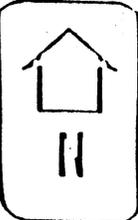
1. Highwood Land Use Plan (existing)
2. Highwood Land Use Plan (proposed)
3. Property Line/Zoning Map
4. Preliminary Plat
5. Area street concept
- 6.-8. Letters from nearby property owners
9. Resolution (vacation)
10. Resolution (rezoning)
11. Preliminary Plat (separate attachment)

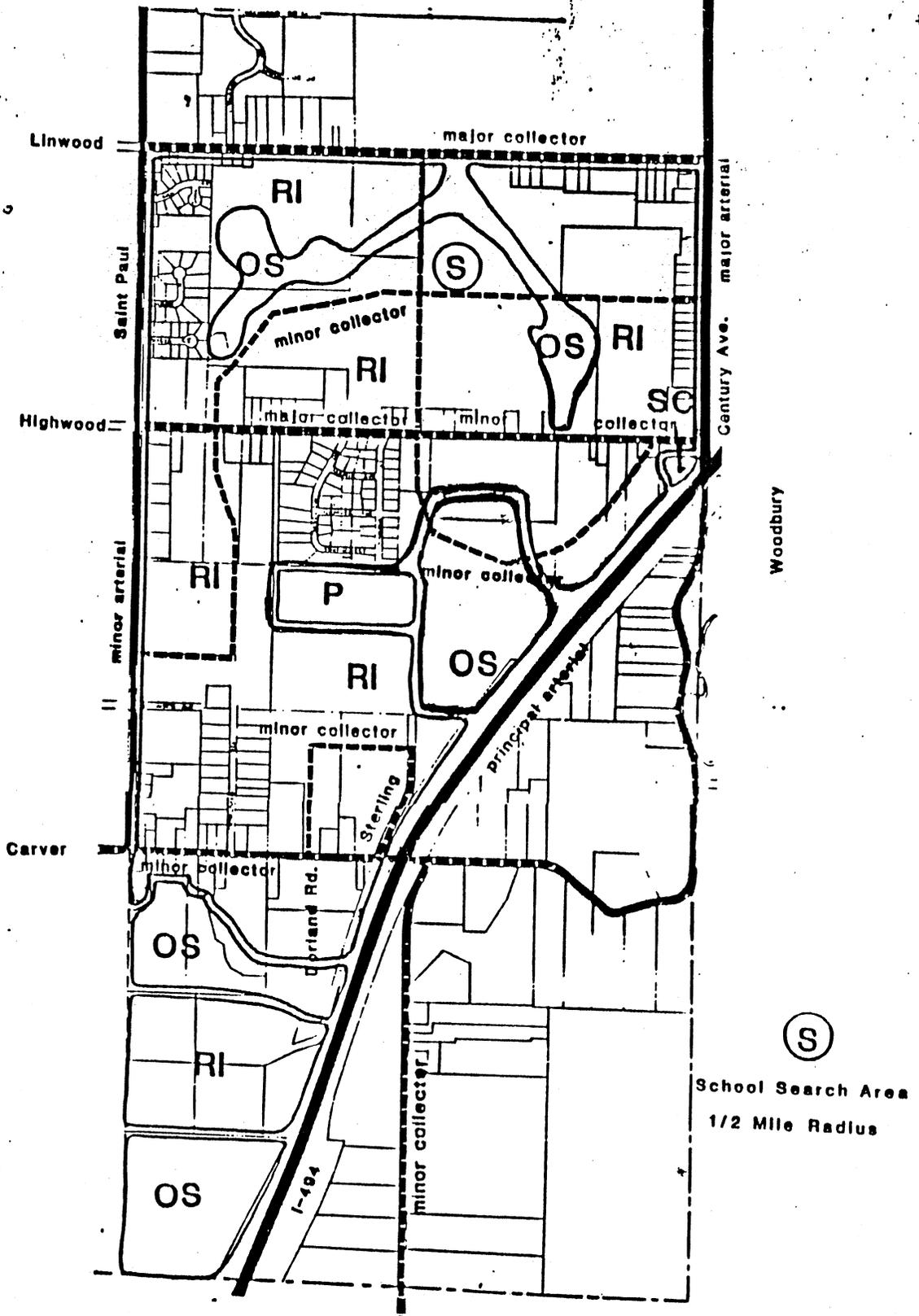


Highwood NEIGHBORHOOD LAND USE PLAN

(Existing)

Attachment 1



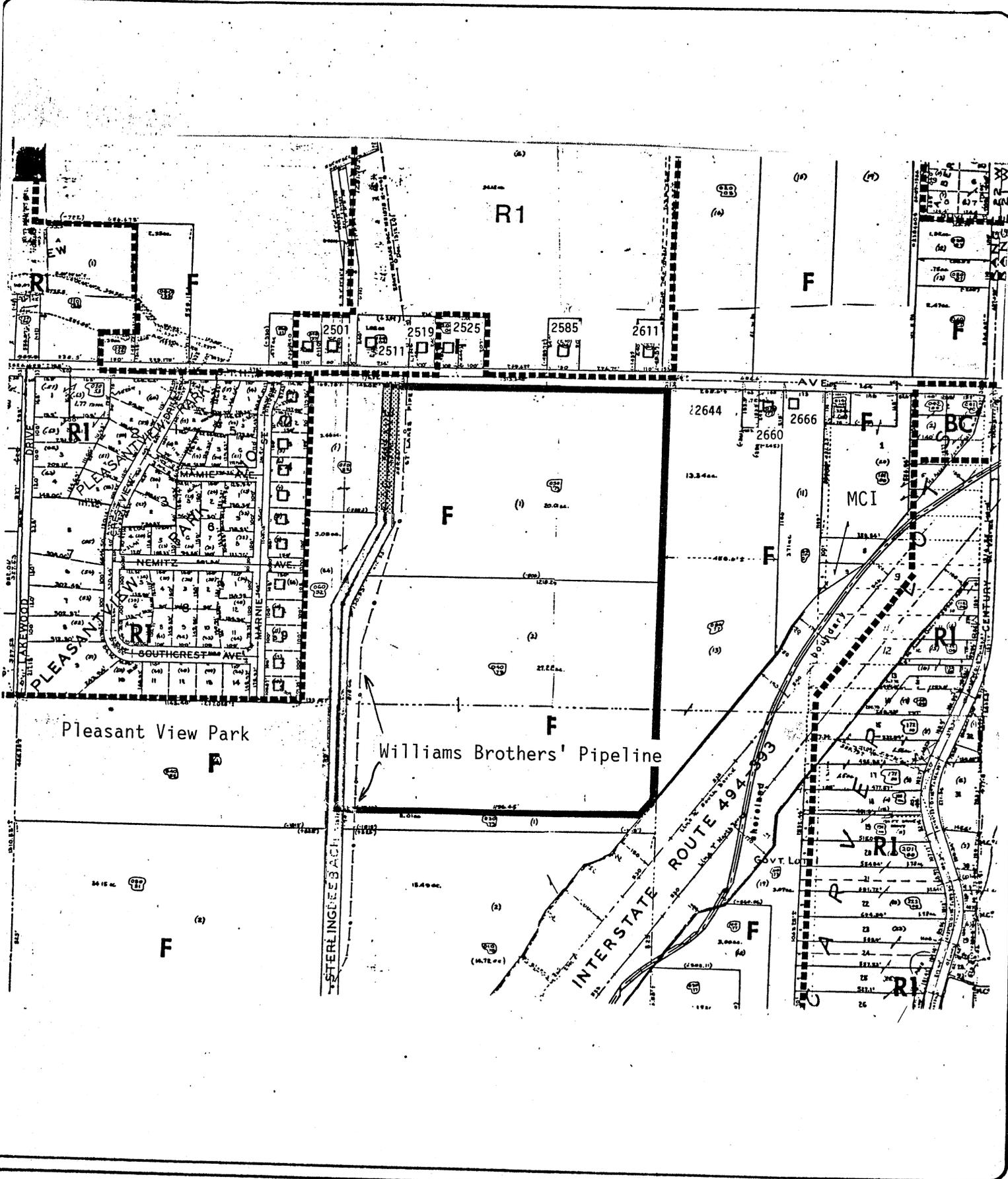


HIGHWOOD NEIGHBORHOOD LAND USE PLAN

(PROPOSED)

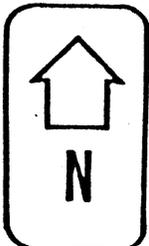
Attachment 2

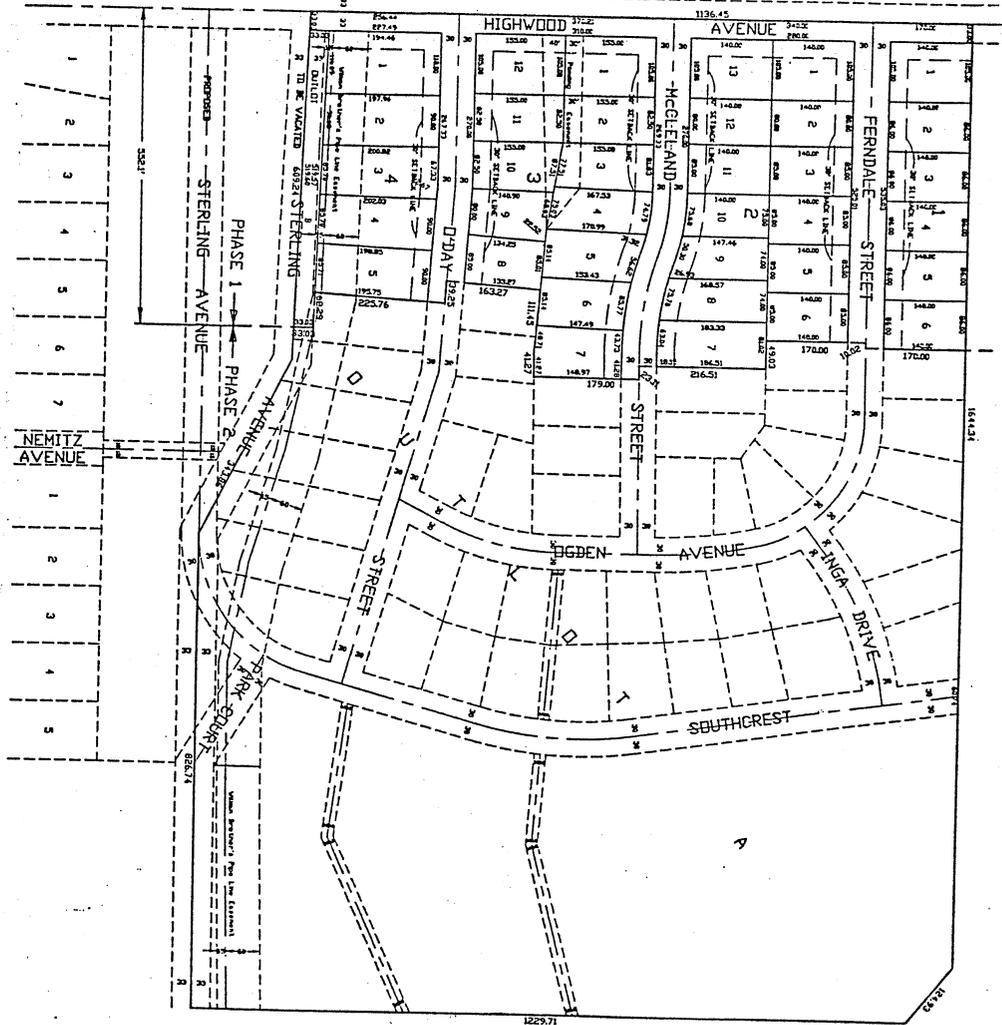




PROPERTY LINE / ZONING MAP

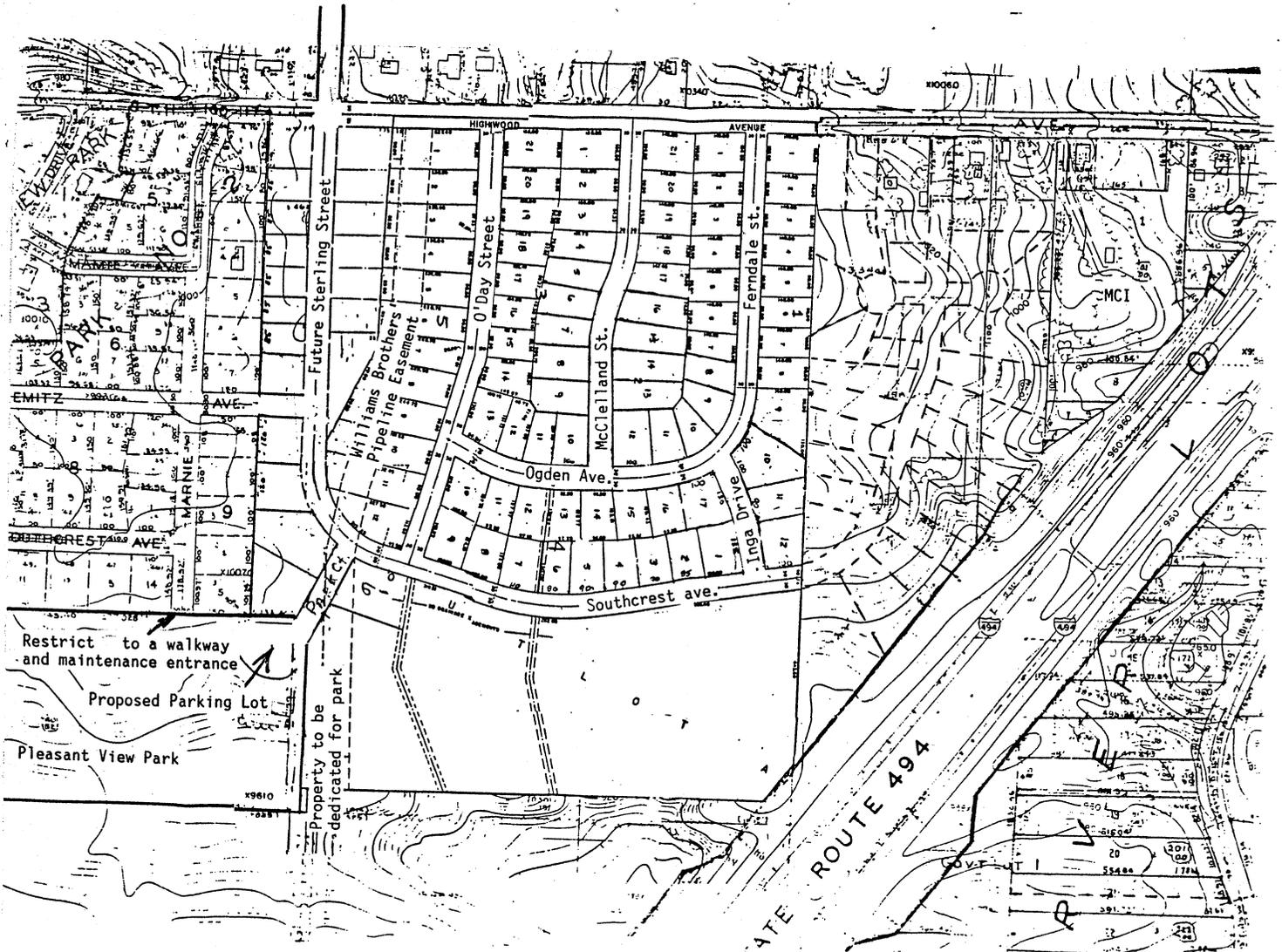
 Street Right-of-Way to be vacated.





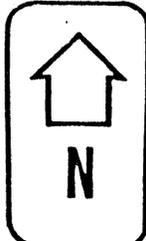
PROPOSED PLAT OF HIGHWOOD ESTATES





Area Street Concept Plan
 (Staff's Proposal)
 84 Lots

Attachment 5



PRESIDENT
BRUCE SAUSSER
1318 SUNNY SLOPE LANE
STILLWATER, MN 55082

FIRST VICE PRESIDENT
DAVE PEPPERSON

SECOND VICE PRESIDENT
BILL MAHRE

TREASURER
WILLIAM E. RYAN
529 BURLINGTON ROAD
ST. PAUL, MINN. 55119

THE

Saint Paul

SKI CLUB inc.

AFFILIATED WITH
UNITED STATES SKI ASSOCIATION, CENTRAL DIVISION
ST. PAUL, MINNESOTA

CORRESPONDING SECRETARY
TOM HARRINGTON
2278 TIMBERLEA DR.
WOODBURY, MN 55125
612-735-2765

RECORDING SECRETARY
KEN PERRY

HILL CAPTAIN
RICK VENAGLIA

DIRECTORS
RAY EDLUND
JOHN LYONS
KITTY PERRY
JOHN PFLUGI
MARK WINDISCH

July 10, 1986

City of Maplewood
1902 E. County Road B
Maplewood, MN 55109

Attention: Mr. R. Charles Ahl, Assistant City Engineer

Subject: Run-off drainage to the ski jumping area located east of
Sterling Avenue between Highwood Avenue and Carver Avenue.

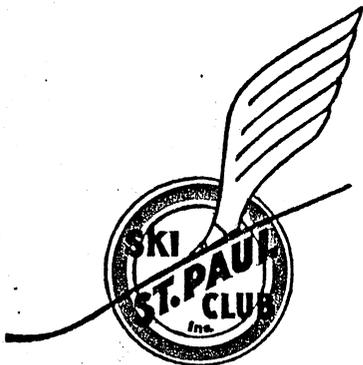
Gentlemen:

The subject area is owned by the St. Paul Educational Foundation and is operated by the St. Paul Ski Club, with the principal activity being ski jumping. Each year many youngsters from the surrounding areas partake in the programs provided on a voluntary basis by the St. Paul Ski Club, and competitions are also held in which skiers from the northern United States and from Canada compete. The development of the site has been continuous since 1949, and the current facilities are recognized to be some of the best in the country.

The development of housing in the surrounding area has not adversely affected our operations to date, and we anticipate that provisions will be made in future planning to prevent damages that could interfere with our activities.

Of particular concern to us is the development of the fifty acres located north of us at the southeast corner of Sterling and Highwood Avenues, and also the property north of Highwood Avenue to the extent that it could influence our area. Since some of this property slopes toward our area, we want to express our concern and our desire that the amount of water draining onto our property does not exceed the natural drainage we have experienced in the past and that the water flow be controlled so as to prevent erosion, flooding or other damage to the environment or to our facilities.

We are especially sensitive to the possibility of



ORGANIZED IN 1885

Attachment 6

AUDITING COMMITTEE
TOM HARRINGTON
JOHN LYONS
DAVE PETERSON

SKI COMMITTEE
DAVE EDLUND
SCOTT LYONS
DAVE PETERSON
RICK VENAGLIA
DOUG WAKEFIELD

PRESIDENT
BRUCE SAUSSER
1318 SUNNY SLOPE LANE
STILLWATER, MN 55082

FIRST VICE PRESIDENT
DAVE PEPPERSON

SECOND VICE PRESIDENT
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JOHN PFLUGI
MARK WINDISCH

-Page 2-

July 10, 1986

problems because of our previous experience at Battle Creek Park. Our facility in that Park, which we used from 1939 until 1974, was completely destroyed, along with the Park, by the excess drainage from surrounding developments, some of which were adjacent and some of which were remote from the Park.

We are sure that arrangements can be made to fulfill these objectives and look forward to our participation in the planning process so that the developments can be completed with the greatest satisfaction and benefit to all concerned.

Yours very truly,

Tom Harrington
Tom Harrington, Secretary

cc: Mr. Kenneth Heider, City Engineer
Mr. Geof Olson, Community Development Director
Ramsey County Engineer
Ramsey-Washington Metro Watershed District



ORGANIZED IN 1885

AUDITING COMMITTEE
TOM HARRINGTON
JOHN LYONS
DAVE PETERSON

SKI COMMITTEE
DAVE EDLUND
SCOTT LYONS
DAVE PETERSON
RICK VENAGLIA
DOUG WAKEFIELD

10.02.86

September 30, 1986

Mr. Geoff Olson
Director of Community Development
City of Maplewood
1902 East Country Road B
Maplewood, MN 55109

Dear Geoff:

I am writing you concerning the proposed Highwood Estates plat in the leg of Maplewood. I would like to make some comments to improve the plat and the image of Maplewood in general.

Lot Size

It appears that most of the lots are only about 80 feet wide, with some being 60 feet wide. Most are about 140 feet deep and some are only 116 feet deep. The developer is obviously aiming at high density! These lots are too small and will, no doubt, attract smaller homes. I feel the lots should definitely be larger.

Out of Balance With Neighboring Homes

The lots in the neighboring Pleasantview Park addition are all at least 100 X 150 feet. Many lots along the bluff on the west side of Pleasantview Park (opposite side from my home) are much larger and have attracted some very nice homes. The small lots in the proposed development are out of balance with Pleasantview. Other homes in the area are built on multiple acre sites.

Maplewood Culture

Is this what Maplewood is all about . . . low cost housing? Suburbs like Eden Prairie are busting at the seams with quality home construction! Why don't we jump on the band wagon?

South Maplewood has some pretty nice homes already and there is lot of undeveloped, hilly area remaining. Why not go the other direction and encourage larger, quality homes with 25,000 square foot lots, underground utilities, curving streets, culdesacs, etc? Now is the time to do something about this, before small lots and low cost housing infiltrate south Mapelwood!

Connecting Neighborhoods

In the interest of minimizing through-traffic in residential areas and therefore protecting the children, I suggest that you do not allow the existing Nemitz Avenue to connect to the new plot. Rather, connect the two areas with a bicycle/pedestrian path on the utility easement.

Well-planned suburban housing areas frequently connect groups of about 10 to 40 homes in an area to a feeder road. The roads between these areas are minimized. This results in a number of unique neighborhoods with low traffic levels. The neighborhoods are then connected with walking paths and parks. See diagram on following page.

The other extreme, of course, is a massive grid of straight, never-ending streets similar to those in the inner city. Where would you prefer to live?

The Maplewood Time-Bomb

Finally, a few comments on the famed Williams Pipe Line. It seems like the Moundsvew accident that killed a mother and her daughter is out of the hands of the City of Moundsvew. Federal regulations have taken over.

One thing Maplewood can do is plan new plots to help minimize the problem when the damn thing breaks again! And it will break again . . . in Maplewood! Take this opportunity to require all new homes to be built several hundred feet from the "sleeping giant".

The soil in the Pleasantview/Highwood Estates area is mostly clay, which allows an oil spill to travel underground laterally for great distances.

Please do a tremendous service for future Maplewood residents and protect them before the tragedy occurs in Maplewood. Design plots around the problem.

Sincerely,



Dean Sherburne
1078 Marnie Street
Maplewood, MN 55119

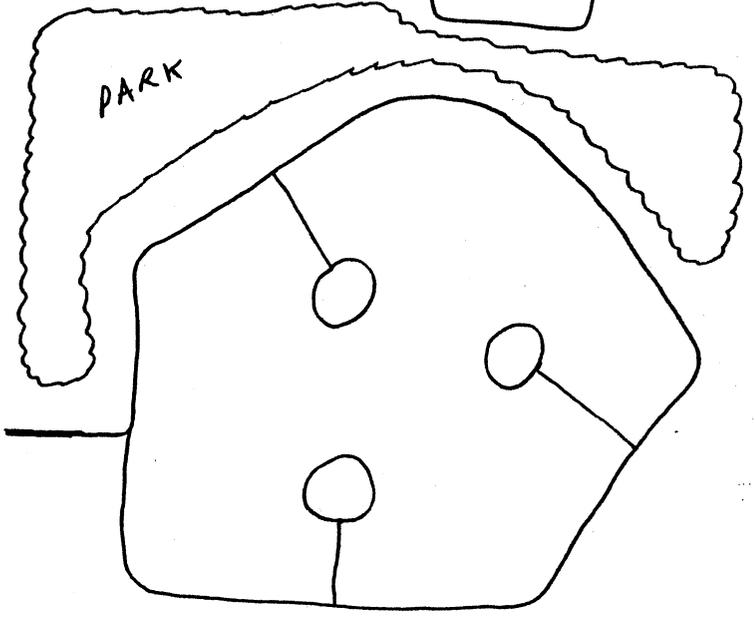
738-1401 home

293-2552 work

RESIDENTIAL
AREA 1



PARK



RESIDENTIAL
AREA 2

FEEDER
ROAD OR
PARKWAY

COMMERCIAL
AREA

MAJOR ARTERIAL HIGHWAY



ESTATES

TO: OFFICE OF COMMUNITY DEVELOPMENT
MAPLEWOOD, MINNESOTA
FROM: STEVE AND RITA SHOR (2660 Highwood)
SUBJECT: HIGHWOOD ESTATES DEVELOPMENT PROPOSAL
DATE: 9/28/86

I OBJECT TO THE PROPOSED DEVELOPMENT AS IT NOW STANDS FOR THE FOLLOWING REASONS:

1. I THINK THE LOT SIZE IS TOO SMALL. THE AVERAGE LOT SIZE IN THE CRESTVIEW-MARNIE DEVELOPMENT IS ABOUT 100X150 WHICH I THINK IS MORE SUITABLE FOR THIS AREA.
2. I THINK HAVING 3 STREETS FEEDING INTO HIGHWOOD IN THIS SHORT A STREET FRONTAGE IS TOO MANY. AS IT STANDS NOW THE APPROACH OF ONCOMING CARS DO NOT HAVE GOOD VISIBILITY OF FEEDER STREETS AND THIS WOULD MAKE IT WORSE. I WOULD RATHER SEE STERLING USED AS AN ACCESS AND PERHAPS JUST ONE ENTRANCE OFF OF HIGHWOOD AS I HAVE INDICATED ON THE MAP.
3. IS THERE ANY THOUGHT ABOUT HOW FUTURE DEVELOPMENT MIGHT TIE IN WITH THIS NEIGHBORHOOD?
4. HAS ANY THOUGHT BEEN GIVEN TO HAVING WALK PATHS THROUGH DEVELOPMENT ALLOWING ACCESS TO THE EXISTING PARK AREA JUST SOUTH OF CRESTVIEW-MARNIE AREA?
5. WILL ALL DRAINAGE BE MADE TO THE SOUTH. I DO NOT WANT TO SEE THE LAND SLOPED SO THAT MY PROPERTY TO THE EAST GETS A LOT OF THEIR RUNOFF.
6. WILL THE LAND TO THE SOUTH BE KEPT AS OPEN SPACE TO ALLOW PEOPLE TO USE THE EXISTING WALK PATHS. I DO NOT WANT MY PROPERTY TO BECOME THIS DEVELOPMENT'S PLAY GROUND OR DUMP SITE.
7. WITH THE INCREASING DEVELOPMENT IN THIS AREA I STILL THINK THE IDEA OF A FUTURE SITE FOR AN ELEMENTARY SCHOOL IS WORTH RECONSIDERING. WOULD THIS MEAN THAT NO ALLOWANCE FOR A FUTURE SCHOOL WOULD BE MAINTAINED?
8. I HAVE QUESTIONS ABOUT SEWER AND WATER. WILL THEY NEED TO PUT IN LIFT STATIONS? WHAT ABOUT STORM SEWERS?
9. I AM ALWAYS CONCERNED THAT A DEVELOPER'S FIRST OBJECTIVE IS TO PUT AS MANY HOUSES INTO AS SMALL AN AREA AS POSSIBLE. THEY OFTEN DO NOT CARE ABOUT PRESERVING THE NATURAL BEAUTY AND CONTOURS OF THE LAND. I CERTAINLY HOPE MAPLEWOOD CAN APPLY SOME PRESSURE IN THIS AREA TO MAKE SURE THE DEVELOPMENT WILL BE ONE THAT MAPLEWOOD WILL BE PROUD OF AND WILL ATTRACT OTHERS TO THE AREA BECAUSE OF THE NICE WAY THE CITY IS DEVELOPING ITS LAND.

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 _____, 1987 at 7 p.m.

The following members were present:

The following members were absent:

WHEREAS, A & R Properties initiated proceedings to vacate the public interest in that part of Sterling Street lying south of Highwood Avenue and north of a line 552.1 feet south of and parallel to the north line of the Northeast 1/4 of the Southeast 1/4 of Section 13, Township 28, Range 22.

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

1. This vacation was reviewed by the planning commission on April 6, 1987. The planning commission recommended to the city council that this vacation be
2. The city council held a public hearing on _____, 1987 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 right-of-way, public interest in the property will accrue to the following described abutting properties:

1. The North 806 feet of the West 1/2 of the Southeast 1/4 of Section 13, Township 28, Range 22, lying East of the center line of Sterling Street.
2. Subject to Highway and Road; North 552.1 feet of following; part westerly of center line of said road of Northwest 1/4 of Southeast 1/4 and part East of Pleasantview Park No. 2 of Northeast 1/4 of Southwest 1/4 all in Section 13, Township 28, Range 22.

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. Sterling Street should be realigned to the west to coincide with Sterling Street north of Highwood Avenue.
2. The present alignment would result in double-fronting lots. Double-fronting lots are prohibited by code, unless there is no other reasonable way to plat.

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 _____, 1987 at 7 p.m.

The following members were present:

The following members were absent:

WHEREAS, the City of Maplewood initiated a rezoning from F, farm residence, to R-1, single dwelling for the first phase of the Highwood Estates plat.

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

1. This rezoning was initiated pursuant to Chapter 36, Article VII of the Maplewood Code of Ordinances.

2. This rezoning was reviewed by the Maplewood Planning Commission on April 6, 1987. The planning commission recommended to the city council that said rezoning be _____.

3. The Maplewood City Council held a public hearing on _____, 1987 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 not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.

3. The proposed change will serve the best interests and conveniences of the community, where applicable and the public welfare.

4. The proposed change would have no negative effect upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.

- a. The construction of trails on Outlot A as required by the director of parks and recreation. A grading plan shall be submitted for approval by the city engineer and director of parks and recreation.
 - b. The provision of a water and sewer service in Currie Street for 1464 McKnight Road with Phase II.
6. Submittal of final grading, drainage, erosion control and utility plans for approval by the city engineer.

Commissioner Whitcomb seconded

Ayes--Axdahl, Barrett, Cardinal, Fiola, Fischer, Hanson, Sletten, Whitcomb

C. Street Vacation, Preliminary Plat and Rezoning: Highwood Estates

Roy Bredahl stated that Phase II of this project would not begin until the construction season of 1988. A engineering study will be done on Phase II and III of the project to determine an appropriate feasibility study of the drainage before these phases begin.

Bill Mahre, 1737 Clarence, Maplewood, Minnesota, spoke regarding the St. Paul Ski Club property in the area of this proposed development. Regarding the drainage problems on the property, Mr. Mahre suggested the drainage problems should be solved before the project begins, or make some other revision for the roads so that phase I can be completed within having approval by the commission or council for a project that may not be concluded. Mr. Mayre stated two developers had previously tried to develop this area but never succeeded in building because they couldn't conclude the project. He stated that no one has talked to the ski club about the drainage problems. He stated a petition would be signed by the property owners, including the ski club, to ask for a proposal to study the problem, and questioned who would pay for this study.

Chuck Ahl, Acting City Engineer, said this is a difficult drainage problems, but felt solutions could be found for this problem.

Commissioner Fischer moved:

1. Approval of the resolution to vacate Sterling Street 519.1 feet south of Highwood Avenue. Approval if on the basis that:
 - a. Sterling Street should be realigned to the west to coincide with Sterling Street north of Highwood Avenue.
 - b. The present alignment would result in double-fronting lots. Double-fronting lots are prohibited by code, unless there is no other reasonable way to plat.

c. Constructing a street and underground utilities over a pipeline is difficult and hazardous. It is hazardous during construction because of the potential for rupturing the pipeline. It is hazardous after construction because of the potential for a leak to enter the storm sewer or flow along the street, as happened in Moundsvew.

2. Approval of Phase I of the Highwood Estates preliminary plat (plans subject to the following conditions being completed before final plat approval:

a. Only the lots that drain to Highwood Avenue shall be platted in Phase I.

b. The drainage easement between O'Day Street and McClelland Street shall be one foot above the 100-year storm design. All adjacent lots shall have at least 10,000 square feet outside the easement.

c. Submittal of a developer's agreement, with required surety, for all public improvements, including:

(1) Temporary cul-de-sacs for proposed O'Day Street, McClelland Street, and Ferndale Street.

(2) Construction of storm sewer from proposed O'Day, McClelland, and Ferndale Streets to the pond proposed between O'Day Street and McClelland Street.

d. Submission of 100-foot diameter easements for the three temporary cul-de-sacs.

e. Final grading, utility, erosion control, and drainage plans shall be approved by the city engineer. The grading plan shall show the depth and location of Williams Brothers' Pipeline.

3. Adopt the resolution rezoning Phase I from F, farm, to R-1, single dwelling.

Commissioner Hanson seconded

Ayes--Axdahl, Barrett, Cardinal, Fiola, Fischer, Hanson, Sletten, Whitcomb

D. Code Amendment: Smaller Lots-Frontages

Secretary Olson explained the request.

Commissioner Fischer moved approval of the ordinance amendment to amend the subdivision code to conform with the minimum lot width requirements for small-lot single dwellings in the zoning code of 60 and 85 feet for interior and corner lots, respectively.

Commissioner Hanson seconded

Ayes--Barrett, Cardinal, Fiola, Fischer, Hanson, Sletten, Whitcomb

Nayes--Axdahl

MEMORANDUM

Action by Council:

TO: Acting City Manager
 FROM: Associate Planner--Johnson
 SUBJECT: Preliminary RLS
 LOCATION: Cub Foods
 APPLICANT: Donald G. Oren
 OWNER: Super Valu Stores
 DATE: April 15, 1987

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

SUMMARY

Request

Preliminary approval of a registered land survey to subdivide the Cub Foods site into three tracts. (Refer to the map on page 6.)

Proposal

1. Tract A would be the Cub Foods site.
2. Tract B would be deeded to Ramsey County for County Road B right-of-way.
3. Tract C would be combined with the property abutting to the east for the proposed Hilltop Shopping Center.

Recommendation

Approve registered land survey (plans stamped 3/30/87) for the Cub Food site, subject to the following conditions being met before final approval:

1. A deed shall be submitted to the city engineer to grant a six-acre-foot storm water pond to the city south of the Hilltop site. The easement description shall be approved by the city engineer.
2. A deed shall be submitted to the city engineer to grant a 25-foot-wide storm sewer easement from County Road B to the south property line of Tract C. The legal description shall be approved by the city engineer.
3. A reproducible mylar as-built for the 12" water main along County Road B shall be submitted to the city engineer. If it is located outside of the right-of-way, a utility easement shall be granted, as required by the city engineer.
4. Submit a deed to Ramsey County for Tract B.

BACKGROUND

Site Description

Gross area: 13.03 acres

Existing land use: Cub Foods

Surrounding Land Uses

North: County Road B right-of-way

East: undeveloped land. Site plan approval has been given for the proposed Hilltop Shopping Center (page 7).

South: Schroeder Milk and the undeveloped rear portion of the Schroeder Milk site

West: a gas station, a car-care center and Rice Street

Past Actions

3-10-87

The community design review board approved plans for the Hilltop Shopping Center, subject to several conditions. The conditions applicable to this RLS are as follows:

1. A six-acre-foot holding pond shall be provided south of the Hilltop site.
2. The property transfer from Cub Foods (proposed Tract C) shall be recorded prior to the issuance of a building permit.

10-27-86:

Council approved RLS No. 432 for the Cub Food site (page 6) to create a separate parcel for Jiffy lube. One of the conditions of approval was that "evidence is submitted to the city to assure that Tract C will be deeded to the State of Minnesota for public right-of-way purposes."

8-22-83:

Council approved plans for the Cub Foods store, subject to several conditions including "dedicating of a drainage easement to the city for a storm water retention pond in the southeast corner of the site."

Planning

1. Land use plan designation: SC, service commercial
2. Zoning: BC, business commercial

Public Works

A six-acre-foot storm water pond is planned to handle the drainage from an area that includes the easterly half of the Cub Food site and the Hilltop Shopping Center site (page 8). Storm water from Cub Foods is presently draining into an area in the southeasterly portion of their site (proposed Tract C). Before the ownership of proposed Tract C changes, a ponding easement is necessary to handle what would become off-site ponding.

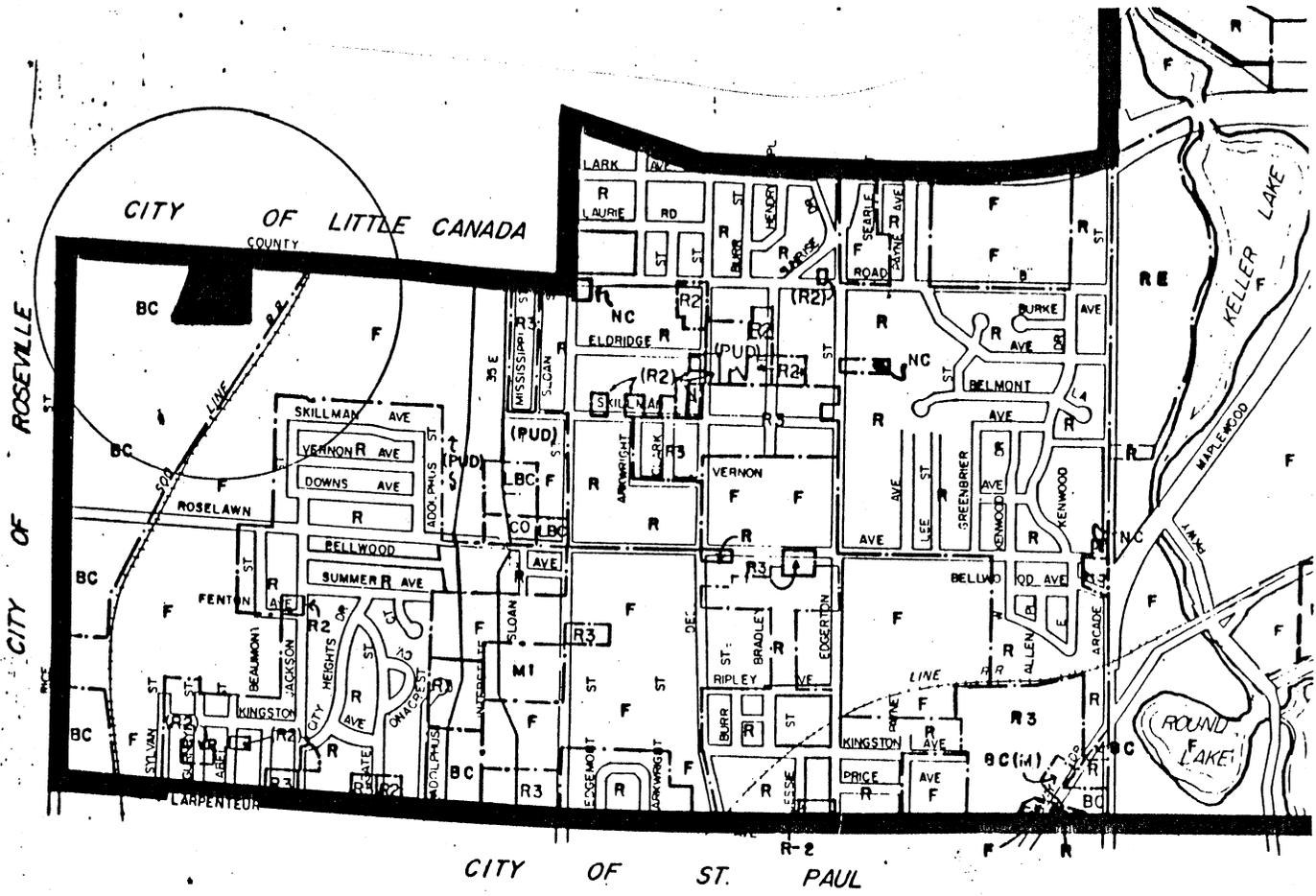
Procedure

1. Planning commission decision
2. Council decision following a public hearing

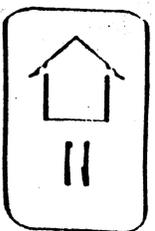
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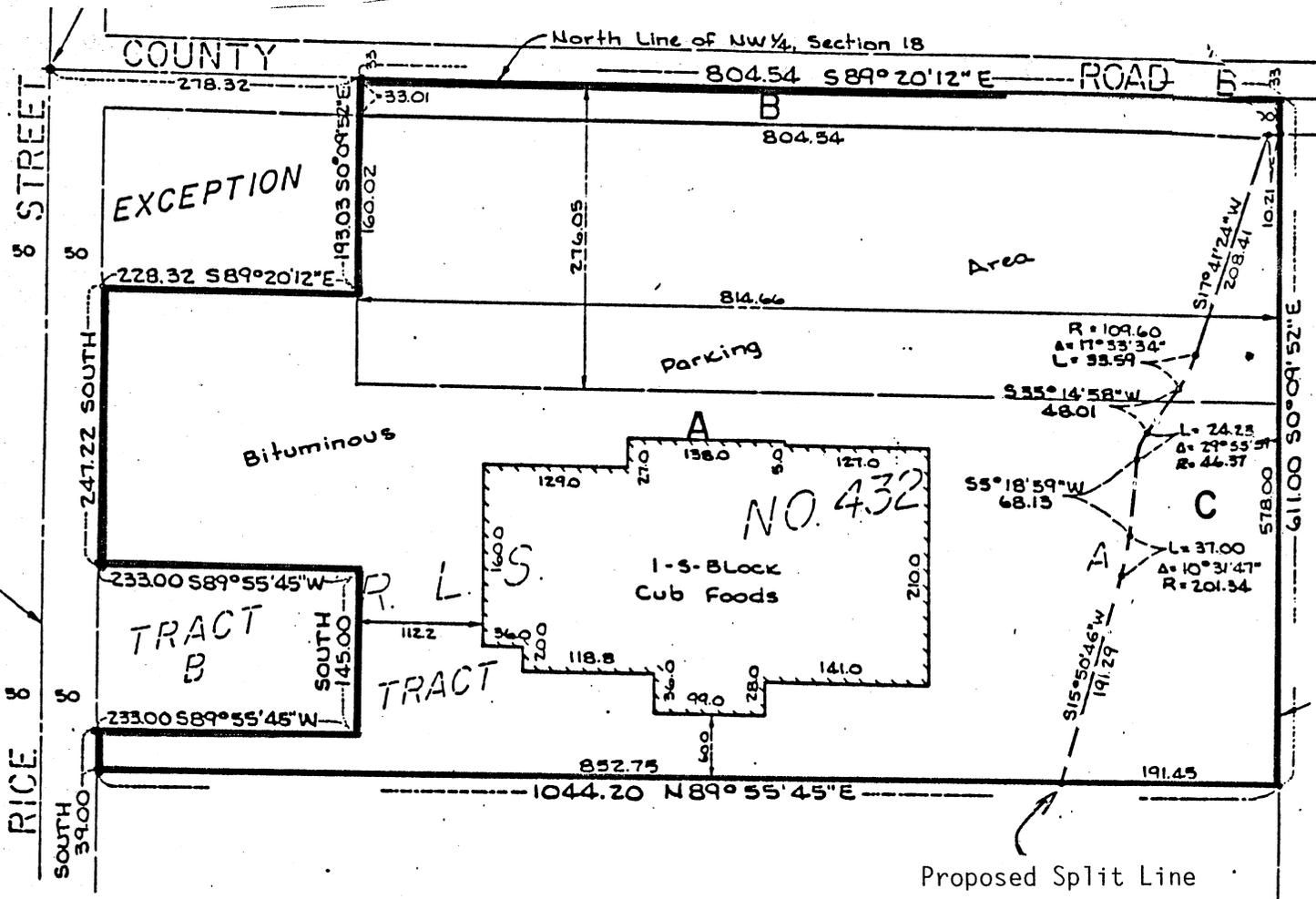
Attachments

1. Location Map
2. Property Line/Zoning Map
3. Proposed RLS
4. Hilltop Shopping Center Site Plan
5. Drainage Plan

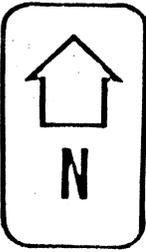


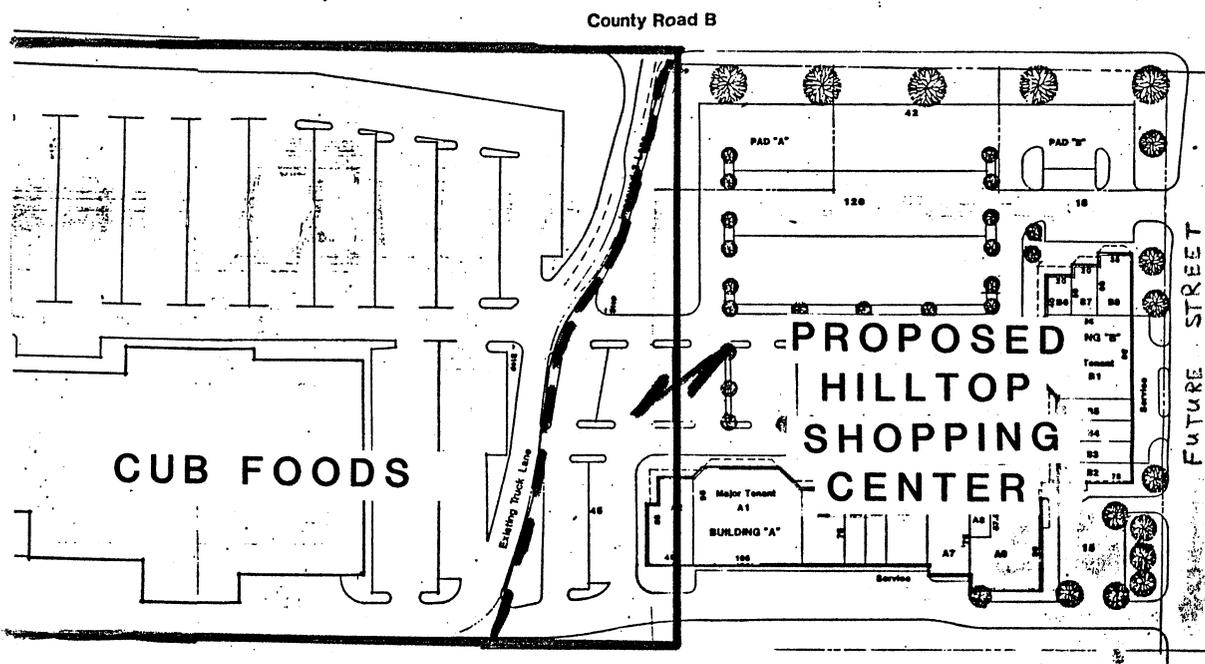
LOCATION MAP





PROPOSED REGISTERED LAND SURVEY





Proposed Lot Split Line
(6' East of Existing Driveway)

PROPOSED SITE PLAN



IV. APPROVAL OF AGENDA

Commissioner Fischer moved approval of the agenda as submitted.

Commissioner Rossbach seconded Ayes--Axdahl, Barrett, Cardinal, Fischer, Hanson, Larson, Rossbach, Sletten, Whitcomb

V. PUBLIC HEARINGS

VI. VISITOR PRESENTATIONS

VII. COMMUNICATIONS

VIII. NEW BUSINESS

A. RLS: Cub Foods (Co. Rd. B)

Associate Planner Johnson explained the request.

Dan Oren, 4807 34th Avenue South, Minneapolis, spoke representing the applicant. He said he could foresee no problems with the conditions in the recommendation at this time.

Mr. Oren stated the approximately 20 acres to the south would eventually be developed but he didn't have any specific information as to what would be developed there.

Commissioner Rossbach moved approval of the registered land survey for the Cub Food site, subject to the following conditions being met before final approval:

1. A deed shall be submitted to the city engineer to grant a six-acre-foot storm water pond to the city south of the Hilltop site. The easement description shall be approved by the city engineer.
2. A deed shall be submitted to the city engineer to grant a 25-foot-wide storm sewer easement from County Road B to the south property line of Tract C. The legal description shall be approved by the city engineer.
3. A reproducible mylar as-built for the 12" water main along County Road B shall be submitted to the city engineer. If it is located outside of the right-of-way, a utility easement shall be granted, as required by the city engineer.
4. Submit a deed to Ramsey County for Tract B.

Commissioner Fischer seconded Ayes--Axdahl, Barrett, Cardinal, Fischer, Hanson, Larson, Rossbach, Sletten, Whitcomb

B. Preliminary Plat and Street Name Changes: Highwood 2nd Addition

Secretary Olson explained the request.

Derek Haskin spoke representing the firm which did the preparation for the preliminary plat for this arsenal and worked on the oil containment detail. Mr. Haskin said he felt if there were to be a substantial oil leak, the monitors will be able to respond. Mr. Haskin said their aim is to slow down the oil leak to allow time to respond before there is a serious problem. He discussed different problems and the possibility of containment of the leak with each situation.

John Peterson of Good Value Homes, 1460 93rd Lane, Blaine, said he felt they have met FHA standards and they are operating under the current law and policy and requested the commission approve the request.

Commissioner Whitcomb moved:

1. Approval of the Highwood Second Addition preliminary plat, subject to the following conditions being satisfied before final plat approval:

a. Sterling Street must be realigned to the west, as determined by the city engineer, to increase the setback to the pipeline. The developer may acquire the additional right-of-way and construct the street or wait for the city to build it. Until contracts are signed for Sterling Street, no more than 1,000 feet of street and associated lots shall be platted from Valley View Avenue and proposed O'Day Street. The balance of the property may be platted as an outlot or left as unplatted property.

b. Lots 7-11, Block 2, and 11-15, Block 3, shall not be platted until contracts are signed to construct a water tower for this area.

c. Outlot A shall be divided into Outlots A and B, separated by the Phylis Avenue right-of-way.

d. Temporary 100-foot-diameter easements shall be submitted for all dead ends.

e. Fifteen-foot-wide storm sewer easements shall be shown, centered in each proposed storm sewer.

f. City engineer approval of final grading, drainage, utility and erosion-control plans. The trees to be saved shall be shown on the grading plan and identified as such in the field.

g. Submission of a signed developer's agreement, with required surety, for all required public improvements and the oil-containment system proposed along the east boundary of Lots 1 - 3, Block 4.

h. "O'Day Street" shall be changed to "Ferndale Street".

i. "Phylis Avenue" shall be changed to "O'Day Street".

j. If Timber Avenue is to become part of the east-west collector, it shall be named Schaller Drive.

k. Deed restrictions shall be submitted to the city to run with the title of Lots 1-3, Block 4. These restrictions shall require the homes to be built at the front-yard setback to maximize the setback to the pipelines.

1. The west lot line of Lot 4, Block 4, shall be relocated to the west to be perpendicular to Timber Avenue.

2. Adopt the resolution to change the name of "O'Day Street" and "Valleyview Avenue" to "Valley View Avenue" in the Highwood Addition.

3. Adopt the resolution to change the name of "Dorland Curve" and "Phylis Street" in the Jefferson Fourth Addition to "Schaller Drive".

Commissioner Cardinal seconded Ayes--Axdahl, Barrett, Cardinal,
Fischer, Hanson, Larson, Rossbach,
Sletten, Whitcomb

C. Upper Afton Rd. Improvements

Acting City Engineer Chuck Ahl explained the project.

Commissioner Whitcomb moved approval of City Project 86-07 (Upper Afton Road improvements) in that it is found to be in compliance with the Maplewood Comprehensive Plan.

Commissioner Fischer seconded Ayes--Axdahl, Barrett,
Fischer, Hanson, Larson, Rossbach,
Sletten, Whitcomb

Nayes--Cardinal

D. Financing Developer Improvements

Acting City Engineer Chuck Ahl explained this proposal. Several commissioners asked for clarification on conditions of option one and option two.

Commissioner Fischer reported the Housing Redevelopment Authority, at their previous meeting, had supported the staff recommendation with a minor change in Step 10 (changing "would" to "could").

Commissioner Rossbach moved approval of the proposal that includes two options for financing of the internal improvements of development plats, with a minor change in Step 10 of changing the word "would" to "could".

Commissioner Fischer seconded Ayes--Axdahl, Barrett, Cardinal,
Fischer, Hanson, Larson, Rossbach,
Sletten, Whitcomb

MEMORANDUM

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: Acting City Manager
FROM: Associate Planner--Johnson
SUBJECT: Preliminary Plat and Street Name Changes
LOCATION: Sterling Street, North of Valley View Drive
APPLICANT/OWNER: Good Value Homes, Inc.
PROJECT: Highwood Second Addition
DATE: April 16, 1987

SUMMARY

Requests

1. Preliminary plat approval to create 44 single-dwelling lots and an outlot to be developed with the property to the north. (Refer to the plan on page 8.)
2. Change the name of "O'Day Street" in the Highwood Addition to "Ferndale Street" (city staff).
3. Change the names of "Dorland Curve" and "Phylis Avenue" in the Jefferson Fourth Addition to "Schaller Drive" (city staff).

Issues Raised By Affected Parties

North St. Paul--Maplewood--Oakdale School District

The school district is considering the purchase of property to the north of this site (page 9) or to the west of this site (page 10) for an elementary school. At least ten acres of usable area are needed. They are concerned that if proposed Timber Avenue becomes part of the planned east/west collector street (page 7) that a ten-acre site will not be available west of Sterling Street.

Staff reply: If the school district chooses the area west of Sterling Street, the east/west collector would be shifted to the north as shown on page 10. If the district chooses the area to the north of the applicant's plat, then Timber Avenue would become part of the east/west collector (page 9).

Staff Concerns

1. Separation from Williams Brothers' pipeline: Staff has been recommending at least 100 feet of separation between dwellings and the Williams Brothers' pipeline. Due to the established alignment of Sterling Street, three of the applicant's lots (Lot 1 - 3, Block 4) will allow for only about 55 feet of separation. In response to this concern, the applicant has proposed an oil-containment system to compensate for the lack of separation (page 12). The city engineer and fire marshal believe this system is a sound engineering concept that should provide an additional margin of safety. Staff is also recommending a slight realignment of Sterling Street to the west to increase the setback from the pipeline.

2. Name of east/west collector street: The mile-long east/west collector street from Century to Highwood Avenue will have a diagonal alignment from northeast to southwest. To avoid confusion from street names changing at north/south streets or along the curve segments, the entire road should be given one name. Schaller Drive is suggested.

Recommendation

1. Approval of the Highwood Second Addition preliminary plat (plans stamped 2-9-87) subject to the following conditions being satisfied before final plat approval:

- a. Sterling Street must be realigned to the west, as determined by the city engineer, to increase the setback to the pipeline. The developer may acquire the additional right-of-way and construct the street or wait for the city to build it. Until contracts are signed for Sterling Street, no more than 1,000 feet of street and associated lots shall be platted from Valley View Avenue and proposed O'Day Street. The balance of the property may be platted as an outlot or left as unplatted property.
- b. Lots 7 - 11, Block 2, and 11 - 15, Block 3, shall not be platted until contracts are signed to construct a water tower for this area.
- c. Outlot A shall be divided into Outlots A and B, separated by the Phylis Avenue right-of-way.
- d. Temporary 100-foot-diameter easements shall be submitted for all dead ends.
- e. Fifteen-foot-wide storm sewer easements shall be shown, centered in each proposed storm sewer.
- f. City engineer approval of final grading, drainage, utility and erosion-control plans. The trees to be saved shall be shown on the grading plan and identified as such in the field.
- g. Submission of a signed developer's agreement, with required surety, for all required public improvements and the oil-containment system proposed along the east boundary of Lots 1 - 3, Block 4.
- h. "O'Day Street" shall be changed to "Ferndale Street".
- i. "Phylis Avenue" shall be changed to "O'Day Street".
- j. If Timber Avenue is to become part of the east-west collector (page 9), it shall be named Schaller Drive.
- k. Deed restrictions shall be submitted to the city to run with the title of Lots 1 - 3, Block 4. These restrictions shall require the homes to be built at the front-yard setback to maximize the setback to the pipelines.

1. The west lot line of Lot 4, Block 4, shall be relocated to the west to be perpendicular to Timber Avenue.
2. Adopt the resolution on page 13 to change the name of "O'Day Street" to "Ferndale Street" and "Valleyview Avenue" to "Valley View Avenue" in the Highwood Addition.
3. Adopt the resolution on page 14 to change the name of "Dorland Curve" and "Phylis Street" in the Jefferson Fourth Addition to "Schaller Drive".

BACKGROUND

Site Description

Gross area: 22 acres

Existing land use: undeveloped

Existing easements: Williams Brothers' Pipeline has a 100-foot-wide easement along the westerly boundary of the site. The easement is located 76 feet east of the center of three pipes and 24 feet west of the center pipe.

Surrounding Land Uses

North: Undeveloped property planned for RL, residential low density use. A portion of this property is being considered for a elementary school site. (See page 9.)

East: Undeveloped property planned for RL and OS, open space use.

South: Single dwellings that are under development as part of the Good Value Homes Highwood plat.

West: Sterling Street right-of-way and land planned for RL use. The Williams Brothers' pipelines would run along the rear lines of these properties. Across Sterling Street is undeveloped property that is being considered for an elementary school site. (Page 10.)

Past Actions

2-9-87

Council approved Good Value Homes Highwood final plat. This development established the alignment of Sterling Street to be about 115 feet west of the westerly Williams Brothers' pipeline.

Planning

1. Land use plan designation: RL, residential low density and OS, open space.
2. Zoning: R-1, single dwelling
3. Net area: 18.2 acres
4. Permitted density: 14 people/net acre
5. Proposed density: 9.9 people/net acre
6. Average lot area: 15,200 square feet
7. Each of the lots meet or exceed minimum dimension requirements.
8. Section 30-8 (b) (3) states "cul-de-sacs, when used, shall be held to as short of a distance as possible between the origin or main

street and the end of the cul-de-sacs. In no case shall cul-de-sacs exceed 1,000 feet in length unless no other alternative is possible." (Comment: Lots should not be allowed along proposed Timber or Phyllis Avenues that would be more than 1,000 feet from Valley View Drive until Sterling Street and Timber Avenue are connected.)

Environmental

Trees:

About 13.5 acres of this site, (about 61%), is wooded. The principal trees are oak, cherry, and elm. Poplar, boxelder and cottonwood are located near the low areas. (Refer to the map on page 11.) Once the proposed streets are constructed, about 40% of the site would be wooded. Additional trees would be removed when homes are constructed on at least 33 of the 44 proposed lots. The developer states that the dwellings will be designed to save as many trees as possible.

Wetlands:

There are two large wetlands on the site. They will be retained for storm-water ponds. Two smaller depressions would be filled.

Public Works

1. A minor collector street is planned in this vicinity to run east/west between Century and Highwood Avenues. (See page 7.) Either of the proposed area street concepts (pages 9 and 10) would be consistent with the planned collector route.
2. The city is designing a water tower and trunk water system to serve a large area that includes this property. Minimally acceptable water pressure is available for fire fighting in this area until the system improvements are completed. No lots should be allowed in the north portion of the site until construction of the water tower is guaranteed. This part of the site is too high to be served by an extension of the existing system, even if looped.
3. The plats to the west show "Valley View" Avenue as two words rather than "Valleyview" Avenue as in the Highwood Addition. Valley View is also spelled with two words on the St. Paul side of McKnight Road. This inconsistency should be cleared up.

Public Safety

1. On January 22, 1987, the Federal Housing Administration (FHA) approved the applicant's plat, subject to: "No part of any residential structure shall be constructed within 10 feet of the outer boundary of the Williams Pipeline Easement. Attached garages, decks and other places of assembly shall be considered a part of the residential structure for this standard."
2. Williams Brothers' easement includes about 18 feet of property west of the westerly pipeline. As such, FHA will allow construction within 28 feet of the west pipeline. The applicant is proposing to provide a setback of about 55 feet.

3. The state legislature is considering a bill that would create an office of pipeline safety. If created, this office would be charged with developing a model ordinance for use by local governments. The issue of setbacks from a pipeline would be addressed.

4. There are many variables to consider in defining a relatively safe setback from a pipeline. Homes that are uphill from a pipeline, on porous soils, on a cold day, with no wind require less setback than homes that are downhill, on non-porous soils, on a hot day, with a wind. As a result, no uniform standard has been adopted.

5. New plats should be designed, as this plat is proposed, with the pipeline along rear property lines whenever possible. This will reduce the possibility of the liquid entering a storm sewer or street gutter and migrating greater distances from the rupture point.

North St. Paul--Maplewood--Oakdale School District

The engineering firm of Short-Elliott-Henderickson is evaluating the grading costs for each site. Once Short-Elliott-Henderickson's recommendation is made, the school district will order a land appraisal for each site.

Once appraised, negotiations will begin. Brian Buchmeyer, the school district's business agent, would like to have a site purchased by July 1, 1987.

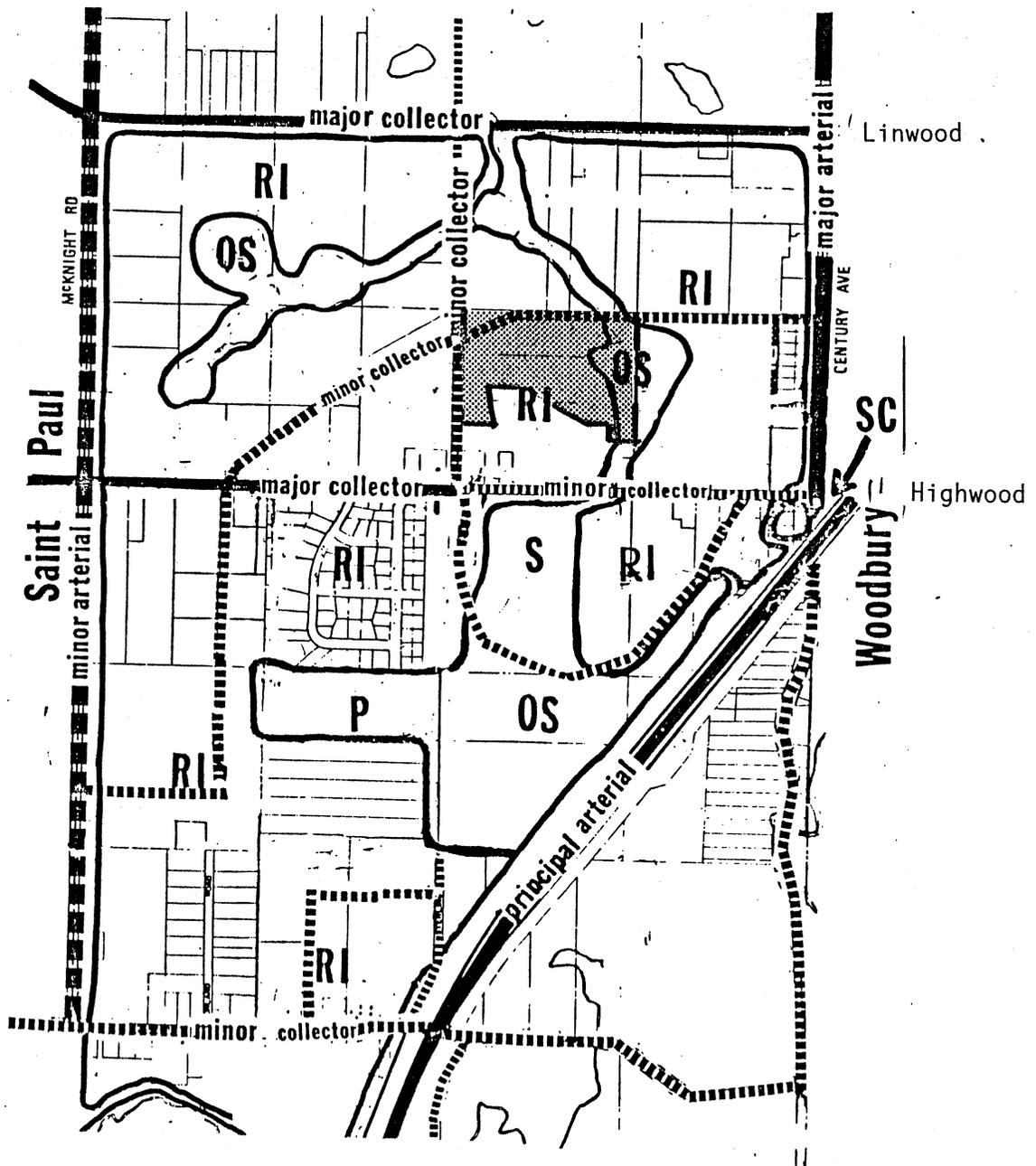
Procedure

1. Planning Commission recommendation
2. City Council decision following a public hearing

jl

Attachments

1. Highwood Neighborhood Land Use Plan
2. Highwood Second Addition preliminary plat (8 1/2 x 11)
3. Area Street Concept A
4. Area Street Concept B
5. Applicant's tree plan
6. Oil containment detail plan
7. Resolution (O'Day Street)
8. Resolution (Dorland Curve)
9. Highwood Second Addition preliminary plat (separate attachment)



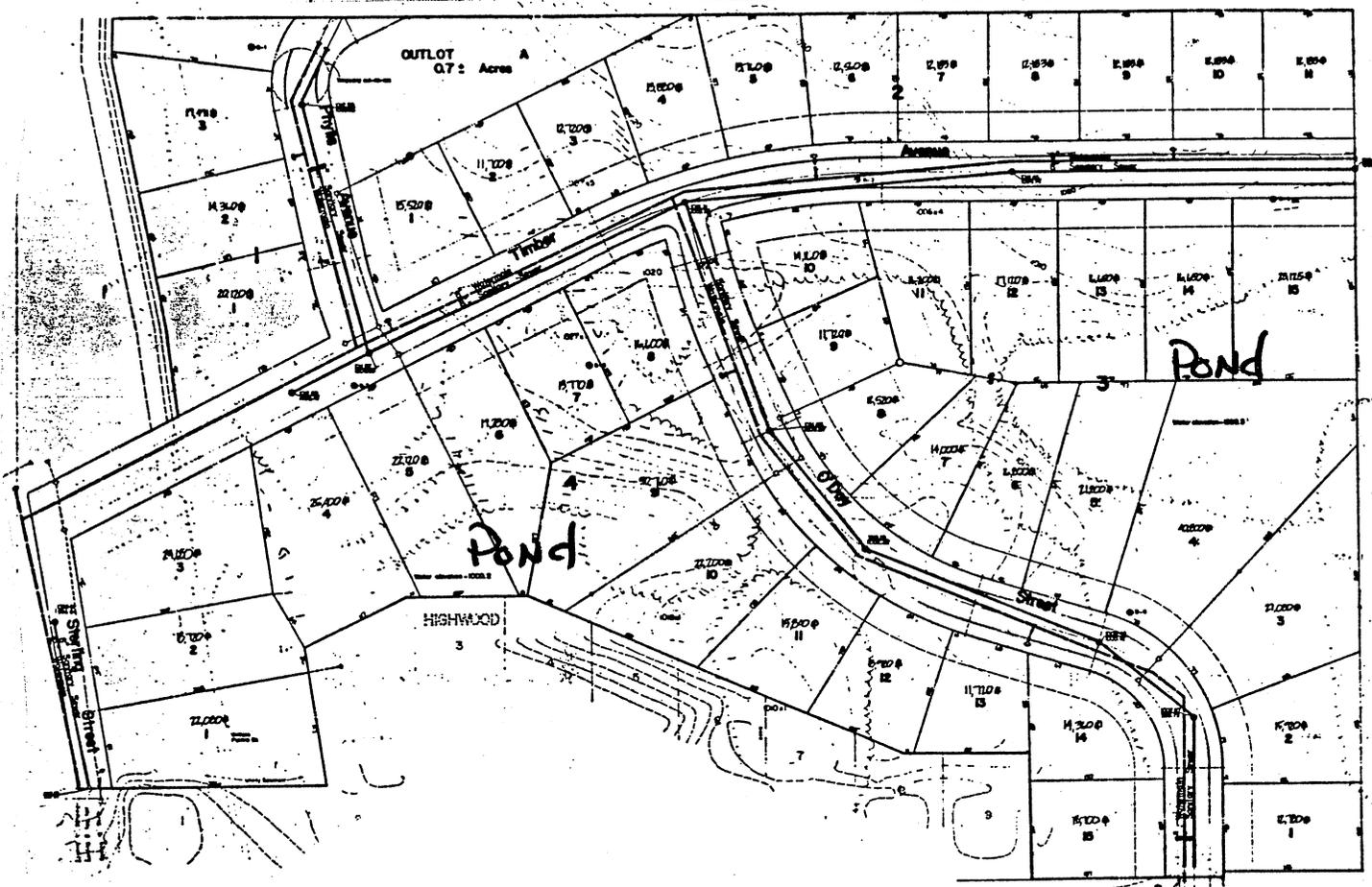
Highwood NEIGHBORHOOD LAND USE PLAN



Highwood Second Addition



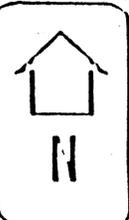
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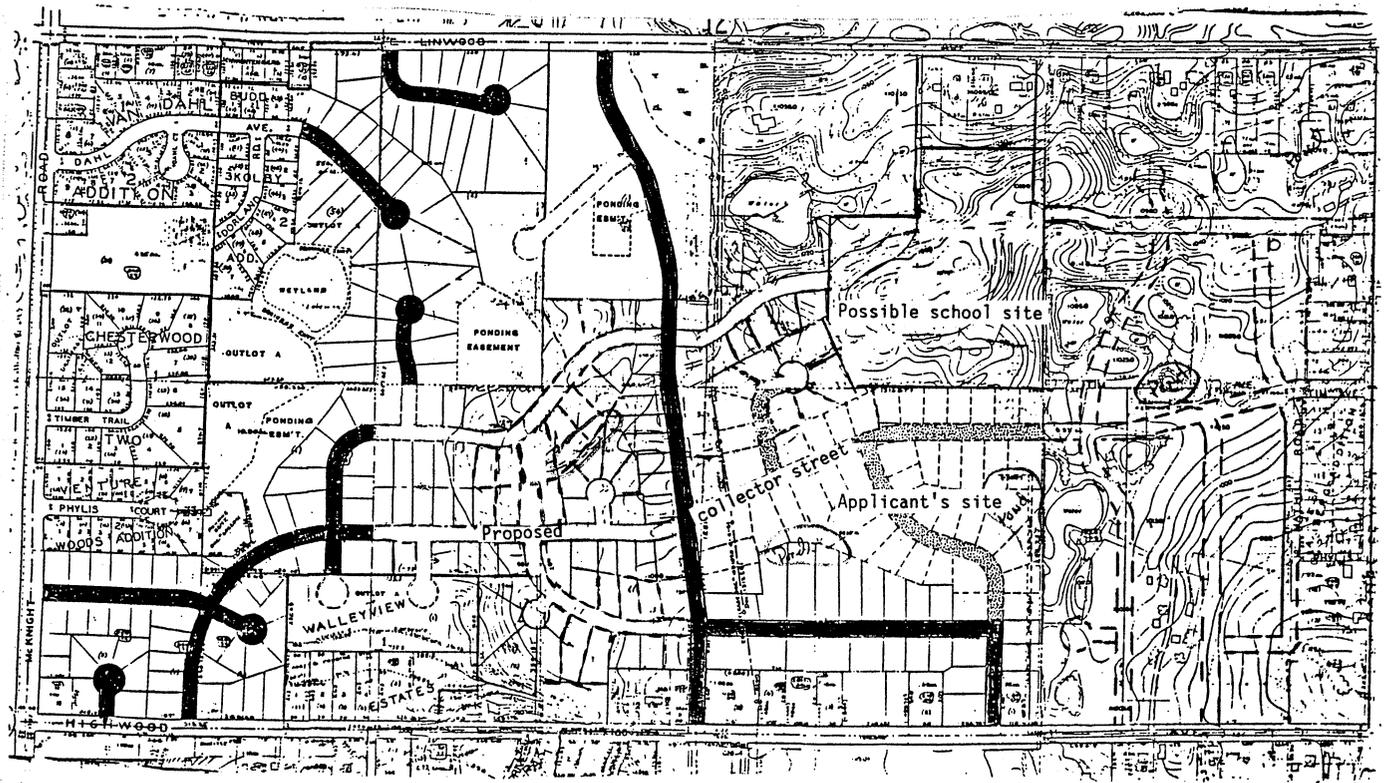


Plan received 2/9/87

Highwood 2nd Addition

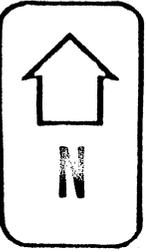
Preliminary Plat

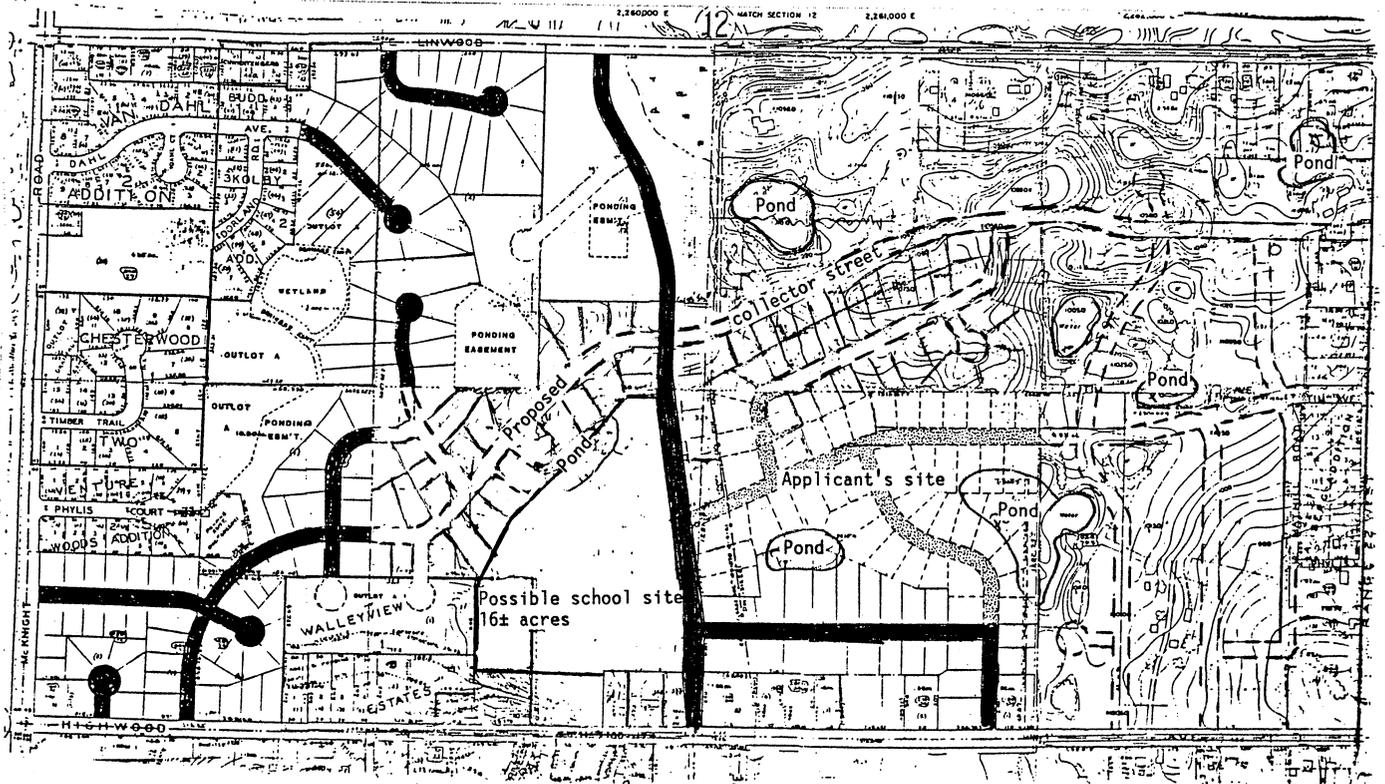




-  Accepted street locations
-  Possible street locations

Area Street Concept A
 (Elementary school north of
 Highwood Second Addition)

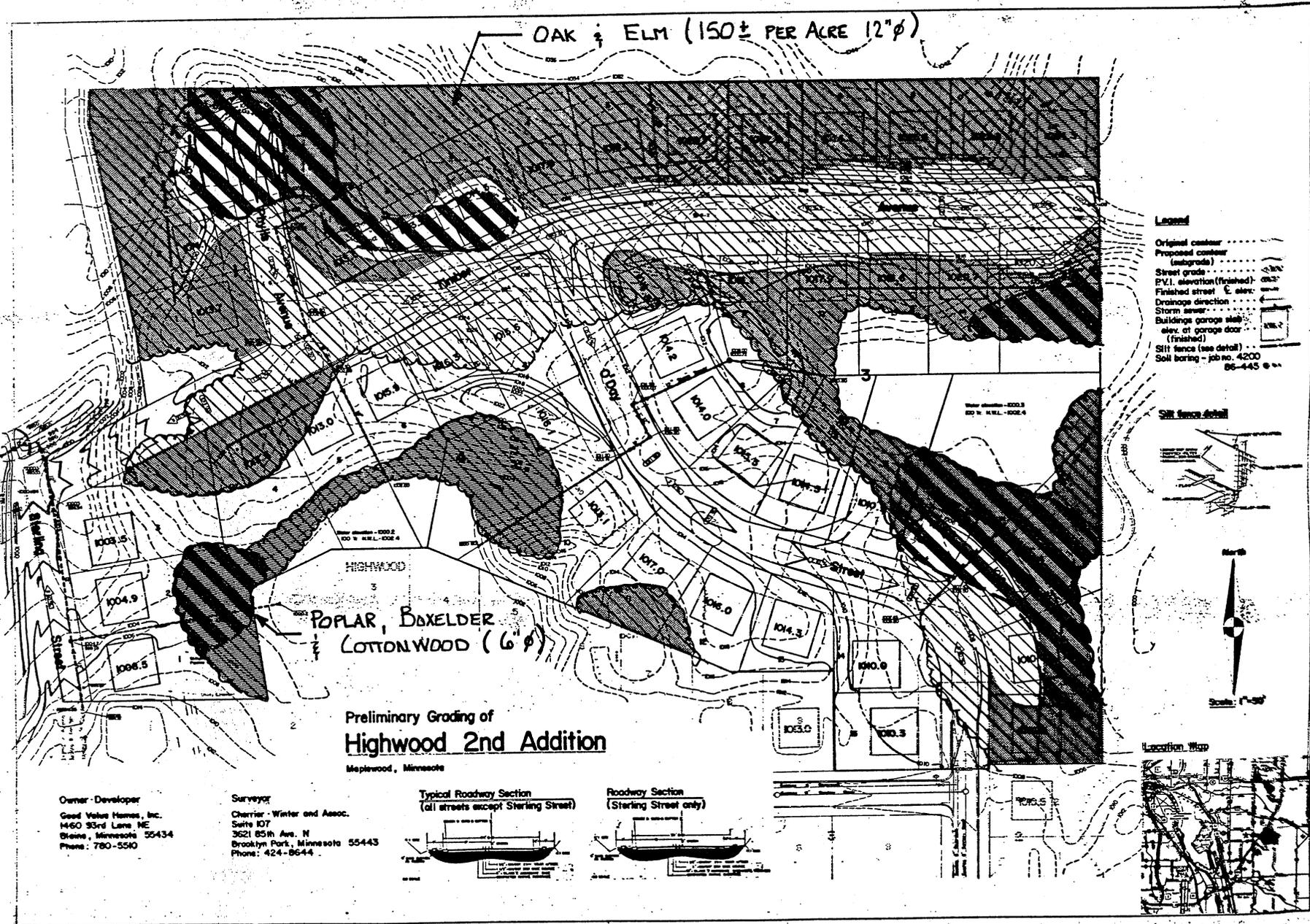




- Accepted street locations
- Possible street locations

Area Street Concept B
 (School site to the west)

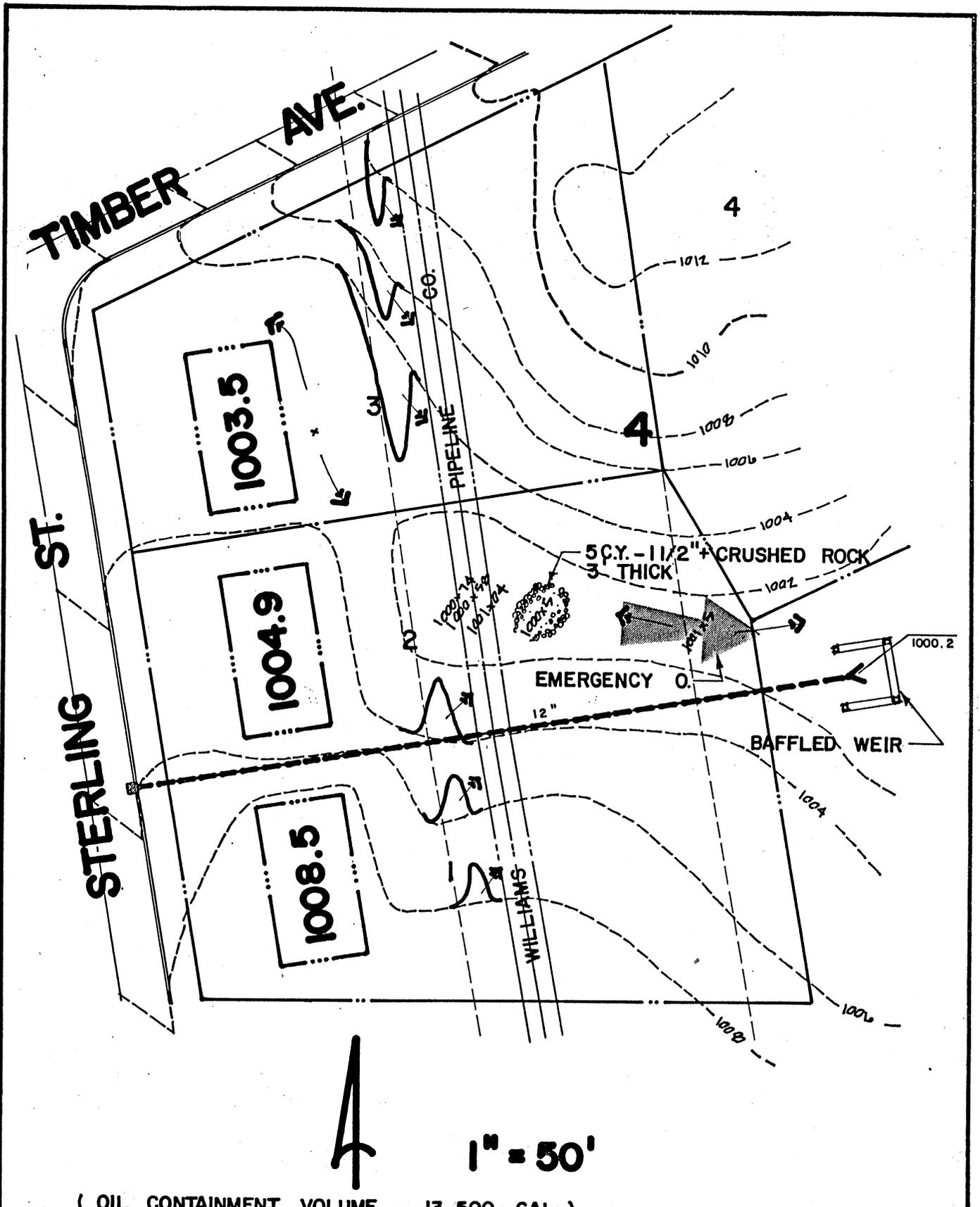




DATE	2	2
REVISIONS		
BY		
DATE		

**BEWAYNE C. OLSON
CONSULTING ENGINEERS INC.**
1611 HIGHWAY 10 N.E.
MINNAPOLIS, MN 55432
Tel: (612) 780-1340

**Preliminary Grading
Highwood 2nd Addition**
Maplewood, Minnesota



(OIL CONTAINMENT VOLUME - 13,500 GAL.)

DEWAYNE C. OLSON
 CONSULTING ENGINEERS INC.
 1611 Highway #10 N.E.
 MINNEAPOLIS, MINNESOTA 55432

OIL CONTAINMENT DETAIL

HIGHWOOD 2nd ADDITION

Date: 2-4-87

Detail No. |

RESOLUTION OF STREET NAME CHANGE TO
FERNDALE STREET AND VALLEY VIEW AVENUE

WHEREAS, the roadway that intersects the north side of Highwood Avenue, about a quarter mile west of Century Avenue, is named "O'Day Street".

WHEREAS, four of five existing north/south street segments located about a quarter mile west of Century Avenue are named "Ferndale Street".

WHEREAS, the proposed Highwood Estates plat on the south side of Highwood Avenue, has a street directly in line with the above-referenced "O'Day Street". This street is named "Ferndale Street".

WHEREAS, in the Highwood Addition, "Valleyview" Avenue is spelled as one word. In the Jefferson Fourth and Castle Ridge Additions, and the City of St. Paul, "Valley View" is spelled with two words.

WHEREAS, consistency in street names is necessary to insure the timely delivery of emergency vehicle services.

NOW, THEREFORE, BE IT RESOLVED that the City of Maplewood hereby renames:

1. "O'Day Street" in the Highwood plat to "Ferndale Street",
and
2. "Valleyview Avenue" in the Highwood plat to "Valley View Avenue".

Adopted this _____ day of _____, 1987.

Seconded by

Ayes--

RESOLUTION OF NAME CHANGE TO SCHALLER DRIVE

WHEREAS, the land use plan shows a minor collector street alignment that runs diagonally for approximately a mile between Century to Highwood Avenues.

WHEREAS, "Dorland Curve" and "Phylis Avenue", in the Jefferson Fourth Addition, are part of this collector street alignment.

WHEREAS, if existing north/south and east/west street names are used to name the various segments of this diagonal roadway, the street names will have to change in the center of curves or from one side of a street to the other at an intersection. Street names that change in this manner could lead to confusion when attempting to locate a particular property.

WHEREAS, confusing street names could hamper public safety's ability to deliver timely emergency vehicle services.

WHEREAS, there is the possibility that the above-referenced collector street could be nearly two miles long, extending southeast of Highwood Avenue to Sterling Street. A street of between one and two miles of length, through some of the most picturesque property in the city, would be a fitting memorial to Richard Schaller.

NOW, THEREFORE, BE IT RESOLVED that the City of Maplewood hereby:

1. Intends to name as Schaller Drive, the collector street planned to be built between Century and Highwood Avenues and from Highwood Avenue south along the west boundary of Pleasant View Park.
2. Rename "Dorland Curve" and "Phylis Avenue", in the Jefferson Fourth Addition, to "Schaller Drive".

Adopted this _____ day of _____, 1987.

Seconded by

Ayes--

B. Preliminary Plat and Street Name Changes: Highwood 2nd Addition

Secretary Olson explained the request.

Derek Haskin spoke representing the firm which did the preparation for the preliminary plat for this arsenal and worked on the oil containment detail. Mr. Haskin said he felt if there were to be a substantial oil leak, the monitors will be able to respond. Mr. Haskin said their aim is to slow down the oil leak to allow time to respond before there is a serious problem. He discussed different problems and the possibility of containment of the leak with each situation.

John Peterson of Good Value Homes, 1460 93rd Lane, Blaine, said he felt they have met FHA standards and they are operating under the current law and policy and requested the commission approve the request.

Commissioner Whitcomb moved:

1. Approval of the Highwood Second Addition preliminary plat, subject to the following conditions being satisfied before final plat approval:

- a. Sterling Street must be realigned to the west, as determined by the city engineer, to increase the setback to the pipeline. The developer may acquire the additional right-of-way and construct the street or wait for the city to build it. Until contracts are signed for Sterling Street, no more than 1,000 feet of street and associated lots shall be platted from Valley View Avenue and proposed O'Day Street. The balance of the property may be platted as an outlot or left as unplatted property.
- b. Lots 7-11, Block 2, and 11-15, Block 3, shall not be platted until contracts are signed to construct a water tower for this area.
- c. Outlot A shall be divided into Outlots A and B, separated by the Phylis Avenue right-of-way.
- d. Temporary 100-foot-diameter easements shall be submitted for all dead ends.
- e. Fifteen-foot-wide storm sewer easements shall be shown, centered in each proposed storm sewer.
- f. City engineer approval of final grading, drainage, utility and erosion-control plans. The trees to be saved shall be shown on the grading plan and identified as such in the field.
- g. Submission of a signed developer's agreement, with required surety, for all required public improvements and the oil-containment system proposed along the east boundary of Lots 1 - 3, Block 4.
- h. "O'Day Street" shall be changed to "Ferndale Street".
- i. "Phylis Avenue" shall be changed to "O'Day Street".

j. If Timber Avenue is to become part of the east-west collector, it shall be named Schaller Drive.

k. Deed restrictions shall be submitted to the city to run with the title of Lots 1-3, Block 4. These restrictions shall require the homes to be built at the front-yard setback to maximize the setback to the pipelines.

l. The west lot line of Lot 4, Block 4, shall be relocated to the west to be perpendicular to Timber Avenue.

2. Adopt the resolution to change the name of "O'Day Street" to "Ferndale Street" and "Valleyview Avenue" to "Valley View Avenue" in the Highwood Addition.

3. Adopt the resolution to change the name of "Dorland Curve" and "Phylis Street" in the Jefferson Fourth Addition to "Schaller Drive".

Commissioner Cardinal seconded Ayes--Axdahl, Barrett, Cardinal,
Fischer, Hanson, Larson, Rossbach,
Sletten, Whitcomb

C. Upper Afton Rd. Improvements

Acting City Engineer Chuck Ahl explained the project.

Commissioner Whitcomb moved approval of City Project 86-07 (Upper Afton Road improvements) in that it is found to be in compliance with the Maplewood Comprehensive Plan.

Commissioner Fischer seconded Ayes--Axdahl, Barrett,
Fischer, Hanson, Larson, Rossbach,
Sletten, Whitcomb

Nayes--Cardinal

D. Financing Developer Improvements

Acting City Engineer Chuck Ahl explained this proposal. Several commissioners asked for clarification on conditions of option one and option two.

Commissioner Fischer reported the Housing Redevelopment Authority, at their previous meeting, had supported the staff recommendation with a minor change in Step 10 (changing "would" to "could").

Commissioner Rossbach moved approval of the proposal that includes two options for financing of the internal improvements of development plats, with a minor change in Step 10 of changing the word "would" to "could".

Commissioner Fischer seconded Ayes--Axdahl, Barrett, Cardinal,
Fischer, Hanson, Larson, Rossbach,
Sletten, Whitcomb

Action by Council:

MEMORANDUM

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Thomas Ekstrand, Associate Planner
SUBJECT: Conditional Use Permit and Site Plan Approval
LOCATION: Century Avenue
APPLICANT: Richard Pearson
OWNERS: Richard Pearson and the City of Maplewood
PROJECT: Rolling Hills Second Addition
DATE: April 24, 1987

SUMMARY

Request

1. Approval of a conditional use permit for:
 - a. A mobile home park in a F, farm residence district (the northwesterly third of the site).
 - b. Mobile homes in an M-2, heavy manufacturing zone that are closer than 350 feet to a residential zone.
2. Approval of a site plan

Proposal

1. 110 lots and a community center with underground storm shelter.
2. Refer to the attached plans for the site plan and typical lot layout.

Issues Raised by Surrounding Property Owners

Staff sent questionnaires to the surrounding land owners within 350 feet of the site. Of the eight comments received, three had no comment, one was in favor and four objected. The comments received were as follows:

Positive Comments:

1. We are pleased with the first phase of Rolling Hills (Redeemer Baptist Church).
2. "I don't want commercial buildings or apartments built here."

Negative Comments:

1. There was not much imagination in the design of the first phase.
2. There should be a tot lot.

Staff reply: Staff is recommending a tot lot unless the park rules allow children's play equipment on the lots.

3. Century Avenue is too busy already. More traffic would only add to increased accidents (four comments).

Staff reply: Reported accidents have been minimal in this area. Since 1-1-85 there has been one accident at the railroad tracks and Century Avenue and six accidents in the area of Century and Ivy Avenues. The director of public safety feels this is relatively low compared to other intersections with similar traffic volumes. If accidents become a problem, the intersection should be signalized.

4. This mobile home park would depreciate the property value of the adjacent single dwellings (four comments).

Staff reply: The Ramsey County Assessor's Office stated that, although they cannot predict how property values will be affected, they have found that there has not been any negative impact on the sales or values of single dwellings south of the Rolling Hills First Addition.

5. Mobile homes are not compatible with single dwellings.

Staff reply: The mobile home park would be more compatible with the adjacent single dwellings than heavy manufacturing or apartments, which would be permitted under the current zoning.

6. Mobile home park residents do not pay property or school taxes.

Staff reply: According to the Ramsey County Department of Taxation, mobile home park residents do pay property taxes.

7. There should not be a road to Century Avenue. The access to this site should be from the west or through Rolling Hills to the south (two comments).

Staff reply: A second access to the south is proposed to lessen the traffic impact on Century Avenue. Access from the west is not feasible due to the drainage pond and poor soils.

8. "I would like to see larger trees placed along Century Avenue than were planted in the first phase of this mobile home park." Another individual specified a wish for eight to ten-foot tall Black Hills spruce along Century Avenue.

Staff reply: Staff is recommending at least six-foot tall evergreen trees be planted along the Century Avenue frontage on top of a three-foot berm for screening.

Staff Comments

The existing mobile home park to the south has turned out very well. Expanding the park to the north would be a good use of the property. The plan should be revised, however, to comply with the second finding required for approval of a conditional use permit - "The establishment or maintenance of the use shall not be detrimental to the public health, safety or welfare."

There should be a greater setback from the mobile homes to the railroad tracks. Homes are proposed as close as seventy feet from the tracks. Maplewood's director of emergency services, Larry Cude, recommends a setback of at least 100 feet to protect residents against a derailment. It should be noted that the city owns the land abutting the tracks that is zoned farm.

Recommendation

1. Approval of the resolution on page 21 for a conditional use permit for a mobile home park. Approval is based on the findings required by code and subject to the following conditions:
 - a. Compliance with state requirements.
 - b. There shall be no exterior storage of equipment such as bikes, hoses, lawnmowers, rakes, etc.
 - c. Each lot shall be allowed an exterior storage shed of no more than 120 square feet. Such shed must be kept in workmanlike repair and painted.
 - d. Each lot shall be allowed to have children's play equipment, unless the developer provides a tot lot adjacent to the community building.
 - e. Each lot shall be allowed a deck and carport, provided that either structure shall not be closer than ten feet to any adjacent dwelling. Carports shall not be closer than six feet to a private street and shall not have walls. On lots along Century Avenue, sheds shall not be closer than 37 feet to the right-of-way.
 - f. All mobile homes must be new, skirted and tied down. Skirting shall extend from the frame of the chassis to the ground. Skirting must be painted to complement the mobile home.
 - g. All tie-downs and foundations must meet the state building code.
 - h. The sign regulations for the R-3 district shall apply.
 - i. The following minimum setbacks shall apply for dwellings:
 - (1) Twenty feet to a private street.

(2) Forty-seven feet to the Century Avenue right-of-way.

(3) Five foot side yard setback on the side opposite the entry.

(4) Twenty foot side yard setback on the entry side.

(5) One hundred feet to a railroad track.

j. Sales of mobile homes shall be limited to those owned by park residents and those sold by the park owner for placement in the park.

k. The storm shelter shall be kept free of storage. The shelter shall be kept open at all times or keys shall be made available to all residents in a manner to be approved by the director of emergency services.

l. The city shall not be responsible for maintaining any of the internal improvements.

m. Water lines shall be flushed at least once a year.

n. Parking shall only be permitted on one side of each street. No parking shall be permitted closer than 30 feet to any intersection.

o. Adherence to the approved site plan and related conditions. Any significant change must be approved by the community design review board. Minor changes may be approved by staff.

2. Approval of the site plan as recommended by the Maplewood Community Design Review Board. (See Attachment 11)

BACKGROUND

Site Description

1. -Acreage: 18.95 acres
2. Existing land use: undeveloped

Surrounding Land Uses

Northerly: Chicago and Northwest Railroad. North of the tracks is NSP property zoned M-1, light manufacturing.

Southerly: Rolling Hills Mobile Home Park.

Easterly: Century Avenue and single dwellings in the city of Oakdale. This land is zoned R-2, single dwellings on smaller lots.

Westerly: Undeveloped property owned by the City of Maplewood that is zoned F, farm residential, and planned OS, open space.

Past Action (Rolling Hills)

Page 17 lists all the past actions for Rolling Hills Mobile Home Parks (first phase). The present conditions of approval are listed beginning on page 18 .

PLANNING CONSIDERATIONS

1. Lane use plan designation : RM, residential medium density (the area proposed for development)
OS, open space (the area not proposed for development)
2. Density: Permitted - 22 persons per net acre
Proposed - 14.5 persons per net acre
3. Zoning: F and M-2, heavy manufacturing
4. Ordinance considerations:
 - a. Section 36-51(7) allows mobile home parks in a F district by conditional use permit.
 - b. Section 36-201 allows mobile home parks in a M-2 district.
 - c. Section 36-202 provides that in a M-2 district no building or exterior use, except parking may be erected, altered or conducted within three hundred fifty (350) feet of a residential district without a conditional use permit.
 - d. Section 36-442(b) states that approval of a conditional use permit shall be based upon the required findings in the resolution on page 21.

e. Section 36-27(c) establishes the following standards for screening:

Screening shall be satisfied by the use of a screening fence, planting screen, berm or combination thereof. If the topography, natural growth of vegetation, permanent buildings, or other barriers meet the standards of subsections (1) and (2) below, they may be substituted for all or part of the screening fence or planting screen:

(1) A planting screen shall consist of evergreen plantings. Trees shall be a minimum of two and one-half (2-1/2) inches in trunk diameter, two (2) feet above grade. Shrubs may be used in combination with a berm and shall be a minimum of two (2) feet in height. Spacing of trees and shrubs shall be so as to create an eighty (80) percent opaque screening at least six (6) feet in height.

(2) Berms shall have mowable side slopes. Slopes greater than two and one-half (2-1/2) to one may be used if the slopes are stepped with retaining walls. Plant materials resistant to erosion may be substituted for sod when approved by the community design review board.

(3) Screening fences shall be painted or stained whenever necessary, so as not to fade, chip or discolor. Broken or knocked down fences shall be repaired. Planting screens shall be maintained in a neat and healthy condition. Plantings that have died shall be promptly replaced.

Other Agencies

1. The Minnesota Department of Transportation made the following comments:

a. The developer should dedicate an additional seventeen feet of right-of-way for future road purposes.

b. The entrance to this development should be thirty-two feet wide with twenty foot radii. The entrance should be located approximately eighty-five feet south to give better site distance from the north and to line up with a street on the east side of T.H. 120.

c. Before constructing an entrance to T.H. 120, an entrance permit will be required from this office.

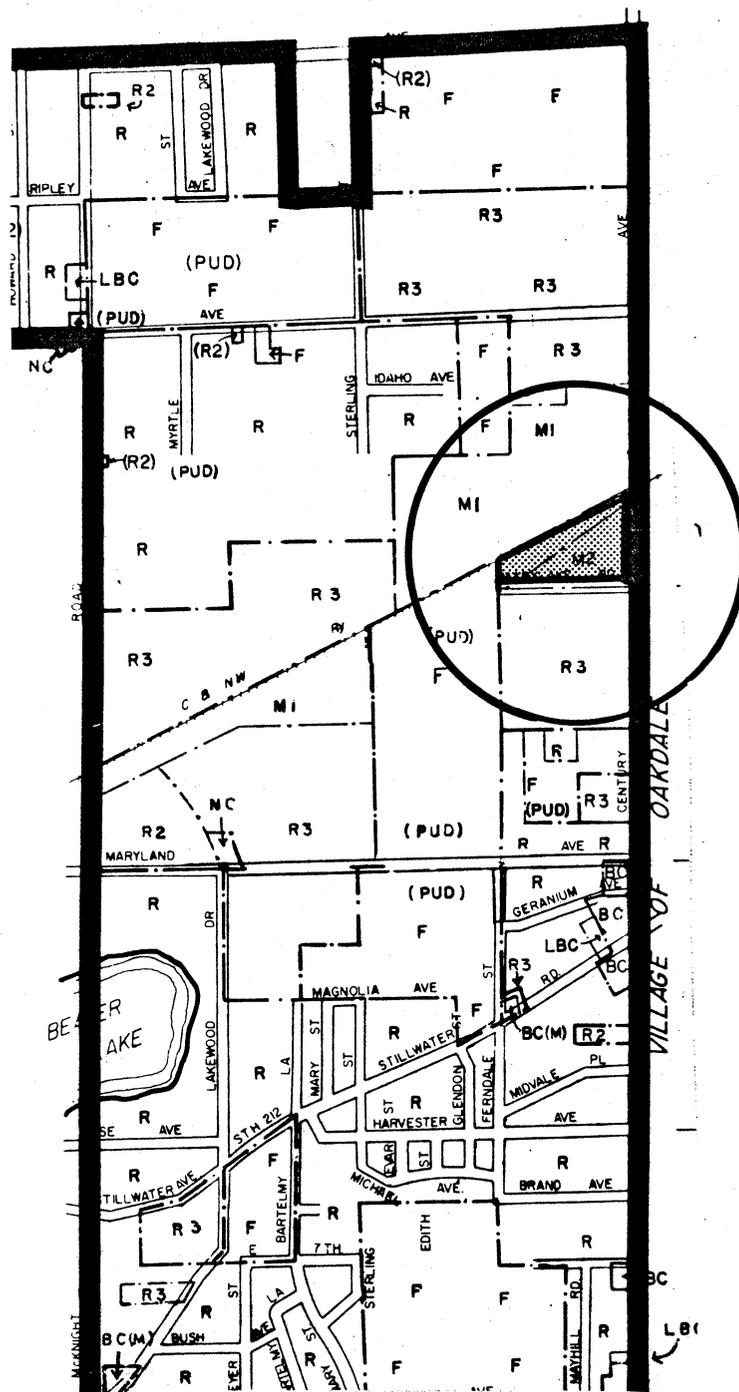
2. The Minnesota Pollution Control Agency recommends that berming and screening be provided to minimize the noise from frequent trains.

3. The Chicago and Northwestern Railroad stated that the adjacent railroad tracks carry sixteen trains per day. Ten are approximately 1.5 miles long and six are about 900 feet long.

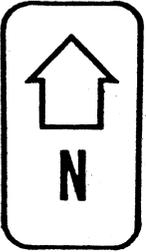
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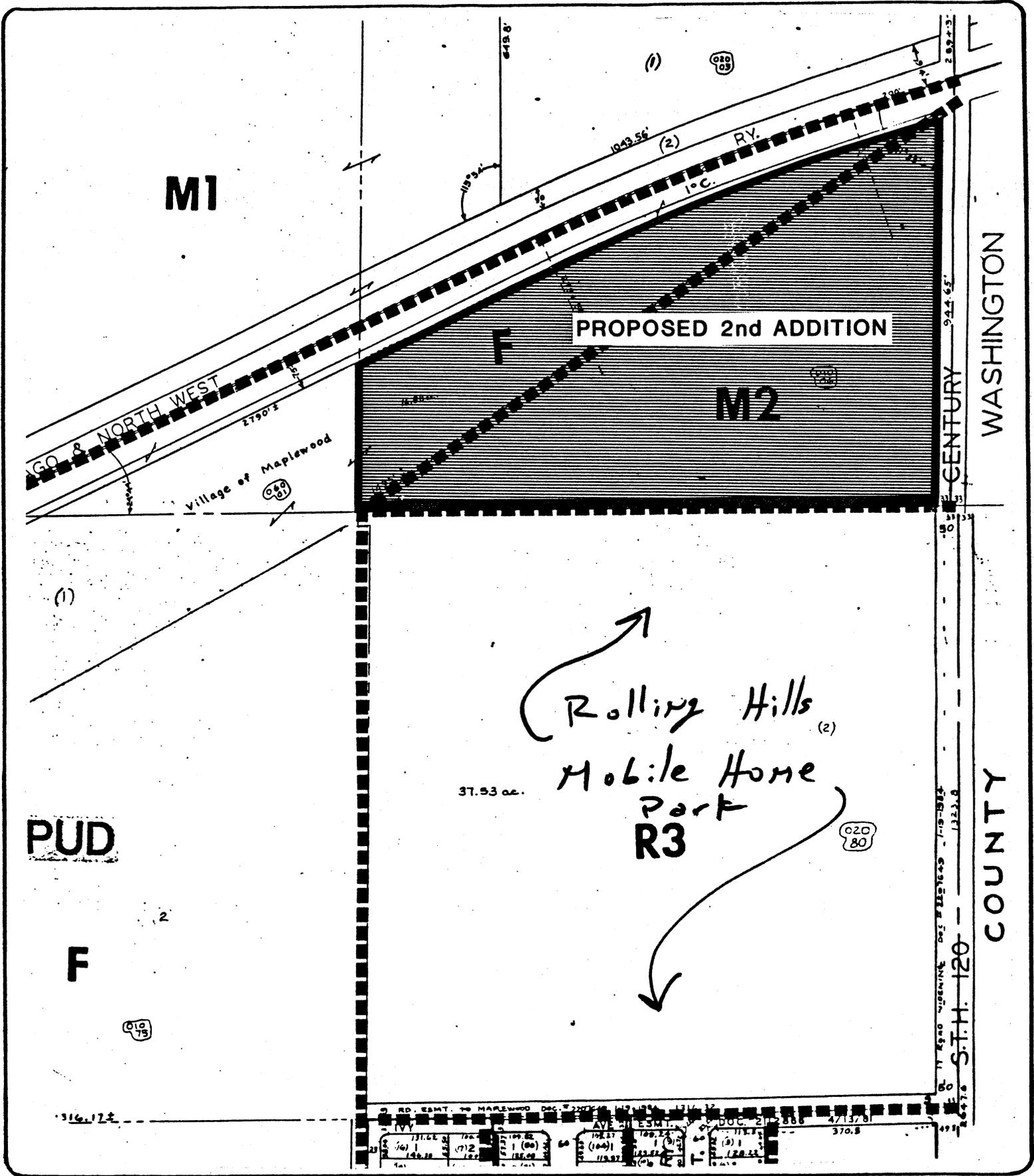
Attachments:

1. Location Map
2. Property Line/Zoning Map
3. Rolling Hills Mobile Home Park (Phase I - Phase II combination)
4. Lot Layout Proposed by Developer
5. Lot Layout Alternative One
6. Lot Layout Alternative Two
7. Letter of Request for the Conditional Use Permit
8. Past Actions
9. Conditions of Approval of Rolling Hills First Phase
10. Resolution



LOCATION MAP





PROPERTY LINE / ZONING MAP

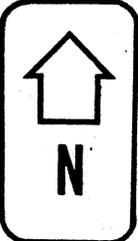


**ROLLING HILLS
SECOND ADDITION**

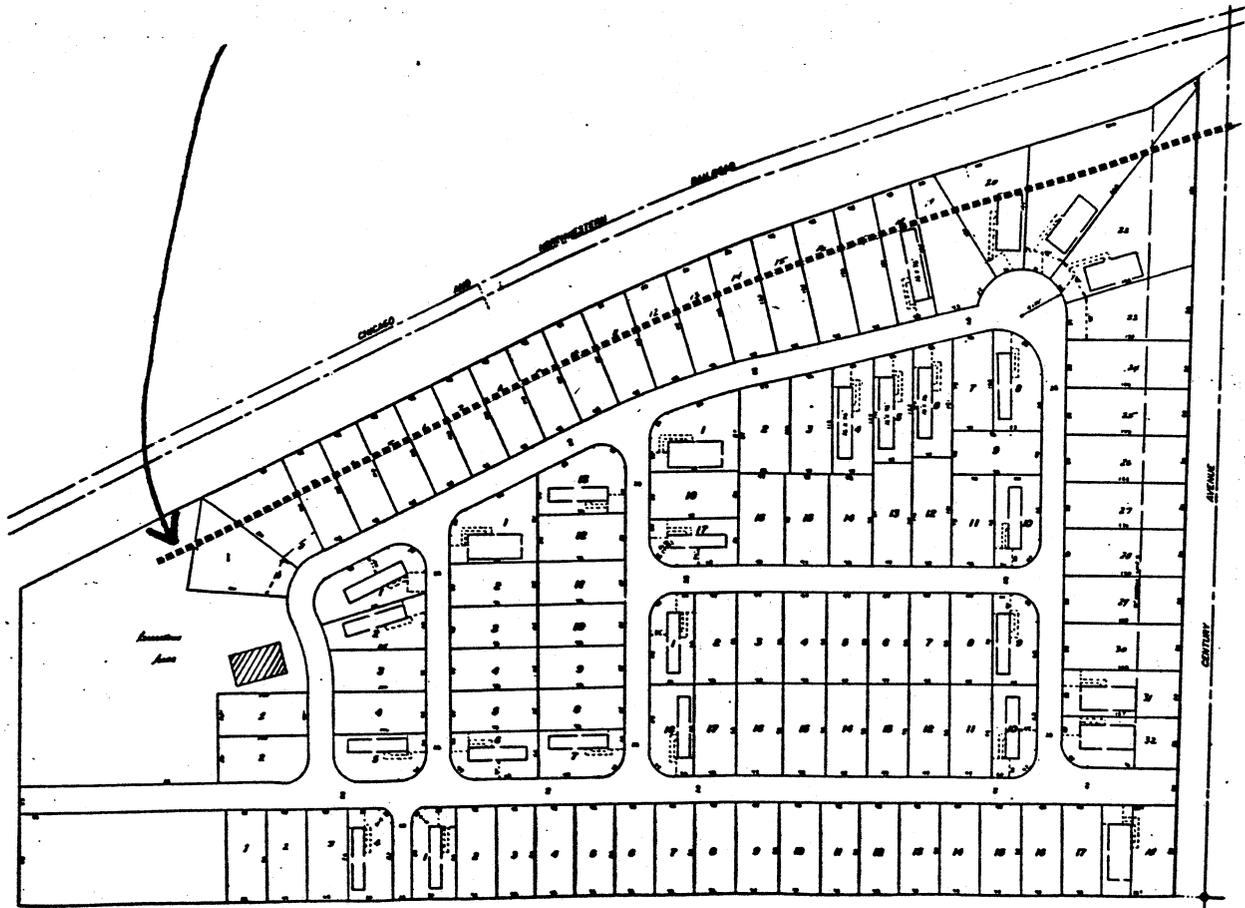
**ROLLING HILLS
MOBILE HOME PARK**



Rolling Hills
Phase I - Phase II
Combination



100' SETBACK FROM TRACKS

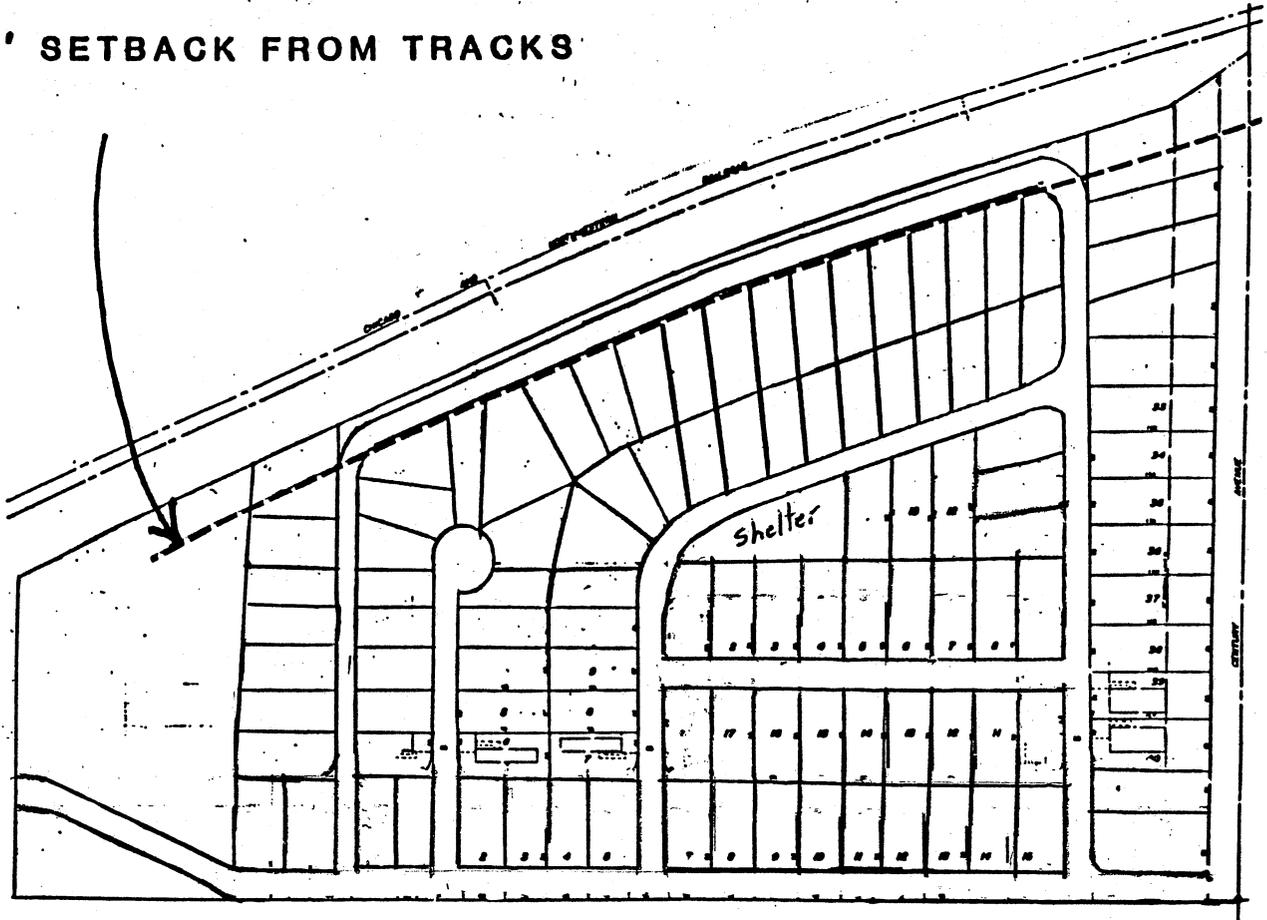


ROLLING HILLS SECOND ADDITION

110 Lots



100' SETBACK FROM TRACKS

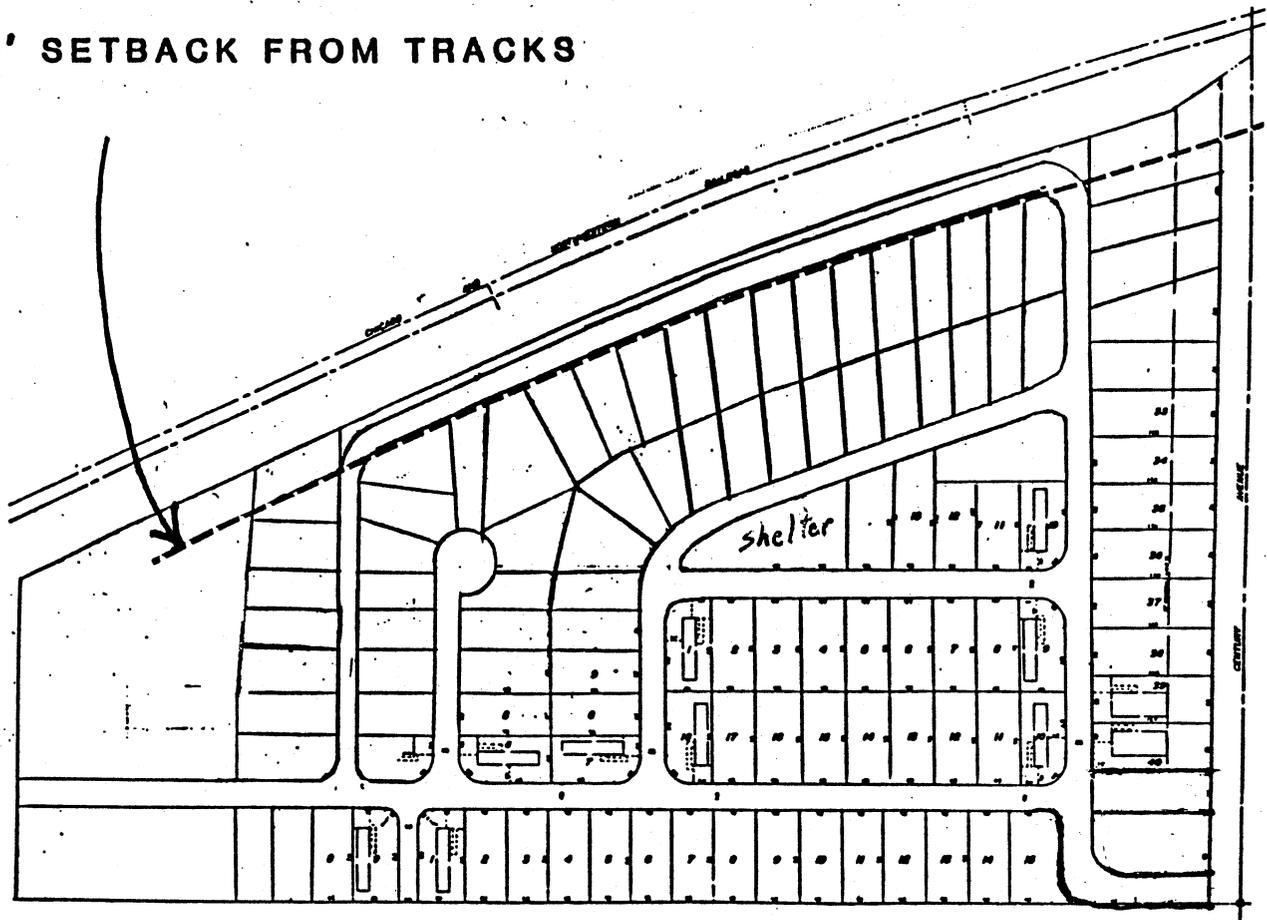


LOT LAYOUT ALTERNATIVE ONE

110 LOTS

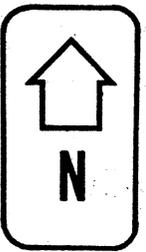


100' SETBACK FROM TRACKS



LOT LAYOUT ALTERNATIVE TWO

112 LOTS



CARL W. PETERSON & ASSOC. INC.
Suite 202 Titan Building
1399 Geneva Avenue North
Oakdale, Minnesota 55119
(612) 735-7606

February 4, 1987

City of Maplewood
1830 E. County Road "B"
Maplewood, Minnesota 55109

Re: CONDITIONAL USE PERMIT FOR ROLLING HILLS 2ND ADDITION.

THE PROPOSED USE OF THE PROPERTY IS AN EXTENSION OF THE EXISTING MOBILE HOME PARK OF ROLLING HILLS. WE FEEL THAT WITH THE PRESENT MOBILE HOME PARK ADJACENT TO THE PROPERTY TO THE SOUTH AND THE EXISTING SINGLE FAMILY HOMES TO THE EAST, IN OAKDALE, THE PROPOSED USE IS APPROPRIATE FOR THE NEIGHBORHOOD.

THE SOUTH 2/3 OF THE PROPERTY IS PRESENTLY ZONED HEAVY INDUSTRIAL WITH THE NORTH 1/3 ZONED FARM RESIDENTIAL. WE FEEL THE HEAVY INDUSTRIAL ZONED WOULD NOT BE APPROPRIATE AND BY JOINING THE TWO PROPERTIES TOGETHER THE C.&N.W. RAILROAD WOULD BORDER THE PROPERTY TO THE NORTH. WE FEEL THE RAILROAD IS AN EFFECTIVE DIVISION LINE TO POSSIBLE INDUSTRIAL USES TO THE NORTH.

WE HAVE PROVIDED EXTENSIVE BERMING AND LANDSCAPING ALONG CENTURY AVENUE TO SCREEN THE EXISTING SINGLE FAMILY HOMES IN OAKDALE. WE HAVE PROVIDED AS MUCH BUFFER AS POSSIBLE ALONG THE RAILROAD, WITH THE PROPERTY BEING 10 TO 20 FEET HIGHER THAN THE RAILROAD TRACKS.

THE PROPERTY CAN BE SERVICED BY EXTENSIONS OF THE EXISTING SANITARY SEWER, PUBLIC WATERMAIN AND PRESENT STORM WATER DRAINAGE AND PONDING SYSTEM. THE MAIN ENTRANCE TO THE PROPERTY WILL BE ON CENTURY AVENUE WITH A SMALLER STREET CONNECTION TO THE EXISTING MOBILE HOME PARK FOR INTERIOR TRAFFIC AND EMERGENCY ACCESS. ALL OF THE UTILITIES AND STREETS WITHIN THE PROPERTY BOUNDARIES WILL BE CONSTRUCTED AND MAINTAINED BY THE OWNER, THEREFORE NO BURDEN WILL BE PUT UPON CITY MAINTENANCE DEPARTMENTS.

THE PROPERTY PRESENTLY CONSISTS OF AN OLD FARMSTEAD, THE BUILDINGS HAVING BEEN REMOVED, AND AN AREA THAT HAS BEEN USED IN THE PAST AS A FILL AREA. THE PROPOSED USE WILL RESULT IN A NEAT ATTRACTIVE NEIGHBORHOOD WITH LAWNS, TREES AND SHRUBS. WE FEEL THAT THERE WILL BE NO ADVERSE ENVIRONMENTAL EFFECTS FROM THE PROPOSED USE AND THAT THE EXISTING EROSION FROM THE SITE WILL BE ELIMINATED.

Sincerely,


Carl W. Peterson, President

PAST ACTIONS

10-25-82:

Council approved the conditional use permit for the mobile home park.

4-23-84:

Council amended the conditional use permit to increase the permitted number of home sites from 245 to 246. Council also required the completion of the storm shelter by 6-22-84.

7-9-84:

Council amended the conditional use permit to permit storage sheds within the 30 foot setback area from public rights-of-way.

7-23-84

Council required that no mobile homes be moved into the park for three weeks.

8-13-84:

Council amended the conditional use permit to allow Mr. Pearson 60 days in which to get site improvements completed on a mobile home site, once a home is in place.

Council also left a one year renewal period on this conditional use permit. Refer to page 4 for the conditions of approval of this conditional use permit.

5-13-85

Council approved a site plan revision to allow Mr. Pearson to construct a wooden fence on the Ivy Avenue right-of-way. Mr. Pearson decided not to build the fence.

7-25-85

The review board approved a site plan revision to allow Mr. Pearson to construct a tot lot adjacent to the storm shelter.

8-12-85

Council renewed the conditional use permit for one year.

10-8-85

The review board conditionally approved a revision to the site plan to permit carports and decks at the park.

8-25-86

Council renewed the conditional use permit for one year.

c. Councilmember Bastian moved to grant a 60 day extension for the Rolling Hills Mobile Home Park to complete the laying of sod and necessary seeding.

Seconded by Councilmember Wasiluk. Ayes - all.

d. Councilmember Anderson moved to leave the berm as it is presently.

Seconded by Councilmember Wasiluk. Ayes - all.

e. Councilmember Bastian introduced the following resolution and moved its adoption:

84 - 8 - 121

WHEREAS, the City initiated an amendment to a conditional use permit for a mobile home park at the following described property:

The Northeast quarter of the Southeast quarter of Section 24, Township 24, Range 22

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

1. The original conditional use permit was approved by the Maplewood City Council on October 25, 1982 and revised on April 24 and July 9, 1984.

2. The Maplewood City Council continued the hearing held on July 9, 1984 to consider further amending or revoking the conditional use permit. 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. Council amended conditions nine and 24.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above described conditional use permit be amended to read as follows:

1. Prior to the spring thaw and until July 1, 1984, improved (gravel or similar material) off street parking pads shall be provided for each vehicle associated with an occupied unit. Unrestricted emergency vehicle access must be available at all times.

2. A mobile home shall not be moved onto a lot after April 23, 1984 until a street is paved in front of the lot.

3. There shall be no exterior storage of equipment, such as bikes, hoses, lawnmowers, rakes, etc.

4. Each lot shall be allowed an exterior storage shed of no more than 120 square feet. Such shed must be kept in workmanlike repair and painted.

5. No access shall be allowed to Century Avenue.

6. No construction or grading shall be allowed to disturb the tamarack grove.

7. The private sanitary sewer, water mains and street shall be constructed to be consistent with the Maplewood and St. Paul Water Utility standards to ensure a reasonable level of service.

8. All utility installations shall be underground.
9. The private streets must be at least 28 feet in width, with parking on one side only. No parking shall be permitted in the vicinity of intersections. The Director of Public Safety shall specify the no parking distances for each intersection. Signs shall be posted by the park owner when available.
10. Water lines must be flushed at least once each year or as required by the environmental health official.
11. All storm water discharge must be directed to the wetland to the west. No connection to the City storm sewer shall be allowed.
12. All mobile homes must be new, skirted and tied down. Skirting shall extend from the frame of the chassis to the ground. Skirting must be painted to complement the mobile home.
13. All tie-downs and foundations must meet the State Building Code.
14. (a) Construction on the below-grade storm shelter shall begin May 11, 1984 and shall be completed by June 22, 1984, unless the Director of Public Safety extends the deadline due to circumstances beyond the control of the developer.
(b) The design of the below grade structure must be approved by the Director of Emergency Services, including emergency lighting, ventilation and sanitary facilities.
(c) The above grade portion of the building must receive approval from the Design Review Board before construction.
(d) The storm shelter must remain free of storage and available for use.
(e) No further permits for additional mobile homes shall be issued until the shelter is completed.
15. The sign regulations for the R-3 district shall apply.
16. The following minimum setbacks shall apply:
 - (1) Twenty feet to a private street.
 - (2) Thirty feet to a public right of way, except for storage sheds.
 - (3) Five foot side yard setback on the side opposite the entry.
 - (4) Twenty foot side yard setback on the entry side.
17. No structures shall be allowed in a required setback, except for an accessory building in the twenty foot side yard setback and the thirty foot setback from a public right of way. An accessory building must have a side yard setback of at least five feet.
18. Sales of mobile homes shall be limited to those owned by park residents and those sold by the park owner for placement in the park.
19. The developer shall provide traffic control signs as required by the Director of Public Safety.

20. Compliance with all pertinent State Statutes and/or regulations.
21. No variation shall be permitted from the site plan dated 3-21-83 without Community Design Review Board approval.
22. The number of mobile homes shall not exceed 246.
23. This conditional use permit shall be reviewed in one year to determine compliance with conditions and whether a change in conditions is necessary to resolve problems that may have developed.
24. (a) After April 23, 1984, the following improvements must be installed within sixty days after a mobile home is placed on a lot:
 - (1) A paved driveway and off street parking pad at least sixteen feet wide and twenty feet deep.
 - (2) A thirty inch wide sidewalk from the mobile home entrance to the parking pad subject to placement of entrance decks.
 - (3) All required landscaping on the lot. If the landscaping cannot be completed within sixty days, a letter of credit or cash escrow shall be deposited with the Director of Community Development to ensure installation.
 - (4) Skirting.
- (b) Improvements required in item 24 (a) shall not apply to model homes.
25. If any of the above conditions are not met, no additional mobile homes shall be moved into the park.

Seconded by Councilmember Wasiluk.

Ayes - all.

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 _____, 1987 at 7 p.m.

The following members were present:

The following members were absent:

WHEREAS, Richard Pearson initiated a conditional use permit to develop a mobile home park on property zoned F, farm residential, and also with 350 feet of a residence district on property zoned M-2, heavy manufacturing at the following-described property:

That portion of the SE 1/4 of the SE 1/4 of Section 24, township 29, Range 22, lying southeasterly of the Chicago and Northwest Railroad right-of-way.

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

1. This conditional use permit was initiated by Richard Pearson, pursuant to the Maplewood Code of Ordinances.
2. This conditional use permit was reviewed by the Maplewood Planning Commission on May 4, 1987. The planning commission recommended to the city council that said permit be _____.
3. The Maplewood City Council held a public hearing on _____, 1987. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The council also considered reports and recommendations of the city staff and planning commission.

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

1. The use is in conformity with the city's comprehensive plan and with the purpose and standards of this chapter.
2. The establishment or maintenance of the use would not be detrimental to the public health, safety or general welfare.
3. The use would be located, designed, maintained and operated to be compatible with the character of that zoning district.
4. The use would not depreciate property values.

5. The use would not be hazardous, detrimental or disturbing to present and potential surrounding land uses, due to the noises, glare, smoke, dust, odor, fumes, water pollution, water run-off, vibration, general unsightliness, electrical interference or other nuisances.

6. The use would generate only minimal vehicular traffic on local streets and shall not create traffic congestion, unsafe access or parking needs that will cause undue burden to the area properties.

7. The use would be serviced by essential public services, such as streets, police, fire protection, utilities, schools and parks.

8. The use would not create excessive additional requirements at public cost for public facilities and services; and would not be detrimental to the welfare of the city.

9. The use would preserve and incorporate the site's natural and scenic features into the development design.

10. The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions:

1. Compliance with state requirements.

2. There shall be no exterior storage of equipment such as bikes, hoses, lawnmowers, rakes, etc.

3. Each lot shall be allowed an exterior storage shed of no more than 120 square feet. Such shed must be kept in workmanlike repair and painted.

4. Each lot shall be allowed to have children's play equipment, unless the developer provides a tot lot adjacent to the community building.

5. Each lot shall be allowed a deck and carport, provided that either structure shall not be closer than ten feet to any adjacent dwelling. Carports shall not be closer than six feet to a private street and shall not have walls. On lots along Century Avenue, sheds shall not be closer than thirty-seven feet to the right-of-way.

6. All mobile homes must be new, skirted and tied down. Skirting shall extend from the frame of the chassis to the ground. Skirting must be painted to complement the mobile home.

7. All tie-downs and foundations must meet the state building code.

8. The sign regulations for the R-3 district shall apply.

9. The following minimum setbacks shall apply for dwellings:

- a. Provide for a 100-foot setback from the closest track to any mobile home according to the direction of the director of emergency services. A minimum three-foot-high berm shall be provided along the north lot line to minimize noise. In addition, landscaping or fencing shall be provided to meet the screening requirements of city code.
 - b. Relocate the storm shelter to a central location as shown in lot layout alternatives one and two in the staff report.
 - c. Move the drive to Century Avenue at least 85 feet south or according to the directive of MnDOT.
 - d. Widen the drive to Benlana Court in the first addition to 28 feet.
2. All interior streets shall be at least 28 feet wide.
 3. Water hydrants shall be provided, subject to the fire marshal's approval.
 4. The applicant shall provide the city with documentation for the right of public access to the city-owned land to the west.
 5. The applicant shall provide reflectorized stop signs, street name signs, and any other traffic control signage required by the director of public safety.
 6. The storm shelter shall be completed prior to any mobile home being occupied. Plans must be approved by the Community Design Review Board and director of emergency services.
 7. Before a mobile home may be occupied, the street in front shall be paved and utilities operational.
 8. Final grading, drainage, utility and erosion control plans must be submitted to the city engineer for approval. An irrevocable letter of credit or cash escrow, in an amount to be determined by the city engineer, shall be provided to guarantee compliance with the erosion control plan.
 9. The private sanitary sewer, water mains, and street shall be constructed to be consistent with the Maplewood and St. Paul Water Utility standards. All utilities shall be underground.
 10. The water main shall be extended out to Century Avenue so that when the main is constructed on Century Avenue in the future, the mobile home park can connect for better pressure.
 11. Runoff from the southernmost street and the south property line should be conveyed to the city's ponding site to the west to avoid erosion problems.

12. The grading at the access area into city property should be compatible with the construction grade for a future eight-car parking lot on the adjacent city park land.

13. The drive to Benlana Court in Rolling Hills First Addition shall be constructed with the other streets in this project.

14. The applicant shall obtain the required entrance permit from MnDOT. The entrance street onto Century Avenue shall be 32 feet wide with 20-foot radii. The right-turn lane shall be provided, subject to approval by MnDot and the city engineer.

15. The old well on this site shall be properly abandoned by a licensed well contractor, subject to the approval of the environmental health official.

16. The landscaping along Century Avenue shall consist of six-foot-tall spruce planted on top of a three-foot-tall berm. The spruce shall be spaced 12 feet on center.

17. Each lot and all green area adjacent to Century Avenue shall be sodded. All other disturbed land, including the slope on the railroad property, shall be seeded and mulched.

18. Each lot shall have a shade tree that is at least 2 1/2 inches in caliper, balled and burlapped.

19. The applicant shall provide a monetary guarantee, in a form acceptable to staff, in the amount of 150% of the estimated cost of any site improvements that are not completed by completion of the project.

Board Member Erickson seconded.

Ayes--all.

VII. VISITOR PRESENTATIONS

VIII. BOARD PRESENTATIONS

The board asked for updates from Secretary Ekstrand on the progress of the NAPA Auto store and Tires Plus.

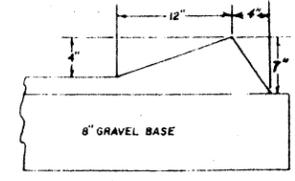
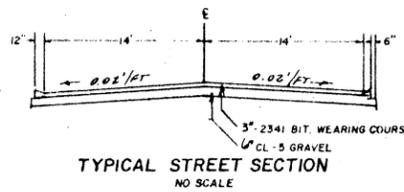
IX. STAFF PRESENTATIONS

X. ADJOURNMENT

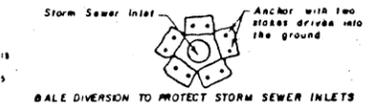
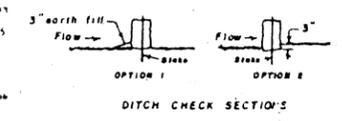
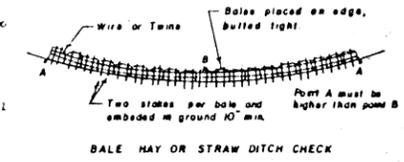
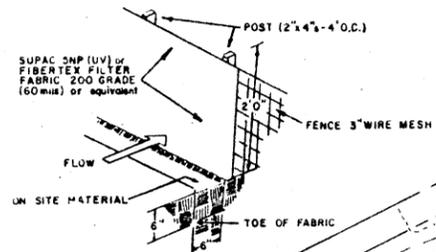
Meeting adjourned at 8:03 p.m.

ROLLING HILLS SECOND ADDITION

EROSION CONTROL PLAN



SILT FENCE DETAIL



EROSION CONTROL DETAIL

PAD SIZES

- STANDARD SINGLE - 14' X 70'
- EXTRA LONG SINGLE - 16' X 80'
- DOUBLE WIDE - 28' X 60'

STANDARD SET BACKS

- FRONT YARD - 20'
- CORNER SIDE YARD - 20'
- STANDARD SIDE YARD - 5'

Hay Bales or Silt Fence •••••

I hereby certify that this plan, specifications, or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the State of Minnesota.

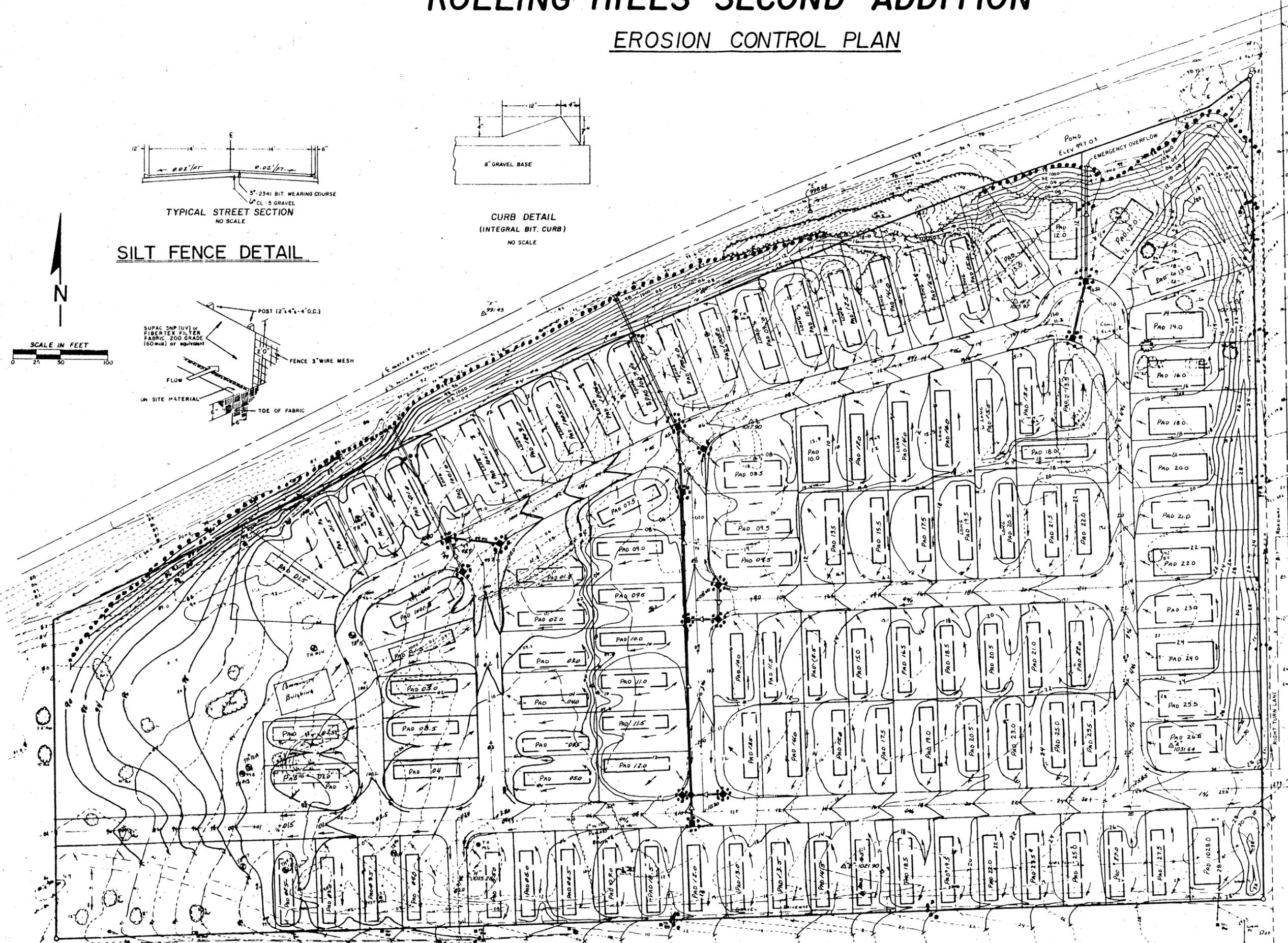
Date: April 13, 1987
Reg. No.: 5999

APR 16 1987

SITE PLANNING PH 235-7606 SURVEYING

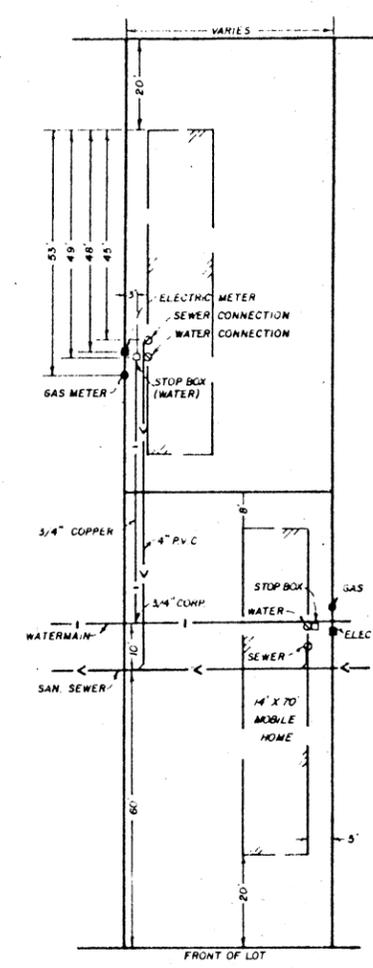
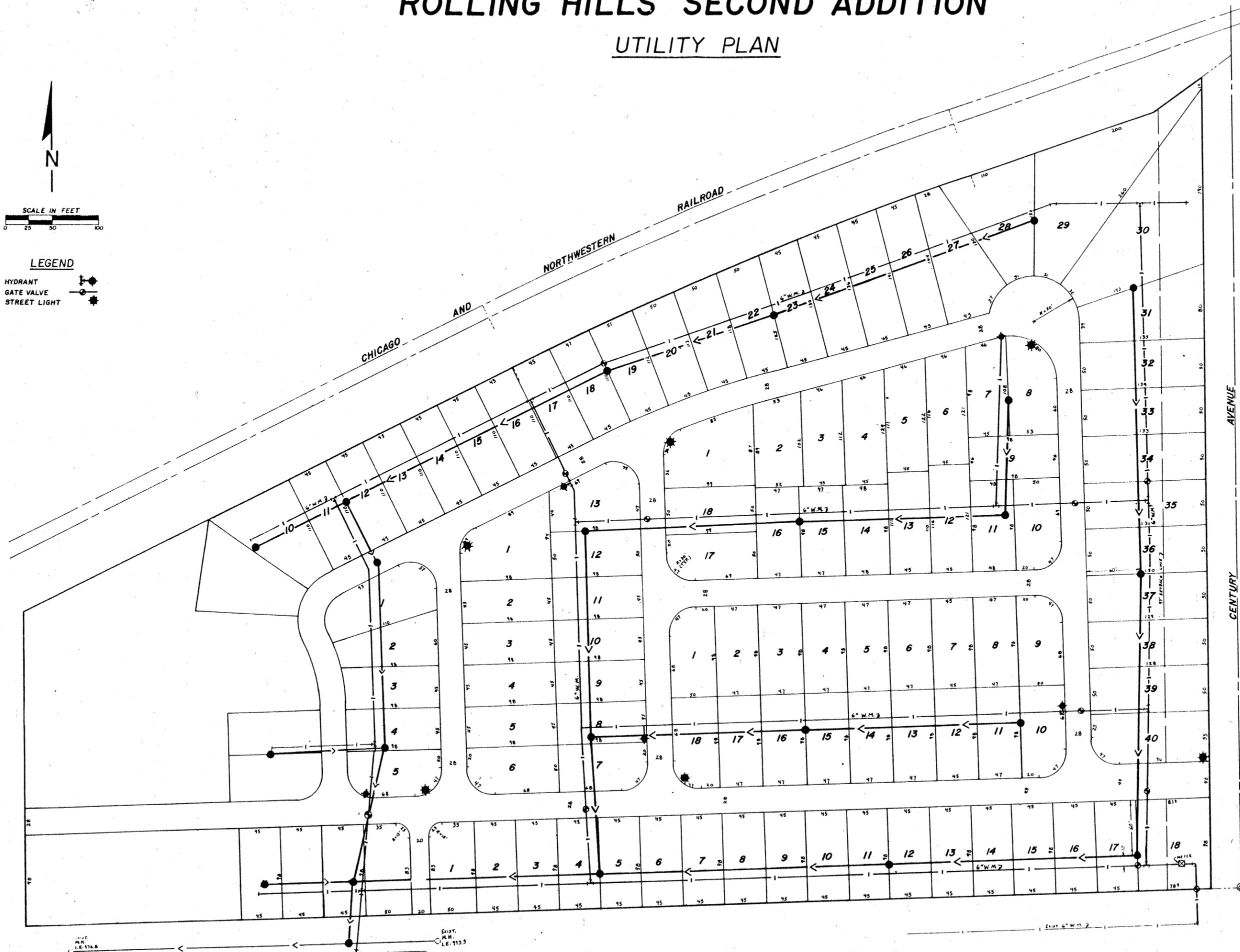
CARL W. PETERSON & ASSOC. INC.
SUITE 201 TITAN BUILDING
1299 GENEVA AVENUE NORTH
GARDNER, MN 55119

DESIGNED BY: CWP	DRAWN BY: MWP, BLR
DATE: 1/13/87	
REVISIONS: 2.2.87, 3/17/87	



ROLLING HILLS SECOND ADDITION

UTILITY PLAN



UTILITY LOCATION TYPICAL LOT

APR 16 1987

SITE PLANNING PH 735 7606 SURVEYING

CARL W. PETERSON & ASSOC. INC.
SUITE 201 TITAN BUILDING
1308 GENEVA AVENUE NORTH
OAKDALE, MN 56118

DESIGNED BY CWP	DRAWN BY MWP
DATE 12/26/86	JOB NO.
REVISIONS 3-7-87	Lot Expansion

MEMORANDUM

Action by Council:

TO: City Manager
 FROM: Assistant City Engineer
 SUBJECT: Arkwright Street--Eldridge to County Road B
 City Project 86-12
 Award of Bids
 DATE: May 2, 1987

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

On March 23, 1987, the city council held an assessment hearing on the Arkwright Street construction project. The assessment roll adopted at that meeting included assessments against six parcels, three of which filed notices of appeal either at or prior to the hearing pursuant to Minnesota Statutes Chapter 429. Two of the three appeals (Ray P. and Colleen N. Nadeau and C. R. Sandmeyer) did not file for appeal with the District Court within 30 days which waives their right of appeal. The third appeal (R. J. Schreier) was filed with the District Court and served upon the city clerk within the proper time limits. The city attorney has reached a tentative agreement on the Schreier appeal. The negotiated settlement will be finalized during the week of May 4 to May 8. A detailed report of the proposed settlement will be presented to the council prior to the meeting for action prior to considering award of the bid.

Bids on this project were received on February 5, 1987 from which time the council has 100 days to award a contract according to the project bidding specifications. This 100-day period expires on May 16, 1987. The low bid was submitted by Lake Area Utility in the amount of \$94,206.60. Lake Area Utility has worked several developer projects within the city in the past years and the work has been good quality and completed in a timely manner.

It is recommended that, following action on the Schreier appeal, the council award the bid to the low bidder, Lake Area Utility, in the amount of \$94,206.60 by passing the attached resolution.

jc
 Attachment

RESOLUTION FOR AWARD OF BIDS

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of Lake Area Utility in the amount of \$94,206.60 is the lowest responsible bid for the construction of Arkwright Street from Eldridge Avenue to County Road B, City Project 86-12, and the mayor and clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the city.

Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

MEMORANDUM

TO: City Manager
FROM: Public Works Coordinator
SUBJECT: Award of Bids
DATE: May 5, 1987

Bids were received on this date for the furnishing of one (1) 35,000 pound gross vehicle weight cab and chassis. A tabulation of the bids is attached.

The low bid is that of Lakeland Ford Truck Sales in the amount of \$41,076.48 less \$8,500.00 allowance for the trade in, for a net bid of \$32,576.48.

The low bidder complies with specifications in all respects. Award to the low bidder is recommended.

jc

TABULATION OF BIDS

Pursuant to due call and notice thereof, a special meeting of the officials designated for a bid opening by the City Council of Maplewood was convened at 10 a.m., Tuesday, May 5, 1987. The purpose of this meeting was to receive, open and publicly read aloud bids for furnishing one (1) 35,000 pound GVW cab and chassis.

Present were: William Cass and Dennis Mulvaney

Following the reading of the notice of advertisement for bids, the following bids were opened and read:

BIDDER	BID AMOUNT	BID BOND
Lakeland Ford Truck Sales	\$32,576.48	5%
Boyer Ford Trucks, Inc.	\$32,917.00	5%

Pursuant to prior instruction of the council, the city clerk referred the bids received to the city engineer instructing him to tabulate same and report with his recommendation at the regular city council meeting of May 13, 1987.

Meeting adjourned at 10:15 a.m.

RESOLUTION FOR AWARD OF BIDS

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of Lakeland Ford Truck Sales in the amount of \$32,576.48 is the lowest responsible bid for furnishing one (1) 35,000 pound GVW cab and chassis, and the mayor and clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the city.

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Council
FROM: Mike McGuire *M. McGuire*
RE: Attached computer system materials
DATE: 5 May 1987

Attached are the following materials for your review:

1. **Staff Report:** Discusses the financing plan and 1987 budget changes for the new computer system.
2. **Memo from Anne Carroll:** Reiterating the background of the computer system selection process, and summarizing the software and hardware we are proposing to acquire.
3. **Spreadsheet:** Detailing all software and hardware to be acquired, and their costs.
4. **Contracts and Maintenance Agreements:** The final contracts and maintenance agreements with NCR (hardware) and Eden Systems (software). These have been reviewed by the City Attorney.
5. **Technical Addenda:** Software modifications specified by staff. These costs are included on the aforementioned spreadsheet.

The most critical items for the Thursday meeting are:

1. Staff Report
2. Memo from Anne Carroll

MEMORANDUM

TO: City Manager
FROM: Finance Director *R. Davis*
RE: Purchase of Computer System
DATE: May 4, 1987

PROPOSAL

It is proposed that the Council approve (1) contracts with NCR and Eden Systems for the purchase and maintenance of computer hardware and software and (2) a financing plan and the appropriate budget adjustments for the purchase of the new computer system and 1987 operating costs.

BACKGROUND

On April 27th the Council awarded the bid, for the lease-purchase financing of the new computer system, to Norwest Investment Services. The events prior to this, along with a recommendation from the City's data processing consultant, is in the attached memo from Carroll, Franck and Associates.

The 1987 costs for the new computer system are as follows:

System Costs:	\$149,600	Computer hardware
	<u>116,300</u>	Computer software
	265,900	Sub-total
	<u>15,000</u>	Contingency
	280,900	Total System Costs

Operating Costs:	17,400	Hardware and software maintenance contracts
	<u>30,200</u>	Lease payments
	47,600	Total Operating Costs

The recommended financing plan for the total system and operating costs is as follows:

\$256,000	Norwest Bank - lease
13,980	General Fund
58,520	C.I.P. Fund

The 1987 Budget for the new computer system is as follows:

C.I.P. Fund:	\$ 30,200	Lease Payments
	24,900	Capital outlay - costs excluded from lease purchase payments
	3,420	Transfer to General Fund
General Fund:	\$ 17,400	Hardware and software maintenance contracts (to be allocated between departments)

TO: City Manager
DATE: May 4, 1987

Page 2

Regarding the financing plan, the \$17,450 available in the General Fund will come from the following sources:

\$ 3,420	Transfer from C.I.P. Fund
	<u>1986 Budget Carryovers for Computer Equipment</u>
2,580	Finance Department
7,000	Parks and Recreation Department
	<u>1987 Budget for Computer Equipment</u>
1,200	City Manager's Office
1,500	Emergency Services
1,700	Parks and Recreation Department

The computer equipment originally planned to be purchased with the above amounts will now be financed by the C.I.P. Fund. Therefore, all of these amounts will be re-budgeted and re-allocated between departments for hardware and software maintenance costs.

RECOMMENDATION

It is recommended that the Council approve (1) contracts with NCR and Eden Systems for the purchase and maintenance of computer hardware and software and (2) a financing plan and the appropriate budget adjustments for the purchase of the new computer system and 1987 operating costs.

DFF:lnb

attachments.

CARROLL, FRANCK & ASSOCIATES

TRAINING, ENGINEERING, AND PLANNING

533 LAUREL AVE., ST. PAUL, MN 55102
612-228-9151

TO: Maplewood City Council
FROM: Anne Carroll *AC*
RE: **Completion of contract negotiations and request for authorization to begin system acquisition**
DATE: 5 May 1987

BACKGROUND

Below is a summary of the events to date.

Needs Assessment/System Analysis: We began with detailed content interviews with staff in June of 1986, and completed the final Needs Assessment and System Analysis reports in August. The recommendation was to solicit bids for an integrated computer system, then transfer sole use of the existing TI990 to Public Safety.

Bid Specifications/Request for Proposals: This was prepared from the previous report, adding technical detail to which the vendors were asked to respond. In late October, we received seven proposals from vendors throughout the country.

Review of Proposals; Vendor and System Recommendation: The seven proposals were reviewed in detail, and we received demonstrations from the three top vendors. We selected a joint bid from NCR (hardware) and Eden Systems (software) as the system that best met the City's short- and long-range needs. We presented this recommendation to Council, and Council authorized contract negotiations on December 8, 1986.

Contract Negotiations: Contract negotiations proceeded slower than planned, because of the time required for staff to review the proposed software and specify modifications. By the beginning of May, however, that process was completed, and contracts and technical addenda were finalized.

CURRENT STATUS

The contract negotiations have yielded a final system configuration and contracts. The configuration is summarized below and detailed on the attached spreadsheet, and the contracts are discussed briefly below with full text attached.

System Configuration: In summary, the system configuration is as follows:

New Hardware:

- Computer system with 270MB of hard disk and 4MB memory
- 27 terminals
- 7 microcomputers
- 14 printers
- 1 plotter
- 2 modems

Total new hardware cost: \$149,587

New Software (including modifications):

Budgetary accounting
Utility billing
Payroll
Personnel
Accounts receivable
Parks and recreation
Geobase (maintenance management system)
Word processing
Graphics (LOTUS)
Database management system
Spreadsheet
Electronic mail
File transfer and terminal emulation
Telecommunications
Operating system

Total new software cost: \$116,337

Total system cost: \$265,924

Future Acquisitions: The current configuration does not include the planned future acquisition of an additional 135MB hard disk drive (\$13-14,000), nor the reconsideration of mapping capabilities. The need for the disk drive will be reevaluated in early 1988; mapping should be addressed again later in 1988.

In addition, as staff becomes more experienced with this system, their needs will continue to evolve. At least once a year, staff and Council should briefly evaluate the extent to which the system is meeting the then-current needs, and address the possible needs for additional hardware (workstations, printers, disk drives, memory, etc.) and software (enhancements, additional packages, etc.)

REQUEST TO COUNCIL

As the contract negotiations have been completed, we are now requesting approval of the contracts and authorization to begin acquisition of the hardware and software.

CITY OF MAPLEWOOD
 FINAL CONFIGURATION: HARDWARE & SOFTWARE
 5/4/87

HARDWARE	QTY	EACH \$	TOT \$	DISCOUNT		COST	SUBTOT	TOTALS	GR TOT
				%	\$				
NCR 9400 IP									
2MB memory, 270MB disk	1	69,000	69,000	20	13,800	55,200			
1MB memory	2	3,850	7,700	20	1,540	6,160			
Comm module	1	11,850	11,850	20	2,370	9,480			
LLCS-3 control module	1	2,780	2,780	20	556	2,224			
Dual TTY lines	18	1,000	18,000	20	3,600	14,400			
SUBTOT, CPU etc.							87,464		
TERMINALS & MICROS FROM NCR									
Terminals	27	995	26,865	20	5,373	21,492			
Microcomputers (PCB's)	7	4,590	32,130	40	12,852	19,278			
Monochrome monitors	2	849	1,698	40	679	1,019			
Color monitors	5	1,260	6,300	40	2,520	3,780			
RS232 adapter	7	150	1,050	40	420	630			
Tilt & swivel, mono	2	65	130	40	52	78			
Tilt & swivel, color	5	65	325	40	130	195			
Serial printer cables	7	45	315	40	126	189			
SUBTOT, TERM & MICROS							46,661		
PRINTERS FROM NCR									
6444 d/cq high speed	1	3,065	3,065	20	613	2,452			
Stand, paper tray	1	270	270	0	0	270			
6411 d/cq	3	1,245	3,735	20	747	2,988			
Paper guides	3	35	105	0	0	105			
PRINTERS FROM OTHERS									
NEC (33cps) lq	3	1,062	3,187	20	637	2,550			
Okidata 193 d/cq	7	589	4,123	0	0	4,123			
HP Plotter w/serial cable	1	1,574	1,574	0	0	1,574			
SUBTOT, PRINTERS							14,062		
OTHER HARDWARE									
Modem, Emer Svcs (1200bd)	1	530	530	0	0	530			
Modem, CD (1200bd)	1	530	530	0	0	530			
Line drivers(Chall to PW)	2	170	340	0	0	340			
SUBTOT, OTHER							1,400		
TOTAL, HARDWARE							149,587		

SOFTWARE	Qty	Each \$	Tot \$	Discount		COST	SUBTOT	TOTALS	GR TOT
				%	\$				
FROM NCR & OTHERS									
Multiword word processing	1	1,750	1,750	0	0	1,750			
Easycalc spreadsheet	1	495	495	0	0	495			
EnQuery file transfer	1	2,500	2,500	0	0	2,500			
LOTUS 1-2-3	3	349	1,047	0	0	1,047			
ITX system sware	1	5,300	5,300	20	1,060	4,240			
ITX Flex-Gen Report Writr	1	4,900	4,900	0	0	4,900			
IIB file trans,elec mail	1	6,045	6,045	0	0	6,045			
Telecomm: Crosstalk	2	100	200	0	0	200			

SUBTOT, NCR 21,177

FROM EDEN SYSTEMS	
Financial Accounting	35,000
Payroll	7,000
Personnel/Administration	3,500
Utility Billing	7,000
Modifications	950
Accounts Receivable	4,000
Modifications	1,320
Parks and Recreation	7,500
Geobase	25,000
CD Modifications	2,880
PW Modifications	1,000

SUBTOT, EDEN 95,160

TOTAL, SOFTWARE 116,337

GRAND TOTAL, HARDWARE & SOFTWARE 265,924



UNIVERSAL AGREEMENT

CONTINUING AGREEMENT FOR EQUIPMENT AND SERVICES

CUSTOMER NAME		
City of Maplewood		
STREET ADDRESS		
1830 East County Road B		
CITY	STATE	ZIP CODE
Maplewood, MN		55109

CUSTOMER NUMBER

D.A.O. CODE

DATE

NCR Corporation (NCR) and Customer agree that all equipment, programs, and services hereafter obtained from NCR, either directly or indirectly through the use of a leasing company, other financing institution or purchasing agency, shall be furnished only under the terms and conditions of this agreement. Unless the context otherwise requires, the term "Customer" shall mean the Customer listed above.

The terms and conditions of this agreement shall prevail in spite of any contrary printed provision of any purchase order utilized by Customer in effecting the furnishing of any equipment, programs or services and any such form, letter or order must state on the face of it:

FURNISHING OF THE EQUIPMENT, PROGRAMS AND/OR SERVICES IS DONE ONLY IN ACCORDANCE WITH AND PURSUANT TO OUR AGREEMENT DATED _____.

IMPORTANT

THESE PROVISIONS ARE INTENDED TO STATE ALL OF THE RIGHTS AND RESPONSIBILITIES BETWEEN NCR AND CUSTOMER. THEY TAKE THE PLACE OF AND SUPERSEDE ALL WARRANTIES, EXPRESS OR IMPLIED AND WHETHER OF MERCHANTABILITY, FITNESS OR OTHERWISE. THE REMEDIES PROVIDED FOR OR REFERENCED HEREIN ARE EXCLUSIVE. CUSTOMER AND NCR WAIVE ALL OTHER REMEDIES INCLUDING BUT NOT LIMITED TO, CONSEQUENTIAL DAMAGES.

This agreement shall be effective only when executed by both parties. Notice of acceptance is waived although Customer will be furnished a copy showing acceptance by NCR.

THE TERMS AND CONDITIONS ON THE SUBSEQUENT PAGES ARE PART OF THIS AGREEMENT.

EXECUTED BY (TYPE OR PRINT)	
SIGNATURE	TITLE

NCR CORPORATION
AUTHORIZED SIGNATURE

1. **GENERAL** — Customer may order equipment, programs and services by submitting an order setting forth 1) the description, 2) whether to be purchased, rented or licensed, 3) any cash with order amount and if purchased, whether the remainder is to be in installments or if rented or licensed, the term, 4) the charge and 5) any other appropriate circumstance or condition. NCR reserves the right to reject any order if in its opinion it cannot comply with the description or requirements of the order. Neither Customer nor NCR shall be bound by any order until it is accepted by NCR and at such time both shall be bound and a contract shall exist in accordance with the terms of this agreement and the order. The contract, comprised of this agreement and the order shall constitute the entire agreement of the parties relating to the products or services ordered and shall supersede all prior agreements and understandings whether oral or written and all negotiations, letters, other papers and proposals except as attached to the order or specifically incorporated by reference. Any applicable NCR furnished form signed by Customer shall be a part of the contract.

This agreement may not be changed or modified in any way subsequent to the date of execution except by an instrument in writing signed by the Customer and accepted by NCR. No contract or amendment entered into after this agreement shall amend by implication any provision of this agreement. Any notices required or authorized to be given shall be deemed to be given when mailed by certified or registered mail, postage prepaid, as follows: if to the Customer, to the Customer's address as shown on the face of this agreement; if to NCR, to its local District Office. This agreement shall remain in effect until terminated by either party on 30 days prior written notice. Termination shall not operate to terminate any contract then outstanding.

If any provision of this agreement, or any contract, is illegal, invalid or void under any applicable state law it shall be considered severable, remaining provisions shall not be impaired and the agreement or contract shall be interpreted as far as possible so as to give effect to its stated purpose.

2. **DELIVERY** — NCR will use its best efforts to accomplish delivery by any indicated delivery date. However, unless otherwise specifically provided, NCR will not be liable for any expenses or damages incurred as a result of actual delivery or certification after such indicated date, if any. Customer agrees to pay the appropriate NCR distribution charge, and in the case of rented equipment back to the distribution point and due to any change of location of the equipment. Such charges shall be added to the first invoice and paid by Customer. Customer agrees to

pay any applicable installation and de-installation charge. Title to (and possession of unless otherwise stated on the order) traded-in equipment will pass to NCR on delivery of the ordered equipment.

3. **RENTAL AND LICENSE TERM AND CHARGES**

— Each contract for rental equipment or a licensed program shall become effective on the date of its acceptance by NCR and shall remain in force, except as otherwise provided, for the period of the term and thereafter until terminated as provided in section 18. The term of equipment rental shall begin on the first day of the month for which the full rental is paid. The rental charge shall begin immediately upon certification or delivery of the equipment by NCR or on the expiration of the previous term as the case may be. The term of a program license shall be monthly if not otherwise stated. The term shall begin on delivery, or when a test period is provided, the term shall begin on expiration of the test period or when put in productive use, whichever is earlier. Basic monthly rent, license fees and other scheduled charges shall be billed in advance, and other charges shall be payable as accrued. Charges for a fractional part of a month shall be computed at the rate of 1/30th of the monthly charge.

Rates may be changed after the expiration of the term or period for which paid on 30 days prior written notice. Rates may be increased during or before the initial term on 90 days prior written notice provided that (a) if an equipment rental increase exceeds the increase in NCR's maintenance charges or (b) if the license fee is increased, Customer may terminate the contract by notice given within 30 days after receipt of notification from NCR.

Payment of the rent or license fee entitles Customer to the applicable use of the equipment or program.

4. **PURCHASE TERMS** — NCR shall invoice the Customer for the purchase price balance or, if applicable, the first installment of it upon certification or delivery of the equipment by NCR. The entire unpaid purchase price balance shall, at NCR's option, become due and payable upon refusal to accept delivery when tendered, to make any payment when due or if Customer sells, conceals, removes, damages or destroys the equipment or attempts to do so prior to final payment of the entire price. Customer may prepay the time payment balance in advance and shall in such event be entitled to a credit against the finance charge determined in accordance with the rule of "78's".

5. **BILLING AND PAYMENT** — All invoices shall be due and payable in accordance with their terms. Failure to pay any amount when due shall entitle NCR to collect the

late charge or interest stated on the invoice. If it is necessary to refer any claim to an attorney not an employee of NCR, Customer agrees to pay reasonable attorney's fees if Customer is found to be in default and such is allowed under applicable state law. If customer requests a postponement in delivery, the price may be subject to any increase.

6. **TAXES** — The stated rental charges, purchase price, maintenance fees or charges, program license fees, system service and programming charges or other amounts to be paid pursuant to any contract do not include any Federal, State, County or local sales, use or other excise tax however designated, whether levied on seller or buyer and whether based on such price, charge, the equipment, part, product or service or their use or the contract. Any such taxes and interest on them (if not due to NCR's delay) required to be paid by NCR shall be added to the invoices. Customer shall pay all personal property taxes assessed after delivery of any equipment, part, product, program, or service except if equipment is rented NCR will pay personal property tax. Any taxes to be paid by Customer but in fact paid by NCR shall be reimbursed to NCR. In the event any taxes to be paid by Customer but levied on NCR are not paid until audit, NCR may then invoice Customer.

7. **ADVANCE PAYMENT** — The advance payment plus any interest credited to the Customer shall be applied against the purchase price or the first and subsequent rental or license fee payments until the total amount has been exhausted.

8. **SUPPLIES** — The price, monthly rental charges, the warranty, maintenance, programs or other services does not include furnishing of supplies or other expendable items unless otherwise indicated. NCR agrees to sell to the Customer, at NCR's then established prices and upon NCR's regular invoice terms, supplies or other expendable items so long as NCR has them available for sale. Damage to equipment or other loss sustained due to use of supplies not meeting NCR specifications shall be the sole responsibility of Customer.

9. **PATENT, COPYRIGHT AND TRADE SECRET INDEMNITY** — NCR will defend, at its expense, and will pay the cost and damages made in settlement or awarded as a result of any action brought against Customer based on an allegation that the equipment or any unit or part of it or any program furnished by NCR infringes a United States patent, copyright, or trade secret, if NCR is notified promptly by the Customer in writing of any such action or allegation of infringement, and if NCR shall have had sole control of the defense of any such action and all negotiations for its settlement or compromise. If a final

injunction shall be obtained against Customer's use of the equipment or any unit or part of it or program by reason of such infringement, or if in NCR's opinion the equipment or any unit or part of it or any program is likely to become the subject of a claim of such infringement, NCR will, at its option and at its expense, 1) procure for the Customer the right to continue using the equipment, unit or part, or program, 2) replace or modify the same so that it becomes noninfringing, or 3) if 1) and 2) are not feasible, terminate the rental or license or if purchased, repurchase the equipment on a depreciated (5-year straight line) basis. NCR shall not have any liability to Customer under any provision of this clause if any infringement or allegation thereof is based upon the use of any program or the equipment or any unit or part of it in combination with any program or equipment or any unit or parts of it not furnished by NCR or if the equipment is used in a manner for which the equipment or units or parts of it were not designed. The above states the entire liability of NCR with respect to infringement of patents, copyrights, or trade secrets by any program or by the equipment or units or parts of it, or by their operation.

10. **NCR INTELLECTUAL PROPERTY** —

a. **Definitions** — "Program" shall mean instructions designed to achieve a certain result, whether denominated software or firmware, wherever resident and on whatever media and all related documentation furnished to Customer. "Programming Services" is creating a program or modifying an existing program to perform particular functions or to function in a particular manner for Customer. "NCR Intellectual Property" shall include 1) all Programs furnished by NCR whether specifically licensed or furnished as part of equipment rented or purchased and software services for them, except Programming Services, and 2) all other material furnished by NCR and any copies of it relating to the use and service of equipment, including the information contained therein.

b. This subsection applies to NCR Intellectual Property. NCR Intellectual Property shall remain confidential and the proprietary property of NCR and is furnished to customer only on a license basis. Customer agrees to continue to treat it as such, except such as may be established to be in the general public domain or which Customer may be required to disclose pursuant to judicial or governmental action. Customer shall acquire no rights in NCR Intellectual Property except to use it solely for the purpose of use with, and only during the time Customer uses designated equipment or for any period covered by a license fee in accordance with NCR's software license policies in effect at the time of the contract. Customer shall not use or cause to be used any NCR Intellectual Property for the benefit of any other party whether or not for a

consideration unless otherwise agreed. Customer shall not sublicense, sell, rent, loan, disclose or otherwise communicate, make available or assist any unauthorized third party to use, NCR Intellectual Property or any part or modification thereof or make it available to any person not in the employment of Customer. Customer shall use it only in connection with the designated equipment unless on backup equipment during the time required, and shall make no copies without the prior consent of NCR. Customer shall take all reasonable precautions to maintain the confidentiality of NCR Intellectual Property, but not less than that employed to protect its own proprietary information unless otherwise agreed to by NCR in writing. As to copies made by Customer with the consent of NCR, Customer agrees to duplicate and include NCR's copyright notice and any NCR proprietary notice on all copies, including copies in machine readable form, and to maintain records of the location of copies of programs.

If the equipment is rented and rental is terminated (except by purchase), or if the equipment is purchased and Customer ceases to use it, Customer shall thereafter cease to use any NCR Intellectual Property or any facsimile thereof, delete it from its library, return to NCR or destroy all NCR Intellectual Property, except for a copy retained for archival purposes, and notify NCR in writing.

If Customer desires to sell purchased equipment to a third party, Customer shall notify NCR in writing and may not transfer or provide NCR Intellectual Property to the purchaser from Customer without the prior agreement of NCR which shall be granted only if the purchaser shall have agreed in writing: (1) to the provisions of this section 10 and (2) to the continued payment of periodic license fees and/or the payment of any relicense fee in effect at the time of transfer.

NCR shall have and may cumulatively exercise all rights as it might have at law or in equity for the protection of NCR Intellectual Property, including an injunction enjoining the breach or threatened breach of this section.

c. This subsection applies to Programming Services furnished by NCR. Customer shall be the owner of the product of Programming Services but NCR may retain copies, disclose and further use the product of the services. Customer's programs (except those furnished by NCR), reports, printouts and other data generated by a program (except a compiler) are not products of Programming Services for purposes of this subsection.

11. OWNERSHIP OF EQUIPMENT AND RISK OF LOSS – If the equipment is rented, title shall remain in NCR. Customer shall not do anything prejudicing NCR's ownership; nor fail to do anything reasonably necessary to

protect NCR's ownership. Customer agrees to execute any document necessary or desirable, in NCR's opinion, to ensure its title and ownership. This agreement, any contract, and any unit of equipment may not be assigned, sublet or transferred by Customer without NCR's prior written consent. If the equipment is purchased, title to the equipment shall pass to the Customer only upon NCR's receipt of payment of the full purchase price balance. NCR warrants title to be clear, free and unencumbered. NCR reserves, and the Customer hereby grants to NCR, a purchase money security interest in each unit of the equipment in the amount of its purchase price, and such security interest shall be satisfied by payment of the purchase price balance in full. NCR may file a financing statement (NCR being constituted an agent of Customer to sign on Customer's behalf or Customer shall execute if requested by NCR) with appropriate state and/or local authorities in order to perfect NCR's security interest. Any such filing shall not constitute acceptance of a contract by NCR.

Until delivery, NCR assumes all risk of loss. Upon delivery Customer assumes the risk of loss or damage for purchased equipment except such as caused willfully or negligently by NCR. NCR shall retain the risk of loss or damage for rented equipment except such as caused willfully or negligently by Customer.

12. EXCUSED PERFORMANCE – Neither party shall be deemed to be in default of any provision hereof or be liable for any delay, failure in performance, or interruption of service resulting directly or indirectly from acts of God, civil or military authority, civil disturbance, war, strikes, fires, other catastrophies, or other cause beyond its reasonable control.

13. MAINTENANCE OF EQUIPMENT – NCR shall perform remedial maintenance during the applicable maintenance period:

a. for rented equipment

b. for purchased equipment (except purchase of rented equipment)

(1) for a 90-day warranty period beginning on delivery or certification, and

(2) after the 90-day warranty period at NCR's then current rates, unless Customer notifies NCR on or before the 60th day of the warranty period that it does not desire continued maintenance coverage. The coverage shall continue until terminated pursuant to Section 18(a).

Remedial maintenance during other periods may be available at either a scheduled or hourly basis at NCR's then current wages. Use of equipment above designated levels may require additional charges for equipment on rent or maintenance.

Customer shall prepare prior to delivery of equipment, and thereafter maintain at its expense, the site of the equipment in accordance with NCR specifications. Customer shall provide at the site adequate and suitable working facilities and space for maintenance personnel. As to equipment maintained by NCR, only NCR shall perform service on it. Replaced parts shall become or remain the property of NCR. With respect to any alteration or attachment, as defined in section 17, to NCR equipment, NCR will provide maintenance and repair service for the unaltered portion of the equipment unless an alteration or attachment creates a safety hazard or renders maintenance and repair impractical. If an alteration, attachment, use of supplies not meeting NCR specifications, use of unsupported software, use of software not furnished by NCR, or modifications to NCR supported software not performed by NCR results in an increase in NCR's maintenance of NCR equipment, such increased maintenance will be billed at the appropriate increased rate.

Repair or replacement of purchased equipment on maintenance or warranty necessitated by fire originating outside of NCR furnished equipment, water, other casualty, acts of God, Customer's movement or negligence or acts of a third party is not included in the warranty or maintenance service charge and shall be provided at Customer's expense. Repair or replacement of rental equipment necessitated by Customer's movement or negligence is not included in the rent and shall be provided at Customer's expense.

NCR's liability to the Customer resulting from the performance of maintenance service shall be limited to restoring the equipment covered by this agreement to good operating condition. NCR shall have no obligation to perform any service outside the United States unless otherwise agreed.

14. OPERATION —

a. General — The equipment will comply with applicable safety and other governmental regulations in effect at the time of manufacture. Units of equipment sold as new may be composed in whole or in part of used components which are warranted the equivalent of new.

b. Equipment Functioning — If the equipment is purchased (except for purchase of rented equipment), then for 90 days following certification or delivery, NCR

warrants the equipment to be in good working order and will at its expense keep the equipment in good operating order and repair by performing maintenance in accordance with Section 13. If the equipment is rented, NCR agrees to keep the equipment in good operating order and repair by performing maintenance in accordance with Section 13. THERE ARE NO WARRANTIES OF MERCHANTABILITY OR FITNESS. NCR'S SOLE OBLIGATION UNDER ANY WARRANTY IS LIMITED TO SUCH MAINTENANCE.

c. Programs And Programming Services — A Warranted Program, when operating in conjunction with unaltered associated Programs and designated equipment and within required operational conditions, will comply with customer-level documentation in effect on the date the issue was furnished to Customer. Customer shall determine compliance during the applicable test period. If, during the test period, the Program is found to be not complying, i.e. a "Problem" exists, NCR shall effect a resolution (which may be a subsequent issue) or the license may be terminated. After acceptance (or delivery when the Program is not warranted), NCR will furnish, and its obligation shall be limited to furnishing, software services under its then current policies and rates. Software services for Programs may be chargeable (even as to Problems inherent in the Program when furnished, but not occurring during the test period) and for Programming Services will be chargeable. NCR may change its policies on Programming Services and software services and reclassify software services on six months notice given by general publication. Some reclassifications may constitute a discontinuation of services. NCR assumes no responsibility for programs which have been altered or modified. THERE ARE NO WARRANTIES OF MERCHANTABILITY OR FITNESS. NCR'S SOLE OBLIGATION IS LIMITED TO FURNISHING SOFTWARE SERVICES UNDER ITS THEN CURRENT POLICIES AND CHARGES.

d. Limitations — Customer shall arrange for back-up equipment or service. Customer shall be solely responsible for proper audit and recovery routines and procedures. NCR shall not be liable for any expense or damages incurred by Customer, whether internal to Customer or paid by Customer to any third party, which may arise out of failure of the equipment to function or due to any malfunction of equipment or program upon whatever cause of action any claim is based except that NCR shall be liable for only bodily injury occasioned solely by the negligence or willful acts of NCR in design, manufacture, installation or servicing of the equipment. IT IS ACKNOWLEDGED THAT THESE LIMITATIONS PERMIT NCR TO PROVIDE EQUIPMENT, PROGRAMS AND SERVICES AT LOWER RATES THAN IT OTHERWISE COULD AND SUCH LIMITATIONS ON LIABILITY ARE REASONABLE.

e. **Equipment Rental Credit** – If the equipment is rented and if a component of the equipment being maintained becomes inoperative and remains inoperative for a period of twenty-four (24) scheduled maintenance hours or more from the time Customer notifies NCR until it is returned to good operating condition (48 hours in Alaska and Hawaii), NCR shall grant a credit to Customer for each inoperative hour at the rate of 1/720th of the basic monthly rental charge for such component. A like credit shall be granted for each interconnected NCR component being maintained which is not usable as a result of the breakdown. Customer shall not be entitled to the credit if the cause of inoperation is due to the fault or negligence of Customer, fire originating outside of NCR furnished equipment, water, and other acts of God, civil or military authority or the act of any third party.

15. **SYSTEM IMPLEMENTATION** – “System” shall mean an integrated group of equipment supplied or specified by NCR and the NCR furnished programs utilized with it. “Installation Service” is installation and operational training and assistance. NCR’s liability resulting from performance of Installation Service shall be limited to re-performing any such services. Customer has the responsibility for implementing and operating the System. Installation Services furnished to Customer are to facilitate implementation of the System by Customer and are not to be construed as evidencing any obligation of NCR for implementing or operating the System.

16. **SYSTEM CAPABILITY** – Any proposal or recommendation by NCR for the equipment or programs ordered respecting the capability of the System to perform applications of, or produce certain results for, Customer is based on NCR’s best efforts to provide an operational system for Customer. It shall constitute a commitment on the part of NCR only if a) it is attached to the Order or specifically incorporated by reference AND b) Customer cannot itself verify system capability in advance of equipment delivery.

CUSTOMER ACKNOWLEDGES ITS OBLIGATION TO NCR TO VERIFY SYSTEM CAPABILITY IN ADVANCE OF DELIVERY WHENEVER REASONABLY POSSIBLE.

When programming is to be performed by Customer prior to delivery of the equipment, Customer agrees that it has, as of the date of the order or will have prior to delivery, a sufficient number of competent and adequately trained personnel to accomplish evaluation and implementation and thereafter to operate the system efficiently. Because of this capability and because it has the better knowledge of its operations, methods and volumes, Customer has, or will have prior to delivery of the equipment, the better expertise to itself evaluate system capability.

If Customer can verify system capability in advance of delivery, failure to inform NCR in writing prior to delivery that the system will not perform as specified will be conclusively deemed to be an agreement by the Customer that it is suitable for the intended applications and will produce the anticipated results and no claim of reliance on any NCR recommendation or proposal will be made.

In the event that prior to delivery it is mutually determined that the system will not perform in accordance with specifications previously furnished to Customer or substantially as represented, Customer may at its option accept revised performance criteria or terminate the contract without liability of either party except for return of any advance payment when equitable.

In the event that compliance with specifications cannot be verified by Customer in advance of delivery, and on delivery it appears that the system cannot perform as specified, then the contract 1) may be terminated by either party without liability except any payments previously made to NCR shall be refunded, less the reasonable value of services received from the system or 2) may be amended to provide equipment and/or programs necessary to perform as represented.

17. **OTHER EQUIPMENT AND PROGRAMS** – Customer may not make any alteration (any change made to the physical, mechanical or electrical arrangements of the equipment whether or not additional devices or parts are required) or attachment (the mechanical, electrical or electronic interconnection of non-NCR equipment marketed by others) to rented equipment unless specifically authorized in writing by NCR. In the event of any attachment or alteration to NCR equipment or in the event that a program not serviced by NCR is used or any modification is made to any NCR serviced program, or any program is used not furnished by NCR, NCR assumes no responsibility and shall not be liable for a) the proper functioning of the system or of any unit of equipment except for maintenance service under Section 13 or b) the capability of the system or c) infringement of any patent resulting from the combination. Notwithstanding anything to the contrary, Customer assumes all risk of loss or damage to NCR furnished equipment arising out of such attachment or alteration.

18. **TERMINATION** – A contract for specific equipment, programs or services resulting from an accepted order may be terminated under the following conditions:

a. Either party may terminate a program license at the expiration of the term, or thereafter, on 30 days prior written notice. Either party may terminate a rental contract by written notice given 30 days before the expiration of the

initial term or any yearly extension; otherwise the term shall be extended yearly. Software service and equipment maintenance shall be continued on the expiration of the period set forth on the invoice for yearly periods unless (i) either party gives written notice to the other 30 days prior to the anniversary date of its intention to terminate service, (ii) as to equipment maintenance, the equipment is not in good condition on the effective date of any renewal period. Any equipment maintenance contract may be terminated by either party on 30 days notice.

Until terminated, Customer agrees to pay the applicable rent, license fee, equipment maintenance, software service fee or other charges. No program license shall be considered terminated until customer either returns or certifies destruction of the program.

b. Either party may, at its election and without prejudice to any other right or remedy, terminate the contract upon the filing of a petition in bankruptcy by or against the other, or should the other make an assignment for the benefit of creditors, or should a receiver be appointed or applied for by the other.

c. NCR may, at its election, and without prejudice to any other right or remedy available by law or under this Agreement unless pursuant to Section 16, treat any contract as terminated by Customer in the event the Customer cancels or attempts to cancel the contract prior

to delivery, refuses delivery, fails to pay after 10 days prior written notice any payment due, or willfully violates the confidentiality provisions of Section 10b. In such event, NCR may without further notice enter Customer's premises without liability for trespass or damage and reclaim and/or repossess the equipment and any NCR furnished program and the media they are on. In the case of a rental contract, program license or software services contract, NCR shall be entitled to the total amount due under it less amounts previously paid and costs which will not be incurred thereafter by NCR.

d. In accordance with Section 16.

19. **DISPUTES** – Any controversy or claim, including any claim of misrepresentation, arising out of or related to this Agreement and/or any contract hereafter entered into between NCR and Customer, or the breach thereof, or the furnishing of any equipment or service by NCR to Customer, shall be settled by arbitration. The arbitration shall be conducted by a single arbitrator under the then current rules of the American Arbitration Association. The arbitrator shall be chosen from a panel of persons knowledgeable in business information and data processing systems. The decision and award of the arbitrator shall be final and binding and the award so rendered may be entered in any court having jurisdiction thereof. The arbitration shall be held and the award shall be deemed to be made in the city where the NCR district office procuring the order is located.

ADDENDUM TO NCR UNIVERSAL AGREEMENT

In reference to NCR's Universal Agreement, Section V, Billing and Payments, the City of Maplewood will have 30 days upon receiving invoice to produce payment.

EDEN SYSTEMS INC. LICENSING AGREEMENT

NAME OF CUSTOMER	CITY OF MAPLEWOOD
CUSTOMER ADDRESS	1830 E. COUNTY ROAD B
CITY/STATE/ZIP	MAPLEWOOD, MINNESOTA 55109

THIS AGREEMENT is entered into by and between EDEN SYSTEMS, hereinafter referred to as "EDEN", and CITY OF MAPLEWOOD, hereinafter referred to as "CUSTOMER".

WITNESSETH:

WHEREAS, EDEN has developed and owns a software package hereinafter referred to as "THE SYSTEM", for an NCR computer or some similar compatible computer; and,

WHEREAS, CUSTOMER desires to acquire a non-exclusive license to use THE SYSTEM from EDEN, and EDEN desires to grant such license to the CUSTOMER upon the following terms and conditions.

NOW, THEREFORE, in consideration of the premises, mutual covenants and agreements contained herein, the parties agree as follows:

1. COMPONENTS OF THE SYSTEM

The components under this agreement are set forth in Exhibit "A" attached hereto and by this reference incorporated herein and shall be the required description of THE SYSTEM.

2. LICENSE

In accordance with the terms contained herein, EDEN grants to the CUSTOMER, and CUSTOMER accepts from EDEN a non-exclusive license to use THE SYSTEM in the form in which it now exists.

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3. LICENSE FEE

CUSTOMER agrees to pay EDEN a license fee plus any sales, use and/or excise taxes or similar taxes which are assessed on account of this transaction, as well as travel and out-of-pocket expenses, necessary modification, installation and training charges.

CUSTOMER agrees to reimburse EDEN for amounts equal to any taxes, duties, tax penalties, or amounts levied or based on, or on payments due under this Agreement, any license granted hereunder, the transfer, use or distribution of licensed programs, or the program storage media, exclusive of taxes based upon EDEN'S net income. In lieu thereof, CUSTOMER shall provide to EDEN a tax or other levy exemption certificate acceptable to the taxing or levying authority.

The charges for installation of the components of THE SYSTEM entitle the CUSTOMER to on site assistance as required by the CUSTOMER from installation to a point agreed upon by the parties where all components as spelled out in Exhibit "A" are in full operation and not dependent on parallel operation to insure accuracy.

Any further assistance provided at the CUSTOMER'S request will be billed at the then going hourly rate plus travel and other out-of-pocket expenses.

Such additional assistance as is requested by the CUSTOMER will be provided by EDEN either on site within 24 hours or in EDEN offices. The parties agree that the operation of THE SYSTEM is crucial to the operation of the CUSTOMER and a major effort must be given to help keep THE SYSTEM operational. EDEN will not be obligated to provide assistance for any problems encountered by CUSTOMER as a result of the hardware or operating system, and it makes no warranty, either expressed or implied, as to the hardware or operating system supplied by the hardware manufacturer.

4. SYSTEM REPLACEMENT

Following the delivery of THE SYSTEM, in the event the CUSTOMER installs computer hardware to replace its existing equipment and requests a version of THE SYSTEM for use therewith, EDEN will deliver such a system version if such is at that time supported by EDEN and is then being offered by EDEN for use with new hardware and operating system installed by the CUSTOMER. The license fee charged for any such system version shall be in an amount not to exceed 25% of the license fee then being charged by EDEN for such system version. The parties agree they shall execute a new license agreement covering such replacement prior to the replacement, and that the service fee then being charged by EDEN for such system version shall apply. In the event of such a system replacement, the CUSTOMER agrees to promptly return to EDEN THE SYSTEM and all system documentation licensed to the CUSTOMER pursuant to this agreement.

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5. TITLE TO SYSTEM: PROTECTIVE COVENANTS

CUSTOMER acknowledges that THE SYSTEM, system documentation including modifications, supplements and alterations thereto supplied by EDEN, hereinafter referred to as EDEN PROPERTY are owned by EDEN: that neither legal nor equitable title to the EDEN PROPERTY passes to the CUSTOMER under this agreement; that the EDEN PROPERTY constitutes a valuable asset and trade secret of EDEN: and that any information in connection therewith is confidential.

ACCORDINGLY, CUSTOMER agrees as follows:

The EDEN PROPERTY shall be used only at the computer center of the CUSTOMER, located at the address listed in this agreement, and shall not be used at any other computer center or facility of the CUSTOMER or of any other person or entity. This restriction shall not prohibit the CUSTOMER from moving the entire system to another location, in the event of an emergency, or in the event of a permanent move or transfer, so long as the CUSTOMER delivers to EDEN prior written notification and certification that THE SYSTEM shall be used solely or used only at the new location.

CUSTOMER shall not, and shall require its employees not to, without prior written permission from EDEN, sell, lease, assign, transfer, sublicense, permit the duplication, reproduction or copying, or otherwise make available for any purpose, for any type of consideration the EDEN PROPERTY or any part thereof or any information pertaining thereto, to or by any person or entity whatsoever.

CUSTOMER shall not, and shall require its employees not to, offer or make available to any person or entity whatsoever, either gratuitously or for consideration any modification to EDEN PROPERTY which may be designed by CUSTOMER, nor shall CUSTOMER, its employees, communicate to any such person or entity any information in connection therewith.

CUSTOMER agrees to take all appropriate action to insure that the obligations contained in this paragraph shall be fulfilled.

CUSTOMER agrees and acknowledges that the damage suffered by EDEN by virtue of the violation by CUSTOMER of any of the provisions of this paragraph shall be difficult to ascertain. Accordingly, CUSTOMER agrees that in the event it should violate, or permit to be violated, any of the provisions of this paragraph, it shall pay to EDEN for each such violation, as monetary damages and not as a penalty, an amount equal to the license fee specified herein, or the total amount of compensation received by the CUSTOMER as a result of such violation or permitted violation whichever is greater, but no payment of damages by the CUSTOMER shall relieve CUSTOMER from any of its obligations under this agreement, nor affect any other remedies of EDEN, including the right to injunctive or other equitable relief.

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6. REMEDIES OF EDEN SYSTEMS INC.

Upon failure of CUSTOMER to pay any sums due hereunder when due, or upon breach by CUSTOMER of any of its covenants or agreements contained herein, and without prejudice to any other rights EDEN may have hereunder or at law or in equity for money damages and/or injunctive or other equitable relief, EDEN shall have the right, at its option, to immediately terminate this agreement and to return within thirty (30) days from CUSTOMER, THE SYSTEM, system documentation and all other EDEN PROPERTY, and the CUSTOMER shall cease any and all use of THE SYSTEM. CUSTOMER further agrees in the event of such termination to allow EDEN to inspect CUSTOMER'S operations to determine that THE SYSTEM is no longer in use.

7. EXECUTION BY EDEN SYSTEMS

This agreement shall not be binding until the same has been executed by an officer of EDEN SYSTEMS INC.

8. EXPENSES AND COST OF COLLECTION

Either party shall have the right to collect from the other party reasonable expenses and attorney fees in connection with the enforcement of any rights or remedies hereunder. Any monies not paid hereunder when due shall bear interest at the rate of 1 and 1/2 percent per month from the due date until paid. No failure of either party to demand when due any rights or monies hereunder shall be deemed a waiver by that party of the obligation of the other party to such right or sum.

9. TIME OF THE ESSENCE.

Time shall be the essence of the agreement.

10. GOVERNING LAW

This agreement and all performance hereunder shall be governed by and construed in accordance with the laws of the State of Minnesota.

11. WARRANTY AND LIMITATION OF LIABILITY

EDEN warrants that THE SYSTEM will perform in the manner described in THE SYSTEM documentation. Warranties will be held in force on all application programs except for those programs modified by CUSTOMER employees. CUSTOMER agrees that any liability of EDEN for loss, damage, cost or expense whatsoever to CUSTOMER arising from any breach or default by EDEN of any warranty, covenant, agreement or undertaking hereunder shall be limited to actual damages incurred by CUSTOMER, but that in no event shall the aggregate of such liability exceed the license fee specified herein, nor shall any such liability include any consequential damages which may be suffered by CUSTOMER.

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12. ENTIRE AGREEMENT

This agreement constitutes the entire agreement between the parties hereto and supersedes all prior understanding and agreements between the parties, whether oral or written, and this agreement may not be modified or altered except by a written instrument duly executed by both parties.

13. PATENT, COPYRIGHT AND TRADE SECRET INDEMNITY

EDEN will defend, at its expense, and will pay the cost and damages made in settlement or awarded as a result of any action brought against CUSTOMER based on an allegation that any software furnished by EDEN infringes a United States patent, copyright, or trade secret, if EDEN is notified promptly by the CUSTOMER in writing of any such action or allegation of infringement, and if EDEN shall have had sole control of the defense of any such action and all negotiations for its settlement or compromise. EDEN further agrees that should such final injunction be obtained against CUSTOMER'S use of the software by reason of such infringement, EDEN will, at its expense, replace or modify the software so that it becomes non-infringing, or refund to the customer the original amount paid for the software by the CUSTOMER.

14. ARBITRATION

Any controversy, claim, or issue of termination of contract, including any claim of misrepresentation, arising out of or related to this agreement and/or any contract hereafter entered into between EDEN and CUSTOMER, or the breach thereof, or the furnishing of any software or service by EDEN to CUSTOMER, shall be settled by arbitration. The arbitration shall be conducted by a single arbitrator under the then current rules of the American Arbitration Association. The arbitrator shall be chosen from a panel of persons knowledgeable in information and data processing software and systems. The decision and award of the arbitrator shall be final and binding and the award so rendered, as limited by Paragraph 11 herein may be entered in any court having jurisdiction thereof. The arbitration shall be held and award shall be deemed to be made in the metropolitan area where the CUSTOMER is located. Arbitration shall commence within 30 days from date of notice for arbitration.

EDEN SYSTEMS

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15. DEFINITION OF TERMS

The following definition of terms shall apply to this agreement:

EXECUTION OF AGREEMENT: Shall be the date on which both parties have affixed a legal and binding signature to this agreement.

INSTALLATION: The delivery of a specific software module including any agreed upon modifications, to the CUSTOMER site and the placing of that product on the CUSTOMER'S equipment.

ACCEPTANCE: An action, either verbal or written, which constitutes a final acceptance of a specific software module, complete with all its declared parts and modifications.

SIGNATURE _____ DATE _____
CITY OF MAPLEWOOD

SIGNATURE _____ DATE _____
CITY OF MAPLEWOOD

SIGNATURE *Dennis L. Salts* DATE 4/3/87
DENNIS L. SALTS, VICE PRESIDENT
EDEN SYSTEMS, INC.

EDEN SYSTEMS

Governmental Data Processing

EXHIBIT "A"

Software Module -----	License Fee -----
BUDGETARY ACCOUNTING	\$35,000.00
Includes:	
<ul style="list-style-type: none"> * Audit Trail Balance * Accounts Payable * Investment Accounting Tracking * Project Management Accounting * Capital Improvement Accounting * General Ledger * Check Reconciliation * Annual Reporting (GAAFR combined and combining statements) * Job Costing * Purchase Order/Encumbrance Accounting * Vendor Analysis 	
UTILITY BILLING	7,000.00
PAYROLL	7,000.00
PERSONNEL REPORTING	3,500.00
MISCELLANEOUS ACCOUNTS RECEIVABLE	4,000.00
PARKS AND RECREATION	7,500.00
MAINTENANCE MANAGEMENT SYSTEM	25,000.00

	\$89,000.00

TAXES ARE APPLICABLE AT 7.8% UNLESS NOTIFIED OF EXEMPTION

ANNUAL SOFTWARE SUPPORT AND MAINTENANCE FEE IS APPLICABLE ON A PRORATED BASIS AS EACH APPLICATION IS ACCEPTED BY CUSTOMER.

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PAYMENT SCHEDULE

UPON EXECUTION OF AGREEMENT

* 100% OF APPLICABLE TAXES
* 30% OF ALL SOFTWARE LICENSE FEES \$26,700.00

UPON INSTALLATION

* BUDGETARY ACCOUNTING 19,250.00
* UTILITY BILLING 3,850.00
* PAYROLL 3,850.00
* PERSONNEL 1,925.00
* ACCOUNTS RECEIVABLE 2,200.00
* PARKS AND RECREATION 4,125.00
* MAINTENANCE MANAGEMENT SYSTEM 13,750.00

\$48,950.00

FINAL 15% OF EACH SOFTWARE APPLICATION AS EACH APPLICATION IS ACCEPTED

* BUDGETARY ACCOUNTING \$5,250.00
* UTILITY BILLING 1,050.00
* PAYROLL 1,050.00
* PERSONNEL 525.00
* ACCOUNTS RECEIVABLE 600.00
* PARKS AND RECREATION 1,125.00
* MAINTENANCE MANAGEMENT SYSTEM 3,750.00

\$13,350.00

TOTAL PAYMENTS \$89,000.00

PAYMENTS ARE DUE AND PAYABLE WITHIN 30 DAYS OF INVOICE

EDEN SYSTEMS

Governmental Data Processing

SOFTWARE SUPPORT AGREEMENT

This agreement entitles the CUSTOMER to the following items of support from EDEN:

Telephone support:

Operator assistance provided during CUSTOMER'S regular business hours, 8:00 A.M. to 5:00 P.M., Monday through Friday except for CUSTOMER'S legal holidays.

Modem support:

Software updates and maintenance provided via telephone modem. Modems are required at each end of the telephone line. EDEN provides only the modem in EDEN'S offices. It is the responsibility of the CUSTOMER to provide a modem in the CUSTOMER facility.

Released modifications, enhancements and improvements:

Released modifications, enhancements and improvements. Items to be announced via release letter each year. Items for release are determined by EDEN and EDEN USER GROUP. Support costs presume support of the most recently released products.

Documentation:

Distribution of all documentation relating to released modifications, enhancements and improvements. Distribution is through regular mail.

Newsletter:

EDEN'S periodical release of new developments, ongoing progress of current projects and other information pertinent to the NCR/EDEN user.

In exchange for the entitlements of this agreement, the CUSTOMER agrees to pay an annual charge of 10% of the license fee for each software module licensed. In the first year of software module use, the software support fee will not be due and payable until after acceptance of the software module and the expiration of a 90 day warranty period. The fee will be calculated as a prorated fee to the end of the calendar year.

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The beginning of each software support year is January 1. Support is billed in advance and is due and payable by January 1 of each year.

This Software Support Agreement may be terminated by either party with 60 day written notification.

In witness whereof the parties hereto have caused this agreement to be executed the day and year herein written.

BY _____
CITY OF MAPLEWOOD

DATE _____

BY _____
CITY OF MAPLEWOOD

DATE _____

BY *Dennis L. Salts*
DENNIS L. SALTS, VICE PRESIDENT
EDEN SYSTEMS, INC.

DATE *4/3/87*

EDEN SYSTEMS

Governmental Data Processing

TECHNICAL MODIFICATIONS TO GEOBASE

5/4/87

1. **Street segment number:** Add segment number of parcel (so we can cross-reference data with the census DIME files); 6-character, numeric
- **Acreage:** Add acreage of parcel, in addition to square feet; 7 characters (XXXX.XX), numeric. From County computer.
- **Redevelopment area:** Change to PLAT NAME; 25 characters, AN. From County computer, first 25 characters only.
- **Coastal zone:** Change to PUD NAME; 25 characters, AN
- **Seismic study zone:** Change to %HMSTD, 6 characters (X.XXXX), numeric. From County computer
- **Total assessed value:** Add total assessed value, 10 characters, numeric. From County computer.
- **Total market value:** Add total market value, 10 characters, numeric. From County computer.

Cost: \$480

2. **Parcel identification number (PIN):** Increase length of field to 12, to accommodate Ramsey County's 12-character format.

Cost: \$1,440

3. **Add complete homesteader information fields, per County files:** Characteristics per Anne Carroll's discussion with Steve Messick on 4/27/87.

Cost: \$960

4. **"Grid":** Change all references to "grid" to "district". The size of the data field will remain the same.
- **As-built plan number:** Add a 5-digit field for as-built plan number.

Cost: \$1,000

CARROLL, FRANCK & ASSOCIATES

TRAINING, ENGINEERING, AND PLANNING

533 LAUREL AVE., ST. PAUL, MN 55102

612-228-9151

TO: Ed Torkelson, Eden Systems
11717 Rainier Avenue South, Suite B-102
Seattle, WA 98178

FROM: Anne Carroll, consultant to City of Maplewood, MN

RE: Capabilities of parks and recreation software proposed by Eden Systems

DATE: 28 April 1987

Per our phone conversation this morning, below is our understanding of the basic capabilities of the forthcoming Park & Recreation (P&R) software, available for the bid cost of \$7,500 sometime during the fourth quarter of 1987.

We also understand that the package will have significant additional capabilities, as our list is intended to be representative of performance, not an exhaustive specification of either needs or capabilities.

I am presenting this material under the categories listed in the City's original RFP (September 1986) to which you responded that P&R would have all these capabilities except perhaps the tree inventory.

Park management and maintenance
Facility and site management and maintenance
Small equipment inventory
Tree inventory

The P&R system will eventually be linked to or become a part of the geobase, such that:

- . Costs associated with the classes/activities (materials from inventory, personnel, etc.) and maintenance (labor, equipment, materials) will be tracked in the geobase via the work order system. Some personnel costs may be tracked in the accounting system, coded to a specific class/activity.
- . Activity/class revenues tracked in P&R can be associated with activity and facility costs, such that we can determine actual net cost of classes/activities.
- . We will be able to track both maintenance and classes/activities at both detailed and summary levels, such as: a large park site that includes several ball fields; a bike path; a community center with a large auditorium, gym, and many classrooms; and a parking lot. We will schedule (P&R) and maintain (geobase/work-order) each of those separately, but will also be able to find out the costs, revenues, and schedule for any item or group (one class, the entire community center, one field, the entire park, etc.) At Eden Systems request, the City is willing to help define this in more detail by providing examples and suggestions.
- . Each household will be associated with a specific parcel.
- . Inventory items that are specific to parks and recreation will be tracked in the geobase, separate from other City inventories.
- . A tree inventory may eventually be available in the geobase. If not, the City may discuss with you the price of incorporating that capability into the geobase or elsewhere.

**Class registration and maintenance of registration file
Manager/instructor management, tied to registration
Field and facility permits**

- . We can search by person, and find out everything they're registered for
- . We can find out the registration status (full, number of openings, etc.) for any class or scheduled activity
- . We can find out what's scheduled or open in any facility
- . We can interactively register a person, automatically update that class with the new registrant, receive and record payment, and print a receipt
- . Once a person has been entered into the household detail file (either initially or via registration), we only need to update it with changes
- . We can list all classes of a certain type, such as swimming
- . We can print a team roster
- . We can print lists of team captains, coaches, umpires, instructors, etc., including address and phone information
- . We can record if a person has completed or passed a certain class that is required before registering for a different class (such as lifesaving before WSI)
- . We can record if a person has received an award, trophy, etc., for a certain class/activity
- . Class information, including location, time, instructor, and fee are entered only once for each class
- . We can charge different fees for residents and non-residents. For more than one additional rate alternative, the system will allow an operator to overwrite the cost field (although that opens the potential for abuse, depending on how the City does the registration process). For a different solution, a modification may be required. At the City's discretion, this may be negotiated with Eden Systems at a later date.
- . Either through P&R or through the geobase tied to P&R, the City can issue field and facility permits. At Eden Systems' request, the City will help further define the City's process and special needs.
- . The City defines its own codes for classes, facilities, leagues, etc.
- . Special events, tours, etc., are handled like classes.

Team management and scheduling

- . P&R will include a league scheduling program, allowing round-robin scheduling, brackets for tournaments, etc.

Software Delivery

We understand the following:

- . We can take delivery of the member detail file and maybe the class/facility description file in August and perhaps earlier, in order to begin data entry
- . The entire P&R system will not be completed by August, but the data we enter early will work perfectly with the finished system
- . The P&R system will be implemented, tested, and accepted prior to connecting it to the geobase

ACTION REQUIRED: If Eden Systems agrees that the Parks and Recreation software package to be implemented at Maplewood will: 1) perform as indicated above, AND 2) cost \$7,500, AND 3) be available the fourth quarter of 1987, please sign and date in the space below and return to the City no later than noon Tuesday, May 5, 1987. We will then attach this letter as a contract addendum. Thank you very much.

Ed Jorkelson
Signature

5/2/87
Date



CITY OF MAPLEWOOD

1830 EAST CO. ROAD B

MAPLEWOOD, MINNESOTA 55109

OFFICE OF CITY CLERK

612-770-4520

Ed Torkelson
Eden Systems
11717 Rainier Avenue S.
Suite B-102
Seattle, Washington 98178

April 30, 1987

Dear Mr. Torkelson,

Upon our request, Eden Systems will modify the Utility Billing program to include a field for a check digit. We understand per Kathy Kearney the following programs need modifying; calculation program, cash receipt program, adjustment program, and the master file maintenance program. We understand per phone conversation with Kathy of April 29, 1987, that the modification of these files will be at a cost of \$720.00*. The formula needed from Ameri-Data for the check digit verification will be forwarded under separate cover.

Per your response on the RFP dated September 1986, we understand the Utility Billing package will perform functions as you indicated. (see attached)

Action Required: If you agree with the above, please sign and date in the space below and return to us no later than Noon, Tuesday May 5th, 1987. This will be attached to the contract.

Sincerely,

Lucille E. Aurelius, City Clerk
LEA/ck
Enclosure

Signature

5/2/87
Date

* WE HAVE STUDIED THIS PROJECT MORE CAREFULLY
AND HAVE REVISED OUR ESTIMATE TO 16 HOURS AT
\$60 PER HOUR. TOTAL: \$960

- Quarterly and year-end resets
 - Regular printout of payroll check register
 - Calculation and printout of quarterly FICA earnings
 - Calculation and printout of quarterly wage detail (for MN Department of Economic Security)
 - Ability to alter tax tables as required
 - Automatic calculation and check printing of deductions payable to vendors (A/P)
 - Ability to dump W-2 information to 9-track tape to meet federal reporting requirements
- (See reporting requirements listed above)

Notes: SYSTEM DOES NOT CALCULATE AND PRINT BI-WEEKLY, QUARTERLY, AND YEAR-TO-DATE INFORMATION ON "ANY" REPORT. THIS WOULD REQUIRE A CHANGE TO EACH AND EVERY REPORT AND WOULD BE OF SIGNIFICANT IMPACT. WE DO SUGGEST THE USE OF A REPORT GENERATOR TO SERVE IN THIS PARTICULAR INSTANCE.

- Utility Billing (7,500 accounts): Sophisticated utility billing system is required. Note overall reporting needs above. The following special needs have been identified:
 - Ability to manipulate utility data in combination with property data, such as: utility usage summaries sorted by property information such as type, location, number of units, etc.
 - Ability to set sewer rates based on water usage (rather than current flat sewer rate)
 - Ability to calculate late charges from a penalty due date
 - Automatic posting of payments from lock box at bank; the bank captures this data on an IBM microcomputer; this data must be automatically loaded into UB system and posted appropriately (see notes under special conversions below)
 - Posting of payments that are paid directly (rather than from lock box)
 - Ability to list delinquent accounts
 - Ability to list various activities by date range
 - Ability to bill large accounts monthly rather than quarterly
 - Ability to print special messages on utility bills
 - Ability to run and re-run any reports upon demand
- (See reporting requirements listed above)

Notes: FULL INQUIRY CAPABILITY BY METER NUMBER, ACCOUNT NUMBER, SERVICE LOCATION OR PART OF, OWNER NAME OR PART OF, RESIDENT NAME OR PART OF. IBM MICROCOMPUTER CAN BE USED AS A TERMINAL TO THE NEW SYSTEM AND DATA CAN BE ENTERED DIRECTLY INTO THE SYSTEM.

ADDENDUM TO EDEN SYSTEMS INC.
LICENSING AGREEMENT WITH THE CITY OF MAPLEWOOD
REGARDING FINANCE DEPARTMENT SOFTWARE

It is hereby agreed that the above software will be modified as indicated in the attached for a cost not to exceed \$1,320.

Also, it is further agreed that the Financial Accounting and Payroll software will be modified at no cost as needed to provide the capabilities as indicated in the Eden Systems Inc. proposal dated 10-16-86 (excerpts attached).

III. Accounts Receivable

The accounts receivable package is currently being used in several sites for ambulance billing. The "date opened" field is the date the account was opened. It is for informational purposes only. Each transaction is stored separately with its own billing date (service date) and a detail of the charges. When past due reports, aging reports or penalties are generated, each individual transaction is processed depending on its billing date and amounts still outstanding.

There are two separate methods used to print messages on the bills. One message is entered at the time the bills are being printed. This message would contain general information and would print on every bill generated during that run. Another message can be entered for an account at the time the charges are being posted. This message allows you to print a detailed explanation of the current charges on that one accounts bill. It does not print for any other account.

The bill print program can be modified to fit your existing format for the ambulance bill. We can also modify the delinquent notice program to fit your needs.

We could modify the bill print program to fit the statements printed for developer accounts. It would be preferable if you used the same form as the ambulance bill, but we could develop a second format for you.

The estimate for modifications is as follows:

Ambulance bill print program	- 8 HRS
Ambulance delinquent notice	- 6 HRS
Developer account bill print program	- 8 HRS

All modifications are billed at the hourly rate specified in the contract.

EDEN SYSTEMS

Governmental Data Processing

Reporting: Regular and exceptional reports will be required from most or all of these files.

Security: Vendors must specify the nature and levels security provided by their proposed system.

 Deputy Registrar functions

- Motor vehicle registrations (33,000/year)
- Automatic daily and other regular reports
- Sticker inventory
- Computer link to state DMV for license checks and OK's
- DNR registrations (snowmobiles, boats, ORV's/ATV's, etc.)
- Automatic regular reports
- Sticker inventory

(See reporting requirements listed above)

Notes:

EDEN SYSTEMS INC. WILL DEVELOP SOFTWARE TO SATISFY ALL ASPECTS OF THIS PORTION OF THE SYSTEM. HOWEVER, WE RECOMMEND THAT THIS PORTION OF THE SYSTEM BE DEVELOPED OUTSIDE THE SCOPE OF THIS PROJECT. WE DO NOT INCLUDE ANY QUOTATION FOR THIS PACKAGE DUE TO THE SHORTNESS OF TIME AND INABILITY TO OBTAIN A COMPLETE AND COMPREHENSIVE REQUIREMENT DEFINITION.

 X Financial/Accounting (200 funds)

- X Ability to track revenues and expenditures by fund, department, division, account, and program code
- X Journal entries via transaction code, with automatic updates of revenue and expenditure controlling accounts
- X Encumbrances via transaction code; with automatic encumbrances if Accounts Payable
- X Automatic annual financial report, linked to comprehensive financial report
- X Automatic year-end closing entries
- X Automatic carry-forward of year-end general ledger balance
- X Ability to code receipt and disbursement transactions directly to general ledger account
- X Budget changes via transaction code

(See reporting requirements listed above)

Notes:

EDEN SYSTEMS INC. HAS WORKED CLOSELY WITH THE WASHINGTON STATE AUDITOR'S OFFICE, RECENTLY AWARDED THE NATIONAL GFOA RECOGNITION FOR "ACCOUNTING AND REPORTING EXCELLENCE". THIS WAS RECEIVED IN LOS ANGELES IN JULY, 1986. EDEN SYSTEMS INC. DID MOST OF THE PILOTING OF THAT ACCOUNTING SYSTEM FOR THE WASHINGTON STATE AUDITOR'S OFFICE.

X **Audit Trial Balance**

- X Lists all general ledger accounts
 - X Lists all revenue and expenditure accounts with subtotals by category
 - X Lists prior year actual amounts, current year budget amounts, current year-to-date debits and credits, current year balance
 - X Printout provides space for manual entry of debit and credit adjustments prior to next update
 - X Printout allows space for manual entry of adjusted final balance prior to next update
 - X Can be rerun an unlimited number of times
 - X Lists expenditure accounts with division totals
 - X Allows optional listing by program code
- (See reporting requirements listed above)

Notes:

THE AUDIT TRAIL IN THIS SYSTEM WAS DESIGNED AND MONITORED BY MUNICIPAL AUDITORS AS IT WAS DEVELOPED.

X **Budgeting**

- X Expenditure worksheets automatically generated listing actual expenditures for previous two years, current year budgeted, year-to-date actual and re-estimate, and space for next year's request (i.e. department request, Manager recommendation, and adopted budget figure)
 - X Including capital improvement requests and expenditures (see additional detail under community development section)
 - X Ability to produce summary reports by account category, department, fund, and total budget
 - X Posting of adopted budget amounts to accounting system
 - X Revenue worksheets automatically generated, listing previous two-year actual, current year budget, current year re-estimate, next year's proposed, and next year's adopted budget
 - X Budget worksheets showing changes in fund balances/retained earnings
 - X Ability for each department to make entries to departmental budget worksheets
 - X Ability to produce analytical reports showing percent change by account and by category
- (See reporting requirements listed above)

Notes:

THE CUSTOMER CAN BE OPERATING AND CONTROLLING TWO FULL YEARS (25 ACCOUNTING PERIODS) WHILE PERFORMING BUDGET PREPARATION FUNCTIONS AT THE SAME TIME. FULL INQUIRY CAPABILITY INTO ANY OR ALL OF THE ACCOUNTING PERIODS.

X Payroll (300 employees, including seasonals; 3-4000 checks per year)

- X Ability to set up special parameters for each payroll period (such as starting and ending dates, check number, etc.)
- X Automatic posting of payroll expenses to financial system
- X Revision of tax tables by user
- X Ability to subtract health maintenance organization (HMO) deductions from gross pay prior to calculation of federal, state, and FICA taxes
- X Ability to handle PERA payroll deductions which are exempt from federal and state taxes
- X Employee master file; sortable
- X At least 15 voluntary deduction fields
- X Standard deduction fields, including federal withholding tax, state withholding tax, PERA, FICA, deferred compensation, union dues (at three different amounts), credit union, and mandatory medicare
- X Regular reports documenting deductions
- X Ability to review and correct time card entries before calculating payroll
- X Check stub detail:
 - X For vacation, sick leave, personal holiday, comp worked, comp taken, training hours: ability to print current used, year-to-date used, and accrued current and year-to-date balances
 - X Ability to specify a special payment amount for certain employees; included in employee master file and listed under current pay breakdown on check stub
 - X Ability to specify a lump sum special payment for certain employees, reflected as a change to the employee's bi-weekly pay; amount to be listed under current pay breakdown on check stub
 - X Ability to select printing of payroll deductions only if some amount is in current or year-to-date fields
 - X Including recap section, listing current and year-to-date information for gross pay, minus total deductions, equaling net pay
- X Calculation and printout of current period payroll register
- X Accrual rate for vacation and sick leave according to hours worked
- X Automatic updating and accumulating of payroll data to employee master file
- X Printing of payroll checks
- X Printing of payroll distribution and transfer of distribution information to budgetary account system, including totals for each division and account
- Ability to calculate and print bi-weekly, quarterly, and year-to-date information on any report
- X Calculation and printing of W-2 forms
- X Calculation and printing of benefit accrual summary, including: current and year-to-date usage, balances, vacation, sick leave, personal holidays, holidays, comp worked, comp taken, and training time
- X Calculation and printing of PERA reports

- Quarterly and year-end resets
 - Regular printout of payroll check register
 - Calculation and printout of quarterly FICA earnings
 - Calculation and printout of quarterly wage detail (for MN Department of Economic Security)
 - Ability to alter tax tables as required
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- Accounts Payable (approx. 2,000 vendor accts, including 1-time accts)**
 - A/P list for Council approval, with account number automatically tied to explanation/name of account.
 - Register list including pre-printed check number
 - Account codes printed on check
 - Computer-generated regular and special checks
 - Credits and debits as separate functions
 - Vendor list including detail such as check number, account number, date, amount, purpose, entity type for preparation of 1099 forms, etc.
 - Automatic bank statement reconciliation
 - A/P proof report to verify data before checks are printed
 - Ability to print vendor report sorted by specified field, including entity type
- (See reporting requirements listed above)

Notes:

- Accounts Receivable (10,000 receipts/year)**
 - Billing system that will accommodate special detailed billings such as for ambulance runs, licenses, developer billings, and special invoices (address and/or property identification number, name, date, cost, type of account, payment status, etc.)
 - Receipts journal showing receipt number, payor, reference number, amount, account coding, date, etc.
 - Allowing debit entries
- (See reporting requirements listed above)

Notes:

- Fixed Assets:** including data on acquisition date and cost, current and accumulated depreciation, unrecovered costs, description, quantity, account coding, department, location code, fund code, asset number, and source of funding; see reporting requirements listed above

Notes:

FIXED ASSETS AUTOMATICALLY INTERFACE TO THE FLEET MANAGEMENT AND GENERAL LEDGER SYSTEMS.

X Investment accounting tracking

X Automatic calculation and accrual of investment interest

X Allocation and posting of investment interest to funds based on average cash balance

X Tracking and printouts of investment portfolio showing depository, investment description, maturity, coupon rate, yield, and date purchased

X Summary information including average maturity, average yield, etc.

X Monthly tracking of investment activity

(See reporting requirements listed above)

Notes: THE SYSTEM IS CURRENTLY BEING MODIFIED TO PERFORM THE AUTOMATIC CALCULATION AND ACCRUAL OF INVESTMENT INTEREST, THE ALLOCATION OF INVESTMENT INTEREST TO FUNDS BASED ON AVERAGE CASH BALANCE. THE SYSTEM IS ALSO BEING MODIFIED TO AUTOMATICALLY RECONCILE THE INTEREST CALCULATION AGAINST THE DIFFERING METHODS OF INTEREST CALCULATION WHICH VARIES FROM INVESTMENT FIRM TO INVESTMENT FIRM.

MEMORANDUM

Action by Council:

TO: Acting City Manager
FROM: Associate Planner--Johnson
SUBJECT: Subdivision Code Amendment
Smaller Single-Dwelling Lots
DATE: April 1, 1987

Endorsed _____
Modified _____
Rejected _____
Date _____

SUMMARY

Request

Amend the subdivision ordinance to establish the minimum lot widths for smaller single-dwelling lots that were previously adopted in the zoning ordinance--60 feet for interior lots and 85 feet for corner lots.

Reasons for the Request

1. Gerald Mogren and Richard Schreier have proposed a small-lot single-dwelling development on Lydia Avenue, east of Ariel Street (see page 6). The plat is consistent with the land use plan and with the zoning code requirements for small-lot single-dwelling developments. The problem is that the subdivision regulations were not amended at the time of the 1985 zoning amendment to set standards for the creation of new small-lot single-dwelling lots. (The zoning code applies to existing lots and the subdivision code to the creation of lots.)
2. Three developments which contained small-lot single-dwelling lots were approved in 1986 (see pages 7 - 9). However, each was dealt with through a planned unit development (PUD) because they contained at least five acres of land. Through the PUD process, council was able to vary from the subdivision code's 75-foot minimum width requirement for single-dwelling lots. Mr. Mogren's site has less than five acres of land and, therefore, does not qualify for a PUD.

Comments

This inconsistency should be corrected. There is no reason to discourage parcels with less than five acres in area and planned for RM, residential medium density use, from development with small-lot single dwellings. In many uses, small-lot single dwellings would provide a more desirable land use transition to standard-sized single-dwelling properties than would townhouses or double dwellings. This is the case with Cave's English Street Additions, (pages 8 & 9). Each of these developments contains 60-foot-wide lots located across the street from the long side of standard-sized single-dwelling corner lots--the same situation that would exist with Mr. Mogren's Lynnwood Terrace development.

Each small-lot single-dwelling development is also subject to community design review board approval. The unattractive "row-house" look of the same similar dwelling facades is prohibited.

Recommendation

Approve the ordinance amendment on page 15 to amend the subdivision code to conform with the minimum lot width requirements for small-lot single dwellings in the zoning code of 60 and 85 feet for interior and corner lots, respectively.

BACKGROUND

Past Actions

1. City Code:

12-9-85: Council amended the zoning code (Section 36-88) to reduce the minimum width requirement for small-lot single dwellings from 75 to 60 feet for interior lots and 100 feet to 85 feet for corner lots.

The staff report contained the following reasons for this amendment:

- a. Consistency with the land use plan policy to "encourage a planned approach to housing areas by providing a variety of lot sizes and housing densities which compliment the area's land use plan and desired dwelling types."
- b. "Requiring 75-foot of width for small-lot single dwellings discourages this type of development. The less attractive market appeal of a shallow, 100-foot deep lot (100 x 75 = 7,500) eliminates or significantly reduces any cost advantage that could be gained by developing 7,500 square-foot lots." Ken Gervais of Castle Design and Development stated that 75- x 100-foot lots cannot, on average, be sold for more than a 60- x 120-foot lot, even though the 75-foot wide lot costs at least \$1,800 more to improve with street utilities, assuming the land and financing costs are the same.

7-5-79: Council amended the R-2, double-dwelling district to permit 75-foot wide 7,500 square-foot lots. (Comment: No subdivisions were proposed with 75-foot wide, 7,500 square-foot lots.)

2. Subdivisions:

In 1986, council approved three subdivisions that included small-lot single-dwelling parcels. In each case, the plats were part of planned unit developments, (PUD)-tracts with at least five acres of land before subdividing. The use of a PUD allowed each of these developments to proceed without specific rules in the subdivision code for small-lot single-dwelling parcels. The three developments are as follows:

- a. 12-8-86: Cave's Barclay Addition (see page 7).
- b. 8-26-86: Cave's English Street 2nd Addition (see page 8).
- c. 4-4-86: Cave's Egnlish Street Addition (see page 9).

Planning

1. Policy criteria from the plan:

a. Page 18-30: The RM, residential medium density classification is designed for such housing types as single dwellings on smaller lots, double dwellings, town houses and mobile homes.

b. Page 12-5: An objective of the comprehensive plan is that the city encourage a variety of housing types and styles and shall be flexible and remain open to development requests which are in accordance with this objective.

2. City code (R-2, double dwelling district):

a. Section 36-88 (b) states "no single-family dwelling shall be built or structurally altered in an R-2 residence district on a site less than seven thousand five hundred (7,500) square feet in area."

b. Section 36-88 (c)(1) states " the minimum lot width in an R-2 residence district for single dwellings shall be sixty (60) feet for interior lots and eighty-five (85) feet for corner lots . . . "

c. Section 25-67 gives the CDRB power to:

(1) Determine whether or not single-family dwellings in residential subdivisions containing seven thousand five hundred (7,500) square foot lots are similar in exterior design and appearance for the purposes of subsection (b) of this section.

(2) In all residential subdivisions allowing and containing seven thousand five hundred (7,500) square foot lots (see Section 36-88 [b]), single-family dwellings having a similar exterior design and appearance shall be located at least five hundred (500) feet from each other.

(3) Dwellings shall be considered similar in exterior design and appearance for the purposes of this section, if they have one or more of the following characteristics:

(a) The same basic dimensions and floor plans are used without substantial differentiation of one or more exterior elevations.

(b) The same basic dimensions and floor plans are used without substantial change in orientation of the houses on the lots.

(c) The appearance and arrangement of the windows and other openings in the front elevation, including the appearance and arrangement of the porch or garage, are not substantially different from adjoining dwellings.

(d) The type and kind of materials used in the front elevation is substantially the same in design and appearance as adjoining dwellings.

3. Housing and Redevelopment Authority (HRA):

On November 11, 1985 the HRA recommended approval of reducing the minimum lot width for single-dwelling lots in an R-2, double-dwelling district from 75 feet to 60 feet.

Developer Comments

Several Maplewood developers submitted letters in support of the original proposal to allow 60-foot-wide single-dwelling lots in R-2, double-dwelling districts. Their letters are attached on pages . Each developer continues to support the need for this code.

Procedure

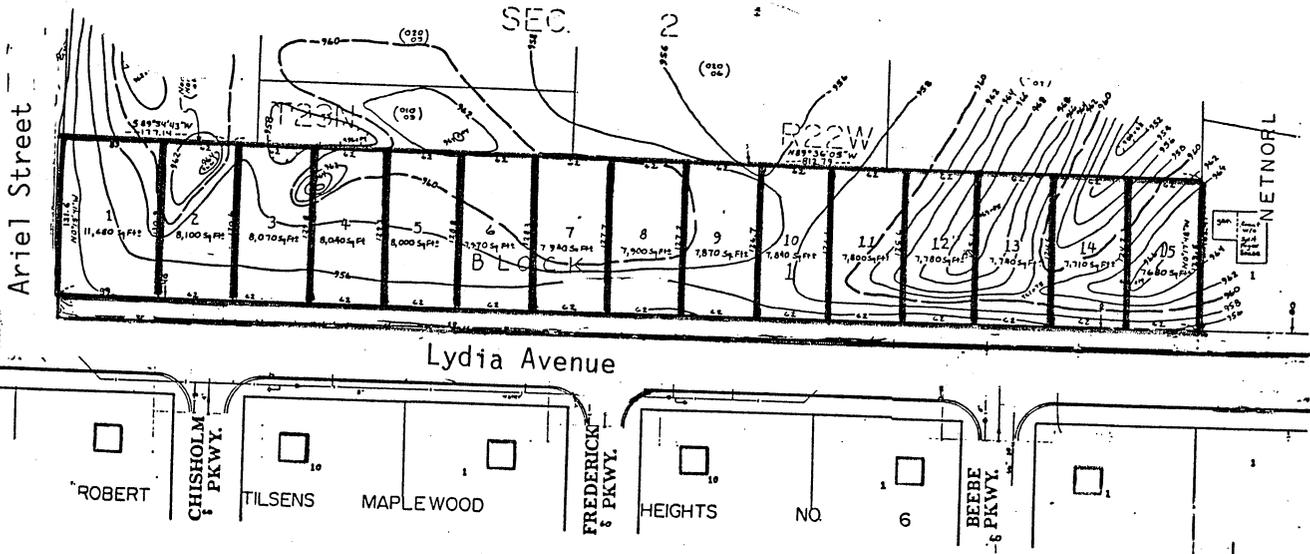
1. Planning Commission
2. City Council first reading following a public hearing and seconding and adoption

jw

Attachments

1. Lynnwood Terrace Preliminary Plat
2. Cave's Barclay Addition Final Plat
3. Cave's English Street 2nd Addition Final Plat
4. Cave's English Street Addition Final Plat
- 5-8. Developer Letters of Support
9. Resolution

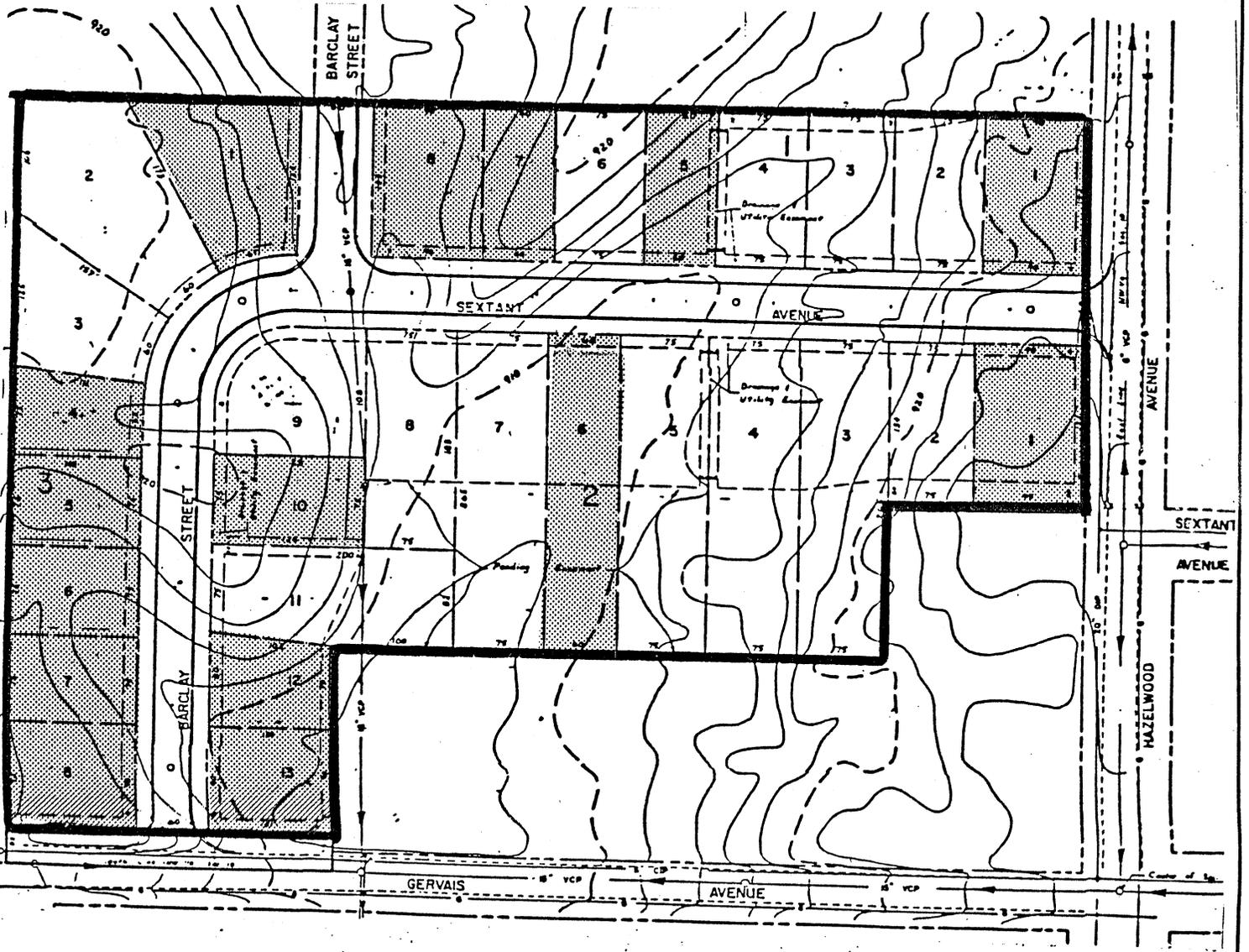
Proposed Salvation Army Church



Proposed Lynnwood Terrace Preliminary Plat

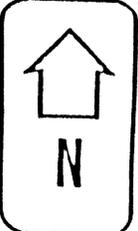
Attachment 1

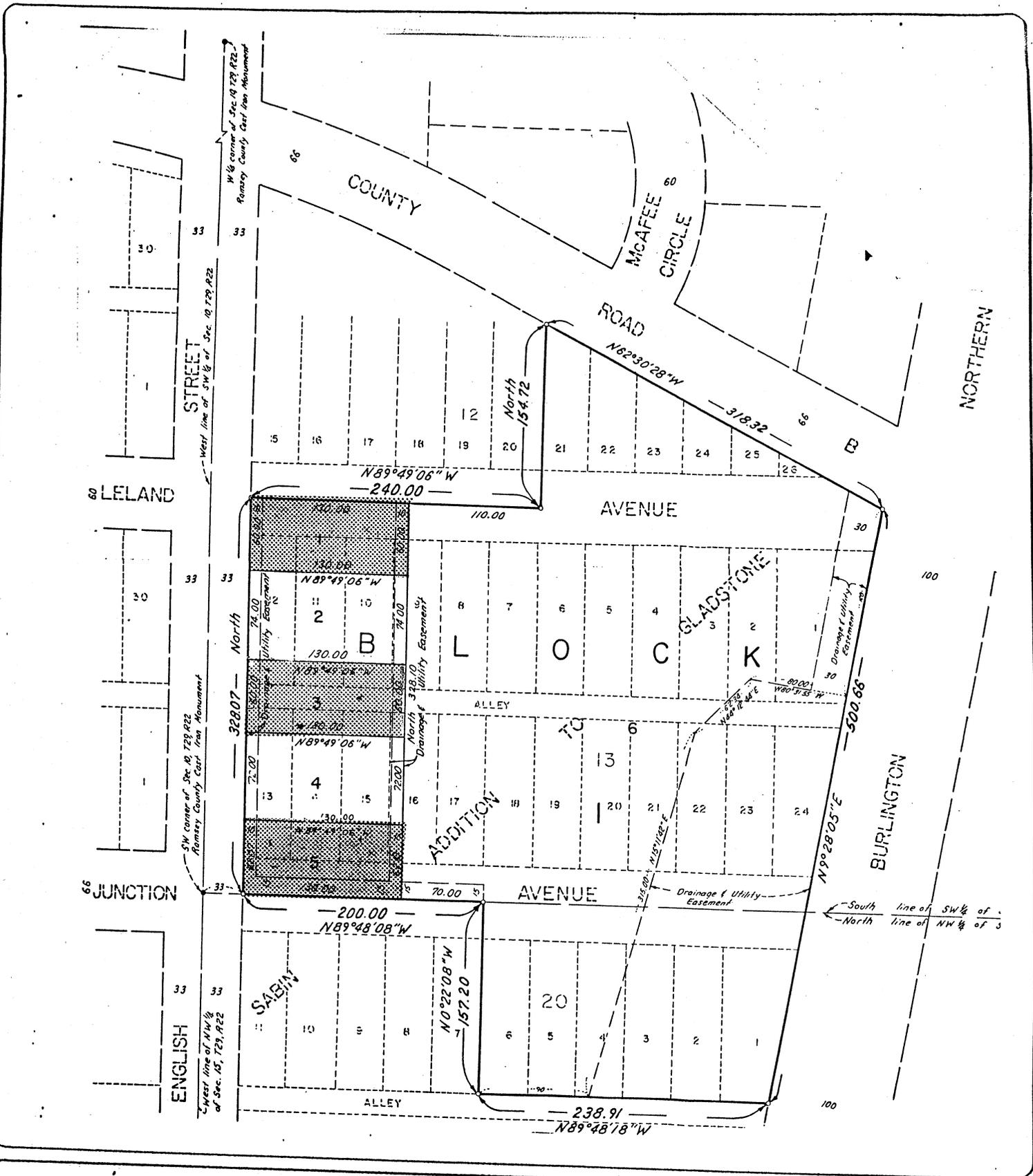




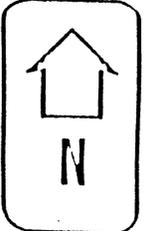
 Small-Lot Single-Dwelling Parcels

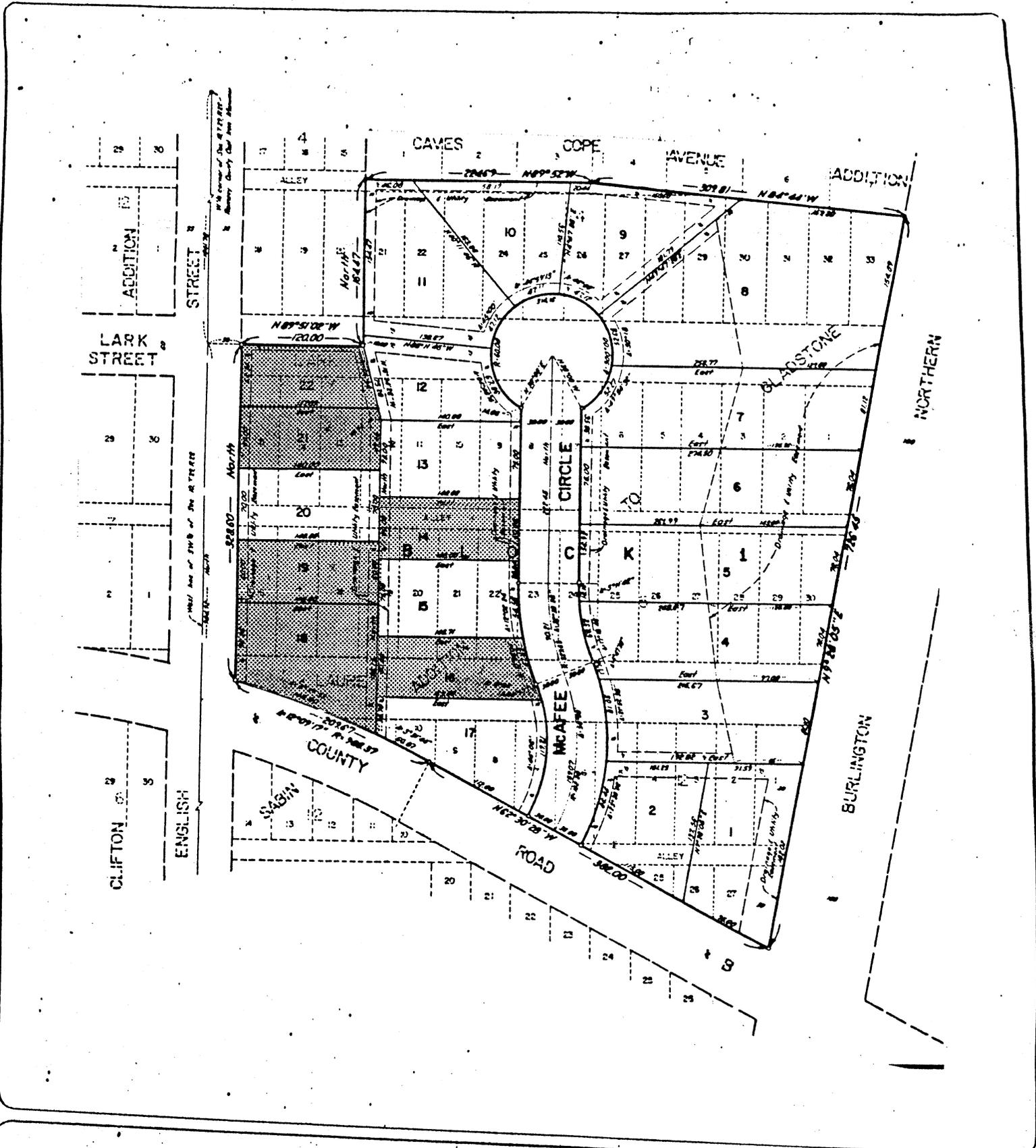
CAVES BARCLAY ADDITION
 (Final Plat - 12-8-86)





CAVE'S ENGLISH STREET SECOND ADDITION
 (Final Plat - 8-25-86)

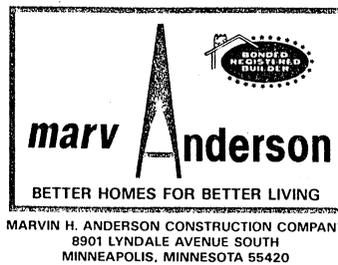




CAVES ENGLISH STREET ADDITION

(Final Plat - 4-4-86)





June 13, 1985

Mayor John Greavu
 c/o Mr. Randy Johnson
 City of Maplewood
 1902 East County Road B
 Maplewood, MN 55109

Dear Mayor Greavu:

It is my understanding that the city of Maplewood will be considering a proposed ordinance to allow in a R-1 zoning area 60 foot lots. We are very delighted the city is taking this step forward. It will allow another small portion of the buying market the capability to purchase a new home with less lot costs and future maintenance costs due to a smaller lot.

We must keep in mind that this considered change, at least in our case, will not reduce the quality of housing, only changing the placement of a home on a smaller lot and also the style of the home.

Enclosed is a copy of the development plan which we submitted to the city of Bloomington in 1984. This plan area was originally platted with eight large lots for twin homes. We felt the market was soft in twin homes and presented our proposal to the city of Bloomington to plat 13 single family lots which have an average of 60 foot at the building line. Some of the lots were presold with a specific home requiring some additional footage. This gave us a little more flexibility of many home styles for each lot.

In no case was a garage side yard setback and an adjacent home living area to be closer than 15 feet. A living area side yard and an adjacent living area to be no closer than 20 feet. In the case of two garages being on the same common side yard, the distance was to be no closer than 15 feet. If the first garage was 5 feet from the side lot line, the adjacent garage would have to be 10 feet from the line. This type of reasoning allows assurance of some open space feeling between structures.

The city of Bloomington accepted our proposed preliminary plat and we have almost completed construction of all the homes. The owners are very delighted with the quality of the homes. They have no reservations about the size of their lots. They have told me that yard care is at a minimum, allowing them freedom for other activities.

If you would note on the enclosed preliminary plat, the lots directly across the street to the south have frontages from 80 foot minimum up to 95 foot. These homeowners had no objection to this plan.

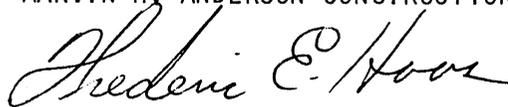
Major John Greavu
June 13, 1985
Page 2

At a later date, I will furnish you photos of the homes that were constructed on 60 foot lots.

We thank the city staff, planning commission and council members on their consideration of this proposed ordinance. It is a step forward in recognizing the needs for housing for new families.

Sincerely,

MARVIN H. ANDERSON CONSTRUCTION CO.



Frederic E. Haas
Vice Pres. Land Development

FEH:lw
enc.



TILSEN HOMES INC.

Suburban Developments

Residential Construction

Land Developers

June 12, 1985

Honorable John Greavu
1380 Frost Avenue
Maplewood, Minnesota 55109

Dear Mayor;

We understand the city is considering a zoning ordinance change to allow detached single family housing on smaller lots, including 60' wide lots and zero lot line plats. We feel this would be a useful change in the code and that we would look seriously at utilizing them. "Patio Homes" and other smaller lot developments have been successful and have provided a good environment for homeowners both in the Twin Cities and across the country. Properly planned, these can be an improvement over townhomes and condominiums of similar density. We hope the City of Maplewood will make these alternatives available.

Yours truly;

James A. Tilsen
Tilsen Homes, Inc.

JAT:jh

Builders of

tilsenbilt HOMES

Attachment 6



GOOD VALUE HOMES

June 4, 1985

Mr. Randy Johnson
Associate Planner
City of Maplewood
1902 E. County Road B
Maplewood, Minnesota 55109

RE: 60 foot wide lots in the City of Maplewood

Dear Mr. Johnson:

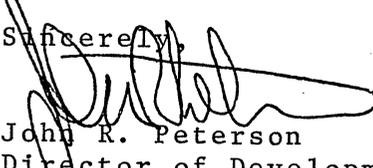
I appreciated your request for comments regarding changing the ordinance regarding lot widths in the City of Maplewood. I don't pretend to speak for the entire development community but can comment on our companies experience with narrow lots.

We have not used the zero lot line single-family detached house arrangement. We have built homes on narrower lots, but only in subdivisions which have a variety of lot widths. That is, we have developed single-family detached homes subdivisions that have lots ranging from 60 to 70 feet wide. This range of widths has given us the flexibility to build several style homes with conventional setbacks. Our company would make use of the 60 foot lot widths, however, we almost certainly would not have an entire subdivision with lots 60 feet wide.

One of the other issues that you mentioned was regarding sideyard setbacks. The idea of having 15 feet of total sideyard setback to be divided up by the developer makes a great deal of sense to me. My understanding that provision would allow, for example, 7½ feet of setback on each side, under no case, less than 5 feet. I think this kind of flexibility would greatly benefit home builders and developers.

I appreciate the opportunity to comment on your Proposals in your city.

Sincerely,


John R. Peterson
Director of Development

Attachment 7

JRP:sd

13

Goff Construction

1278 E. County Rd. C
Maplewood, Minn. 55109
612-484-2566

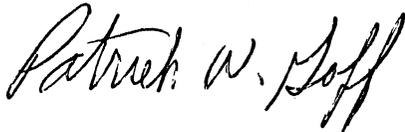
June 10, 1985

City of Maplewood
1902 East County Road B
Maplewood, Minnesota 55109

To Whom It May Concern,

The idea of 60' wide lots with zero lot line side yard set back has worked in other nearby communities and it can work in Maplewood. It should be done in a multiple zoned area. It should not be done as a substitute to the existing R1 requirements.

Sincerely,



Patrick W. Goff
Goff Homes

ORDINANCE NO.

AN ORDINANCE ESTABLISHING MINIMUM LOT WIDTHS
FOR SMALL-LOT, SINGLE DWELLINGS

Section 1. Sec. 30-8 (f) is amended to read as follows (language underlined is to be added and language crossed out is to be deleted):

(1) ~~Single-family generally.~~ Lot dimensions in F and R-1 zones. The minimum lot dimensions in ~~subdivisions designated for single-family detached dwelling developments to~~ subdivide in an F or R-1 zone shall be:

a. Interior lots.

a.1. Seventy-five (75) feet wide at the established building setback line; ~~and on outside street curvatures;~~

b.2. Not less than sixty (60) feet at the front lot line, except that lots located along the outside curves of curvilinear streets or on the bulbs of culs-de-sac shall be no less than forty (40) feet in width at the front lot line; and

e.3. Not less than ten thousand (10,000) square feet in area. and

~~d. Not less than seven thousand five hundred (7,500) square feet in area if designated as RM, medium density residential on the city land use plan.~~

b. Corner lots.

~~(2) Single-family corner. The minimum corner lot dimensions for single-family detached dwelling developments where permitted under the zoning ordinance shall be:~~

a.1. One hundred (100) feet wide at the established building setback line; and

~~b. Not less than one hundred (100) feet in depth; and~~

e.2. Not less than ten thousand (10,000) square feet in area.

(2) Lot dimensions in R-2 zones. The minimum lot dimensions to subdivide in an R-2 zone shall be:

a. Interior lots.

1. Sixty feet (60) wide at the established building setback line and front lot line;
2. Not less than forty feet (40) of width at the front lot line on the bulb of a cul-de-sac or the outside curve of a street; and
3. Not less than seven thousand five hundred (7,500) square feet in area.

b. Corner lots.

1. Eighty-five (85) feet wide at the established building setback line; and
2. Not less than seven thousand five hundred (7,500) square feet of area.

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

Passed by the Maplewood
City Council on
1987.

Mayor

Attest:

City Clerk

Ayes--
Nays--

c. Constructing a street and underground utilities over a pipeline is difficult and hazardous. It is hazardous during construction because of the potential for rupturing the pipeline. It is hazardous after construction because of the potential for a leak to enter the storm sewer or flow along the street, as happened in Moundsvlew.

2. Approval of Phase I of the Highwood Estates preliminary plat (plans subject to the following conditions being completed before final plat approval:

a. Only the lots that drain to Highwood Avenue shall be platted in Phase I.

b. The drainage easement between O'Day Street and McClelland Street shall be one foot above the 100-year storm design. All adjacent lots shall have at least 10,000 square feet outside the easement.

c. Submittal of a developer's agreement, with required surety, for all public improvements, including:

(1) Temporary cul-de-sacs for proposed O'Day Street, McClelland Street, and Ferndale Street.

(2) Construction of storm sewer from proposed O'Day, McClelland, and Ferndale Streets to the pond proposed between O'Day Street and McClelland Street.

d. Submission of 100-foot diameter easements for the three temporary cul-de-sacs.

e. Final grading, utility, erosion control, and drainage plans shall be approved by the city engineer. The grading plan shall show the depth and location of Williams Brothers' Pipeline.

3. Adopt the resolution rezoning Phase I from F, farm, to R-1, single dwelling.

Commissioner Hanson seconded

Ayes--Axdahl, Barrett, Cardinal, Fiola, Fischer, Hanson, Sletten, Whitcomb

D. Code Amendment: Smaller Lots-Frontages

Secretary Olson explained the request.

Commissioner Fischer moved approval of the ordinance amendment to amend the subdivision code to conform with the minimum lot width requirements for small-lot single dwellings in the zoning code of 60 and 85 feet for interior and corner lots, respectively.

Commissioner Hanson seconded

Ayes--Barrett, Cardinal, Fiola, Fischer, Hanson, Sletten, Whitcomb

Nayes--Axdahl

MEMORANDUM

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: Acting City Manager
FROM: Associate Planner--Johnson
SUBJECT: Rezoning and Preliminary Plat
LOCATION: Lydia Avenue, East of Ariel Street
APPLICANT/OWNER: Gerald Mogren and Richard Schreier
PROJECT: Lynnwood Terrace
DATE: April 1, 1987

SUMMARY

Request

Approve a rezoning from F, farm residence to R-2, double dwelling and a preliminary plat to create fifteen small-lot single-dwelling properties.

Proposed Homes

Refer to the drawings on pages 13 - 16 for typical designs of the proposed houses. Woodlynn Homes is proposed to be the builder. These houses should range in price between \$85,000 and \$100,000. They have a similar development under construction on Eldridge Avenue at 3rd Street in North St. Paul.

Area Property Owners:

Fifty property owners within 350 feet of the plat were surveyed; twenty-five responded, fifteen were opposed, two had no comment, and eight were in favor.

Those opposed to this project gave the following reasons:

- 1. The lots are too narrow. They should be the same size as the others in the area.

Staff reply: This property has been designated RM, residential medium density since the first city land use plan was adopted in 1973. This designation allows for multiple dwellings and smaller-lot single dwellings.

- 2. Multiple dwellings would be preferred to small-lot single dwellings.

Staff reply: There are mixed feelings on this issue. The property owners to the north prefer multiple dwellings so that a future rezoning of their land for multiple-dwelling use will not be jeopardized. If single dwellings are approved, they want their property zoned for multiple dwellings now, so future single-dwelling owners cannot object. Some residents prefer multiple dwellings because there would be more open space and the design would be more attractive. Other residents feel that smaller-lot single dwellings would be more compatible in design and scale with the surrounding homes.

3. The houses would be cheaper than we would like to see and would not fit with the neighborhood.

Staff reply: Each house must be approved by the community design review board. See the planning section for the requirements of approval. The neighbors will be invited.

4. Fifteen additional driveways will worsen the traffic congestion along Lydia Avenue. Limit drives to one for each two houses.

Staff reply: Lydia Avenue is a County road. Don Soler, the county highway engineer, states that the average daily traffic (ADT) is low enough, (about 3,000), that the proposed driveways will not be a problem. The ADT along McKnight Road in this area is 6,000+ and there are numerous driveways onto it.

5. This project will increase the current flooding problems on Lydia Avenue at Furness Street and Beebe Parkway.

Staff reply: The engineering department is investigating this problem to see if it is caused by a downstream blockage in the pipe, an undersized pipe or lack of upstream ponding. The recommended storm-water pond and pipe will help, by providing an overflow pond during flooding. There will, however, be additional run-off from lots 9-15. Whether the pond will compensate for the additional run-off, cannot be assured. As a result, plat approval should be contingent on the city engineer resolving this problem before final plat approval.

Of those in favor, several conditioned their approval on resolving the drainage problems on Lydia Avenue and making sure that the new houses are compatible in design with the existing homes.

Recommendation

1. Approve the resolution on page 17 to rezone this site from F, farm residence to R-2, double dwelling. Approval is on the basis of the four standard findings of approval in the resolution and the following:
 - a. Small-lot single dwellings would be more compatible in design and scale with surrounding development than multiple dwellings.
 - b. This rezoning is consistent with the city's comprehensive plan.
2. Approve the Lynnwood Terrace preliminary plat (plans dated 1-15-87), subject to the following conditions being met before final plat approval:
 - a. Reconciling the inconsistency in the north-south dimensions of the site between the preliminary plat, the county base map, and a certificate of survey completed by North Land Surveying Company on 3/4/87.

b. Show a storm water ponding easement on the plat in the vicinity of the north portion of Lot 14 or acquire a compensating easement on the property to the north and transfer it to the city. The location of either easement shall be approved by the city engineer. If an easement is shown on one or more of the proposed lots, these lots shall contain at least 7,500 square feet above the easement.

c. A twenty-foot-wide storm sewer easement shall be shown from the ponding easement to Lydia Avenue. The location shall be approved by the city engineer.

d. Final grading, drainage, erosion control and utility plans to be approved by the city engineer. If a compensating drainage easement is acquired to the north (Condition Two), the compensating easement must be graded. Filling of the north part of Lot 14 would then be allowed, but be subject to city engineer approval via the developer's agreement.

e. Submittal of a developer's agreement and surety for constructing separate water and sanitary sewer stubs to each lot.

f. Amending the subdivision ordinance to allow 60-foot wide lots in R-2 zones.

BACKGROUND

Site Description

Gross area: 3.7 acres
Existing land use: undeveloped

Surrounding-Land Uses

North: Four undeveloped parcels. The westerly parcel has been approved as part of the Salvation Army church site. The next lot to the east is a 56 x 264-foot land-locked parcel. It is not included in the church site or the proposed subdivision. The owner wants to sell it to the church or the applicant. Two two easterly lots are planned for RM, residential medium density use.

East: A single dwelling on an 88-foot wide lot.

South: Six single-dwelling corner lots, each with 135 feet of frontage on Lydia Avenue. Each dwelling fronts on a side street that intersects Lydia Avenue.

West: Ariel Street. Across the street is the back side of the Plaza 3000 shopping center.

Past Actions

12-9-85:

Council approved Cave's English Street Addition preliminary plat and planned unit development (map on page 11). This development includes an 85-foot wide corner and three 60-foot wide interior lots. There are conventional single dwellings across English Street.

4-28-86:

Council approved Cave's English Street 2nd Addition preliminary plat and planned unit development. It includes five small-lot single-dwelling properties. These lots ranged from 60 to 74 feet of width and front three R-1-zoned single dwellings.

Planning

1. Land use plan designation: RM, residential medium density
2. Zoning: present: F, farm residence
proposed: R-2, double dwelling
3. Net area: 2.8 acres
4. Permitted density: 22 people/net acre
5. Proposed density: 22 people/net acre

6. 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 18-30: The RM land use classification is designed for such housing types as single dwellings on small lots, double dwellings, town houses and mobile homes.

7. Compliance with land use laws:

a. Section 30-8 (f) (1) (d) of the platting code permits single-dwelling lots with "not less than 7,500 square feet in area if designated as RM, residential medium density on the city land use plan."

b. Section 36-90 states each single-dwelling lot with less than 75 feet of width shall have two side yards of not less than five feet of width, but a total side yard area of not less than 15 feet of width. Only ten feet of side yard area is required in standard single-dwelling subdivisions.

c. Section 30-8 (f) (7) states "lots abutting upon a water course, drainage way, channel or stream shall have additional depth or width, as required, to assure house sites that are not subject to flooding. Minimum lot areas shall not include drainage easements."

d. Section 36-485 requires four findings for approval of a rezoning. These findings are listed in the resolution on page 17.

e. Section 35-67 states:

"(a) The community design review board shall have the power to determine whether or not single-family dwellings in residential subdivisions containing seven thousand five hundred (7,500) square-foot lots are similar in exterior design and appearance for the purposes of subsection (b) of this section.

"(b) In all residential subdivisions allowing and containing seven thousand five hundred (7,500) square-foot lots, single-family dwellings having a similar exterior design and appearance shall be located at least five hundred (500) feet from each other.

"(c) Dwellings shall be considered similar in exterior design and appearance for the purposes of this section, if they have one or more of the following characteristics:

"(1) The same basis dimensions and floor plans are used without substantial differentiation of one or more exterior elevations.

"(2) The same basic dimensions and floor plans are used without substantial change in orientation of the houses on the lots.

"(3) The appearance and arrangement of the windows and other openings in the front elevation, including the appearance and arrangement of the porch or garage, are not substantially different from adjoining dwellings.

"(4) The type and kind of materials used in the front elevation is substantially the same in design and appearance as adjoining dwellings."

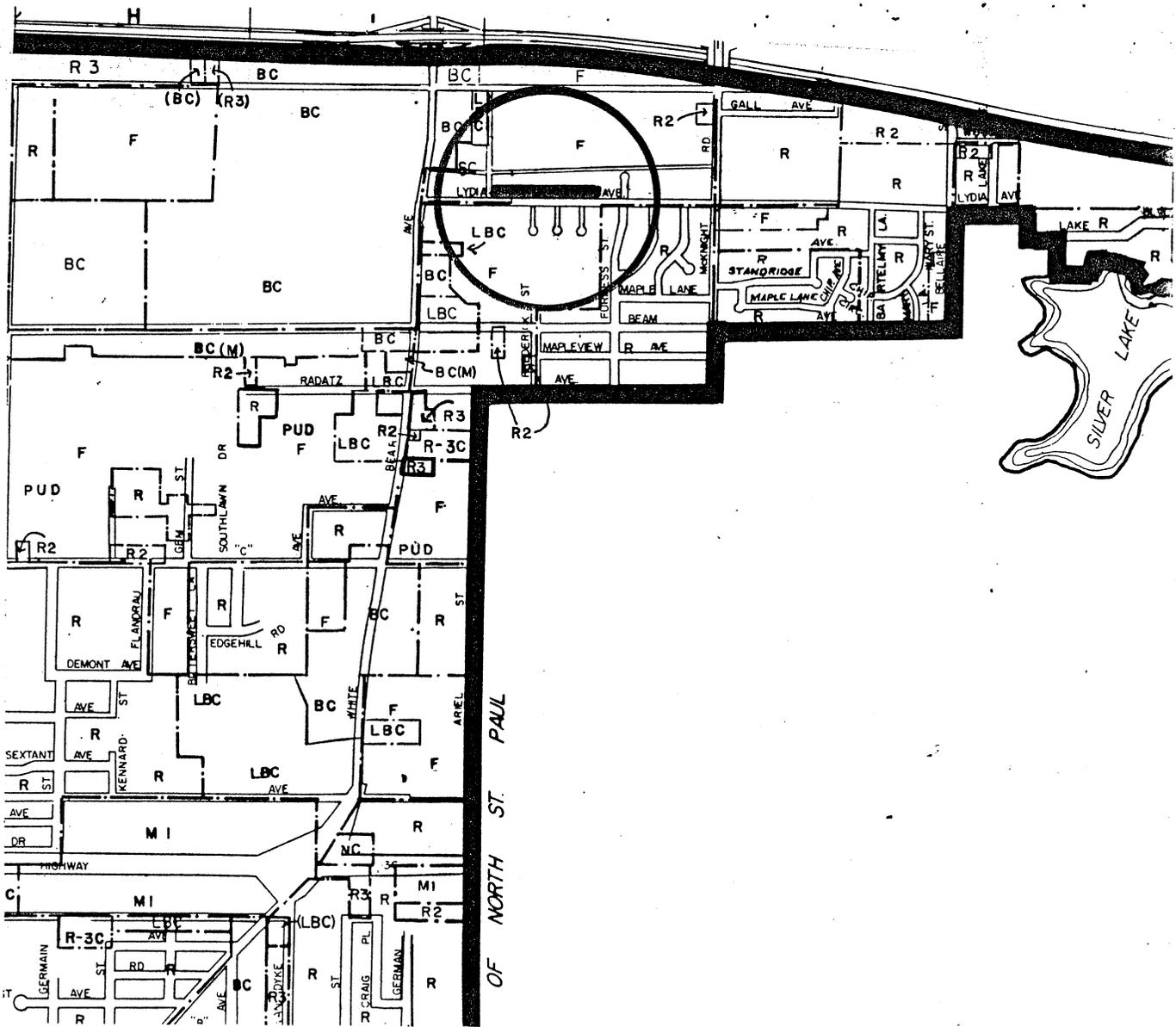
Procedure

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

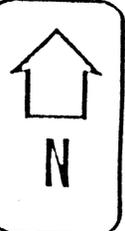
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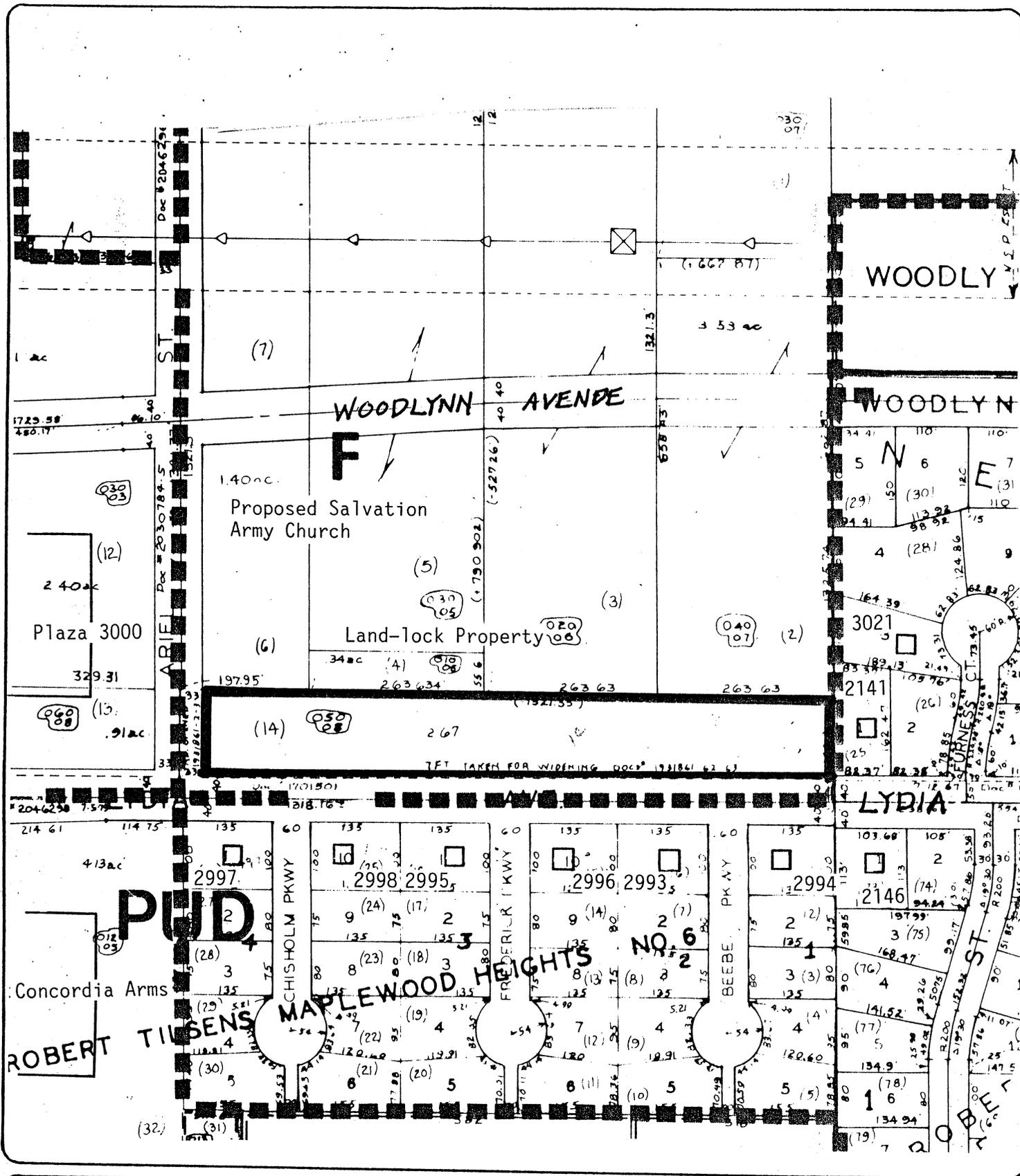
Attachments

1. Location Map
2. Property Line/Zoning Map
3. Neighborhood Land Use Plan
4. Preliminary Plat (8 1/2 x 11)
5. Cave's English Street Additions
6. Excerpt from drainage plan
- 7-10. Proposed house designs
11. Resolution
12. Preliminary Plat (separate attachment)

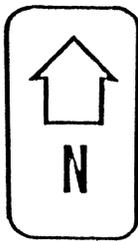


1. LOCATION MAP

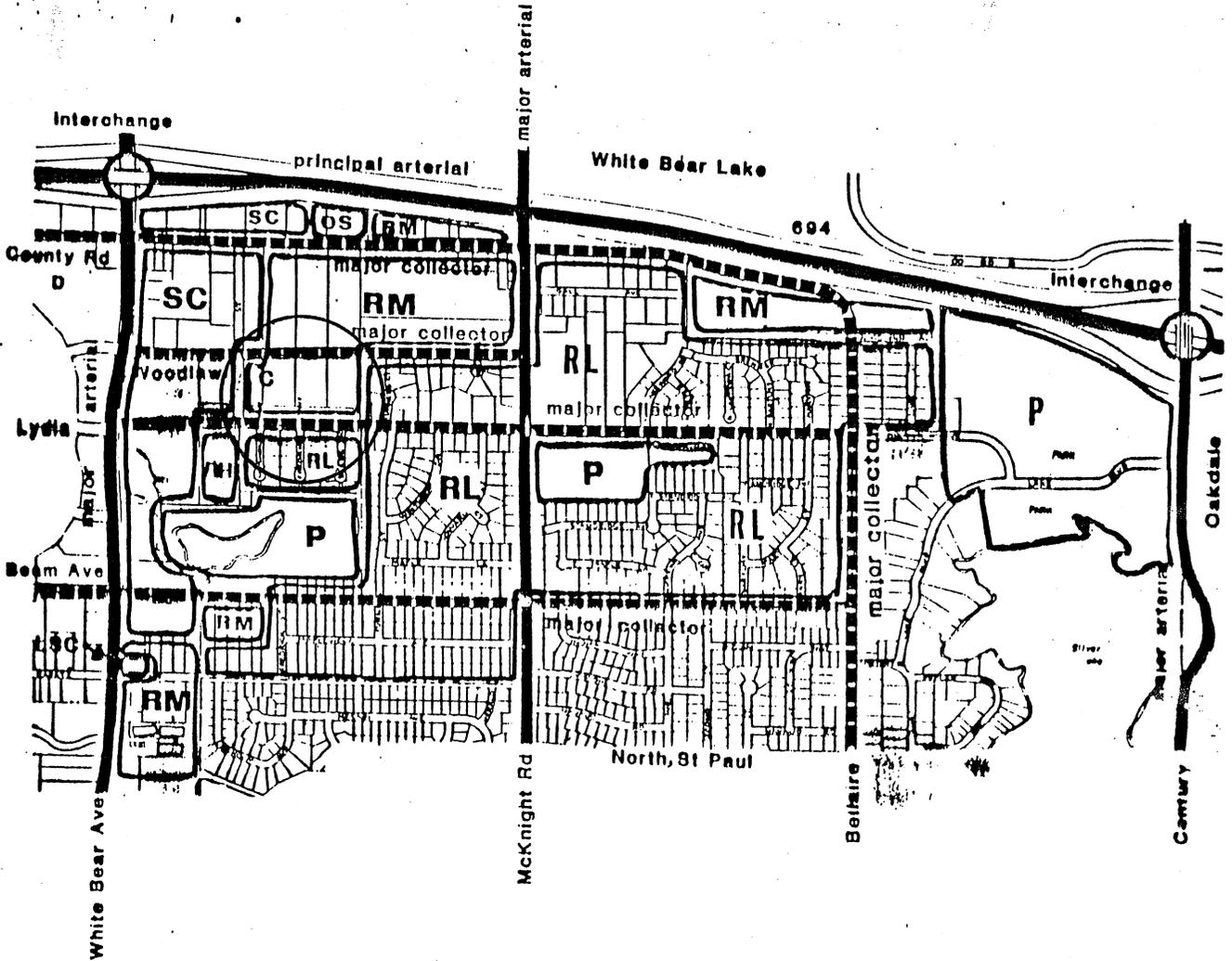




PROPERTY LINE / ZONING MAP



REVISED
7-21-86
12-30-86



MAPLEWOOD HEIGHTS NEIGHBORHOOD LAND USE PLAN

Attachment 3

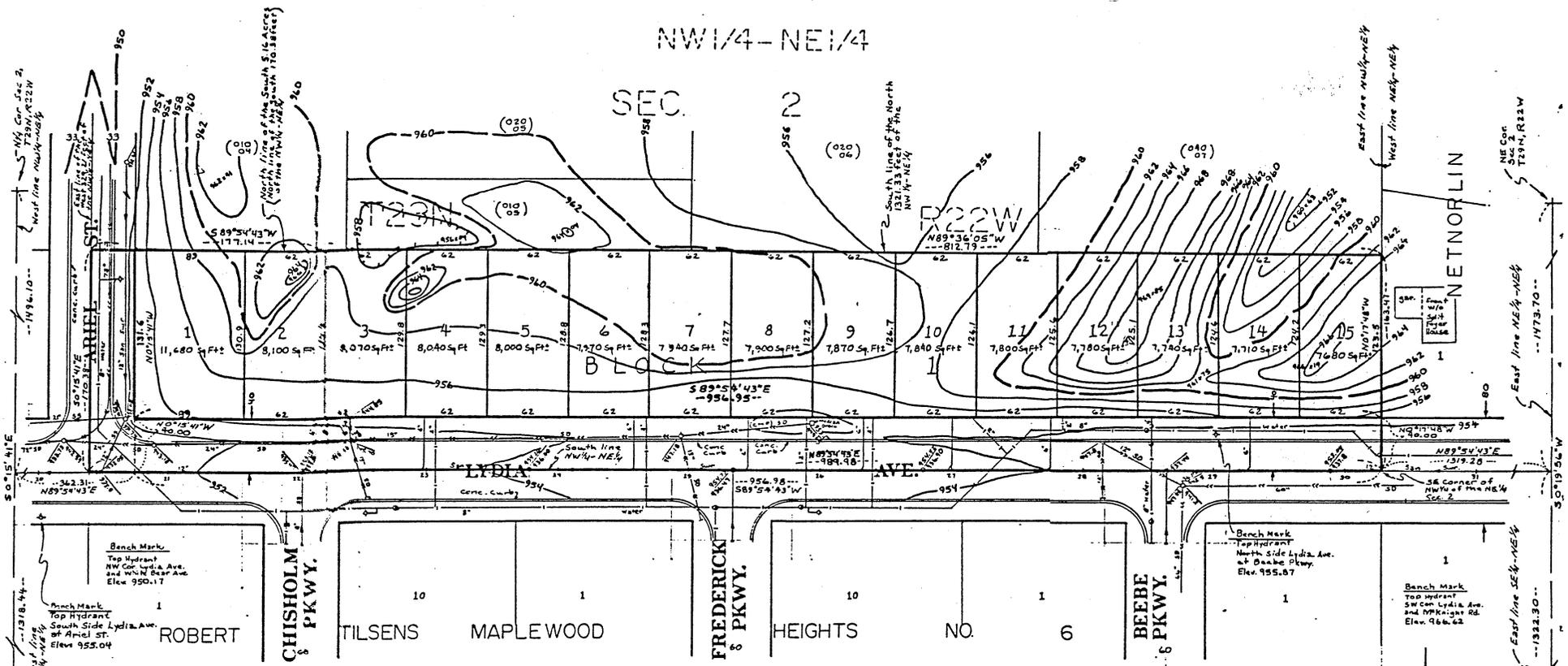
18-13



NW1/4-NE1/4

SEC. 2

BLOCK 1



PRELIMINARY PLAT OF LYNNWOOD TERRACE

Note: Bearings are on a assumed system

— 960 — Denotes existing contour
960.23 Denotes ground spot spot elevation

Note: Contour are based on NAD 83, 1924 adjustment

Area excluding roads = 2.8 Acres = 122,120 Sq. Ft.
Prop. Land Use: 15 Single Family Residential Lots

Note: No on-site grading will be done by the developer. Any grading will be done by individual lot owners at time of house construction.

DATED: JAN. 15, 1987

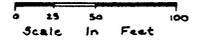
Prepared For:
RICHARD SCHREIER
JERRY MOGREN
2582 WHITE BEAR AVE.
ST. PAUL, MN 55109
tele: 777-2734

Prepared By:
BRUCE A. FOLZ & ASSOC.
1815 NORTHWESTERN AVE.
STILLWATER, MN 55082
tele. 439-8833

LEGAL DESCRIPTION:

That part of the Northwest Quarter of the Northeast Quarter of Section 2, Township 29 North, Range 22 West, Ramsey County, Minnesota described as follows:

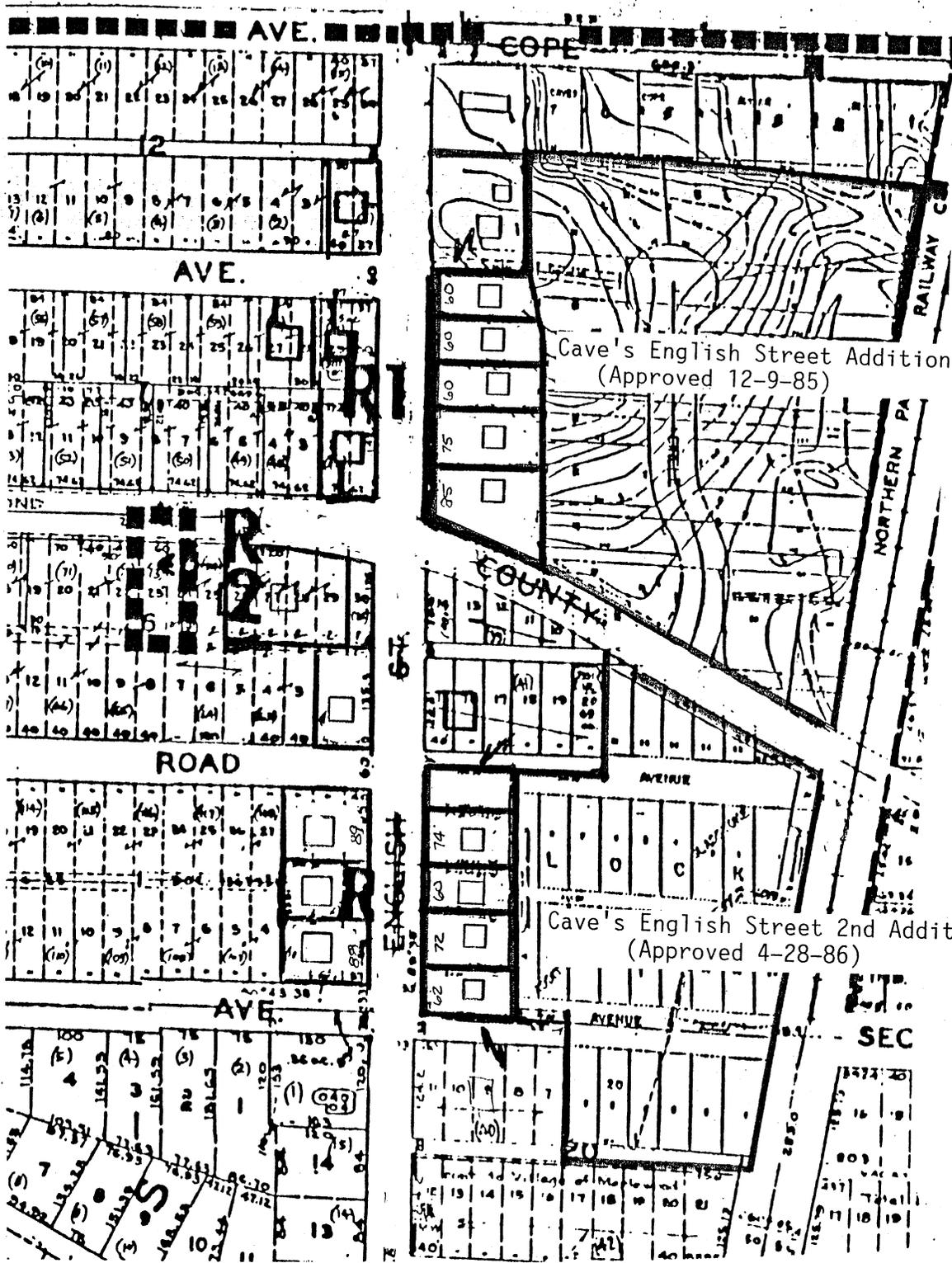
Beginning at the southeast corner of said Northwest Quarter of the Northeast Quarter; thence North 00 degrees 17 minutes 48 seconds West, assumed bearing, along the east line of said Northwest Quarter of the Northeast Quarter a distance of 163.47 feet to the south line of the North 1321.33 feet of said Northwest Quarter of the Northeast Quarter as measured at a right angle to the north line of said Northwest Quarter of the Northeast Quarter thence North 09 degrees 36 minutes 05 seconds West along said south line 812.79 feet to the north line of the South 5.16 acres (north line of the South 170.38 feet) of said Northwest Quarter of the Northeast Quarter as measured at a right angle to the south line of said Northwest Quarter of the Northeast Quarter; thence South 89 degrees 54 minutes 43 seconds West along said north line 177.14 feet to the east line of the West 329.21 feet of said Northwest Quarter of the Northeast Quarter as measured at a right angle to the west line of said Northwest Quarter of the Northeast Quarter; thence South 00 degrees 15 minutes 41 seconds East along said east line 170.38 feet to the south line of said Northwest Quarter of the Northeast Quarter; thence North 89 degrees 54 minutes 43 seconds East along said south line 989.98 feet to the point of beginning, containing 3.81 acres, more or less.



East line NW1/4-NE1/4
East line NE1/4-NE1/4
East line SE1/4-NE1/4

NE Cor. Sec. 2 T29N, R22W
NE Cor. Sec. 2 T29N, R22W
NE Cor. Sec. 2 T29N, R22W

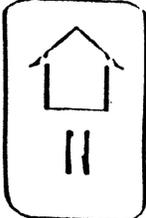
Scale in Feet

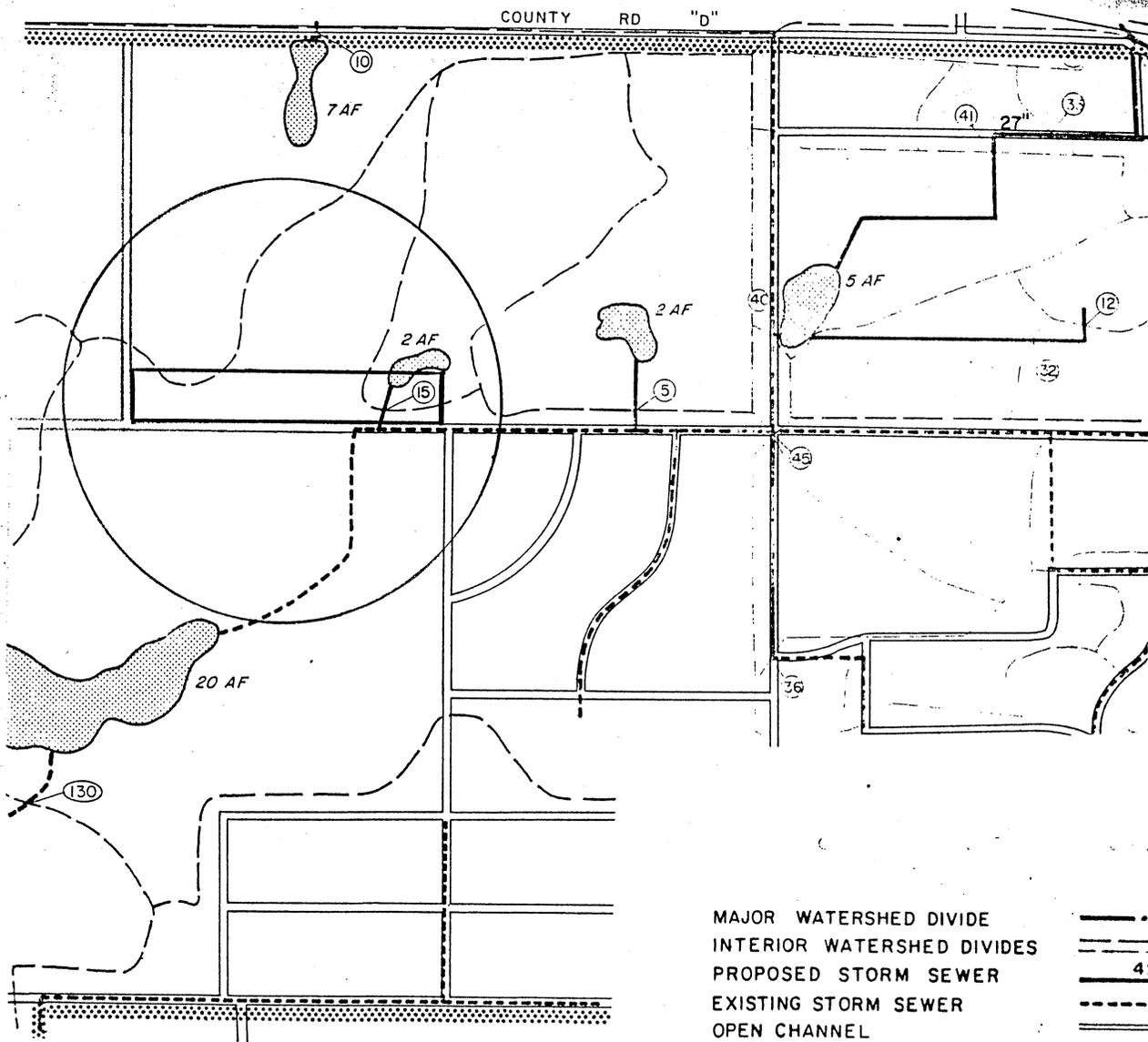


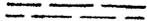
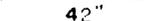
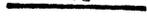
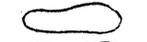
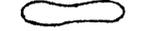
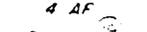
Cave's English Street Additions

(Small-Lot Single-Dwelling Lots
fronting on R-1 Zoned Property)

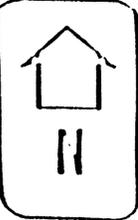
Attachment 5

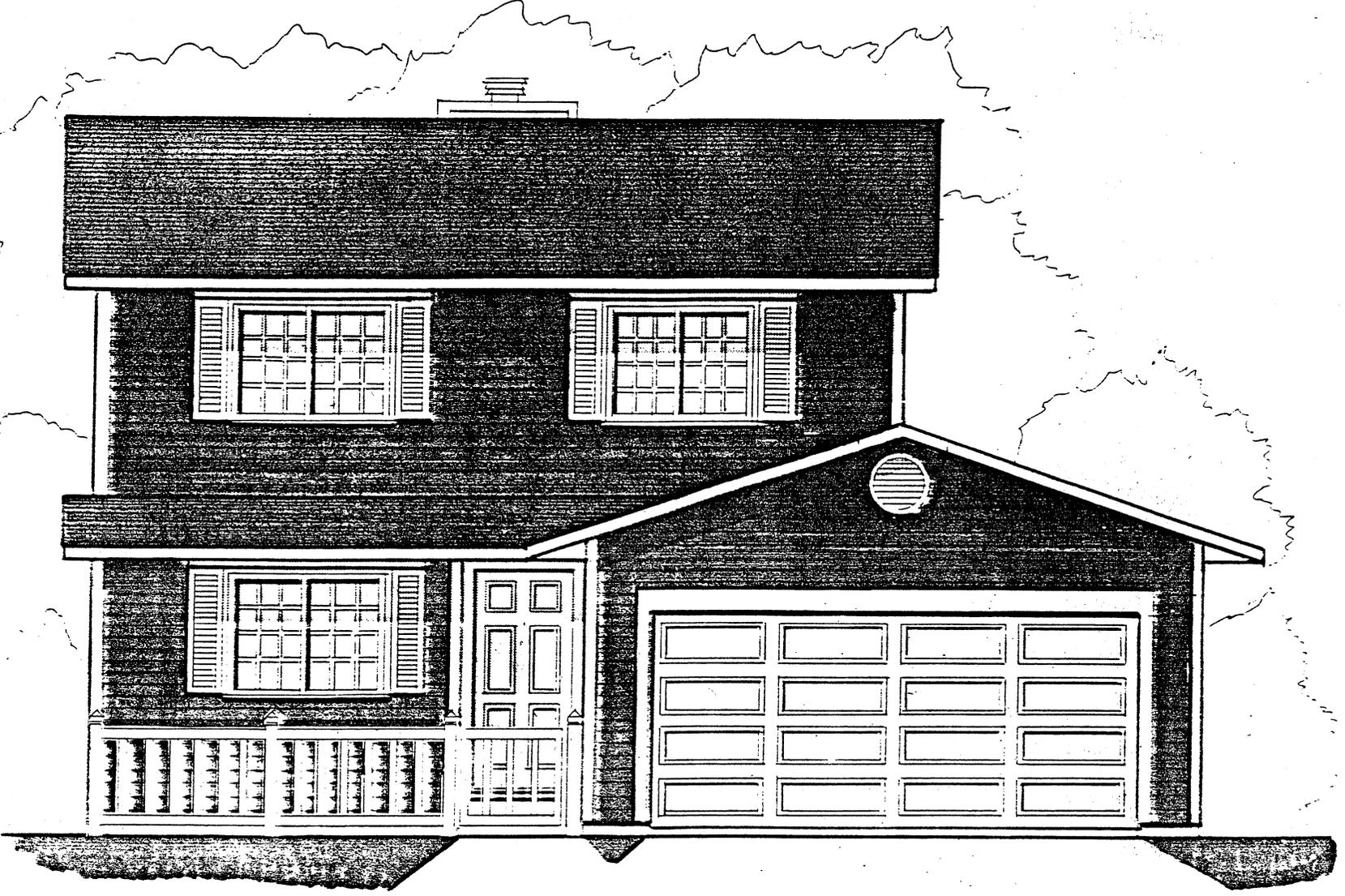


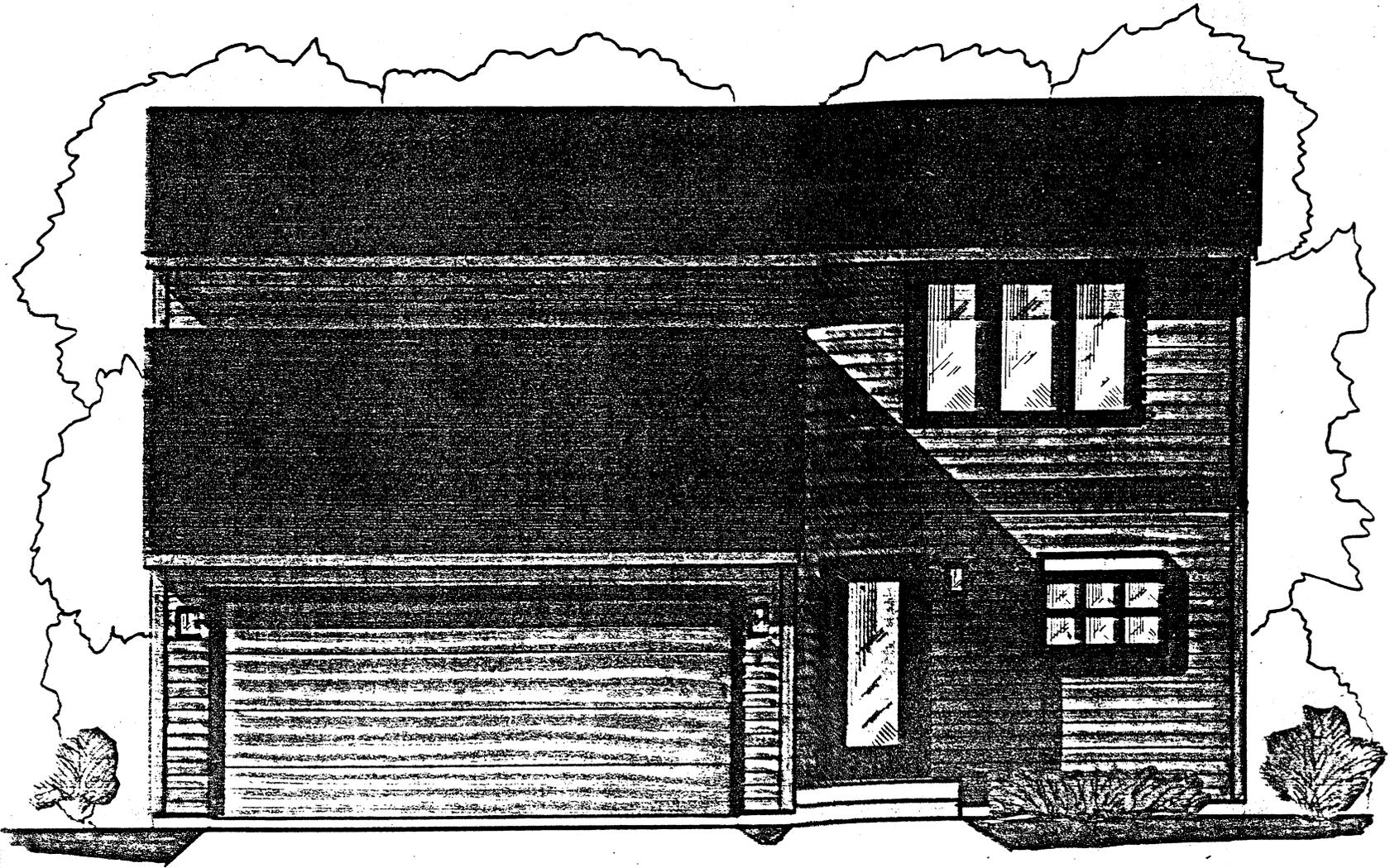


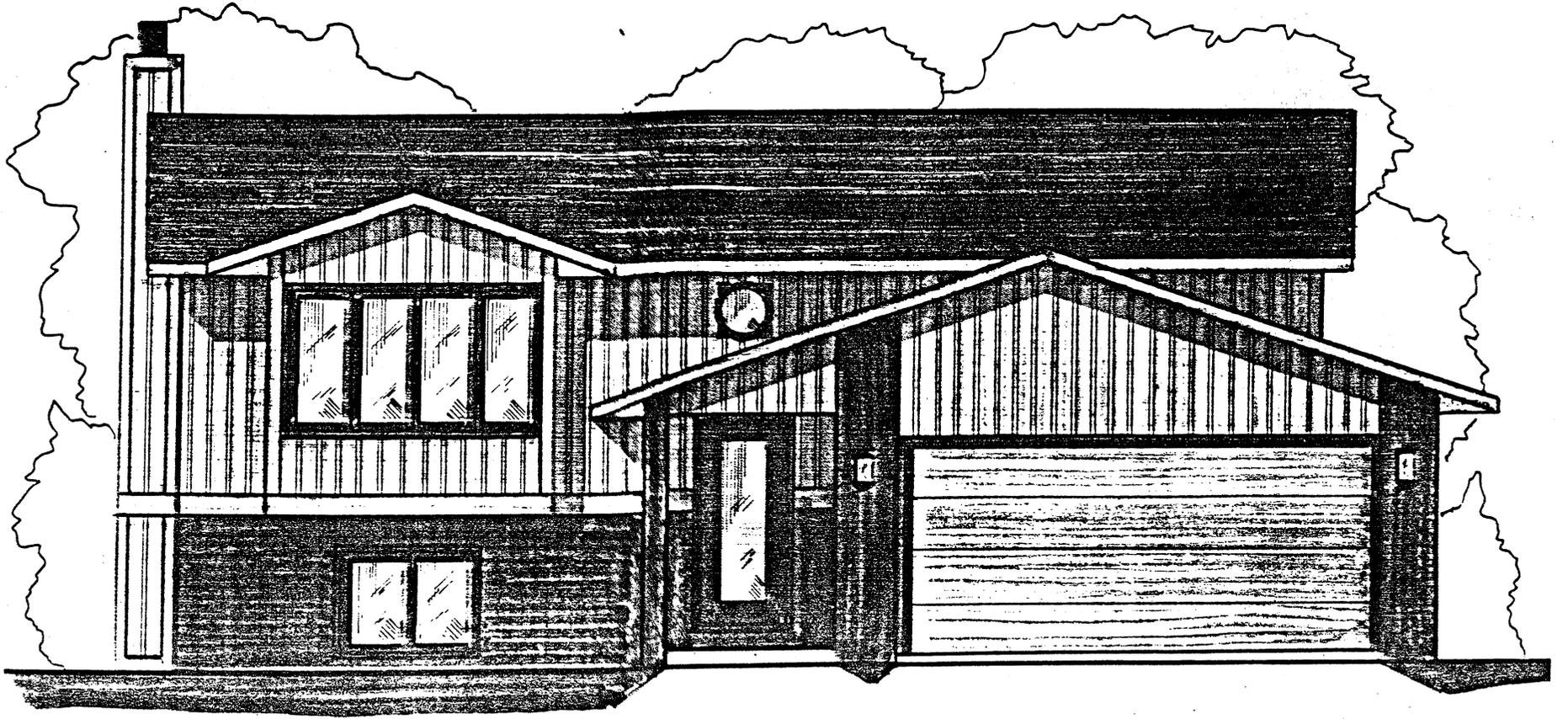
- MAJOR WATERSHED DIVIDE 
- INTERIOR WATERSHED DIVIDES 
- PROPOSED STORM SEWER 
- EXISTING STORM SEWER 
- OPEN CHANNEL 
- STORM WATER STORAGE AREA 
- INUNDATION AREA 
- STORAGE AREA VOLUME 
- DISCHARGE IN CFS 
- CITY LIMITS 

Excerpt from the Maplewood Drainage 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 _____, 1987 at 7 p.m.

The following members were present:

The following members were absent:

WHEREAS, Gerald Mogren and Richard Schreier initiated a rezoning from F, farm residence to R-2, double dwelling for the following-described property:

That part of the Northwest Quarter of the Northeast Quarter of Section 2, Township 29 North, Range 22 West, Ramsey County, Minnesota described as follows:

Beginning at the southeast corner of said Northwest Quarter of the Northeast Quarter; thence North 00 degrees 17 minutes 48 seconds West, assumed bearing, along the east line of said Northwest Quarter of the Northeast Quarter a distance of 163.47 feet to the south line of the North 1321.33 feet of said Northwest Quarter of the Northeast Quarter as measured at a right angle to the north line of said Northwest Quarter of the Northeast Quarter thence North 89 degrees 36 minutes 05 seconds West along said south line 812.79 feet to the north line of the South 5.16 acres (north line of the South 170.38 feet) of said Northwest Quarter of the Northeast Quarter as measured at a right angle to the south line of said Northwest Quarter of the Northeast Quarter; thence South 89 degrees 54 minutes 43 seconds West along said north line 177.14 feet to the east line of the West 329.21 feet of said Northwest Quarter of the Northeast Quarter as measured at a right angle to the west line of said Northwest Quarter of the Northeast Quarter; thence South 00 degrees 15 minutes 41 seconds East along said east line 170.38 feet to the south line of said Northwest Quarter of the Northeast Quarter; thence North 89 degrees 54 minutes 43 seconds East along said south line 989.98 feet to the point of beginning, containing 3.81 acres, more or less.

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

1. This rezoning was initiated pursuant to Chapter 36, Article VII of the Maplewood Code of Ordinances.

2. This rezoning was reviewed by the Maplewood Planning Commission on April 6, 1987. The planning commission recommended to the city council that said rezoning be

E. Rezoning and Preliminary Plat: Lynnwood Terrace

Gerald Mogren, 2855 Frederick Street and Richard Schreier, 2125 Desoto Street, applicants for the requested project, were present.

Mr. Mogren questioned the acting city engineer about the area assessments and what the area would be for the holding pond. Mr. Ahl, acting city engineer, said the area would be approximately 500 square feet of this parcel. Mr. Mogren and Mr. Schreier questioned the cost of the storm sewer easement being assessed totally to them.

Commissioner Whitcomb moved:

1. Approval of the resolution to rezone this site from F, farm residence to R-2, double dwelling. Approval is on the basis of the four standard findings of approval in the resolution and the following:

a. Small-lot single dwellings design and scale with surrounding development than multiple dwellings.

b. This rezoning is consistent with the city's comprehensive plan.

2. Approval of the Lynnwood Terrace preliminary plat, subject to the following conditions being met before final plat approval:

a. Reconciling the inconsistency in the north-south dimensions of the site between the preliminary plat, the county base map, and a certificate of survey completed by North Land Surveying Company on 3/4/87.

b. Show a storm water ponding easement on the plat in the vicinity of the north portion of Lot 14 or acquire a compensating easement on the property to the north and transfer it to the city. The location of either easement shall be approved by the city engineer. If an easement is shown on one or more of the proposed lots, these lots shall contain at least 7,500 square feet above the easement.

c. A twenty-foot-wide storm sewer easement shall be shown from the ponding easement to Lydia Avenue. The location shall be approved by the city engineer.

d. Final grading, drainage, erosion control and utility plans to be approved by the city engineer. If a compensating drainage easement is acquired to the north (Condition Two), the compensating easement must be graded. Filling of the north part of Lot 14 would then be allowed, but be subject to city engineer approval via the developer's agreement.

e. Submittal of a developer's agreement and surety for constructing separate water and sanitary sewer stubs to each lot.

f. Take no position on the payment of the construction of a storm sewer to outlot the pond required in Condition Two, letting the city council make a decision on assessments based on past policy.

g. Amending the subdivision ordinance to allow 60-foot wide lots in R-2 zones.

h. The city engineer resolving the drainage problem on Lydia Avenue at Furness Street and Beebe Parkway.

Commissioner Hanson seconded

Ayes--Axdahl, Barrett, Cardinal
Fiola, Fischer, Hanson, Sletten,
Whitcomb

F. National Planning Convention

Commissioner Fiola said she is considering attending the convention.

IX. UNFINISHED BUSINESS

A. Annual Report and Work Program

Commissioner Fischer moved to table this item.

Commissioner Whitcomb seconded

Ayes--Axdahl, Barrett, Cardinal,
Fiola, Fischer, Hanson, Sletten
Whitcomb

X. COMMISSION PRESENTATIONS

A. Council Meeting: March 23, 1987

XI. STAFF PRESENTATIONS

A. Council Meeting--April 13, 1987: Dennis Larson

B. The Metro East Coalition

XII. ADJOURNMENT

Meeting adjourned at 10:37 p.m.

MEMORANDUM

I-1

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Director of Community Development
SUBJECT: CDBG Grants
DATE: May 5, 1987

Request

1. The Ramsey County Community Development Block Grant Advisory Committee has requested statements of support for two senior housing applications. The purpose of these statements is to assure the committee that Maplewood wants these projects.
2. One of the projects, Lincoln Park Manor, is requesting that the council initiate a plan amendment for their site from C, church to RH, residential high density.

The Cottages of Maplewood

This is a 60-unit project consisting of several one-story buildings. Rents are proposed from \$385 to \$485 per month. A statement of intended use and drawing are attached. (See pages 5 through 6 .) The site is designated on the city land use plan for RM, residential medium density use and zoned F, farm residential. This project would be consistent with the plan. A planned unit development and several variances must be approved by the city, as well as design review board approval. A partial application has been submitted.

Lincoln Park Manor

This would be an 86-unit, four-story building on the Beaver Lake Lutheran Church site. Rents are proposed from \$550 to \$730 per month. A letter describing the project is attached (see page 12). The site is designated for church use on the city land use plan and zoned R-1, single dwelling. A plan amendment, rezoning or PUD and several variances must be approved by the city, as well as design review board approval.

Comments

There are two problems in getting county funding for these two projects:

1. The county advisory committee has recommended that the requested funding of \$400,000 for the cottages of Maplewood be reduced to \$200,000, and the requested funding of \$288,000 for the Lincoln Park Manor project be reduced to \$144,000. If the county does not fund the full amounts, one or both of the developers may have to seek city assistance through tax-increment financing.

2. The county advisory commission is seeking city endorsements of these projects before specific applications have been submitted to the city for approval. This is a particular concern with the Lincoln Park Manor project, which is not consistent with the city's comprehensive plan. A premature endorsement, without the required public hearings and advisory commission review, may prejudice future action on the plan amendment. Staff has already submitted a letter to the county endorsing senior housing in general in Maplewood. (See page 21.) Further endorsements should be limited to urging county funding of these projects.

It should be noted that the requests for city endorsement and the recommendations for reduced funding are from the advisory commission. The final decision will be made by the county board.

Recommendation

1. Endorse the following statement of support:

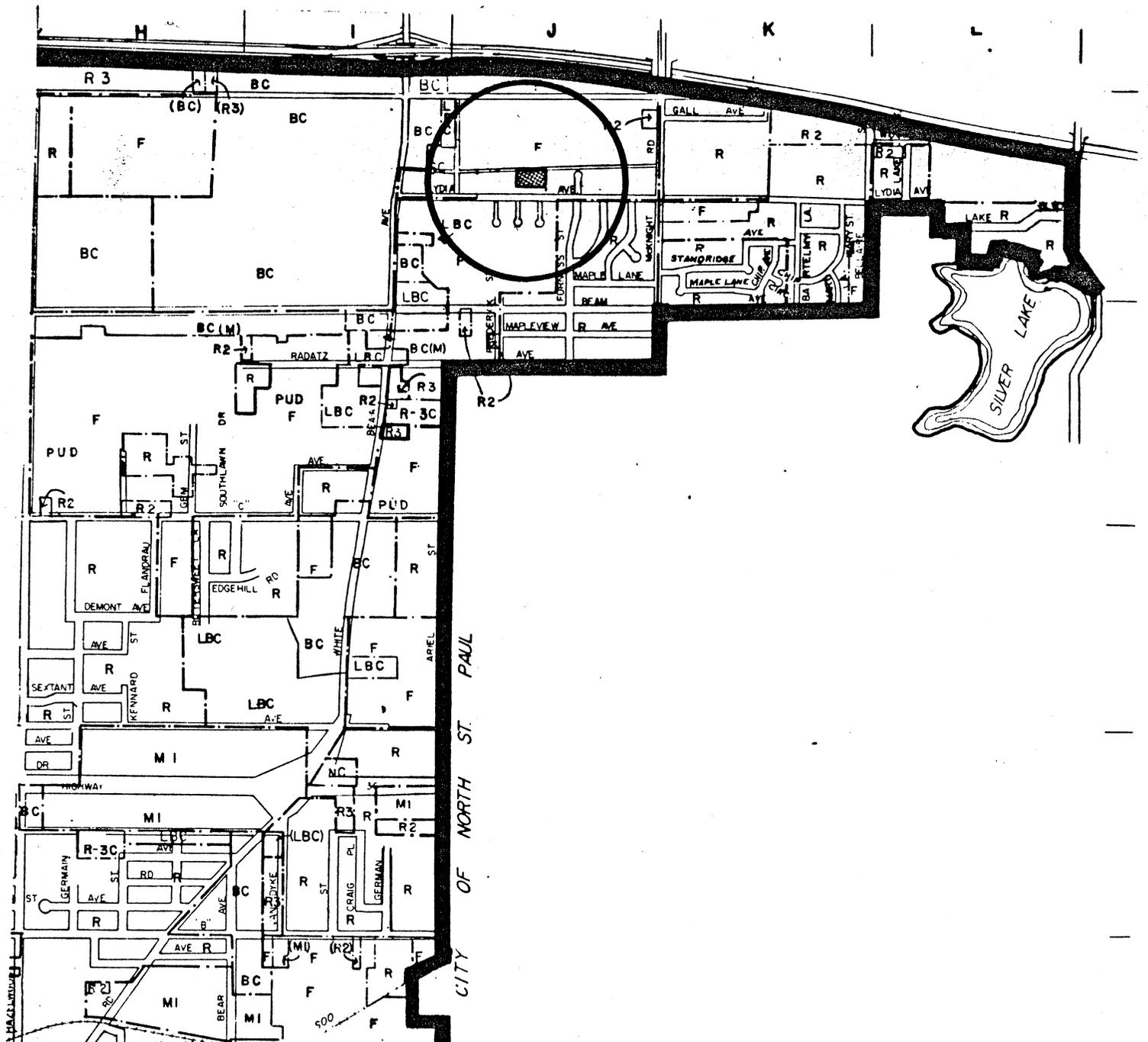
"The City of Maplewood supports senior citizen housing in Maplewood. The city strongly urges the county to provide all of the funding requested from community development block grants for The Cottages of Maplewood and Lincoln Park Manor. The Cottages of Maplewood are also endorsed as being consistent with the city's comprehensive plan. Further endorsements of either project would be premature and prejudicial to the consideration of upcoming applications, which require public hearings and advisory commission review before a decision is made."

2. If council decides to initiate a plan amendment for the Lincoln Park Manor site, the Community for Affordable Senior Housing should be required to submit the normal application, including application fee and abstractor's list of property owners.

mb

Attachments

1. Location Map--Cottages of Maplewood
2. Property Line Map
3. Statement of Intended Use
4. Drawing
5. Letter--county
6. Land Use Plan--Lincoln Park Manor
7. Property Line Map
8. Site Plan
9. Letter--CASH
10. Letter--County
11. Letter--Maplewood



LOCATION MAP

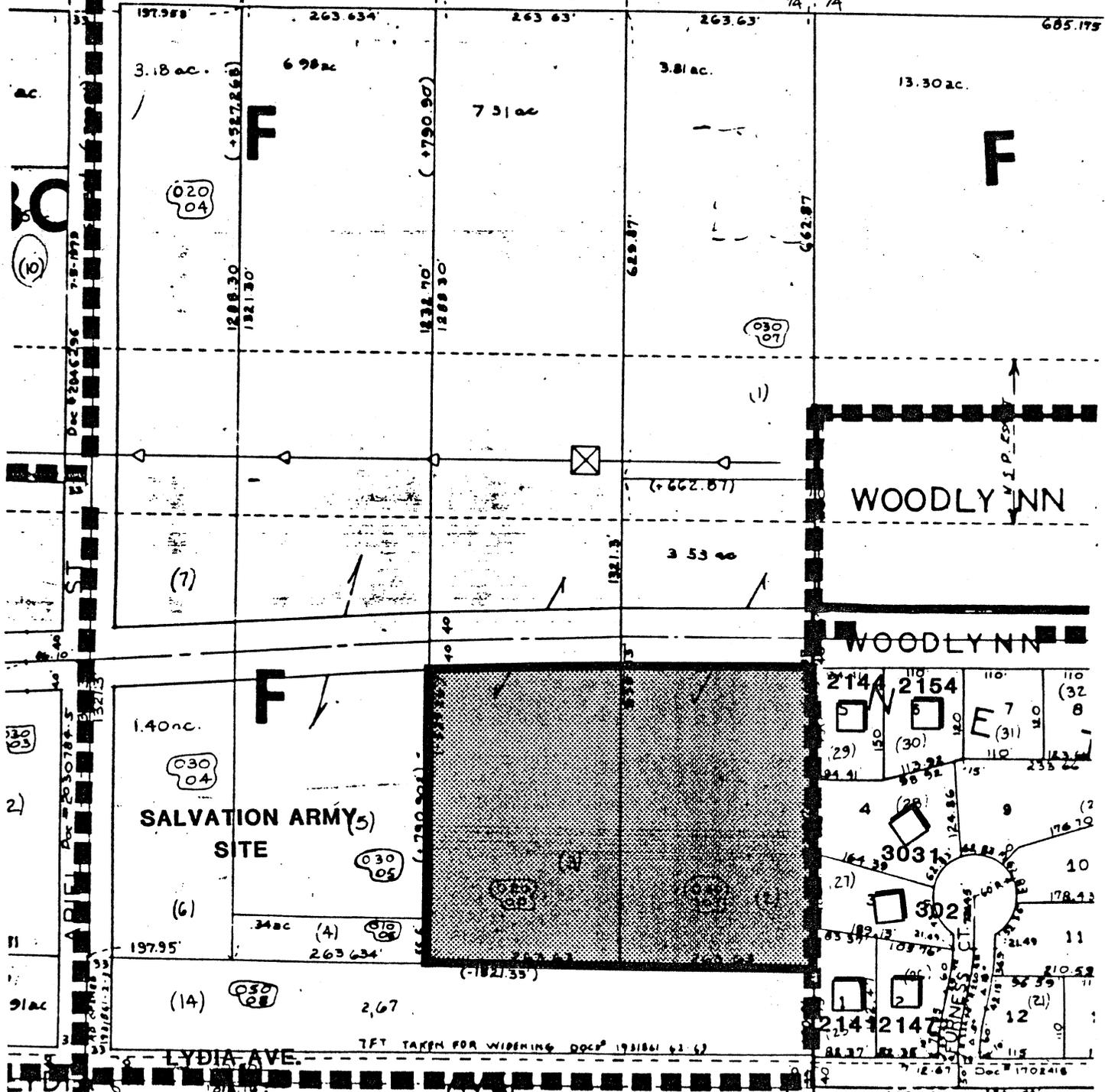
The Cottages of Maplewood

Attachment 1



COUNTY ROAD

D 1/4 1/4 263 6.35 m.



PROPERTY LINE / ZONING MAP



THE COTTAGES OF MAPLEWOOD
STATEMENT OF INTENDED USE

INTRODUCTION

The proposed Cottages of Maplewood Project is on a 60 unit housing for the elderly project proposed for construction on a 5.0 acre tract of land lying south of Woodlynn Avenue and approximately 400 feet east of Ariel Street.

EXISTING CONDITIONS

The land is now rolling open land with a cover of wild grass and very little tree growth. The adjacent lands on the north and south are similar in appearance. The adjacent land to the west is the site for the proposed Salvation Army Church and Community Center and the land to the east is densely wooded residential area.

The site has frontage on Woodlynn Avenue to the north where water, sewer, and storm drainage lines exist in its right-of-way.

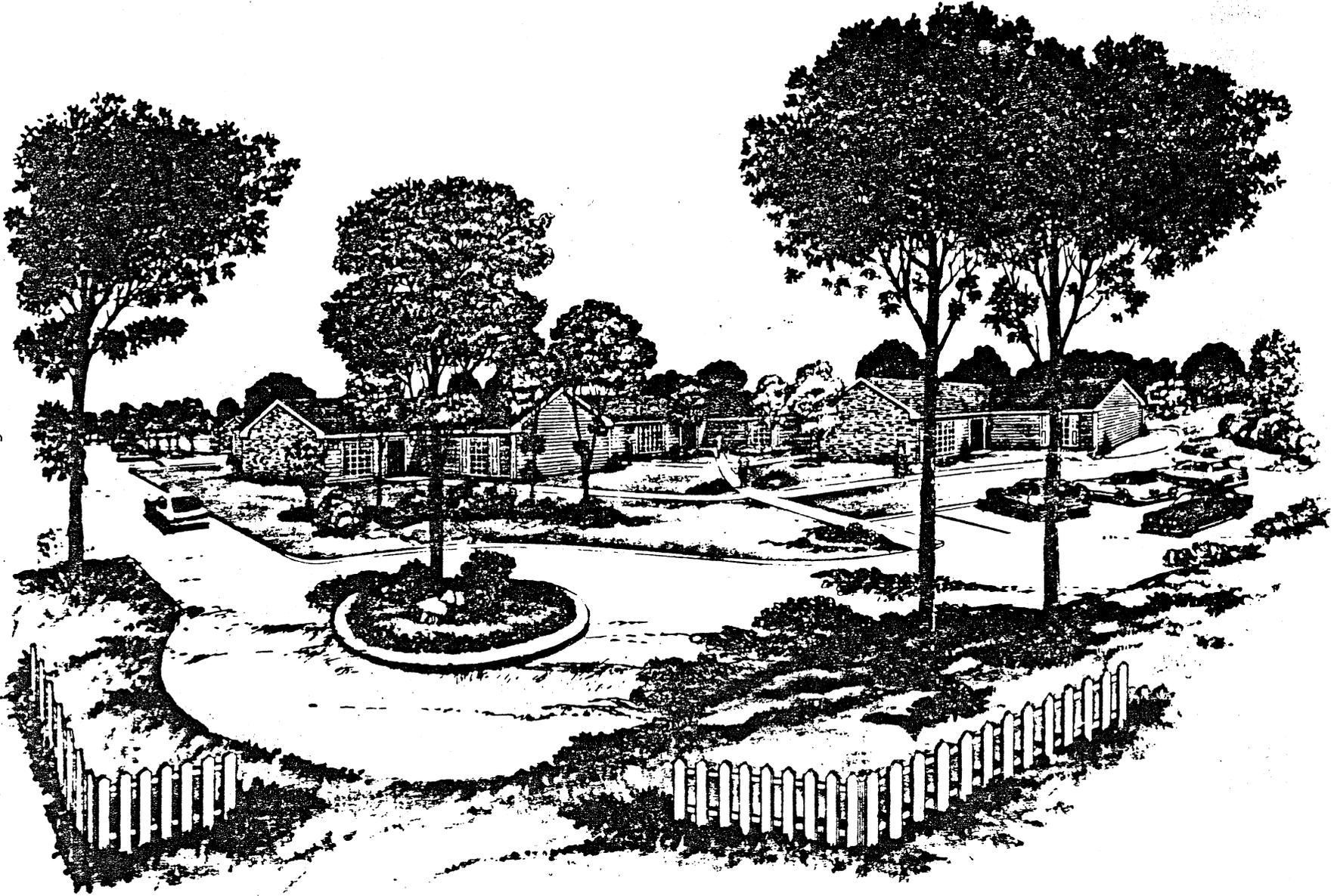
PROPOSED USE OF FACILITY

The applicant intends to develop the property into a 64 unit housing for the elderly project creating rentable homes for people 55 years and over with emphasis on independent living. Twenty (20) 1 bedroom homes and Forty (40) 2 bedroom homes will be constructed beginning in July 1987 completing in late December 1987.

The one bedroom units are 650 square feet including Living Room, Dining Room, and Kitchen equipped with stove and refrigerator and Laundry Room with hook-ups for washer and dryer. Each unit has separate heat and hot water systems and each bedroom features a full length storage and clothes closet. The carpet shall be FHA approved and each unit will have Anderson double hung windows. The exterior is maintenance free with extensive use of aluminum siding and brick. Landscaping shall be professionally done and features 13' high Black Hills Spruce trees. Garages will be available on a optional basis for residents of the project and site amenities include garden plots and gardens and a horseshoe pit.

The Cottages of Maplewood are located in close proximity to the shopping facilities located at Maplewood Mall and are immediately adjacent to the Church and Community Center proposed by The Salvation Army. In addition, an abundance of restaurants and other retail facilities are in the immediate area and bus transportation is excellent only two blocks away.

The City of Maplewood has an extremely high population of seniors. The concept of the Cottages of Maplewood is to provide the best possible living unit for the lowest rental dollar. There currently exists a void of seniors rental housing in the City of Maplewood in the \$350-\$400 per month range for a one bedroom unit. The proposed Cottages of Maplewood is targeted to fulfill that need currently existing in the City of Maplewood.





Office of the Executive Director

286 Court House 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
(612) 298-5980

Terry Schutten, Executive Director

4 27 '87

County Commissioners

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

April 23, 1987

Geoffrey Olson
City of Maplewood
1830 E. County Road B
Maplewood, Minnesota 55109

Dear Geoff:

Pursuant to our earlier conversations regarding the proposal from Bossard Christenson Corporation to use Community Development Block Grant funds for the Cottages of Maplewood project I wish to relay the following information to both you and the proposer.

The Advisory Committee viewed the project as an appropriate use of block grant money but believes a number of steps must be taken before a positive recommendation can be made to the County Board and HUD.

1. A statement of support for the project is needed from the City of Maplewood to assure that the City does indeed desire this project.
2. A firm source of financing for the project must be secured. The proposer referenced a tax exempt bond issue but it is my understanding that no steps have been taken to secure this source of funding. The County takes no position on the source of funding to be utilized.
3. The proposer should secure from Northern States Power Co. a written estimate of the utility costs for both heat and electricity. We must be certain that the cost of utilities and housing fall within the affordable range for low and moderate income persons prior to approving the project.
4. The Committee recommends that only \$200,000 be proposed to the County Board and HUD for this project. The proposer should do a revised pro forma showing how this amount would affect the rents. The proposer should further take this into

Geoff Olson, page 2

consideration in securing financing.

5. The proposer should provide us with a legal description of the property so that we may verify its current assessed value since no appraisal is being done on the property proposed to be acquired with public funds.

Once the above information is obtained the Advisory Committee is desirous of reviewing the project again. If approved ultimately by HUD, Ramsey County would enter into an agreement with the City of Maplewood who would then pass the funds on to the Developer. The County cannot enter into an agreement directly with the Developer. Maplewood would be responsible for all of the HUD regulations enforcement. It would appear that CDBG monies could be allocated towards property acquisition, sewer and water access charges, and architectural and engineering fees. Federal regulations prohibit us from contributing to the cost of construction. However, Federal regulations regarding the Davis-Bacon Act do apply to the entire project.

In order to keep abreast of the progress of this application, I should appreciate a written report on the status of the earlier mentioned items by Friday, May 15, 1987. While I recognize the the Developer was hoping to start construction in the late summer, I think it is unrealistic to assume with the work that lies ahead HUD would be able to approve such a project in such a short time frame. It probably would be well to note that if the Developer is able to go ahead prior to complete approval by HUD federal regulations would prohibit us from entering into an agreement for this project.

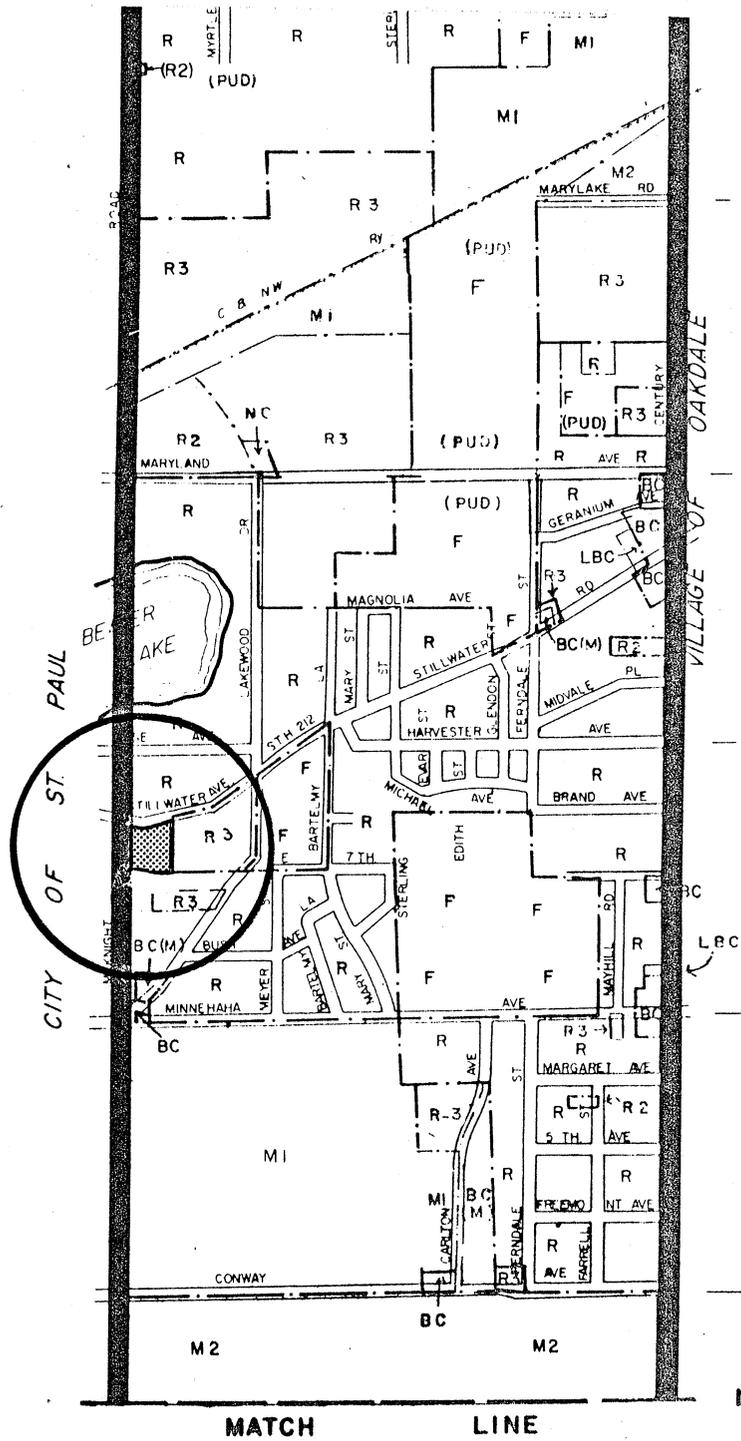
Having said all of the above I want to assure you this proposal was viewed favorably. Ramsey County would be delighted to have an opportunity to work with the City of Maplewood on an activity which we be to our mutual benefit. I look forward to hearing from you soon.

Sincerely,



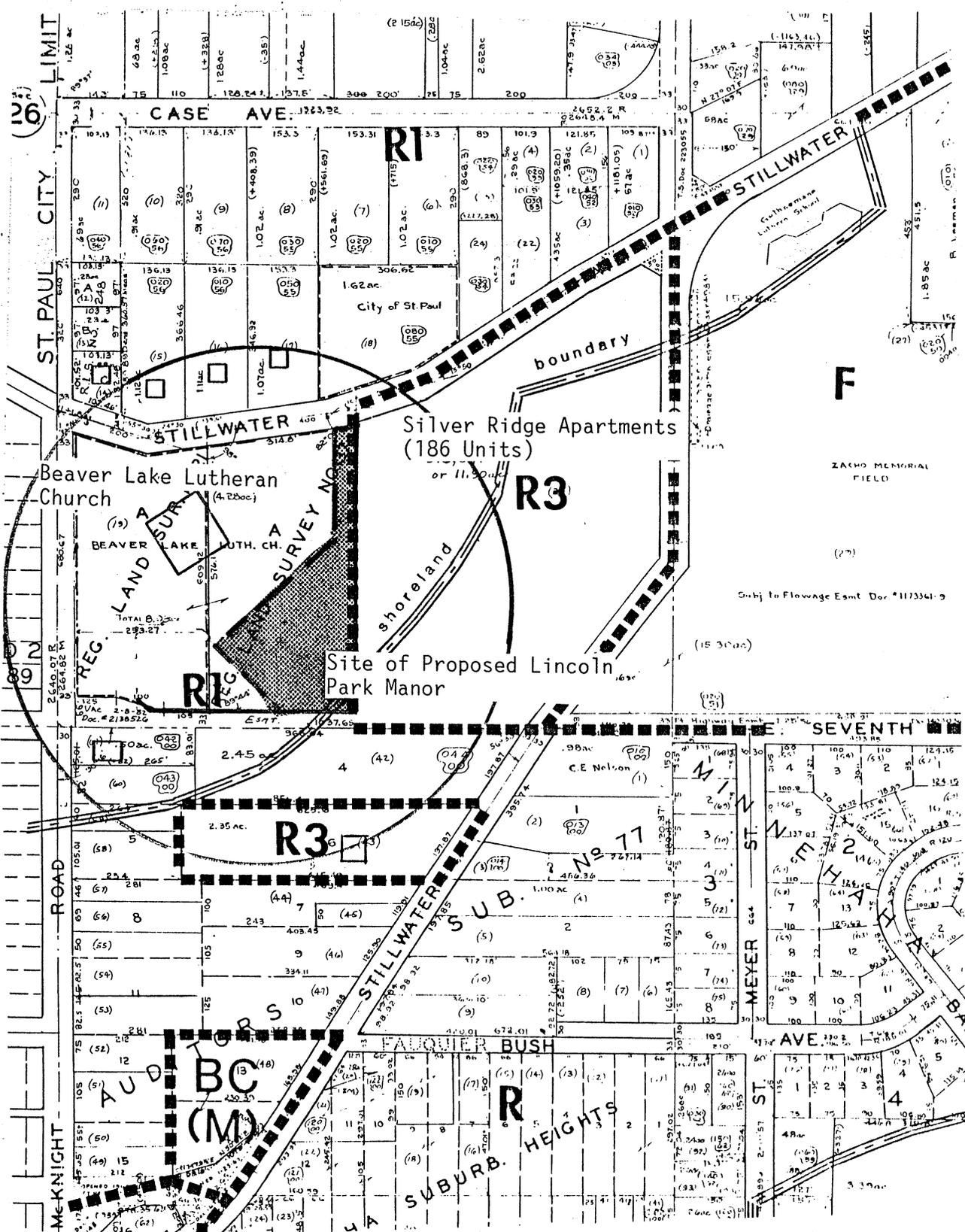
Judy Karon, Director
Community and Economic Development

cc: Commissioner Norgard
Bossard Christenson Corporation
Louise Gerber, HUD



LOCATION MAP





PROPERTY LINE / ZONING MAP





Community for
Affordable
Senior
Housing

2176 East Ross Avenue, St. Paul, Minnesota 55119 Telephone (612) 735-4664

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

April 30, 1987

RE: Lincoln Park Manor

Dear Mr. Olson:

We request that Lincoln Park Manor be placed on the agenda for the City Council meeting of May 11. At the meeting, we will request that the Council pass a resolution directing the City staff to initiate a Land Use Amendment for the site on which Lincoln Park Manor will be located.

Many of our members and supporters are elderly. Accordingly, it would be greatly appreciated if Lincoln Park Manor could possibly be scheduled for early in the evening (particularly before any public hearings).

The Community for Affordable Senior Housing ("CASH") is a non-profit corporation founded by three Lutheran and two Catholic churches in the Beaver Lake area. In response to needs expressed by elderly members of the five congregations, CASH was formed to develop housing that is appropriate for senior residents and that will be affordable to low- and moderate-income seniors.

There is no housing for seniors in the "leg" of Maplewood. We are trying to develop affordable housing so that senior citizens can stay in the community where they have lived and worked for many years.

The Community for Affordable Senior Housing is the developer of Lincoln Park Manor and will be its owner. Through CASH, Lincoln Park Manor is being developed by people from within our community; and we anticipate that most residents will also be people from within our community.

We are making every effort to achieve and maintain modest rents. Lincoln Park Manor will be operated on a non-profit basis, and rents will only be raised as the actual costs of operating the development increase.

Attachment 9

Mr. Geoff Olson
April 30, 1987
Page 2

We are in the earliest stages of the development process and hope to start construction by March of next year. Our major accomplishments in just the last six weeks include: obtaining an option to purchase the site on which Lincoln Park Manor will be located (adjacent to Beaver Lake Lutheran Church); selecting a highly-qualified general contractor to ensure that our architect designs a building that can be constructed at a reasonable cost; selecting the Community Development Corporation for the Catholic Archdiocese to provide us with marketing and management services; and, last but not least, applying to Ramsey County for Community Development Block Grant funds ("CDBG funds").

The CDBG funds are Federal funds that HUD has allocated to Ramsey County to aid development efforts throughout the County. As the County had required, we submitted the application on March 31.

The CDBG funds are grant moneys that do not have to be repaid. They will be used to reduce the rents on 51% of the dwelling units in Lincoln Park Manor to a level that low- and moderate-income senior citizens can afford. If the housing will not be affordable to people in these income groups, we will not proceed with our development efforts. In other words, the CDBG funds are crucial to the development of Lincoln Park Manor.

After reviewing our application, Ramsey County has required that we provide the County with "a statement of support from the City" before the County will give further consideration to our application. [The staff of the County has indicated that the resolution we are requesting should be sufficient to meet the County's needs.] All of the County's work in selecting the activities to be funded is to be completed and submitted to HUD for approval by June 1. Time, therefore, is of the essence.

We are very aware that we will have to take many steps in order to obtain all of the City approvals that are required before construction can start. Most notably, our architect will have to design the building so that we can apply for re-zoning and for approval by the Community Design Review Board. It is not possible, however, to take all of those steps during the few weeks that remain between now and June 1.

Furthermore, we are a non-profit organization whose sole purpose is to serve low- and moderate-income people. We cannot meet that purpose and proceed with the development unless CDBG funds are reserved for our use. Without knowing whether or not we can proceed, we cannot in good conscience spend tens of thousands of dollars to design (and obtain zoning for) a building that we may not be able to construct.

Mr. Geoff Olson
April 30, 1987
Page 3

If the County does reserve CDBG funds for Lincoln Park Manor, we will plan to submit all of the required applications to the City as soon as practicable.

At this point, we need the City Council to pass the requested resolution so that the County can make the CDBG funds available to Lincoln Park Manor. By passing the requested resolution, the City Council:

- Will assist in providing affordable housing for seniors in Maplewood;
- Will help meet an urgent housing need in an area of Maplewood that is now under-served; and
- Will enable us to take the first step toward obtaining the necessary City approvals.

We understand and agree that this initial action on the part of the Council will not obligate the City or the Council to provide any of the necessary City approvals.

For your information, enclosed is a narrative description which provides additional information about Lincoln Park Manor. This description was included as part of our application to the County for CDBG funds.

We look forward to appearing before the Council on May 11 and will be happy to answer any questions you or Council members may have.

Very truly yours,

COMMUNITY FOR AFFORDABLE SENIOR HOUSING



Mary Hagglund
President

SDM:em

Enclosure

cc Mr. Norman Anderson
Mr. Gary Bastian
Mr. John Greavu
Ms. Fran Juker
Ms. Charlotte Wasiluk

Lincoln Park Manor

NARRATIVE DESCRIPTION OF PROJECT

Lincoln Park Manor will provide much-needed, affordable rental housing for elderly residents of the Beaver Lake area of Maplewood. The project will be operated on a non-profit basis and will offer an appropriate housing alternative for low- and moderate-income senior citizens whose housing needs are not now being served adequately.

In addition to quality housing, Lincoln Park Manor will provide sensitive and responsive management, social and supportive services designed to ensure a healthful, independent-living environment. Residents will be offered responsive services that will enable them to maintain independent lifestyles for as long a period of time as possible.

The quality of both the development team and the housing environment provide assurance that residents of Lincoln Park Manor will be able to lead active lives filled with dignity and independence.

LAND TRANSACTION

Beaver Lake Lutheran Church now owns the site on which Lincoln Park Manor will be located. The Church has granted the COMMUNITY for AFFORDABLE SENIOR HOUSING (C.A.S.H.) an option to purchase the site for a price of \$258,000. This request for Community Development Block Grant funds includes \$258,000 for the site acquisition.

It should be noted that, in addition to granting the option to C.A.S.H., the Church has agreed to deliver to C.A.S.H. the "net proceeds" of the sale (the \$258,000 less any costs the Church incurs in connection with the land transaction). C.A.S.H. will only be able to use any such net proceeds to meet the cash requirements of Lincoln Park Manor and/or to reduce the rents which residents would otherwise have to pay. Any net proceeds not required for such purposes would have to be returned to the Church.

The Church's willingness to participate on this basis is a key financial aspect of the project. It provides a major tool which C.A.S.H. can use effectively to reach its goal of serving low- and moderate-income senior citizens.

LOCATION and NEED

Lincoln Park Manor will be located in the Beaver Lake area of Maplewood. There is no other housing in the Beaver Lake area (or elsewhere in the "leg" of Maplewood) that is designed to meet the needs of senior citizens. The project will be located on Stillwater Avenue, on a 1.9-acre tract of land adjacent to Beaver Lake Lutheran Church.

There are now three housing developments in Maplewood that include dwelling units intended for occupancy by seniors:

- Located near Maplewood Mall, Section 8 subsidies are available to all eligible residents of the 125-unit Concordia Arms;
- Also located near Maplewood Mall, Hazel Ridge is a market-rate development that is still under construction; and
- Archer Heights at Larpenteur and Beebe Road includes 99 units for seniors; the residents of 55 of those units receive the benefits of Section 8 assistance.

In response to a mail survey conducted among elderly members of five churches in the Beaver Lake area, 243 senior citizens indicated an interest in a housing alternative in their community that would be designed to meet their needs.

By providing housing that is appropriate and affordable to low- and moderate-income seniors, Lincoln Park Manor will enable long-term residents of the Beaver Lake area to remain in their community.

PROJECT INITIATION, SPONSORSHIP and OWNERSHIP

The concept of Lincoln Park Manor was initiated by senior citizens of the Beaver Lake area who want to remain in the neighborhood but whose housing needs are not now being served adequately. In response to the concerns expressed by their senior members, five churches in the neighborhood joined together and created the COMMUNITY for AFFORDABLE SENIOR HOUSING (C.A.S.H.). C.A.S.H. is, in effect, a coalition of the five neighborhood churches (Beaver Lake Lutheran Church, Gethsemane Lutheran Church, Holy Cross Lutheran Church, St. Thomas the Apostle Catholic Church and Transfiguration Catholic Church).

The COMMUNITY for AFFORDABLE SENIOR HOUSING is the sponsor/developer of Lincoln Park Manor and will be the project's owner. By owning the project, C.A.S.H. will be able to ensure:

- the long-run affordability of the project for low- and moderate income seniors;
- the provision of management and supportive services that are appropriate to meet the needs of elderly residents; and
- the continuing maintenance of the development as a safe, secure and responsive housing environment for senior citizens.

C.A.S.H.'s ownership of the project is expected to be perpetual.

COMMITMENT AND COMMUNITY SUPPORT

Each of the five member-churches of C.A.S.H. intends to maintain a long-term commitment to Lincoln Park Manor. Each church appoints two members to the board of directors of C.A.S.H. and plans to provide supportive services and ministry to residents.

By pooling their efforts and resources through C.A.S.H., the five churches will be able to offer residents a higher degree of supportive services than is typically available at projects of this size. Being in daily contact with elderly residents of the Beaver Lake area, the five churches are in a unique position to be able to identify and address appropriately the needs of senior citizens in their community.

Although Lincoln Park Manor is in an early stage of the development process, it has already generated a significant degree of community and civic support. Exhibit 11 of this application contains copies of letters of support provided by the City of Maplewood as well as numerous civic, religious and community leaders and organizations.

AFFORDABILITY AND HOUSING ENVIRONMENT

CDBG funds are requested to aid in the development of Lincoln Park Manor so that at least 44 of the 86 units will be affordable to low- and moderate-income residents. Because the project will be operated on a nonprofit basis, rent increases will occur only in response to actual increases in the costs of operating and maintaining the development and in serving the changing needs of residents.

All residences in Lincoln Park Manor will be accessible to the handicapped and will equal or exceed HUD's Minimum Property Standards. At least four units will be fully equipped for occupancy by wheelchair users. Sensitive architectural design with common areas (including a community room with kitchen) will encourage independent lifestyles and active participation in social events.

Residents of Lincoln Park Manor will receive the benefits of a program of social and supportive services that will be designed specifically to meet their needs. Services will encourage people to remain at the highest and most-independent level of living possible.

A wide range of intellectual, social, cultural and community experiences will be offered to residents. Emphasis will be placed on activities that are productive and utilize the experiences and expertise of the elderly.

Services may include nutritional counseling, a telephone reassurance program, in-building meals, educational programs, and other counseling services. In addition, the COMMUNITY for AFFORDABLE SENIOR HOUSING is committed to developing a large volunteer program involving churches of all denominations and other community groups. Opportunities for the elderly to serve as volunteers will also be pursued.

DEVELOPMENT TEAM

The COMMUNITY for AFFORDABLE SENIOR HOUSING has selected a highly-qualified development team to assist it in the development of Lincoln Park Manor:

- Winsor/Faricy Architects, Inc. is responsible for the architectural design of the development;
- Frana and Sons, Inc. will provide all necessary construction services;
- Housing Resources Corporation is providing development services and is also responsible for arranging the project's financing;
- Marketing and management services will be provided by Westminster Corporation, a wholly-owned subsidiary of the Community Development Corporation for the Archdiocese of Saint Paul and Minneapolis; and
- The Maxfield Research Group, Inc. has been retained to provide a comprehensive, up-to-date market study and market feasibility analysis.

Each of these firms is well qualified and heavily-experienced in the field of multifamily housing intended for occupancy by low- and moderate-income elderly people. Resumes and contracts or proposals for each key member of the development team are included with this application.

REPORTING REQUIREMENTS

In both marketing and management activities, Westminster Corporation will be responsible for screening all applicants, for determining income eligibility, for activities involving the certification and re-certification of incomes, and for meeting all reporting requirements.

Westminster Corporation is highly qualified to handle these activities at Lincoln Park Manor. Westminster now provides property management services to well over 2,000 dwelling units, almost all of which have both income and reporting requirements.

REAL ESTATE TAXES

The 1.9-acre parcel of land on which Lincoln Park Manor will be constructed is now part of an 8.03-acre tract owned by Beaver Lake Lutheran Church. All of the property owned by the Church is currently exempt from real estate taxes.

It is currently estimated that, following the completion of construction, the property taxes payable on Lincoln Park Manor will be \$82,787 (based on a land value of \$258,000, construction costs of \$2.9 million and a mill rate of .123984).

SUMMARY

Lincoln Park Manor will provide an appropriate housing alternative for senior citizens of Maplewood. It will enable long-term residents of the Beaver Lake area to remain in their neighborhood, which is now "underserved" compared to other areas of the city.

The project's ownership and operation on a nonprofit basis will ensure its continuing operation as a housing opportunity that is affordable to low- and moderate-income people.

Lincoln Park Manor will be a high-quality project that will be an asset to the City of Maplewood and a credit to all those who participate in its development.



Office of the Executive Director

286 Court House 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
(612) 298-5980

Terry Schutten, Executive Director

County Commissioners

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

April 23, 1987

Ms. Mary Hagglund, President
Community for Affordable Senior Housing
2176 East Ross Avenue
Saint Paul, Minnesota 55119

Dear Mary:

I want to thank you and the other representatives for your excellent presentation before the CDBG Advisory Committee earlier this week. The Committee was interested in exploring the CASH proposal further but believes a number of steps must first be taken by your organization.

1. The Committee believes a market study is essential to determine the need for the housing as it is proposed.
2. In accordance with the County's agreement with the City of Maplewood a statement of support from the City is needed to assure that the City is desirous of having the activity funded.
3. The Committee recommends that a figure of \$144,000 be recommended to the County Board for this project. You should take this into consideration when securing financing.
4. A firm committment for financing should be secured for the project.

In order to keep abreast of this proposal I should appreciate a written progress report on the above items by Friday, May 15, 1987. While I recognize a great deal is being asked of you I want to assure you that the proposal has been viewed favorably but it is not possible to reserve funding for a project until it is certain that it can be accomplished.

Should you have any questions about the Committee's request please do not hesitate to contact me. I look forward to watching your progress on this proposal.

Sincerely,

Judy Karon, Director
Community and Economic Development

cc: Geoff Olson, Commissioner Norgard, Louise Gerber, Dore Mead



CITY OF MAPLEWOOD

1830 EAST CO. ROAD B MAPLEWOOD, MINNESOTA 55109

OFFICE OF COMMUNITY DEVELOPMENT

612-770-4560

March 12, 1987

Mary Haggland, President
Community for Affordable Senior Housing
2176 East Ross Avenue
St. Paul, MN 55119

1987 CDBG Program

A high priority of the Maplewood Housing and Redevelopment Authority (HRA) is to encourage the development of additional housing opportunities for senior citizens within the City of Maplewood. (See attached list of objectives.) This objective is based in part upon the results of a market study submitted to the city in November, 1985 by Gary Stout of Public-Private Ventures (attached). Mr. Stout prepared this opinion to document the need for a 64-unit, market-rate rental senior development. The developers could not put the deal together, and the contract for deed for the site has been cancelled. There has been no new senior housing approved or proposed in the interim.

Although your proposal is consistent with HRA objectives, and although there appears to be a need in Maplewood for additional ~~market-rate~~ senior rental housing, the HRA cannot recommend that the city council formally endorse your application until the following items are approved:

1. A land use plan amendment from C, church, to RH, residential high density use
2. A rezoning from R-1, single dwelling, to R-3, multiple dwelling
3. Site and building elevation plans

Until these items are satisfied, conditional concept endorsement is all that can be provided, which is herein offered. I have discussed your proposal with Judy Karon, the Ramsey County staff person in charge of the county's CDBG program. She stated that conditional endorsement is adequate for the grant application, provided the approvals that are listed above can be obtained before the funds are scheduled to be allocated. Please allow at least two months to obtain these approvals. I have enclosed the required application forms.

Attachment 11

Mary Haggland
March 12, 1987
Page 2

If I can be of any further assistance, please call me at 770-4560.



RANDALL JOHNSON, AICP - ASSOCIATE PLANNER
Staff Liaison Maplewood HRA

j1

Enclosures

cc: Judy Karon

Lorraine Fischer

Action by Council:

MEMORANDUM

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Assistant City Engineer
SUBJECT: Water Service District 8 Improvements and Sterling Street
(Mailand to Highwood)
City Project 86-15--Feasibility Report
DATE: May 5, 1987

Attached is the feasibility report for the Linwood Road area water tower and water system improvements which also includes a report on the construction of Sterling Street from south of Mailand Road to Highwood Avenue. In addition the report recommends that the collector street north of Highwood Avenue (preliminarily called Schaller Drive) be constructed from Sterling Street to the Jefferson Fourth Addition in order to provide sanitary sewer and storm sewer service to the properties that the new Sterling Street frontage would create.

The costs listed within the report include construction costs, contingencies and indirect costs without right-of-way and easements. The following financing summary includes the right-of-way and easement costs as part of the total project cost:

<u>Item</u>	<u>Total Cost</u>	<u>Recovery Units</u>	<u>Rate</u>	<u>Cost Recovery</u>	<u>City Partic.</u>
Tank,					
Booster Station,		1,060 Units	\$100/Unit		
Main Oversizing	\$829,500	1,705 Units	\$250/Unit	\$532,250	\$297,250
Sterling Street	\$868,100	8,200 FF	\$ 35/FF	\$287,000	\$581,100
Schaller Drive	\$ 84,000	1,200 FF	\$ 70/FF	\$ 84,000	\$ 0
Water Main	\$282,000	9,400 FF	\$ 30/FF	\$282,000	\$ 0
San. Sewer	\$322,400	10,400 FF	\$ 31/FF	\$322,400	\$ 0
Storm Sewer	\$414,000	4,600,000 SF	\$0.09/SF	\$414,000	\$ 0
Total	\$2,800,000	--	--	\$1,921,650	\$878,350

The proposed assessment area for the tank, booster station and main oversizing is from Lower Afton Road on the north to Boxwood Avenue extended to I-494 on the south. The area between Londin Lane and Hillwood Drive was previously assessed for the booster station in 1979 at a \$450.00 per acre rate. It is proposed that these parcels receive a \$150.00 per lot credit for this assessment. All frontage along the proposed Sterling Street and Schaller Drive is proposed to be assessed for street, water main at lateral rate and sanitary sewer. In addition, the sanitary sewer frontage along Linwood Avenue between

Dorland Road and proposed Sterling Street is proposed for sanitary sewer assessment. The storm sewer area proposed for assessment is as shown on the drainage area map in the feasibility report.

City participation is recommended to offset the \$150.00 per lot credit issued for the booster station and trunk main oversizing. This amount (\$297,250) is proposed to be financed from the city's hydrant fund. Participation is also recommended for the street costs along Sterling Street as a state-aid street. It is anticipated that this section of Sterling can be designated a part of the city's state-aid street system. The \$35.00 per front foot rate is the accepted rate by city policy for a state-aid street, with the remaining costs (\$581,100) to be paid from the state-aid allotment. The balance in the MSA allotment is currently \$2,633,000 with the annual allotment decreasing because the city has not expended its funds in recent years.

The council has previously ordered the public hearing for May 21, 1987 at 7 p.m. It is recommended that the council pass the attached resolution which accepts the feasibility report.

RESOLUTION ACCEPTING REPORT AND
CALLING FOR PUBLIC HEARING

WHEREAS, the city engineer for the City of Maplewood has been authorized and directed to prepare a report with reference to the improvement of Water Service District 8 and Sterling Street from south of Mailand Road to Highwood Avenue and a proposed collector street north of Highwood Avenue from proposed Sterling to Jefferson Fourth Addition by construction of booster station improvements, elevated tank, trunk water main, sanitary sewer, storm sewer and street, 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 of Water Service District 8 and Sterling Street from south of Mailand Road to Highwood Avenue and a proposed collector street north of Highwood Avenue from proposed Sterling to Jefferson Fourth Addition by construction of booster station improvements, elevated tank, trunk water main, sanitary sewer, storm sewer and street 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 \$2,800,000.00.

3. A public hearing will be held in the council chambers of the city hall at 1830 East County Road B on Thursday, the 21st day of May, 1987, at 7 p.m. to consider said improvement. The city clerk has been previously authorized to give mailed and published notice of said hearing and improvement as required by law.

MEMORANDUM

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: Acting City Manager
FROM: Acting City Engineer
SUBJECT: Developer Project Financing and Construction
DATE: April 13, 1987

The staff over the past three months has been reviewing the procedures for constructing and financing public improvements within developer projects. The original review started with a petition from the developer of the Budd Kolby Second Addition, Castle Design and Development Company, Inc., requesting that the city install the plat's internal utilities and streets at city expense and assess the costs back to the property over a five-year period. The developer proposed to post a letter of credit guaranteeing the first year's assessment payment and agreed that each lot's assessment would be paid in full prior to the lot being sold or transferred.

A meeting was held on January 15, 1987 with the city council, planning commission and housing and redevelopment authority where the staff presented a proposal that included two options for financing of the internal improvements of development plats. Under both options it was proposed that the city's engineering department would take the responsibility for the utility and street design, bidding process, hiring of a contractor, construction staking and construction inspection as a method of working toward higher quality improvements. The first financing option proposed as a "pay as you go" approach, where the developer would provide a letter of credit equal to 150% of the project cost estimate and the city would invoice the developer monthly as costs were incurred. The second financing option proposed was similar to that proposed by Castle Design. The city would install the improvements and assess the costs back to the property over a five-year period with the developer providing a letter of credit guaranteeing the first year's installment and agreeing to pay each lot's assessment prior to transferring the lot.

The finance director indicated a possibility of a property tax increase to cover bond payments should developers become delinquent on assessment payments past the first year's installment. In response to this concern, staff indicated a possibility of a three-year assessment period and the developer's letter of credit being equal to 100% of the entire three years' assessment, which would reduce the city's risk factor to near zero. Input from some members of the council and commissions indicated that this risk was minimal and that the city should assume some risk to achieve a higher quality development.

The community development director proposed that with city financing the developer should provide an above-average project, as defined by the city council. Specific standards would be established such as 15,000-square foot average lot area, more trees planted, dedication of park land, etc. Certain members of the council and commission felt that the minimum requirements as established by ordinance were

adequate and that city financing was not a large enough inducement to include these specific standards. However, most members felt that the city's financing should be offered only to established developers with a proven "track record."

A second meeting on this subject was held on February 25, 1987 between the staff and 15 of the city's current developers. The developers were unanimously opposed to Option One, the "pay as you go" financing approach. They indicated that the possibly slower time schedule, increased cost and lack of control to stage platting and construction made this option totally unworkable. The ability to proceed privately on a project was extremely important to some of the developers, especially the larger firms. They felt that their ability to make a project profitable is tied directly to timing of the project. The "quick in - quick out" approach is necessary to their profit line. Option Two, the city assessed approach, was acceptable to the developers. They did indicate some reluctance to the long time schedules, however, felt that trading time for the financing approach was a good compromise. Questions were asked about a private approach with city assessed financing. Staff indicated that the legality of assessing without a low bid was very questionable and that if the city offered the assessed approach, all engineering and contract administration would be done under the direction of the city engineer.

Since the February 25 developer meeting, we have continued to receive input from the developers as well as meeting with the city attorney regarding legal options to the proposed approaches. The original options as proposed were legally acceptable, however, the attorney expressed problems with a system where the city prequalified engineers and provided a list to the developers of firms who could perform engineering services in Maplewood. He felt that with the state license (the professional engineer registration) any engineer must be allowed to perform private services within the city and any exclusion by the city could be construed as a restraint of trade.

Based upon the input from the city council, planning commission, housing and redevelopment authority, and the Maplewood developers, the staff has concluded that Option One, a "pay as you go" approach, or any modifications thereof, is probably not feasible for the developers and thus would not be utilized. The construction quality issue remains a problem, but will have to be addressed with additional time and periodic inspection by the city's engineering department, or through offering of a financing package (Option Two) in which the city has control over design, administration and inspection. Two options are still proposed to be offered, however, Option One is the current approach as allowed by the platting ordinance. Option Two is the city financed, city constructed approach originally petitioned for by Castle Design and Development.

The two options, as proposed, and the particular steps that will be involved are as follows:

Option One

This option is the current approach allowed by the platting ordinance. The ordinance states that following preliminary plat approval and prior to final plat approval the developer must arrange for the installation of all public utilities. The developer must either have all the streets and utilities installed and accepted by the city engineer or must escrow 150% of the construction cost of the street and utilities. All costs for engineering design, contract administration, project inspection and city review and inspection are borne by the developer.

There are no changes proposed to this approach. The construction and engineering quality problem, where certain developer-hired consultants are not producing the same high quality construction as the city's engineering department or city-hired consultants, will be addressed with the existing staff dedicating more review time and inspection time to the lower quality work. The resulting increased time will be billed to the developer in the usual manner. Conditional occupancy permits for newly constructed homes will not be granted by the city until the concrete curb and gutter and the first layer of bituminous is installed.

Option Two

This option is similar to that petitioned by Castle Design and Development. The particular steps involved in this process are as follows:

Step 1: Developer submits a preliminary plat with preliminary grading and utility plans as well as a legal petition requesting the city to install the internal plat improvements.

Step 2: City council grants preliminary plat approval with conditions for final plat approval. One of the conditions would be entering into developer's agreement with surety equal to first year's installment of five-year assessment for construction of the internal improvements.

Step 3: City engineer prepares an estimate of the total project cost (25% for indirect costs), the installments of a five-year assessment and the cost to prepare plans and specifications and receive bids.

Step 4: Developer and city enter developer's agreement where city agrees to prepare plans and specifications and developer establishes a cash escrow account with the city equal to 125% of the cost to prepare plans and specifications.

Step 5: City council orders preparation of plans and specifications by city engineer and authorizes receipt of bids. Low bid is used to update total project cost estimate.

Step 6: Developer is allowed to cancel the project up to this time with any funds in escrow account being refunded. Costs incurred to date would be forfeited.

Note: It should be noted that this process applies only when the plat requires internal streets and utilities. The reasoning being that when a petition is received signed by 100 percent of the landowners (or in this option, the developer), the council may order the improvement and plans and specifications without a public hearing. However, if off-site improvements are required and consideration is given to assessing off-site benefited properties, then upon preliminary plat approval, the developer's petition would be treated as a public improvement petition and in place of the city engineer's estimate of the total project cost and annual installments of assessment, a feasibility report and public hearing would be substituted.

Step 7: Developer and city would execute a new developer's agreement where the city would agree to construct the project, assess the cost over a five-year period and guarantee a date that conditional occupancy permits would be allowed, while the developer would post a letter of credit or cash escrow equal to the first year's installment of the assessment.

Step 8: Upon receipt of the developer's letter of credit, the costs for preparing the plans and specifications would be charged to the assessable project costs and the original cash escrow and accrued interest would be refunded to the developer.

Step 9: City council would hold the assessment hearing and levy the assessment against the developer's property. Following the hearing, if no appeals are filed, the city council, at the same meeting, would award a construction contract to the lowest responsible bidder and providing all preliminary plat conditions had been met, approve the final plat.

Step 10: Developer could finalize project site rough grading according to the approved grading plan and by the date agreed upon in the developer's agreement in Step 7.

Step 11: City administers the construction and inspection of the street and utility improvements.

Step 12: Following placement of the first lift of bituminous or at the guaranteed date as established in the developer's agreement, whichever is earlier, the city would begin approving conditional occupancy permits for newly constructed dwellings provided they met all inspection provisions.

The developer's agreement, in addition to guaranteeing payment of city costs if canceled by the developer and guaranteeing payment of the first year's annual installment of the assessment, would state that each lot's assessment would be paid in full prior to the lot being transferred plus would establish a date of conditional occupancy that would be based upon the following plat size and date of preliminary plat approval.

1. Plat size--2 - 20 lots; requesting August 1 conditional occupancy:

Preliminary plat approval	October 1
Developer's agreement (w/escrow)	October 15
City receives bids	January 15
Developer supplies letter of credit	March 1
Assessment hearing	March 15
Final plat approved	March 15
Rough grading complete	May 1
Construction start	May 15
Conditional occupancy	August 1

2. Plat size--2 - 20 lots; requesting November 1 conditional occupancy:

Preliminary plat approval	January 1
Developer's agreement (w/escrow)	January 15
City receives bids	April 15
Developer supplies letter of credit	June 1
Assessment hearing	June 15
Final plat approval	June 15
Rough grading complete	August 1
Construction start	August 15
Conditional occupancy	November 1

3. Plat size--20 - 80 lots; requesting September 1 conditional occupancy:

Preliminary plat approval	September 1
Developer's agreement (w/escrow)	September 15
City receives bid	January 15
Developer supplies letter of credit	March 1
Assessment hearing	March 15
Final plat approval	March 15
Rough grading complete	May 1
Construction start	May 15
Conditional occupancy	September 1

4. Plat size--20 - 80 lots; requesting November 1 conditional occupancy:

Preliminary plat approval	November 1
Developer's agreement (w/escrow)	November 15
City receives bid	March 15
Developer supplies letter of credit	May 1
Assessment hearing	May 15
Final plat approval	May 15
Rough grading complete	July 1
Construction start	July 15
Conditional occupancy	November 1

5. Plat size--greater than 80 lots:

Preliminary plat approval	September 1
Developer's agreement (w/escrow)	September 15

City receives bid	January 15
Developer supplies letter of credit	March 1
Assessment hearing	March 15
Final plat approval	March 15
Rough grading complete	May 1
Construction start	May 15
Conditional occupancy	November 1

6. Any preliminary plats receiving approval after January 1 or final plats receiving approval after May 1 would not receive a guaranteed date of conditional occupancy until the next year because assessments could not be certified for collection if the hearings were held past July.

This option would require the city to bond for the project's cost. The dollar amount of developer construction for 1984, 1985 and 1986 has been estimated with indirect costs of 28%, which assumes all easements are dedicated with the plat, as follows:

1984 Estimated Developer Construction Cost	\$ 810,000
Engineering, Fiscal and Legal--28%	<u>230,000</u>
1984 Total	\$1,040,000
1985 Estimated Developer Construction Cost	\$1,335,000
Engineering, Fiscal and Legal--28%	<u>375,000</u>
1985 Total	\$1,710,000
1986 Estimated Developer Construction Cost	\$1,590,000
Engineering, Fiscal and Legal--28%	<u>450,000</u>
1986 Total	\$2,040,000

Option Two staff comments:

The finance director has responded to the implication of this option as follows: The proposed city financing of improvements could increase the city's bonded indebtedness by 25%. In addition, property taxes would increase if the special assessments to finance the improvements are not paid when due.

Regarding the increase in city bonded indebtedness, the 25% was based upon the assumption that bonds would be sold annually for developer projects equal to the average amount of the total developer construction projects for the years 1984 through 1985. This amount was calculated to be \$1,600,000. If this amount of five-year serial bonds are sold annually, at the end of the fifth year the total amount outstanding would be \$4,800,000. The following table illustrates this:

Bonds Outstanding for Developer Projects
(000 Omitted)

<u>Bond Issue</u>	<u>Year</u>				
	<u>One</u>	<u>Two</u>	<u>Three</u>	<u>Four</u>	<u>Five</u>
1	\$1,600	\$1,280	\$ 960	\$ 640	\$ 320
2		1,600	1,280	960	640
3			1,600	1,280	960
4				1,600	1,280
5					1,600

As of December 31, 1986, the city's total bonded indebtedness is \$19,920,000. The additional \$4,800,000 of bonds for developer projects would increase the city's total bonded indebtedness by about 25%. This change alone would not cause a decrease in the city's credit ratings with either Standard and Poors or Moody's Investors Services. The reason is because the city's total debt now is at a moderate level and because total debt is one of several factors that determine our credit rating. However, if other factors changed to make the city's credit rating a borderline case, the additional debt could become a determining factor.

Regarding the possible property tax increase, this is based upon the possibility of a developer not paying the annual installment on special assessments after the first-year guarantee. Under current law, nonhomestead property has three years to pay taxes and assessments. If not paid by mid-August of the fourth year, the property owner would lose title to the property. Thus, if a developer does not sell lots in a new subdivision with city-financed improvements, the taxes and assessments would probably become delinquent. Under the proposed Option Two, the city could recoup the first year's assessment installment but would be forced to levy property taxes to cover the subsequent years' installments.

In the finance director's opinion, the biggest problem with Option Two is the possibility of a property tax increase to cover delinquent developer assessments. To eliminate the risk, the city could require a letter of credit to guarantee all five years of special assessment installments. However, a representative of First Minnesota Savings Bank has indicated that it probably would be impossible to obtain a letter of credit for a period greater than three years. Therefore, consideration should be given to financing the public improvements by a three-year bond issue with special assessments levied over a corresponding three-year period.

As discussed earlier, the risk factor involved with the scenario the finance director elaborated on is probably quite low. Council, staff and developers agreed that platted property with improvements installed that could be purchased for the price of the final three or four years of a five-year assessment (approximately 50% to 80% of project cost) would be extremely attractive in any market. In addition, it is anticipated that not all projects by developers will

use the city financing option thus reducing the city's projected bonded indebtedness and allowing the city the flexibility to borrow to pay bond costs should developer payments become delinquent, with the costs for borrowing charged back to the property. A property tax increase under these circumstances is very unlikely.

Other Considerations

1. The following survey, conducted in 1985, shows the approach used by other cities in the metro area:

<u>City</u>	<u>Responsibility</u>			
	<u>Design</u>	<u>Hire Contr.</u>	<u>Insp.</u>	<u>Financing</u>
Columbia Heights	Dev.	Dev.	City	Dev. Agmt. (LOC) ¹
Vadnais Heights	Dev.or city	City	City	Dev. Bond (150%)
Golden Valley	Dev ² .or city	City	City	5-Year Assess. ³
Plymouth	Dev.or city	Dev.or city	City	5-year Assess. ³
Shoreview	Dev.	Dev.	Dev.	Dev. Agmt. (Bond)
Maple Grove	City	City	City	Assess. (LOC) ³
Roseville	Dev.or city	Dev.or city	City	Assess. (LOC) ³
N. St. Paul	City	City	City	5-year Assess.
Crystal	Dev.	Dev.	Dev.	Dev. Agmt. (LOC) ¹
Oakdale	Dev.	Dev.	Dev.	10-Year Assess. ³
White Bear Lake	Dev.	Dev.	Dev.	10-Year Assess. ³
Burnsville	Dev.	Dev.	Dev.	Dev. Agmt. (Bond)
Brooklyn Center	Dev.	Dev.	Dev.	Dev. Agmt. (Bond)
Fridley	City	City	City	Assess.
Woodbury	City	City	City	5-Year Assess. ³

-
- 1 LOC = letter of credit required
 - 2 Design engineer prequalified by city
 - 3 Surety required on assessment

2. The implementation of these options will not require an immediate increase in city personnel. The increased workload in the engineering department can be handled through the use of consultants. However, it is anticipated that an additional engineering technician will be requested again for the 1988 budget. This position was requested in 1987 to allow the department to apply additional time to nonchargeable projects. Additional temporary employees to serve as project inspectors may also be requested for the 1988 budget. The additional technician and any temporary employees would be justified in the budget through additional project billings.

3. As an example of the workings of this option, three recent projects were analyzed as follows:

a. Cave's Lakewood Addition--City Project 85-05

Project Construction Cost = \$263,500.00 (assumed equal if city had constructed)

Indirect Costs at 25% = 65,875.00

Total Project Cost \$329,375.00

Given: 34 lots; sold: 15 in 1985, 16 in 1986, 3 in 1987
Constructed in 1985; Assume May 1985 - Assessment interest rate - 10%

Assessment per lot - $\$329,375 \div 34 = \$9,687.50$

Five-Year Assessment Payment Plan

<u>Yr.</u>	<u>Principal</u>	<u>Princ.Pymt.</u>	<u>Int.Pymt.</u>	<u>Payment</u>
85	\$329,375	\$65,875	\$54,896	\$120,771 (escrow amt.)
86	263,500	65,875	26,350	92,225
87	197,625	65,875	19,763	85,638
88	131,750	65,875	13,175	79,050
89	65,875	65,875	6,588	72,463

Actual Payment With Lot Sales

<u>Yr.</u>	<u>Principal</u>	<u>Lot Sale</u>	<u>Prin.Pymt.</u>	<u>Int.Pymt.</u>	<u>Payment</u>
85	\$329,375	\$145,313	\$36,812	\$35,521	\$72,333
86	147,250	124,000	5,812	2,325	8,137
87	17,438	17,438	0	0	0
88	0	0	0	0	0
89	0	0	0	0	0

b. Carsgrove Meadows Additions I and II--City Project 81-13

Estimated Project Construction Cost = \$750,000.00

Indirect @ 25% = 187,200.00

Estimated project cost \$937,200.00

Given: 88 lots; sold: 10 in 82, 12 in 83, 10 in 84, 10 in 85, 15 in 86; Construction in 1982; Assume May 1982 - Assessment Interest Rate 10%.

Assessment per lot = $\$937,200 \div 88 = \$10,650$

Five-Year Assessment Payment Plan

<u>Yr.</u>	<u>Principal</u>	<u>Prin. Pymt.</u>	<u>Int. Pymt.</u>	<u>Payment</u>
82	\$937,200	\$187,440	\$156,200	\$343,640 (escrow amt.)
83	749,760	187,440	74,976	262,416
84	562,320	187,440	56,232	243,672
85	374,880	187,440	37,488	224,928
86	187,440	187,440	18,744	206,184

Actual Payment With Lot Sales

<u>Yr.</u>	<u>Principal</u>	<u>Lot Sale</u>	<u>Yrly.Prin.</u>	<u>Prin.Pymt.</u>	<u>Int.Pymt.</u>	<u>Payment</u>
82	\$937,200	\$106,500	\$830,700	\$166,140	\$138,450	\$304,590
83	664,560	102,240	562,320	140,580	56,232	196,812
84	421,740	63,900	357,840	119,280	35,784	155,064
85	238,560	42,600	195,960	97,980	19,596	117,576
86	97,980	31,950	66,030	66,030	6,603	72,633

c. Crestview Third Addition--City Project 85-22

Water, Sewer and Street Cost = \$237,899.20

Indirect @ 25% = 59,475.80

Estimate Project Cost \$297,375.00

Given: 39 lots; assumed sales: 12 in 86, 12 in 87, 12 in 88, 3 in 89; Construction in 1986; Assume May 1986 - Assessment With 10% Interest Rate.

Assessment per lot = \$297,375 ÷ 39 = \$7,625

Five-Year Assessment Plan

<u>Yr.</u>	<u>Principal</u>	<u>Prin. Pymt.</u>	<u>Int. Pymt.</u>	<u>Payment</u>
86	\$297,375	\$59,475	\$49,563	\$109,038 (escrow amt.)
87	237,900	59,475	23,790	83,265
88	178,425	59,475	17,843	77,318
89	118,950	59,475	11,895	71,370
90	59,475	59,475	5,948	65,423

Actual Payment With Lot Sales

<u>Yr.</u>	<u>Principal</u>	<u>Lot Sale</u>	<u>Yrly.Prin.</u>	<u>Prin.Pymt.</u>	<u>Int.Pymt.</u>	<u>Payment</u>
86	\$297,375	\$91,500	\$205,875	\$41,175	\$34,313	\$75,488
87	164,700	73,200	91,500	22,875	9,150	32,025
88	68,625	54,900	13,725	4,575	1,373	5,948
89	9,150	9,150	0	0	0	0
90	0	0	0	0	0	0

Summary

1. A three-month review by staff on construction and financing procedures on developer projects revealed that a "pay as you go" approach was not feasible for the developers due to higher costs from city restrictions and time delays within the city's administration of projects.
2. The developers, especially the larger firms, indicated that private construction is extremely important to their business approach and removing that option would force them to review their development in Maplewood.
3. Option One is the current approach (privately administered) allowed by the platting ordinance with no revisions. Under the ordinance the developer must either have all the streets and utilities installed and accepted by the city engineer or must escrow 150% of the construction cost of the street and utilities to guarantee the construction.
4. Option Two is a twelve-step approach in which the city prepares the plans and specifications, administers and inspects the project and assesses the project costs against the property over five years.
5. Option Two requires a set timetable dependent upon the size of the plat. The conditional occupancy permit date will be guaranteed to be issued by the city if the developer meets all conditions.
6. The finance director indicated that the increase in the city's total bond indebtedness if all projects were bonded for would not cause a decrease in the city's credit rating because total debt is one of several factors that determine our credit rating.
7. The possibility of a property tax increase to cover bond payments should developers become delinquent on assessment payments past the first year's guaranteed installment is considered minimal due to the saleability of a platted subdivision with all improvements installed and at least 20% of the cost paid.
8. A 1985 survey of fifteen suburban communities showed that nine have procedures for assessing developer project improvements back to the property.
9. An increase in city personnel is not required to implement the proposed changes. The increased workload could be handled through the use of consultants.

Recommendations

1. The current approach to developer project construction and financing on a private basis should be retained.
2. A second option to the private construction and financing should be offered as a method of addressing quality problems in developer financed improvements. This second option should be a city-administered, city-financed approach.

3. The city-administered approach should include city responsibility for plan and specification preparation, receipt of bids, levy of assessment, construction administration and construction inspection.

4. The options should be administered and timetables adhered to as outlined in this report.

5. If the council agrees with this change in policy, the staff should be directed to draft a revision to the platting ordinance and begin procedures for adopting the revised ordinance.

jc

cc: Acting City Manager
Finance Director
Director of Community Development
Director of Parks
City Clerk
Engineering Techs
Associate Planners
Developers

I-4

MEMORANDUM

Action by Council:

TO: City Manager
 FROM: Thomas Ekstrand--Associate Planner
 SUBJECT: Billboard Lease Renewal
 LOCATION: County Road D and the BN Tracks
 APPLICANT: Naegele Outdoor Advertising, Inc.
 OWNER: City of Maplewood
 DATE: May 4, 1987

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

SUMMARY

Request

Renewal of a lease to permit a Naegele billboard on city property for ten years. Refer to the attached letter, lease and maps.

Comments

This billboard is a legal nonconforming sign. It does not comply with all of the requirements of the billboard ordinance. The sign is located on property zoned R-3, multiple dwelling residential, which is not a permitted zoning district for billboards. Also, it is 1,160 feet from another billboard. Code requires a minimum spacing of 2,300 feet between billboards unless a conditional use permit is approved.

Recommendation

Denial of the request for the renewal of a billboard lease at the southeast corner of I-694 and the Burlington Northern Railroad tracks. Denial is based on the finding that the billboard does not comply with the city's sign code and should be removed.

BACKGROUND

Site Description

Lot area: 4.19 acres

Existing land use: a storm water holding pond and a Naegele billboard

Surrounding Land Uses

Northerly: I-694

Southerly: County Road D

Easterly: a single dwelling on a large lot zoned R-3, multiple dwelling residential

Westerly: Burlington Northern Railroad right-of-way

Past Actions

8-24-71:

The original billboard lease (a 15-year lease) was entered into with Clarence O. Labathe, the previous owner.

3-26-76:

The subject property was obtained by the City of Maplewood as a result of condemnation proceedings in Ramsey County District Court (court date January 28, 1976).

PLANNING CONSIDERATIONS

1. Section 36-292 (a) of city code states that "billboards may only be located in the following zoning districts: SC, shopping center, BC, business commercial, M-1, light manufacturing and heavy manufacturing zones."

2. The property is zoned R-3, multiple dwelling.

3. Section 36-292 (c) states:

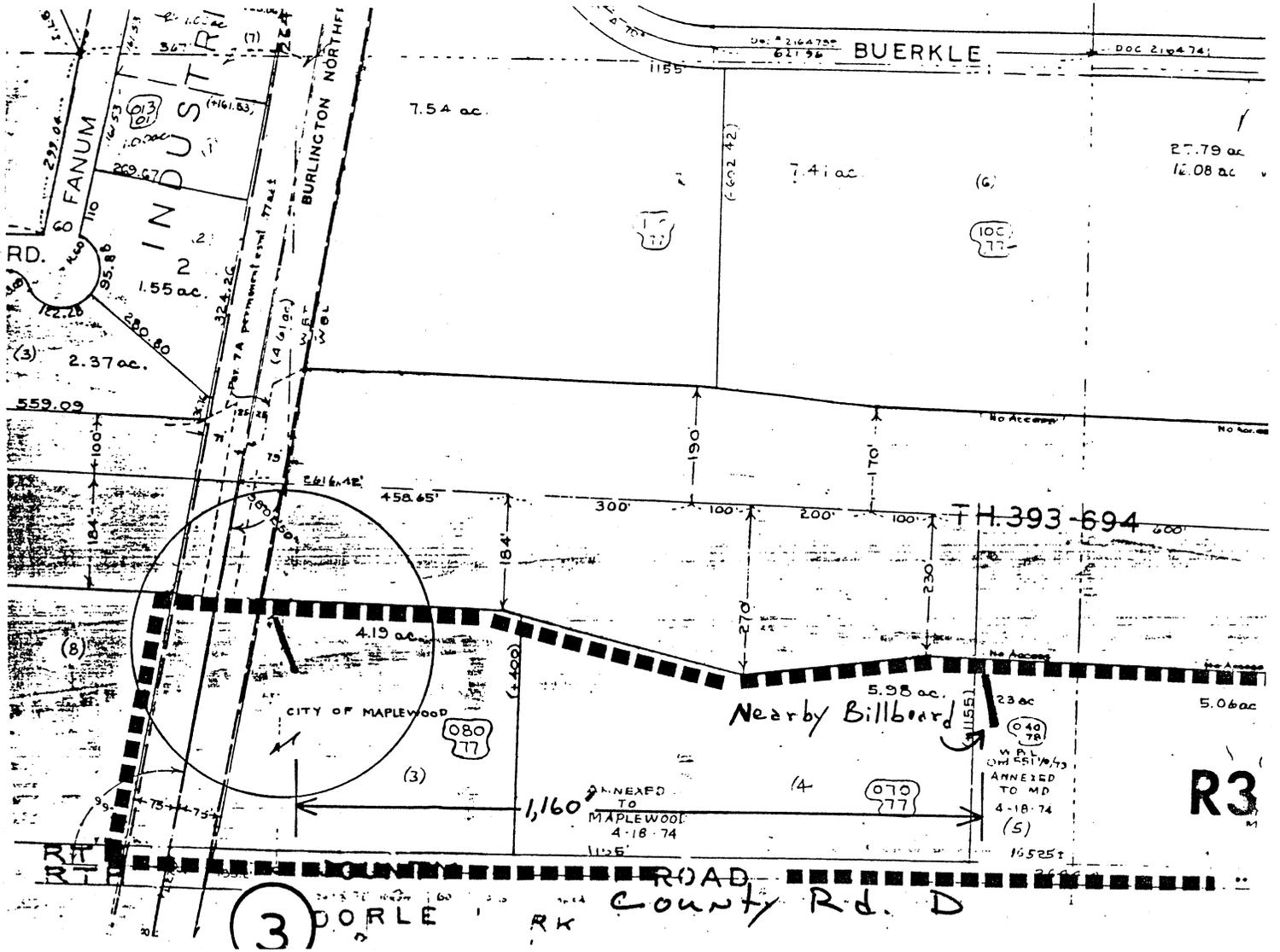
"Billboards shall not be located closer than the following distances, unless the council approves a special use permit:

(1) Two thousand three hundred (2,300) feet to another billboard on the same side of the same street.

jw

Attachments:

1. Location Map
2. Property Line/Zoning Map
3. Applicant's Letter
4. Proposed Lease



PROPERTY LINE / ZONING MAP



NAEGELE

Naegele Outdoor Advertising, Inc.
of the Twin Cities

February 26, 1987

Mayor John Greavu
City of Maplewood
1830 East County Road B
Maplewood, MN 55109

Dear Mayor Greavu and Members of the City Council:

The enclosed lease, prepared by Naegele Outdoor Advertising Company, will extend our use of City owned property on I-694 east of the Burlington Northern Railroad right-of-way. This new lease replaces our former lease which expired in November of 1986. The lease provides for payments to the City of \$600.00 per year over its ten year life. These terms are comparable to those offered and accepted for this type of outdoor advertising display in this area.

We propose no physical change to the unit, it will remain as it was built in 1970. Our continued use of the parcel has not and does not interfere with the public purpose of the parcel, providing for stormwater runoff.

We respectfully request the Council direct the City Staff to enter into an agreement extending our use of this property.

I will be attending the ~~March 9, 1987~~ City Council Meeting and will be able to answer questions and respond to comments.

If you have any questions or comments prior to that time please call me at Naegele, 869-1900, Extension 222.

Thank you!

Sincerely,



Roger T. Loe
Real Estate Services

RTL/emo

Enclosure

cc: Thomas Ekstrand
City of Maplewood

LEGAL DESCRIPTION

EXHIBIT "A"

That part of Section 34, Township 30 N, Range 22W, according to the U.S. Government Survey thereof, lying south of Truck Hwy #694 described as follows:

That part of the SE 1/4 - SW 1/4, Section 34, lying east of the right of way line of Burlington-Northern, Inc., Railway and the west 400 feet of the SE 1/4 - SE 1/4, Section 34, containing 4.48 acres more or less.

LEASE AGREEMENT

Agreement made February 9, 19 87, by and between City of Maplewood ("Lessor"), and Naegele Outdoor Advertising, Inc. ("Lessee").

1. Premises. The Lessor, as owner or agent of the owner, of the following premises:

Street Address: S/S I694 E/O B.N.R.R.

City of Town: Maplewood

Legal Description: See Attached Exhibit "A"

in the County/Parish of Ramsey, State of Minnesota, does hereby lease and grant exclusively to the Lessee, that portion of the premises necessary to construct (1) outdoor advertising structure(s) with sufficient access to allow Lessee to service and maintain such structure(s).

2. Term. This lease shall be for a term of (10) years beginning on completion of construction March 15, 1987, which ever is later, and shall automatically renew from year to year thereafter with the understanding that the total renewal periods shall not exceed ten years.

3. Rental. Yearly rental shall be Six Hundred and No/100 (\$600.00) Dollars payable monthly/yearly/quarterly from the office of Lessee. Lessor hereby acknowledges receipt of \$ as consideration for the execution of this lease which shall become effective upon approval by General Manager of Lessee, which shall be applied to the first rental payment due upon commencement of the lease.

4. Property. As between Lessor and Lessee all structures, equipment and materials placed upon the premises shall remain the property of Lessee and Lessee is granted the right to remove same from Lessor's premises within a reasonable period of time after the expiration of this Lease or any renewal thereof.

5. Hold Harmless. Lessee shall save the Lessor harmless from all damage to persons or property by reason of accidents resulting from the negligent acts of its agents, employees or others employed in the construction, maintenance, repair or removal of its signs on the premises.

6. Condemnation. In the event of condemnation or direct purchase sale by a governmental agency while this lease is operative, Lessee agrees to make no claim for any proceeds due Lessor as a result of the condemnation, but retains the right to pursue compensation due it as a result of the taking and Lessor agrees to take no action inconsistent with Lessee's rights herein stated.

7. Cancellation of Lease. Lessee - If the view of the premises or advertising sign or signs erected thereon is partially or wholly obstructed, or their advertising value impaired or diminished by reduced vehicular circulation, or the use of such signs is prevented or restricted by law, the Lessee may immediately, at its option, cancel this lease and receive all rent paid for the unexpired term hereof, by giving the Lessor notice in writing of such obstruction, impairment, prevention or restriction of use.

8. Lessor's Representations. Unless specifically stated otherwise herein, the Lessor represents and warrants that Lessor is either the owner or the agent of the owner of the premises above described, has full authority to make this lease and covenants that Lessor will not permit any adjoining premises owned or controlled by Lessor, to be used for advertising purposes or permit Lessee's signs to be obstructed. In the event of any transfer of Lessor's interest in the above described premises, Lessor agrees to promptly give Lessee notice of such transfer to deliver to Lessor's transferee written notice of the existence of this lease and a copy thereof.

9. Entire Agreement. It is expressly understood that neither the Lessor nor the Lessee is bound by any stipulations, representations or agreements not printed or written in this lease. This lease shall inure to the benefit of and be binding upon the personal representatives, successors and assigns of the parties hereto, provided however that this lease shall not be binding upon any secured party until delivery of written notice to the parties hereto by such secured party.

10. Miscellaneous.

Accepted this _____ day of _____, 19 _____.

LESSEE: Approved by: Naegele Outdoor Advertising, Inc.

LESSOR:

By: Its General Manager

(Print Name)

Agent of Naegele Outdoor Advertising, Inc.

(Signature)

By: Its Leasing Agent

1830 East County Road B
Maplewood, MN 55109

(Address)

Social Security of Fed. ID#

MEMORANDUM

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Director of Community Development
SUBJECT: 1744 Prosperity Road
DATE: May 5, 1987

Introduction

A petition has been received from neighbors of 1744 Prosperity Road requesting that the city condemn this house. (See attached petition.) The neighbors feel it is a danger to children and an eyesore.

Background

A fire damaged this house on October 28, 1979. Since that time, our department has required the owners to cut the grass, clean up junk, and keep the house boarded up. Remodeling permits were issued on November 7, 1980, and September 19, 1983.

The building code allows the city to condemn the house if it is a hazardous structure. The building inspector has informed me that the house is structurally sound and cannot be condemned as a hazardous structure.

The fee owner of the house is the State of Minnesota (tax forfeited) and the taxpayer (contract for deed) is Roger Pass. He purchased the house about four years ago. Mr. Pass informed me that he has put a new floor in the kitchen, repaired the foundation, and replaced windows. He plans to finish work this summer. This work has taken longer than expected because expenses were more than he anticipated and he ran short of money.

Alternative

The city or neighbors could offer to purchase the house, rehab it or demolish it and sell the property. The county market value is \$17,300 for the land and \$25,000 for the building.

Comments

Mr. Pass seems to be making a good faith effort to rehab this house. The alternative of purchasing, rehabing and selling the house is financially risky and may be unnecessary if Mr. Pass completes the work.

Recommendation

Take no action now, but monitor progress.

5.01 '87

THE FOLLOWING LISTED NAMES DO HEREBY PETITION YOU TO DO SOMETHING TO THE PROPERTY AT 1744 PROSPERITY ROAD WE FEEL IT IS A DANGER TO CHILDREN AS WELL AS AN EYESORE TO THE COMMUNITY. THIS PROPERTY HAS REMAINED IN THE SAME CONDITION SINCE ITS FIRE FOR AT LEAST 8 YEARS. WE FEEL IT SHOULD BE CONDEMNED.

Wesley Olson
Bob Weaver

- 1) Galinda L. Egerstrom 1808 Prosperity Rd., Maplewood
- 2) Diana Ersfeld 1764 Prosperity Rd., Maplewood
- 3) Ruth Ellwanger 1819 Kennard St. "
- 4) Vivian E. Foraney 1831 Maryknoll Maplewood
- 5) Annella Schubert 1885 Maryknoll Maplewood
- 6) Henrietta Chatterton 1771 Maryknoll "
- 7) Connie Elett 1801 Maryknoll - Maplewood
- 8) Rose M. Kiskel 1800 Prosperity Rd "
- 9) Clementina K. Anderson 1813 - Maryknoll Ave. "
- 10) Dolores E. O'Mara 1786 Maryknoll ave. "
- 11) Betty J. Nelson 1767 Maryknoll Ave. "
- 12) Annella C. Pedgrod 1764 Maryknoll Ave "
- 13) John Mattson 1756 Prosperity Rd "
- 14) Anna M. Agnew 1779 Maryknoll "
- 15) Leatridana 1759 Maryknoll "
- 16) Betty Haas 1801 Kennard "

Received

APR 24 1987

CITY OF MAPLEWOOD

1:15 P.M.

Jeanne Schacht

MEMORANDUM

Action by Council:

TO: City Manager
FROM: City Engineer *KEA*
SUBJECT: Vacant Lot--Sagstetter
DATE: May 5, 1987

Endorsed _____
Modified _____
Rejected _____
Date _____

Introduction:

Mr. Richard Sagstetter requested an appearance before the city council to discuss his vacant property on Prosperity Avenue north of Frost Avenue. (See attached map.)

Background:

Several years ago Mr. Sagstetter purchased the subject property as tax-forfeit land from Ramsey County. Subsequently he requested a building permit for a single-family home. The permit was not issued by staff because of a significant drainage problem. The lot relieves run-off from both sides of Prosperity through a series of ditches and culverts.

Alternatives:

1. Take no action.
2. Issue a building permit for the lot.
3. Reimburse Mr. Sagstetter for the property.
4. Construct storm sewer to drain the property.

Discussion:

Alternative One may result in some liability for the city, however, the exposure is limited. This action is consistent with similar cases where tax-forfeit parcels are sold with the understanding of "buyer beware."

Alternative Two is not a reasonable choice since the city knows a drainage problem exists and would adversely affect the home.

Alternative Three is unreasonable for the city to accept the liability for the drainage system on a county road.

Alternative Four requires a rather extensive project that has been rejected by the city council within the last few years.

Recommendation:

It is recommended the city council take no action on this matter.

jc
Attachment

