

**AGENDA**

**MAPLEWOOD CITY COUNCIL**  
7:00 P.M., Monday, August 24, 1987  
Municipal Administration Building  
Meeting 87 - 17

(A) CALL TO ORDER

(B) ROLL CALL

(C) APPROVAL OF MINUTES

(D) APPROVAL OF AGENDA

(E) CONSENT AGENDA

1. Accounts Payable
2. Easement Agreement - Beam Avenue Water Main - Project 84-12
3. Authorization to Replace Assistant City Engineer
4. Sherwood Park/Vaughn, 1613 Sandhurst

(F) PUBLIC HEARINGS

1. 7:00 P.M., Liquor Licenses
  - a. Cope Place \_\_\_\_\_
  - b. D. G. Burger's Inc. \_\_\_\_\_
  - c. Applebee's - Maplewood Mall \_\_\_\_\_
2. 7:10 P.M., Preliminary Plat : Jefferson 6th Addition \_\_\_\_\_
3. 7:20 P.M., Conditional Use Permit : 798 No. McKnight (Mosner) \_\_\_\_\_
4. 7:30 P.M., Conditional Use Permit : 2785 White Bear (District Court) \_\_\_\_\_
5. 7:40 P.M., Preliminary Plat : Maplewood Meadows \_\_\_\_\_
6. 7:50 P.M., Huntington Hills South
  - a. Preliminary Plat \_\_\_\_\_
  - b. Rezoning (4 Votes) \_\_\_\_\_

(G) AWARD OF BIDS

1. Hillcrest Trunk Sanitary Sewer - Project 86-22 \_\_\_\_\_

(H) UNFINISHED BUSINESS

1. Markfort Addition
  - a. Preliminary Plat \_\_\_\_\_
  - b. Public Improvement Project \_\_\_\_\_
2. Ordinance : Temporary Beer and Wine Permit (2nd Reading) \_\_\_\_\_
3. Frost Avenue Assessment Appeals \_\_\_\_\_

(I) NEW BUSINESS

1. Set 1988 Budget Meeting \_\_\_\_\_
2. East Community Family Center \_\_\_\_\_
3. St. Paul Water Department \_\_\_\_\_
4. Limiting Growth \_\_\_\_\_
5. Ordinance : Authorizing Issuance of Citations \_\_\_\_\_
6. Resolution : Domestic Intervention Project Grant \_\_\_\_\_
7. Approval of Tower Plans and Easement Agreement - Water Service District 8  
Improvements - Project 86-15 \_\_\_\_\_
8. Municipal State Aid Street Fund Report \_\_\_\_\_
9. Addition to Battle Creek Park \_\_\_\_\_

(J) VISITOR PRESENTATIONS

(K) COUNCIL PRESENTATIONS

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_

(L) ADMINISTRATIVE PRESENTATIONS

(M) ADJOURNMENT

E-1

MANUAL CHECKS DATED THRU AUGUST 15, 1987

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
215B30	08/17/87	994.16	BLUE CROSS	CONTRACT PYM
215B30	08/17/87	251.86	BLUE CROSS	CONTRACT PYM
215B30	08/17/87	3,723.25	BLUE CROSS	CONTRACT PYM
		4,969.27 *		
*****				
215G78	08/17/87	69.60	GROUP HEALTH INC.	INSURANCE
215G78	08/17/87	1,161.28	GROUP HEALTH INC.	INSURANCE
215G78	08/17/87	5,320.97	GROUP HEALTH INC.	INSURANCE
		6,551.85 *		
*****				
215M69	08/17/87	13,783.08	MINN STATE TREASURER	LICENSE
215M69	08/17/87	284.00	MINN STATE TREASURER	LICENSE
		14,067.08 *		
*****				
215S28	08/17/87	172.88	SHARE	INSURANCE
215S28	08/17/87	370.42	SHARE	INSURANCE
215S28	08/17/87	2,763.30	SHARE	INSURANCE
		3,306.60 *		
*****				
215S90	08/17/87	18.14	SUPERAMERICA	FUEL OIL
215S90	08/17/87	7.30	SUPERAMERICA	FUEL OIL
215S90	08/17/87	110.50	SUPERAMERICA	FUEL OIL
215S90	08/17/87	1.33	SUPERAMERICA	FUEL OIL
215S90	08/17/87	26.48	SUPERAMERICA	FUEL OIL
		163.75 *		
*****				
216418	08/17/87	76,404.70	F. M. FRATTALONE	CONTRACT PYM
		76,404.70 *		
*****				
216M69	08/17/87	8,181.89	MINN STATE TREASURER	LICENSE
216M69	08/17/87	546.50	MINN STATE TREASURER	LICENSE
		8,728.39 *		
*****				
217E64	08/17/87	1,000.00	EMPLOYEE BENEFIT	CONTRACT PYM
		1,000.00 *		
*****				
217M69	08/17/87	14,060.75	MINN STATE TREASURER	LICENSE
217M69	08/17/87	469.00	MINN STATE TREASURER	LICENSE
		14,529.75 *		

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
*****				
218419	08/17/87	58,191.92 58,191.92 *	DANNER INC	CONTRACT PYM
*****				
218C40	08/17/87	128.00 128.00 *	CLERK OF COURT	FILING FEE
*****				
218M69	08/17/87	8,795.48	MINN STATE TREASURER	LICENSE
218M69	08/17/87	401.00	MINN STATE TREASURER	LICENSE
		9,196.48 *		
*****				
219C42	08/17/87	6.63	COMMERCIAL LIFE INS	INSURANCE
219C42	08/17/87	91.68	COMMERCIAL LIFE INS	INSURANCE
219C42	08/17/87	301.24	COMMERCIAL LIFE INS	INSURANCE
219C42	08/17/87	495.09	COMMERCIAL LIFE INS	INSURANCE
		894.64 *		
*****				
219D24	08/17/87	143.00	DEPT NATL RESOURCES	DNR LICENSE
219D24	08/17/87	4.00	DEPT NATL RESOURCES	DNR LICENSE
		147.00 *		
*****				
219F26	08/17/87	1,228.77 1,228.77 *	FIRE SAFETY PROD	SUPPLIES
*****				
219M20	08/17/87	144,159.10 144,159.10 *	M.W.C.C.	CONTRACT PYM
*****				
219M69	08/17/87	6,730.00	MINN STATE TREASURER	LICENSE
219M69	08/17/87	675.00	MINN STATE TREASURER	LICENSE
		7,405.00 *		
*****				
219N80	08/17/87	2.50	N.S.P	UTILITIES
219N80	08/17/87	3.67	N.S.P	UTILITIES
219N80	08/17/87	3.67	N.S.P	UTILITIES
219N80	08/17/87	78.19	N.S.P	UTILITIES
219N80	08/17/87	77.45	N.S.P	UTILITIES
219N80	08/17/87	15.29	N.S.P	UTILITIES

1987 CITY OF MAPLEWOOD

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CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		180.77 *		
*****				
219P95	08/17/87	7,736.59	P.E.R.A	CONTRACT PYM
219P95	08/17/87	10,260.43	P.E.R.A	CONTRACT PYM
		17,997.02 *		
*****				
222A05	08/17/87	422.40	AFSCME	UNION DUES
		422.40 *		
*****				
222B30	08/17/87	500.00	BLUE CROSS	INSURANCE
		500.00 *		
*****				
222C35	08/17/87	20,385.50	EMP CREDIT UNION	CREDIT UNION
		20,385.50 *		
*****				
222I15	08/17/87	3,965.72	ICMA	CONTRACT PYM
222I15	08/17/87	1,817.52	ICMA	CONTRACT PYM
		5,783.24 *		
*****				
222M15	08/17/87	5,346.04	MAPLEWOOD BANK	CONTRACT PYM
222M15	08/17/87	15,411.66	MAPLEWOOD BANK	CONTRACT PYM
222M15	08/17/87	5,346.04	MAPLEWOOD BANK	CONTRACT PYM
		25,103.74 *		
*****				
222M18	08/17/87	14.00	METRO SUPERVISORY	UNION DUES
		14.00 *		
*****				
222M61	08/17/87	160.00	MN MUTUAL LIFE INS	INSURANCE
		160.00 *		
*****				
222M65	08/17/87	7,590.90	MN ST COMM/REVENUE	CONTRACT PYM
		7,590.90 *		
*****				
222M68	08/17/87	110.84	MN ST RETIREMENT	CONTRACT PYM
222M68	08/17/87	46.16	MN ST RETIREMENT	CONTRACT PYM

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		157.00 *		
222M69	08/17/87	1,227.29	MINN STATE TREASURER	LICENSE
222M69	08/17/87	400.50	MINN STATE TREASURER	LICENSE
222M69	08/17/87	451.50	MINN STATE TREASURER	LICENSE
		2,079.29 *		
*****				
223420	08/17/87	943.49	HOME INSURANCE	REFUND
		943.49 *		
*****				
223M60	08/17/87	9.00	M.G.F.O.A	TRAVE TRAINING
223M60	08/17/87	18.00	M.G.F.O.A	TRAVE TRAINING
		27.00 *		
*****				
223M69	08/17/87	10,102.75	MINN STATE TREASURER	LICENSE
		10,102.75 *		
*****				
224C25	08/17/87	1,480.67	CANADA LIFE	INS
		1,480.67 *		
*****				
225154	08/17/87	37.10	RAMSEY PARKS	PARK PERMIT
		37.10 *		
*****				
		134,028.02	FUND 01 TOTAL	GENERAL
		76,404.70	FUND 64 TOTAL	86-4 CTY RD C&HWY
		58,191.92	FUND 65 TOTAL	86-5 HILLWD DR-E
		144,159.10	FUND 90 TOTAL	SANITARY SEWER FU
		1,000.00	FUND 94 TOTAL	DENTAL SELF-INSUR
		31,253.43	FUND 95 TOTAL	PAYROLL BENEFIT
		445,037.17	TOTAL	

NECESSARY EXPENDITURES SINCE LAST COUNCIL MEETING

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
236042	08/14/87	615.29	PEOPLES ELECTRIC	CONTRACT PYM
236042	08/13/87	615.29	PEOPLES ELECTRIC	CONTRACT PYM
		1,230.58 *		
*****				
236046	08/13/87	116.58	GOODYEAR	REPAIR MAINT
		116.58 *		
*****				
236052	08/13/87	40.47	METRO SALES INC	PARTS
		40.47 *		
*****				
236154	08/13/87	37.10-	RAMSEY CNTY PARK REC	PERMIT
236154	08/13/87	37.10	RAMSEY CNTY PARK REC	PICNIC PERMIT
		.00 *		
*****				
236180	08/13/87	31.27	NORTHWOOD HDW	SUPPLIES
		31.27 *		
*****				
236228	08/13/87	10.00	HILYAR KATE	PROGRAMS
		10.00 *		
*****				
236332	08/13/87	17.42	ANDERSON CHRISTINA	MILEAGE
236332	08/13/87	15.60	ANDERSON CHRISTINA	MILEAGE
		33.02 *		
*****				
236341 *	08/13/87	100.00	FORTMEYER & LANG	SUPPLIES
236341	08/13/87	62.00	FORTMEYER & LANG	SUPPLIES
236341	08/13/87	20.00	FORTMEYER & LANG	SUPPLIES
		182.00 *		
*****				
236344 *	08/13/87	10.00	HOCKENSMITH B	REFUND
		10.00 *		
*****				
236347 *	08/13/87	5.58	LES SUPERETTS	SUPPLIES
236347	08/13/87	17.35	LES SUPERETTS	SUPPLIES
236347	08/13/87	15.14	LES SUPERETTS	SUPPLIES
236347	08/13/87	13.05	LES SUPERETTS	SUPPLIES
236347	08/13/87	11.42	LES SUPERETTS	SUPPLIES

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CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		62.54 *		
*****				
236355	08/13/87	50.00	N.C.C.E.M.	MEMBERSHIP
		50.00 *		
*****				
236388	* 08/13/87	6.24	JORDAN ERIC	REFUND
		6.24 *		
*****				
236396	* 08/13/87	255.00	FUN SERVICE	SUPPLIES
236396	08/13/87	375.00	FUN SERVICE	SUPPLIES
		630.00 *		
*****				
236401	* 08/13/87	9.88	STRAUS LAURA	MILEAGE
		9.88 *		
236402	08/13/87	96.00	STANDARD ELECTRIC	CONTRACT PYM
		96.00 *		
236403	08/13/87	124.00	P.C.SOLUTIONS	CONTRACT PYM
236403	08/13/87	124.00	P.C.SOLUTIONS	CONTRACT PYM
236403	08/13/87	104.00	P.C.SOLUTIONS	CONTRACT PYM
		352.00 *		
236404	08/13/87	44.56	MPLS SPOKEMANS	CONTRACT PYM
		44.56 *		
236405	08/13/87	156.50	MCF-STILLWATER	SUPPLIES
		156.50 *		
*****				
236407	08/13/87	2,138.44	GOODWILL INDUSTRIES	CONTRACT PYM
		2,138.44 *		
236408	08/13/87	6.86	EDITH MILLER FLORIST	FLORIST
236408	08/13/87	6.86	EDITH MILLER FLORIST	FLORIST
236408	08/13/87	20.58	EDITH MILLER FLORIST	FLORIST
		34.30 *		
236409	08/13/87	4.16	COLLINS STEVEN	MILEAGE
		4.16 *		
236410	08/13/87	31.28	BELLAIRE SANITATION	CONTRACT PYM
		31.28 *		
236411	* 08/13/87	10.46	ARMS DENNIS	PROGRAMS
		10.46 *		

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CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
236412	08/13/87	32.50 32.50 *	APPLIES IMAGES	SUPPLIES
236413	08/14/87	279.70 279.70 *	HAYDEN-MURPHY	CONTRACT PYM
236414	08/14/87	30.00 30.00 *	ABREGO CAROL	CONTRACT PYM
236415	08/14/87	30.00 30.00 *	WALTHER DENISE	REFUND
236416	08/14/87	35.00 35.00 *	NEKTON/SEXTANT	REFUND
236417	08/14/87	70.00 70.00 *	SWANSON TERRI	REFUND
*****				
236A01	08/13/87	39.58	ACE HARDWARE	SUPPLIES
236A01	08/13/87	47.61	ACE HARDWARE	SUPPLIES
236A01	08/13/87	22.92	ACE HARDWARE	SUPPLIES
236A01	08/13/87	29.93	ACE HARDWARE	SUPPLIES
236A01	08/13/87	29.73	ACE HARDWARE	SUPPLIES
236A01	08/13/87	92.33	ACE HARDWARE	SUPPLIES
236A01	08/13/87	4.05	ACE HARDWARE	SUPPLIES
236A01	08/13/87	102.17	ACE HARDWARE	SUPPLIES
236A01	08/13/87	35.70	ACE HARDWARE	SUPPLIES
236A01	08/13/87	52.30	ACE HARDWARE	SUPPLIES
236A01	08/13/87	180.67	ACE HARDWARE	SUPPLIES
		636.99 *		
236A02	08/13/87	4.96	ACRO MINN	SUPPLIES
236A02	08/13/87	4.96	ACRO MINN	SUPPLIES
236A02	08/13/87	4.96	ACRO MINN	SUPPLIES
		14.88 *		
*****				
236A52	08/14/87	3.75 3.75 *	ARDEN SHOREVIEW HOS	ANIMAL CARE
236A53	08/13/87	16.27-	ARI MECH SERVICES	REPAIR MAINT
236A53	08/13/87	362.40	ARI MECH SERVICES	REPAIR MAINT
236A53	08/13/87	519.76	ARI MECH SERVICES	REPAIR MAINT
		865.89 *		
*****				
236A55	08/13/87	179.07	AMERI-DATA SYSTEM	COMPUTER SYSTEM
236A55	08/13/87	599.00	AMERI-DATA SYSTEM	COMPUTER SYSTEM
236A55	08/13/87	87.13	AMERI-DATA SYSTEM	COMPUTER SYSTEM
		865.20 *		

1987 CITY OF MAPLEWOOD

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CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
*****				
236A69	08/13/87	356.09	ARNALS AUTO SERV	REPAIR MAINT
236A69	08/13/87	248.75	ARNALS AUTO SERV	REPAIR MAINT
236A69	08/13/87	25.45	ARNALS AUTO SERV	REPAIR MAINT
		630.29 *		
*****				
236A75	08/13/87	3.55	A T & T	TELEPHONE
236A75	08/13/87	4.50	A T & T	TELEPHONE
236A75	08/13/87	12.75	A T & T	TELEPHONE
236A75	08/13/87	2.25	A T & T	TELEPHONE
		23.05 *		
*****				
236B15	08/13/87	32.57	BATTERY TIRE WHSE	SUPPLIES
236B15	08/13/87	12.30	BATTERY TIRE WHSE	SUPPLIES
236B15	08/13/87	41.12	BATTERY TIRE WHSE	SUPPLIES
236B15	08/13/87	43.95	BATTERY TIRE WHSE	SUPPLIES
		129.94 *		
236B16	08/13/87	40.40	BEST BUY CO	SUPPLIES
236B16	08/13/87	72.37	BEST BUY CO	SUPPLIES
		112.77 *		
*****				
236B35	08/13/87	187.00	BRACKE LOUIS	CONTRACT PYM
		187.00 *		
*****				
236B45	08/13/87	39.16	BOARD OF WATER COMM	UTILITIES
236B45	08/13/87	22.52	BOARD OF WATER COMM	UTILITIES
236B45	08/13/87	58.48	BOARD OF WATER COMM	UTILITIES
236B45	08/13/87	603.52	BOARD OF WATER COMM	UTILITIES
236B45	08/13/87	12.12	BOARD OF WATER COMM	UTILITIES
236B45	08/13/87	54.84	BOARD OF WATER COMM	UTILITIES
		790.64 *		
*****				
236B55	08/13/87	75.80	BLACKS PHOTO	SUPPLIES
236B55	08/13/87	4.20	BLACKS PHOTO	SUPPLIES
		80.00 *		
*****				
236C08	08/13/87	196.55	C C SHARROW CO INC	SUPPLIES
		196.55 *		
*****				

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
236C17	08/13/87	10.15	CAPITOL RUBBER STAMP	SUPPLIES
		10.15 *		
*****				
236C38	08/13/87	31.45	CLEAN STEP RUGS	RUG CLEANING
236C38	08/13/87	32.75	CLEAN STEP RUGS	RUG CLEANING
		64.20 *		
236C39	08/13/87	186.88	CEMSTONE PRODUCTS	SUPPLIES
		186.88 *		
*****				
236C45	08/13/87	72.59	CHIPPEWA SPRINGS	WATER COOLER
		72.59 *		
*****				
236C55	08/14/87	249.21	COPY DUPLICATING	DUPLICATING COST
		249.21 *		
*****				
236C58	08/13/87	41.79	COPY EQUIPMENT INC	SUPPLIES
		41.79 *		
*****				
236C61	08/13/87	222.00	CONNELLY IND ELECT	SUPPLIES
		222.00 *		
*****				
236C64	08/13/87	9.09	CHEYENNE COPY CTR	CONTRACT PYM
		9.09 *		
*****				
236C66	08/13/87	21.08	COAST TO COAST	SUPPLIES
		21.08 *		
*****				
236C75	08/13/87	351.74	COMPUTER BYNG SERV	CONTRACT PYM
236C75	08/13/87	19.74-	COMPUTER BYNG SERV	CONTRACT PYM
		332.00 *		
*****				
236D09	08/13/87	125.00	DAYTONS BLUFF SHEET	REPAIR MAINT
		125.00 *		
*****				

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CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
236D30	08/13/87	221.45	DALCO	SUPPLIES
236D30	08/13/87	2.03	DALCO	SUPPLIES
		223.48 *		
*****				
236D35	08/13/87	782.00	DALEY PAT	CONTRACT PYM
		782.00 *		
*****				
236D37	08/13/87	25.00	DATA DISPATCHING	DELIVERY SERV
		25.00 *		
*****				
236E07	08/14/87	85.35	EASTMAN KODAK CO	DUPLICATING COSTS
236E07	08/14/87	14.23	EASTMAN KODAK CO	DUPLICATING COSTS
236E07	08/14/87	128.02	EASTMAN KODAK CO	DUPLICATING COSTS
236E07	08/14/87	284.50	EASTMAN KODAK CO	DUPLICATING COSTS
236E07	08/14/87	184.92	EASTMAN KODAK CO	DUPLICATING COSTS
236E07	08/14/87	113.80	EASTMAN KODAK CO	DUPLICATING COSTS
236E07	08/14/87	426.74	EASTMAN KODAK CO	DUPLICATING COSTS
236E07	08/14/87	184.92	EASTMAN KODAK CO	DUPLICATING COSTS
		1,422.48 *		
*****				
236F05	08/13/87	4.68	FAUST DANIEL	MILEAGE
		4.68 *		
*****				
236G10	08/13/87	12.60	G & K SERVICES	UNIFORMS
236G10	08/13/87	12.60	G & K SERVICES	UNIFORMS
236G10	08/13/87	40.74	G & K SERVICES	UNIFORMS
236G10	08/13/87	40.74	G & K SERVICES	UNIFORMS
236G10	08/13/87	40.64	G & K SERVICES	UNIFORMS
236G10	08/13/87	40.74	G & K SERVICES	UNIFORMS
236G10	08/13/87	12.60	G & K SERVICES	UNIFORMS
236G10	08/13/87	12.60	G & K SERVICES	UNIFORMS
236G10	08/13/87	37.80	G & K SERVICES	UNIFORMS
236G10	08/13/87	37.80	G & K SERVICES	UNIFORMS
236G10	08/13/87	37.80	G & K SERVICES	UNIFORMS
236G10	08/13/87	30.56	G & K SERVICES	UNIFORMS
236G10	08/13/87	30.56	G & K SERVICES	UNIFORMS
236G10	08/13/87	30.56	G & K SERVICES	UNIFORMS
236G10	08/13/87	30.56	G & K SERVICES	UNIFORMS
236G10	08/13/87	9.00	G & K SERVICES	UNIFORMS
236G10	08/13/87	9.00	G & K SERVICES	UNIFORMS
236G10	08/13/87	9.00	G & K SERVICES	UNIFORMS
236G10	08/13/87	9.00	G & K SERVICES	UNIFORMS
		484.90 *		
*****				

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
236G26	08/13/87	47.56	GLENWOOD	COOLER
		47.56 *		
*****				
236G40	08/13/87	142.20	GOODIN CO	SUPPLIES
236G40	08/13/87	208.65	GOODIN CO	SUPPLIES
		350.85 *		
*****				
236G45	08/13/87	257.96	GOODYEAR TIRE CO	REPAIR MAINT
		257.96 *		
*****				
236G51	08/13/87	22.90	GLADSTONE LUMBER	SUPPLIES
		22.90 *		
*****				
236G60	08/14/87	1,514.95	GRUBERS HDW HANK	EQUIPMENT
		1,514.95 *		
*****				
236H05	08/14/87	48.22	H.C.O.	FUEL OIL
236H05	08/14/87	42.39	H.C.O.	FUEL OIL
236H05	08/14/87	27.75	H.C.O.	FUEL OIL
236H05	08/14/87	14.20	H.C.O.	FUEL OIL
236H05	08/14/87	18.26	H.C.O.	FUEL OIL
236H05	08/14/87	34.67	H.C.O.	FUEL OIL
236H05	08/14/87	40.04	H.C.O.	FUEL OIL
236H05	08/14/87	7.61	H.C.O.	FUEL OIL
236H05	08/14/87	17.97	H.C.O.	FUEL OIL
236H05	08/14/87	12.74	H.C.O.	FUEL OIL
236H05	08/14/87	15.00	H.C.O.	FUEL OIL
236H05	08/14/87	45.93	H.C.O.	FUEL OIL
236H05	08/14/87	22.22	H.C.O.	FUEL OIL
236H05	08/14/87	6.57	H.C.O.	FUEL OIL
236H05	08/14/87	15.30	H.C.O.	FUEL OIL
236H05	08/14/87	12.88	H.C.O.	FUEL OIL
236H05	08/14/87	24.76	H.C.O.	FUEL OIL
236H05	08/14/87	13.74	H.C.O.	FUEL OIL
236H05	08/14/87	26.51	H.C.O.	FUEL OIL
236H05	08/14/87	26.15	H.C.O.	FUEL OIL
		472.91 *		
*****				
236H24	* 08/13/87	34.99	HEJNY RENTALS INC	PROGRAMS
		34.99 *		
236H25	08/13/87	215.00	HENN COUNTY	TRAVEL TRAINING

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		215.00 *		
*****				
236H70	08/13/87	11.82	HORSNELL JUDITH	SUPPLIES
236H70	08/13/87	3.59	HORSNELL JUDITH	SUPPLIES
236H70	08/13/87	23.45	HORSNELL JUDITH	SUPPLIES
		38.86 *		
*****				
236J30	08/13/87	160.00	J&J TROPHIES	PROGRAMS
236J30	* 08/13/87	30.00	J&J TROPHIES	PROGRAMS
236J30	08/13/87	675.00	J&J TROPHIES	PROGRAMS
236J30	08/13/87	70.00	J&J TROPHIES	PROGRAMS
236J30	08/13/87	87.50	J&J TROPHIES	PROGRAMS
236J30	08/13/87	675.00	J&J TROPHIES	PROGRAMS
236J30	08/13/87	97.50	J&J TROPHIES	PROGRAMS
		1,795.00 *		
*****				
236J47	* 08/13/87	28.00	JOLLY TYME FAVORS	SUPPLIES
236J47	08/13/87	51.39	JOLLY TYME FAVORS	SUPPLIES
236J47	08/13/87	21.03	JOLLY TYME FAVORS	SUPPLIES
		100.42 *		
*****				
236J90	08/14/87	24.80	JUNGMANN JERRY	DELIVER PAPERS
		24.80 *		
*****				
236K32	08/13/87	167.00	KENNEL-AIRE	SUPPLIES
236K32	08/13/87	167.00	KENNEL-AIRE	SUPPLIES
		334.00 *		
*****				
236K56	08/13/87	7.09	KNOWLANDS	SUPPLIES
		7.09 *		
*****				
236K58	08/13/87	59.98	KOKESH ATHLETIC	SUPPLIES
		59.98 *		
*****				
236L31	08/13/87	9,332.00	LEAGUE OF MN CITIES	MEMBERSHIP
		9,332.00 *		
*****				
236L36	08/13/87	7.18	LEES AUTO SUPPLY	SUPPLIES

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
236L36	08/13/87	13.05 20.23 *	LEES AUTO SUPPLY	SUPPLIES
*****				
236L70	08/14/87	1,671.96	LOGIS	D.P CHGS
236L70	08/14/87	5.56 1,677.52 *	LOGIS	D.P CHGS
*****				
236L85	08/13/87	14.87	LUGER LUMBER	SUPPLIES
236L85	08/13/87	16.39	LUGER LUMBER	SUPPLIES
236L85	08/13/87	51.00	LUGER LUMBER	SUPPLIES
236L85	08/13/87	53.28	LUGER LUMBER	SUPPLIES
236L85	08/13/87	42.00	LUGER LUMBER	SUPPLIES
236L85	08/13/87	42.00 219.54 *	LUGER LUMBER	SUPPLIES
*****				
236M06	08/13/87	215.00 215.00 *	MASYS CORP	COMPUTER MAINT
*****				
236M11	08/13/87	44.31 44.31 *	MAC QUEEN EQUIPMENT	SUPPLIES
*****				
236M14	08/13/87	106.79	MAPLEWOOD REVIEW	PUBLISHING
236M14	08/13/87	47.10	MAPLEWOOD REVIEW	PUBLISHING
236M14	08/13/87	45.14	MAPLEWOOD REVIEW	PUBLISHING
236M14	08/13/87	35.33	MAPLEWOOD REVIEW	PUBLISHING
236M14	08/13/87	43.18 277.54 *	MAPLEWOOD REVIEW	PUBLISHING
*****				
236M23	08/14/87	232.00 232.00 *	METAL DOCTOR	MODIFICATIONS
*****				
236M25	08/13/87	250.00 250.00 *	MCGUIRE MICHAEL	AUTO ALLOWANCE
*****				
236M31	08/13/87	329.60	MANPOWER TEMP	CONTRACT PYM
236M31	08/13/87	263.68 593.28 *	MANPOWER TEMP	CONTRACT PYM
*****				

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
236M63	08/14/87	100.00	MN REC & PARK ASSN	TOURN ENTRY
		100.00 *		
*****				
236M88	08/13/87	1,596.50	MIDWEST ANIMAL SERV	ANIMAL CONTROL
		1,596.50 *		
*****				
236N27	08/13/87	186.50	NCR CORP	CONTRACT PYM
		186.50 *		
*****				
236N50	08/13/87	53.17	NORTHWESTERN BELL	TELEPHONE
236N50	08/13/87	1,689.55	NORTHWESTERN BELL	TELEPHONE
236N50	08/13/87	53.87	NORTHWESTERN BELL	TELEPHONE
236N50	08/13/87	1,071.60	NORTHWESTERN BELL	TELEPHONE
236N50	08/13/87	271.30	NORTHWESTERN BELL	TELEPHONE
236N50	08/13/87	51.67	NORTHWESTERN BELL	TELEPHONE
236N50	08/13/87	51.67	NORTHWESTERN BELL	TELEPHONE
236N50	08/13/87	51.67	NORTHWESTERN BELL	TELEPHONE
236N50	08/13/87	51.67	NORTHWESTERN BELL	TELEPHONE
236N50	08/13/87	51.67	NORTHWESTERN BELL	TELEPHONE
236N50	08/13/87	51.67	NORTHWESTERN BELL	TELEPHONE
		3,397.84 *		
*****				
236P30	08/13/87	3,000.00	PETERSON BELL CONV	RETAINER
236P30	08/13/87	81.65	PETERSON BELL CONV	RETAINER
236P30	08/14/87	87.40	PETERSON BELL CONV	CONTRACT PYM
236P30	08/13/87	3,000.00	PETERSON BELL CONV	RETAINER
		6,169.05 *		
*****				
236P40	08/13/87	47.43	PHOTOS TO GO	SUPPLIES
236P40	08/13/87	29.97	PHOTOS TO GO	SUPPLIES
236P40	08/13/87	28.94	PHOTOS TO GO	SUPPLIES
236P40	08/13/87	1.64-	PHOTOS TO GO	SUPPLIES
236P40	08/13/87	7.62	PHOTOS TO GO	SUPPLIES
236P40	08/13/87	8.43	PHOTOS TO GO	SUPPLIES
		120.75 *		
*****				
236P45	08/13/87	185.00	PITNEY BOWES	CONTRACT PYM
		185.00 *		
*****				
236P67	08/13/87	85.50	PROFESSIONAL PROCESS	AMB RUNS
		85.50 *		

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
*****				
236R04	* * 08/13/87	49.88 49.88 *	RADIO SHACK	SUPPLIES
*****				
236R09	08/13/87	10.00 10.00 *	RAMSEY COUNTY	CONTRACT PYM
*****				
236R27	08/13/87	39.95	REEDS SALES SERVICE	SUPPLIES
236R27	08/13/87	9.60 49.55 *	REEDS SALES SERVICE	SUPPLIES
*****				
236R39	08/13/87	17.72	RICHARDS	SUPPLIES
236R39	08/13/87	6.89	RICHARDS	SUPPLIES
236R39	08/13/87	8.05	RICHARDS	SUPPLIES
236R39	08/13/87	11.36	RICHARDS	SUPPLIES
236R39	08/13/87	13.08	RICHARDS	SUPPLIES
236R39	08/13/87	15.61	RICHARDS	SUPPLIES
236R39	08/13/87	12.10	RICHARDS	SUPPLIES
236R39	08/13/87	15.50	RICHARDS	SUPPLIES
236R39	08/13/87	43.04	RICHARDS	SUPPLIES
236R39	08/13/87	11.63	RICHARDS	SUPPLIES
236R39	08/13/87	4.17 159.15 *	RICHARDS	SUPPLIES
*****				
236R49	08/13/87	1.08	ROAD RESCUE	REPAIR MAINT
236R49	08/13/87	197.01	ROAD RESCUE	REPAIR MAINT
236R49	08/13/87	150.00- 48.09 *	ROAD RESCUE	REPAIR MAINT
*****				
236S03	08/13/87	58.98	SPS OFFICE PROD	SUPPLIES
236S03	08/13/87	100.00	SPS OFFICE PROD	SUPPLIES
236S03	08/13/87	24.96	SPS OFFICE PROD	SUPPLIES
236S03	08/13/87	6.40	SPS OFFICE PROD	SUPPLIES
236S03	08/13/87	26.02	SPS OFFICE PROD	SUPPLIES
236S03	08/13/87	133.70	SPS OFFICE PROD	SUPPLIES
236S03	08/13/87	225.00	SPS OFFICE PROD	SUPPLIES
236S03	08/13/87	138.29	SPS OFFICE PROD	SUPPLIES
236S03	08/13/87	523.20 1,236.55 *	SPS OFFICE PROD	SUPPLIES
*****				
236S05	08/13/87	55.44	S & T OFFICE	SUPPLIES

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
236T59	08/13/87	6.84	TOUSLEY FORD	SUPPLIES
236T59	08/13/87	102.30	TOUSLEY FORD	REPAIR MAINT
		109.14 *		
*****				
236T65	08/13/87	57.27	TKDA	CONTRACT PYM
236T65	08/13/87	6,166.11	TKDA	CONTRACT PYM
236T65	08/13/87	29.18	TKDA	CONTRACT PYM
		6,252.56 *		
*****				
236T85	08/13/87	133.76	TURNQUIST PAPER CO	SUPPLIES
236T85	08/13/87	8.16-	TURNQUIST PAPER CO	TAX
		125.60 *		
*****				
236T94	08/13/87	48.00	TWIN CITY TESTING	CONTRACT PYM
		48.00 *		
*****				
236U50	08/13/87	36.00-	UNIFORMS UNLIMITED	UNIFORMS
236U50	08/13/87	45.85	UNIFORMS UNLIMITED	UNIFORMS
236U50	08/13/87	36.00	UNIFORMS UNLIMITED	UNIFORMS
236U50	08/13/87	118.65	UNIFORMS UNLIMITED	UNIFORMS
236U50	08/14/87	111.30	UNIFORMS UNLIMITED	UNIFORMS
		275.80 *		
*****				
236V22	08/14/87	108.00	VASKO RUBBISH REMOV	RUBBISH REMOVAL
236V22	08/14/87	47.00	VASKO RUBBISH REMOV	RUBBISH REMOVAL
236V22	08/14/87	165.00	VASKO RUBBISH REMOV	RUBBISH REMOVAL
236V22	08/14/87	285.00	VASKO RUBBISH REMOV	RUBBISH REMOVAL
236V22	08/14/87	33.00	VASKO RUBBISH REMOV	RUBBISH REMOVAL
		638.00 *		
*****				
236V49	08/14/87	46.00	VIKING SAFETY PROD	SUPPLIES
		46.00 *		
236V50	08/14/87	18.00	VIRTUE PRINTING	SUPPLIES
		18.00 *		
*****				
236W50	08/14/87	163.10	WEBER-TROSETH INC	SUPPLIES
		163.10 *		
*****				

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		55.44 *		
*****				
236S09	08/13/87	132.96	SATELLITE INDUSTRIES	CHEMICAL TOILETS
236S09	08/13/87	74.00	SATELLITE INDUSTRIES	CHEMICAL TOILETS
		206.96 *		
*****				
236S30	08/13/87	45.94	SEARS #8412	SUPPLIES
		45.94 *		
*****				
236S65	08/13/87	30.00	ST PAUL RAMSEY MED	EXAMINATION
236S65	08/13/87	1,530.00	ST PAUL RAMSEY MED	CONTRACT PYM
		1,560.00 *		
236S66	08/13/87	19.84	ST PAUL DISPATCH	PAPERS
		19.84 *		
*****				
236S68	08/13/87	87.00	ST PAUL SUBURBAN BUS	PROGRAMS
236S68	08/13/87	132.00	ST PAUL SUBURBAN BUS	PROGRAMS
		219.00 *		
*****				
236T29	08/13/87	1,203.91	T.A.SCHIFSKY SONS	SUPPLIES
		1,203.91 *		
236T30	08/13/87	76.98	TARGET	SUPPLIES
236T30	08/13/87	18.77	TARGET	SUPPLIES
236T30	08/13/87	31.99	TARGET	SUPPLIES
236T30	08/13/87	11.91	TARGET	SUPPLIES
236T30	08/13/87	7.67	TARGET	SUPPLIES
236T30	08/13/87	23.98	TARGET	SUPPLIES
236T30	08/13/87	12.09	TARGET	SUPPLIES
236T30	08/13/87	12.23	TARGET	SUPPLIES
236T30	08/13/87	12.35	TARGET	SUPPLIES
		207.97 *		
*****				
236T50	08/13/87	44.28	T J AUTO PARTS	SUPPLIES
236T50	08/13/87	12.32	T J AUTO PARTS	SUPPLIES
		56.60 *		
*****				
236T52	08/13/87	25,998.00	THANE HAWKINS POLAR	CONTRACT PYM
		25,998.00 *		
*****				

1987 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
236W60	08/14/87	27.60	WESCO	SUPPLIES
		27.60 *		
*****				
236W90	08/14/87	130.71	W W GRAINGER	SUPPLIES
236W90	08/14/87	47.82	W W GRAINGER	SUPPLIES
236W90	08/14/87	30.99-	W W GRAINGER	SUPPLIES
236W90	08/14/87	56.27	W W GRAINGER	SUPPLIES
236W90	08/14/87	60.92	W W GRAINGER	SUPPLIES
		264.73 *		
*****				
236X30	08/14/87	18.44-	XEROX CORP	DUPLICATING COSTS
236X30	08/14/87	5.24	XEROX CORP	DUPLICATING COSTS
236X30	08/14/87	18.44	XEROX CORP	DUPLICATING COSTS
236X30	08/14/87	8.74	XEROX CORP	DUPLICATING COSTS
236X30	08/14/87	25.68	XEROX CORP	DUPLICATING COSTS
236X30	08/14/87	40.52	XEROX CORP	DUPLICATING COSTS
236X30	08/14/87	25.68	XEROX CORP	DUPLICATING COSTS
236X30	08/14/87	50.52	XEROX CORP	DUPLICATING COSTS
		156.38 *		
236X31	08/14/87	204.60	XEROX CORP	DUPLICATING COSTS
236X31	08/14/87	18.44	XEROX CORP	DUPLICATING COSTS
236X31	08/14/87	20.28	XEROX CORP	DUPLICATING COSTS
236X31	08/14/87	27.66	XEROX CORP	DUPLICATING COSTS
236X31	08/14/87	47.94	XEROX CORP	DUPLICATING COSTS
236X31	08/14/87	27.66	XEROX CORP	DUPLICATING COSTS
236X31	08/14/87	42.44	XEROX CORP	DUPLICATING COSTS
		389.02 *		
*****				
236Z30	08/14/87	150.23	ZEP MFG CO	SUPPLIES
236Z30	08/14/87	113.10	ZEP MFG CO	SUPPLIES
		263.33 *		
*****				
		74,427.41	FUND 01 TOTAL	GENERAL
		251.85	FUND 03 TOTAL	HYDRANT CHARGE
		1,485.79	FUND 13 TOTAL	C.I.P.
		47.10	FUND 36 TOTAL	83-1 FROST AV ADE
		45.14	FUND 45 TOTAL	84-12 BEAM W OF
		57.27	FUND 50 TOTAL	85-7 CRESTVW DR-I
		6,166.11	FUND 64 TOTAL	86-4 CTY RD C&HWY
		29.18	FUND 66 TOTAL	86-7 UPR AFTON-MC
		48.00	FUND 70 TOTAL	86-12 ARKWRIGHT
		35.33	FUND 73 TOTAL	86-15 WTR DISTR
		43.18	FUND 76 TOTAL	86-22 HILLCREST
		565.78	FUND 90 TOTAL	SANITARY SEWER FU
		1,252.79	FUND 96 TOTAL	VEHICLE & EQUIP
		84,454.93	TOTAL	

\* INDICATES ITEMS FINANCED BY RECREATIONAL FEES

Payroll  
8-21-87

CHECK NUM	EMPLOYEE NUMBER	NAME			GROSS PAY
10649	01-0109	GREAVU	JOHN	C	400.00
10650	01-0480	WASILUK	CHARLOTTE	P	325.00
10651	01-1318	BASTIAN	GARY	W	325.00
10652	01-7538	JUKER	FRANCES	L	325.00
10653	01-8088	ANDERSON	NORMAN	G	325.00
DIVISION 01 LEGISLATIVE					1700.00
10654	02-1001	McGUIRE	MICHAEL	A	2330.59
10655	02-9671	BEHM	LOIS	N	852.25
DIVISION 02 CITY MANAGER					3182.84
10656	10-4474	JAHN	DAVID	J	737.45
10657	10-6523	SWANSON, JR.	LYLE	E	993.37
DIVISION 10 CITY HALL MAINT					1730.82
10658	12-0166	CUDE	LARRY	J	242.40
10659	12-0908	ZUERCHER	JOHN	L	157.60
10660	12-5905	OSTER	ANDREA	J	665.05
DIVISION 12 EMERGENCY SERVICES					1065.05
10661	21-1078	FAUST	DANIEL	F	1846.28
DIVISION 21 FINANCE ADMINISTRATION					1846.28
10662	22-4432	MUELLER	MARGARET	A	250.35
10663	22-4446	MATHEYS	ALANA	K	868.25
10664	22-7550	VIGNALO	DELORES	A	852.25
10665	22-8777	THELEN	CARL	J	600.00
10666	22-9267	ANDERSON	CAROLE	J	1146.46
DIVISION 22 ACCOUNTING					3717.31

CHECK NUM	EMPLOYEE NUMBER	NAME			GROSS PAY
10667	31-2198	AURELIUS	LUCILLE	E	1705.48
10668	31-4816	SELVOG	BETTY	D	197.63
10669	31-9815	SCHADT	JEANNE	L	787.03
DIVISION 31 CITY CLERK ADMINISTRATION					2690.14
10670	33-0547	KELSEY	CONNIE	L	292.59
10671	33-1614	BROWN	BARBARA	E	168.25
10672	33-4435	VIETOR	LURRAINE	S	726.65
10673	33-4994	HENSLEY	PATRICIA	A	562.29
10674	33-6105	CARLE	JEANEITE	E	699.28
10675	33-8389	GREEN	PHYLLIS	C	929.05
DIVISION 33 DEPUTY REGISTRAR					3378.11
10676	41-1717	COLLINS	KENNETH	V	1917.48
10677	41-2356	RICHIE	CAROLE	L	758.61
10678	41-2934	SVENDSEN	JOANNE	M	868.25
10679	41-3183	NELSON	ROBERT	D	1675.88
10680	41-7636	OMATH	JOY	E	759.99
10681	41-9263	MARTINSON	CAROL	F	676.23
DIVISION 41 PUBLIC SAFETY ADMIN					6656.44
10682	42-0130	ZAPPA	JOSEPH	A	1455.26
10683	42-0251	STILL	VERNON	T	1308.68
10684	42-0457	SKALMAN	DONALD	W	1357.48
10685	42-0918	NELSON	CAROL	M	1408.06
10686	42-0990	MORELLI	RAYMOND	J	1344.96
10687	42-1204	STEFFEN	SCOTT	L	1493.71
10688	42-1364	ARNOLD	DAVID	L	1455.26
10689	42-1577	BANICK	JOHN	J	1438.86
10690	42-1660	BOHL	JOHN	C	1216.81
10691	42-1899	CAHANES	ANTHONY	G	1675.88
10692	42-1930	CLAUSON	DALE	K	1357.48
10693	42-2063	MOESCHTER	RICHARD	M	1357.48
10694	42-2115	ATCHISON	JOHN	H	1396.68

CHECK NUM	EMPLOYEE NUMBER	NAME			GROSS PAY
10695	42-2884	PELTIER	WILLIAM	F	1455.26
10696	42-2899	SZCZEPANSKI	THOMAS	J	1031.88
10697	42-3243	WELCHLIN	CABOT	V	1066.54
10698	42-3591	LANG	RICHARD	J	1380.31
10699	42-4775	PALMA	STEVEN	T	879.88
10700	42-4916	HERBERT	MICHAEL	J	1371.88
10701	42-6119	DREGER	RICHARD	C	1455.26
10702	42-7686	MEEHAN, JR	JAMES	E	1308.68
10703	42-8226	STAFNE	GREGORY	L	1332.68
10704	42-8434	BECKER	RONALD	D	1332.68
10705	42-8516	HALWEG	KEVIN	R	1549.55
10706	42-9204	STOCKTON	DERRELL	T	1344.84
10707	42-9499	PAULUS-JR.	PAUL	G	398.00
10708	42-9867	BOWMAN	RICK	A	1413.90
DIVISION 42 POLICE SERVICES					35587.94
10709	43-0009	KARIS	FLINT	D	1332.68
10710	43-0466	HEINZ	STEPHEN	J	1533.22
10711	43-1789	GRAF	DAVID	M	1405.48
10712	43-2052	THOMALLA	DAVID	J	1443.18
10713	43-2201	YOUNGREN	JAMES	G	1512.96
10714	43-4316	RAZSKAZOFF	DALE	E	1435.31
10715	43-6071	VORWERK	ROBERT	E	1405.48
10716	43-7418	BERGERON	JOSEPH	A	1396.70
10717	43-7791	MELANDER	JON	A	1381.48
DIVISION 43 PARAMEDIC SERVICES					12846.49
10718	45-1878	EMBERTSON	JAMES	M	1431.88
10719	45-3333	WILLIAMS	DUANE	J	1256.68
DIVISION 45 FIRE PREVENTION					2688.56
10720	46-0183	RABINE	JANET	L	852.25
10721	46-0322	STAHNKE	JULIE	A	827.45
10722	46-0389	BOYER	SCOTT	K	745.85

CHECK NUM	EMPLOYEE NUMBER	NAME			GROSS PAY
10723	46-2990	SARAFOLEAN	JULIA	A	665.05
10724	46-4801	RYAN	MICHAEL	P	1497.49
10725	46-5919	NELSON	KAREN	A	868.25
10726	46-7030	MARTIN	SHAWN	M	852.25
10727	46-7236	FLAUGHER	JAYME	L	868.25
DIVISION 46 DISPATCHING SERV					7176.84
10728	51-0267	BARTA	MARIE	L	693.05
10729	51-6872	HAIDER	KENNETH	G	1795.08
10730	51-8993	CHLEBECK	JUDY	M	884.25
DIVISION 51 PUBLIC WORKS ADMIN					3372.38
10731	52-0547	MEYER	GERALD	W	1136.06
10732	52-1241	KANE	MICHAEL	R	1175.45
10733	52-1431	LUTZ	DAVID	P	1061.94
10734	52-3473	KLAUSING	HENRY	F	1108.89
10735	52-4037	HELEY	RONALD	J	1082.32
10736	52-4501	OSWALD	ERICK	D	773.84
10737	52-4847	THURN	PAUL	E	460.00
10738	52-6224	TEVLIN, JR.	HARRY	J	1109.17
10739	52-6254	FREBERG	RONALD	L	1062.65
10740	52-8314	CASS	WILLIAM	C	1497.66
DIVISION 52 STREET MAINTENANCE					10467.98
10741	53-1010	ELIAS	JAMES	G	1359.59
10742	53-1688	PECK	DENNIS	L	1203.45
10743	53-2522	PRIEBE	WILLIAM		1299.07
10744	53-3970	AHL-JR.	RAY	C	1489.66
10745	53-4671	GESSELE	JAMES	T	1247.55
10746	53-5069	COLLINS	STEVEN	A	531.81
10747	53-6109	GEISSELER	WALTER	M	1314.99
DIVISION 53 ENGINEERING					8446.12

CHECK NUM	EMPLOYEE NUMBER	NAME			GROSS PAY
10748	54-3775	LOFGREN	JOHN	R	857.05
DIVISION 54 PUBLIC WORKS BLDG MAINT					857.05
10749	58-1014	NADEAU	EDWARD	A	1088.73
10750	58-1590	MULWEE	GEORGE	W	1198.50
10751	58-1720	NUJESON	LAVERNE	S	1556.71
10752	58-2563	BREHEIM	ROGER	W	1198.50
10753	58-2582	EDSON	DAVID	B	1212.15
10754	58-5993	OWEN	GERALD	C	401.85
DIVISION 58 SAN SEWER OPERATION					6656.44
10755	59-1000	MULVANEY	DENNIS	M	1161.85
DIVISION 59 VEH & EQUIP MAINT					1161.85
10756	61-0389	UDEGARD	ROBERT	D	1723.08
10757	61-1066	BRENNEK	LOIS	J	868.25
10758	61-1993	KRUMMEL	BARBARA	A	377.36
10759	61-2618	STAPLES	PAULINE		1367.26
DIVISION 61 COMM SERVICES ADMIN					4335.95
10760	62-1301	THURIK	SCOTT		528.75
10761	62-2111	TRAVERS	DANIEL	L	97.75
10762	62-3790	ANDERSON	ROBERT	S	1013.05
10763	62-3915	LINDORFF	DENNIS	P	1047.45
10764	62-4097	YUKER	WALTER	A	81.00
10765	62-4121	HELEY	ROLAND	B	1078.25
10766	62-5506	MARUSKA	MARK	A	1175.45
10767	62-6943	SCHNEIDER	GREGORY	W	420.00
10768	62-7219	BURKE	MYLES	R	1102.65
10769	62-7762	SBRAGIA	WARREN	J	420.00
10770	62-7968	TURNER	GARY	D	427.50

CHECK NUM	EMPLOYEE NUMBER	NAME			GROSS PAY
10771	62-8182	GERMAIN	DAVID	A	1098.25
10772	62-8762	BRENNER	JAY		420.00
DIVISION 62 PARK MAINTENANCE					8910.10
10773	63-0170	STRAUS	LAURA	J	236.25
10774	63-1245	DOUGHTY	LINDA	R	190.00
10775	63-1338	DE MARS	SANDRA	L	97.50
10776	63-2015	BORASH	DONNA	F	82.50
10777	63-2689	KORLIN	PATRICIA	E	318.75
10778	63-2887	HOLLAND	ANDREA	M	111.30
10779	63-3573	THOMPSON	JENNIFER	S	330.15
10780	63-3628	GRAF	MICHAEL	J	317.25
10781	63-3744	VASQUEZ	MICHAEL	A	260.00
10782	63-4246	WARD	ROY	B	406.40
10783	63-4605	CASSEDAY	ELIZABETH	J	353.25
10784	63-5298	JANSEN	PAUL	R	126.85
10785	63-5480	PODPESKAR	KIMBERLY	J	247.80
10786	63-6422	TAUBMAN	DOUGLAS	J	1056.86
10787	63-6786	CLEAVELAND	KATHERINE	M	96.00
10788	63-6984	HERBER	TUDD	F	100.80
10789	63-7042	WARD	KERI	L	24.25
10790	63-8277	BESETH-JR.	RONALD	L	92.83
10791	63-9132	FISCHER	PATRICIA	R	258.30
10792	63-9138	BIERSCHIED	SCOTT	R	92.00
10793	63-9185	IKHAML	JAMES	R	39.90
10794	63-9634	JORDAN	ERIC	S	62.00
10795	63-9660	HAWN	JEFFREY	T	94.00
10796	63-9718	DORNBUSCH	AMY	L	6.00
DIVISION 63 RECREATION PROGRAMS					5000.94
10797	64-0508	GREW	JANET	M	892.25
10798	64-2163	SOUTTER	CHRISTINE		275.48
10799	64-4566	ORR	JANICE	K	296.88
10800	64-4624	HORSNELL	JUDITH	A	603.88
DIVISION 64 NATURE CENTER					2068.49

DATE 08/18/87

CITY OF MAPLEWOOD

PROGRAM PR10

PAYROLL CHECK REGISTER REP

Payroll  
8-21-87

CHECK NUM	EMPLOYEE NUMBER	NAME			GROSS PAY
10801	71-0124	DOHERTY			
10802	71-0551	OLSON	KATHLEEN	M	745.85
10803	71-3174	WEGWEKTH	GEOFFREY	W	1701.48
10804	71-8754	LIVINGSTON	JUDITH	A	415.83
			JOYCE	L	323.24
DIVISION 71 COMM DEVELOPMENT ADMIN					3186.40
10805	72-7178	EKST RAND	THOMAS	G	1112.07
10806	72-8505	JOHNSON	RANDALL	L	1076.49
DIVISION 72 PLANNING					2188.56
10807	73-0677	OSTROM	MARJORIE		1391.26
10808	73-1942	CARVER	NICHOLAS	N	1059.45
DIVISION 73 BUILDING INSPECTIONS					2450.71
10809	74-0776	WENGER	ROBERT	J	1161.69
10810	74-9223	GIRARD	LAWRENCE	M	180.00
DIVISION 74 HEALTH INSPECTIONS					1341.69
FUND NOT ON FILE					144711.48
GRAND TOTALS					144711.48

## AGENDA REPORT

TO: City Manager  
FROM: Assistant City Engineer  
SUBJECT: Beam Avenue Water Main  
City Project 84-12  
Easement Agreement  
DATE: August 14, 1987

## INTRODUCTION

The installation of water main along the Beam Avenue alignment requires that the easements be acquired for the roadway. Council approval of this agreement is required.

## BACKGROUND

On March 9, 1987, the city council ordered the preparation of plans and specifications for the construction of a trunk water main from the railroad bridge near Hazelwood Avenue on Beam Avenue extending to the west of Trunk Highway 61 about 1,500 feet. Sanitary sewer was installed under City Project 78-24 to a point about 1,300 feet west of Trunk Highway 61. Easements for Beam Avenue were obtained either through exaction during platting or condemnation as part of the sewer installation project for the 1,300 feet west of T. H. 61. At that point only the north one half of the roadway is covered by easement. The south 33 feet is under private ownership and is required as part of the proposed area street system. An easement over the entire 33 feet is required for the water main installation so that grading can be done to place the main at the proper depth for the future street.

## ALTERNATIVES

1. Approve the negotiated settlement with the property owner for access and easements that conform to the proposed street plan.
2. Reject the negotiated settlement, install the water main in the existing easement and require the site developer to acquire the easement and realign the water main.

## DISCUSSION

The negotiated settlement with the property owners, Denton M. and Marilyn M. Vars, is \$1.40 per square foot for the 6,600 square foot permanent easement, a right-of-entry for the construction easement (6,000 square foot) at no cost to the city and the installation of an additional water service to a future lot of the property owners to be paid by the city. The \$1.40 per square foot rate compares favorably to the \$1.25 to \$1.50 rates paid for the sewer project in 1982. The total payment of \$9,240 (6,600 square feet times \$1.40 per square foot) is approximately equal to the Vars' assessment for the water main.

Rejecting the settlement would not cancel the project. The water main could be relocated within the existing easement but not at a grade sufficient for a future roadway. The developer, at his cost, would acquire the necessary street easement and relocate the water main placed by this project.

#### RECOMMENDATION

It is recommended that the council approve the negotiated easement agreement with Denton M. and Marilyn M. Vars in the amount of \$9,240 by passing the attached resolution.

#### BUDGET IMPACT

The financing plan used for assessing this project assumed that this cost would be incurred.

mb

RESOLUTION  
APPROVING EASEMENT AGREEMENT

WHEREAS, the council has ordered made City Project 84-12, Beam Avenue Trunk Water Main, and

WHEREAS, the council has levied assessments against benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, easements are required for the project on property owned by Denton M. and Marilyn M. Vars.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that payment in the amount of \$9,240 is hereby approved to Denton M. and Marilyn M. Vars and the mayor and city manager are hereby authorized to execute an easement agreement for acquisition of said easements.

MEMO

TO: City Manager  
FROM: Public Works Director  
SUBJECT: Replace Assistant City Engineer  
DATE: 8/18/87

Mr. Ahl has resigned as the Assistant City Engineer. His last day will be September 11, 1987. Due to the many projects in progress, it is important to fill this position as soon as possible.

It is recommended the City Council authorize filling the position immediately.

MEMO

TO: City Manager  
FROM: Public Works Director  
SUBJECT: Sherwood Park/Vaughn, 1613 Sandhurst  
DATE: 8/19/87

The Vaughn's property flooded as a result of the July 23rd storm as well as on other times during heavier rainfall events. Grading the Sherwood Park property north of the Vaughn's would help their situation. For a cost not to exceed \$5,000, a contractor could be retained to do the work.

It is recommended \$5,000 be transferred from the Contingency Account to accomplish the work.

F-1 (a)

(F) PUBLIC HEARINGS

a. Liquor Licenses - Cope Place

INFORMATION WILL FOLLOW

## AGENDA REPORT

To: City Manager Michael McGuire  
From: Director of Public Safety Kenneth V. Collins *KVC*  
Subject: Application For Liquor License  
Date: August 20, 1987

Introduction

Stephen L. Pearson, William J. Putney and James H. Rebeck have made application for an intoxicating liquor license at 1745 E. Cope Avenue. The establishment will be operated under the name of Laura Mae's and will be operated as a family-type restaurant.

Background

Investigations have been done on the three individuals. Pearson and Putney have no known contacts with the police. Background investigations on Mr. Rebeck revealed that on January 2, 1984, he was arrested by the U.S. Treasury Department for a gambling violation. It should also be pointed out that Mr. Rebeck also informed us of this arrest at the time of his application. In checking with the Treasury Department, we learned that Mr. Rebeck was not a principal participant in the gambling operation and did not receive monetary compensation for his activities. He was allowed to place an occasional bet without any charge. In many conversations with the Treasury Department and the Oakdale Police Department and Mr. Rebeck, I do not believe this gambling violation would affect his operation of the restaurant.

Recommendation

After careful background investigations on these three individuals and discussions with them, I do not find sufficient reason to deny their application for an intoxicating liquor license.

Action Required

Application for intoxicating liquor license for City Council review and approval or denial.

KVC:js

cc City Clerk  
Liquor File  
87-008379

350.00 Rec 65 31  
 7-7-87  
 8700 P379

CITY OF MAPLEWOOD

APPLICATION FOR INTOXICATING LIQUOR LICENSE

THIS APPLICATION SHALL BE SUBMITTED IN DUPLICATE.

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

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

EVERY QUESTION MUST BE ANSWERED 738-1886

1. I, Stephen L<sup>EE</sup> PEARSON as President of PPR Inc.  
 (Individual owner, officer or partner)

for and in behalf of P.P.R. Inc. dba COPE PLACE

hereby apply for an On Sale Intoxicating Liquor License to be located at 1745 E Cope Ave Maplewood Minnesota 55109

PROPERTY DESCRIPTION	SEC. LOT	TOWN BLK	RANGE	ALSO IN PART
E G ROGERS GARDEN LOTS EX W 146.5 FT & EX E 38.8 FT; THE N 285.5 FT OF PART OF HWY 36, OF LOT 15				42 FT OF E 80.8 FT OF S OF ABOVE DESC 285.5 FT OF SD LOT & N OF AVE AS OPENED OF SD

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

2. Give applicants' date of birth:

<u>Stephen L PEARSON</u>	<u>27</u>	<u>8</u>	<u>51</u>
	(Day)	(Month)	(Year)
<u>WILLIAM J PUTNEY</u>	<u>2</u>	<u>1</u>	<u>63</u>
<u>JAMES H REBECK JR</u>	<u>30</u>	<u>9</u>	<u>43</u>

3. The residence for each of the applicants named herein for the past five years is as follows:

Stephen L<sup>EE</sup> PEARSON 380 Burlington Rd St Paul Mn 55119  
WILLIAM J<sup>AMES</sup> PUTNEY 2335 BEAM AVE Maplewood 55116  
JAMES H<sup>OWARD</sup> REBECK JR 969 GREENWAY OAKDALE 55119

4. Is the applicant a citizen of the United States? Yes

If naturalized state date and place of naturalization \_\_\_\_\_

If a corporation or partnership, state citizenship including naturalization of each officer or partner.

Stephen L Pearson USA  
William J Putney USA  
James H Rebeck Jr USA

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

Laura Mae Pearson 380 Burlington Rd St Paul 55119

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

Stephen L Pearson Botka Schmidt Brewery + Raebone's Restaurant owner  
WILLIAM J PUTNEY STOCKBROKER; CARBONES OWNER OFFERMAN & CO  
JAMES H REBECK JR EXPORT REPRESENTATIVE 3M COMPANY

*Liquor File*

87-008379

7. If partnership, state name and address of each partner. Stephen L Pearson 380 Burlington Rd  
St Paul Mn 55119

If a corporation, date of incorporation 7-7-87, state in  
which incorporated Minnesota, amount of authorized capitalization

amount of paid in capital

if a subsidiary of any other corporation, so state

give purpose of corporation To Purchase Food Establishments

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

Stephen L Pearson 380 Burlington Rd St Paul  
(Name) (Address) (City)

WILLIAM J PUTNEY 2335 BEAN AVE MAPLEWOOD  
JAMES H REBECK JR 969 GREENWAY OAKDALE

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

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

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

9. If operating under a zoning ordinance, how is the location of the building classified? \_\_\_\_\_

Business & Commercial Is the building located within the prescribed area for such license?

Yes

10. Is the establishment located near an academy, college, university, church, grade or high school?

NO State the approximate distance of the establishment from such school or church \_\_\_\_\_

11. State name and address of owner of building 1745 Associates, P.O. Box 835

Lakeland Mn 55043; has owner of building any connection, directly or in-

directly, with applicant? NO

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

13. State whether applicant, or any of his associates in this application, have ever had an application  
for a Liquor License rejected by any municipality or State authority; if so, give date and details

NO

14. Has the applicant, or any of his associates in this application, during the five years immediately  
preceding this application ever had a license under the Minnesota Liquor Control Act revoked for  
any violation of such laws or local ordinances; if so, give date and details NO

15. State whether applicant, or any of his associates in this application, during that past five years were ever convicted of any Liquor Law violations or any crime in this state, or any other state, or under Federal Laws, and if so, give date and details see Attached

16. Is applicant, or any of his associates in this application, a member of the governing body of the municipality in which this license is to be issued? NO. If so, in what capacity? \_\_\_\_\_

17. State whether any person other than applicants has any right, title or interest in the furniture, fixtures, or equipment in the premises for which license is applied, and if so, give names and details Phabus Choice Inc. we purchased business from them

18. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the State of Minnesota? NO. Give name and address of such establishment \_\_\_\_\_

19. Furnish the names and addresses of at least three business references, including one bank reference Jerry's Produce 14 Case Ave St Paul  
M+T PIZZA dca Carbones Pizza E 7th St St Paul Mn  
Northwest Maplewood

20. Do you possess a retail dealer's identification card issued by the Liquor Control Commissioner which will expire December 31st of this year? Give number of same \_\_\_\_\_

21. Does applicant intend to sell intoxicating liquor to other than the consumer? NO

22. State whether applicant intends to possess, operate or permit the possession or operation of, on the licensed premises or in any room adjoining the licensed premises, any slot machine, dice, gambling device and apparatus, or permit any gambling therein NO

23. Are the premises now occupied, or to be occupied, by the applicant entirely separate and exclusive from any other business establishment? YES

24. State trade name to be used Cope Place

25. State name of person that will operate store All that are listed on comparison

26. Give Federal Retail Liquor Dealer's Tax Stamp Number \_\_\_\_\_

27. If off sale license is being applied for, do you intend to deliver liquor by vehicle? <sup>No</sup> \_\_\_\_\_. If so, state number of motor vehicle permits issued by Liquor Control Commissioner for current year \_\_\_\_\_

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

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

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

31. Give description of type of operation if this is an on-sale license application (i.e. whether cocktail lounge, nite club, restaurant, etc., specifying capacity by number of customers and any other pertinent data). Family Restaurant 135 seats not including high chairs or extra chairs  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

32. What previous experience have you had in the operation of the type of business described in the answer to No. 31 above 3 yrs 1 year Schicks downtown Mpls 2 years Carbones Pizzeria  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

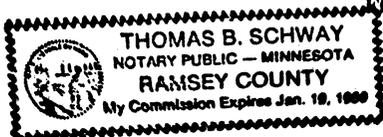
33. Applicant, and his associates in this application, will strictly comply with all the laws of the State of Minnesota governing the taxation and the sale of intoxicating liquor; rules and regulations promulgated by the Liquor Control Commissioner; and all ordinances of the municipality; and I hereby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

Steph A. Juan  
William J. Pity  
(Signature of Applicant)  
James H. Pity

Subscribed and sworn to before me this

7 day of July, 1987  
Thomas B. Schway

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



**REPORT ON APPLICANT OR APPLICANTS BY POLICE DEPARTMENT**

This is to certify that the applicant, or his associates named herein have not been convicted with-  
in the past five years for any violation of Laws of the State of Minnesota, or Municipal Ordinances  
relating to Intoxicating Liquor, except as hereinafter stated.

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**MAPLEWOOD POLICE DEPARTMENT**

Approved by: \_\_\_\_\_  
\_\_\_\_\_ Title.

**REPORT ON PREMISES BY FIRE DEPARTMENT**

This is to certify that the premises herein described have been inspected and that all Laws of the  
State of Minnesota and Municipal Ordinances relating to Fire Protection have been complied with.

**MAPLEWOOD FIRE DEPARTMENT**

Approved by: \_\_\_\_\_  
\_\_\_\_\_ Title.





Rutney

Date of valuation 6/1/87

- Round all amounts to the nearest \$100
- Attach separate sheet if you need more space to complete detail schedule

Assets (assets you own)	Amount	Liabilities (debts you owe)	Amount
Cash in this bank: Checking <u>SBB INC</u>	<u>1,900 -</u>	Loans payable to banks (schedule 7)	<u>6,800 -</u>
Savings		Loans payable to others (schedule 7)	
C.D.s		Installment contracts payable (schedule 7)	
IRA		Amounts due to dept. stores and others	
Cash in other banks <u>PARK NATIONAL</u>	<u>100 -</u>	Credit cards (MasterCard, Visa & others)	
Due from friends, relatives and others (schedule 1)		Income taxes payable	
Mortgage and contracts for deed owned (schedule 2)		Other taxes payable	
Securities owned (schedule 3)	<u>7,250 -</u>		
Cash surrender value of life insurance (schedule 4)	<u>9,000 -</u>	Loans on life insurance (schedule 4)	
Homestead (schedule 5)			
Other real estate owned (schedule 5)		Mortgage on homestead (schedule 6)	
Automobiles (year, make, model)		Mortgage or liens on other real estate owned (schedule 6)	
<u>1979 PORSCHE</u>	<u>9,500 -</u>	Contracts for deed (schedule 6)	
<u>1977 OLDS</u>	<u>1,500 -</u>		
Personal property	<u>5,000 -</u>	Other liabilities (detail)	
Other assets (detail)			
<u>CARBINES MARLEWOOD</u>	<u>40,000 -</u>	<b>TOTAL LIABILITIES</b>	<u>6,800 -</u>
		Net worth (total assets less total liabilities)	
<b>TOTAL</b>	<u>84,250 -</u>	<b>TOTAL</b>	<u>6,740 -</u>

Annual income	Applicant	Co-applicant	Contingent liabilities	Amount
Salary	<u>18,800 -</u>		As endorser	
Commissions			As guarantor	
Dividends			Lawsuits	
Interest			For taxes	
Rentals			Other (detail)	
Alimony, child support or maintenance (you need not show this unless you wish us to consider it).				
Other <u>BONUS</u>	<u>10,000 -</u>			
<u>SBB (CARBINES)</u>			<input checked="" type="checkbox"/> Check here if "none"	
<b>TOTAL INCOME</b>	<u>28,800 -</u>		<b>TOTAL CONTINGENT LIABILITIES</b>	

**SCHEDULE 1 DUE FROM FRIENDS, RELATIVES AND OTHERS**

Name of debtor	Owed to	Collateral	How payable	Maturity date	Unpaid balance
			\$ per		
			\$ per		
			\$ per		

TOTAL

**SCHEDULE 2 MORTGAGE AND CONTRACTS FOR DEED OWNED**

Name of debtor	Type of property	1st or 2nd lien	Owed to	How payable	Unpaid balance
				\$ per	
				\$ per	
				\$ per	
				\$ per	

TOTAL







SEPTEMBER 1986

I PLED GUILTY TO A ONE COUNT CHARGE  
OF ILLEGAL GAMBLING.

ON WEEKENDS (SATURDAY AND SUNDAY 10:00 AM TO  
APPROX 1:00 PM FROM SEPT 1983 THRU DEC 1983)  
I WOULD BE AT HOME, ANSWERING THE TELEPHONE,  
ACCUMULATING THE NAMES AND PHONE NUMBERS  
OF VARIOUS CALLERS. I WOULD SUBSEQUENTLY  
RECEIVE A PHONE CALL, FROM THOSE THAT WOULD  
SUPPOSEDLY GIVE SPORTING EVENT ODDS AND TAKE  
WAGERS FROM MY LIST OF ACCUMULATED CALLERS.  
DURING THIS TIME I NEVER PARTICIPATED IN  
THE DISTRIBUTION OF THESE ODDS AND THE  
ACCEPTANCE OF WAGERS.

NOVEMBER 1986

I WAS SENTENCED TO PROBATION FOR 2 YEARS  
AND FINED \$2000.00.

James A. Rebek Jr

7-7-87

~~This is~~ I have no other Ligian  
interests in Minnesota

Steph J. O'Leary

## AGENDA REPORT

To: City Manager Michael McGuire  
From: Director of Public Safety Kenneth V. Collins *KVC*  
Subject: Liquor License Application  
Date: August 18, 1987

Introduction

Milo L. Berg is applying for a liquor license at 2441 North Highway 61. Mr. Berg purchased the bar and restaurant portion of the Northernnaire Motel and will operate it under the name of D. G. Burgers, Inc.

Background

Record checks were run on Mr. Berg, and no arrests were found. Police agencies responsible for the areas where Mr. Berg previously owned restaurant/lounges were contacted, and they reported that they had not had any liquor violations or problems at any of his establishments.

No other liquor license could be found in Mr. Berg's name.

Mr. Berg is selling some of his establishments on contracts for deed. It has come to my attention that one of the establishments, the Dakota House, may come back to Mr. Berg because of default. Mr. Berg could then obtain another liquor license, which would be in violation of City Council policy.

Recommendation

Based on background investigations and my conversations with Mr. Berg, I cannot find any reason to deny Mr. Berg a liquor license.

Action Required

Application to be presented to City Council for review and approval or denial.

KVC:js

cc City Clerk  
Liquor File  
87-008601

CITY OF MAPLEWOOD

APPLICATION FOR INTOXICATING LIQUOR LICENSE

THIS APPLICATION SHALL BE SUBMITTED IN DUPLICATE.

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

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

EVERY QUESTION MUST BE ANSWERED

1. I, MILC L. BERG as OFFICER (Individual owner, officer or partner)

for and in behalf of D.H. BURGERS INC. #58-1961

hereby apply for an Sale Intoxicating Liquor License to be located at 2441

Highway 61

(Give address and legal description) in the City of

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

2. Give applicants' date of birth:

20 AUG 1925 (Day) (Month) (Year)

3. The residence for each of the applicants named herein for the past five years is as follows:

259 3rd ave Newport, Minn, June 1st 1984 to present - 38 months Blvd St Paul, at 1968 still own home

4. Is the applicant a citizen of the United States? yes

If naturalized state date and place of naturalization

If a corporation or partnership, state citizenship including naturalization of each officer or partner.

Just Born in Norman Co. - Minn.

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

single at present

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

Bar, restaurants, owned and ran 4 large hotels

87-008601

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

NOW BEING PREPARED BY  
If a corporation, date of incorporation DAVID ESSING ATTORNEY ST. PAUL, state in  
which incorporated MINN., amount of authorized capitalization  
50,000<sup>00</sup> amount of paid in capital 4,000<sup>00</sup>

if a subsidiary of any other corporation, so state \_\_\_\_\_

give purpose of corporation TO OPERATE RESTAURANT & BAR  
name and address of all officers, directors and stockholders and the number of shares held by each:  
MILLO L. BERG 257 3RD AVE NEWPORT, MINN.  
(Name) (Address) (City)

If incorporated under the laws of another state, is corporation authorized to do business in this  
State? NO Number of certificate of authority \_\_\_\_\_

If this application is for a new Corporation, include a certified copy of Articles of Incorporation and  
By-Laws. AT THIS TIME . IT IS NOT READY

8. On what floor is the establishment located, or to be located? MAIN FLOOR  
9. If operating under a zoning ordinance, how is the location of the building classified? \_\_\_\_\_

COMMERCIAL. Is the building located within the prescribed area for such license?  
YES

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

11. State name and address of owner of building IT WILL BE OWNED BY  
MILLO L. BERG; has owner of building any connection, directly or in-  
directly, with applicant? SAME

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

13. State whether applicant, or any of his associates in this application, have ever had an application  
for a Liquor License rejected by any municipality or State authority; if so, give date and details  
NO

14. Has the applicant, or any of his associates in this application, during the five years immediately  
preceding this application ever had a license under the Minnesota Liquor Control Act revoked for  
any violation of such laws or local ordinances; if so, give date and details NO

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
15. State whether applicant, or any of his associates in this application, during that past five years were ever convicted of any Liquor Law violations or any crime in this state, or any other state, or under Federal Laws, and if so, give date and details. NO
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
16. Is applicant, or any of his associates in this application, a member of the governing body of the municipality in which this license is to be issued? NO. If so, in what capacity? \_\_\_\_\_
- \_\_\_\_\_
17. State whether any person other than applicants has any right, title or interest in the furniture, fixtures, or equipment in the premises for which license is applied, and if so, give names and details. CONTRACT WITH TRUDELL FAMILY
- \_\_\_\_\_
- \_\_\_\_\_
18. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the State of Minnesota? NO. Give name and address of such establishment \_\_\_\_\_
- \_\_\_\_\_
19. Furnish the names and addresses of at least three business references, including one bank reference. JOHN RITT. CHAIRMAN of THE BOARD. MIDWAY BANK ST PAUL.  
RON'S WHOLESALE MEATS WEST ST PAUL  
FARMERS COFFEE CO MPS. MINN.
20. Do you possess a retail dealer's identification card issued by the Liquor Control Commissioner which will expire December 31st of this year? Give number of same. HAS NOT ARRIVED
21. Does applicant intend to sell intoxicating liquor to other than the consumer? NO
- \_\_\_\_\_
22. State whether applicant intends to possess, operate or permit the possession or operation of, on the licensed premises or in any room adjoining the licensed premises, any slot machine, dice, gambling device and apparatus, or permit any gambling therein? NO
23. Are the premises now occupied, or to be occupied, by the applicant entirely separate and exclusive from any other business establishment? YES
- \_\_\_\_\_
24. State trade name to be used D. G. BURGERS
25. State name of person that will operate store MILW L. BERG
26. Give Federal Retail Liquor Dealer's Tax Stamp Number HAS NOT ARRIVED YET

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

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

29. Financing of the construction of this building will be as follows:  
NOT A NEW BUILDING

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

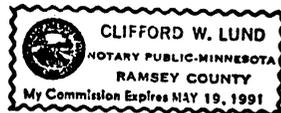
31. Give description of type of operation if this is an on-sale license application (i.e. whether cocktail lounge, nite club, restaurant, etc., specifying capacity by number of customers and any other pertinent data). RESTAURANT & COCKTAIL LOUNGE

32. What previous experience have you had in the operation of the type of business described in the answer to No. 31 above I HAVE OWNED OR BEEN A PARTNER IN 7 CLUBS AND THAT INCLUDES 4 HOTELS

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

Clifford W. Lund  
Clifford W. Lund  
(Signature of Applicant)

Subscribed and sworn to before me this  
3rd day of July, 1987  
Clifford W. Lund



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

**REPORT ON APPLICANT OR APPLICANTS BY POLICE DEPARTMENT**

This is to certify that the applicant, or his associates named herein have not been convicted with-  
in the past five years for any violation of Laws of the State of Minnesota, or Municipal Ordinances  
relating to Intoxicating Liquor, except as hereinafter stated.

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**MAPLEWOOD POLICE DEPARTMENT**

Approved by: \_\_\_\_\_  
\_\_\_\_\_ Title.

**REPORT ON PREMISES BY FIRE DEPARTMENT**

This is to certify that the premises herein described have been inspected and that all Laws of the  
State of Minnesota and Municipal Ordinances relating to Fire Protection have been complied with.

**MAPLEWOOD FIRE DEPARTMENT**

Approved by: \_\_\_\_\_  
\_\_\_\_\_ Title.

Information about # 6 from Mr Berg

7-10-87

1979 Mylo's Bar & Restaurant in Inver Grove  
Heights

Sold in 1981

Reposessed in 1984

Operated business from Sept 84

and sold in Dec 1986

Managed Irvine Motor Lodge Rest.  
April 86 - May 87

Dakota House in South St Paul

Bought in 1980

Sold in 83

Partner in Kachler Hotel in Hibbing  
Regency Plaza in Moorhead  
Owatonna Inn in Owatonna

ASSETS

MILO L. BERG

JUNE 24, 1987

Contract for Deed - Milo's Supper Club	\$315,000.00
Contract for Deed - Dakota House	180,000.00
1984 Lincoln	11,000.00
1984 Ford Station Wagon	6,000.00
1982 Ebb Tide Boat, Trailer	7,900.00
Duplex - 38 Mounds Blvd. - St. Paul, Mn.	70,000.00
Home - 257 Third Ave., Newport, Mn.	150,000.00
River lots- five 70 ft. lots @ 35,000 each	150,000.00
Contract for Deed lot - Payable in full 1990	26,000.00
Household and miscellaneous	40,000.00
Stocks:	
20,000 shares Mexican Long Distance	10,000.00
1,000 shares CVN	4,500.00
6,500 shares Sports Marketing	16,250.00
18,000 shares Med Ventures	34,000.00
Miscellaneous stock	5,000.00
	<hr/>
Total Assets	1,025,650.00

LIABILITIES

Mortgage - Midway Bank Boat and Station Wagon	7,500.00
Mortgage owed to Drovers Bank	112,000.00
Midway Bank for Milos Supper Club	19,500.00
Notes due to Midway Bank	111,000.00
Mortgage on home - 257 Third Ave., Newport, Mn.	85,000.00
Mortgage on river property	30,000.00
Real Estate taxes	35,000.00
Miscellaneous	3,000.00
Loan on 38 Mounds Blvd.	34,500.00
	<hr/>
Total Liabilities	437,500.00
Net	588,150.00

1,025,650.00  
~~- 437,500.00~~  
 \$ 588,150.00

Milo L. Berg  
 6/24/87

7-6-87

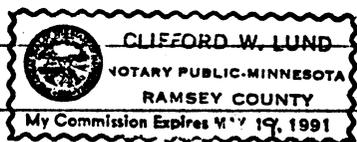
To whom it may concern

I do not own a liquor license  
or own any part of a off or on sale  
license in any city town or state.

Milo Berg

Subscribed and sworn to before me this  
the 2nd day of July 1987

Clifford W Lund





F-1 c

AGENDA REPORT

To: City Manager Michael McGuire  
From: Director of Public Safety Kenneth V. Collins *KVC*  
Subject: Application For Liquor License  
Date: August 18, 1987

Introduction

Robert M. Paul has made application on behalf of Midwest Restaurant Association, Inc., for a liquor license at the Maplewood Mall, 3001 White Bear Avenue. The establishment is to be operated under the name of Applebee's Neighborhood Grill & Bar.

Background

A background investigation on Mr. Paul revealed that he had not had any police contact. It further did not reveal any liquor/gambling/vice violations. A check with police agencies where Applebee's restaurants are located were contacted, and they advised that they had not had any complaints or violations of these establishments in their areas.

Mr. Paul has an unlisted phone number, and I have been unable to contact him for an interview.

Recommendation

Based on investigations that have been done and the information that has been gathered, I cannot find any reason to deny Mr. Paul a liquor license at this time.

Action Required

Application for City Council review and approval or denial.

KVC:js

cc City Clerk  
Liquor File  
87-009729



7. If partnership, state name and address of each partner. Not Applicable

If a corporation, date of incorporation April 26, 1984, state in which incorporated Minnesota, amount of authorized capitalization One Million shares of stock amount of paid in capital \$243,000, if a subsidiary of any other corporation, so state \_\_\_\_\_

give purpose of corporation \_\_\_\_\_

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

Donald W. Strang Jr 8905 Lake Ave. Cleveland, OH 44102 450,000 Class A  
(Name) (Address) (City)

Alan S. Musikantow 919 N. Michigan Ave Suite 1919 Chicago, IL 450,000  
Class A

Donald W. Strang III 7901 1/2 Southtown Ctr. Bloomington, MN 50,000  
Class B

Michael Snow 1800 Midwest Plaza Mpls, MN 55402 50,000 Class B

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

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

8. On what floor is the establishment located, or to be located? 2nd Floor.

9. If operating under a zoning ordinance, how is the location of the building classified? \_\_\_\_\_

Business-Commercial. Is the building located within the prescribed area for such license?  
Yes

10. Is the establishment located near an academy, college, university, church, grade or high school?

No. State the approximate distance of the establishment from such school or church \_\_\_\_\_  
Not Applicable

11. State name and address of owner of building Corporate Property Investors Three Dag

Hammerskjold Plaza 305 E. 47th St, New York, NY 10017, has owner of building any connection, directly or indirectly, with applicant? No

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

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

14. Has the applicant, or any of his associates in this application, during the five years immediately preceding this application ever had a license under the Minnesota Liquor Control Act revoked for any violation of such laws or local ordinances; if so, give date and details No

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
15. State whether applicant, or any of his associates in this application, during that past five years were ever convicted of any Liquor Law violations or any crime in this state, or any other state, or under Federal Laws, and if so, give date and details. No

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
16. Is applicant, or any of his associates in this application, a member of the governing body of the municipality in which this license is to be issued? No. If so, in what capacity? \_\_\_\_\_

17. State whether any person other than applicants has any right, title or interest in the furniture, fixtures, or equipment in the premises for which license is applied, and if so, give names and details

First Merchant Bank of Indiana Detail on loan: The agreement states that the Bank shall loan \$300,000 per unit for the first eight Applebee's restaurants opened, through June 30, 1990, the aggregate amount not to exceed \$2.4million, interest at prime plus 1.25%. Maplewood will be Unit 6.

18. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the State of Minnesota? \_\_\_\_\_ Give name and address of such establishment. \_\_\_\_\_

See Attached A

19. Furnish the names and addresses of at least three business references, including one bank reference. See Attached B

20. Do you possess a retail dealer's identification card issued by the Liquor Control Commissioner which will expire December 31st of this year? Give number of same. No

21. Does applicant intend to sell intoxicating liquor to other than the consumer? No

22. State whether applicant intends to possess, operate or permit the possession or operation of, on the licensed premises or in any room adjoining the licensed premises, any slot machine, dice, gambling device and apparatus, or permit any gambling therein. No

23. Are the premises now occupied, or to be occupied, by the applicant entirely separate and exclusive from any other business establishment? Yes

24. State trade name to be used. Applebee's Neighborhood Grill & Bar

25. State name of person that will operate store. Bob Paul

26. Give Federal Retail Liquor Dealer's Tax Stamp Number. Not Known

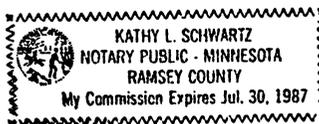
27. If off sale license is being applied for, do you intend to deliver liquor by vehicle? No. If so, state number of motor vehicle permits issued by Liquor Control Commissioner for current year  
Not Applicable
28. If you are building a new building for the purposes for which this application is being made, please submit plans and specifications with this application.
29. Financing of the construction of this building will be as follows:  
\$125,000 Landlord, \$300,000 Loan, and the difference, approximately  
\$175,000, on equity
30. Furnish a personal financial statement with this application. If a partnership, furnish financial statement of each partner.
31. Give description of type of operation if this is an on-sale license application (i.e. whether cocktail lounge, nite club, restaurant, etc., specifying capacity by number of customers and any other pertinent data) See Attached C  
See Plans for other details
32. What previous experience have you had in the operation of the type of business described in the answer to No. 31 above See Attachment A
33. Applicant, and his associates in this application, will strictly comply with all the laws of the State of Minnesota governing the taxation and the sale of intoxicating liquor; rules and regulations promulgated by the Liquor Control Commissioner; and all ordinances of the municipality; and I hereby certify that I have read the foregoing questions and that the answers to said questions are true of my own knowledge.

Ⓟ *Robert M. Paul*

(Signature of Applicant)

Subscribed and sworn to before me this

6th day of July, 1987  
Kathy L. Schwartz



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

**REPORT ON APPLICANT OR APPLICANTS BY POLICE DEPARTMENT**

This is to certify that the applicant, or his associates named herein have not been convicted with-  
in the past five years for any violation of Laws of the State of Minnesota, or Municipal Ordinances  
relating to Intoxicating Liquor, except as hereinafter stated.

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**MAPLEWOOD POLICE DEPARTMENT**

Approved by: \_\_\_\_\_  
\_\_\_\_\_ Title.

**REPORT ON PREMISES BY FIRE DEPARTMENT**

This is to certify that the premises herein described have been inspected and that all Laws of the  
State of Minnesota and Municipal Ordinances relating to Fire Protection have been complied with.

**MAPLEWOOD FIRE DEPARTMENT**

Approved by: \_\_\_\_\_  
\_\_\_\_\_ Title.

ATTACHMENT  
QUESTION #6

Robert M. Paul		
Restaurant Manager	Applebee's	3/87 to Present
Insurance Sales	Northwestern Mutual	1/86 to 3/87
Restaurant Manager	Steak & Ale (Texas)	1/82 to 12/85

Donald W. Strang Jr.

Strang Corporation 1970 to Present

Alan S. Musikantow

Musikantow Corporation	1972 to Present
Midwest Restaurant Association Inc.	1984 to Present

Donald W. Strang III

Strang Corporation	1983 to Present
Marriott Corp.	7/80 to 12/82

Michael L. Snow

Molson, Edelman, Borman & Brand	1980 to Present
---------------------------------	-----------------



To All To Whom These Presents Shall Come, Greeting:

Whereas, Articles of Incorporation, duly signed and acknowledged under oath, have been filed for record in the office of the Secretary of State, on the 26th day of April, A. D. 1984 for the incorporation of

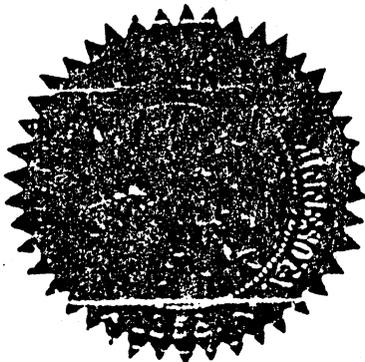
MIDWEST RESTAURANT ASSOCIATES, INC.

under and in accordance with the provisions of Minnesota Statutes, Chapter 302A,

Now, Therefore, by virtue of the powers and duties vested in me by law, as Secretary of State of the State of Minnesota, I do hereby certify that the said

MIDWEST RESTAURANT ASSOCIATES, INC.

is a legally organized Corporation under the laws of this State.



Witness my official signature hereunto subscribed and the Great Seal of the State of Minnesota hereunto affixed this twenty-sixth day of April in the year of our Lord one thousand nine hundred and eighty-four

*Jan Anderson Grove*  
Secretary of State.

W-61,

1133

413-183

ARTICLES OF INCORPORATION  
OF  
MIDWEST RESTAURANT ASSOCIATES, INC.

The undersigned incorporator, being a natural person 18 years of age or older, in order to form a corporate entity under Minnesota Statutes, 302A hereby adopts the following Articles of Incorporation:

ARTICLE I

NAME

The name of this corporation is "MIDWEST RESTAURANT ASSOCIATES, INC".

ARTICLE II

REGISTERED OFFICE

The registered office of this corporation within the State of Minnesota is located at 1800 Midwest Plaza, Minneapolis, Minnesota, 55402.

ARTICLE III

CAPITAL

This corporation is authorized to issue an aggregate of 1,000,000 shares of stock, no par value.

706303 3 ✓

✓

✓



W-61,

1135

ARTICLE VII

CUMULATIVE VOTING AND PREEMPTIVE RIGHTS

No holder of stock of this corporation shall be entitled to any cumulative voting rights. No holder of stock of this corporation shall have any preemptive rights.

IN WITNESS WHEREOF, the incorporator has executed these Articles of Incorporation this 26<sup>th</sup> day of April, 1984.

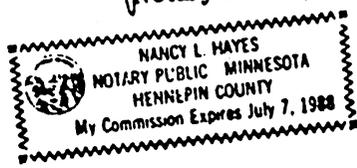
INCORPORATOR:

David F. Herr  
DAVID F. HERR

STATE OF MINNESOTA )  
                                  ) ss.  
COUNTY OF HENNEPIN )

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of April, 1984.

Nancy L. Hayes  
Notary Public



STATE OF MINNESOTA  
DEPARTMENT OF STATE  
The following instrument was filed for record in the  
office on the 26<sup>th</sup> day of April  
A. D. 1984 at 4:30 P. M.  
and was recorded in Book W-61  
of Incorporations, on page 532  
m

MIDWEST RESTAURANT ASSOCIATES, INC.

B Y L A W S

ARTICLE I.  
CORPORATE OFFICES AND SEAL

Section 1.01. Offices. The corporation may have offices within the State of Minnesota or at such other places as the Board of Directors may from time to time appoint or the business of the corporation may require.

ARTICLE II.  
MEETINGS OF STOCKHOLDERS

Section 2.01. Place of Meetings. Meetings of the stockholders may be held at any place, within or without the State of Minnesota, as designated by the President or the Board of Directors in the notice of meeting, and in the absence of such designation, shall be held at the office of the corporation in the State of Minnesota.

Section 2.02. Regular Meetings. Regular meetings of the stockholders of this corporation may be held at the discretion of the Board of Directors on an annual or less frequent periodic basis on such date and at such time and place as may be designated by the President or the Board of Directors in the notice of meeting. At regular meetings, the stockholders shall elect Directors and transact such business as may be appropriate for action by the stockholders. If a regular meeting of stockholders has not been held for a period of fifteen (15) months, one or more stockholders holding not less than three percent (3%) of all voting stock of the corporation may call a regular meeting

of stockholders by delivering to the President or Treasurer a written demand for a regular meeting. Within thirty (30) days after receipt of such written demand by the President and Treasurer, the Board of Directors shall cause a regular meeting of stockholders to be called and held on notice no later than ninety (90) days after the receipt of written demand, all at the expense of the corporation.

Section 2.03. Special Meetings. Special meetings of the stockholders, for any purpose or purposes appropriate for action by stockholders, may be called by the President, by a Vice President in the absence of the President, by the Treasurer, or by the Board of Directors or any two or more members thereof. Such meetings shall be held on such date and at such time and place as shall be fixed by the person or persons calling the meeting and designated in the notice of meeting. Special meetings may also be called by one or more stockholders holding not less than ten percent (10%) of the voting shares of the corporation by delivering to the President or Treasurer a written demand for a special meeting, which demand shall contain the purposes of the meeting. Within thirty (30) days after the receipt of such a written demand for a special meeting of stockholders by the President or Treasurer, the Board of Directors shall cause a special meeting of stockholders to be called and held on notice no later than ninety (90) days after the receipt of such written demand, all at the expense of the corporation. Business trans-

acted at any special meeting of the stockholders shall be limited to the purpose or purposes stated in the notice of meeting.

Section 2.04. Notice of Meetings. Except where a meeting of stockholders is an adjourned meeting and the dates, time and place of such meeting were announced at the time of adjournment, notice of all meetings of stockholders stating the date, time, and place thereof, and any other information required by law or desired by the Board of Directors or by any other person or persons calling the meeting, and in the case of a special meeting, the purpose thereof, shall be given to each stockholder of record entitled to vote at such meeting not less than seven (7) nor more than sixty (60) days prior to the date of such meeting. In the event that a plan of merger, exchange, sale or other disposition of all or substantially all of the assets of the corporation is to be considered at a meeting of stockholders, notice of such meeting shall be given to every stockholder, whether or not entitled to vote, not less than fourteen (14) days prior to the date of such meeting.

Section 2.05. Quorum; Adjourned Meetings. The holders of a majority of the stock issued and outstanding and entitled to vote thereat, present in person or represented by proxy, shall constitute a quorum, and the presence of such majority stockholders shall be required at all meetings of the stockholders for the transaction of business, except as otherwise provided by law, by the Articles of Incorporation, or by these Bylaws. If, how-

ever, such majority shall not be present or represented at any meeting of stockholders, the stockholders entitled to vote thereat, present in person or represented by proxy, shall have the power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until the requisite amount of voting stock shall be present. At any such adjourned meeting at which the requisite amount of voting stock shall be represented, any business may be transacted which might have been transacted at the meeting as originally called.

Section 2.06. Voting and Proxies. At each meeting of the stockholders, every stockholder having the right to vote shall be entitled to vote in person or by proxy appointed by an instrument in writing subscribed by such stockholder and conforming to the requirements established by law. Each stockholder shall have one vote for each share of stock having voting power registered in his name on the books of the corporation. All questions regarding the qualification of voters, the validity of appointments of proxies, and the acceptance or rejection of votes shall be decided by the presiding officer of the meeting. The vote of the holders of a majority of the shares having voting power present in person or represented by proxy shall decide any question brought before any duly held meeting, except as to any question upon which any different vote is required by law, the articles of incorporation, or these bylaws.

**ARTICLE III.  
DIRECTORS**

Section 3.01. Powers. The property, affairs and business of the corporation shall be managed by the Board of Directors which shall consist of such number of directors as may be determined, from time to time, by the Board of Directors by the affirmative vote of a majority of the entire Board. In addition to the powers and authorities by these Bylaws expressly conferred upon it, the Board may exercise all such powers of the corporation and do all such lawful acts and things as are not by statute or by the Articles of Incorporation or by these Bylaws directed or required to be exercised or done by the stockholders.

Section 3.02. Qualifications; Term of Office. Directors need not be stockholders. A director shall hold office until the annual meeting for the year in which his term expires and until his successor shall be elected and shall qualify, subject however to prior death, resignation, retirement or removal for cause.

Section 3.03. Notice of Nominations of the Directors. Nominations for the election of directors may be made by the Board of Directors or by any stockholder entitled to vote for the election of directors. Notice of nominations which are proposed by the Board of Directors shall be given by the President or the Chairman of the Board of Directors on behalf of the Board of Directors.

Section 3.04. Vacancies; Newly Created Directorships.

Any vacancy occurring in the Board of Directors may be filled for the unexpired term by the affirmative vote of a majority of the directors remaining in office, even though said remaining directors be less than a quorum. Any newly created directorship resulting from an increase in the authorized number of directors by action of the Board of Directors may be filled, for a term determined by the Board of Directors consistent with the Articles of Incorporation, by a majority vote of the directors serving at the time of such increase.

Section 3.05. Meetings. Meetings of the Board of

Directors shall be held immediately after, and at the same place as, regular meetings of stockholders. Other meetings of the Board of Directors may be held at such times and places as shall from time to time be determined by the Board of Directors. Meetings of the Board of Directors also may be called by any director, in which case the person or persons calling such meeting may fix the date, time, and place thereof, and shall cause notice of meeting to be given.

Section 3.06. Notice of Meetings. If the date, time,

and place of the meeting of the Board of Directors has been announced at the previous meeting, no notice is required. In all other cases, twenty-four (24) hours' notice of meetings of the Board of Directors, stating the date and time thereof and any other information required by law or desired by the person or

persons calling such a meeting, shall be given to each director. If notice of meeting is required, and such notice does not state the place of the meeting, such meeting shall be held at the principal executive office of the corporation. Notice of meetings of the Board of Directors shall be given to directors in the manner provided in Article VI of these Bylaws for the giving of notice.

Section 3.07. Meetings by Electronic Communication.

Members of the Board of Directors or any committee designated by the Board of Directors, may participate in a meeting of the Board of Directors or of any such committee by means of conference telephone or similar communication equipment by means of which all persons participating in the meeting can simultaneously hear each other, and participation in such a manner shall constitute presence in person at such meeting.

Section 3.08. Quorum and Voting. A majority of the directors currently holding office shall constitute a quorum for the transaction of business at any meeting of the Board of Directors. In the absence of a quorum, a majority of the directors present may adjourn the meeting from time to time until a quorum is present. The Board of Directors shall take action by the affirmative vote of the majority of the directors present at any duly held meeting, except as to any question upon which any different vote is required by law, the articles of incorporation, or these bylaws.

Section 3.09. Committees. The Board of Directors, by resolution approved by the affirmative vote of the majority of the directors then holding office, may establish one or more committees of one or more persons having the authority of the Board of Directors in the management of the business of the corporation to the extent provided in such resolution. Such committees, however, shall at all times be subject to the direction and control of the Board of Directors. Committee members need not be directors and shall be appointed by the affirmative vote of a majority of the directors present. The majority of the members of any such committee shall constitute a quorum for the transaction of business at a meeting of any such committee. In other matters of procedure, the provisions of these Bylaws shall apply to the committees and the members thereof to the same extent they apply to the Board of Directors and directors, including, without limitation, the provisions with respect to meetings and notice thereof, absent members, written actions, electronic communications, and valid acts. Each committee shall keep regular minutes of its proceedings and report the same to the Board of Directors.

Section 3.10. Advance Written Consent. A director may give advance written consent or opposition to a proposal to be acted on at a meeting of the Board of Directors and such written notice or opposition, while not substituting for the director's

presence for purposes of quorum, shall be counted as a vote on the proposal.

#### ARTICLE IV. OFFICERS

Section 4.01. Number. The officers of the corporation shall be chosen by the directors, and shall consist of a Chairman of the Board (if one is elected by the Board), a President, one or more Vice Presidents, a Secretary, a Treasurer and such Assistant Secretaries and Assistant Treasurers and such other officers and agents as the Board of Directors from time to time shall elect or appoint.

Section 4.02. Term of Office; Removal; and Vacancies. Any officer shall hold office until his successor shall have been duly elected, unless prior thereto he shall have resigned or been removed from office as hereinafter provided. Any officer or agent elected or appointed by the Board of Directors shall hold office at the pleasure of the Board of Directors and may be removed, with or without cause, at any time by the vote of a majority of the Board of Directors. Any vacancy in an office of the corporation shall be filled by the Board of Directors.

Section 4.03. Chairman of the Board. The Chairman of the Board, if one is elected, shall preside at all meetings of the stockholders and directors and shall have such other duties as may be prescribed from time to time, by the Board of Directors.

Section 4.04. President. The President shall be the chief executive officer of the corporation. In the absence of the Chairman of the Board, he shall preside at all meetings of stockholders and directors; he shall be responsible for general and active management of the business of the corporation; and he shall see that all orders and resolutions of the Board are carried into effect. He shall have the general powers and duties usually vested in the office of the President and chief executive officer and shall have such other powers and perform such other duties as the Board of Directors may from time to time prescribe.

Section 4.05. Vice President. The Vice President, if any, or Vice Presidents in case there be more than one, shall have such powers and perform such duties as the President or the Board of Directors may from time to time prescribe.

Section 4.06. Secretary. The Secretary shall attend all meetings of the Board of Directors and of the stockholders and shall maintain records of, and whenever necessary, certify all proceedings of the Board of Directors and of the stockholders. He shall keep the stock books of the corporation, and when so directed by the Board of Directors, shall give or cause to be given notice of meetings of the stockholders and meetings of the Board of Directors. He shall also perform such other duties and have such other powers as the President or the Board of Directors may from time to time prescribe.

Section 4.07. Treasurer. The Treasurer shall be the chief financial officer of the corporation. He shall have the care and custody of the corporate funds and securities of the corporation and shall disburse the funds of the corporation as may be ordered from time to time by the President or the Board of Directors. He shall keep full and accurate financial records for the corporation and shall have such other powers and perform such other duties as the President or the Board of Directors may from time to time prescribe.

Section 4.08. Other Officers. The Assistant Secretaries and Assistant Treasurers in the order of their seniority, unless otherwise determined by the Board of Directors, shall, in the absence or disability of the Secretary or Treasurer, perform the duties and exercise the powers of the Secretary and Treasurer respectively. Such Assistant Secretaries and Assistant Treasurers shall have such other powers and perform such other duties as the President or the Board of Directors may from time to time prescribe. Any other officer appointed by the Board of Directors shall hold office at the pleasure of the Board of Directors. He shall have such powers, perform such duties, and be responsible to such other officers as the Board of Directors may from time to time prescribe.

Section 4.09. Delegation of Duties. In case of the absence of any officer of the corporation, or for any other reason that the Board may deem sufficient, the Board may delegate

whom it is intended at such address as appears on the books of the corporation or shall be given by any other method which conforms to law. Notice by mail shall be deemed given when deposited in the United States mail with sufficient postage affixed.

Section 6.02. Waiver of Notice. Whenever any notice is required to be given to any stockholder, director or officer under the provisions of these Bylaws, the Articles of Incorporation or by statute, such notice may be waived in the manner provided by law.

#### ARTICLE VII. INDEMNIFICATION

Section 7.01. The corporation shall indemnify its officers, directors, employees and agents to the full extent permitted by the laws of the State of Minnesota, as now in effect, or as the same may be hereafter amended.

#### ARTICLE VIII. AMENDMENTS

Section 8.01. These Bylaws may be amended or altered by the Board of Directors at any meeting provided that notice of any such proposed amendment shall have been given in the notice given to the directors of such meeting. Such authority in the Board of Directors is subject to the power of the stockholders to change or repeal such Bylaws.

ATTACHMENT A

Applebee's Neighborhood Grill & Bar

1347 Brookdale Ctr  
Brooklyn Center, MN 55430

7901½ Southtown Ctr  
Bloomington, MN 55431

Ridgedale Center  
12653 Wayzata Blvd.  
Minnetonka, MN 55343

2152 Burnsville Center  
Burnsville, MN 55337

4203 Winnetka Ave. N.  
New Hope, MN 55428

ATTACHMENT B

Question #19

Alran Construction  
3960 Haven Lane  
White Bear Lake, MN 55110  
Al Schriber

Rust Architects  
2179 4th Street  
Suite 314 Avalon Mall  
White Bear Lake, MN 55110  
Bill Rust

National City Bank  
1809 Plymouth Rd. S.  
Minnetonka, MN 55343

ATTACHMENT C

APPLEBEE'S

## CONCEPT

Applebee's is positioned in the market as a "neighborhood restaurant" where consumers can obtain a high value experience through attractively priced food and beverages. We believe the principles of fast food (convenience, quality, and service, coupled with limited time and money) can be applied to an adult consumer. That is what we are doing with Applebee's.

## HISTORY

Applebee's was founded in July of 1980 by William F. Palmer in Atlanta, Georgia, with the opening of the first unit. In April of 1983, the original two units and all rights were purchased by Creative Food 'N Fun Company, a subsidiary of W. R. Grace & Company, which also owns El Torito Restaurants, Inc., a chain of Mexican dinner houses; Gilbert Robinson, Inc. (Houlihan's restaurants); Jo Jo's Restaurants, Inc.; and Far West Services, Inc., a specialty dinner house restaurant chain. Since the purchase, two additional Applebee's were opened in Atlanta and one in Houston, Texas.

## MENU

The restaurants have a standard all-day menu featuring munchies and snacks, soups and combinations, salads, sandwiches, burgers, Applebee's specialties, desserts and weekend brunches. All items are priced under six dollars and are served in from six to ten minutes of the time orders are taken.

## PHYSICAL FACILITY

The typical Applebee's is either a free-standing building or part of a shopping center. The physical facility is relatively small (3,000-3,500 sq. ft.) in order to maintain that "neighborhood restaurant" type atmosphere. The wall decorations are a blend of yesterday and today, and might include baseball bats autographed by local baseball stars present and past, etched parber pole, London metro subway map, and the traditional stained glass design of hot air balloons with the Applebee's logo as part of the decor in all Applebee's restaurants. The seating surrounds the bar and is on two different levels. Rows of windows on three sides of the restaurant create an open yet cozy atmosphere.

## OPERATIONS

Operational standards are established by Applebee's, Inc. and maintained by the management of each operation. All restaurants are operated in accordance with strict standards and specifications for the quality of ingredients, preparation of food, maintenance of premises and employee conduct. Uniform standards for product quality, portion control, courteous service and cleanliness are emphasized in each restaurant. Managers utilize systems of employee work scheduling, cost controls and quality assurance to insure expense control and product quality.

In addition to special products purchased from Applebee's approved suppliers, central purchasing will be done with local purveyors specializing in fresh product to ensure the highest quality. Food products will be regularly and systematically tested for quality and compliance with company standards. Approximately 30 percent of revenues are derived from liquor, beer and wine sales.

Financial and management control will be maintained through the use of Applebee's cost control systems, management and information systems, along with business plans.

### TRAINING

The director of operations, managers and kitchen managers are required to complete ninety days of training at approved Applebee's training sites. Detailed training programs will be utilized for all operating positions (cooks, servers, bartenders, etc.). An "opening team" of experienced supervisors and trainers will be furnished by Applebee's to assist in each restaurant opening.

### MARKET

Applebee's target market is the on-the-go people ages 20 to 49 with household incomes exceeding \$25,000 per year. In other words, our target is the young to middle-aged adult, mainly professionals, with limited time and money. More specifically, we will target these customers living within a three mile radius of each location.

There are presently no chain "adult fast food" competitors in the Twin Cities market. Applebee's "fits" in between fast food operations such as Arby's, Burger King and McDonald's and atmosphere specialty restaurants such as T.G.I.Friday's, Houlihan's and Bennigan's. Future competition might come from Fuddrucker's, Chili's and other adult fast food chains which, at the present time, all feature gourmet hamburgers.

The demographics of the Minneapolis/St. Paul market that support the target customer profile of Applebee's are:

\*One and two person households comprise 54 percent of total households.

\*Non-family households comprise 30.3 percent of total households.

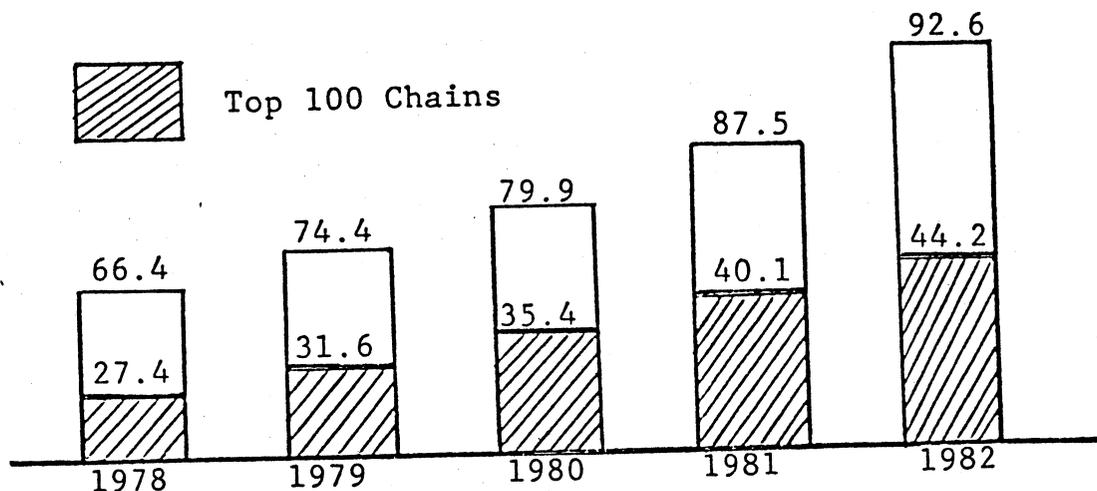
\*White collar workers comprise 59.9 percent of the working population compared to a 50 percent national average.

\*Unemployment is approximately 3.9 percent and is expected to remain low through the 1980's (see appendix 1).

\*Approximately 50 percent of households have income in excess of \$25,000 (see appendix 2).

\*Market indexes of 117 for fast food/take-outs and 130 for atmosphere/specialty restaurants indicate a great propensity to eat out (see appendix 3).

### RESTAURANT SALES (In Billions of Dollars)



SOURCE: TECHNOMIC CONSULTANTS, CHICAGO

The National Restaurant Association forecasts that commercial eating-away-from-home-market industry wide sales will increase by 8 to 9 percent in 1983, bringing the total to an amount in excess of \$100 billion. We believe that significant factors contributing to growing restaurant sales and the expansion of demand for fast food dining out are higher discretionary incomes, increased leisure time, greater employment among married women, more single families and more single person households.

Applebee's recognizes that the American population is getting older and that the quick service restaurant business must adapt to this demographic development. The 25 to 49 age group includes those born during the World War II baby boom and is America's fastest growing age group. Applebee's menu and decor will be directed primarily at consumers between the ages of 25 to 49 and their families. This population segment is characterized by a high

frequency of dining out in fast food restaurants. Applebee's believes that these people want and can afford to eat out more often to maintain their lifestyle. They enjoy the convenience of eating out.

Chain restaurant operators have captured almost one-half of all restaurant sales. With the advantages of cost control, experienced management, and marketing expertise, restaurant chains are growing at two to three times the rate of the total market. Applebee's has determined that finding a niche in this market can be very worthwhile.

Applebee's perceives that America's dining away from home habits and tastes are experiencing a major change in recent years. The company believes that consumers want fast food convenience but are tiring of the standard burger, fried chicken, and pizza bill of fare. People want more variety and taste. They are more quality oriented. The changing public taste seeks diversity and is increasingly sophisticated. This will require the successful restaurant chain operator to create new menu offerings and generate the birth of new chain concepts.

#### DEVELOPMENT

The "Development Agreement" requires the opening of:

- 1 unit in year 1
- 1 unit in year 2
- 2 units in year 3
- 1 unit in year 4
- 1 unit in year 5
- 2 units in year 6

The typical unit restaurant will be either free-standing or part of a strip or mall shopping center in prime commercial retail areas, and contain 3,400 square feet of space. It is estimated that the total cost of each restaurant will be \$610,000:

Furniture and Equipment	\$200,000
Leasehold Improvements	200,000
Franchise Fee	27,500
Legal Fees	15,000
Pre-Opening Expenses	24,000
Development Fee	100,000
Working Capital	10,000
Liquor License	3,500
Smallwares	20,000
Inventory	12,000
	<u>\$610,000</u>

## AREA PROFILE

<u>Households</u>	762,376
1 Person	24.1%
2 Person	30.4%
3-4 Person	32.5%
5+ Person	12.9%
Average Household Size	2.71

<u>Families</u>	531,293
W/Children	56.8%
Married Couples	84.3%
Married Couples W/Children	55.6%
Average Family Size	3.33
Non-Family Households	30.3%

<u>Occupations</u>	
Professional/Technical	17.3%
Manager/Proprietary	12.4%
Clerical	19.6%
Sales	10.6%
White Collar	59.9%
Blue Collar	40.1%

<u>Employment</u>	
Male	48.6%
Female	51.4%

<u>Unemployed</u>	
Male	4.7%
Female	3.2%

INCOME: 1980-83-88  
MINNEAPOLIS-ST. PAUL, MN  
MSA 5120: Minneapolis-St Paul, MN--WI

	1980 Census		1983 Est.		1988 Est.	
POPULATION	2113533		2165418		2245499	
In Group Quarters	49039		48641		48012	
PER CAPITA INCOME	\$ 8633		\$ 11291		\$ 15019	
AGGREGATE INCOME (\$Mil)	18245.7		24450.7		33725.1	
HOUSEHOLDS	762376	%	808342	%	873377	%
By Income						
Less than \$ 5,000	68379	9.0	51013	6.3	36007	4.1
\$ 5,000 - \$ 9,999	94382	12.4	83566	10.3	70389	8.1
\$ 10,000 - \$ 14,999	100389	13.2	89088	10.9	82225	9.4
\$ 15,000 - \$ 19,999	102099	13.4	80208	9.9	80335	9.2
\$ 20,000 - \$ 24,999	105738	13.9	98227	12.2	64136	7.3
\$ 25,000 - \$ 29,999	89309	11.7	84361	10.4	71801	8.2
\$ 30,000 - \$ 34,999	66883	8.8	72467	9.0	76573	8.8
\$ 35,000 - \$ 39,999	43442	5.7	64696	8.0	70452	8.1
\$ 40,000 - \$ 49,999	45524	6.0	87172	10.8	113409	13.0
\$ 50,000 - \$ 74,999	32369	4.2	72020	8.9	148176	17.0
\$ 75,000 +	13860	1.8	26542	3.3	59879	6.9
Median Household Income	\$ 20699		\$ 25182		\$ 32076	
Average Household Income	\$ 23694		\$ 29978		\$ 38344	
FAMILIES	531293	%	563093	%	590480	%
By Income						
Less than \$ 5,000	20433	3.8	20601	3.7	17710	3.0
\$ 5,000 - \$ 9,999	43110	8.1	27502	4.9	21766	3.7
\$ 10,000 - \$ 14,999	56028	10.5	40300	7.2	30779	5.2
\$ 15,000 - \$ 19,999	68401	12.9	54195	9.6	37924	6.4
\$ 20,000 - \$ 24,999	84403	15.9	59247	10.5	46078	7.8
\$ 25,000 - \$ 29,999	77669	14.6	78922	14.0	45533	7.7
\$ 30,000 - \$ 34,999	59629	11.2	68127	12.1	49748	8.4
\$ 35,000 - \$ 39,999	39049	7.3	55361	9.8	63131	10.7
\$ 40,000 - \$ 49,999	40921	7.7	77340	13.7	100708	17.1
\$ 50,000 - \$ 74,999	28964	5.5	59569	10.6	128286	21.7
\$ 75,000 +	12686	2.4	21910	3.9	48805	8.3
Median Family Income	\$ 24582		\$ 30056		\$ 38619	
Average Family Income	\$ 27778		\$ 34786		\$ 43967	

Source: 1980 Census, July 1, 1983 UDC Estimates

(INF)

Urban Decision Systems/PO Box 25953/Los Angeles, CA 90025/(213) 820-8931

RESTAURANTS: ANNUAL SALES POTENTIAL, 1983

	AGGREGATE (\$000)	PER CAPITA	MARKET INDEX
TOTAL FOOD IN RESTAURANTS	954310	450.83	121
Fast Food/Take Outs	378229	178.68	117
Family/Coffee Shops	310776	146.82	119
Cafeterias	36130	17.07	118
Atmosphere/Specialty	229176	108.27	130
TOTAL ALCOHOLIC BEVERAGES IN RESTAURANTS	72485	34.24	120

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 SUPPORTABLE NUMBER OF SEATS

Fast Food/Take Outs	46678
Family/Coffee Shops	77047
Cafeterias	12275
Atmosphere/Specialty	66310
TOTAL	202312

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Autobiographical Sketch

Donald W. Strang III

I have included a resume compiled in December of 1982, which should give you a detailed summary of my education and work experience through 1982. The following information consists of education and work experience up to the present.

Education:           MBA Case Western Reserve ... August, 1984

Work Experience:       Vice President Operations  
                          Strang Management Corporation

In November of 1984, Strang Management entered into an agreement with Creative Food and Fun; a subsidiary of WR Grace, to franchise Applebee's in the state of Minnesota. I was sent to Atlanta for twelve weeks of training.

In February, 1985, I moved to Minnesota to supervise the construction and set up of our first Applebee's at the Brookdale Mall.

I opened the Brookdale location and functioned as the General Manager until we opened our Bloomington store at which point I assumed multi unit supervisory responsibilities.

DONALD W. STRANG  
3467 A, S. Stafford Street  
Arlington, Virginia 22206  
Phone: (703) 820-7204

PERSONAL

Height: 6'2"      Weight: 185 lbs.

EDUCATION

B.S., Cornell University, School of  
Hotel Administration 6/80

MPA Case Western Reserve University  
8/84

WORK EXPERIENCE

June, 1982 to  
December, 1982

Marriott Corporation  
Crystal Gateway Marriott Hotel  
Arlington, Virginia

Assistant Manager Restaurants, responsible  
for all service personnel and customer  
satisfaction. I was part of the opening  
management team for this new hotel. We had  
a successful opening in June, 1982.

July, 1980 to  
June, 1982

Marriott Twin Bridge Hotel  
Arlington, Virginia

Successfully completed Marriott's Individual  
Development Training Program for food and  
beverage.

Assistant Restaurant Manager - I was responsible  
for 40-50 employees in a 240 seat full-service  
restaurant, cocktail lounge and room service  
operation.

I coordinated the implementation of the  
"Synchronomics program", which instructs an  
operation on increasing forecasting accuracy  
and reduction of labor costs, with the  
Synchronomics, Inc.

During the absence of the restaurant manager  
of the property for a period of six months,  
I assumed the administrative duties of that  
position, including annual budgeting, and  
provided guidance and leadership to the other  
assistants on the property.

1977 to 1978  
School Year

Waiter  
Kappa Kappa Gamma Sorority  
Ithaca, New York

September, 1978 to  
June, 1980

Account Representative  
Smith Beverage  
Ithaca, New York

During the school year I was the campus representative. My responsibilities were to sell Genessee beer by the keg to the fraternities, distribute the beer and then collect. I worked solely on a commission basis.

Summer, 1979

Assistant Manager  
The Christopher Ryder House  
Chatham, Massachusetts

I was responsible for all reservations, supervision of hostesses and cashiers and the cash handling and banking functions.

Summer, 1978

July to August

Trainee  
Strang Management Corporation  
Cleveland, Ohio

I functioned as a unit controller and trained in the accounting office.

May to June

Intern  
Abramson Associates Advertising  
Washington, D.C.

The purpose of my internship was to learn how an advertising agency functions.

Summer, 1977

Cook  
Don's Fishmarket  
Rocky River, Ohio

Summer, 1976

Cook  
Don's Lighthouse Inn  
Cleveland, Ohio

Part-time During  
High School

Dishwasher, Busboy and Cook  
Don's Lighthouse Inn  
Cleveland, Ohio

MISCELLANEOUS

Attended Operation Enterprise sponsored  
by American Management Association - 2  
week management seminar for college students

Delta Upsilon Kitchen Feasibility Study

ACTIVITIES

Hotel Ezra Cornell - 1976, 1977  
Delta Upsilon Fraternity  
Cornell Freshman Baseball - 1976  
Intramural Football, Basketball, Hockey

REFERENCES

Available upon request



July 3, 1987

To Whom It May Concern:

I, Robert Michael Paul, have no financial interest in any liquor establishment in Minnesota, or otherwise.

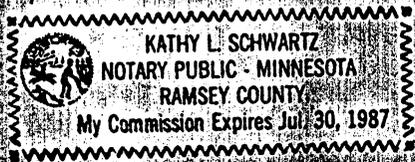
Sincerely,

*Robert M. Paul*

Robert M. Paul

*Signed before me this 6th day of July 1987*

*Kathy L. Schwartz*



MEMORANDUM

TO: City Manager  
 FROM: Randall Johnson--Associate Planner  
 SUBJECT: Preliminary Plat  
 LOCATION: Schaller Drive and Lakewood Court  
 APPLICANT: Jefferson Homes, Inc.  
 OWNER: David Wolburg  
 PROJECT: Jefferson 6th Addition  
 DATE: August 10, 1987

SUMMARY

Introduction

The applicant is requesting preliminary plat approval for seven single-dwelling lots (page 8).

Discussion

This proposal is consistent with all city platting and zoning requirements. It is also consistent with the alignment of Lakewood Drive approved in the Jefferson Fifth Addition.

The cul-de-sac bulb should be shifted as far to the west as possible to provide more usable rear-yard area for lot two. (A revised plat is on page 9.) The irregular shape of this lot reduces the usefulness of the rear yard.

Recommendation

Approve the Jefferson 6th Addition preliminary plat, subject to the following conditions being satisfied before final plat approval:

1. Recording of the Jefferson Fifth Addition plat.
2. Submittal of a developer's agreement for the construction of all public improvements.
3. Move the cul-de-sac bulb to the west to reduce lot seven to the minimum of 10,000 square feet of area. The south lot line for Lot Two and the westerly lot line for Lots Three through Five shall be shifted to correspond with the revised lotting plan proposed by city staff (page 9).
4. City engineer approval of final grading, utility, drainage and erosion control plans.
5. Revise the name of the cul-de-sac from "Lakewood Drive" to "Lakewood Court".

## CITIZEN COMMENTS

Forty property owners within 350 feet were asked to comment on this proposal. Of the seven persons who responded, two are in favor, two had no comment and three are opposed.

Those opposed raised the following concerns:

1. "I object because my property taxes for utilities will go up."

Staff comment: The developer will pay the entire cost of installing the street and utilities. There would be no costs to area property owners as a result of this development.

2. "At the water tower information meeting, I was led to believe that no further development would be allowed without the tank in place. I object to any approval of new development until this tank is in place and functional.

Staff comment: Staff had stated at the water tower hearing that no further development should be allowed until the tower is completed. However, the city engineer has determined that this plat would have adequate pressure because it is at a relatively low elevation. This plat would also have no noticeable effect on the water pressure of existing homes because there are only seven lots. There is, therefore, no reason to condition this plat on construction of the tower.

3. "We just retired and bought this home because of the country setting and wildlife. We feel we are going to lose this."

Staff comment: This site is planned for single-dwelling home sites such as those proposed. An existing 155-foot-wide drainage easement that straddles the south line of the site will be retained. This will guarantee more privately-owned open space than typically found in newer subdivisions.

4. "I am concerned about the drainage and holding pond that includes (the applicant's site and) the north portion of my lot." (It also includes the north portion of the other five lots to the south of the applicant's site.)

Staff comment: This drainage easement was recorded in 1981 for the six-acre-foot pond shown in the city drainage plan (page 7).

The purpose of this ponding area is to contain the short-term run-off from a fast snow melt or heavy rain. The city engineer states that during warm weather, the inundation period should not exceed six hours for a 100-year storm. Inundation due to fast snow melt will occur for a longer period. The length of time will depend upon the temperature and the amount of rain received during the snow melt.

5. "A higher volume of traffic on Highwood Avenue and McKnight Road causing dangerous (driving) conditions at the intersection. Speed limits should be reduced and enforced."

"Currently we have problems with traffic speeding on McKnight, making turning onto Highwood a hazard. With increased congestion, the problem will magnify. Also, we have very little police attention to the matter of speeding at this intersection currently, and with more traffic the situation would demand more police surveillance."

Staff comment: McKnight Road is designated as a minor arterial roadway and Highwood Avenue is designated as a major collector roadway. The present 40 mph speed limit for McKnight Road and the 30 mph limit for Highwood Avenue are appropriate, according to the Ramsey County highway engineer. He also stated that the traffic volumes on each of these roadways is significantly below the maximum allowed volume for safe driving, which for this stretch of McKnight Road is greater than 10,000 ADT (average daily traffic). The current ADT for McKnight Road is 2,200 between Carver and Highwood Avenues and 3,500 between Highwood and Linwood Avenues. For Highwood Avenue, the maximum safe ADT will approach 7,000. The current ADT is 850.

The Ramsey County highway engineer also stated that a stop sign at McKnight Road will not be warranted until substantially more houses are occupied in this area. When the volumes are higher, Ramsey County will investigate the need for a stop sign at the request of the city.

REFERENCE

Site Description

Gross area: 2.88 acres

Existing land use: undeveloped

Easements: A ponding and drainage easement that crosses the southerly portion of Lots Four, Five and Six.

Prominent vegetation: field grasses

Surrounding Land Uses

North: Two lots and Schaller Drive.

East: The land-locked remnant parcel to be created when this plat is recorded. Like the applicant's site, the only means of access is from the property abutting to the north. This remnant could eventually be subdivided into a similar configuration of lots, as proposed for the applicant's site. It is planned for RL, residential low density use.

South: The deep rear yards of five single-dwelling properties. The northerly portion of each of these lots is encumbered by the same 155-foot-wide drainage easement that crosses the applicant's site.

West: Two single-dwelling lots.

Past Actions

7-14-86: Council approved the Jefferson Fourth Addition preliminary plat (see page 6 ). One of the conditions of approval was to change the name of "Lakewood Drive" south of Dorland Curve (now named Schaller Drive) to "Lakewood Court". Approval of the final plat was not conditioned upon the construction of a water tower.

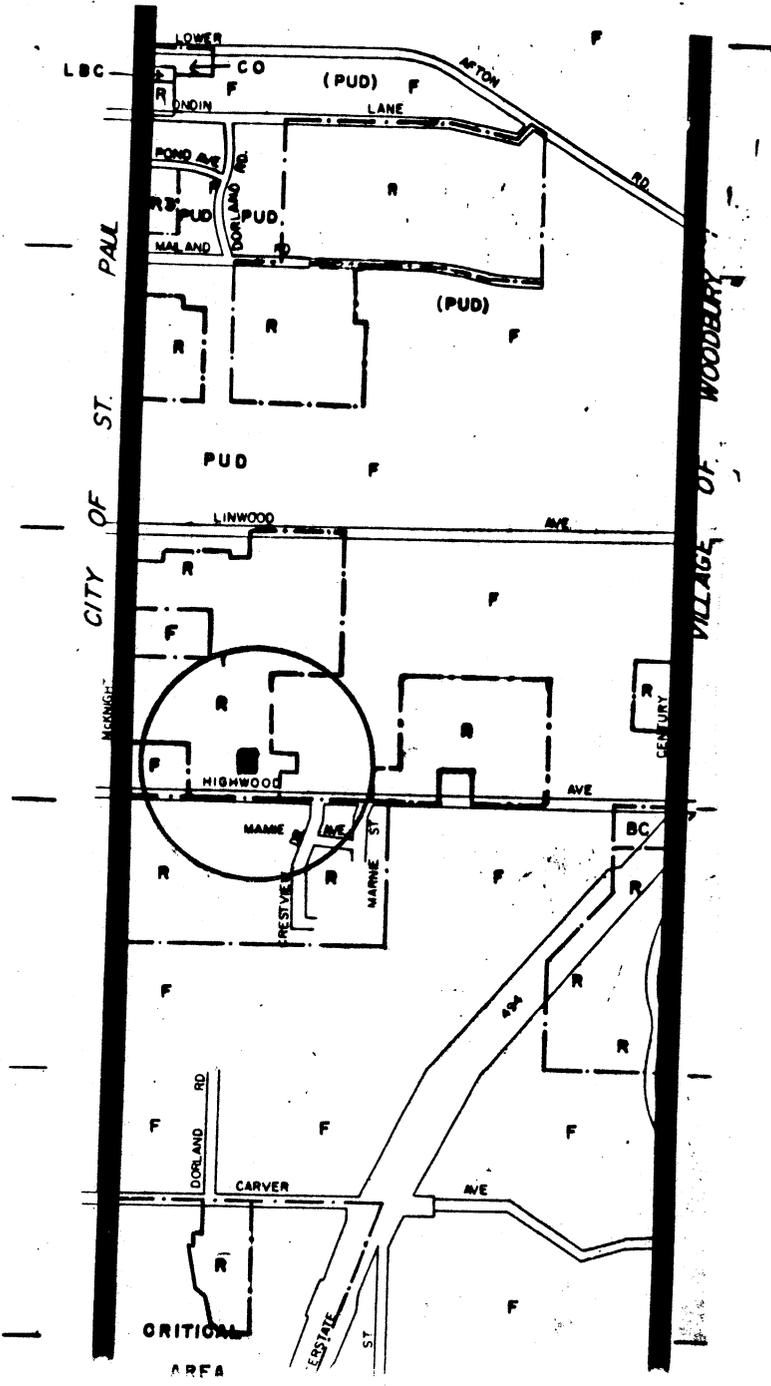
Planning

1. Land use plan designation: RL, residential low density
2. Zoning: R-1, single dwelling
3. Permitted density: 14 people/net acre
4. Proposed density: 11.2 people/net acre (2.57 net acres)

kd

Attachments

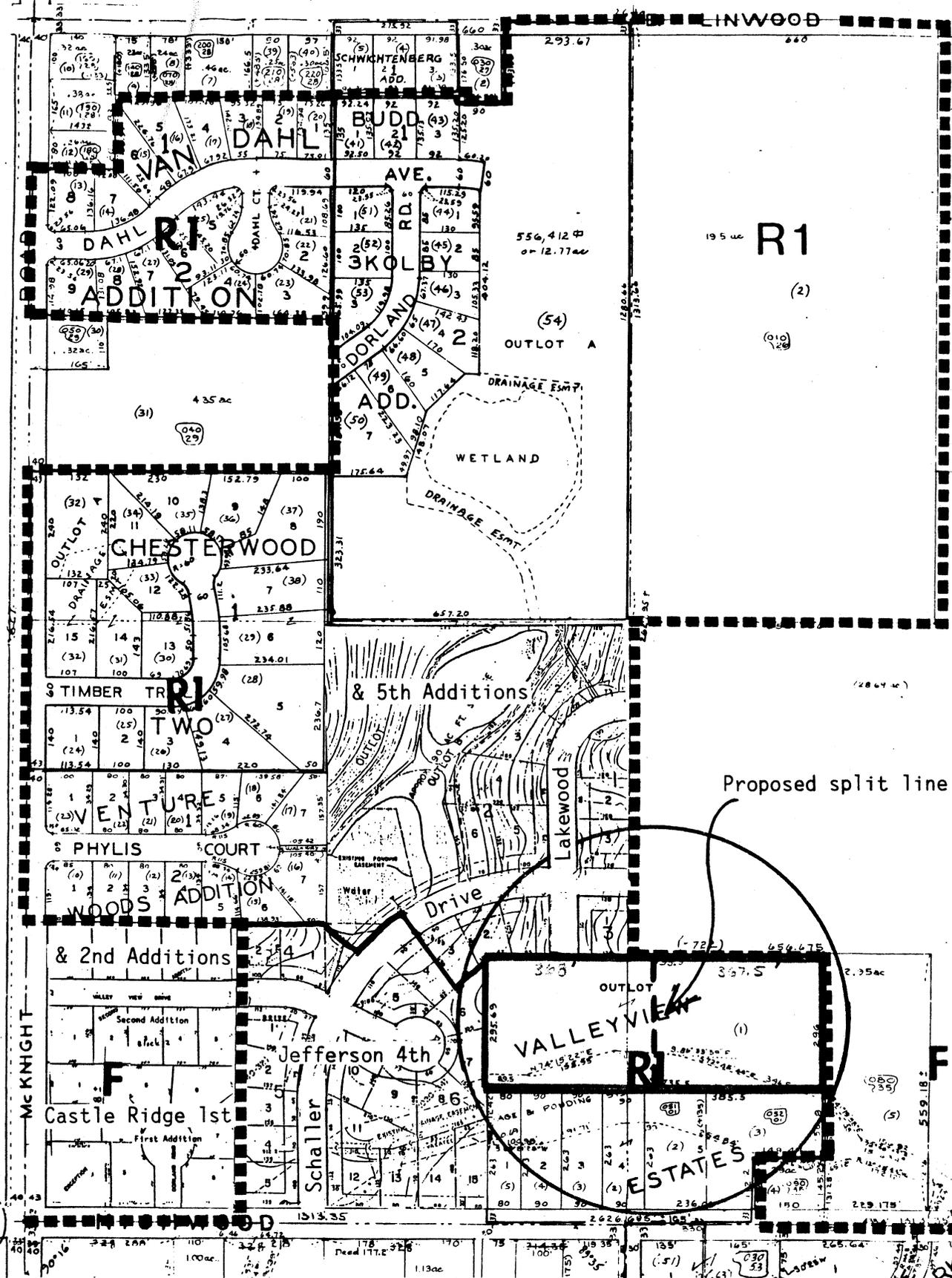
1. Location Map
2. Property Line/Zoning Map
3. Excerpt from the Drainage Plan
4. Preliminary Plat (8-1/2 X 11)
5. Preliminary Plat (as revised by staff)
6. Preliminary Plat (separate attachment)



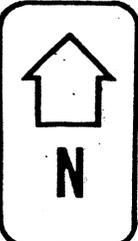
LOCATION MAP

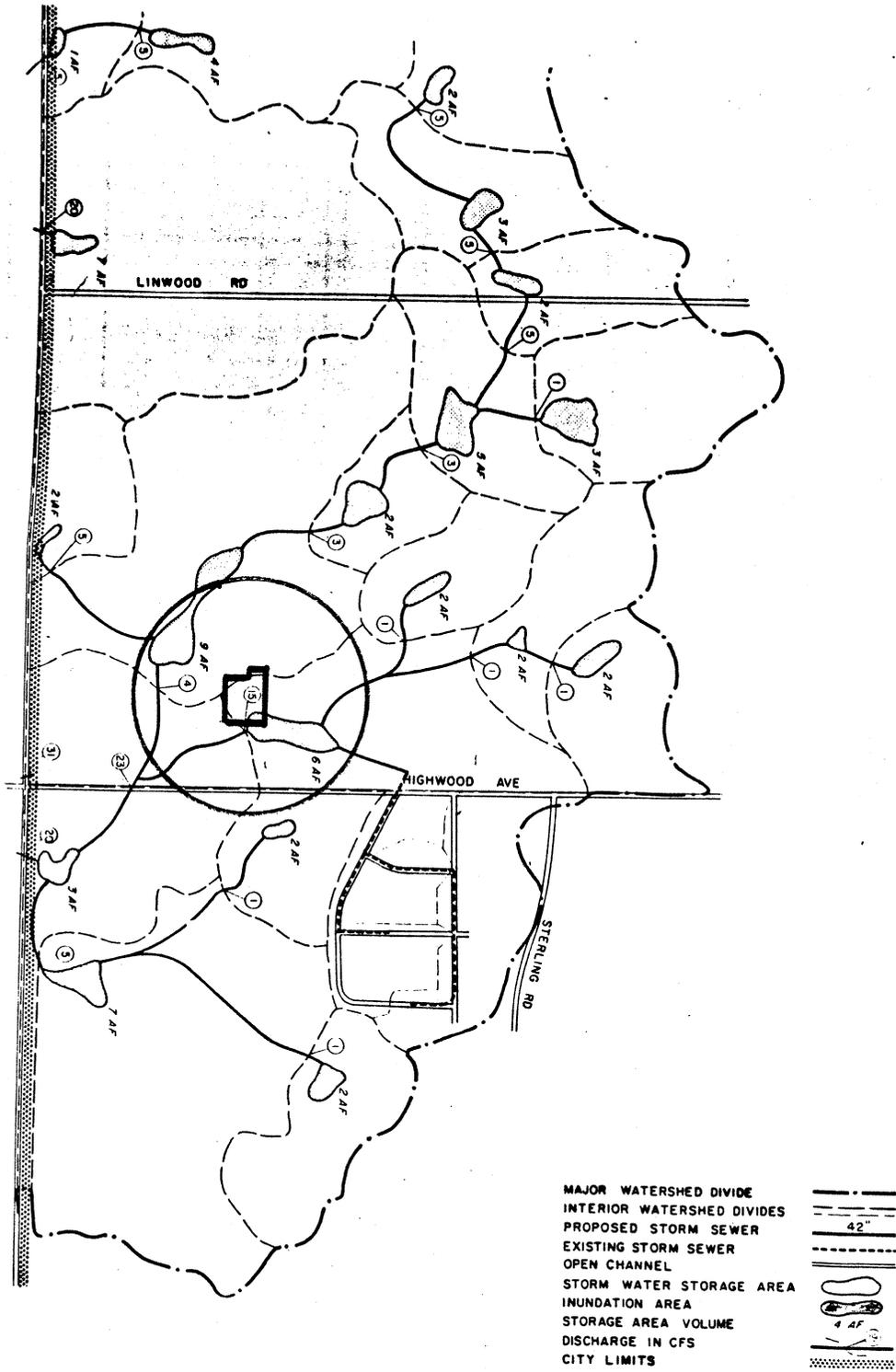
Attachment 1





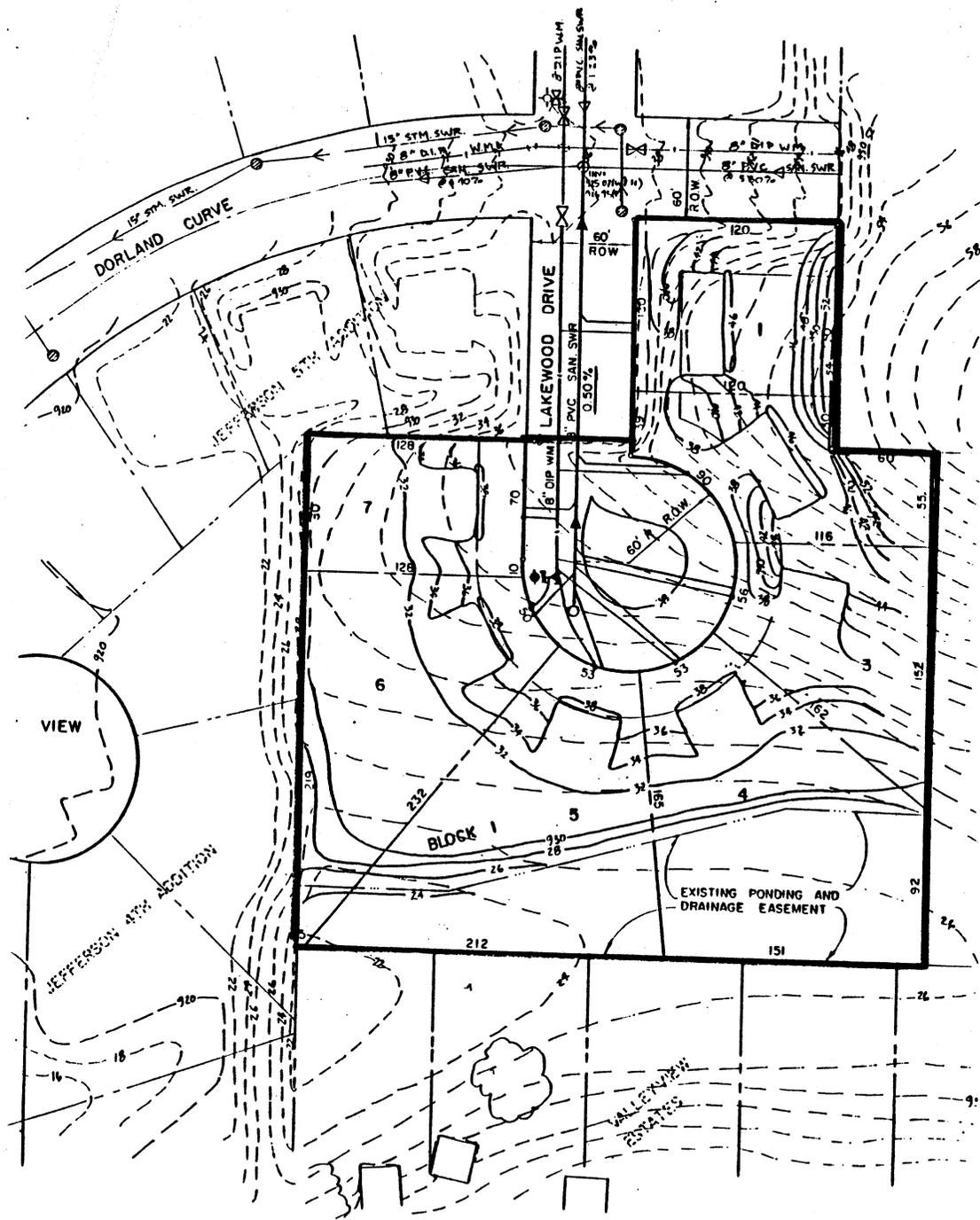
PROPERTY LINE / ZONING MAP





Excerpt From The  
Drainage Plan

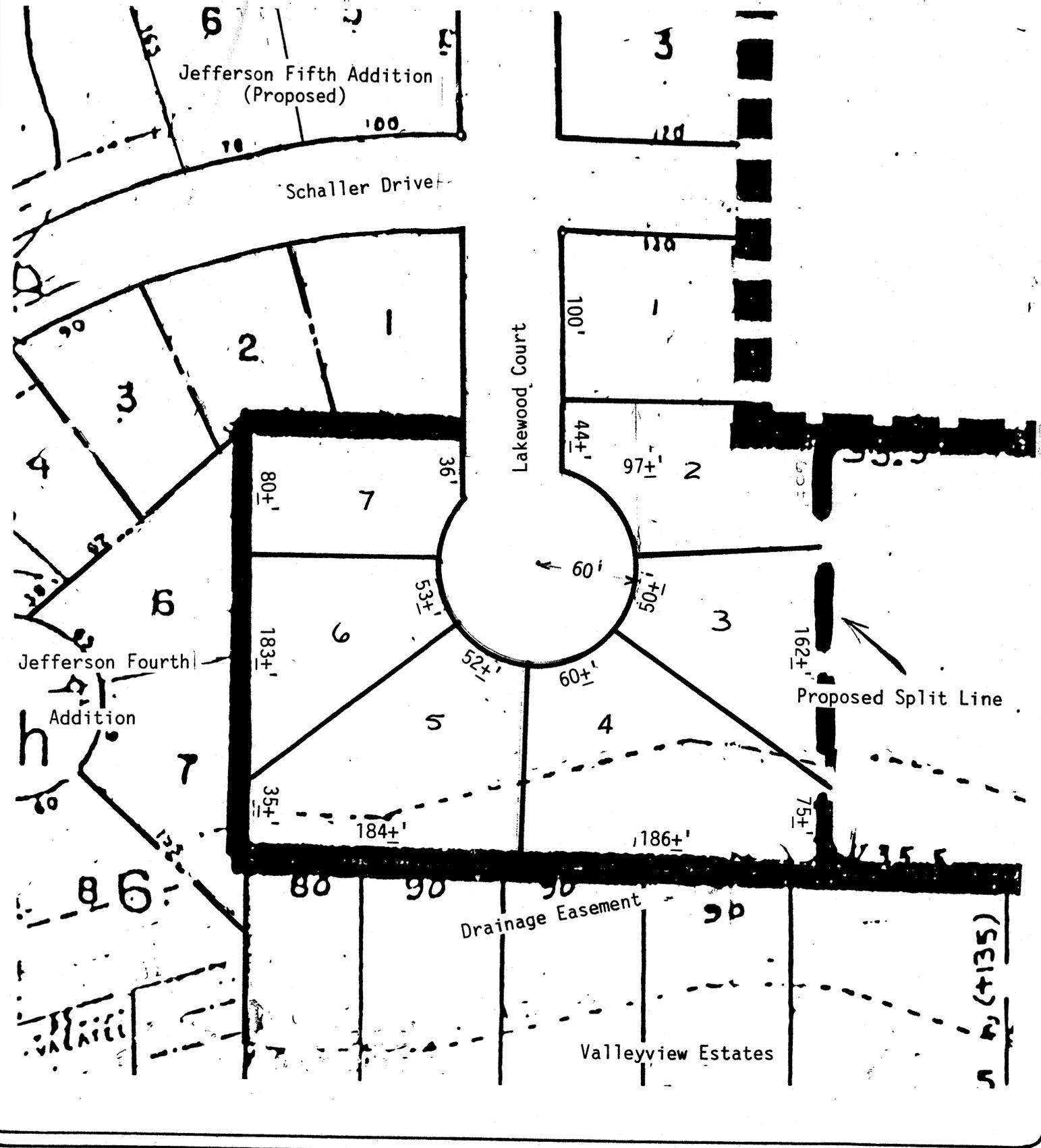




# JEFFERSON 6TH ADDITION

## PRELIMINARY PLAT





Preliminary Plat  
 (As Revised by Staff)



MEMORANDUM

TO: City Manager  
 FROM: Thomas Ekstrand, Associate Planner  
 SUBJECT: Home Occupation Permit  
 LOCATION: 798 N. McKnight Road  
 APPLICANT/OWNER: Kathy Mosner  
 PROJECT: Kathy's Beauty Salon  
 DATE: July 29, 1987

SUMMARY

Introduction

The applicant is requesting approval of a home occupation permit to operate a beauty salon in her basement. The applicant would be the sole operator. Refer to the applicant's questionnaire on page 8 .

Discussion

Parking is the only issue. If the applicant has her customers park in the driveway, there should not be any problem.

Recommendation (Approval - three votes)

Adoption of the resolution on page 11 approving a conditional use permit for a beauty salon home occupation at 798 N. McKnight Road. Approval is based on the findings required by ordinances, subject to:

1. Customers shall park in the driveway and not along McKnight Road.
2. Compliance with the requirements in Section 36-66(4)(b) pertaining to the operation of a home occupation.
3. A smoke detector and fire extinguisher shall be provided in the shop area.
4. Signage shall be limited to a wall mounted, two-square-foot maximum sign.
5. Provide a driveway turn-around or widen the drive to provide three on-site parking spaces.

## CITIZEN COMMENTS

Staff surveyed the property owners within 350 feet for their comments. Of the eighteen replies, eleven were in favor and seven had no comment. The following concerns were expressed:

1. Parking can become a problem along the street, especially in the winter when the road is narrower due to snow build-up. If people would park on Kathy's side of the street or in her driveway instead of blocking our sidewalk, I wouldn't care if she had a business.

Staff comment: Because of a fire hydrant in front of the house, there is only room to park one car along the street. (Law requires that cars be parked no closer than ten feet to a fire hydrant.) Maplewood Chief of Police Ken Collins has also said that this section of McKnight Road is relatively busy and that there have been a fair number of accidents. Staff is recommending, therefore, that the applicant's customers park in the driveway.

2. We have a lot of big trucks and cars on this block, so speed limit signs and "watch our children" signs should be installed.

Staff comment: "Speed Limit 30" signs are already posted. The Acting Traffic Engineer from the Ramsey County Department of Public Works has stated that they will erect signs such as "watch our children" along county roads if the signs are provided by the city.

3. Refer to the letter on page 9 .

Staff comment: (1) The applicant will be the only operator. According to the floor plan on page 7 there will be four chairs; one for washing hair, a work station and two dryer chairs. With this arrangement, there could be up to three customers being served at a time. (2) The applicant has explained that the large loose dog is a neighbor's. (3) See the staff comment under item number one.

## REFERENCE

### Site Description

1. Lot Area: 19,389 Square Feet
2. Existing Land Use: Single Dwelling and Garage

### Surrounding Land Uses

Single Dwellings

### Ordinance Requirements

Section 36-66 (4) Home Occupations. See page 10.

Section 36-442 (b) requires that ten findings be made before council may grant a conditional use permit. Refer to the findings in the resolution on page 11.

### Public Safety

1. The shop area should have a smoke detector and fire extinguisher provided.
2. There should not be any on-street parking.

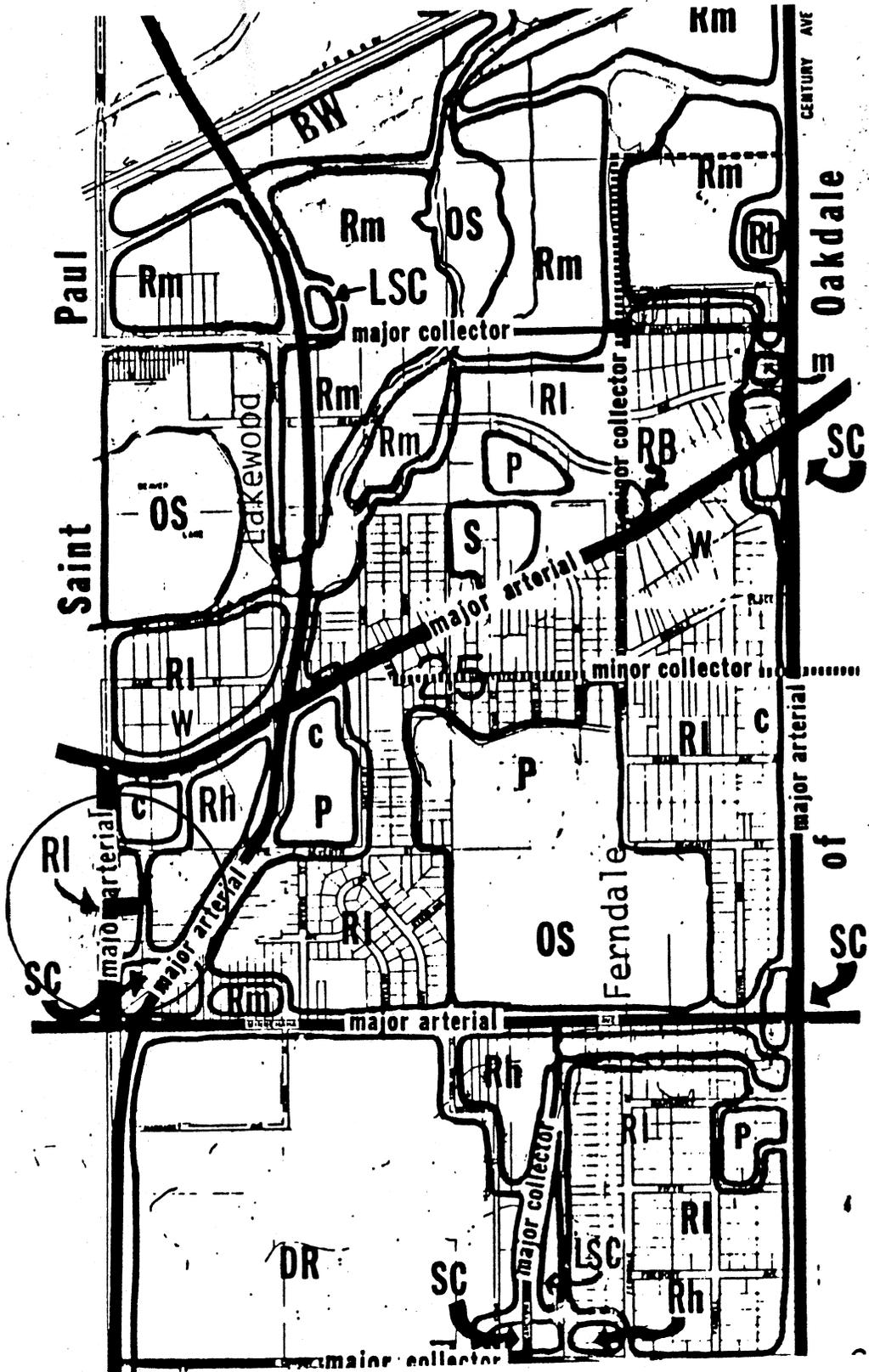
### Licensing

Annual licensing is required for home occupations.

kd

### Attachments

1. Land Use Plan
2. Property Line/Zoning Map
3. Site Plan
4. Floor Plan
5. Applicant's Questionnaire
6. R. J. Bolsinger's Letter
7. Home Occupation Ordinances
8. Resolution



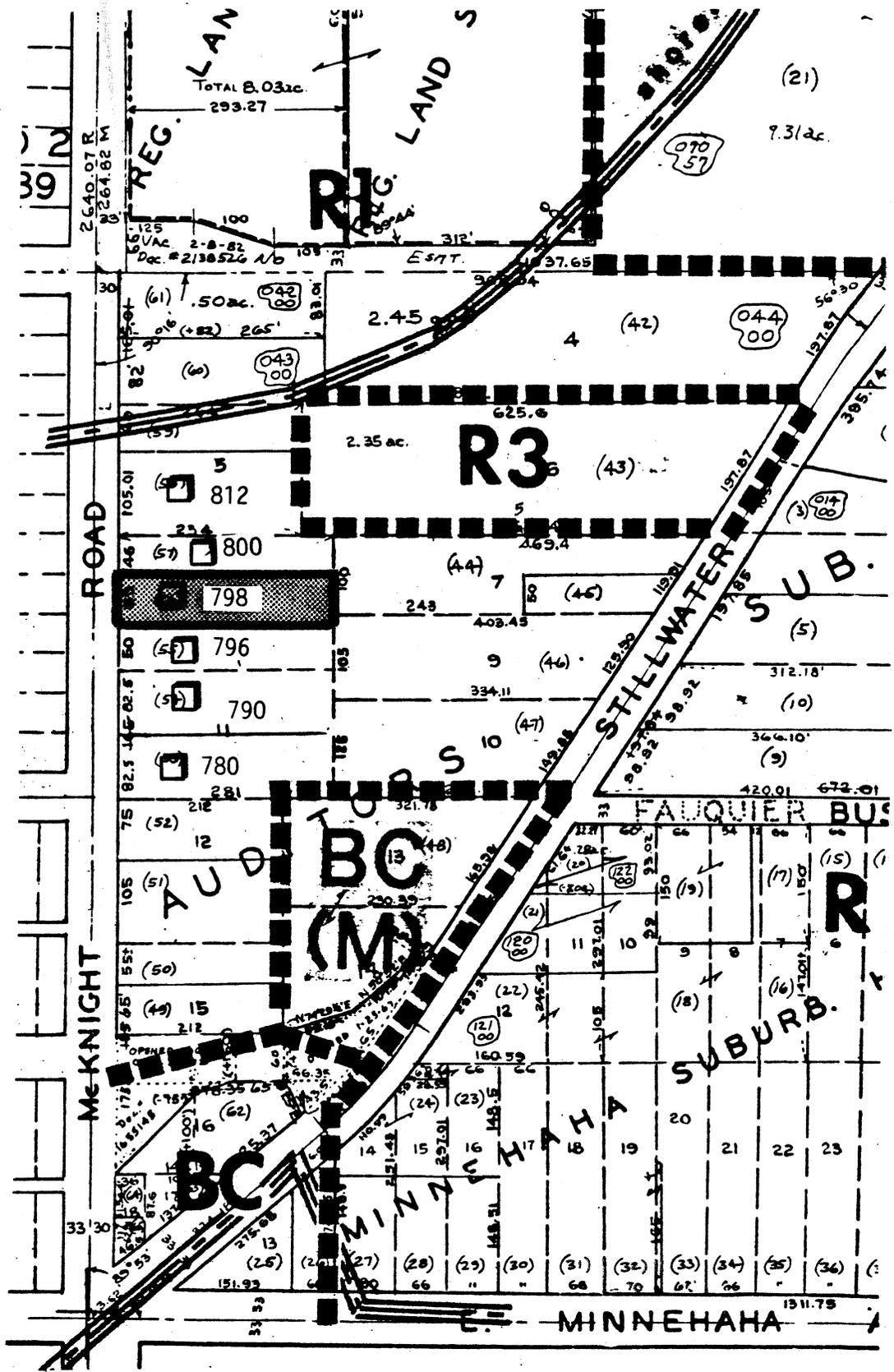
Maryland Ave.  
Stillwater Road

Harvester

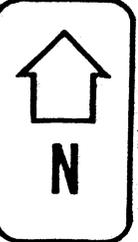
Minnehaha

LAND USE PLAN

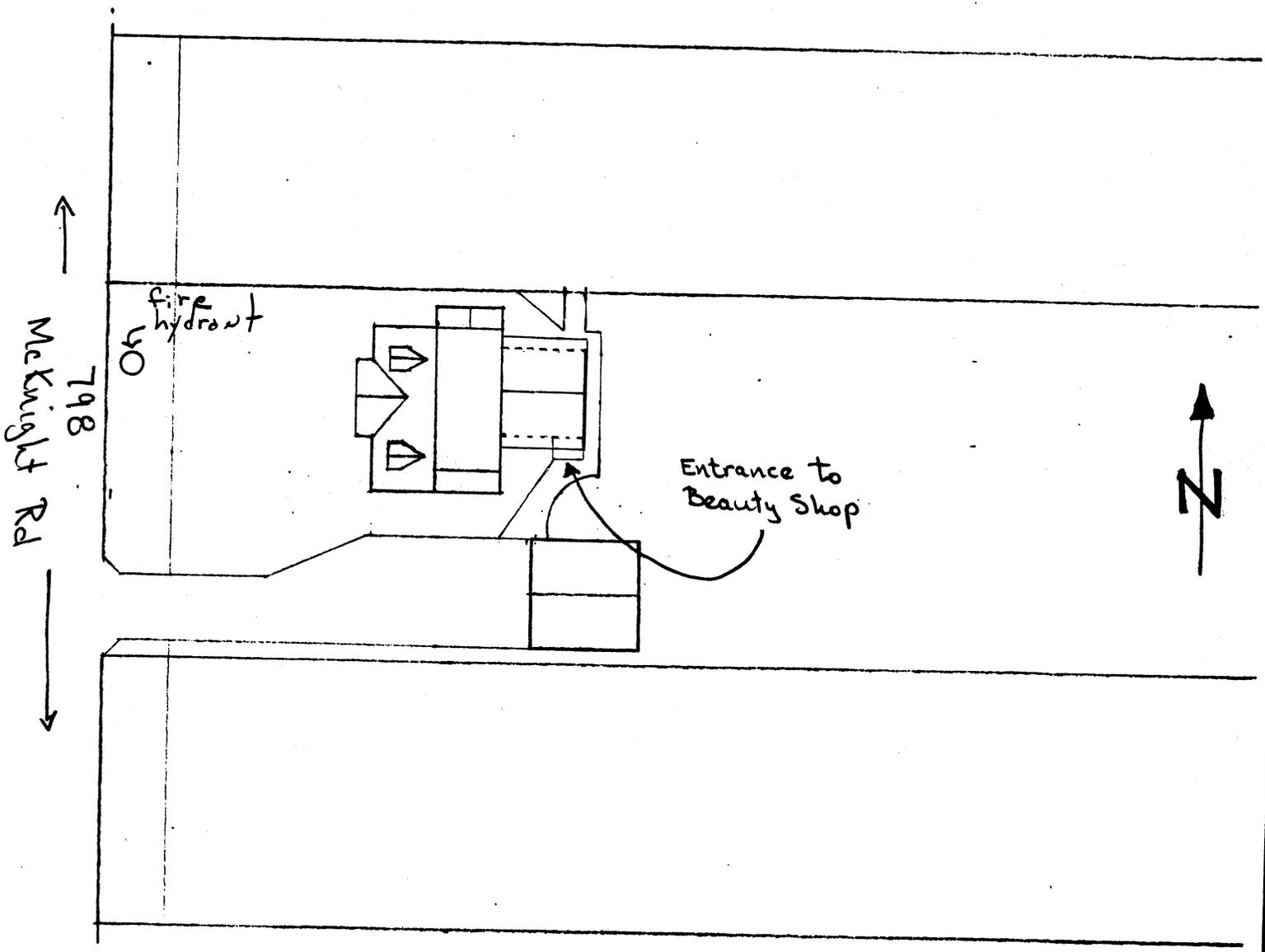
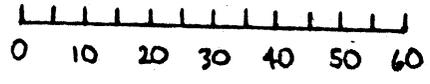




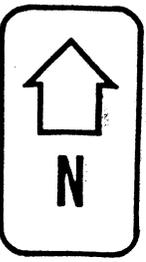
PROPERTY LINE / ZONING MAP

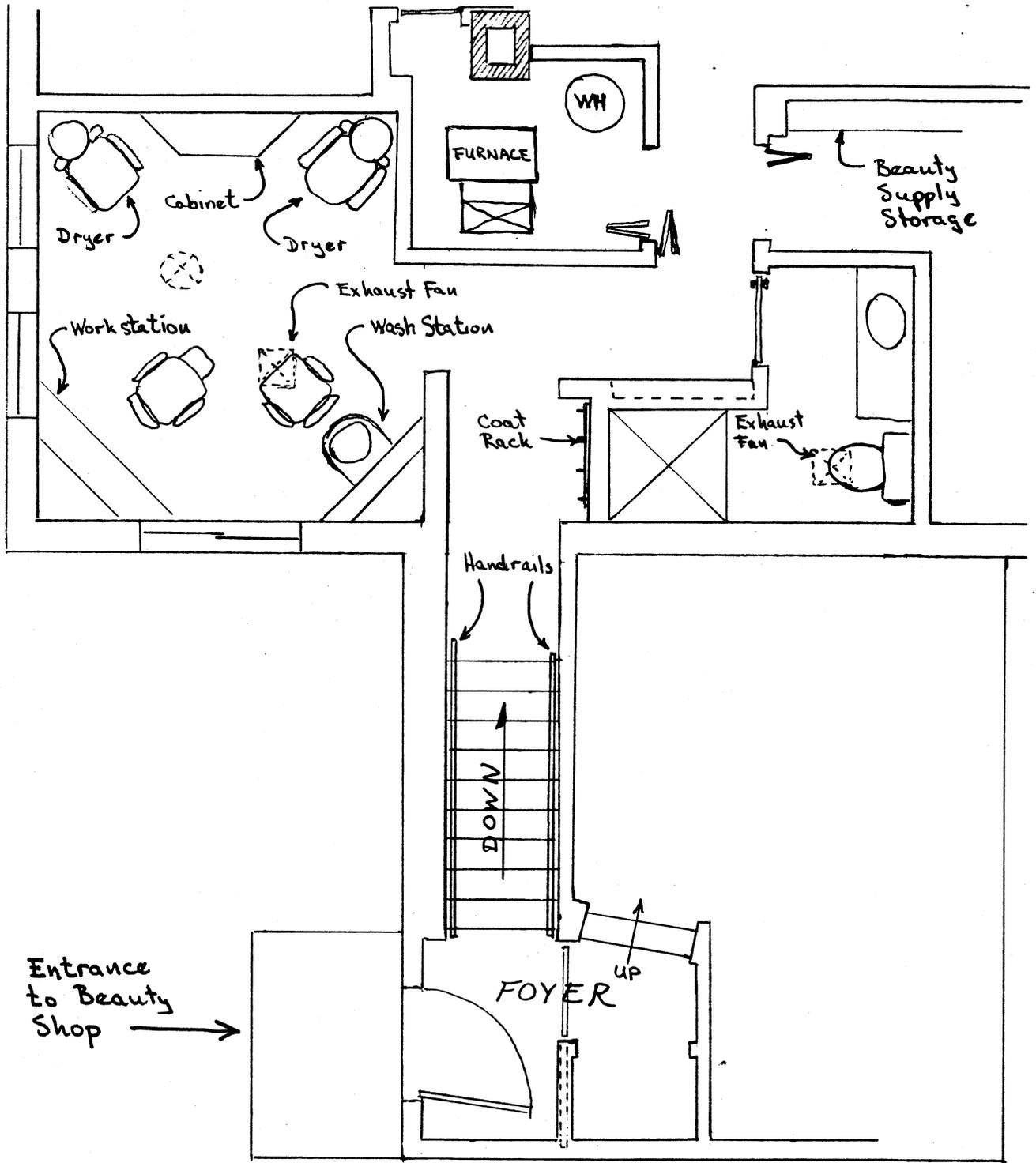


SCALE 1" = 30'-0"



# SITE PLAN





FLOOR PLAN



KATHLEEN M. MOSNER  
applicant's name

798 N. MCKNIGHT RD.  
address of home occupation

HOME OCCUPATION QUESTIONNAIRE

1. How many persons, other than members of the family residing on the premises, would be engaged in the home occupation? none  
(Only one other person is allowed)
2. What percentage of each level of your homes's floor area would be used in conducting the home occupation? 10% basement, 3% main floor  
(20% is the maximum allowed)
3. Describe any changes in the outside appearance of the building or premises, other than one wall mounted sign of not more than two square feet? none  
(No other changes allowed)
4. Describe any retail sales of products produced off-site. none  
(Such sales must be subordinate to the principle activities of the home occupation)
5. How many customer cars would be parked on the premises at any one time? two, maybe three  
(Maximum of three allowed)
6. Describe any vehicles to be used in the home occupation. none
7. Describe any equipment or process used which would create noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off your property. none  
(None allowed)
8. Describe any fire, safety or health hazards none  
(None allowed)
9. Does this home occupation include the repair of internal combustion engines, body shop, machine shop (places where raw metal is fabricated using machines that operate on more than 120 volts of current), welding ammunition manufacturing or similar uses? no  
(None of the above are allowed)

Note: The city council may waive any of the above requirements if the home occupation is located at least 350 feet from an adjoining residential use.

From  
the desk of  
R. J. BOLSINGER  
817 North McKnight Road  
ST. Paul, MN. 55119

4 15 '87

Subject: Beauty Salon - Kathy Mosner

To: Community Development, City of Maplewood  
1830 E. County Road B, Maplewood, Mn. 55109

Date: April 14, 1987

Reference your letter of April 7, 1987 addressing the establishing of a Beauty Salon in the home of Kathy Mosner.

1. In reviewing the letter there is no mention of the number of Chairs or stations that will be established. This is a very important question as it will relate directly to the parking of cars in the immediate area. The parking of cars should be limited to the area immediately in front of 798 N. McKnight Road or in the yard of Kathy Mosner. If the Salon is to have several chairs, whereby several customers will be visiting at the same time, then parking in the area would become a problem, posing many traffic hazards in a residential neighborhood.

2. Secondly, this residence has a large (HUGE) dog that roams the neighborhood - sometimes during the days and every evening - the dog is unfriendly and has been aggressive at times. The dog defecates and urinates on the property of the neighbors. What does this have to do with the establishing of a Beauty Salon? It relates back to the parking question - if the dog cannot be controlled - then how can they also control the parking problem - it would become a problem for the neighbors to police - thereby: causing a nuisance not needed in this area.

3. I have no objection to the establishing of the Beauty Salon providing there is a definite area set aside for parking that does not interfere with the parking facilities of neighbors or myself. If the Salon is approved then signs should be erected and parking enforced by the Kathy Mosner. In addition, the police patrol should check this area for the first several months to ensure that the parking situation is not creating a neighborhood nuisance and citation issue to violators and to the business.

  
R. J. BOLSINGER  
738-6395

## HOME OCCUPATION ORDINANCE

- (4) a. Home occupations shall require a special exception permit for any of the following activities which would occur more than thirty (30) days each year:
1. Employment of any person not residing on the premises.
  2. Customers visiting the premises.
  3. Manufacture of projects on the premises.
  4. A vehicle(s) used in the home occupation, and parked on the premises, which exceeds a one-ton payload capacity.

Home occupations which do not involve any of these activities may be permitted without a permit.

- b. Home occupations requiring a permit shall be subject to, but not limited to, the following requirements:
1. Not more than one person, other than members of the family residing on the premises, shall be allowed to engage in such occupation.
  2. An area equivalent to no more than twenty (20) percent of each level of the dwelling unit floor area shall be used in the conduct of a home occupation.
  3. There shall be no change in the outside appearance of the building or premises, that would indicate the conduct of a home occupation, other than one sign meeting the requirements of the city sign code.
  4. Limited retail sales of products produced off-site may be permitted, but only when subordinate to the principal activity(ies) of the home occupation.
  5. No traffic shall be generated by a home occupation in greater volumes than would normally be expected in a residential neighborhood. The need for off-street parking shall not exceed more than three off-street parking spaces for home occupation at any given time, in addition to the parking spaces required by the resident occupants.
  6. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
  7. No fire, safety or health hazard shall exist.
  8. A home occupation shall not include the repair of internal combustion engines, body shops, machine shops, welding, ammunition manufacturing or other objectionable uses as determined by the city. Machine shops are defined as places where raw metal is fabricated, using machines that operate on more than one hundred twenty (120) volts of current.
  9. Any violation of these requirements shall result in the denial or revocation of the home occupation.
  10. The city may waive any of these requirements if the home occupation is located at least three hundred fifty (350) feet from an adjoining residential use.
  11. Approval shall be for a period not to exceed one year. Renewal shall be subject to the provisions of chapter 17, article II, of the City Code.

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, Kathy Mosner initiated a conditional use permit to operate a beauty salon in her home at the following-described property:

The north 69 feet of the south 119 feet of Lot 8, Auditor's Subdivision No. 77.

This property is also known as 798 N. McKnight Road, Maplewood;

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

1. This conditional use permit was reviewed by the Maplewood Planning Commission on \_\_\_\_\_, 1987. The planning commission recommended to the city council that said permit be \_\_\_\_\_.

2. 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.



VIII. NEW BUSINESS

A. Conditional Use Permit: 2675 Stillwater Road (Ader)

Secretary Olson explained the staff report. Daniel Ader, the applicant of the project, was present and answered questions from several commissioners.

Commissioner Rossbach moved adoption of the resolution approving a conditional use permit for one year for a patio furniture construction/sales home occupation at 2675 Stillwater Road. Approval is based on the findings required by code and subject to:

1. Compliance with the requirements in Section 36-66 (4) (b) pertaining to the operation of a home occupation.
2. A fire extinguisher with a minimum classification of 2A 10BC shall be provided in the workshop. Dust shall not be allowed to accumulate so as to be an explosion hazard.
3. The house shall have its address clearly posted on the house as required by code.
4. The only signage allowed shall be a two-square-foot wall sign mounted on the house.
5. Only one set of patio furniture shall be displayed in the rear yard. No furniture shall be displayed in the front or side yards.
6. There shall be no parking on Stillwater Road.
7. Installation of a looped driveway or driveway turn-around.

Commissioner Barrett seconded

Ayes--Axdahl, Barrett, Cardinal,  
Fiola, Fischer, Larson, Rossbach,  
Sigmundik

Nay--Sletten

B. Conditional Use Permit: 798 N. McKnight Road (Mosner)

Secretary Olson explained the staff report. James and Kathy Mosner, applicants of the project, were present and stated their objections to the driveway turn-around requirement.

Commissioner Cardinal moved adoption of the resolution to approve a conditional use permit for a beauty salon home occupation at 798 N. McKnight Road. Approval is based on the findings required by ordinances, subject to:

1. Customers shall park in the driveway and not along McKnight Road.
2. Compliance with the requirements in Section 36-66(4)(b) pertaining to the operation of a home occupation.
3. A smoke detector and fire extinguisher shall be provided in the shop area.
4. Signage shall be limited to a wall mounted, two-square-foot maximum sign.
5. Provide a driveway turn-around or widen the drive to provide three on-site parking spaces.

Commissioner Rossbach seconded

Ayes--Axdahl, Barrett, Cardinal,  
Fiola, Fischer, Larson, Rossbach,  
Sigmundik, Sletten

~~C. Conditional Use Permit: 2785 White Bear Ave. (district court)~~

~~Secretary Olson explained the staff report and City Engineer Ken Haider discussed the project with the commission. Jerry Green was present representing the applicant.~~

~~Commissioner Fischer moved:~~

- ~~1. Adoption of the resolution approving a conditional use permit for Ramsey County District Court to be operated from the third floor of the Executive Office Center at 2785 White Bear Avenue. Approval is based on the findings stipulated by code.~~
- ~~2. Authorization for 25 fewer parking spaces than code requires, on the basis that:
  - ~~a. The parking need being generated by the tenants at the office center is only half of the typical amount.~~
  - ~~b. Area is available to add additional parking spaces if a parking shortage develops.~~~~

~~Approval is conditional upon the property owner adding more parking spaces if the city determines that there is inadequate parking. The number and location of additional parking spaces shall be subject to staff approval.~~

- ~~3. Request that Ramsey County study the need for a traffic light, twin lanes, and a cut in the median at Mesabi after the court is in operation.~~

~~Commissioner Sletten seconded~~

~~Ayes--Axdahl, Barrett, Fiola, Fischer,  
Larson, Rossbach, Sigmundik, Sletten~~

~~Nay--Cardinal~~

MEMORANDUM

TO: City Manager  
 FROM: Thomas Ekstrand--Associate Planner  
 SUBJECT: Conditional Use Permit and Authorization for Fewer Parking Spaces  
 LOCATION: 2785 White Bear Avenue  
 APPLICANT: Ramsey County  
 OWNERS: Norman L. and LaVonne J. Undestad  
 PROJECT: Ramsey County District Court  
 DATE: July 29, 1987

SUMMARY

Introduction

1. The applicant is requesting approval of a conditional use permit to operate Ramsey County District Court from the third floor of the Executive Office Center on White Bear Avenue. See the letter on page 9.
2. The applicant is also requesting that the city council authorize 25 fewer spaces than the ordinance requires. This is because of the increase in parking need generated by the proposed courtrooms. Code requires 216 spaces; 191 are available.

Background

The state legislature has required the establishment of a new Ramsey County District Court within one mile of the Maplewood Mall. The court office at 1380 Frost Avenue will be closed.

Alternatives--Parking Requirements

1. Authorization for 25 fewer parking spaces.
2. Require the construction of 25 more parking spaces to meet code.
3. Amend the parking code to permit fewer parking spaces for offices.

Discussion--Parking Requirements

The survey on page 12 shows that Maplewood's code of one parking space for each 200 square feet of floor area is the most widely used parking formula for offices. The businesses at the Executive Office Center, however, are presently using the parking lot at a ratio of 1:380 square feet, only about half the expected amount. (This is based on staff's survey of the parking lot at 10:00 a.m. on a business day, with the building at 40% occupancy.) This count supports the applicant's contention that there will be more than enough parking available for Ramsey County's needs. There is no guarantee, however, that future tenants may not increase the actual parking need. Some office buildings in Maplewood, such as Merrill Lynch and Edina Realty,

regularly have full parking lots. The Professional Office Center on White Bear Avenue and Eleventh Street, furthermore, has recently expanded their parking lot.

Since the Executive Office Center has yard space already set aside for parking lot expansion, there is no concern that additional parking spaces cannot be provided if needed.

#### Recommendation

1. Adoption of the resolution on page 15 approving a conditional use permit for Ramsey County District Court to be operated from the third floor of the Executive Office Center at 2785 White Bear Avenue. Approval is based on the findings stipulated by code.

2. Authorization for 25 fewer parking spaces than code requires, on the basis that:

a. The parking need being generated by the tenants at the office center is only half of the typical amount.

b. Area is available to add additional parking spaces if a parking shortage develops.

Approval is conditional upon the property owner adding more parking spaces if the city determines that there is inadequate parking. The number and location of additional parking spaces shall be subject to staff approval.

3. Request that Ramsey County study the need for a traffic light, turn lanes, and a cut in the median at Mesabi after the court is in operation.

## CITIZEN COMMENTS

Staff received 18 replies from the 44 property owners surveyed within 350 feet. Nine were in favor, three had no comment, and six objected.

Those in favor had the following comments:

1. "This will make a good neighbor."
2. "I would like to see a stop light. It is hard getting on to White Bear Avenue. There are a lot of U-turns made and accidents on this corner."
3. Need turn lanes at White Bear and Radatz.

Those objecting said:

1. "Parking will be a problem and will likely encroach or block access to the Maple Knoll Town Houses directly behind the office building." - Maple Knoll Associates.
2. Three surveys complained about an increase in traffic. Suggestions were to install a traffic light at White Bear and Radatz and provide a break in the median at Mesabi so the residents of Lake Ridge Park would not have to make U-turns at Radatz and Kohlman.
3. See attached letter from Leo and Linda Rademacher on page 13.

Staff comment: White Bear Avenue is a county road. Any improvements, such as traffic lights or turn lanes, must be approved by the county. If the city council feels there is a problem, the county should be requested to do a traffic study.

## REFERENCE

### Site Description

Acreage: 4.16

Existing land use: the four story Executive Office Center office building

### Surrounding Land Uses

Northerly: single dwelling and future office parking

Southerly: single dwelling

Easterly: White Bear Avenue, Lake Ridge Park Town Homes, a twin home and a three-plex

Westerly: Maple Knoll Town Homes

Past Action

12-17-81:

Council rezoned this site to LBC, limited business commercial.

4-13-82:

The Community Design Review Board conditionally approved site and architectural plans.

4-26-83:

The board clarified a portion of their motion relative to fencing.

1-28-86:

The board revised three conditions relative to screening, landscaping and fencing.

Ordinance Requirements

Sec. 36-437(2). Conditional uses.

Conditional use permits may be issued by the city council in any zoning district for public utility, public service or public building uses in any district, when found to be necessary for the public health, safety, convenience or welfare.

Sec. 36-442(b). Granting of a conditional use permit.

Approval of a conditional use permit shall be based upon ten findings. Refer to the resolution on page 16.

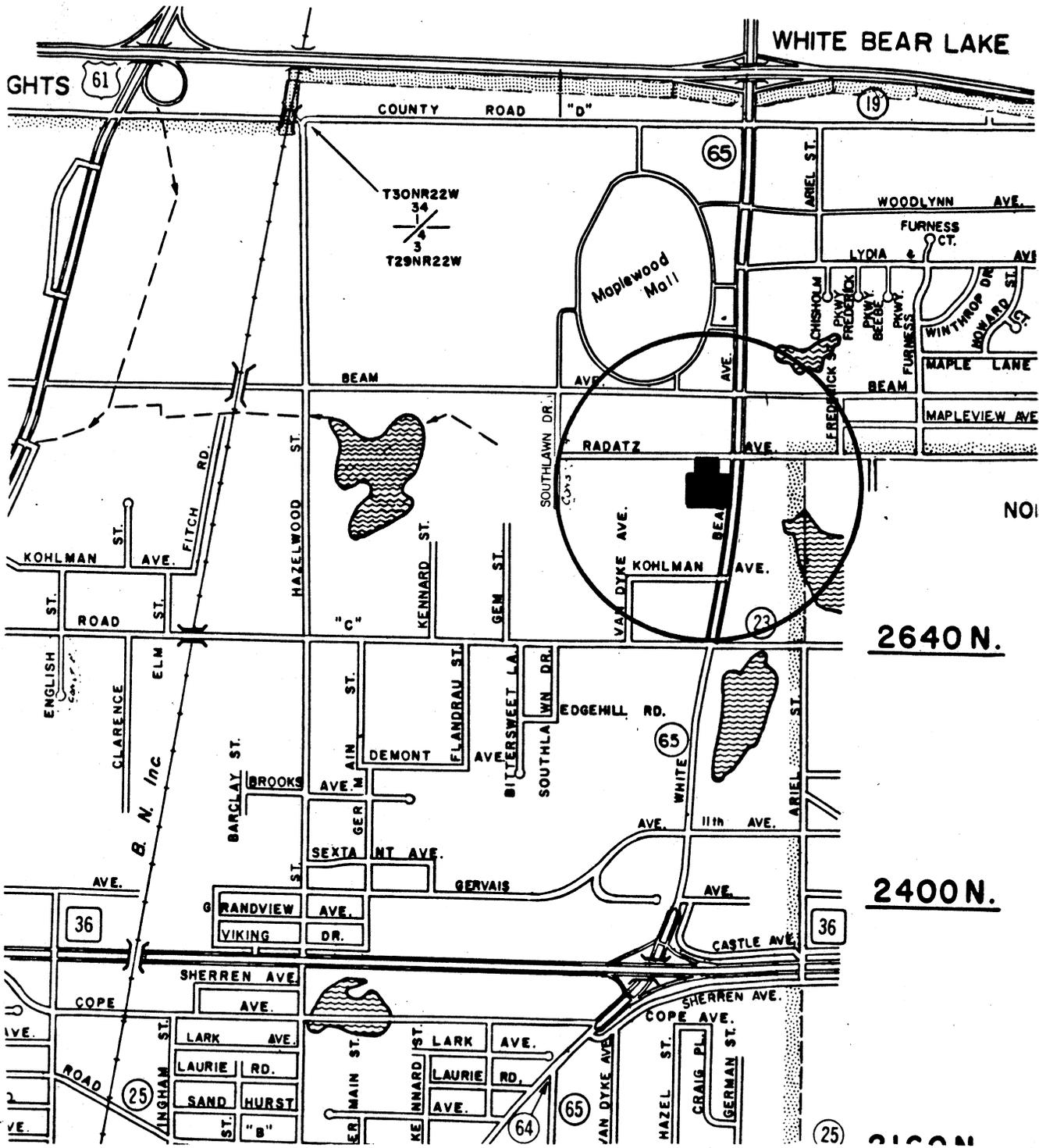
Sec. 36-22. Off-street parking.

The following types of uses shall provide additional off-street parking space, as indicated, unless otherwise authorized by the city council: theater, auditorium, church or other place of public assemblage. A minimum of one space for every four seats.

j1

Attachments

1. Location Map
2. Property Line/Zoning Map
3. Site Plan
4. Floor Plan
5. Applicant's letter (conditional use permit)
6. Applicant's letter (parking)
7. Survey
8. Letter
9. Resolution

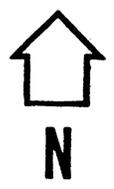


2640 N.

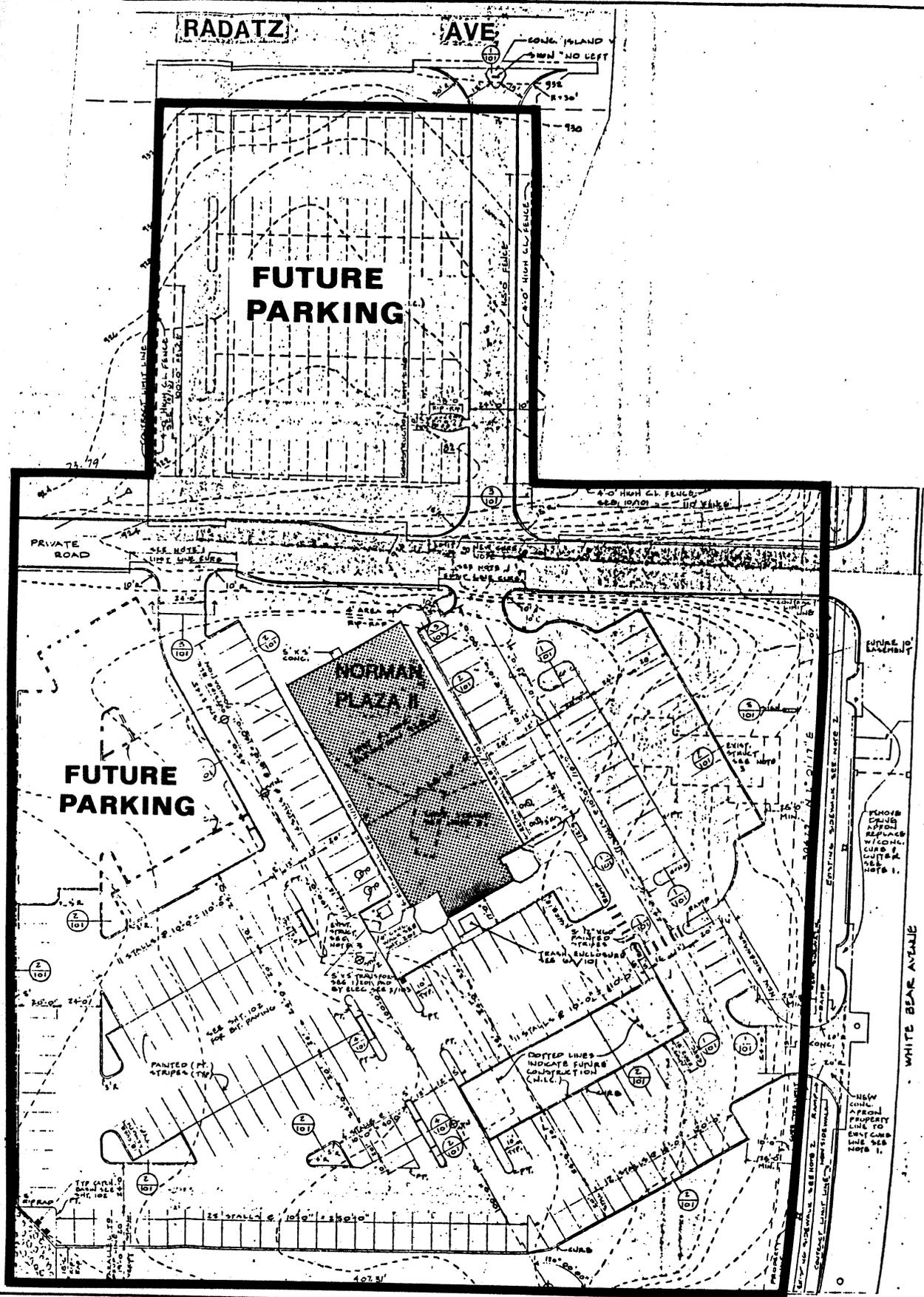
2400 N.

LOCATION MAP

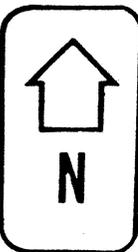
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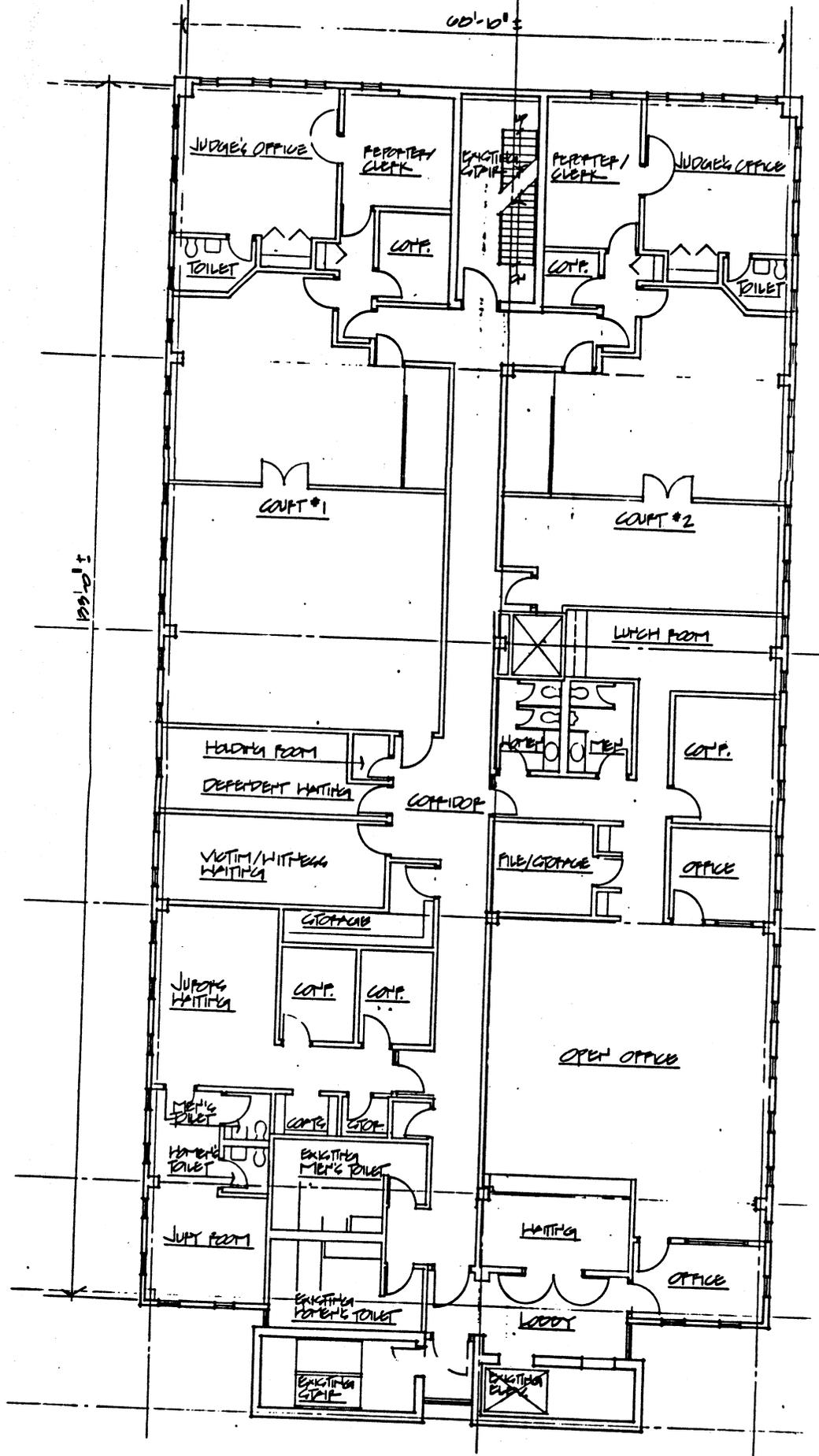






SITE PLAN





Ramsey County Courts  
 THIRD FLOOR PLAN

**Undestad Investment Co.**

Suite 230  
7808 Glenroy Road  
Bloomington, Minnesota 55435

Phone: (612) 831-1289

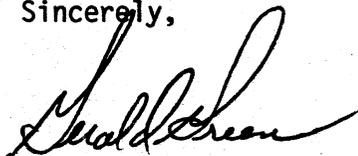
June 24, 1987

City of Maplewood

This request is for a conditional use permit to allow us to lease the entire third floor of our building to the Ramsey County District Court. After long deliberation and many committee and senate meetings, Maplewood was chosen for the new location. This move will be a great asset to Maplewood and it's citizens. Our architect has worked with the court system to design an arrangement of court rooms, judges chambers and office area to meet their needs. It has been presented to Maplewoods building inspection department and recieved approval.

Because time is of the essence, we ask that you issue the conditional use premit as soon as possible. If I can be of any further service to you, feel free to contact me at my office.

Sincerely,



Gerald Green  
Director of Marketing  
Undestad Investments

GG/dk1

City of Maplewood,

Please accept this letter, that I respectfully submit as justification for our request of a parking variance at 2785 White Bear Ave. Our Request is based on several factors of which I have listed below.

The current tenants in the building who's leases extend out through 1992 do not utilize the parking as required by city code. One of the larger tenants only have three employees during the day with most of these business and clients coming in from 5 pm through 9 PM, at which time the parking lot is rather vacant as the normal business day is over.

Several of the tenants are smaller with only one to three employees and they do not service customers at this location.

What we are proposing is that the city grant us a parking variance with an "Act on Demand" clause in which we will add additional parking within a set time frame if such parking is needed. We ask that the Ramsey County District Court, who is the tenant that could possibly cause a parking shortage

be allowed to move into the building as is, and conduct business.

Court officials have informed me that it will take approximately 6 mo. to get the court into full operation. During this time we will be able to determine the parking situation first hand. If a problem is found we will immediately install additional parking as required by the city.

Sincerely  
Ladd Green  
Underland Investments.

## OFFICE PARKING REQUIREMENTS

(Spaces Per Square Foot)

Maplewood--1:200

Coon Rapids--1:300

Roseville--1:200

Burnsville--1:150 for buildings under 6,000 square feet  
1:200 for buildings over 6,000 square feet

Plymouth--1:200

Brooklyn Center--1:200

Fridley--1:250

Blaine--1:200

Crystal--3 spaces plus 1:200

New Brighton--1:200

New Hope--3 spaces plus 1:200

Golden Valley--1:250

White Bear Lake--3 spaces plus 1:200

Apple Valley--1:150 for the first 6,000 square feet  
1:200 if over 6,000 square feet

South St. Paul--1:300

Eagan--1:150

Maple Grove--1:250

Columbia Heights--1:200 for the first 6,000 square feet  
1:250 if over 6,000 square feet

Cottage Grove--1:200

West St. Paul--1:150 for the first 6,000 square feet  
1:200 if over 6,000 square feet

North St. Paul 1:150

Oakdale--6:1000 (1:167) for the first 20,000 square feet

Newport--1:200

Vadnais Heights--6:1000 (1:167) for the first 20,000 square feet  
1:200 if over 20,000 square feet

St. Paul--1:200

223



# CITY OF MAPLEWOOD

1830 EAST CO. ROAD B

MAPLEWOOD, MINNESOTA 55109

OFFICE OF COMMUNITY DEVELOPMENT

612-770-4560

July 10, 1987

Leo A & Linda L Rademacher  
1910 Radatz Rd  
St Paul MN 55109

### PROJECT: RAMSEY COUNTY DISTRICT COURT

This survey is to get your opinion on an application the city has received to develop property in your neighborhood. The application is for a conditional use permit to locate the Ramsey County District Court at 2785 White Bear Avenue. (See the enclosed map.) The applicants and property owners are Norman and Lavonne Vadestad.

Your opinion is needed to assist the city staff and planning commission in preparing a recommendation to the city council. Once this survey is completed, you will be notified of any public hearings.

Please indicate your opinion and comments below and return this entire letter to me in the enclosed postage paid envelope by July 21, 1987. If you would like further information, please call me at 770-4560 between 8 a.m. and 5 p.m. Thank you for your comments. They will be given careful consideration.

GEOFF OLSON, AICP - DIRECTOR OF COMMUNITY DEVELOPMENT

kdd  
enclosure

I am in favor of this proposal because: \_\_\_\_\_

I have no comment.

I <sup>strongly</sup> object to this proposal because: We do not want a district Ct. building in our back yard! It will bring much more

traffic in the area. That White Bear Ave doesn't need! also more noise and strangers in the area. We have had many breakins on Radatz Ave, ever since you built the town houses behind us and that executive office building. We ->

moved into a residential area in Maplewood to make a safe home for our children.

In the 11 years we have been here there have been many changes we've had to deal with, every year?

We don't feel safe in this neighborhood and now you want to put a Court House with Police & criminals and many different people for witness coming and going right in our back yard! We object strongly to this.

I suppose you will want to enlarge the parking lot to our side yard also to almost totally surround us. When does it end?

We would like more information on what has been planned for this project.

Thank You.

J. Rademacher

Leo Rademacher

+ Linda Rademacher

1710 Radatz Ave.

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, Norman L. and LaVonne Undestad initiated a conditional use permit for the operation of Ramsey County District Court at the following-described property:

Parcel 1: The East 200 feet of the West 1685 feet of the North 200 feet of that part of the North 1/2 of the Southwest 1/4 of Section 2, Township 29, Range 22 lying South of Radatz Avenue.

and

Parcel 2: All that part of the North 1/2 of the Southwest 1/4 of Section 2, Township 29, Range 22, lying South of Radatz Avenue and West of the center line of White Bear Avenue except for the following parcels:

1. The North 200 feet
2. The West 1411.04 feet lying South of the North 891.2 feet thereof.

This property is also known as 2785 White Bear Avenue, Maplewood;

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

1. This conditional use permit was initiated by Norman L. and LaVonne J. Undestad pursuant to the Maplewood Code of Ordinances.

2. This conditional use permit was reviewed by the Maplewood Planning Commission on \_\_\_\_\_, 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.



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

I, the undersigned, being the duly qualified and appointed clerk of the City of Maplewood, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City of Maplewood, held on the        day of        , 1987, with the original on file in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to a conditional use permit.

Witness my hand as such clerk and the corporate seal of the city  
this        day of        , 1987.

---

City Clerk  
City of Maplewood, Minnesota

1. Customers shall park in the driveway and not along McKnight Road.
2. Compliance with the requirements in Section 36-66(4)(b) pertaining to the operation of a home occupation.
3. A smoke detector and fire extinguisher shall be provided in the shop area.
4. Signage shall be limited to a wall mounted, two-square-foot maximum sign.
5. Provide a driveway turn-around or widen the drive to provide three on-site parking spaces.

Commissioner Rossbach seconded

Ayes--Axdahl, Barrett, Cardinal,  
Fiola, Fischer, Larson, Rossbach,  
Sigmundik, Sletten

C. Conditional Use Permit: 2785 White Bear Ave. (district court)

Secretary Olson explained the staff report and City Engineer Ken Haider discussed the project with the commission. Jerry Green was present representing the applicant.

Commissioner Fischer moved:

1. Adoption of the resolution approving a conditional use permit for Ramsey County District Court to be operated from the third floor of the Executive Office Center at 2785 White Bear Avenue. Approval is based on the findings stipulated by code.
2. Authorization for 25 fewer parking spaces than code requires, on the basis that:
  - a. The parking need being generated by the tenants at the office center is only half of the typical amount.
  - b. Area is available to add additional parking spaces if a parking shortage develops.

Approval is conditional upon the property owner adding more parking spaces if the city determines that there is inadequate parking. The number and location of additional parking spaces shall be subject to staff approval.

3. Request that Ramsey County study the need for a traffic light, twin lanes, and a cut in the median at Mesabi after the court is in operation.

Commissioner Sletten seconded

Ayes--Axdahl, Barrett, Fiola, Fischer,  
Larson, Rossbach, Sigmundik, Sletten

Nay--Cardinal

MEMORANDUM

TO: City Manager  
 FROM: Associate Planner--Johnson  
 SUBJECT: Preliminary Plat  
 LOCATION: Bellaire Street and County Road D  
 APPLICANT: Bruce Mogren  
 OWNER: Tilsen Homes, Inc.  
 PROJECT: Maplewood Meadows  
 DATE: July 29, 1987

SUMMARY

Introduction

The applicant is requesting approval of a 36-lot preliminary plat. Refer to the proposed plat on page 15.

Background

The city approved a planned unit development (PUD) and preliminary plat in 1983 for 18 double dwellings and one single dwelling. The city also approved the vacation of Lakewood Drive and the "park" south of the plat. This PUD and preliminary plat approval has expired. In 1985, council rezoned this site to R-2, double dwelling. Council amended the subdivision code on May 7, 1987 to allow lots with a minimum frontage of 60 feet and a minimum area of 7,500 square feet.

Discussion--Setback to the Pipeline

Lots 1 through 12 and 21 would be within 100 feet of the Amoco Pipeline. The city's past policy has been to require a setback of 100 feet, unless berming or some other mitigating device is provided.

Recommendation

Approve the Maplewood Meadows Addition preliminary plat (plans dated 5-19-87) subject to satisfaction of the following conditions prior to final plat approval:

1. District court approval to release the city park land that was previously vacated, subject to retaining a ponding easement over Outlots C through I.
2. Any portion of the former park that will be combined with property to the south shall be designated as an outlot. A recordable deed for each outlot to be transferred shall be submitted to the city. The city will record the deed(s) once the plat is recorded. A check for the recording costs shall be submitted with the deed(s). The property owner to receive the deed must agree to accept it.
3. Any of the former park land that is not included in condition two must be combined with the adjacent lots to the north. Lot lines shall coincide with the proposed lot lines to the north as much as possible.

4. Redesign the plat for staff approval to provide for at least a 100-foot setback from the pipeline or provide at least a six-foot berm to protect the homes within 100 feet against the radiant heat from an explosion. If berms are provided, the homes may not be constructed within 80 feet of the pipeline.
5. Omit Lot 21, Block Two, if the adjacent park land to the south is not included. Lots 18 through 20 may be redesigned for double-dwelling lots.
6. The pipeline easement must be clearly labeled and designated on the plat. The easement must be included in the title for each effected property.
7. Submit recordable deed restrictions for each double-fronting lot to prohibit access from County Road D.
8. City recording of the previously adopted resolutions to vacate Lakewood Drive between Brenner Avenue and County Road D. Recording of these easements is subject to the submission of the developer's agreement to guarantee compliance with the conditions of vacation.
9. City engineer approval of the final grading, utility, drainage and erosion control plans. The portion of the grading plan within the Amoco and NSP easements must also be approved by these respective corporations. The grading plan shall be revised as follows:
  - a. If the property owner to the south of proposed Outlot C will receive proposed Outlot C, then the pond shall be shifted to the north and west to minimize its encroachment on this outlot. Grading of this outlot area shall also be minimized.
  - b. The pipeline's elevation and location shall be shown on the grading plan.
  - c. The erosion control recommendations made by the Soil Conservation Service in their letter dated June 29, 1987, shall be complied with.
  - d. A skimming device shall be provided at the pond outlet to prevent an oil leak from going downstream.
10. The portion of the plat located east of proposed Lot 21 shall be named "Bellaire Avenue".
11. Submittal of a signed developer's agreement, with required surety, to include but not be limited to:
  - a. Enlarging the pond, as directed by the city engineer, west of Lakewood Drive and constructing storm sewer from this site to that pond.
  - b. Construction of all required on-site public improvements.

c. Removing the Lakewood Drive street surface north of Gall Avenue and seeding the vacated right-of-way.

d. Replacing the asphalt curb at Brenner Avenue and Lakewood Drive with a concrete curb.

e. Adherence to the erosion control procedures outlined on page four of the Soil Conservation Service's letter dated June 29, 1987.

## CITIZEN COMMENTS

51 persons who own property within 350 feet were asked their opinion of this proposal. Of the 25 persons who responded, eight were in favor, three have no comment, and 14 are opposed. Those in favor generally preferred single dwellings to the previously approved town house and double-dwelling development proposals.

Those opposed listed the following concerns:

1. The lots are too narrow. The lots should be at least as wide as the lots on Brenner Avenue. The density is too high for the neighborhood. Existing homes would be devalued by the homes to be built on these smaller lots.

Staff comment: This proposal is consistent with the land use plan. This property is planned for RM, medium density residential use. The respondents' properties to the south and west are planned for RL, low density residential use (10,000-square-foot lots). In areas planned for RM use, 60-foot-wide, 7,500-square-foot, single-dwelling lots, double dwellings, town houses, and apartments are permitted.

2. More car traffic. (Property owner on Brenner Avenue.)

Staff comment: There will be no increase in traffic on Brenner Avenue due to this proposal. Also, according to Dan Soler, the county highway engineer, traffic at McKnight Road and County Road D is 6,900 ADT (average daily traffic). McKnight Road is designed to safely handle upwards of 11,000 to 13,000 ADT. Assuming that 3.5 to 4 vehicle trips per day would be generated from each of the 37 proposed dwellings, the ADT would increase to only 7,048--well within the design limits for the area streets.

3. It has been designated as a park. Also we tried to build here and were told we could not because of the power lines. What has changed?

Staff comment: No portion of this site is designated for park. A narrow parcel that lies along the south line of this site was given to the city for park use in 1978. However, because no practical park use could be made of this "park property", the city council vacated the public interest in that land. It is to be combined with the adjoining property for additional rear-yard area. A 225-foot-wide NSP easement does cross this property but none of the dwellings would be built within the easement area.

4. I would like to see some natural habitat kept in this area.

Staff comment: The southerly 200+ feet of the site will be left as open rear-yard area. Two storm water ponds will be created and the easterly third of this area, along the south property line, is not proposed to be graded.

5. Where is the water supply going to come from? The present system is under-pressurized. Are there plans for a water tower in this area?

Staff comment: North St. Paul supplies the city water to this part of Maplewood. The city engineer for North St. Paul states that the pressure at the hydrants in this area is between 40 and 50 psi. This is an acceptable pressure. About 20 to 25 psi is considered the minimum acceptable for fire fighting. Persons with homes on the higher lots in this area will have a lower pressure, but this pressure difference occurs at similar elevations throughout the water supply system. The 37 proposed dwellings will not have a noticeable effect on existing pressure levels, according to the city engineer for Maplewood and for North St. Paul. Construction of a water tower is not planned.

6. We are opposed until we have more information including home sizes, selling prices and lot sizes. I suggest a minimum of 1,200 square feet of living area, attached double garages and only single dwellings to maintain a similar value with existing homes.

Staff comment: Code requires each dwelling to have at least 740 to 1,040 square feet of area, dependent on the number of bedrooms. Floor area, in addition to these minimums, cannot be required. City code does not require garages for single or double dwellings. City code does, however, require the Community Design Review Board (CDRB) to approve the exterior design and appearance of the dwellings. Approval requires that no two dwellings, within 500 feet of each other, shall have the same basic floor plan, type of front elevation or arrangement of windows and other openings. If this plat is approved, the Community Design Review Board will review the design aspects of the structures. Adjoining property owners will be invited to attend.

7. Sound barriers should be constructed along I-694.

Staff comment: A Minnesota Pollution Control Agency staff person believes that the proposed 210+-foot setback from the closest traffic lane of I-694 will be adequate to comply with the state's guidelines. The noise level at this location will be monitored to confirm that belief.

## REFERENCE

### Site Description

Gross area: 11.78 acres

Existing land use: undeveloped

Existing easements: A 225-foot-wide NSP transmission easement for high voltage power lines and towers, a 50-foot-wide Amoco Oil pipeline easement within the NSP easement, and a 20-foot-wide sanitary sewer easement.

### Surrounding Land Uses

Northerly: County Road D. Across the street is I-694. The east bound line is located approximately 180 feet north of the north line of this site.

Easterly: Bellaire Avenue. The property east of Bellaire Avenue is owned by the state (tax-forfeited).

South: 14 single-dwelling properties

West: Lakewood Drive and Gall Avenue right-of-way. Lakewood Drive, north of Gall Avenue, is constructed but it is a substandard street surface. South of Gall Avenue, Lakewood Drive has not been constructed. Both sections have been approved for vacation. (Refer to past actions.)

### Past Actions

7-25-83:

1. Council approved the Robert Tilsen Maplewood Heights #11 planned unit development (see page 14) subject to several conditions.
2. Council approved the Robert Tilsen's #11 preliminary plat, (page 14), subject to conditions including:
  - a. Council authorizing the vacation of Lakewood Drive from Brenner Avenue to County Road D. Final plat approval shall not be granted until a developer's agreement is submitted for the easterly extension of Gall Avenue and the removal and reseeding of Lakewood Drive north of Gall Avenue.
  - b. Council ordering the construction of a storm sewer, west along Gall Avenue prior to final plat approval. If the project is not ordered, approval must be obtained from the city engineer for a drainage plan to enlarge the existing facilities, including the pond west of Lakewood Drive at Brenner Avenue. (The latter option was authorized. See Public Works comments.)
  - c. Submittal of an acceptable erosion control plan before any building permits are issued, which considers the recommendations of the Soil Conservation Service.

d. The easterly 50 feet of Lot 25, Block 2, shall be shown as "Bellaire Avenue" right-of-way on the final plat.

e. The park lying south of the proposed plat shall be vacated prior to final plat approval.

f. The "park" property lying to the south shall be included in the subject plat. That part of the "park" property to be combined with the single dwelling lots to the south shall be platted as outlots. The remainder of the "park" property shall be included as part of the lots in the proposed plat.

g. Prior to final plat approval, deeds shall be submitted to the city for recording for the combination of any of the "park" property with the abutting single-dwelling lots to the south. All costs associated with the land transfers and combination shall be borne by the developer and included in the developer's agreement for Robert Tilsen's Maplewood Heights #11. Each of the deeds shall include a deed restriction stating that "separation of the properties described in this instrument shall not be permitted unless authorized by the City of Maplewood."

3. Council approved the vacation of Lakewood Drive, between Gall and Brenner Avenues, subject to the retention of a drainage and utility easement over the entire vacated right-of-way.

The following conditions must be satisfied before the resolution may be recorded:

a. Enter into a developer's agreement and post a 150 percent surety for the removal of the temporary asphalt curb and gutter and to install a permanent concrete curb and gutter along the north line of the intersection of Lakewood Drive and Brenner Avenue.

b. Deeding the parcel, lying west of this right-of-way and north of the "park" in Robert Tilsen's Maplewood Heights #9, to the landowner to the north or to the city to be included with the park property to the south. A public utility and drainage easement shall be granted over the easterly twenty feet.

4. Council approved the vacation of Lakewood Drive, between Gall Avenue and County Road D.

The following conditions must be satisfied before the resolution for vacation may be recorded with Ramsey County:

a. Removal of the existing asphalt and reseeding the right-of-way. In order to assure the satisfaction of this condition, a developer's agreement with a surety for 150 percent of the estimated cost, shall be submitted to the city engineer.

b. The first layer of asphalt must be laid for the extension of Gall Avenue to the east, as proposed in Robert Tilsen's Maplewood Heights #11 preliminary plat.

8-8-83:

Council authorized the vacation of the park located along the south boundary of this site, subject to the property being combined with adjoining private property and retention of a drainage easement (for the ponds to be constructed when the subject property is developed).

4-24-84:

The Community Design Review Board approved the building elevation and landscape plans for the 11th Addition double dwellings.

9-24-84:

Council approved a six-month time extension for the Tilsen's #11 PUD and preliminary plat.

2-24-85:

The PUD expired. The preliminary plat was conditioned upon the PUD. Therefore, it also expired.

5-6-85:

Council rezoned this site from F, farm residence, to R-2, double dwelling. The property owner chose to rezone this site rather than apply for a new PUD. The rezoning eliminated the construction-start deadlines imposed for PUD's.

### Planning

1. Land use plan designation: RM, residential medium density. This classification allows single dwellings on small lots, double dwellings, town houses and mobile homes.
2. Zoning: R-2, double dwelling. The R-2 zone allows single dwellings on 60-foot-wide, 7,500-square-foot lots and double dwellings.
3. Permitted density: 22 people/net acre
4. Proposed density: 14.5 people/net acre
5. Compliance with land use laws:
  - a. Section 30-8(f)(7) states that "double-fronting 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 feet in order to allow space for a protective plant screen along the back lot line."

(Comment: The existence of the NSP easement over the southern portion of the site justifies the use of double-fronting lots.

The site could not otherwise be efficiently utilized for single or double dwellings. The neighboring property owners are opposed to multiple dwellings.)

b. Section 9-218 states "all newly created lots shall be designed to accommodate a setback of 100 feet from a pipeline."

(Comment: Proposed Gall Avenue should be moved north to provide more building depth for at least Lots Two through Seven, Block Two. If the street is not relocated, these lots would have from between 18 to 25 feet of building pad depth.) Lot 21, Block Two, should be eliminated. There would be insufficient buildable width beyond the 100-foot setback from the pipeline.

### Legal

The city has held a public hearing and vacated its interest in the subject "park" property. The resolution has been sent to the county for recording. The city has also sent a deed to the county to quit-claim its interest in this property to the property owner. These actions are all that is required of the city for the court to consider a petition for vacation. The law does, however, require the property owner to petition for a court-ordered vacation. The city also cannot participate in the property owner's expense to file petition for park vacation.

### Environmental

1. The soils are generally well suited for development.
2. There is a wet area in the middle of the site that is proposed for reshaping and excavation for ponding.
3. There are no significant stands of trees on the site.

### Public Works

1. When Robert Tilsen's Maplewood Heights #9 was platted, the sub-watershed boundaries for this area were revised. A 4-AF pond shown in the drainage plan (page 13) was shifted to the west of Lakewood Drive making additional ponding in the applicant's site necessary. The city engineer has determined that it would be more efficient to drain the applicant's site, as proposed, to pond west of Lakewood Drive, rather than west along Gall Avenue, as shown in the drainage plan. This revision will have no effect on the outlet volumes shown in the drainage plan for the next pond downstream--the 5 AF pond east of McKnight Road. (The drainage plan is not part of the comprehensive plan. Therefore, a plan amendment is not necessary for the proposed revisions.)

2. The pond west of Lakewood Drive must be expanded to accept the additional flow from the applicant's site.

Procedure

1. Planning commission recommendation
2. City council decision
3. CDRB approval

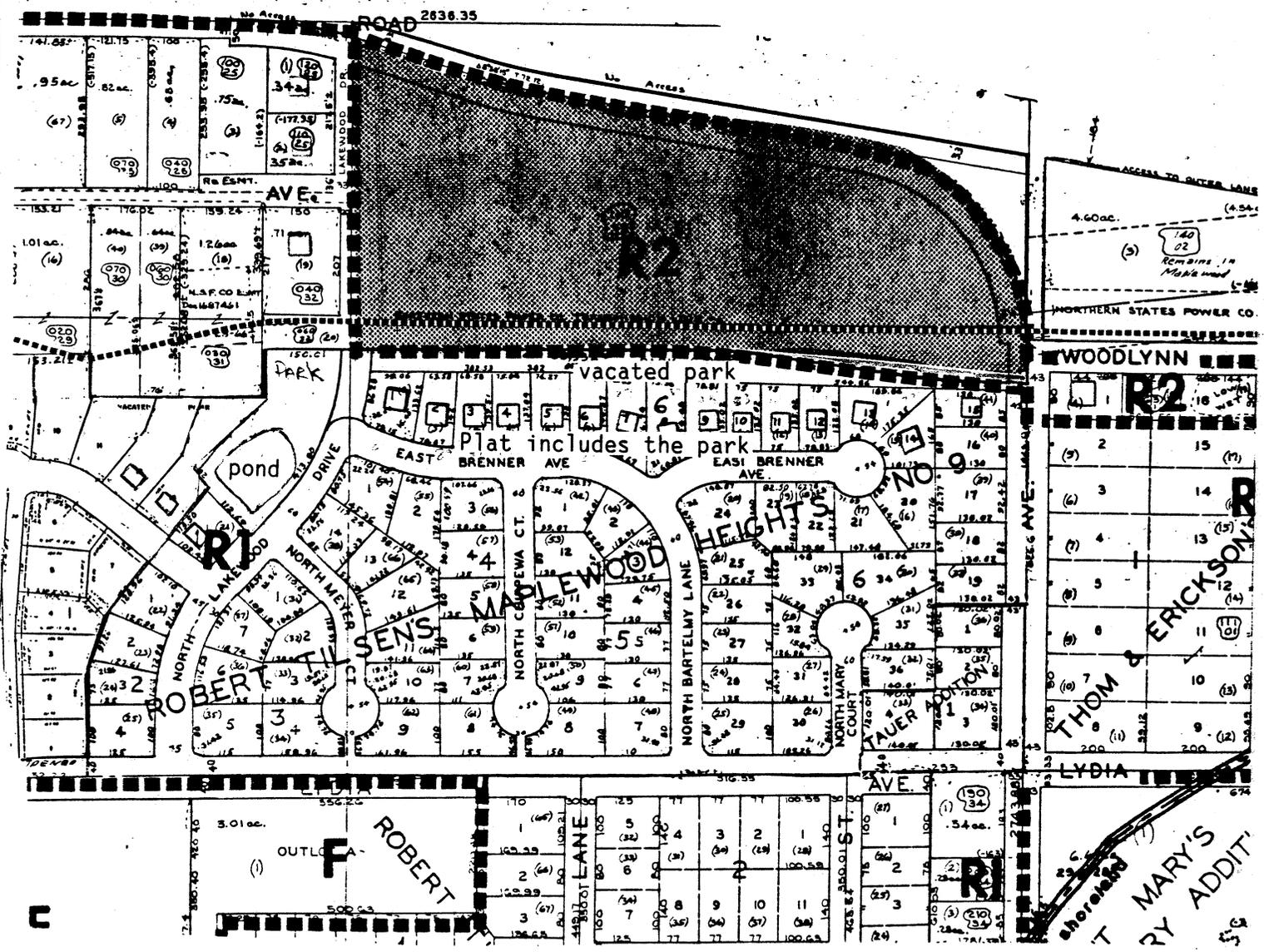
jl

Attachments

1. Location Map
2. Property Line/Zoning Map
3. Drainage Plan
4. PUD/Preliminary Plat (1983)
5. Preliminary Plat (8 1/2 x 11)
6. Excerpt from Soil Conservation Service letter
7. Preliminary Plat (separate attachment)



Lakewood Drive between East Brenner Avenue and County Road D approved for vacation



# PROPERTY LINE / ZONING MAP



Applicant's Site

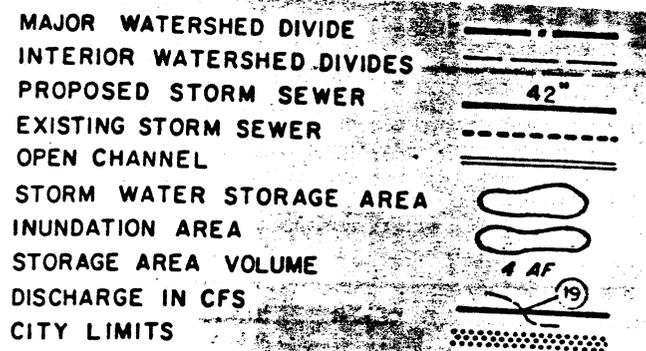
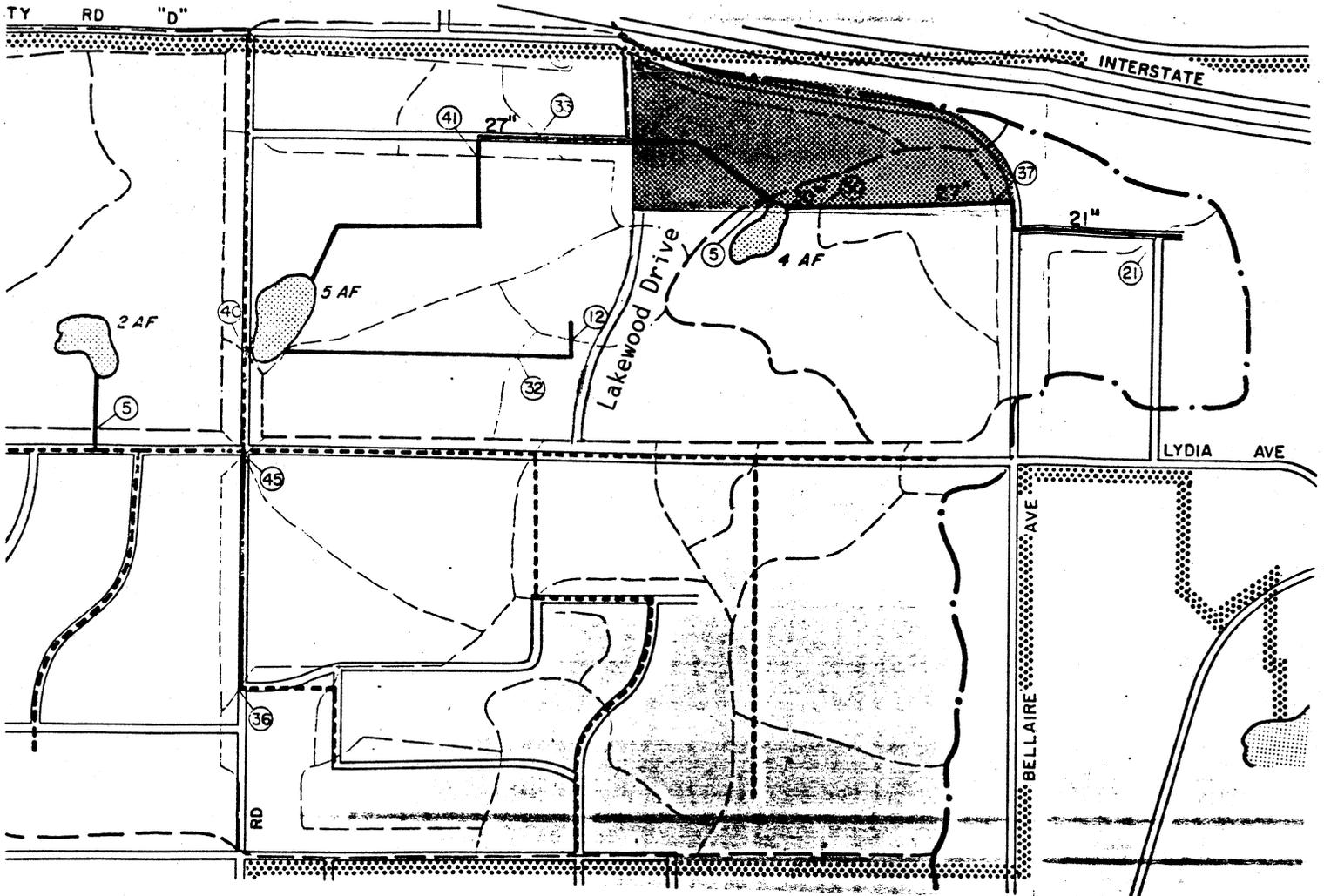


Approximate location of Amoco Pipeline



N

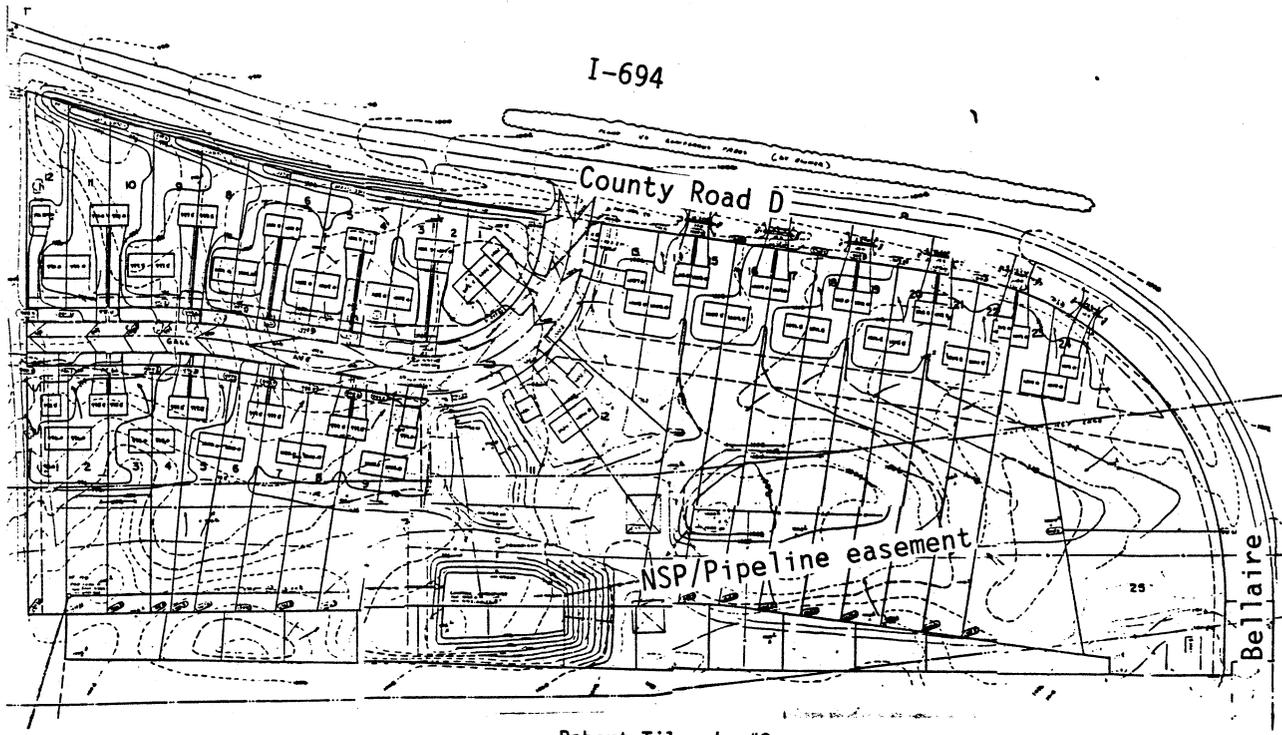
Attachment 2



Excerpt from Drainage Plan

Attachment 3





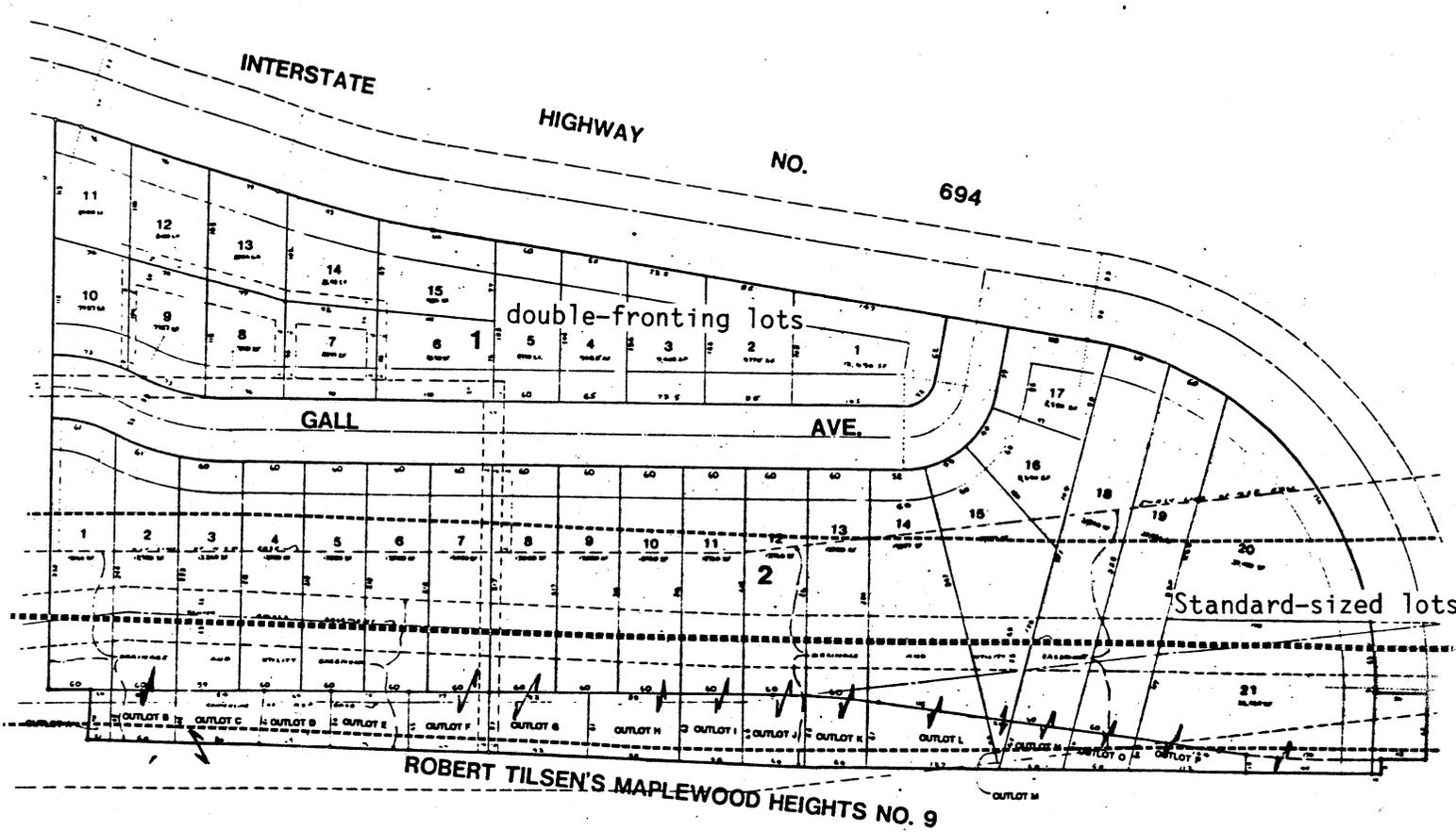
Robert Tilsen's #9

Robert Tilsen's Maplewood Heights #11  
 Preliminary Plat/PUD for 18 double  
 dwellings (36 units) and one single  
 dwelling

(approved 7-25-83)

Attachment 4

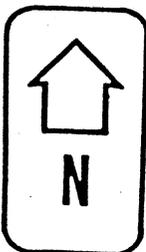




- 100-foot setback line
- - - - - Location of Amoco Pipeline
- 100-foot setback line

Preliminary Plat

Attachment 5



by enlarging the trenches. Septic tank absorption fields function well on the Mahtomedi soils. However, there is hazard of pollution of underground water supplies and nearby lakes and streams unless systems are specially designed. Specially designed septic tank absorption systems are needed on the Kingsley soils to overcome the moderately slow permeability. A hazard of sidehill seepage may exist on the steeper slopes. Vegetation is fairly easy to establish and maintain where the surface layer is loam. Soils that have a sandy or gravelly surface layer may need to be topdressed with loamy material to insure survival of the vegetative cover. The Mahtomedi soils are a good source of sand for construction purposes.

Water Resources: Under present conditions there are no water resources on site. The proposed hydraulics include creating two detention basins that will outlet to an existing 18" RCP.

### III. Summary and Recommendations

The soils of the proposed site should prove feasible for the proposed development. Erosion potential, if one considers only soil texture and slope, is not excessive for this site. However, sediment control for this site may present a problem. It would appear that soil excess will be moved from east to west to create a uniform site grade and if I assume rough grade, drainage will follow the existing pattern which is also east to west, the proposed silt curtain will not handle the projected drainage and will fail. Our silt curtain practice standard does not allow for more than two acres of drainage behind any given silt fence. It may present an inconvenience to the grading contractor but I recommend that grading begin from the east and move west, with the site stabilized as they go. Straw mulch will be a suitable temporary stabilization medium. The use of a properly installed and maintained silt curtain should also be required and be placed just down hill of the grading as it progresses.

D. Preliminary Plat: Maplewood Meadows

Secretary Olson discussed the project with the commissioners. Bruce Mogren was present representing the applicant.

Commissioner Fischer moved approval of the Maplewood Meadows Addition preliminary plat, subject to satisfaction of the following conditions prior to final plat approval:

1. District court approval to release the city park land that was previously vacated, subject to retaining a ponding easement over Outlots C through I.
2. Any portion of the former park that will be combined with property to the south shall be designated as an outlot. A recordable deed for each outlot to be transferred shall be submitted to the city. The city will record the deed(s) once the plat is recorded. A check for the recording costs shall be submitted with the deed(s). The property owner to receive the deed must agree to accept it.
3. Any of the former park land that is not included in Condition Two must be combined with the adjacent lots to the north. Lot lines shall coincide with the proposed lot lines to the north as much as possible.
4. Redesign the plat for staff approval to provide for at least a 100-foot setback from the pipeline or provide at least a six-foot berm to protect the homes within 100 feet against the radiant heat from an explosion. If berms are provided, the homes may not be constructed within 80 feet of the pipeline.
5. Omit Lot 21, Block Two, if the adjacent park land to the south is not included. Lots 18 through 20 may be redesigned for double-dwelling lots.
6. The pipeline easement must be clearly labeled and designated on the plat. The easement must be included in the title for each effected property.
7. Submit recordable deed restrictions for each double-fronting lot to prohibit access from County Road D.
8. City recording of the previously adopted resolutions to vacate Lakewood Drive between Brenner Avenue and County Road D. Recording of these easements is subject to the submission of the developer's agreement to guarantee compliance with the conditions of vacation.
9. City engineer approval of the final grading, utility, drainage and erosion control plans. The portion of the grading plan within the Amoco and NSP easements must also be approved by these respective corporations. The grading plan shall be revised as follows:

- a. If the property owner to the south of proposed Outlot C will receive proposed Outlot C, then the pond shall be shifted to the north and west to minimize its encroachment on this outlot. Grading of this outlot area shall also be minimized.
  - b. The pipeline's elevation and location shall be shown on the grading plan.
  - c. The erosion control recommendations made by the Soil Conservation Service in their letter dated June 29, 1987, shall be complied with.
  - d. A skimming device shall be provided at the pond outlet to prevent an oil leak from going downstream.
10. The portion of the plat located east of proposed Lot 21 shall be named "Bellaire Avenue".
11. Submittal of a signed developer's agreement, with required surety, to include but not be limited to:
- a. Enlarging the pond, as directed by the city engineer, west of Lakewood Drive and constructing storm sewer from this site to that pond.
  - b. Construction of all required on-site public improvements.
  - c. Removing the Lakewood Drive street surface north of Gall Avenue and seeding the vacated right-of-way.
  - d. Replacing the asphalt curb at Brenner Avenue and Lakewood Drive with a concrete curb.
  - e. Adherence to the erosion control procedures outlined on page four of the Soil Conservation Service's letter dated June 29, 1987.

Commissioner Cardinal seconded

Ayes--Axdahl, Barrett, Cardinal,  
Fiola, Fischer, Larson, Rossbach,  
Sigmundik, Sletten

~~E. Park Acquisition: Cave's Nebraska Addition~~

~~Secretary Olson, along with a member of the parks commission, discussed this proposal with the commission.~~

~~Commissioner Cardinal moved approval of the capital expenditure for the purchase of two lots in Cave's Nebraska Second Addition and find the proposed acquisition to be consistent with the city's comprehensive plan.~~

~~Commissioner Rossbach seconded~~

~~Ayes--Barrett, Cardinal, Fiola,  
Fischer, Larson, Rossbach,  
Sigmundik, Sletten~~

~~Nay--Axdahl~~

MEMORANDUM

TO: City Manager  
 FROM: Associate Planner--Johnson  
 SUBJECT: Preliminary Plat and Rezoning (F to R-1)  
 LOCATION: Marnie Street and Hillwood Drive  
 APPLICANT: Good Value Homes, Inc.  
 OWNERS: Albert and Delma Berg and  
 Washington Federal Savings Bank  
 PROJECT: Huntington Hills South  
 DATE: August 12, 1987

SUMMARY

Introduction

1. The applicant is requesting preliminary plat approval to create 45 single-dwelling lots. (Refer to the map on page 12 .)
2. Staff is recommending the rezoning from F, farm residence to R-1, single dwelling to eliminate the possibility of any nuisances that could arise from farm-related activities, such as the raising of livestock, in a residential neighborhood.

Background

1. The city has begun construction of Hillwood Drive from Crestview Drive to Marnie Street. The developer will construct Hillwood Drive between Marnie Street and his east property line. The remainder of Hillwood Drive, east to Sterling Street, will be constructed by the city as part of the Sterling Street improvement. (Refer to page 11.)
2. Council has ordered the preparation of plans for the construction of Sterling Street from northeast of this site to Highwood Avenue. Sterling Street crosses the southeast corner of this plat.

Recommendation

1. Approval of the Huntington Hills South preliminary plat (plans received 7/24/87), subject to the following conditions being met before final plat approval:
  - a. City engineer approval of final grading, utility, drainage and erosion control plans. These plans shall include the following:
    - (1) The grading plan shall include a proposed building pad elevation and contour information for each home site, as well as the areas to be disturbed for street construction. Housing styles shall be illustrated which minimize grading on sites that contain desirable mature trees and steeper slopes. Deviation from the approved grading plan for each lot may be permitted by the city engineer, provided the intent of the overall grading plan is complied with.

(2) The proposed building pads for the affected lots shall comply with the requirements of the pipeline setback ordinance.

(3) The location and elevation of the Williams Brothers pipeline shall be shown on the grading plan. This information shall be derived from a field survey. The proposed elevation of the streets within the plat shall be consistent with the street elevation and location to be required by Williams Brothers Pipeline Company.

(4) The recommendations in the Soil Conservation Service's letter of 6/5/87 shall be followed.

(5) At least 10,000 square feet of lot area outside of any drainage easement used for ponding area shall be provided.

(6) The location of the trail within the walkway from Marnie Street to Vista Hills Park shall be shown on the grading plan.

b. Council signing a construction contract for the proposed water tower.

c. The Sterling Street right-of-way shall be dedicated with the first phase of the plat, if platted in phases. Until Sterling Street is guaranteed to be constructed north of Linwood Avenue, the areas either side of the Sterling Street right-of-way shall be platted as outlots.

d. The label "walkway" in the northeast corner of the site shall be dropped. To substitute for the "walkway" label, the property owner shall submit a recordable quit-claim deed to the city for a 100 x 100-foot trail easement. Once the trail alignment is accurately located and construction by the city has been completed, any excess easement area may be vacated.

e. Lot 18, Block 1 shall be revised to have at least 100 feet of width at the required setback line on "Huntington Lane."

f. Change "Huntington Court" or "Huntington Lane" to a name acceptable to the director of public safety.

g. The right-of-way for "Spring Side Court" shall be extended to the west property line. If the property to the west (2437 Linwood Avenue) does not develop at the same time as this site, a temporary cul-de-sac shall be constructed entirely on the subject site. When the property to the west does develop, the owner shall be responsible for constructing the entire permanent cul-de-sac and for sodding the yard area on this site encroached on by the temporary cul-de-sac.

If the applicant and the owner of 2437 Linwood Avenue cannot agree on the location for the permanent cul-de-sac bulb, the city engineer shall decide.

h. Submittal of a signed developer's agreement for:

(1) Hillwood Drive and the cul-de-sacs within the plat. If Spring Side Court will have a temporary cul-de-sac bulb, a recordable easement shall be submitted for the area outside of the right-of-way to be dedicated in the plat.

(2) All required utilities, except those to be constructed by the city as part of the Sterling Street improvement.

(3) Grading for an eight-foot wide trail referred to in Condition a.(6).

2. Approve the resolution on page 15 to rezone this site from F, farm residence to R-1, single dwelling.

## CONCERNS RAISED BY CITIZENS

Sixty property owners within 350 feet of this site were asked their opinion of this proposal. Of the 18 respondents, seven are in favor, five have no comment and six are opposed.

Three of the persons in favor stated they are in favor, only if:

1. ". . . the builder is selective in the placement of the homes to conform with nature rather than leveling the site."

Staff comment: The city's environmental protection ordinance is used to protect as much of the natural landscape as possible, while allowing a reasonable use of the land. The developer has responded to this code by proposing to initially grade only for the roads and by creating significantly wider and deeper lots than the minimum permissible. The final grading of each lot will also be overseen by each prospective property owner, subject to approval by the city engineer.

2. ". . . Vista Hills Park is not developed (with houses)."

Staff comment: The applicant's property abuts the south end of the park. No portion of the park property is proposed for housing development. A walkway to the park will be constructed.

3. ". . . if the price range of the homes is in keeping with the existing neighborhood--\$120,000 plus."

Staff comment: The developer is proposing lots that average 28,072 square feet of area. Code permits 10,000 square foot lots. Code also permits 75 foot wide lots. The developer has proposed lots with at least ninety feet of width. Lots of this size generally dictate dwellings in excess of \$120,000. In the applicant's first phase along Marnie Street, the first five home sales, according to the applicant, have ranged from \$170,000 to \$250,000+. He expects the homes on this site to equal or exceed the average cost of the homes in the first phase.

The seven persons opposed to this development raised the following concerns:

1. "I am opposed to the two small lots (Lots One and Two, Block One) in the northwest corner of the site. These lots involve a steep slope that is heavily wooded. Grading for two home sites will result in the total loss of these woods. These lots should be combined into one building site to minimize the loss of trees."

Staff comment: The southerly portion of these lots do not need to be graded if the dwellings are constructed into the slope (tuck-under style dwellings). A substantial number of trees will be left intact on this site because the lots will be nearly three times the permitted minimum area. Given the unsolicited proposal for a development with less than half the permitted density, it is difficult for the city to

justify requiring a lot to be dropped for the purpose of saving more trees. Further, the developer has already given up a lot between Lots Three and Four, Block One in an attempt to preserve as much of the wooded hill as possible.

2. "There is no direct route to McKnight Road. A large portion of the traffic will travel through the existing residential areas."

Staff Comment: Hillwood Drive is planned to be a through-street between Sterling Street and McKnight Road. Sterling Street will be constructed by the city in 1988. The most direct route to McKnight Road for the majority of traffic in this area will be along Marnie or Sterling Street, until Hillwood Drive is constructed through to McKnight Road. There are no city plans and no known private plans to construct Hillwood Drive in the near term, through to McKnight Road. However, if the city were to make a finding that this connection is required to ensure the timely response of emergency vehicles to area properties, the city could order this connection as a public improvement.

3. "Increased community congestion and school overcrowding. The development will also decrease the natural environment."

Staff comment: The proposal is consistent with the land use plan for this site. The density is less than one-half that permitted. Large lots have been proposed to preserve as many of the trees and wetland areas as possible. Refer to Comment One under those in favor (page 4 ).

A future elementary school is planned between Highwood and Linwood Avenues. The school district is negotiating the purchase of land for this school.

4. "This development will decrease property values."

Staff comment: Refer to Comment Three under those in favor (page 4 ).

5. "I want to know what type of housing is proposed before I offer an opinion (i.e., low income, style of house, will it enhance the existing housing areas?)."

Staff comment: City code does not regulate the style of single dwellings. Refer to Comment Three under those in favor (page 4 ) for a discussion about the probable price range.

#### REFERENCE

##### Site Description

Gross area: 31.42 acres

Existing land use: a single dwelling (2481 Linwood Avenue) that will be removed.

## Surrounding Land Uses

North: two single-dwelling lots, Vista Hills Park and future Hillwood Drive.

East: a 39-acre parcel developed with one single dwelling. This property is planned for single dwelling use. The Williams Brothers pipeline also is located along the west property line.

South and West: The rear yards of four 500-foot deep, single-dwelling properties that front on Linwood Avenue and the Linwood Heights townhouse development. Except for 2437 Linwood Avenue, the owners of the deep lots do not want street access provided to the rear of their properties.

## Past Actions

5-22-86:

Council approved the Huntington Hills preliminary plat (site abutting to the north).

1-12-87:

Council ordered the construction of Hillwood Drive from Crestview Drive to Marnie Street. Construction is underway.

4-13-87:

Council ordered the preparation of plans for the construction of Sterling Street between Highwood Avenue and Sterling Street in the Marv Anderson's Crestview Forest subdivision. Construction is tentatively scheduled to begin in 1988.

8-10-87:

Council gave final plat approval for the second phase of the Huntington Hills preliminary plat (north of Hillwood Drive).

## Environmental Summary

1. Staff walked this site with a Department of Natural Resources' forester. His comments were as follows:

This site has many large, wide-spreading, picturesque oaks that should be saved wherever possible. Most of the trees are oaks. Resistance to oak wilt should be considered when selecting trees to save. White oak is most resistant, red oak least resistant, and bur oak is intermediate. The placement of a cul-de-sac in the open grass area (west of proposed Hillwood Drive) should protect most of the trees. Aspen and cottonwood are present and are not well suited for use in residential developments.

When possible, these species should be removed to allow installation of roads and utilities. The majority of these trees are located in the southeasterly portion of the site, near the two ponds and near the proposed Hillwood Drive and Sterling Street alignments.

2. Approximately 63 percent of this site was wooded before construction began on Hillwood Drive ( a city project). The remainder was covered by field grasses. At least 31 percent of the site will remain wooded once it is developed. This percentage could be raised to approximately 42 percent, dependent upon the area that can be left undisturbed during the construction of the individual homes. The majority of the oak trees are located on the north and west portions of the site--areas that will consist of the undisturbed rear yards of 350 to 450 foot deep lots. The proposed wide lots will also help preserve additional trees near the street frontages.

3. There are four ponds on the site. (Refer to the map on page 11 .) The present surface water areas will not be reduced. Some fill will be required along the edge of two of the ponds to create building pads that conform with flood protection design standards. Drainage easements will be established over all the remaining wetland and low areas to protect the nutrient assimilation function of these environments.

#### Environmental Regulations

Section 9-191 (Environmental Protection Ordinance) contains the following provisions:

"(3) (d) A development shall be located to minimize the removal of vegetation and alteration of the natural topography."

"(3) (e) Erosion protection measures shall make maximum use of natural, inplace vegetation, rather than the placing of new vegetation on the site."

"(5) (a) Development shall be designed to preserve the maximum number of healthy trees. This requirement shall not apply to diseased trees or where a forester certifies that thinning is needed for the overall health of a woodlot; in which case, a specific tree removal plan must be approved by the city."

#### Planning

1. Land use plan designation: RL, residential low density
2. Zoning: F, farm residence
3. Planned density: 14 people/net acre
4. Proposed density: 6.2 people/net acre (29 net acres)
5. Average lot size: 28,072 square feet

6. Compliance with land use laws:

A. Section 30-8 (f) (6) states: "Double-frontage lots shall not be permitted, except where topographic or other conditions render subdividing otherwise unreasonable."

(Comment: Lot One, Two and Three, Block Four [page ] would double front on Linwood Avenue and proposed Sterling Street. The location of Williams Brothers pipeline, two ponds and the need to line Sterling Street up north and south of Linwood Avenue necessitate the double-fronting lots. Each of the lots is substantially deeper than the minimum required depth to compensate for the double-fronting design.)

B. Section 30-8 (f) (7) states that minimum required "lot areas shall not include drainage easements."

(Comment: Lots 26 and 27, Block One each have less than the minimum of 10,000 square feet above the proposed drainage easement.)

C. The pipeline setback ordinance will affect the placement of dwellings on Lots 7, 24 and 25, Block 1 (page ). This ordinance requires dwellings to be 100 feet from the nearest pipeline.

Public Works

Sterling Street must be constructed to state-aid standards for a 30-mph roadway.

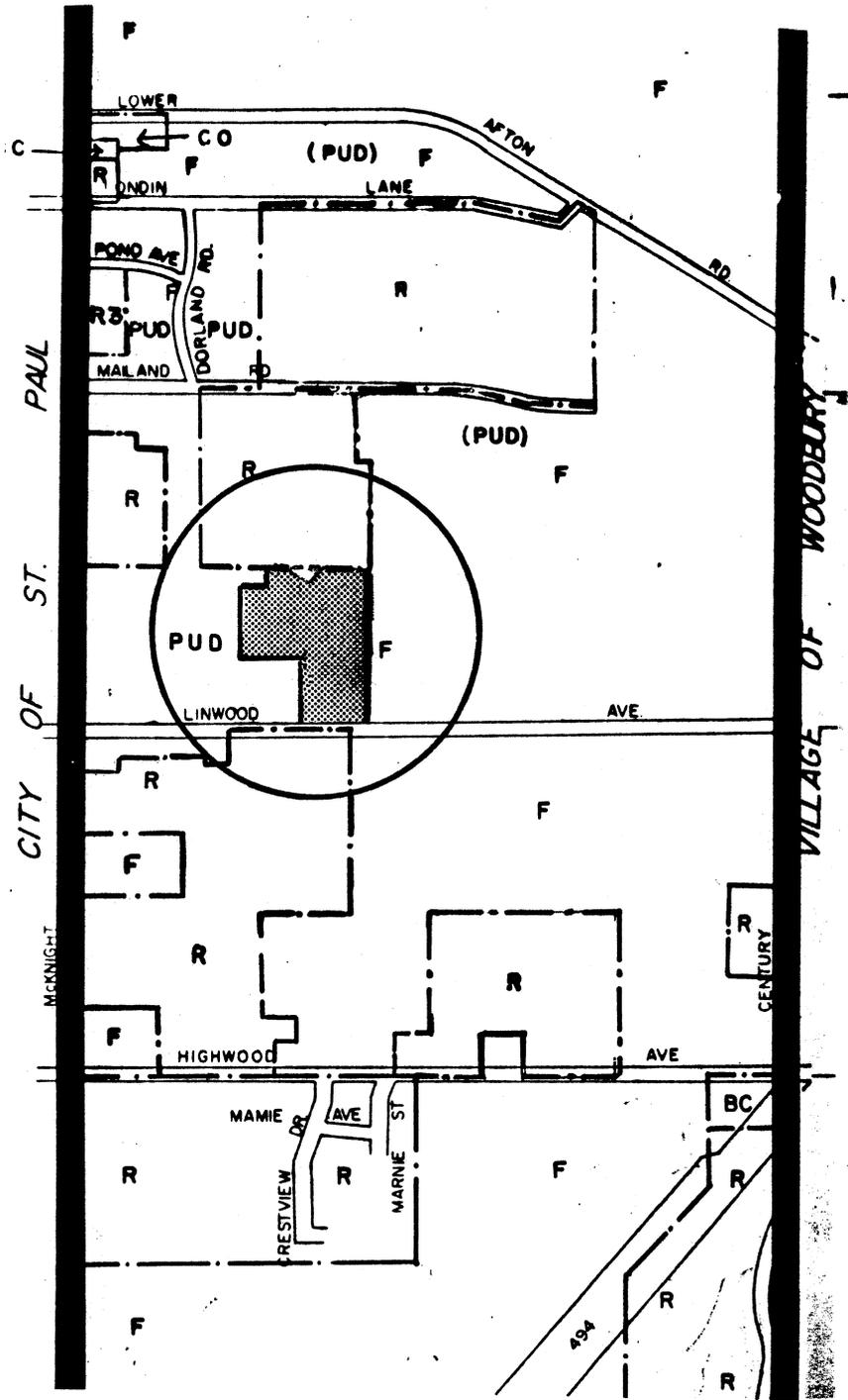
Parks

On May 18, 1987 the parks commission discussed whether to accept the applicant's offer to dedicate the north 200+ feet of Lots 4-7, Block 2 as an extension of Vista Hills Park. The applicant wanted a park charge credit in return for dedication of this land. The parks commission denied the requested credit because the land has steep slopes and wetlands making it prohibitive to use for active uses, such as softball, tennis and soccer, for which the park is planned. In addition, the parks commission believes that adequate property exists to accomplish the objectives of this park site.

jw

Attachments

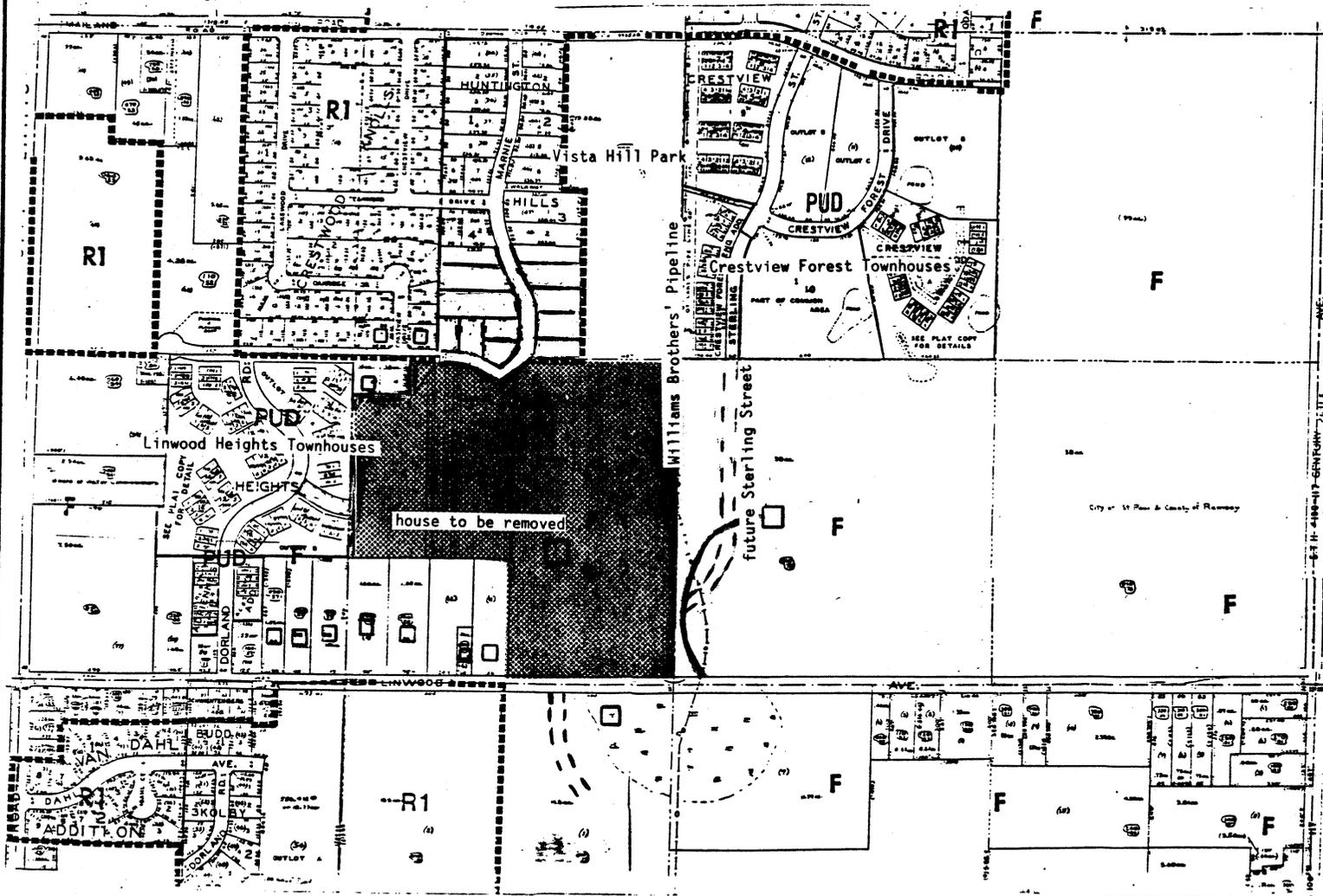
1. Location Map
2. Property Line/Zoning Map
3. Area Street Concept Plan
4. Preliminary Plat (8-1/2 x 11)
5. SCS Letter
6. Resolution
7. Preliminary Plat (Separate Enclosure)



LOCATION MAP

Attachment 1



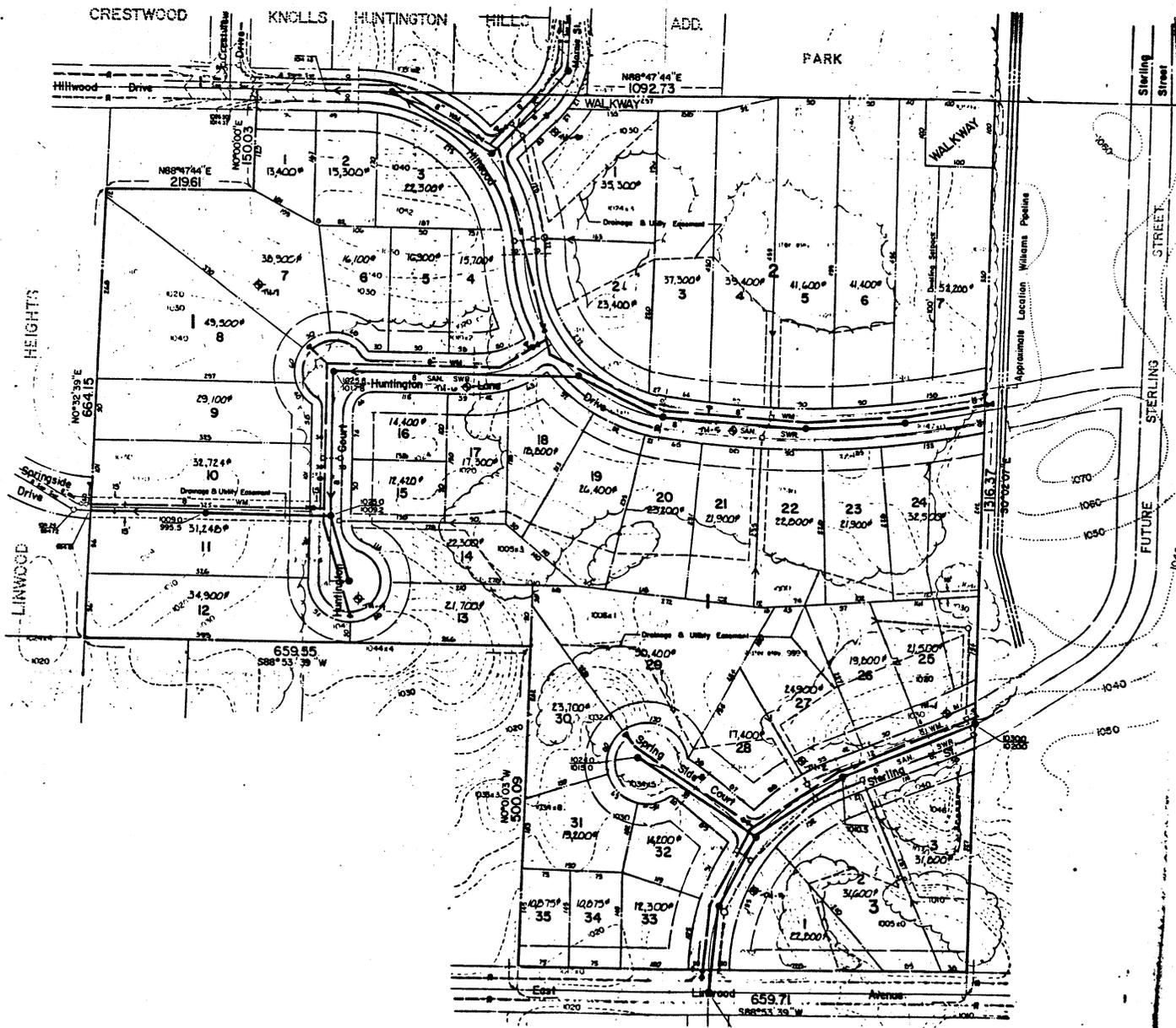


# PROPERTY LINE / ZONING MAP

 Applicant's site



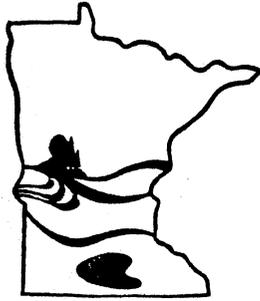




Plans dated: 7/23.97

PRELIMINARY PLAT





Mid-America Bank Building  
 1827 North Saint Paul Road  
 Maplewood, Minnesota 55109  
 Telephone (612) 777-0127

**MINNESOTA  
 SOIL AND WATER CONSERVATION DISTRICTS**

June 5, 1987

TO: Dean Hedlund, District Site Plan review Committee  
 FROM: Tom Petersen, Conservation District Manager *Thomas P. Petersen*  
 SUBJECT: Huntington Hills South

Due to the limited time frame in which we have to respond to this Plat, I have only focused my comments on the erosion and sediment control practices needed for the site plan.

It would appear when reviewing the preliminary grading Plan that the developer is only proposing a rough grade for access roads and public utilities. That is to say, the Plan does not include lot specific grading plans. The following recommendations for sediment control relate only to the rough grade concept as indicated on the Plan. Erosion and sediment control procedures will have to be reevaluated as lot grades are conceived.

Due to the availability of many land-locked natural low areas on this site, the traditional approach of sediment control i.e. silt curtains may not be necessary for the grading as indicated on this plan. If it can be assured that the developer can and will restore low wet areas to their original conditions or required post construction hydraulics, the many depressional areas within this site could be utilized as temporary sediment traps with temporary modifications.

For example, a temporary rock outlet berm could be placed between ponds 1 and 2 and 3 and 4. (See attached specification for outlet concept). With this practice the potential sediment generated from their respective drainage areas could be trapped. Pond areas 2, 4, and 5 could be fitted with temporary perforated risers to capture sediment from their respective drainage areas also. If mud is tracked on to either Linwood or Hillwood Streets, a temporary ingress/ egress pad will be necessary (See attached for suggested specifications). All cut and fill slopes whether temporary or permanent should be stabilized as soon as possible. Mulch and a vegetative seeding should be utilized.

Once the streets and utilities are installed and rough grading for lot construction begins, silt curtains and ingress/egress protection should be a lot by lot requirement (See attached for proper silt curtain installation requirements).

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 following-described property:

The East Half of the Southeast Quarter of the Southwest Quarter of Section 12, Township 28 North, Range 22 West, City of Maplewood, Ramsey County, Minnesota. AND that part of the West Half of said Southeast Quarter of the Southwest Quarter of Section 12 lying northerly of the south 500.00 feet thereof. Excepting therefrom the west 219.76 feet of the north 150.00 feet of said West Half of the Southeast Quarter of the Southwest Quarter of Section 12.

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 August 17, 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.



## AGENDA REPORT

TO: City Manager  
FROM: Assistant City Engineer  
SUBJECT: Hillcrest Trunk Sanitary Sewer  
City Project 86-22  
Award of Bids and Revised Financing Plan  
DATE: August 19, 1987

Bids for the construction of the Hillcrest Trunk Sanitary Sewer Project were received on July 23, 1987. Seven bids were received ranging from a high of \$1,282,164.00 to the low bid of Minn-Kota Excavating, Inc. of \$757,886.00.

Due to the construction of McKnight Road starting about October 3, this project should proceed immediately, to avoid construction conflicts. We are preparing a staff report which should be ready for the Thursday agenda meeting depending upon the outcome of meetings with St. Paul, MWCC, Ramsey County and the low bid contractor. The following items need to be addressed:

1. Changes in the project based on requirements from St. Paul, MWCC and Ramsey County have increased the estimated project cost by \$400,000 over the feasibility study estimate of \$626,000.
2. Assessment rates are not proposed to be revised significantly, however, an alternative alignment of the sewer as part of the easement acquisition through the Hillcrest Development property has increased the Hillcrest assessment.
3. Cooperative agreements are being negotiated with St. Paul and Ramsey County as part of the sewer replacement in St. Paul. Ramsey County is requesting to turn back McKnight Road from Maryland Avenue to Ivy Avenue to either St. Paul or Maplewood. A turnback should not occur until the road is reconstructed, which could easily be accomplished as part of this project's restoration and at the county's cost.
4. The low bidder, Minn-Kota Excavating, Inc., supplied the city with references as part of his bid to help determine whether the firm is capable of performing the work and whether the firm is a responsible bidder. Some negative comments were received in the preliminary investigations.

H-1

MEMORANDUM

TO: City Manager  
FROM: Director of Community Development  
SUBJECT: Preliminary Plat--Markfort Addition  
DATE: August 14, 1987

Introduction

The city council, on August 10, tabled the preliminary plat for the Markfort Addition and the public improvement project to acquire right-of-way for Ripley Avenue. Staff was directed to revise the conditions of approval to allow the entire plat to be developed without being contingent on off-site drainage improvements.

Alternatives

1. Approve the plat with the staff recommendation, requiring Phase II to be contingent on an area storm-water project. (Refer to the staff recommendation in the August 3 staff report.)
2. Approve the plat without an area storm sewer project, but require the two-acre-foot pond in the drainage plan to be constructed entirely on the Markfort property. This pond had been proposed to be partially on the Markfort property and partially on the Gilbert property, since it is designed to serve both properties. This would result in Mr. Markfort losing some lots.

To approve this alternative, make the following motion:

Approve the Markfort Addition preliminary plat (plans date-stamped 7-2-87), subject to satisfaction of the following conditions before final plat approval:

- a. The Ripley Avenue right-of-way shall be moved five feet south, at its intersection with Desoto Street. The length of the west property line for each corner lot need not be altered.
- b. A drainage easement shall be shown for the planned two-acre-foot pond. The location of this pond must be approved by the city engineer. All future lots that will adjoin this easement shall have at least 10,000 square feet of area above the easement.
- c. A 20-foot-wide drainage easement shall be shown from the south property line to the north property line, ending at the future two-acre-foot ponding easement. This storm sewer shall be constructed by the developer. The city engineer shall approve the location of the easement to insure that it is properly located to drain the property to the south and this site to the pond.
- d. A recordable quit-claim deed shall be submitted to the city engineer for a 100-foot-diameter temporary cul-de-sac bulb for the west end of Ripley Avenue.

e. A 20-foot-wide utility easement shall be shown between future Ripley Avenue and the north plat line. The city engineer must approve the location. The elevation of the sewer shall accommodate this requested sewer. The owner shall deed to the city a five-foot-wide temporary construction easement along each side of the permanent easement.

f. The city engineer shall approve final grading, utility, drainage and erosion control plans. A construction easement(s) shall be obtained for any off-site grading. The grading plan shall include the two-acre-foot pond in condition b.

g. A signed developer's agreement shall be submitted to the city engineer, with the required surety, for all required on-site public improvements, including:

- 1) A storm water pond
- 2) Storm sewer
- 3) Street and utilities, including stubbing the utilities to the north right-of-way line for the R-3 property to the north.

h. If council does not initiate a public improvement project to acquire right-of-way for Ripley Avenue, west of the plat, Phase II must be redesigned as a permanent cul-de-sac.

3. Approve the plat without any ponding. The increased run-off from the Markfort site and the overflow from the Hmong church site would pond on Mr. Gilbert's property. There is no easement for this ponding. This would leave the city and Mr. Markfort open to a lawsuit from Mr. Gilbert for flooding damages and ponding without an easement.

If council chooses this option, the motion in alternative 2 should be passed, except for conditions b and c.

#### Discussion

Alternative one delays Phase II of the plat, but assures that there will be no drainage problems when this area develops. Councilmember Wasiluk proposed at the last meeting that the rate of growth should be slowed to achieve orderly development. That is the intent of this alternative.

Alternative two is unfair to Mr. Markfort. It requires him to provide all the ponding for the surrounding properties, which costs him the loss of lots. Part of the pond should be on the Gilbert property.

Alternative three does not provide for area drainage and may result in a lawsuit against the city and Mr. Markfort.

#### Recommendation

Approve alternative one and adopt the staff recommendation in the staff report of August 3.

j1

MEMORANDUM

TO: City Manager  
FROM: Associate Planner--Johnson  
SUBJECT: Preliminary Plat, Rezoning (F to R-1) and  
Public Improvement Project  
LOCATION: Desoto Street, South of Roselawn Avenue  
APPLICANT/OWNER: Leo Markfort  
PROJECT: Markfort Addition  
DATE: August 3, 1987

SUMMARY

Introduction

1. The applicant has requested preliminary plat approval for 24 single-dwelling lots. He is proposing to develop the site in two phases. (Refer to page 12.) Phase Two would not be final-platted until the construction of an area storm water project is guaranteed.
2. City staff is proposing the rezoning from F, farm residence to R-1, single dwelling to avoid any potential nuisances that could arise from farm uses, such as the raising of livestock, in a residential neighborhood.
3. City Staff is also recommending that council initiate a public improvement project to acquire right-of-way for Ripley Avenue, west of this plat.

Discussion

This proposal is consistent with the street plan concept prepared by staff on page 10 and the city's subdivision and zoning codes. The development of the site must be phased, as proposed, due to lack of an adequate drainage outlet for this area. The main issue to be resolved is whether Ripley Avenue should be a through street.

A public improvement project is needed to acquire the right-of-way to extend Ripley Avenue west of this plat to McMenemy Street. If the city does not acquire this right-of-way, the owner of 1774 McMenemy intends to build on the north side of his lot. The city approved a lot division in 1978 that has not been recorded. This would prevent the street from going through and Ripley Avenue would have to be a cul-de-sac. Staff's reasons for preferring through streets to cul-de-sacs are listed on page 4.

Recommendation

- I. Approve the Markfort Addition preliminary plat (plans date-stamped 7-2-87), subject to satisfaction of the following conditions before final plat approval:
  - A. Final-platting shall be limited to Phase I until a construction contract(s) is signed for a storm water project to

drain this area to Round Lake. Phase II must be platted as an outlot until this contract is signed.

B. The Ripley Avenue right-of-way shall be moved five feet south, at its intersection with Desoto Street. The length of the west property line for each corner lot need not be altered.

C. A drainage easement shall be shown on the outlot or buildable lots for Phase II for any portion of the planned two-acre-foot pond that will encroach upon this site. The location of this pond must be approved by the city engineer. All future lots that will adjoin this easement shall have at least 10,000 square feet of area above the easement.

D. A twenty-foot-wide drainage easement shall be shown on Phase II from the south property line to the north property line, ending at the future two-acre-foot ponding easement. This storm sewer shall be constructed by the developer as owner of the outlot when the outlot is platted into buildable lots. The city engineer shall approve the location of the easement to insure that it is properly located to drain the property to the south and this site to the future pond.

E. A recordable quit-claim deed shall be submitted to the city engineer for a 100-foot-diameter temporary cul-de-sac bulb for the west end of Ripley Avenue.

F. Before final plat approval for Phase II, the owner of the multiple dwelling property to the north must be given the opportunity to document his preference to route sanitary sewer for his property through the applicant's site, rather than to McMenemy Street. This documentation shall include the depth of the proposed multiple dwelling service connections and the depth of the sanitary sewers that will be available to the property.

If this information cannot be provided before final-platting of Phase I is requested, a twenty-foot-wide utility easement shall be shown on the outlot between future Ripley Avenue and the north line of the outlot. The city engineer must approve the location. The elevation of the sewer in Phase I shall accommodate this requested sewer. The owner of the outlot shall deed to the city a five-foot-wide temporary construction easement along each side of the permanent easement, if the outlot will be platted before this sanitary sewer will be constructed.

The property owner shall pay for this sanitary sewer if the city engineer determines there is a public need to route it through the applicant's site. If there is no public need, then the easement shall be vacated unless the property owner to the north guarantees its construction and the owner of the outlot and the city engineer agree to the routing.

G. The city engineer shall approve final grading, utility, drainage and erosion control plans. A construction easement(s)

shall be obtained for any off-site grading. The drainage plan shall include a temporary pond if Phase I is developed before the area storm water project is under contract. This temporary pond must limit storm water discharge from the site to current levels.

H. A signed developer's agreement shall be submitted to the city engineer, with the required surety, for all required on-site public improvements, including:

1. A storm water pond
2. Storm sewer
3. Street and utilities

I. If council does not initiate a public improvement project to acquire right-of-way for Ripley Avenue, west of the plat, Phase II must be redesigned as a permanent cul-de-sac.

II. Approve the resolution on page 13 to rezone this property from F, farm to R-1, single dwelling.

## CITIZEN COMMENTS

Twenty-eight persons who own property within 350 feet of this site were asked their opinion of this proposal. Of the thirteen respondents, eight are in favor, three have no comment and two are opposed.

Although in favor, four of the respondents raised the following concerns:

1. "I am in favor of the proposed 24 lots, but I am opposed to running a road between my house and my mother's house to the west of this site (1774 and 1780 McMenemy Street)."

Staff comment:

The alternative to a through-street is a cul-de-sac of approximately 885 feet. The advantages of a cul-de-sac are that there would be no through traffic and the garage at 1780 McMenemy Street would not have to be removed. The disadvantages are:

- a. Less efficient traffic circulation for the neighborhood. This would be the only street connecting McMenemy and Desoto Streets, between Roselawn and Larpenteur Avenues. (See area street plan on page 10.)
- b. More city time for snow removal.
- c. Police patrols tend to avoid cul-de-sacs.

In general, cul-de-sacs are an advantage for the people who live on them, but a disadvantage to the rest of the neighborhood and the city. As a result, city code requires cul-de-sacs to be as short as possible. City staff generally recommends a through street whenever practical.

The connection to McMenemy Street would not be built until one or both of the adjacent land owners is ready to develop.

2. "Cheap, small homes may be built with the intention of building a Hmong community next to the proposed church."

Staff comment:

Each of these lots exceeds the city's minimum lot dimension requirements. The applicant estimates that the homes should sell for at least \$85,000 to \$95,000. The city does not regulate who buys them.

3. "Is it possible to serve the multiple dwelling property to the north with sanitary sewer through the applicant's site? My site will be difficult to develop if it must be served from McMenemy Street."

Staff comment:

A condition of approval will be to provide an easement if the city engineer concurs with the person's concerns.

4. "What will the exact location of the pond be that is proposed to be north of the applicant's site?"

Staff comment:

A condition of approval will be the completion of an area storm water feasibility study. This study will recommend the most practical location for the pond. No decision has been made as to whose property it will be located on.

5. "Will the pond be fenced? How deep will it be, and will the grade of the land be changed for this pond?"

Staff comment:

The pond will not be fenced. It is the city's policy to construct ponds with gentle side slopes. The depth of a pond depends on the area that it will cover--the smaller the area, the deeper the pond. This pond, however, is designed to store water primarily after strong rain storms and during rapid snow melt. The natural depression in this area has been partially filled. It is possible that some of this fill will be excavated and other parts of the depression filled. The idea is to locate it in an area that will be the most beneficial to the future development of this area.

The two persons who object to the proposal raised the following concerns:

1. "The increased traffic on Desoto Street in light of its current condition."

Staff comment:

The city engineer recognizes that Desoto Street is in need of being upgraded. However, he states that the traffic from this development, particularly in light of the recommendation to phase the development, will not significantly affect the street. There are no plans to upgrade the road, other than its intersection with Larpenteur Avenue, which should occur shortly.

2. "Will there be a need to upgrade roads or sewer?"

Staff comment:

This plat will not require the upgrading of area street or sanitary sewer. (See the previous comment.) An area storm water project is needed to complete development of this area, as planned in the city's comprehensive plan.

3. "Will this addition affect our taxes?"

Staff comment:

Burt Reinichy, an appraiser for Ramsey County, stated that there is very little chance that the taxes for adjoining properties would be increased. Taxes would only increase if the value of homes increases. Any adjustment would not be considered for at least four to five years. However, this development is conditioned upon the development of an area storm water project. If this project is ordered, property owners in a 2.5-square-mile area from McMenemy to Arcade Streets, between Skillman and Larpenteur Avenues, may be assessed.

4. "What public schools would kids attend?"

Staff comment:

This site is located within the Roseville school district. Children in this area will attend Edgerton Elementary School (Edgerton Street and Roselawn Avenue), Kellogg Middle School and Ramsey High School.

#### REFERENCE

#### Site Description

Gross area: 7.42 acres  
Existing land use: undeveloped

#### Surrounding Land Uses

North: An undeveloped single-dwelling lot and a partially developed property that is planned and zoned for multiple dwelling use.

East: Desoto Street. Across the street are single dwellings and a corridor proposed for the future construction of an east/west street. (See page 9.)

South: A single dwelling (1801 Desoto Street) and the site of a proposed Hmong church.

West: Two single-dwelling properties which can be subdivided into six single-dwelling lots. (See the area street plan concept on page 10.)

#### Past Action

Property adjoining to the south:

11-24-86: Council approved a conditional use permit for the construction of a church for a Hmong congregation. A condition of approval was to provide on-site storm water ponding, if construction had not begun on an area storm water project. The attorney for the church states that they intend to apply for a building permit in the near future. He also stated that once the congregation becomes established, they may want to expand the church and/or parking area to the east of the approved church location.

## Planning

1. Land use plan designation: RL, residential low density
2. Zoning: F, farm residence
3. Density: Planning--14 people/net acre  
Proposed--16.6 people/net acre (5.93 net acres)  
There is no requirement in the subdivision or zoning codes for single-dwelling plats to comply with the density maximums in the land use plan.
4. Compliance with city code:
  - a. This plat meets or exceeds all lot dimension requirements.
  - b. Section 30-8 (b)(3) states that "cul-de-sacs, when used, shall be held to as short a distance as possible . . . "
  - c. Section 36-485 requires four findings for the approval of a rezoning. Refer to the resolution on page 13.
  - d. The intersection of proposed Ripley Avenue should be moved five feet south. This adjustment is needed to provide at least 100 feet of width for a future corner lot on the Torgersen property to the east of Desoto Street (page 10).

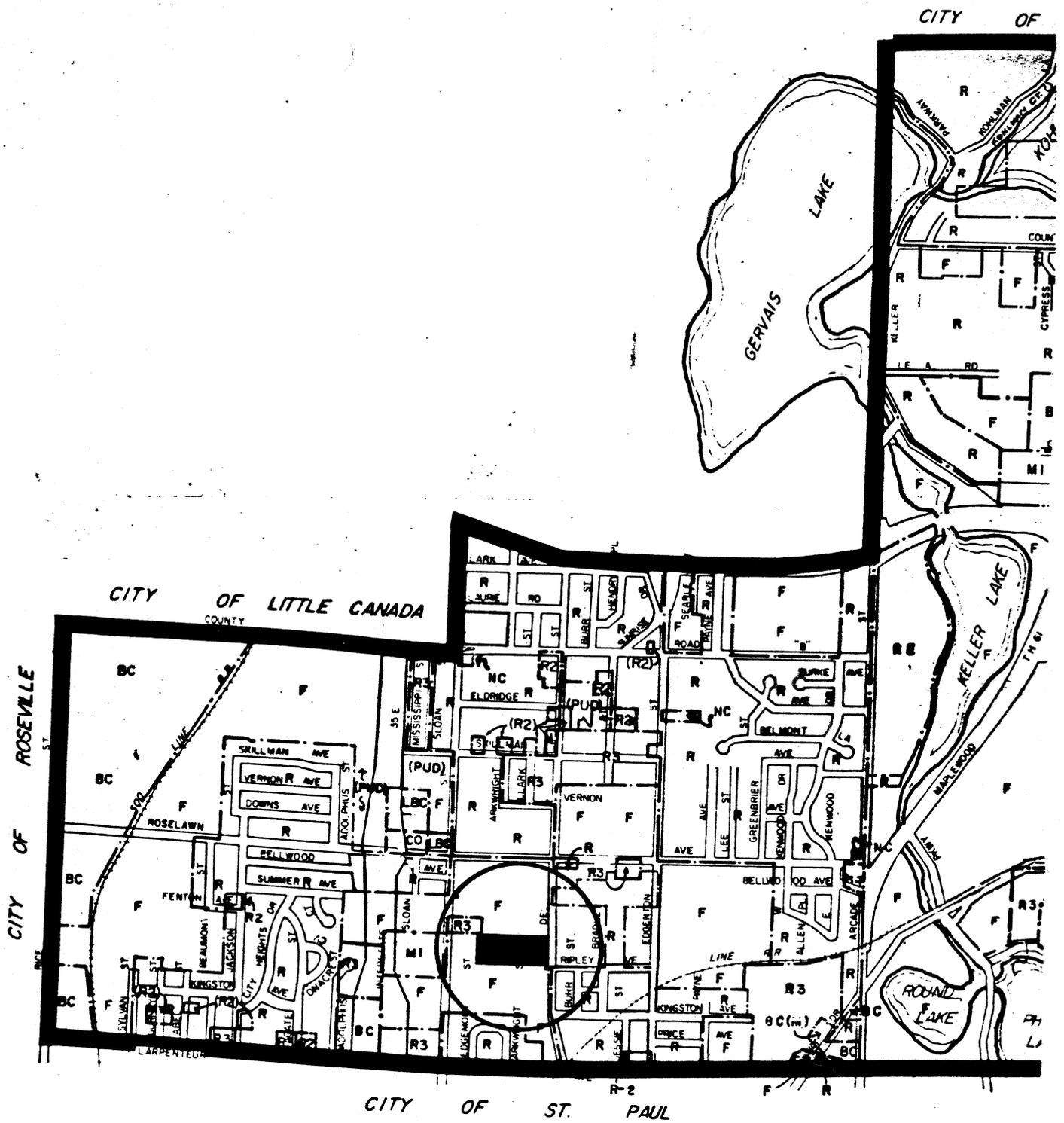
## Public Works

On March 25, 1985, council ordered a feasibility study to construct a significant portion of the downstream storm water pond and accompanying storm sewer system. The applicant has submitted a petition to expand this study to include his property.

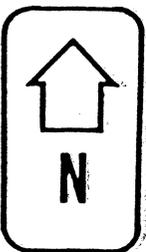
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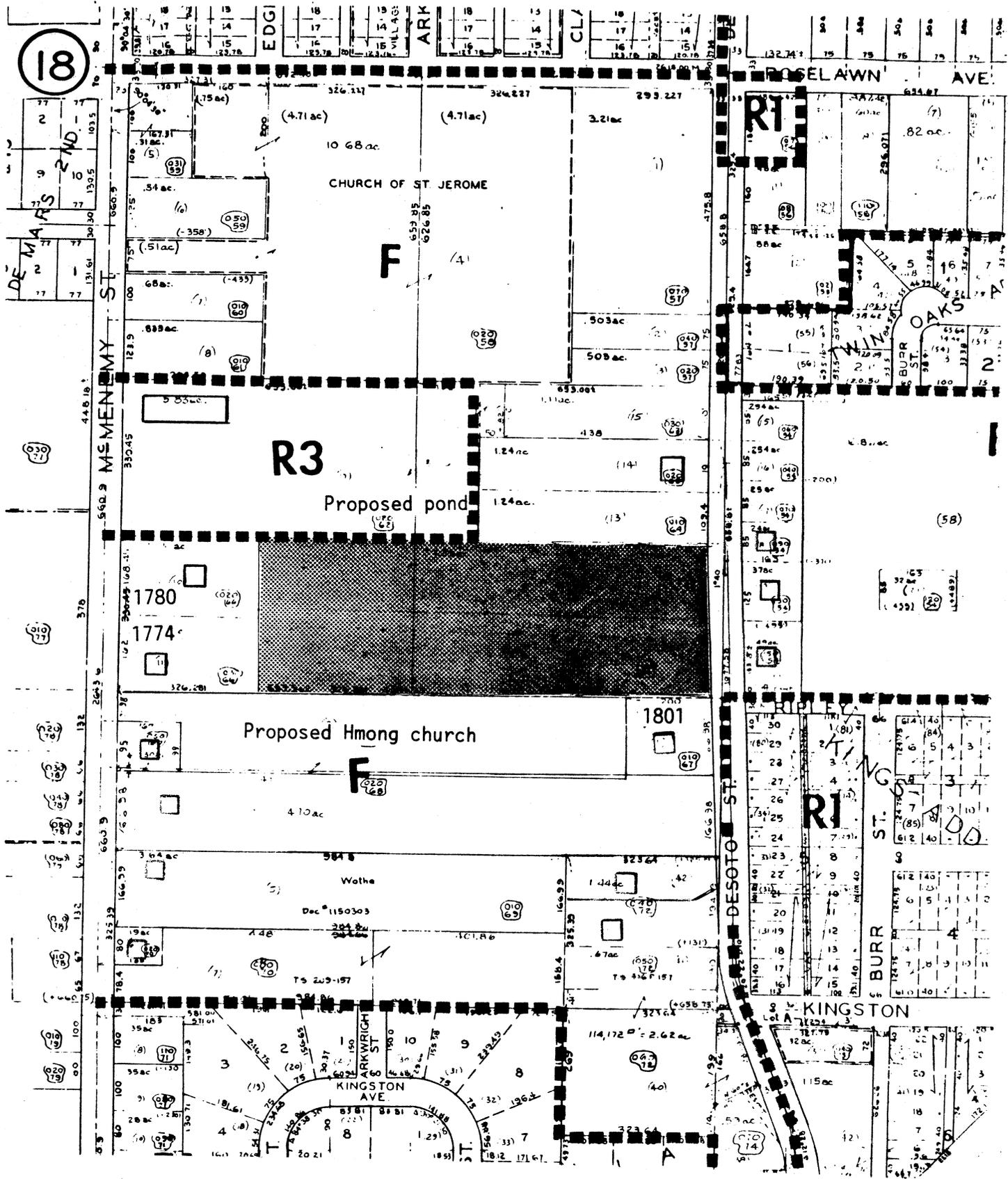
## Attachments

1. Location Map
2. Property Line/Zoning Map
3. Area Street Plan Concept
4. Drainage Plan
5. Preliminary Plat (8 1/2 x 11)
6. Resolution
7. Preliminary Plat (separate)

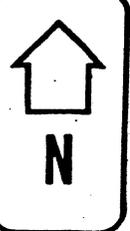


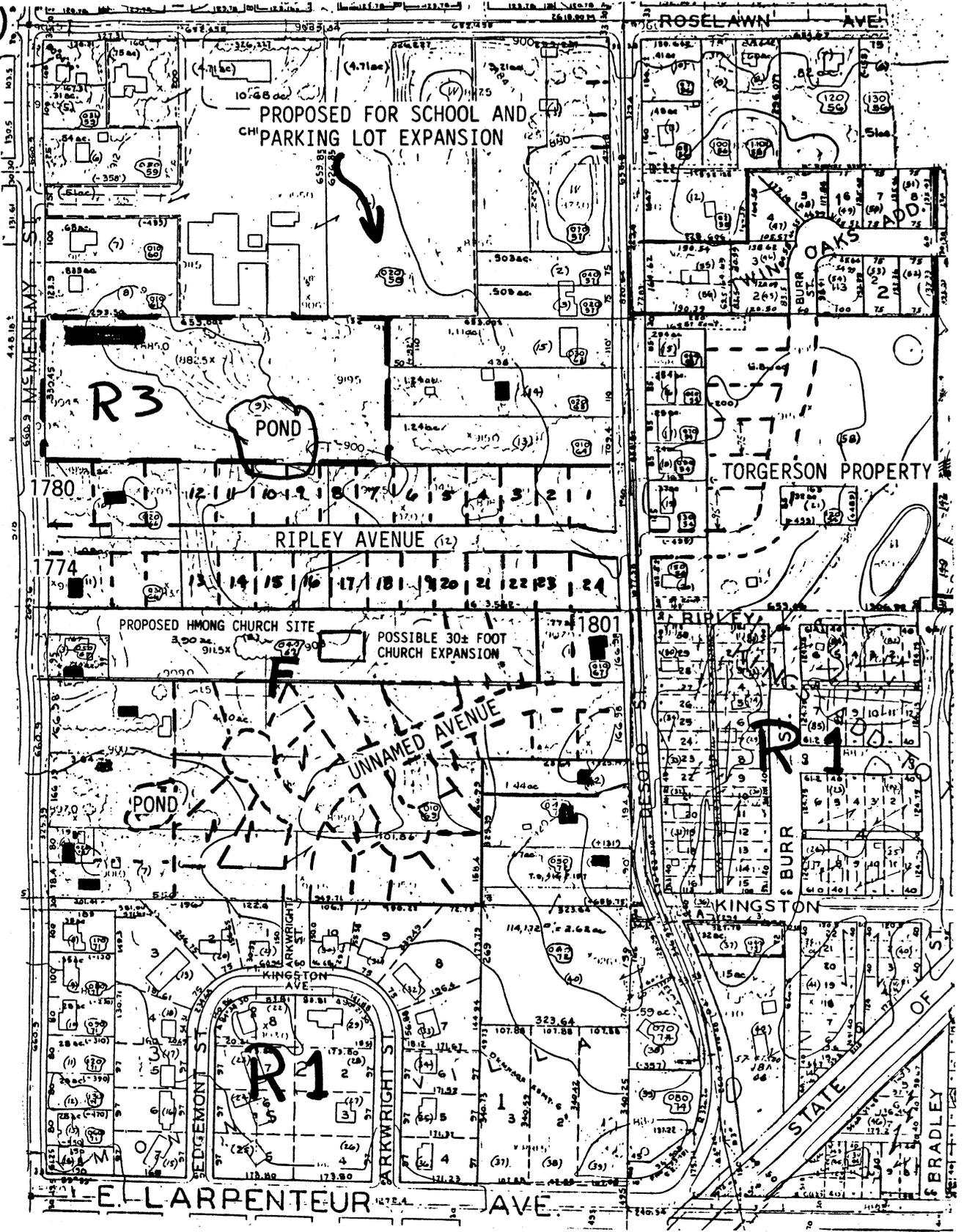
LOCATION MAP





PROPERTY LINE / ZONING MAP

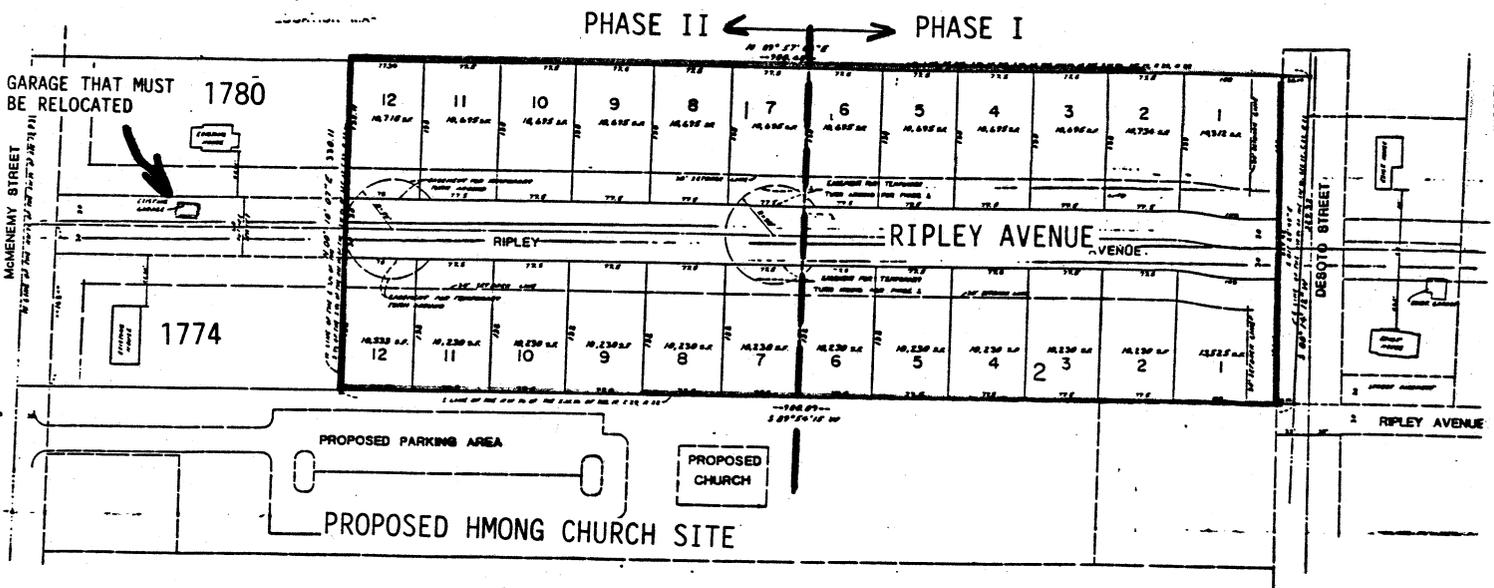




AREA STREET PLAN CONCEPT







MARKFORT ADDITION PRELIMINARY 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 following-described property:

The East 3/4 of the South 1/2 of the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 17, Township 29, Range 22, subject to the rights of the public in highways, according to the government survey thereof.

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 July 20, 1987. The planning commission recommended to the city council that said rezoning be approved.
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.



## VIII. NEW BUSINESS

## A. Preliminary Plat and Rezoning: Markfort Addition

Greg Brick of Probe Engineering Company, was present representing the applicant. He said he has had extensive meetings with staff and did understand the conditions stated in the staff report. He said they would like to go ahead with phase I this year. He also stated that he was in agreement with the conditions of the staff report.

Commissioner Fischer moved:

1. Approval of the Markfort Addition preliminary plat, subject to satisfaction of the following conditions before final plat approval:

- a. Final-platting shall be limited to phase I until a construction contract(s) is signed for a storm water project to drain this area to Round Lake. Phase II must be platted as an outlet until this contract is signed.
- b. The Ripley Avenue right-of-way shall be moved five feet south, at its intersection with Desoto Street. The length of the west property line for each corner lot need not be altered.
- c. A drainage easement shall be shown on the outlet or buildable lots for phase II for any portion of the planned two-acre-foot pond that will encroach upon this site. The location of this pond must be approved by the city engineer. All future lots that will adjoin this easement shall have at least 10,000 square feet of area above the easement.
- d. A twenty-foot-wide drainage easement shall be shown on phase II from the south property line to the north property line, ending at the future two-acre-foot ponding easement. This storm sewer shall be constructed by the developer as owner of the outlet when the outlet is platted into buildable lots. The city engineer shall approve the location of the easement to insure that it is properly located to drain the property to the south and this site to the future pond.
- e. A recordable quit-claim deed shall be submitted to the city engineer for a 100-foot-diameter temporary cul-de-sac bulb for the west end of Ripley Avenue.
- f. Before final plat approval for phase II, the owner of the multiple dwelling property to the north must be given the opportunity to document his preference to route sanitary sewer for his property through the applicant's site, rather than to McMenemy Street. This documentation shall include the depth of the proposed multiple dwelling service connections and the depth of the sanitary sewers that will be available to the property.

If this information cannot be provided before final-platting of phase I is requested, a twenty-foot-wide utility easement shall be shown on the outlot between future Ripley Avenue and the north line of the outlot. The city engineer must approve the location. The elevation of the sewer in phase I shall accommodate this requested sewer. The owner of the outlot shall deed to the city a five-foot-wide temporary construction easement along each side of the permanent easement, if the outlot will be platted before this sanitary sewer will be constructed.

The property owner shall pay for this sanitary sewer if the city engineer determines there is a public need to route it through the applicant's site. If there is no public need, then the easement shall be vacated unless the property owner to the north guarantees its construction and the owner of the outlot and the city engineer agree to the routing.

g. The city engineer shall approve final grading, utility, drainage and erosion control plans. A construction easement(s) shall be obtained for any off-site grading. The drainage plan shall include a temporary pond if phase I is developed before the area storm water project is under contract. This temporary pond must limit storm water discharge from the site to current levels.

h. A signed developer's agreement shall be submitted to the city engineer, with the required surety, for all required on-site public improvements, including:

1. A storm water pond
2. Storm sewer
3. Street and utilities

2. Approve the resolution to rezone this property from F, farm to R-1, single dwelling.

Commissioner Sletten seconded

Ayes--Axdahl, Barrett, Cardinal, Fiola, Fischer, Hanson, Larson, Sletten, Sigmundik

B. Preliminary Plat: Cave's Junek Park

Mr. Junek, owner of the project property, was present representing Sam Cave. He stated Mr. Cave said the conditions of the staff report were acceptable to him.

Commissioner Fischer moved approval of Cave's Junek Addition preliminary plat, subject to the following conditions being met before final plat approval:

1. The plat shall be revised as illustrated on map. The required changes include:

- a. Mary Court shall intersect with Idaho Avenue at a right angle, with Idaho Avenue being the through-street. The city shall approve the radius of this curve. This alignment shall allow for a row of lots south of the extended street, with each lot having at least 10,000 square feet of area above the easement for the required two-acre-foot pond. (Refer to Condition Four.)

Action by Council:

MEMORANDUM

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

TO: City Manager  
FROM: Associate Planner--Johnson  
SUBJECT: Code Amendment--Building Setback from Pipelines  
DATE: July 2, 1987

SUMMARY

Introduction

City staff is recommending the adoption of an ordinance to require buildings designed primarily for human occupancy to be set back at least 100 feet from a major pipeline.

Background

1. The state passed the Pipeline Safety Act during the 1987 session. This act requires each city in which a pipeline is located to adopt a pipeline setback ordinance by August 1, 1989.
2. This act also directed the state to adopt a model pipeline ordinance. Local ordinances will have to be at least as restrictive as the model ordinance.
3. The two pipeline corridors that this ordinance would apply to are shown on page 4.

Discussion

Need for an ordinance before 1989:

If the current development pace continues, the majority of developable land along the pipelines in Maplewood will have been developed by August, 1989--the deadline for Maplewood to adopt a pipeline setback ordinance. There are at least ten expected developments adjacent to pipelines. (See map on page 4.)

Since the Moundsvew incident, developers have cooperated with the city's request to design plats around a 100-foot minimum setback from pipelines, wherever practical. With the large amount of additional development expected, it is likely, however, that some developers will not have the latitude, or possibly not the willingness, to design around this setback, unless required to do so.

Finally, even where a developer has cooperated and designed a development to accommodate the larger setback, the location of the future dwellings may have to be restricted to maintain the setback. Without an ordinance, the city's right to impose this restriction may be challenged.

Appropriate setback distance:

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.

A bill introduced at the federal level proposed 150 feet of setback for the installation of a new pipeline from habitable structures. An official of the Environmental Quality Board believes this requirement will probably have to be reduced to at least 100 feet to be passed. The fire marshal believes 100 feet of setback is reasonable and should not be reduced, unless the testimony to be taken by the state establishes that a lesser distance is in the public interest.

Finally, to maintain consistency with previously approved developments, the present policy of requiring 100 feet of setback should be continued.

Recommendation (Three votes in favor for approval.)

Adopt the ordinance on page 5 to establish a pipeline setback ordinance.

## REFERENCE

### Effect on Subdivisions

In the situation where a pipeline runs along a rear property line, adherence to a 100-foot setback would require a minimum-depth 75-foot-wide lot to be increased in depth about 22 to 28 feet. This assumes a 30-foot front-yard setback and dwellings of 26 to 32 feet of depth. In other words, lots with depths of 156 to 162 feet would be required. Lots of this depth are not uncommon, particularly in the more difficult to develop areas of southern Maplewood.

### Past Actions

Council has approved several plats for sites in which staff has requested developers to maintain at least 100 feet of setback from the Amoco or Williams Brothers' pipelines. In only one case, the Highwood Second Addition, was the 100-foot setback found to be impractical. However, in that case, the developer proposed an oil containment system which council accepted as an appropriate mitigating circumstance.

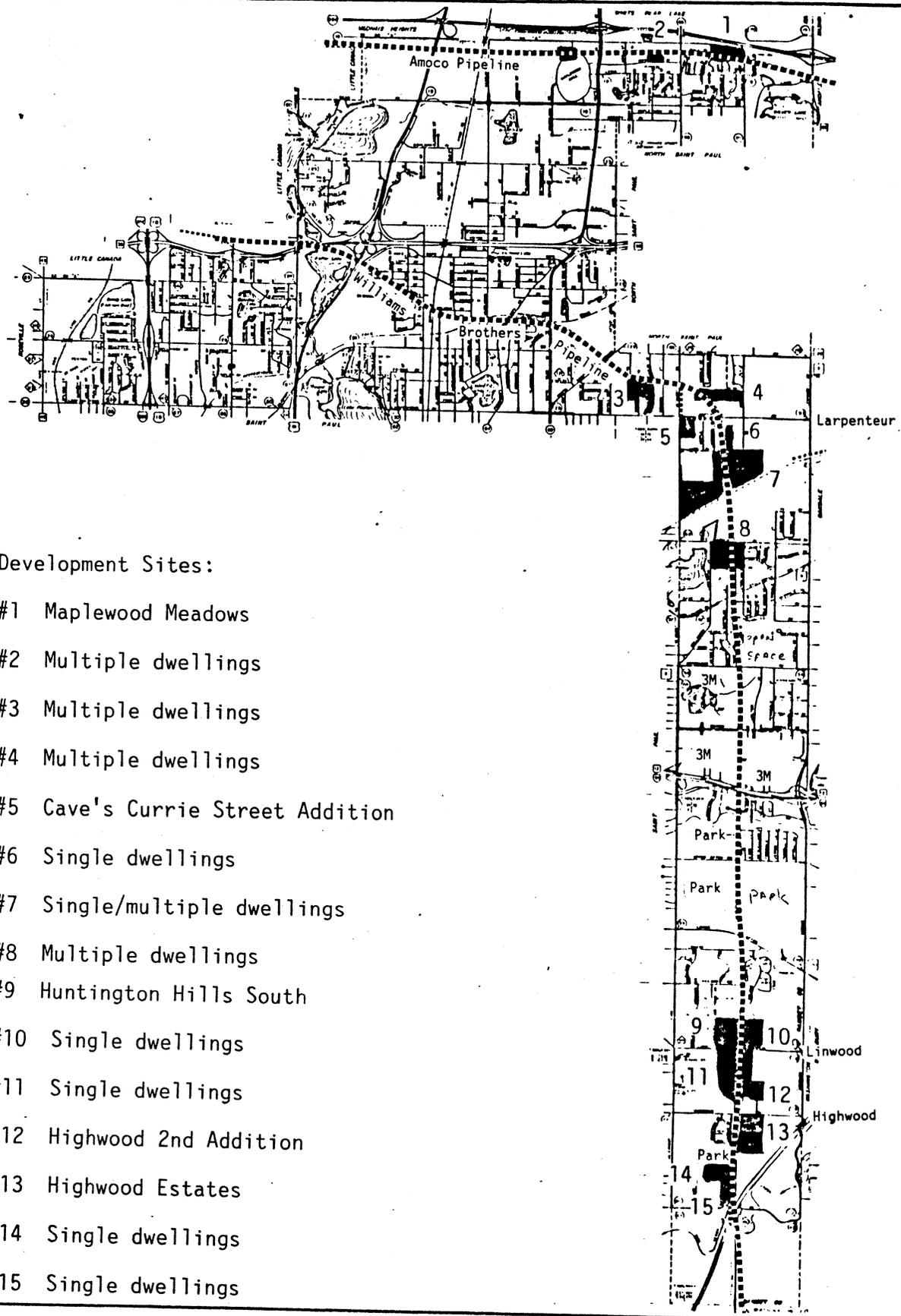
### Procedure

1. Planning Commission recommendation
2. Council: first reading  
                    second reading and adoption

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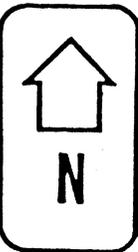
### Attachments

1. Location Map
2. Ordinance



- Development Sites:
- #1 Maplewood Meadows
  - #2 Multiple dwellings
  - #3 Multiple dwellings
  - #4 Multiple dwellings
  - #5 Cave's Currie Street Addition
  - #6 Single dwellings
  - #7 Single/multiple dwellings
  - #8 Multiple dwellings
  - #9 Huntington Hills South
  - #10 Single dwellings
  - #11 Single dwellings
  - #12 Highwood 2nd Addition
  - #13 Highwood Estates
  - #14 Single dwellings
  - #15 Single dwellings

Pending and Expected Development  
 along pipelines subject to the  
 Pipeline Safety Act of 1987



ORDINANCE NO.

An Ordinance Regulating Development  
Near Pipelines

Section 1. Article XI is hereby added to Chapter 9 of the Maplewood code of ordinances, as follows:

ARTICLE XI. PIPELINE SETBACK ORDINANCE

Sec. 9-215. Purpose

It is the purpose of this article to protect the public from the hazards of a pipeline leak by requiring that new buildings designed for human occupancy must meet a minimum required setback.

Sec. 9-216. Applicability

This article shall apply to any new subdivision, building or addition proposed to be located within 100 feet of a pipeline.

Sec. 9-217. Definitions

Pipeline:

(1) pipe with a nominal diameter of six inches or more, located in the state, that is used to transport hazardous liquids, but does not include pipe used to transport a hazardous liquid by gravity, and pipe used to transport or store a hazardous liquid within a refinery, storage, or manufacturing facility: or

(2) pipe operated at a pressure of more than 275 pounds per square inch that carries gas.

Building:

Any structure designed primarily for human use or occupancy, including, but not limited to, businesses, offices, residences and institutions. Decks, overhangs, porches, or any similar attached structures shall be considered part of the building.

Sec. 9-218. Building Setback

All buildings subject to the provisions of this article and all newly created lots shall be designed to accommodate a setback of at least 100 feet from a pipeline. This setback may be reduced, where the city finds that:

- a) the building would be protected from the radiant heat of an explosion by berming or other physical barriers, and
- b) a 100-foot setback would be impractical or unnecessary because of existing geography, streets, lot lines or easements, and

c) there will be guaranteed construction of an oil containment system or other mitigating facility where the city engineer finds that a leak would accumulate within the setback area. The design must be approved by the city engineer.

Sec. 9-219. Pipeline Location

At the time of application for a building permit, site plan review or preliminary plat, the applicant shall provide a scaled site plan that shows the location of any pipeline within 100 feet of their site. This location must be based upon field data, provided by a registered land surveyor, using government survey monuments. The elevation of the pipeline shall be shown in the site plan and on a grading plan, when such plan is required to be submitted.

Sec. 9-220. Lot of Record

A proposed building on an undeveloped lot of record that cannot be constructed because of this article, shall be allowed to be constructed if the building is located so as to comply with this article as closely as possible. The city may require an oil containment system, to be approved by the city engineer. An existing lot of record in an existing residential area is exempted from this ordinance.

Secs. 9-221 - 9-230. Reserved

Section 2. Section 30-8 of the subdivision code is amended by adding Subsection 12 as follows:

(12) Pipelines. The city may require additional lot width or depth to provide enough buildable area to meet the pipeline setback ordinance in Article XI of Chapter 9. Wherever practical, subdivisions shall be designed with any existing pipeline along rear lot lines.

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

Passed by the City Council  
of Maplewood, Minnesota, this  
day of \_\_\_\_\_, 1987.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Ayes--  
Nayes--

kd

Commissioner Fischer moved approval of the resolution which approves the PUD, subject to the following conditions:

1. Adherence to the site plan and conditions approved by the community design review board. Future changes to the site plan may be approved by the board.
2. All uses shall conform with the BC (M), business commercial (modified) zoning district requirements.
3. External speakers shall be directed away from the dwelling units and the sound shall not exceed fifty decibels (normal conversation level) at the residential property line.
4. The maximum building height shall be one story.
5. There shall be no exterior storage or sale of goods or merchandise.
6. The proposed construction must be substantially started within one year of council approval or the permit shall become null and void. A six-month time extension may be requested as allowed in Section 36-442(d) of city code.
7. There shall be no vents for the underground fuel tanks within 200 feet of an existing residence or the buildable area of the planned undeveloped lots in the Currie Street Addition, south of Larpenteur Avenue.
8. The type and anchoring of underground storage tanks must be approved by the city fire marshal. The tanks shall be strapped to a concrete slab.

Commissioner Whitcomb seconded

Ayes--Axdahl, Barrett, Fischer, Hanson, Larson, Sigmundik, Whitcomb

B. Acquisition to Harvest Park

The commission and staff discussed the proposed acquisition.

Commissioner Whitcomb moved that the commission make a finding that the proposed acquisition is consistent with the city's comprehensive plan.

Commissioner Fischer seconded

Ayes--Axdahl, Barrett, Fischer, Hanson, Larson, Sigmundik, Whitcomb

C. Code Amendment: Building Setback to Pipelines

Secretary Olson explained the staff report and necessities of adopting an ordinance.

Commissioner Fischer moved adoption of the following ordinance to establish a pipeline setback:

ORDINANCE NO.

An Ordinance Regulating Development  
Near Pipelines

Section 1. Article XI is hereby added to Chapter 9 of the Maplewood code of ordinances, as follows:

ARTICLE XI. PIPELINE SETBACK ORDINANCE

Sec. 9-215. Purpose

It is the purpose of this article to:

- (1) Protect the public from the hazards of a pipeline leak by requiring that new buildings designed for human occupancy must meet a minimum required setback.
- (2) Comply with the requirement of the Minnesota Pipeline Safety Act to adopt a pipeline setback ordinance.

Sec. 9-216. Applicability

This article shall apply to any new subdivision or building proposed to be located within 100 feet of a pipeline.

Sec. 9-217. Definitions

Pipeline:

- (1) pipe with a nominal diameter of six inches or more, located in the state, that is used to transport hazardous liquids, but does not include pipe used to transport a hazardous liquid by gravity, and pipe used to transport or store a hazardous liquid within a refinery, storage, or manufacturing facility; or
- (2) pipe operated at a pressure of more than 275 pounds per square inch that carries gas.

Building:

Any structure designed primarily for human occupancy, including, but not limited to, businesses, offices, residences and institutions. Buildings designed primarily for non-human occupancy, such as warehouses, are exempt. Decks, overhangs, porches, or any similar attached structures shall be considered part of the building.

Sec. 9-218. Building Setback

All buildings subject to the provisions of this article and all newly created lots shall be designed to accommodate a setback of at least 100 feet from a pipeline. This setback may be reduced, where the city finds that:

- a) the building would be protected from the radiant heat of an explosion by berming or other physical barriers, and
- b) a 100-foot setback would be impractical because of existing geography, streets, lot lines or easements, and
- c) there will be guaranteed construction of an oil containment system or other mitigating facility where the city engineer finds that a leak would accumulate within the setback area. The design must be approved by the city engineer.

**Sec. 9-219. Pipeline Location**

At the time of application for a building permit, site plan review or preliminary plat, the applicant shall provide a scaled site plan that shows the location of any pipeline within 100 feet of their site. This location must be based upon field data, provided by a registered land surveyor. The elevation of the pipeline shall be shown in the site plan and on a grading plan, when such plan is required to be submitted.

**Sec. 9-220. Lot of Record**

A proposed building on an undeveloped lot of record that cannot be constructed because of this article, shall be allowed to be constructed if the building is located so as to comply with this article as closely as possible. The city may require an oil containment system, to be approved by the city engineer. An existing lot of record in an existing residential area is exempted from this ordinance.

**Secs. 9-221 - 9-230. Reserved**

Section 2. Section 30-8 of the subdivision code is amended by adding Subsection 12 as follows:

(12) Pipelines. The city may require additional lot width or depth to provide enough buildable area to meet the pipeline setback ordinance in Article XI of Chapter 9. Wherever practical, subdivisions shall be designed with any existing pipeline along rear lot lines.

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

Passed by the City Council  
of Maplewood, Minnesota, this  
day of \_\_\_\_\_, 1987.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Ayes--  
Nayes--

Commissioner Sigmundik seconded

Ayes--Axdahl, Barrett, Fischer,  
Hanson, Larson, Sigmundik,  
Whitcomb

**D. Preliminary Plat: Cave's Currie Street Addition**

Secretary Olson discussed the staff report with the commission.

Commissioner Whitcomb moved approval of Cave's Currie Addition preliminary plat, subject to compliance with the following conditions before final plat approval:

1. City engineer approval of final grading, drainage, utility and erosion control plans. The grading plan shall maximize preservation of the hill and trees on Lot One, Block Two, as much as possible.
2. Submittal of recordable deeds to the city engineer to transfer title of Outlots A and B to the City of Maplewood or dedicate them to the public on the plat for drainage and utility purposes.
3. Submittal of a 100-foot-diameter easement for the temporary Currie Street right-of-way.
4. Provide a twenty-foot drainage easement over the north twenty feet of Lot One, Block One.
5. Submittal of a signed developer's agreement and required surety for the following items:
  - a. Construction of all required public street ponding and utility improvements.
  - b. Construction of a driveway turn-around for Lot Eight, Block One.
  - c. Construction of a driveway for Lot One, Block One that complies with the requirements of Section 10.207 of the Uniform Fire Code. This driveway shall be constructed as far to the east of the property as possible and be aligned to retain as many mature trees as possible.
  - d. Construction of the temporary Currie Street cul-de-sac.
6. Revision of the lots in Block 2 to maximize preservation of the trees and hill on Lot One, Block 2, and provide room for a 100-foot setback to the future house.
7. Show the existing, small triangular piece of right-of-way acquired by the county at the corner of Larpenteur Avenue and McKnight Road.

Commissioner Hanson seconded

Ayes--Axdahl, Barrett, Fischer,  
Hanson, Larson, Sigmundik,  
Whitcomb

AN ORDINANCE AMENDING THE MAPLEWOOD CODE  
PERTAINING TO INTOXICATING LIQUOR  
AND ADDING PROVISIONS FOR TEMPORARY  
WINE AND LIQUOR LICENSES (ON SALE)

THE COUNCIL OF THE CITY OF MAPLEWOOD DOES ORDAIN:

Section 1.

That Chapter 5 of the Maplewood City Code be and is hereby amended so as to add the following thereto:

"Section 5-85. Temporary Liquor Licenses.

Notwithstanding any other provision of this chapter, a club or charitable, religious, or other non-profit organization in existence for at least three years may obtain on sale license to sell intoxicating liquor for consumption on the licensed premise only and in connection with a social event within the city sponsored by the licensee. The license may authorize on sales on the premises other than premises the licensee owns or permanently occupies. The license may provide that the licensee may contract for intoxicating liquor catering services with the holder of a full year on sale intoxicating liquor license issued by the City of Maplewood. The fee for such license shall be \$135.00 per day, and shall be issued for not more than three consecutive days. No organization shall be granted more than two such licenses per calendar year.

Section 5-86. Application.

Application for such temporary licenses shall be on forms provided by the City Clerk and shall contain such information as specified by the City Clerk including the following:

- (1) The name, address and purpose of the organization, together with the names and addresses of its officers.
- (2) The purpose for which the temporary license is sought, together with the place, dates, and hours during which wine or intoxicating liquor will be sold.
- (3) Consent of the owner or manager of the premises, or person or group with lawful responsibility for the premises."

Section 2.

That Chapter 5 of the Maplewood City Code be and is hereby amended so as to add the following thereto:

"Section 5-135. Temporary Wine Licenses.

Notwithstanding any other provision of this chapter, a bona fide non

profit charitable, religious or veterans organization may obtain an on sale license to sell wine not exceeding 14 percent alcohol by volume for consumption on the licensed premises only. The fee for such license shall be \$135.00 per day, and licenses shall be issued for periods not to exceed three consecutive days. No organization shall be granted more than two such licenses per calendar year.

Section 5-136. Application.

Application for such temporary licenses shall be on forms provided by the City Clerk and shall contain such information as specified by the City Clerk including the following:

- (1) The name, address and purpose of the organization, together with the names and addresses of its officers.
- (2) The purpose for which the temporary license is sought, together with the place, dates, and hours during which wine or intoxicating liquor will be sold.
- (3) Consent of the owner or manager of the premises, or person or group with lawful responsibility for the premises.

Section 5.137. Application of other provisions of this section.

The following provisions of the Maplewood Code shall not apply to temporary wine licenses granted under this section: Section 5-128, 5-130, 5-131, 5-132 and 5-134."

Section 3.

This ordinance shall take effect and be in force the day after its passage, approval and publication.

Passed by the Maplewood City  
Council this \_\_\_\_\_ day of \_\_\_\_\_, 1987.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Ayes:

Nays:

Pursuant to Minn. Stat. §340A.404.

AGENDA REPORT

TO: City Manager  
FROM: Assistant City Engineer  
SUBJECT: Frost Avenue Reconstruction  
City Project 83-01  
Objections Report  
DATE: August 19, 1987

A report on the investigation of the assessment objections is being prepared and will be available at the Thursday agenda meeting.

## AGENDA REPORT

TO: City Manager  
FROM: Finance Director *R. O. Rust*  
RE: 1988 Budget Meetings  
DATE: August 17, 1987

The timetable for the 1988 Budget anticipates that the proposed budget will be sent to the Council on September 4th and will be formally presented to the Council at its first September Council meeting on the 14th. A public hearing on the budget and its adoption is scheduled for October 5th.

It is recommended that the Council schedule special meetings during September to review the proposed 1988 Budget.

DFF:1nb

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**EAST COMMUNITIES  
FAMILY CENTER**

July 30, 1987

Mayor John Greavu and  
City Council Members of Maplewood  
1830 East County Road B  
Maplewood, MN 55109

Dear Mayor and Councilpersons:

Since its founding in 1975, the East Communities Family Center (formerly Youth Service Bureau) has continued to grow and expand services within our communities. Unfortunately, there is a greater than ever need to meet the individual and family problems associated with growing urban communities.

The financial support of the cities of Maplewood, North St. Paul, and Oakdale, along with School District #622, has enabled the Family Center to address the emergency problems of our growing cities. We greatly appreciate your support.

In 1976 the former Youth Service Bureau had a budget of \$80,000, employed 7 full and part time employees, and offered services only in the area of youth diversionary counseling and restitution. We worked with 480 youth and family members that year.

The 1987 budget for the Family Center is \$593,850. This reflects 17 full and part time employees with services provided in youth diversionary/restitution services, mental health counseling for children, adults and their families; sexual abuse treatment and depression/suicide prevention. This year the Family Center is expected to serve approximately 1500 local community clients and family members.

PHASE PROGRAM  
DIVERSION-RESTITUTION  
MENTAL HEALTH SERVICES

	<u>1976</u>	<u>1981</u>	<u>1986</u>
	<u>Youth &amp; Family</u>	<u>Youth &amp; Family</u>	<u>Youth &amp; Family</u>
Maplewood	187	201	612
No. St. Paul	86	92	192
Oakdale	124	147	279
School	83	131	102
Total	480 *	571 *	1185 *

\* Additional clients are referred through Ramsey, Washington, Anoka and Hennepin Counties for which financial reimbursement is made.

Since 1982, the cities of Maplewood and No. St. Paul have authorized \$20,000 a year toward support of the Center. Over the same period, Oakdale had contributed \$19,000 a year and the School District \$18,000. As you can see by the figures, the yearly contributions per governmental unit is disproportionate to the clients served and we feel adjustments are necessary if the Center is to continue operation and serve our people.

Based on these facts, the Board of Directors recommends the following for your city: based on population and growth, \$5,000 a year increase over the next three years for a total of \$35,000 in 1990. Increased funding is being requested of the other cities and school district.

To discuss this matter further we request inclusion on the City Council agenda in the near future. We greatly appreciate your continued support during these past thirteen years.

Sincerely,

  
Lillian Johnson  
Chairperson of the Board

  
Kathleen Jefferson  
Executive Director

MEMO

TO: City Manager  
FROM: Public Works Director  
SUBJECT: St. Paul Water Utility Material HaULING  
DATE: 8/19/87

INTRODUCTION

The St. Paul Water Utility has stepped up its hauling activities at the Water Treatment Plant in Maplewood. The increased activity is disruptive to the surrounding residential neighborhoods.

BACKGROUND

Two operations are of particular concern to Maplewood residents. The first is construction and hauling operations around Sandy Lake north of Roselawn Avenue. The second is hauling and excavation activities west of Sylvan Street north of Larpenteur Avenue.

The Sandy Lake operation is an attempt by the Utility to remove the lime sludge, a treatment byproduct, from the storage area at a rate at least equivalent to its production. In order to accomplish this, the lime must be dried as much as possible and then hauled away in trucks. Roselawn Avenue has been used as the haul route with the final destination being area farms. The lime is used as an agricultural soil conditioner.

The activities adjacent to Sylvan Street are a result of the Utility's maintenance activities. When a watermain breaks, the surrounding material becomes saturated and unsuitable for backfill. This saturated material is hauled to Sylvan Street and dumped. The truck is then loaded with good material from the site and returns to the main break. This operation continues until all unsuitable material is removed and the excavation backfilled. This operation is not always performed during normal working hours since watermain break at their leisure.

The attached list indicates specific problems individuals have experienced. In general, the problems at both sites are as follows:

- Dust
- Noise
- Equipment Vibration
- Hours of operation
- Un sightliness
- Traffic
- Danger to Children

## ALTERNATIVES

1. Attempt to establish performance standards by mutual agreement with the Water Utility.
2. Try to apply the City's existing Mining Ordinance to the Utility's operations.
3. Create a new ordinance that more specifically applies to the Utility's operations.
4. Do nothing and let the residents attempt to work something out directly with the Water Utility.
5. Investigate the possibility of suspending all hauling operations by the Water Utility.

## DISCUSSION

The staff is currently pursuing Alternative #1 through a series of meetings with residents and the Water Utility. If this approach proves fruitless, then other alternatives will have to be considered.

NAME	ADDRESS	DAMAGE	TELEPHONE
Marvin & Clara Hodgins	1766 Sylvan		488-1380
LaVonne Dubbe	1754 Sylvan		489-6843
Carol Bisson	1758 Sylvan		488-8851
Loreen Olson	156 E. Skillman		489-3007
Ted & Gladys Appleman	150 E. Skillman		489-9422
Lois & Bud Swanson	155 E. Skillman	Broken patio door, cracks in walls, dust	489-2478
Don & Susan Halvorson	170 E. Skillman		789-1952
Martin Carigiet	147 E. Skillman		489-1731
Leroy Krueger	1992 Jackson		489-2803
Roy & Lorretta Berggren	1985 Jackson	Popping nails, cracks in plaster	489-6311
Glenn Peterson	1999 Jackson	Popping nails, gas leak, water leak, cracks, dust	489-2672
John & Aui Colucci	1991 Jackson	Popping nails, wall cracks, stucco cracking, dust, noise	489-3583
Bill & Colleen Engman	94 E. Roselawn	Dust, just had house painted, noise	488-4815
Virginia Kostrhryz	1901 Jackson	Nail heads popping out	488-8862
Mrs. Al Lindner	1928 Adolphus (Roselawn)		488-8516
Jean Garecki	1730 Sylvan		489-2730
Jackie Benjamin	2005 Jackson	Foundation nail coming out	489-3746
Mary Joe Gamboni	156 Roselawn	Nails popping out	489-9414
Rene E. Deneau	70 E. Roselawn	Foundation	489-7974
Jerome Dehmer	192 E. Roselawn		488-5986
Marge & Paul Dueda	1955 Jackson	3 years of unbearable dirt cannot open windows because of dirt & noise, keep heavy equipment on roads furtherest west not behind homes on Jackson	489-5264
Lucille & Ray Baker	1969 Jackson	Ditto	489-6665

NAME	ADDRESS	DAMAGE	TELEPHONE
Mr. & Mrs. Nowak	93 E. Skillman	Crack plaster/window, loud noise/house shaking	487-2751
Gerry Vimr	1772 Sylvan		489-7789
Ray Miller	142 E. Roselawn	Gas leaks, foundation crack walls	489-5273
Harold Guse	151 E. Roselawn		488-6939
Joe & Peggy Juneau	87 E. Roselawn	Dust, dust & more dust	488-3174
Clarence Osen	50 E. Roselawn	dust, moss on roof, nails	488-5157
Richard Johnson	64 E. Roselawn	Dust	489-9359
Leonard Kroily	184 E. Skillman	Dust	489-2329
Al Voss	111 E. Skillman		489-9050
Fred Zanzow	117 E. Skillman	Dust	489-7951
Douglas Mewhortes	86 E. Roselawn		489-7401
Bill Macoskey	106 E. Roselawn	Ceiling cracks, gas leak, house, paint, nail popping, son's allergies, truck's speed, can't open windows	489-1833
LouWanna Osterman	113 Bellwood	Dust	487-2459
Kathy Vanek	1884 Jackson St.	Ceiling crack, nails pop, gas leak, windows	488-9727
James & Donna Commander	1708 N. Sylvan	Dust, noise	489-4435
Gary & Mary Ann Lesch	1738 Sylvan	Dust, noise, looks	488-9295
Joe & Amy Duellman	143 E. Roselawn	Chimney cracked, nails popping, dust, noise, gas leak	488-8894
Lester & Marilyn LaMotte	177 E. Roselawn	Dust, noise	489-0707
Valarie & Wayne Jennings	157 E. Roselawn	Noise, dust	489-8937
Ruth & Elden Brandt	2000 Adolphus	Dust	488-3197
Larry & Roxanne Vidger	1949 Jackson		488-1422

I-4

MEMORANDUM

TO: City Manager  
FROM: Director of Community Development  
SUBJECT: Limiting Growth  
DATE: August 13, 1987

Councilmember Wasiluk has suggested that the city consider slowing down the rate of growth to improve the quality and orderliness of development. There are several problems that concern councilmember Wasiluk:

1. The city's sanitary sewer plan has not been completed and approved by the Metropolitan Council.
2. The engineering department has a backlog of 16 improvement projects. A small project brought in today could expect construction next year. A large project would take two years.

Community Development has a backlog of about 20 projects. Developers can expect to wait four months from application to council hearing.

The engineering department is requesting two additional employees in the 1988 budget and the community development department is requesting consulting help to keep up with the development requests.

3. There are unresolved problems with storm-water run off to St. Paul.
4. Trying to process applications too quickly leads to mistakes.

If council wishes to slow development down, this subject should be referred to staff to prepare a study of the alternatives and legal implications.

mb

ORDINANCE NO.

I-5

AN AMENDMENT TO ARTICLE I OF THE CITY CODE OF ORDINANCES  
OF THE CITY OF MAPLEWOOD AUTHORIZING CERTAIN CITY EMPLOYEES  
TO ISSUE CITATIONS FOR CODE VIOLATIONS

THE MAPLEWOOD CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 1-26. Issuance of Ordinance Violations Summonses.

The persons hereafter named, as employees or agents of the City of Maplewood, shall have power to issue summonses with complaints incorporated therein (citations), in the form adopted by rule of the District Court, but such issuance by those named shall relate only to offenses involving the City Code; building construction, operation or maintenance; fire and fire prevention; public health and sanitation; animal control; and zoning. No such employee or agent hereinafter authorized to issue said summonses shall be authorized to arrest or otherwise taken a violator into custody or to secure a promise to appear in court in lieu of arrest. Those authorized are as follows:

- Fire Marshal and Deputy Fire Marshal
- Director of Public Works
- Code Enforcement Officer
- Building Inspector
- Plumbing Inspector
- Reserve Police Officers
- Community Service Officers
- Environmental Health Officer
- Animal Control Officer

Other employees or agents of the City of Maplewood specifically designated in writing by the City Manager shall also have such authority. Nothing herein shall limit the Minnesota P.O.S.T. Board licensed Maplewood City Police Officers from performing their sworn duties.

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

Seconded by Councilmember

Passed by the City Council of the  
City of Maplewood, Minnesota, this  
day of 19 .

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Ayes -

Nays -

I-6

6. Resolution : Domestic Intervention Project Grant

INFORMATION WILL FOLLOW

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AGENDA REPORT

TO: City Manager  
FROM: Assistant City Manager  
SUBJECT: Water Service District 8 Improvements  
Project 86-15  
Approval of Tower Plans and Easement Agreement for Tower and  
Sterling Street  
DATE: August 19, 1987

An agreement has been reached with the property owners, Ray and Chad Lemmons, to acquire a water tower site and the Sterling Street right-of-way. A report on this agreement will be available for the Thursday agenda meeting following a meeting with the owner on Thursday morning. Plans for the tower on this site will be available for inspection at the Monday council meeting. Authorization to receive bids on the tower will be requested so that construction can begin this fall.

AGENDA REPORT

TO: City Manager  
 FROM: Assistant City Engineer  
 SUBJECT: Municipal-State Aid Street Fund  
 DATE: August 17, 1987

INTRODUCTION

The Minnesota Department of Transportation Office of State Aid has notified the city engineer that unless specific action is taken by the city council prior to October 20, 1987 to reduce the city's unencumbered construction fund balance, the city's 1988 apportionment will be reduced by approximately \$300,000.00. The council must take immediate action to call a public hearing to order a state aid street project or the \$300,000 will be distributed to other cities.

BACKGROUND

The City of Maplewood annually receives an allotment of \$500,000 to \$700,000 of gas-tax money through the Department of Transportation for the construction of roadways designated as state-aid collector streets. The city can designate up to 20% of its municipally-maintained streets as state-aid eligible, provided the streets meet established criteria. The annual allotment is not required to be expended within the calendar year that it is allotted, however, the fund balance cannot exceed two times the annual allotment without a reduction in the succeeding year's allotment.

The city's unencumbered fund balance on December 31, 1985 was \$1,335,779.94 which was slightly above twice the 1986 allotment. At the time of the review by the funding committee, the city council was considering the construction of Southlawn Drive north of Beam Avenue and had ordered a feasibility report on Upper Afton Road, both state-aid projects. The committee accepted the work on these projects as progress towards reducing the 1985 fund balance and allowed a full 1987 allotment. Both projects were later delayed or denied by the council.

On August 12, 1987, the funding committee met to review the municipality's construction fund balances. Maplewood's balance was \$1,967,126 which did not include the \$552,857 1987 allotment. The committee reviewed the state-aid projects within the city in the past two years as follows:

<u>Project</u>	<u>State-Aid \$</u>	<u>Action</u>
Southlawn Drive Beam to County Road D	\$365,000	Delayed - October 1985
Hazelwood Street County Road C to Beam	\$395,000	Denied - April 1986

<u>Project</u>	<u>State-Aid \$</u>	<u>Action</u>
English Street Storm Sewer Frost Ave. Reconstruction	\$35,000	Constructed - Summer 1986
Sterling Street Mailand to Highwood	\$700,000	Ordered - for 1988 construction
Upper Afton Road McKnight to Century	\$1,000,000	Denied - June 1987

The committee recommended that the city's allotment be reduced by approximately \$300,000 unless the city provides the office of state-aid with the following:

1. Street construction plans for Sterling Street between Mailand and Highwood submitted and approved by the district state-aid engineer prior to December 31, 1987.
2. Council ordering a state-aid street project in excess of \$300,000 for construction in 1988 prior to October 20, 1987.
3. Submittal of a plan for state-aid project expenditures in 1988 and 1989 to show fund balance reduction.

#### ALTERNATIVES

1. Take no action and allow the \$300,000 reduction in the 1988 allotment to occur.
2. Take the appropriate action to meet the three criteria the committee established to retain a full allotment.

#### DISCUSSION

The take no action alternative is probably the approach that the city should take, unless the city is prepared to adopt and follow a capital improvement program on its state-aid street system. The current balance is \$2,519,983, including the 1987 allotment, and with a full 1988 allotment, the balance will grow over \$3,000,000. Assuming the construction of Sterling Street, Southlawn Drive and Upper Afton Road during 1988, the fund balance would not be reduced below \$1,000,000. The city would be in the same situation of justifying a large fund balance to the screening committee and would need one or two medium-sized state-aid street projects for 1989 to maintain a full allotment.

Conversely, the state-aid funding can be used to reduce assessments for residents and upgrade the major street infrastructure of the city. The building and reconstruction of the street system is major responsibility of city government and is becoming more difficult as the city develops, especially in the funding area. Allowing potential funding sources to be reduced could be considered as counter to progressive

city financial planning. Certain city state-aid streets are in dangerously deteriorated condition and should be reconstructed within the next two or three years to reduce maintenance costs and increase the driving safety.

The three criteria that the committee is requiring for the city to retain a full allotment can be met but will require immediate action by the city council. The street construction plans for Sterling Street were planned for completion in January 1988. The consultant has been instructed to complete them and submit a set to the district state-aid engineer by November 1, 1987. This allows for review, resubmissions and approval prior to the December 3, 1987 deadline.

The second item of the criteria is to order a state-aid project prior to October 20, 1987. To accomplish this, the council must order the update of an existing feasibility report to be returned to the council on September 14 for the ordering of a public hearing to be held on September 28. The short length of time available for feasibility report preparation does not allow time for a new study. Four recent projects which were denied or delayed by the council would meet the committee's criteria as follows:

1. Southlawn Drive - Beam Avenue to County Road D
2. Hazelwood Street - Beam Avenue to county Road C
3. Upper Afton Road - McKnight Road to Century Avenue
4. Hazelwood Street - Frost Avenue to Highway 36

Any of these projects could be ordered prior to October 20, 1987 and constructed in 1988. Southlawn Drive would probably be the most feasible of these four projects. The financing, with the state-aid monies combined with the tax-increment financing already being captured and designated for this roadway, should make the project workable; however, the council will need to reconsider its original position, which delayed this project in 1985, to not finance any right-of-way acquisition. The property owners will cooperate in the acquisition process but are holding firm to reasonable compensation. Funding for the project allows for this reasonable compensation.

The other three projects have all met significant resident opposition. Upper Afton Road could be considered but has been heard twice already this year and would require additional information regarding width variances and tree removal and replacement. The consultant could probably prepare the necessary data by September 14. The two Hazelwood Street projects would be difficult because of the opposition, and any delays for additional design options or questions could not be tolerated due to the committee deadline of October 20, 1987.

The third item could be easily accomplished by the staff to show projected expenditures of state-aid monies in 1988 and 1989 assuming construction of Sterling Street, Southlawn Drive and Upper Afton Road in 1988 and possibly one of the Hazelwood Street segments or another state-aid street within the city in 1989. This would solve the requirement on the short term; however, the council should consider a street inventory system where each street is analyzed and rated and a capital improvement program is prepared and followed.

RECOMMENDATION

It is recommended that the council meet the criteria to retain a full allotment of state-aid funds. The council should direct staff to have street construction plans submitted and approved by the district state-aid engineer prior to December 31, 1987 and to prepare a plan for council approval outlining state-aid expenditures in 1988 and 1989. The council should also adopt the attached resolution which orders the updating of the feasibility report and financing plan for Southlawn Drive.

mb  
Attachment

RESOLUTION--CALLING FOR PRELIMINARY PLANS

WHEREAS, the city council has proposed that the area described as Southlawn Drive between Beam Avenue and County Road D be improved by construction of sanitary sewer, water main, storm sewer and streets.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the proposed improvement be referred to the city engineer, who is hereby 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 should best be made as proposed, and the estimated cost of the improvement as recommended.

MEMORANDUM

To: Michael A. McGuire, City Manager  
From: Robert D. Odegard, Director of Parks & Recreation  
Subj: Ramsey County Acquisition of Parcel No. 31 in Battle Creek Park  
Date: August 6, 1987



I have reviewed the letter of August 4, 1987, from Michael L. Mattson, Acting Director of Ramsey County Parks & Recreation, for their purchase of Parcel No. 31 in Battle Creek Regional Park. It is my opinion that when the opportunity to acquire additional park property avails itself; every effort should be made to fund the acquisition. In this specific case, Parcel No. 31 is a very important part of the Battle Creek Regional Park, not only because of its location along Century Avenue, but also because of its closeness to Carver Elementary School.

Mr. Mattson proposes the question of whether the City of Maplewood might feel slighted if funds were made available from the Metro Council and we were not reimbursed for our purchase of Parcel A, as per our agreement with Ramsey County. I feel that the park funds are in sufficient amount so that we can continue to work without the return of the money at this time. I do feel, however, that by 1990 we will definitely need the funds returned.

It is my experience that the Metro Council has expressed an interest in Ramsey County acquiring the property and is willing to approve funds for this acquisition and there is the possibility that those funds would not be approved by Metro Council to reimburse Ramsey County for Parcel A. At the time of the acquisition of Parcel A, we were given to understand from Metro Council that although funds were not available at the time, reimbursement to the City would be a top priority for 1990.

I would strongly recommend the City be on record as supporting the acquisition of Parcel No. 31 in Battle Creek Regional Park from Metro Council funds and that we further approve the original agreement to reimburse the City for Parcel A at the appropriate time.

Att: Lease Agreement

REVISED  
7-07-86

3M co.

Interchange

principal arterial

84

Interchange

OS

C

RI

major arterial

Saint Paul

Lower Afton

McKnight Rd

minor arterial

P

P

P

OS

OS

major arterial

LONDON

MAILANI

RD

RAMSEY CO  
WORKHOUSE

Woodbury

major arterial

Century Ave

# BATTLE CREEK NEIGHBORHOOD LAND USE PLAN



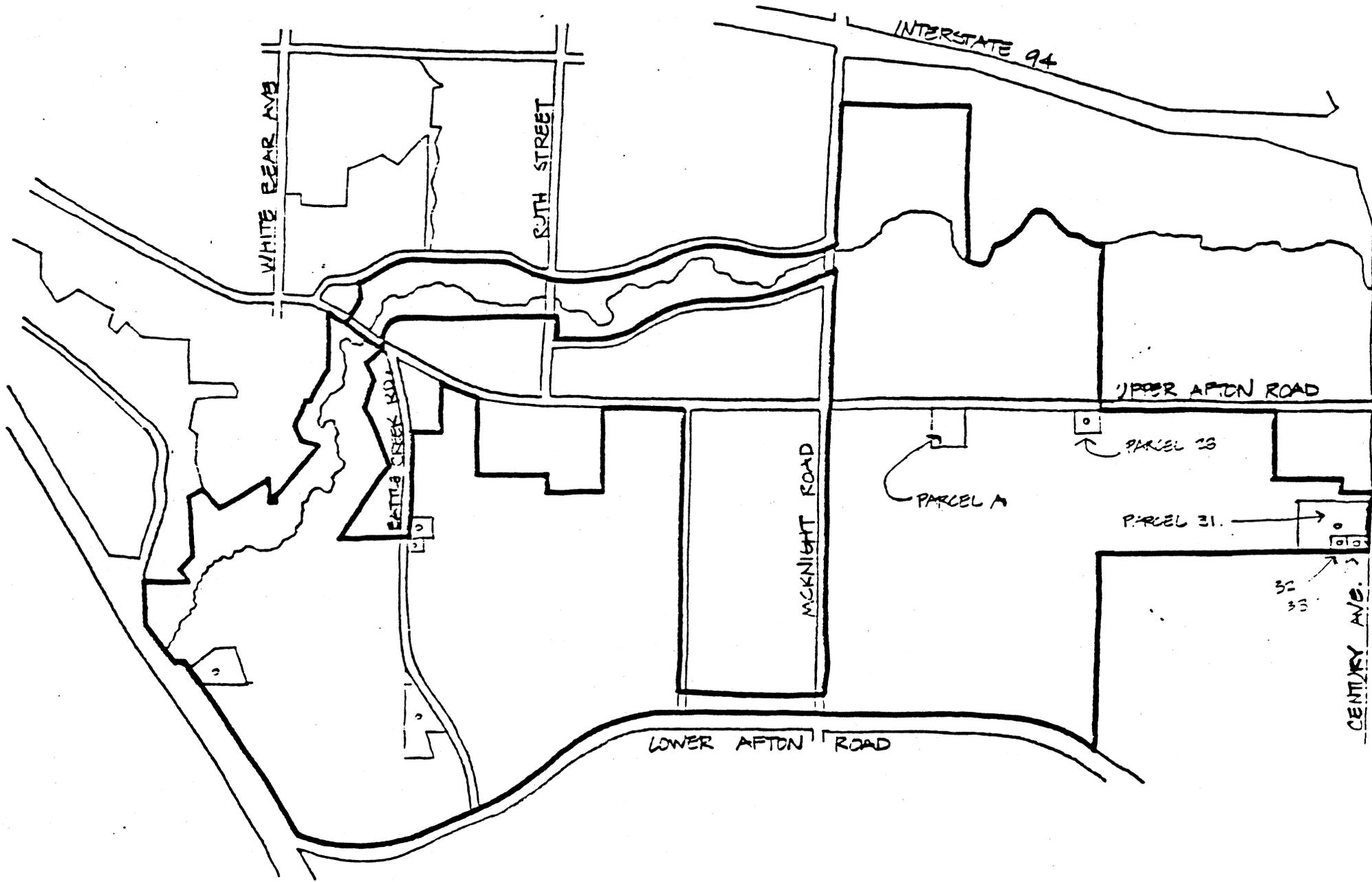
MEMORANDUM

TO: City Manager  
FROM: Director of Community Development  
SUBJECT: Additional Acquisition to Battle Creek Park  
DATE: August 19, 1987

Section 462.356 of state statutes requires that the planning agency review all public land acquisition to determine compliance with the comprehensive plan.

The proposed acquisition of parcel 31 for Battle Creek Park does not comply. This parcel is designated RL, residential low density. (See attached map.) The council, however, did approve the Battle Creek Master Plan in 1981 which included this parcel.

kd  
Attachment



BATTLE CREEK REGIONAL PARK

- PARK BOUNDARY
- HOUSE

Mr. McGuire

-2-

August 4, 1987

I would appreciate your response to the Committee's concern about the purchase of Parcel No. 31 before Parcel A. Will the City of Maplewood support Ramsey County's acquisition of Parcel No. 31 at this time?

Thank you for the City's continued interest in the successful completion of Battle Creek Regional Park.

Sincerely,



Michael L. Mattson  
Acting Director

MLM:jjh

Enclosure



# RAMSEY COUNTY

## PARKS & RECREATION DEPARTMENT

2015 N. Van Dyke Street  
Maplewood, Minnesota 55109-3796

Telephone (612) 777-1707

Anthony J. Crea, Director

Michael L. Mattson, Director  
Maintenance and Operations  
Larry E. Holmberg, Supervisor  
Planning and Development

August 4, 1987

Mr. Michael A. McGuire  
City Manager  
City of Maplewood  
1830 East County Road B  
Maplewood, Minnesota 55109

Re: Battle Creek Regional Park Acquisition

Dear Mr. McGuire:

Five parcels of property remain to be acquired within the Maplewood portion of Battle Creek Regional Park. (See enclosed map). Last year the City of Maplewood purchased Parcel A when Ramsey County and the Metro Council had insufficient funds to acquire the property. Under the conditions of the agreement between the City and the County, Ramsey County will request funds for Parcel A from the Metro Council in the 1989 Fiscal Year C.I.P. If approved by the legislature, those funds will be available for Ramsey County to acquire Parcel A in the fall of 1989 from the City.

This summer, the Metro Council decided to distribute some funds which have accumulated from interest on park bonds at the Metro Council. They evaluated numerous acquisition and development projects throughout the Regional Park system which were in need of immediate funding. Parcel No. 31 in Battle Creek (see map) has been for sale for some time. The Metro Council park staff viewed the acquisition of this parcel as an urgent priority, due to its availability, and the fact that it included 6.7 acres. The owners have indicated that they would like to sell, and if Ramsey County did not purchase it, they would sell to a developer and perhaps 10-12 houses would be constructed on the property. Clearly, the time to buy this property is now. The Metro Council has approved distributing \$150,000 of the interest funds to Ramsey County to purchase Parcel No. 31.

Yesterday, August 3, 1987, we presented this matter to the Parks and Recreation Committee of the County Board to authorize the Department to secure appraisals of Parcel No. 31, and make an offer to purchase the property. The Committee laid the matter over in order to get a response from the City. The committee's concern was that last year Ramsey County told the City that we could not purchase Parcel A due to a lack of funds, and now when some funding is available, it is proposed to be used for the acquisition of other property.