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AGENDA
Maplewood City Council
4:00 P.M., Monday, December 27, 1982
Municipal Administration Building
Meeting 82-34

(A) CALL TO ORDER

(B) ROLL CALL

(C) APPROVAL OF MINUTES

1. Minutes 82-30, November 8, 1982
2. Minutes 82-31, November 22, 1982

(D) APPROVAL OF AGENDA

(E) CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion in the form listed below. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1. Accounts Payable
2. Designation of Official Depository
3. Watershed Boundary
4. Interceptor Maintenance Agreement for 1983

(F) PUBLIC HEARINGS

1. Variance and Lot Division (O'Brien) 4:00 _____
2. Liquor License - Maplewood Bowl - 4:15 _____

(G) AWARD OF BIDS

(H) UNFINISHED BUSINESS

1. Industrial Revenue Bond - Final Approval - Toyota _____
-

(I) NEW BUSINESS

(J) VISITOR PRESENTATION

(K) COUNCIL PRESENTATIONS

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

(M) ADJOURNMENT

MINUTES OF MAPLEWOOD CITY COUNCIL
7:00 P.M., Monday, November 8, 1982
Council Chambers, Municipal Building
Meeting No. 82-30

A. CALL TO ORDER

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

B. ROLL CALL

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

C. APPROVAL OF MINUTES

1. Minutes 82-26 (September 27, 1982)

Councilmember Juker moved to approve the Minutes of Meeting No. 82-26 (September 27, 1982) as corrected:

Page 12: Item K-4b - delete "of the first meeting in November" and insert "at a later Council meeting".

Seconded by Councilmember Anderson. Ayes - all.

D. APPROVAL OF AGENDA

Mayor Greavu moved to approve the Agenda as amended:

1. Plan Review Authority
2. Staff Council Meetings
3. Voting

Seconded by Councilmember Bastian. Ayes - all.

E. CONSENT AGENDA

Councilmember Anderson moved, seconded by Councilmember Maida, Ayes - all, to approve the Consent Agenda, items 1 through 7 as recommended:

1. Accounts Payable

Approved the accounts (Part I, Fees, Services, Expenses, Check No. 001062 through Check No. 001114, \$220,619.26; Check No. 014668 through Check No. 014798 - \$279,437.22; Part II, Payroll - Check No. 05526 through Check No. 05649 - \$54,637.82) in the amount of \$554,694.30.

2. T.H. 36 at Atlantic and English Streets

Resolution 82-11-153

WHEREAS, the Commissioner of Transportation for the State of Minnesota has prepared: Plans, special provisions, and specifications for the improvement of Trunk Highway No. 118, renumbered as Trunk Highway No. 36, within the corporate limits of the City of Maplewood, from 1000 ft W to 200 ft E of English Street and seeks the approval thereof:

NOW, THEN, BE IT RESOLVED that said plans and special provisions for the improvement of said Trunk Highway within said corporate limits of the City, be and hereby are approved including the elevations and grades as shown and consent is hereby given to any and all changes in grade occasioned by said construction.

BE IT FURTHER RESOLVED that the City does hereby agree to require the parking of all vehicles, if such parking is permitted within the corporate limits of said City, on said Trunk Highway, to be parallel with the curb adjacent to the highway, and at least 20 feet from any crosswalks on all public streets intersecting said trunk highway.

3. Abandonment of the Condor Storm Sewer Project

Resolution No. 82-11-154

RESOLUTION ABANDONING CONDOR STROM SEWER
PROJECT 78-18

AND

PROVIDING FOR THE TRANSFER OF FUNDS IN CONNECTION THEREWITH

WHEREAS:

(a) The City of Maplewood has heretofore undertaken the Condor Storm Sewer Improvement Project pursuant to the authority granted in Minnesota Statutes, Chapter 429.

(b) The City of Maplewood has heretofore issued Temporary Improvement Bonds of 1980, dated August 1, 1980 to finance all or a portion of the cost of the Project.

(c) The City Council desires to abandon this Project and provide for the transfer of the moneys held in the respective Construction Account attributable to the Project as hereinafter set forth.

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

1. The City of Maplewood abandons the Project as it is not financially feasible.
2. The investment earnings of \$4,065 which accrued on the Bond proceeds held in the Construction Account for the Project shall be used by the City to pay the cost of the Project prior to the date of abandonment.
3. The remaining Project costs shall be financed by a transfer of \$15,202 from the General Fund.
4. The \$33,868 of Bond proceeds in the Construction Account for the Project shall be transferred to the Debt Service Account for the Temporary Improvement Bonds of 1980.
4. State Aid Transfer - Holloway Avenue

Authorize the transfer of \$227,660 from the City's Street Construction State Aid Fund to the Special Assessment Fund for the Holloway Avenue Project.

5. Handset Purchase - Budget Change

Authorized the increase of the 1982 Fire Marshal's Capitol Outlay budget by \$1,420 and reducing the 1983 budget by that amount to purchase radio equipment. If purchased in 1982 \$820 can be saved.

6. Soo Line Resolution

Resolution No. 82-11-155

WHEREAS, the Soo Line Railroad Company has abandoned and is offering for sale its railroad rights-of-way which runs approximately from Interstate 35E and Arlington Avenue in Saint Paul to Interstate 694 and County 68 in Oakdale; and

WHEREAS, if no action is taken the right-of-way or portion of it could revert to noncompatible uses; and

WHEREAS, a task force consisting of elected officials and staff from nine (9) governmental units--Minnesota Department of Natural Resources (MN/DNR), Minnesota Department of Transportation (MN/DOT), Metropolitan Council, Ramsey County, Washington County and the cities of Saint Paul, Maplewood, North Saint Paul and Oakdale--have reviewed the rights-of-way and potential private uses; and

WHEREAS, the most practical approach to a planned use of the rights-of-way as determined by the above named task force is legislation authorizing the MN/DNR to purchase the entire corridor, develop a comprehensive, master plan and then resell unneeded parcels to the other individual units and to private parties;

NOW, THEREFORE, BE IT RESOLVED,

1. Maplewood supports the concept outlined in the proposed legislation;
2. Maplewood in conjunction with the other members of the task force, will actively pursue sponsorship of the proposed legislation from area legislators;
3. Maplewood will actively support the legislation by testifying before committees and lobbying as necessary to assure passage of the legislation.
4. Maplewood will, if applicable, budget funds in its next budget period or commit funds from existing budgets for acquisition of any parcels in the corridor it needs for its purposes.

7. Public Hearing Date - Revenue Note - Maplewood West

Resolution No. 82-11-156

RESOLUTION CALLING FOR A PUBLIC HEARING
ON A PROPOSAL FOR A COMMERCIAL
FACILITIES DEVELOPMENT PROJECT
PURSUANT TO THE MINNESOTA MUNICIPAL
INDUSTRIAL DEVELOPMENT ACT AUTHORIZING
THE PUBLICATION OF A NOTICE OF SAID HEARING

WHEREAS,

(a) Chapter 474, Minnesota Statutes, known as the Minnesota Municipal Industrial Development Act (the "Act") gives municipalities the power to issue revenue bonds for

the purpose of the encouragement and development of economically sound industry and commerce to prevent so far as possible the emergence of blighted and marginal lands and areas of chronic unemployment;

(b) The City Council of the City of Maplewood (the "City") has received from Maplewood West, a limited partnership organized under the laws of the State of Minnesota (the "Company") a proposal that the City assist in financing a project hereinafter described, through the issuance of its industrial revenue bonds (which shall be in the form of a single debt instrument) (the "Bonds") pursuant to the Act;

(c) Before proceeding with consideration of the request of the Company it is necessary for the City to hold a public hearing on the proposal pursuant to Section 474.01, Subdivision 7b, Minnesota Statutes;

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

1. A Public Hearing on said proposal of the Company will be held at the time and place set forth in the Notice of Hearing hereto attached.
2. The general nature of the proposal and an estimate of the principal amount of bonds to be issued to finance the proposal are described in the form of Notice of Hearing hereto attached.
3. The Notice of said Public Hearing shall be in substantially the form contained in the Notice hereto attached.
4. A draft copy of the proposed application to the Commissioner of Energy, Planning and Development, State of Minnesota, for approval of the project, together with proposed forms of all attachments and exhibits thereto, is on file in the office of the City Clerk.
5. The City Clerk is hereby authorized and directed to cause notice of said hearing to be given one publication in the official newspaper and a newspaper of general circulation available in the City, not less than 15 days nor more than 30 days prior to the date fixed for said hearing, as shown in the notice of hearing hereto attached.

NOTICE OF PUBLIC HEARING
ON A PROPOSAL FOR A COMMERCIAL
FACILITIES DEVELOPMENT PROJECT

To whom it may concern:

Notice is hereby given that the City Council of the City of Maplewood, Minnesota, will meet at the City Hall in the City of Maplewood, Minnesota, at 7:00 P.M. on December 13, 1982, to consider the proposal of Maplewood West, that the City assist in financing a project hereinafter described by the issuance of industrial development revenue bonds.

DESCRIPTION OF PROJECT

The proposed project shall consist of the construction of an office and retail building to be located between Kennard Street and the Maplewood Mall on the North side of Beam Avenue and East of the Health Resources complex in the City of Maplewood, Minnesota and to be leased to various parties.

The estimated principal amount of bonds or other obligations to be issued to finance this project is \$4,000,000.

Said bonds or other obligations if and when issued will not constitute a charge, lien or encumbrance upon any property of the City except the project and such bonds or obligations will not be a charge against the City's general credit or taxing powers but are payable from sums to be paid by Maplewood West pursuant to a revenue agreement.

A draft copy of the proposed application to the Commissioner of Energy, Planning and Development, State of Minnesota, for approval of the project, together with all attachments and exhibits thereto, is available for public inspection beginning November 17, 1982, from 8:00 A.M. to 5:00 P.M., Monday through Friday, at the City Hall in Maplewood.

At the time and place fixed for said Public Hearing, the City Council of the City of Maplewood will give all persons who appear at the hearing an opportunity to express their views with respect to the proposal.

Dated this 8th day of November, 1982.

(BY ORDER OF THE CITY COUNCIL)

By /s/ Lucille Aurelius
City Clerk

F. PUBLIC HEARINGS

1. Rezoning: Stillwater Road and Stillwater Avenue - 7:00 P.M.

a. Mayor Greavu convened the meeting for a public hearing regarding the proposal to rezone the property at the southwest corner of Stillwater Road and Stillwater Avenue from BC (Business Commercial) and F (Farm Residence) to R-3 Residence District. The Clerk stated the hearing notice was in order and noted the dates of publication.

b. Manager Evans presented the staff report.

c. Director of Community Development Geoff Olson presented the following Planning Commission recommendation:

"Commissioner Fischer moved the Planning Commission recommend that the City Council approve the resolution rezoning the site from BC, Business Commercial and F, Farm to R-3, Residence District (Multiple).

Commissioner Kishel seconded. Ayes--Commissioners Axdahl, Barrett, Ellefson, Fischer, Howard, Kishel, Pellish, Prew, Sletten, Whitcomb."

d. Mayor Greavu called for persons who wished to be heard for or against the proposal. The following expressed their opinions:

Mr. Leo Zacho

Mr. Al Hammel, P.J. Gaughan and Co.

e. Mayor Greavu closed the public hearing.

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

WHEREAS, a rezoning procedure has been initiated by the City Council for a zone change from B C, Business Commercial and F, Farm Residence to R-3 Multiple for the following described property:

An area bounded on the north by the centerline of Stillwater Avenue, on the east by the centerline of Stillwater Road, on the south by the quarter section line, and on the west by the east line of Registered Land Survey No. 137 extended southerly to the quarter section line.

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

1. That a rezoning procedure has been initiated by the City Council, pursuant to Chapter 915 of the Maplewood Code;
2. That said rezoning procedure was referred to and reviewed by the Maplewood City Planning Commission on the 4th day of October, 1982, at which time said Planning Commission recommended to the City Council that said rezone procedure be approved;
3. That the Maplewood City Council held a public hearing to consider the rezoning procedure, notice thereof having been published and mailed pursuant to law; and
4. That all persons present at said hearing were given an opportunity to be heard and/or present written statements, and the Council considered reports and recommendations of the City Staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MAPLEWOOD, RAMSEY COUNTY, MINNESOTA that the above described rezoning be granted on the basis of the following findings of fact:

The site is not planned or proposed for commercial use.

Seconded by Councilmember Maida. Ayes - all.

g. Councilmember Anderson moved to initiate a Plan Amendment to down zone the property directly south of the above stated site to RM (Residential Medium Density).

Seconded by Councilmember Bastian. Ayes - all.

2. Code Amendment: Billboards - 2nd Reading - 7:15 P.M.

- a. Mayor Greavu convened the meeting for a public hearing regarding a proposed amendment to the Maplewood City ordinances concerning new and existing billboards. The Clerk stated the hearing notice was in order and noted the dates of publication.
- b. Manager Evans presented the staff report.
- c. Ms. Julianne Bye, Naegle Advertising, presented her views on the proposed ordinance.
- d. Mayor Greavu called for opponents. None were heard.
- e. Mayor Greavu called for proponents. None were heard.

f. Mayor Greavu closed the public hearing.

g. Councilmember Juker introduced the following ordinance and moved its adoption:

ORDINANCE NO. 526

AN ORDINANCE AMENDING CHAPTER 36 OF THE MAPLEWOOD
CODE OF ORDINANCES RELATING TO BILLBOARDS

The Maplewood City Council ordains as follows:

Section 1. The following definitions in section 36-230 of the Maplewood Code of Ordinances are amended to read as follows:

Section 36-230. Definitions.

Sign types: By structure

Billboard: An off-premises sign erected for the purposes of advertising a product, event, person, institution, activity, business, service, or subject not located on the premises on which said sign is located.

Section 2. Sections 36-291 to 36-296 of the Maplewood Code of Ordinances are amended to read as follows:

DIVISION 4. BILLBOARDS

Section 36-291. Annual permits; fees; revocations.

- (a) The provisions of section 36-258 of this article, relating to permit fees for the erection, rebuilding, moving, etc., of signs, shall apply equally to billboard signs.
- (b) Annual permit renewals are required for billboard signs from the director of community development. Permit renewals will not be accepted more than sixty (60) calendar days prior to expiration of a permit. All permits will expire on the first working day in January of each year.
- (c) The annual fee for such renewals shall be as established by the council by ordinance.
- (d) A double permit fee penalty shall be charged upon failure to pay the annual permit fee for renewal on or before the first working day of January of each year.
- (e) The administrator may revoke a permit granted under this article, for cause, upon thirty (30) days written notice of hearing to the permittee. Such notice and hearing are subject to the procedure as outlined in section 36-260 of this chapter. (Ord. No. 427, § 818.140 (6), 7-14-77)

Section 36-292. Locations and distances between.

- (a) Billboards may only be located in the following zoning districts:

SC, Shopping Center, BC, Business Commercial, M-1 Light Manufacturing and Heavy Manufacturing zones.

- (b) Billboards shall not be permitted on a building.
- (c) Billboards shall not be located closer than the following distances, unless the Council approves a special use permit:
 - (1) 2300 feet to another billboard on the same side of the same street.
 - (2) 100 feet to a commercial, industrial or institutional building, or an on-premises sign.
 - (3) 200 feet to a residential district or 500 feet to a residence.
 - (4) 300 feet to any part of an interchange or intersection of two public roads.
- (d) A billboard shall not be erected or maintained in such a place or manner as to obscure or otherwise physically interfere with an official traffic control device or a railroad safety signal or sign or to obstruct or physically interfere with the drivers' view of approaching, merging, or intersecting traffic for a distance of 500 feet.
- (e) No billboard shall be erected or maintained in or within 500 feet of local parks, historic sites, and public picnic or rest areas; provided that, an advertising device may be permitted within 500 feet of a park, site or area on commercially zoned property, with the approval of a special use permit.

Section 36-293. Size.

The maximum area of the sign face of a billboard shall not exceed 450 square feet, including border and trim, but excluding base, apron supports and other structural members. The said maximum size limitation shall apply to each side of a sign structure. Signs may be placed back-to-back or in a V-type arrangement if there are no more than two sign faces, except that the open end separation shall not exceed fifteen feet. A billboard may only display one message at a time on any sign face.

Section 36-294. Height.

The maximum height for billboards shall be 35 feet, unless council approves a special use permit.

Section 36-295. Illumination and lighting.

- (a) Billboards shall not be illuminated with flashing lights, except those giving public service information, such as, but not limited to, time, date, temperature, weather or news.
- (b) Billboard lighting shall be effectively shielded so as not to impair the vision of any operator of a motor vehicle.
- (c) Billboard lighting shall be effectively shielded so as not to impair the vision of any operator of a motor vehicle.

(d) Billboards shall not use lights between midnight and 6:00 a.m.

Section 36-296. Nonconforming signs.

Any billboard sign, lawfully existing and in use as of July 14, 1977, but not conforming to the provisions of this article, shall be regarded as legal nonconforming sign which may continue to be in use, if properly repaired and maintained, as provided in this article and if in conformance with other ordinances of this city. Such legal nonconforming signs which are structurally altered, relocated or replaced shall comply immediately with all provisions of this chapter. (ord. No. 427, § 818. 104 (7), 7-14-77)

Section 36-297. Ground restoration.

Any ground area disturbed, due to the construction, repair, or removal of a billboard, shall be restored to its original condition as part of the construction, removal or repair work.

Section 36-298. Conflicts.

Any previously adopted requirements that conflict with this ordinance shall be null and void.

Sections 36-299--36-305. Reserved.

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

Seconded by Councilmember Anderson.

Ayes - Councilmembers Anderson, Bastian,
Juker and Maida.

Nays - Mayor Greavu.

3. Variance: St. Paul Business Center

a. Mayor Greavu convened the meeting for a public hearing regarding the request of the St. Paul Business Center, 225-255 E. Roselawn Avenue for approval of a sign setback variance of nine feet from the side lot line. The Clerk stated the hearing notice was in order and noted the dates of publication.

b. Manager Evans presented the staff report.

c. Director of Community Development Geoff Olson presented the Community Design Review Board recommendation:

"Board Member Deans moved the Board recommend approval of the resolution to allow a nine foot side-yard setback variance for a business sign for the St. Paul Business Center, on the basis that:

1. The variance would be in keeping with the spirit and intent of the ordinance since there are no signs on the adjacent residential land which would create a sign clutter problem.
2. Strict enforcement would cause undue hardship since the approved access to the St. Paul Business Center is too narrow for setbacks to be met.
3. The proposed sign is well within the size limitations for this type of use. A business sign for this use could be as large as 150 square feet. The

proposed sign would total 57.6 square feet.

Boardmember Folley seconded.

Ayes all."

d. Mr. Don Bockmeier, St. Paul Business Center, the applicant, spoke on behalf of the proposal.

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

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

g. Mayor Greavu closed the public hearing.

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

82 - 11 - 158

WHEREAS, a variance request has been initiated by the St. Paul Business Center for a nine foot sign setback variance for the following described property:

That part of the East 1/2 of the Northeast 1/4 of Section 18, Township 29, Range 22, lying Westerly of Highway No. 10, except the North 900 feet thereof.

Such above property being also known and numbered as Number 235 E. Roselawn Avenue, Maplewood, Ramsey County, Minnesota:

WHEREAS, the procedural history of this variance request is as follows:

1. That a variance request has been initiated by St. Paul Business Center, pursuant to Chapters 912 and 1000 of the Maplewood Code and Section 462.357 (g) of State Statute;
2. That said variance request was referred to and reviewed by the Maplewood Community Design Review Board on the 12th day of October, 1982, at which time said Community Design Review Board recommended to the City Council that said variance be approved;
3. That the Maplewood City Council held a public hearing to consider the variance request, notice thereof having been published and mailed pursuant to law; and
4. That all persons present at said hearing were given an opportunity to be heard and/or present written statements, and the Council considered reports and recommendations of the City Staff and Board.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MAPLEWOOD, RAMSEY COUNTY, MINNESOTA that the above-described variance be granted on the basis of the following findings of fact:

1. The variance would be in keeping with the spirit and intent of the ordinance since there are no signs on the adjacent residential land which would create a sign clutter problem.
2. Strict enforcement would cause undue hardship since the approved access to the St. Paul Business Center is too narrow for setbacks to be met.
3. The proposed sign is well within the size limitations for this type of use. A business sign for this use could be as large as 150 square feet.

The proposed sign would total 57.6 square feet.

4. Lighting shall be regulated to prevent the creation or maintenance of a nuisance situation.

Seconded by Councilmember Bastian. Ayes - all.

4. Variance - English and Lark 7:45 P.M.

- a. Mayor Greavu convened the meeting for a public hearing regarding the request of Bernhart Construction, Inc., 1775 E. County Road C, for a corner lot width variance of thirteen feet to construct a single family dwelling at the southwest corner of Lark Avenue and English Street. The Clerk read the notice of hearing along with the dates of publication.

- b. Manager Evans presented the staff report.

- c. The following Planning Commission recommendation was presented:

"Commissioner Kishel moved the Planning Commission recommend approval of the resolution granting approval of a lot width variance, on the basis that:

1. There is a hardship since the property could not be developed if the Code requirements were strictly enforced.
2. The variance would be in keeping with the spirit and intent of the ordinance in that all required setbacks can be met.
3. The City has approved comparable lot width variances in the past.
4. The variances would permit the development of the site and eliminate an eyesore.
5. Most of the developed corner lots in the neighborhood have less frontage than the proposed lot.

Commissioner Fischer seconded. Ayes - Commissioners Axdahl, Barrett, Ellefson, Fischer, Hejny, Kishel, Pellish, Prew, Whitcomb."

- d. Mr. Irv Bobbledyk, Bernhart Construction Co., 1775 E. County Road C, spoke on behalf of the proposal.

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

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

- g. Mayor Greavu closed the public hearing.

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

82 - 11 - 159

WHEREAS, a variance request has been initiated by Bernhart Construction, Inc. for a thirteen foot lot width variance for the following described property:

Lot 28, except the west 30 feet, and all of lots 29 and 30, Block 7, Clifton Addition to Ramsey County, Minnesota.

WHEREAS, the procedural history of this variance request is as follows:

1. That a variance request has been initiated by Bernhart Construction, Inc. pursuant to Chapters 912 and 1000 of the Maplewood Code and Section 462.357 (g) of State Statute;
2. That said variance request was referred to and reviewed by the Maplewood City Planning Commission on the 18th day of October, 1982, at which time said Planning Commission recommended to the City Council that said variance be approved;
3. That the Maplewood City Council held a public hearing to consider the variance request, notice thereof having been published and mailed pursuant to law; and
4. That all persons present at said hearing were given an opportunity to be heard and/or present written statements, and the Council considered reports and recommendations of the City Staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MAPLEWOOD, RAMSEY COUNTY, MINNESOTA, that the above-described variance be granted on the basis of the following findings of fact:

1. There is a hardship since the property could not be developed if the code requirements were strictly enforced.
2. The variance would be in keeping with the spirit and intent of the ordinance in that all required setbacks can be met.
3. The City has approved comparable lot width variances in the past.
4. The variances would permit the development of the site and eliminate an eyesore.
5. Most of the developed corner lots in the neighborhood have less frontage than the proposed lot.

Seconded by Councilmember Bastian. Ayes - all.

5. Variance: 2745 Gem - Gray - 8:00 P.M.

Deleted.

G. AWARD OF BIDS

None.

H. UNFINISHED BUSINESS

1. Code Amendment: Double Dwelling Entrances - 2nd Reading
 - a. Manager Evans presented the staff report.
 - b. Mayor Greavu introduced the following ordinance and moved its adoption:

ORDINANCE NO. 527
AN ORDINANCE AMENDING SECTION 36
OF THE MAPLEWOOD ZONING CODE

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

Section 1. Section 36-86(2) of the Maplewood Code is hereby amended to read as follows:

2. Double dwellings, either one or two stories, double bungalows with court or patio, each living quarter having a minimum of six hundred square feet (600 sq.ft.) of floor area. Duplexes must have a minimum of twelve hundred square feet (1200 sq. ft.) of floor area.

Section 2. This Ordinance shall take effect and be in force from and after its passage and publication, as provided by law.

Seconded by Councilmember Maida. Ayes - all.

2. Rubbish Removal - 2nd Reading

- a. Manager Evans presented the staff report.
- b. Several of the rubbish haulers attended the meeting and expressed their views.
- c. Councilmember Bastian moved to table this item until November 22, 1982.

Seconded by Councilmember Anderson. Ayes - all.

3. Code Amendment - Setbacks to R-1 Zones

- a. Manager Evans presented the staff report.
- b. Councilmember Anderson moved first reading of an ordinance establishing minimum setback requirements.

Seconded by Councilmember Anderson. Ayes - all.

F. PUBLIC HEARINGS (continued)

6. Preliminary Plat: Schwichtenberg Addition 8:15 P.M.

a. Mayor Greavu convened the meeting for a public hearing regarding a proposed land subdivision requested by Kurt Schwichtenberg for 13 single dwelling lots with a remnant lot to be developed later located south of Linwood and east of McKnight Road. The Clerk stated the hearing notice was in order and noted the dates of publication.

b. Manager Evans presented the staff report.

c. Director of Community Development Geoff Olson presented the following Planning Commission recommendation:

"Commissioner Kishel moved the Planning Commission recommend to the City Council approval of the Schwichtenberg Second Addition preliminary plat for thirteen single-dwelling lots, subject to:

1. Lot five, block one and lot one, block two shall be at least 100 feet in width, at the established building setback line from Dorland Road.
2. That part of the outlot lying northeast of a line from the northeast corner of parcel 040-29 to the center of the temporary Dorland Road cul-de-sac, shall be combined with lot three, block two, as illustrated on map three. The remainder of the outlot shall be redesignated as Outlot A.
3. Lots seven and nine, block one, shall be at least 75 feet wide at the building setback line, as measured parallel to the right-of-way of Dorland Road.
4. Lots five through eleven, block one, shall be changed to lots one through seven, block three.
5. A signed developers' agreement shall be approved by the City Engineer. The developers' agreement shall include provisions for:
 - a. Dedication of storm sewer and trail easements as follows:
 - (1) Twenty-feet wide from Dahl Road to the existing pond, centered on the east line of lots five through eight, block one.
 - (2) Twenty-feet wide adjacent to the southwesterly and southerly lines of lot eleven, block one.
 - (3) Ten-feet wide across the northwest corner of lot eleven, block one as measured from the west line of the plat.
 - (4) Over the existing pond.
 - b. Construction of public streets and utilities internal to the plat, including easements, construction and elimination of the temporary cul-de-sacs at the ends of Dorland and Dahl Roads.
6. Approval by the City Engineer of final grading, drainage, and utility plans.
7. Submission of an erosion control plan to the City Engineer, consistent with the recommendations of the Soil Conservation Service. This plan shall address the trail access to the park (Outlot C).
8. Outlot C may be used for calculating density on lot four, block one.
9. Prior to issuance of an occupancy permit, the developer shall grade an eight-foot wide trail within the storm water easement adjoining lot eleven, block one from Outlot C to the temporary cul-de-sac for Dorland Road. The alignment within the storm water easement shall be approved by the City Engineer. (A recommended trail alignment is illustrated on map three.).
10. Except for the land lying east of the trail (item nine), the area southwest of the southwest line of lot eleven, block one and north of the easterly extension of the south line of parcel 040-29 (map three) shall be designated as Outlot B. The excepted land shall be combined with lot eleven, block one.
11. Outlot C shall be dedicated to the City for park not in lieu of PAC charge.

Commissioner Pellish seconded. Ayes-Commissioners Axdahl, Barrett, Ellefson, Fischer, Hejny, Kishel, Pellish, Prew, Whitcomb."

- d. Mr. Kurt Schwichtenberg, the applicant, spoke on behalf of the proposal.
- e. Mayor Greavu called for proponents. None were heard.
- f. Mayor Greavu called for opponents. None were heard.
- g. Mayor Greavu closed the public hearing.
- h. Councilmember Anderson moved to approve the Schwichtenberg Second Addition preliminary plat for 13 single dwelling lots subject to:
 - 1. Lot five, block one and lot one, block two shall be at least 100 feet in width, at the established building setback line from Dorland Road.
 - 2. That part of the outlot lying northeast of a line from the northeast corner of parcel 040-29 to the center of the temporary Dorland Road cul-de-sac, shall be combined with lot three, block two, as illustrated on map three. The remainder of the outlot shall be redesignated as Outlot A.
 - 3. Lots seven and nine, block one, shall be at least 75 feet wide at the building setback line, as measured parallel to the right-of-way of Dorland Road.
 - 4. Lots five through eleven, block one, shall be changed to lots one through seven, block three.
 - 5. A signed developers' agreement shall be approved by the City Engineer. The developers' agreement shall include provisions for:
 - a. Dedication of storm sewer and trail easements as follows:
 - (1) Twenty-feet wide from Dahl Road to the existing pond, centered on the east line of lots five through eight, block one.
 - (2) Twenty-feet wide adjacent to the southwesterly and southerly lines of lot eleven, block one.
 - (3) Ten-feet wide across the northwest corner of lot eleven, block one as measured from the west line of the plat. This condition will be eliminated if the property owners to the west grant an easement.
 - (4) Over the existing pond.
 - b. Construction of public streets and utilities internal to the plat, including easements, construction and elimination of the temporary cul-de-sacs at the ends of Dorland and Dahl Roads.
 - 6. Approval by the City Engineer of final grading, drainage, and utility plans.
 - 7. Submission of an erosion control plan to the City Engineer, consistent with the recommendations of the Soil Conservation Service. This plan shall address the trail access to the park (Outlot C).
 - 8. Outlot C may be used for calculating density on lot four, block one.
 - 9. Prior to issuance of an occupancy permit, the developer shall grade an eight-foot wide trail within the storm water easement adjoining lot eleven, block one from Outlot C to the temporary cul-de-sac for Dorland Road. The alignment within the storm water easement shall be approved by the City Engineer. (A recommended trail alignment is illustrated on map three.).

10. Except for the land lying east of the trail (item nine), the area southwest of the southwest line of lot eleven, block one and north of the easterly extension of the south line of parcel 040-29 (map three) shall be designated as Outlot B. The excepted land shall be combined with lot eleven, block one.

11. Outlot C shall be dedicated to the City for park not in lieu of PAC charge.

Seconded by Councilmember Maida. Ayes - all.

H. UNFINISHED BUSINESS (continued)

5. Fees: Coin Operated Amusement Devices

a. Manager Evans presented the staff report.

b. Councilmember Anderson moved to establish the following fees for all coin operated amusement devices:

0 - 10 machines	\$25 per location 10 per machine
10 - 50 machines	50 per location 15 per machine
over 50 machines	100 per location 25 per machine

Seconded by Councilmember Juker. Ayes - Councilmembers Anderson and Juker.
Nays - Mayor Greavu, Councilmembers Bastian and Maida.

c. Councilmember Juker moved to establish the following fees for all coin operated amusement devices:

\$100 per location
\$ 25 per machine.

Seconded by Councilmember Anderson. Ayes - Councilmembers Anderson, Juker and Maida.
Nays - Mayor Greavu, Councilmember Bastian.

J. NEW BUSINESS

1. Election Fees Increase

a. Manager Evans presented the staff report.

b. Councilmember Anderson moved to approve the Electrical Permit Fee Schedule as presented effective January 1, 1983.

Seconded by Councilmember Bastian. Ayes - all.

2. Plan Amendment - Gladstone Neighborhood

a. Manager Evans presented the staff report.

b. Mr. Michael Mularone, owner of property on Frost Avenue and his attorney, Mr. John Daubney, spoke in opposition to the plan amendment and in favor of the Planning Commission's recommendation.

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

82 - 11 - 160

WHEREAS, a proceedings for the amendment of the Maplewood Comprehensive Municipal Plan entitled "Plan for Maplewood" has been initiated by the City Council. The following areas on page 19-17 of the Plan are hereby amended:

1. The RM, residential medium density south of Frost Avenue, north of Fenton Avenue, west of the centerline of block 2 Kavanagh and Dawson's Addition to Gladstone, and east of East Shore Drive is changed to RL, residential lower density, except for lots 4-10, block 4, Kavanagh & Dawson's Addition.
2. Lots 1-8, block 1 W.H. Fisher's Addition to Gladstone are changed from RM to RH, residential high density.
3. Lots 1-12, block 2 and lots 9-30, block 1 W.H. Fisher's Addition to Gladstone are changed from RM to RL.
4. Lots 8-15, block 4, lots 6-12, block 6, and lots 1-15, block 5 Gladstone Plat are changed from RM to RL.
5. Lots 1 and 2 Oswald's Gardens is changed from RM to RL.
6. The area bounded by Ripley Avenue on the north, English Street on the west, the Burlington Northern tracks on the east and Larpenteur Avenue on the south, except the lot on the northeast corner of English Street and Larpenteur Avenue, is changed from RM to RL.
7. The lot on the northeast corner of Larpenteur Avenue and English Street is changed from RM to LSC, limited service commercial.

The acreages for the Gladstone Neighborhood on page 19-3 of the Plan are amended as follows:

1. Change the RL from 299 to 318
2. Change the RM from 46 to 26
3. Change the RH from 0 to 1

WHEREAS, the procedural history of the proposed amendment is as follows:

1. The City of Maplewood has a Comprehensive Municipal Plan entitled "Plan for Maplewood" adopted pursuant to the provisions of Minnesota Statutes, Chapter 670, Laws 1965 (the Municipal Planning Act, Minnesota Statutes Annotated, Sections 462.351 to 462.364 thereof);
2. Minnesota Statutes, Section 462.355, Subdivision 2 and 3 thereof, provide for amendment of the Comprehensive Municipal Plan or of any section thereof;
3. An amendment of the Comprehensive Municipal Plan has been proposed by the City Council and referred to the Maplewood Planning Commission, which held a public hearing on the 18th day of October, 1982 pursuant to Minnesota Statutes, 462.355, Subdivision 2 thereof, notice by mail and publication having been given, heard all who wished to be heard, considered all written and staff reports and analysis.

WHEREAS, the Maplewood City Planning Commission, having considered the testimony of those present, all written submissions to it and staff reports, approved the amendment on the following findings of fact:

1. The areas proposed for RL designation are predominately single dwellings at low density.
2. The LSC and RH designations reflect existing uses.

NOW, THEREFORE, BE IT RESOLVED that the Maplewood City Council hereby certifies the above described amendment to its Comprehensive Municipal Plan entitled "Plan for Maplewood."

Seconded by Councilmember Maida.

Ayes - Mayor Greavu; Councilmembers Bastian and Maida.

Nays - Councilmember Juker.

Councilmember Anderson abstained.

3. Time Extension - Maple Greens 3rd Addition

a. Manager Evans presented the staff report.

b. Mr. Ken Gervais, Vice President of Castle Design, explained the need for the time extension.

c. Mayor Greavu moved approval of a one year time extension for platting outlots A and B of Maple Greens 3rd Additon.

Seconded by Councilmember Bastian.

Ayes - all.

4. Assessment - Dave Zachor

a. Manager Evans stated Mr. Zachor was requesting cancellation of the interest for 1983 placed on his assessment for Adolphus Street Sanitary Sewer Improvement.

b. Councilmember Bastian moved to cancel the interest for 1983 as requested by Mr. Zachor.

Seconded by Mayor Greavu.

Ayes - all.

5. R.C.E. Corporation - Exiting - Right Turn Only

a. Item I-5 tabled to November 22, 1982.

6. Holloway Avenue from 7th Avenue - McKnight Designate County Road

a. Manager Evans presented the staff report.

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

82 - 11 - 161

WHEREAS, Holloway Avenue would, if constructed, provide an important link in the Ramsey County Road System;

NOW, THEREFORE, BE IT RESOLVED, that the Maplewood City Council supports designating Holloway Avenue from 7th Avenue to McKnight Road a County Road.

Seconded by Councilmember Bastian. Ayes - all.

7. Concordia Arms - Pedestrian Crosswalk

- a. Manager Evans presented the staff report.
- b. Ms. Mary Duncan, 2030 Lydia, Concordia Arms, spoke in favor of the request of some controls to facilitate crossing Lydia Avenue.
- c. Councilmember Juker moved to authorize staff to install crosswalk signs and paint a crosswalk on Lydia Avenue to connect the sidewalks.

Seconded by Councilmember Bastian. Ayes - all.

8. Crestview Drive - Water Main

- a. Manager Evans presented the staff report.
- b. Councilmember Bastian introduced the following resolution and moved its adoption:

82 - 11 - 162

WHEREAS, the City Council has determined that it is necessary and expedient that the improvements within the project limits of Crestview Drive south of Hudson Place by the construction of the watermain and appurtenances be studied.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the improvement as hereinbefore described is hereby referred to the City Engineer, and he is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is feasible and should best be made as proposed, and the estimated cost of the improvement as recommended; and

BE IT FURTHER RESOLVED that the aforesaid work be hereafter referred to as Project No. 82-19.

Seconded by Councilmember Anderson. Ayes - all.

- c. Mr. Joe Boland, 131 Crestview Drive, stated he wants the water.
- d. Mr. Bill Zappa, 230 Crestview Drive, stated his views.

9. Ordinance Limiting Terms on Board and Commissions - 1st Reading

- a. Councilmember Anderson moved to refer this proposed ordinance to the various boards and commissions for review.

Seconded by Mayor Greavu. Ayes - all.

10. Ramsey - Washington County Watershed Agreement

- a. Mayor Greavu moved to refer the name of former Councilmember Donald Wiegert to Ramsey County Commissioners as a nominee to the Ramsey Washington Metro Watershed District Board of Managers for this area.

Seconded by Councilmember Bastian. Ayes - all.

11. St. Paul Water Utility - Overcharge Review

- a. Manager Evans presented a copy of the letter he had sent to Mr. Elmer Huset, General Manager of the St. Paul Water Department, regarding the raise in the water rates to suburbs.
- b. Council stated this should be discussed at a meeting with the City's legislators. Councilmember Bastian stated he will establish such a meeting.

J. VISITOR PRESENTATIONS

None.

K. COUNCIL PRESENTATIONS

1. Plan Review Authority

- a. Councilmember Juker moved that the Plan Review Authority Ordinance be placed on the next agenda for discussion and review.

Seconded by Councilmember Anderson. Ayes - all.

2. Staff-Council Meeting

- a. Council established a meeting for the Council, Manager and Police Chief Ken Collins, at 7:00 A.M. November 16, 1982 at Denny's.

3. Voting

- a. Mayor Greavu stated he had received a lot of calls regarding the length of time it took to vote.

L. ADMINISTRATIVE PRESENTATIONS

None.

M. ADJOURNMENT

10:40 P.M.

City Clerk

MINUTES OF MAPLEWOOD CITY COUNCIL
7:00 P.M., Monday, November 22, 1982
Council Chambers, Municipal Building
Meeting No. 82-31

A. CALL TO ORDER

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

B. ROLL CALL

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

C. APPROVAL OF MINUTES

1. Minutes No. 82-27 - October 7, 1982

Councilmember Anderson moved that the Minutes of Meeting No. 82-27 (October 7, 1982) be approved as submitted.

Seconded by Councilmember Bastian. Ayes - all.

2. Minutes No. 82-28 - October 18, 1982

Councilmember Bastian moved that the Minutes of Meeting No. 82-28 (October 18, 1982) be approved as corrected:

Councilmember Maida	Absent
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Seconded by Councilmember Juker. Ayes - all.

D. APPROVAL OF AGENDA

Mayor Greavu moved to adopt the Agenda as amended:

1. Staff - Council
2. Budget
3. Council - Legislature
4. Special Election - Liquor License
5. Traffic

Seconded by Councilmember Bastian. Ayes - all.

E. CONSENT AGENDA

Council removed Consent Agenda Items 6 and 7 to become Items I - 8 and 9.

Mayor Greavu moved, Seconded by Councilmember Bastian, Ayes - all to approve the Consent Agenda, Items 1 through 5 as recommended.

Approved the accounts (Part I - Fees, Services, Expenses, Check No. 001115 through Check No. 001169 - \$104,866.01; Check No. 014799 through Check No. 014913 - \$63,834.81; Part II - Payroll Check No. 05650 through Check No. 05770 - \$54,536.93) in the amount of \$223,237.75.

Approved a one year time extension for the Lake Ridge Park preliminary plat subject to the original conditions.

Authorized Staff to request Ramsey County establish a one-hour parking zone in the area of 1490 - 1512 E. County Road B.

Authorized execution of a Quit Claim Deed conveying property intended for street right of way back to the original owners, Raymond L. and Edith M. Nowicki.

Authorized Staff to prepare the necessary documents to sell the City owned property between Radatz and Beam Avenues east of White Bear Avenue at market value.

Tabled to December 13, 1982.

a. Mayor Greavu convened the meeting for a public hearing regarding the proposal to rezone the southwest corner of Ferndale Street and Stillwater Road from BC Business Commercial to R-1 Single Residence District. The Clerk stated the hearing notice was in order and noted the dates of publication.

c. Commission Member Dorothy Hejny presented the following Planning Commission recommendation:

Commissioner Hejny seconded Ayes - Commissioners Axdahl,
Barrett, Ellefson, Fischer, Hejny, Kishel, Pellish, Prew, Whitcomb

d. Mayor Greavu called for proponents. The following were heard:

Mr. Vern Samuelson, 2602 Stillwater Road

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

f. Mayor Greavu closed the public hearing.

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

82 - 11 - 163

WHEREAS, rezoning procedure has been initiated by the City Council for a zone change from BC, Business Commercial to R-1, Residence District, (Single Dwelling) for the following described property:

Lot 4, Block 2, Perkins View Addition

Such above property being also known as the southwest corner of Ferndale Street and Stillwater Avenue, Maplewood, Ramsey County, Minnesota;

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

1. That a rezoning procedure has been initiated by the City Council, pursuant to Chapter 915 of the Maplewood Code;
2. That said rezoning procedure was referred to and reviewed by the Maplewood City Planning Commission on the 18th day of October, 1982, at which time said Planning Commission recommended to the City Council that said rezone procedure be approved.
3. That the Maplewood City Council held a public hearing to consider the rezoning procedure, notice thereof having been published and mailed pursuant to law; and
4. That all persons present at said hearing were given an opportunity to be heard and/or present written statements, and the Council considered reports and recommendations of the City Staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MAPLEWOOD, RAMSEY COUNTY, MINNESOTA that the above-described rezoning be granted on the basis of the following findings of fact.

1. The rezoning is consistent with the Land Use Plan.
2. The rezoning would be compatible with all adjacent development.

Adopted this 22nd day of November, 1982.

Seconded by Councilmember Juker.

Ayes - all.

G. AWARD OF BIDS

1. MAPLEWOOD IN MOTION

- a. Manager Evans presented the staff report.
- b. Mayor Greavu introduced the following resolution and moved its adoption:

82 - 11 - 164

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of Dawson Patterson Printing in the amount of \$6,157.68 is the lowest responsible bid for the printing of four issues of MAPLEWOOD IN MOTION and the Mayor and Clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the City.

Seconded by Councilmember Bastian.

Ayes - all.

H. UNFINISHED BUSINESS

1. Maplewood Toyota Project

- a. Manager Evans presented the staff report.
- b. Mayor Greavu moved to table this item until after Agenda Items F-3.

Seconded by Councilmember Bastian.

Ayes - all.

F. PUBLIC HEARINGS (Continued)

2. PUD Revision: Acorn Greenhouses

a. Mayor Greavu convened the meeting for a public hearing regarding the request of Howard Christensen for approval of a revision to the Acorn Greenhouse planned unit development to add a double dwelling lot. The Clerk stated the hearing notice was in order and noted the dates of publication.

b. Manager Evans presented the staff report.

c. Commissioner Dorothy Hejny presented the following Planning Commission recommendation:

Commissioner Hejny moved the Planning Commission recommend to the City Council approval of the resolution, revising the Acorn Greenhouse planned unit development to include a double-dwelling lot on the westerly 85 feet of lot four, block one, Acorn Greenhouses.

Commissioner Ellefson seconded. Ayes - Commissioners Axdahl, Barrett, Ellefson, Fischer, Hejny, Howard, Kishel, Pellish, Sletten.

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

- e. Mayor Greavu called for opponents. None were heard.
- f. Mayor Greavu closed the public hearing.
- g. Mayor Greavu introduced the following resolution and moved its adoption:

12 - 11 - 165

WHEREAS, a revision to the special use permit for the Acorn Greenhouse planned unit development was requested by Howard Christensen to add a double-dwelling lot to the development. Said double-dwelling property being described as follows:

The west 85 feet of Lot 4, Block 1, Acorn Greenhouses

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

1. That a revision to the special use permit for the Acorn Greenhouse planned unit development was requested pursuant to the requirements of section 36-438 (d) (4) of the Maplewood Zoning code;
2. That said special use permit revision was referred to and reviewed by the Maplewood Planning Commission on the 15th day of November, 1982, at which time said Planning Commission recommended to the City Council that said special use permit revision be approved;
3. That the Maplewood City Council held a public hearing to consider the revision of said special use permit, notice thereof having been published and mailed pursuant to law; and
4. That all persons present at said hearing were given an opportunity to be heard and/or present written statements, and the Council 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 special use be granted on the basis of the following findings of fact:

1. The request would not exceed the permitted density.
2. The proposed double dwelling would not be out of character with the proposed development on neighboring lots.

Seconded by Councilmember Maida.

Ayes - all.

3. Code Revision: Shoreland Ordinance (7:30 P.M.)

- a. Mayor Greavu convened the meeting for a public hearing regarding the adoption of the proposed shoreland classification ordinance. The Clerk stated the hearing notice was in order and noted the dates of publication.
- b. Manager Evans presented the staff report.
- c. A representative from the Department of Natural Resources (DNR) explained the specifics of the proposal.

d. Commissioner Dorothy Hejny presented the following Planning Commission recommendation:

"Commissioner Fischer moved the Planning Commission recommend that the City Council approve the proposed shoreland ordinance as outlined in staff's report dated October 7, 1982.

Commissioner Whitcomb seconded. Ayes - Commissioners Axdahl, Barrett, Ellefson, Fischer, Howard, Pellish, Sletten, Whitcomb.

Commissioner Fischer moved to amend the definition of structure to read, "anything manufactured, constructed or erected which is normally attached to or positioned on land, including portable structures."

Commissioner Whitcomb seconded. Ayes - Commissioners Axdahl, Barrett, Ellefson, Fischer, Howard, Pellish, Sletten, Whitcomb."

e. Mayor Greavu called for persons who wished to be heard for or against the proposal. The following voiced their opinions:

Mr. Don Christianson, 1111 E. County Road C.

Mr. Richard Sagstetter, Beaver Lake property developer.

f. Mayor Greavu closed the public hearing.

g. Councilmember Anderson moved to table this item until the first meeting in January and instructed staff to notify anyone who would be affected.

Seconded by Mayor Greavu.

Ayes - all.

H. UNFINISHED BUSINESS (Continued)

1. Maplewood Toyota Project - Revenue Bonds

- a. Manager Evans presented the staff report.
- b. Councilmember Anderson moved to approve the issuance of Industrial Revenue Bonds instead of Revenue Notes for BKM Management Company (Toyota).

Seconded by Councilmember Maida.

Ayes - Mayor Greavu, Councilmembers
Anderson, Bastian and Maida

Nay - Councilmember Juker

2. Rubbish Removal (2nd Reading)

- a. Manager Evans presented the staff report.
- b. Councilmember Anderson introduced the following ordinance and moved its adoption:

ORDINANCE NO. 528

AN ORDINANCE AMENDING SECTION 16.4 OF THE MAPLEWOOD CODE
RELATING TO GARBAGE, REFUSE, RUBBISH AND OTHER SOLID WASTE

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

SECTION - 16.4 - RECEPTACLES - REQUIRED; exception.

Except as otherwise provided in this article, every person, firm or corporation as a householder, occupant or owner of any dwelling, boardinghouse, apartment building or any other structure utilized for dwelling purposes, and any restaurant, firm, corporation or establishment that accumulates garbage, in the City, shall provide one or more fly-and-water-tight metal, or equivalent, rodent proof garbage containers, of thirty-two (32) gallon capacity, or eighty (80) gallon capacity, or ninety (90) gallon capacity, to contain all the garbage which accumulates between collection. No such thirty-two gallon capacity container shall be filled in excess of seventy-five (75) pounds, and no such eighty (80) gallon capacity container or ninety (90) gallon capacity container shall be filled in excess of one-hundred-fifty (150) pounds.

The ordinance shall take effect and be in force from and after its passage and publication.

Seconded by Councilmember Bastian.

Ayes - all.

3. Code Amendment: Setbacks - R-1 and R-2 (2nd Reading)

- a. Manager Evans presented the staff report.
- b. Councilmember Bastian introduced the following ordinance and moved its adoption:

ORDINANCE NO. 529

AN ORDINANCE AMENDING THE MAPLEWOOD ZONING CODE
RELATING TO SIDE AND REAR YARD SETBACKS

BE IT ORDAINED BY THE CITY OF MAPLEWOOD AS FOLLOWS:

Section 1. Section 36-119 (Multiple dwellings with less than seventeen units--R-3A) is hereby amended to read as follows:

(f) Side and rear yard requirements.

1. The minimum side and rear yard setback requirements for an R-3A multiple dwelling, shall be twenty feet.
2. Parking spaces, garages, carports, or like structures shall be set back no less than five feet from a side or rear property line and no less than fifteen feet from a public street right-of-way.

(g) Setbacks increased. The minimum front, side and rear yard setbacks for an R-3A multiple dwelling shall be increased, not to exceed 75 feet, by the most restrictive of the following requirements, where the lot abuts a Farm Residence, Residential Estate, Single Dwelling, or Double Dwelling zoning district:

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

Section 2. Section 36-122 (Multiple dwellings in excess of seventeen units--R-3B units) is hereby amended to read as follows:

(f) Front yard requirements. The minimum front yard setback for an R-3B multiple dwelling shall be thirty feet. This minimum setback shall be increased according to the provisions of Section 36-119(g). This setback shall not be required to be greater than 75 feet.

(g) Side and rear yard requirements.

1. The minimum side and rear yard setbacks for an R-3B multiple dwelling shall be twenty feet, unless the lot abuts a Farm Residence, Residential Estate, Single-Dwelling or Double-Dwelling zoning district, in such case, the minimum setback shall be increased according to the provisions of Section 36-119(g).
2. Regardless of building height or external wall area, the side and rear yard setbacks shall not be required to be greater than 75 feet.
3. As provided in Section 36-119(f) (2).

(h) Height regulation. No R-3B multiple dwelling shall be erected or structurally altered to exceed a height of three stories, or 35 feet, whichever is greater, measured from the front or street side of such building, unless granted a special use permit by the City Council.

Section 3. Section 36-124 (Townhouses-R-3C) is hereby amended to read as follows:

(6) Side yard requirements.

- a. As applied to the total development site, the side yard shall be

no less than twenty feet in width.

- b. Where two or more buildings or eight units occur on one lot, the side yards between buildings shall be a minimum of twenty feet.

(7) Rear yard requirements.

- a. As applied to the total development site, the rear yard shall be a minimum of twenty feet in width.

Section 4. Section 36-140 (Commercial Office District) is hereby amended as follows:

(f) Building setbacks:

- 1. Adjacent to residentially zoned property: A building shall have minimum side and rear yard setbacks of fifty feet and a minimum front yard setback of thirty feet.

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

- a. Building height: The building setbacks shall be increased two feet for each one foot the building exceeds 25 feet in height.

- b. Exterior wall area: Where an exterior wall faces a residentially-zoned property, the wall setback shall be increased five feet for each 1,000 square feet, or part thereof, in excess of 2,000 square feet.

- 2. Adjacent to nonresidential: (No change in language)

Section 5. Section 36-153 (Business Commercial District) is hereby amended to add the following new language:

- 3. Setback from property zoned residential: The building shall have minimum side and rear yard setbacks of fifty feet and a minimum front yard setback of thirty feet.

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

- a. Building height: The building setbacks shall be increased two feet for each one foot the building exceeds 25 feet in height.

- b. Exterior wall area: Where an exterior wall faces a residentially-zoned property, the wall setback shall be increased five feet for each 1,000 square feet, or part thereof, in excess of 2,000 square feet.

Section 6. Section 36-154 (Limited Business Commercial District) is hereby amended to add the following new language:

- 1. (All the existing language.)

- 2. Setback from property zoned residential: The building shall have minimum side and rear yard setbacks of twenty feet and a minimum front yard setback of thirty feet.

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

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

Section 7. Section 36-155 (Business Commercial Modified) is hereby amended to add the following new language:

- (5) Setback from property zoned residential: The building shall have minimum side and rear yard setbacks of fifty feet and a minimum front yard setback of thirty feet.

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

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

Section 8. Section 36-172 (General Shopping Center District) is hereby amended to include the following new language:

- (6) (c) Where adjacent to a property zoned residential, buildings shall have minimum side and rear yard setbacks of fifty feet and a minimum front yard setback of thirty feet.

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

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

Section 9. Sections 36-189 (Light Manufacturing) and 36-204 (Heavy Manufacturing) are hereby added as follows:

36-189 and 36-204. Adjacent to residentially-zoned property: The minimum side and rear yard setbacks shall be fifty feet and the minimum front yard setback shall be thirty feet.

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

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

Section 10. This Ordinance shall take effect upon its passage and publication.

Seconded by Councilmember Juker.

Ayes - all

4. Code Amendment - Screening (Second Reading)

- a. Manager Evans presented the staff report.
- b. Councilmember Bastian introduced the following ordinance and moved its adoption:

ORDINANCE NO. 530

AN ORDINANCE AMENDING THE
MAPLEWOOD ZONING CODE RELATING TO SCREENING

BE IT ORDAINED BY THE CITY OF MAPLEWOOD AS FOLLOWS:

Section 1. Section 36-26 is hereby added as a new section as follows:

36-26. LANDSCAPING AND SCREENING

1. A landscaped area of not less than twenty feet in width shall be provided where:
 - a. A nonresidential use would be within 200 feet of a residentially zoned property.
 - b. A multiple dwelling abuts property zoned for single or double dwellings.
2. Screening shall be provided where:
 - a. The light from automobile headlights and other sources would be directed onto residential windows.
 - b. There would be exterior storage of goods or materials which could unreasonably annoy or endanger surrounding property owners.
 - c. Except for mobile homes, town houses, single and double dwellings, all mechanical equipment on the ground or roof shall be screened on all sides so as not to be visible from public streets or adjoining property.

Such screening shall be designed and constructed of a material(s) that is compatible with the principal building and subject to Community Design Review Board approval.

3. Screening shall be satisfied by the use of a screening fence, planting screen, berm or combination thereof. If the topography, natural growth of vegetation, permanent buildings, or other barriers meet the standards of Subsections (a) and (b) below, they may be substituted for all or part of the screening fence or planting screen:
 - a. A planting screen shall consist of evergreen plantings. Trees shall be a minimum of two and one-half inches in trunk diameter, two feet above grade. Shrubs may be used in combination with a berm and shall be a minimum of two feet in height. Spacing of trees and shrubs shall be so as to create an eighty percent opaque screening at least six feet in height.
 - b. Berms shall have mowable side slopes. Slopes greater than 2-1/2 to 1 may be used if the slopes are stepped with retaining walls. Plant materials resistant to erosion may be substituted for sod when approved by the Community Design Review Board.
 - c. Screening fences shall be painted or stained whenever necessary, so as not to fade, chip or discolor. Broken or knocked down fences shall be repaired. Planting screens shall be maintained in a neat and healthy condition. Plantings that have died shall be promptly replaced.
4. Screening may be satisfied with a screening fence. A screening fence shall be attractive, compatible with the principal building and surrounding land uses, at least six feet in height, and provide a minimum opaqueness of eighty percent.
5. Trash storage containers shall be constructed on three sides with break-off block, face brick, or masonry. A gate that provides 100 percent opaqueness shall be provided where a dumpster would be visible to the public or from an adjoining property.

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

Seconded by Councilmember Juker.

Ayes - all.

I. NEW BUSINESS

1. Sewer Fees

- a. Manager Evans presented the staff report.
- b. Councilmember Anderson moved first reading of an ordinance increasing the sewer rates to \$27.60 each quarter for single family and townhouse, \$55.20 each quarter for duplex and \$27.60 each quarter for senior citizen units.

Seconded by Councilmember Juker.

Ayes - all.

- c. Councilmember Anderson moved first reading of an ordinance increasing the sewer rates for apartments, condominiums and mobile homes to the same as single family dwellings.

Seconded by Councilmember Juker.

Ayes - Councilmembers Anderson and Juker.
Nays - Mayor Greavu, Councilmembers Bastian and Maida.

d. Councilmember Bastian moved first reading of an ordinance establishing the sewer rates for apartments, condominiums and mobile homes at \$22.10 per quarter.

Seconded by Councilmember Maida.

Ayes - Mayor Greavu, Councilmembers Anderson, Bastian and Maida.

Nays - Councilmember Juker.

e. Councilmember Anderson moved first reading of an ordinance adopting the non-residential sewer rates and the balance of the ordinance.

Seconded by Councilmember Juker.

Ayes - all.

2. Code Amendment - Environmental Protection - First Reading

a. Manager Evans presented the staff report.

b. Commissioner Dorothy Hejny presented the following Planning Commission recommendation:

"Commissioner Whitcomb moved the Planning Commission recommend to the City Council approval of the proposed Environmental Protection Ordinance as presented in the staff report dated November 4, 1982 with an amendment to Section 9-192, eliminate (a) and renumber (b) (c) (d) to (a) (b) (c).

Commissioner Fischer seconded.

Ayes - Commissioners Axdahl, Barrett, Ellefson, Fischer, Howard, Pellish, Sletten, Whitcomb."

c. Mayor Greavu moved first reading of an ordinance establishing an Environmental Protection Ordinance.

Seconded by Councilmember Maida.

Ayes - all.

3. Frost Avenue Reconstruction - Improvement 82-9

a. Manager Evans presented the staff report.

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

82 - 11 - 166

WHEREAS, the City Engineer for the City of Maplewood has been authorized and directed to prepare a report with reference to the improvement of Frost Avenue between Birmingham Street and White Bear Avenue by construction of street, storm sewer and appurtenances; and

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

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

1. The report of the City Engineer advising this Council that the proposed improvement on Frost Avenue by construction of street, storm sewer and appurtenances is feasible and should best be made as proposed, is hereby received.

2. The Council will consider the aforesaid improvement in accordance with

the reports and the assessment of benefited property for all or a portion of the cost of the improvement according to M.S.A. Chapter 429 at an estimated total cost of the improvement of \$920,000.00.

3. A public hearing will be held in the Council Chambers of the City Hall at 1380 Frost Avenue on Thursday, the 16th day of December, 1982, at 7:00 p.m. to consider said improvement. The City Clerk shall give mailed and published notice of such hearing and improvement as required by law.

Seconded by Mayor Greavu.

Ayes - all.

4. White Bear Avenue - 36 to Edgewater Avenue

- a. Manager Evans presented the staff report.

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

82 - 11 - 167

WHEREAS, the County of Ramsey, Minnesota, has requested that the City of Maplewood, Minnesota, approve the plans for permanent and temporary right-of-way acquisition for the improvement of White Bear Avenue from T.H. 36 to Edgewater Avenue, S.A.P. 62-665-23.

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

That the City Council concur with and approves said plans and authorizes the City Engineer to sign the title sheet indicating City approval.

Seconded by Councilmember Maida.

Ayes - all.

5. Ordinance Limiting Terms to Boards and Commissions

- a. Manager Evans presented the report.

- b. Councilmember Bastian moved to table this item to allow for further investigation.

Seconded by Mayor Greavu.

Ayes - Mayor Greavu, Councilmembers Anderson, Bastian and Maida.

Nays - Councilmember Juker.

6. Court Lease 1983

- a. Manager Evans presented the staff report.

- b. Mayor Greavu moved to authorize staff to execute a lease agreement with Ramsey County for court space during 1983 at \$7.07 per square foot.

Seconded by Councilmember Maida.

Ayes - all.

7. Hydrant Charge

- a. Manager Evans presented the staff report.

- b. Mayor Greavu moved first reading of an ordinance eliminating the discounted hydrant charge rate for senior citizens.

Seconded by Councilmember Bastian. Ayes - all.

8. 1983 Off-Sale Liquor License

a. Manager Evans presented the staff report.

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

82 - 11 - 168

RESOLVED, by the City Council of the City of Maplewood, Ramsey County, Minnesota, that the following Off Sale Liquor Licenses having been previously duly issued by this Council, are hereby approved for renewal for one year, effective January 1, 1983, with approvals granted herein subject to satisfactory results of required Police, Fire and Health inspections:

C & G Maplewood Liquors
1347 Frost Avenue

North Country Vineyard & Spirits
1870 Beam Avenue

J & R Liquors
2730 Stillwater Raod

Party Time Liquors
1740 VanDyke Avenue

Laber Liquors
1730 Rice Street

Red Wagon Liquors
2290 Maplewood Drive

Maplewood Wine Cellar
1281 Frost Avenue

Sarrack's International Wines & Spirits
2305 Stillwater Road

Seconded by Mayor Greavu.

Ayes - Mayor Greavu, Councilmembers Anderson,
Bastian and Maida.

Nays - Councilmember Juker.

9. 1983 On Sale Liquor Licenses

a. Manager Evans presented the staff report.

b. Chief of Police Ken Collins answered questions from the Council regarding the number of police calls to each liquor establishment.

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

82 - 11 - 169

Bali Hai Restuarant
2305 White Bear Avenue

Garrity's
1696 White Bear Avenue

Chalet Lounge & Restuarant
1820 Rice Street

Gulden's, Inc.
2999 N. Highway 61

Chicone's Bar & Cafe, Inc.
2289 E. Minnehaha

Holiday Inn of Maplewood
1780 E. County Road D

Dean's, Inc.
1986 Rice Street

Hook 'n Ladder
2280 Maplewood Drive

Esteban's of Maplewood, Inc.
3069 White Bear Avenue

Maple Wheel Lounge
2220 White Bear Avenue

Fiddlers Deli & Lounge
3035 White Bear Avenue

Northernnaire Motel
2441 Highway 61

Fox & Hounds Supper Club
1734 Adolphus

Red Rooster Liquor Lounge
2029 Woodlyn

Keller Clubhouse
2166 Maplewood Drive

Town Crier
1829 No. St. Paul Road

Chuck E. Cheese's Pizza Time Theatre
2930 White Bear Avenue (Wine License)

Payne Avenue Lodge #963 (Club License)
Loyal Order of Moose
1946 English

Seconded by Mayor Greavu.

Ayes - Mayor Greavu, Councilmembers Anderson,
Bastian and Maida.
Nays - Councilmember Juker.

J. VISITOR PRESENTATIONS

1. Michael Wasiluk, 1740 Frank Street
 - a. Mr. Wasiluk questioned the Council as to why they tabled Agenda Item I-5.
 - b. Council stated they referred the proposed ordinance to the various boards and commissions for their review.
 - c. Mr. Wasiluk also commented on the Council's discussion regarding liquor licenses.
2. Mr. Clayton Qualley, 2089 Beam Avenue
 - a. Mr. Qualley commented on liquor licenses and requested Council to review each liquor license.

K. COUNCIL PRESENTATIONS

1. Staff Council
 - a. Council established the next Staff-Council member meeting to be November 30, 1983, 7:00 A.M. at Howard Johnsons.
2. Budget
 - a. Councilmember Bastian questioned how the proposed State Aid cuts to municipalities would effect Maplewood.
 - b. City Manager Evans stated it was too soon to fully realize what effect it would have.
3. Council Legislation
 - a. Councilmember Bastian stated he will set up a Council-Legislators meeting some time in December.
4. Special Election
 - a. Mayor Greavu introduced the following resolution and moved its adoption:

NOTICE IS HEREBY GIVEN that a Special Election will be held in the City of Maplewood on Tuesday, the 18th day of January, 1983. The question to be voted on is as follows:

"Shall the City Council be allowed to issue seven (7) On Sale Licenses for the sale of intoxicating liquor at retail in addition to the number now permitted by law" (presently only 18).

Seconded by Councilmember Anderson.

Ayes - Mayor Greavu; Councilmembers Anderson, Bastian and Maida.

L. TRAFFIC LIGHT - 36 and English

Nays - Councilmember Juker.

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

82 - 11 - 171

BE IT RESOLVED that the City of Maplewood enter into an agreement with the State of Minnesota, Department of Transportation, for the following purpose, to wit:

To provide a traffic control signal with street lights and signing and Emergency Vehicle Pre-emption System on Trunk Highway No. 36 at English Street in accordance with the terms and conditions set forth and contained in Agreement No. 61159, a copy of which was before the Council.

BE IT FURTHER RESOLVED that the proper City officers be and hereby are authorized to execute such agreement, and thereby assume for and on behalf of the City all of the contractual obligations contained therein.

Seconded by Councilmember Maida.

Ayes - all.

M. ADJOURNMENT

10:14 P.M.

City Clerk

CITY OF MAPLEWOOD

A C C O U N T S P A Y A B L E

DATE 12-27-82 PAGE

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A M O U N T

C L A I M A N T

P U R P O S E

001239	3,130.70	MN MUTUAL LIFE INS CO	CONTRIBUTIONS, INSUR
001240	1,832.68	MN MUTUAL LIFE INS CO	CONTRIBUTIONS, INSUR
001241	3,708.20	MN MUTUAL LIFE INS CO	A/R - INS CONTINUAN AND-HEALTH INS PAYA AND-LIFE INS DED PA AND-DENTAL INS PAYA AND-CONTRIBUTIONS, I
001242	1,223.23	BLUE CROSS + BLUE SHIELD	CONTRIBUTIONS, INSUR
001243	2,449.49	BLUE CROSS + BLUE SHIELD	A/R - INS CONTINUAN AND-HEALTH INS PAYA AND-CONTRIBUTIONS, I
001244	1,905.69	MN STATE TREASURER-PERA	CONTRIBUTIONS, PERA
001245	3,939.72	MN STATE TREASURER-PERA	P.E.R.A. DED PAYABLE AND-CONTRIBUTIONS, I
001246	8,512.97	MN STATE TREASURER-PERA	P.E.R.A. DED PAYABLE AND-CONTRIBUTIONS, F
001247	5,778.00	MINN STATE TREASURER	MV LICENSE FEES PAYA
001248	229.00	MINN STATE TREASURER	STATE D/L FEES PAYAE
001249	129.35	TARGET STORES INC	SUPPLIES, OFFICE
001250	41.50	RAMSEY CO CLERK OF DIST	CNTY D/L FEES PAYAE
001251	5.95	HOLIDAY	TRAVEL + TRAINING
001252	14.35	JUDY CHLEBECK	TRAVEL + TRAINING
001253	111.00	MINN STATE TREASURER	STATE D/L FEES PAYAE
001254	8,571.90	MINN STATE TREASURER	MV LICENSE FEES PAYA
001255	33.80	NATIONAL BUSINESS SYSTEM	FEES, SERVICE Microfiche processin
001256	2,061.75	MINN STATE TREASURER	MV LICENSE FEES PAYA
001257	199.00	MINN STATE TREASURER	STATE D/L FEES PAYAB
001258	48.64	LUCILLE AURELIUS	TRAVEL + TRAINING AND-POSTAGE AND-SUPPLIES, PROGRA

CHECK#	A M O U N T	C L A I M A N T	P U R P O S E
001259	324.30	ANDERSON HOUSE	FEES, SERVICE- Natur Eagle's Program Trip
001260	16.00	NELLIE KLOSS	A/R - PARAMEDIC
001261	3,972.00	MINN STATE TREASURER	MV LICENSE FEES PAYA
001262	268.00	MINN STATE TREASURER	STATE D/L FEES PAYAE
001263	435.02	ICMA RETIREMENT CORP	DEFERRED COMP PAYABL AND-DEFERRED COMPENS
001264	15,767.99	MAPLEWOOD STATE BANK	FED INCOME TAX PAYAE
001265	7,440.10	STATE OF MN	STATE INCOME TAX PAY
001266	200.00	MN STATE RETIREMENT SYST	DEFERRED COMP PAYABL
001267	297.43	AFSCME LOCAL 2725	UNION DUES PAYABLE AND-FAIR SHARE FEES
001268	24.00	METRO SUPERVISORY ASSOC	UNION DUES PAYABLE
001269	277.00	MN MUTUAL LIFE INS CO	DEFERRED COMP PAYABI
001270	11,177.50	CITY + CTY CREDIT UNION	CREDIT UNION DED PA
001271	145.00	ROSEMARY KANE	WAGE DEDUCTIONS PAY/
001272	608.50	MN TEAMSTERS LOCAL 320	UNION DUES PAYABLE
001273	2,260.45	BRYAN ROCK PRODUCTS	MAINTENANCE MATERIAL
001274	11.40	DISPATCH-PIONEER PRESS	SUBSCRIPTIONS+MEMBE
001275	2,542.25	MINN STATE TREASURER	MV LICENSE FEES PAY/
001276	95.00	MINN STATE TREASURER	STATE D/L FEES PAYA
001277	87,939.93	METRO WASTE CONTROL COMM	SEWAGE TREATMENT
001278	10.00	CITY OF MOUNDS VIEW	SUPPLIES, PROGRAM
001279	10,794.45	RICHARD SCHREIR	R E F U N D Assessments
001280	1,080.00	MINN STATE TREASURER	MV LICENSE FEES PAY
001281	108.00	MINN STATE TREASURER	STATE D/L FEES PAYA
001282	53.00	RAMSEY CO CLERK OF DIST	CNTY D/L FEES PAYA

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P U R P O S E

001283	130.00	VIRTUE PRINTING CO	POSTAGE
001284	25.00	NORTHWEST ENTERTAINMENT	SUPPLIES, PROGRAM
001285	.00	VOID CHECK	VOIDED CHECKS
001286	45.00	MINN STATE TREASURER	STATE D/L FEES PAYA
001287	1,554.50	MINN STATE TREASURER	MV LICENSE FEES PAYA
001288	1,912.50	MINN STATE TREASURER	MV LICENSE FEES PAYA
001289	96.00	MINN STATE TREASURER	STATE D/L FEES PAYA
001290	5.09	JO ANNE SVENDSEN	SUPPLIES, OFFICE AND-POSTAGE
001291	48.00	TOWN CRIER	SUPPLIES, PROGRAM
001292 *	134.94	MCDONALD RESTR	SUPPLIES, PROGRAM
001293	140.00	MINN STATE TREASURER	DNR LICENSE FEES PBI
001294	302.00	MINN STATE TREASURER	DNR LICENSE FEES PBI
001295	183.00	MINN STATE TREASURER	STATE D/L FEES PAYA
001296	3,132.25	MINN STATE TREASURER	MV LICENSE FEES PAYA
58	197,482.52	NECESSARY EXPENDITURES SINCE LAST COUNCIL MEETING	

CITY OF MAPLEWOOD

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P U R P O S E

015093	88.15	ACE HARDWARE	MAINTENANCE MATERIA
015094	131.96	AMERICAN TOOL SUPPLY CO	SMALL TOOLS
015095	238.50	AQUAZYME MIDWEST	FEEs, SERVICE
015096	1,378.68	ARNALS AUTO SERVICE	Chemical Toilets REP. + MAINT., VEHIC AND-FUEL + OIL
015097	254.57	ARNALS AUTO SERVICE	REP. + MAINT., VEHIC
015098	66.15	ARNALS AUTO SERVICE	REP. + MAINT., VEHIC
015099	15.50	ARTSIGN	SUPPLIES, OFFICE
015100	20.00	DEBORAH BASTYR	TRAVEL + TRAINING
015101	70.98	BATTERY + TIRE WHSE INC	CHEMICALS
015102	126.30	BERG-TORSETH INC	SUPPLIES, VEHICLE
015103	175.51	BIG A AUTO PARTS	SUPPLIES, VEHICLE
015104	5,257.28	BOARD OF WATER COMM	OTHER CONSTRUCTION C
015105	432.91	BOARD OF WATER COMM	OUTSIDE ENGINEERING
015106	749.07	BOARD OF WATER COMM	OUTSIDE ENGINEERING
015107	72.60	BILL BOYER FORD	REP. + MAINT., VEHIC
015108	77.25	BRAD RAGEN INC	REP. + MAINT., VEHIC
015109	912.28	BRYAN ROCK PRODUCTS	MAINTENANCE MATERIAL
015110	30.12	BUREAU OF BUSINESS PRACT	SUBSCRIPTIONS+MEMBER
015111	64.34	CAPITOL SUPPLY CO	MAINTENANCE MATERIAL
015112	59.70	CHAMPION AUTO STORES	SUPPLIES, VEHICLE
015113	9.65	CHIPPEWA SPRINGS CO	FEEs, SERVICE
015114	386.97	COLLINS ELECTRICAL CONST	Water Cooler REP. + MAINT., BLDG+ AND-REP. + MAINT., E
015115	5.00	KENNETH V COLLINS	FEEs, SERVICE
015116	220.00	COPY DUPLICATING PRO D	Notary Filing Fee DUPLICATING COSTS

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P U R P O S E

015117	3.68	COPY EQUIPMENT	SUPPLIES, EQUIPMENT
015118	270.00	PAT DALEY	FEES, SERVICE Plumbing Inspector
015119	41.25	DATAPRO RESEARCH CORP	BOOKS
015120	165.00	DEPT OF PUBLIC SAFETY	RENTAL, EQUIPMENT
015121	1,207.98	DEPT OF PUBLIC SAFETY	RENTAL, EQUIPMENT
015122	23.48	KATHLEEN DOHERTY	TRAVEL + TRAINING
015123	45,540.00	EAST CO LINE FIRE DEPT	FEES, SERVICE Fire Protection
015124	20.00	RICHARD EASTLUND	FEES, SERVICE EMT Instructor
015125	11.40	EASTMAN KODAK CO	SUPPLIES, OFFICE
015126	185.04	FEDERAL LUMBER CO	MAINTENANCE MATERIAL
015127	84.83	FISHER PHOTO SUPPLY CO	MAINTENANCE MATERIAL
015128	39.08	FOX VALLEY MARKING SYST	SIGNS + SIGNALS
015129	60.00	MICHAEL A FRANTZEN	FEES, SERVICE EMT Instructor
015130	186.17	GEN INDUST SUPPLY CO	SMALL TOOLS
015131	90.00	GLADSTONE FIRE DEPT	REP. + MAINT., VEHIC
015132	52,858.75	GLADSTONE FIRE DEPT	FEES, SERVICE Fire Protection
015133 *	147.14	GOODYEAR SERVICE STORE	REP. + MAINT., VEHIC
015134 VOID	109.99	PHYLLIS GREEN	UNIFORMS + CLOTHING
015135	26.26	JANET GREW	TRAVEL + TRAINING
015136	148.40	G+K SERVICES	UNIFORMS + CLOTHING
015137	185.20	G+K SERVICES	UNIFORMS + CLOTHING
015138	20.00	GRUBERS HARDWARE HANK	MAINTENANCE MATERIAL
015139	20.00	MELVIN J GUSINCA	UNIFORMS + CLOTHING
015140	8.00	HOWIES LOCK + KEY SERVIC	MAINTENANCE MATERIAL AND-REP. + MAINT., V
015141	1,723.44	INTERSTATE DETROIT	REP. + MAINT., VEHIC

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015142	27.95	JOLLY TYME FAVORS	SUPPLIES, PROGRAM
015143	23.40	RANDALL JOHNSON	TRAVEL + TRAINING
015144 *	147.81	KNOX LUMBER COMPANY	MAINTENANCE MATERIA
015145	23.30	KREBS ENTERPRISES	SUPPLIES, VEHICLE
015146	8,775.88	LAIS BANNIGAN + KELLY	FEES, SERVICE AND-LEGAL + FISCAL Sept. & Oct Legal Ser
015147	169.50	LAKE SANITATION	FEES, SERVICE Rubbish Removal
015148	19,326.25	LEAGUE OF MINN CITIES	DUE TO OTHER GOVT U
015149	52.12	LEES AUTO SUPPLY	Workers Comp. Prem. CHEMICALS AND-SUPPLIES, VEHIC AND-MAINTENANCE MAT
015150	313.60	LONG LAKE FORD TRACTOR	SUPPLIES, EQUIPMENT AND-SUPPLIES, VEHIC
015151	210.00	STEVEN J LUKIN	FEES, SERVICE
015152	5.40	LUGER LUNBER	EMT Instructor SUPPLIES, EQUIPMENT
015153	8.50	MPH INDUSTRIES INC	SUPPLIES, EQUIPMENT
015154	119.17	MANDC PHOTO	SUPPLIES, EQUIPMENT
015155	153.00	MAPLEWOOD BOWL	FEES, SERVICE After School Activit
015156	35,200.00	MAPLEWOOD VOLUNTEER Firemans Relief Assoc.	FEES, SERVICE Annual Payment
015157 *	19.32	MAPLEWOOD FOODS	SUPPLIES, PROGRAM
015158	14.88	MAPLEWOOD PLBG + HTG INC	SUPPLIES, VEHICLE
015159	125.11	MAPLEWOOD REVIEW	PUBLISHING
015160	507.23	MCCANN INDUSTRIES INC	FEES, SERVICE -Repor examination for Lieu
015161	4.20	JOHN J MCNULTY	SUPPLIES, OFFICE
015162	1,522.80	METROPOLITAN INSPETICN	FEES, SERVICE Electrical Inspectio
015163	297.00	MID-CO TV SYSTEMS	SUPPLIES, EQUIPMENT AND-EQUIPMENT, OTHER
015164	31.26	MIKE@S LP GAS SERVICE	MAINTENANCE MATERIA

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C L A I M A N T

P U R P O S E

015165	69.95	MILLER CLOTHING	UNIFORMS + CLOTHING
015166	46.04	MINN MINING + MFG CO	SUPPLIES, OFFICE
015167	103.77	MINNESOTA TORO	SUPPLIES, VEHICLE
015168 VOID	2,500.00	NANCY HISKELL	FEES, SERVICE AND-LEGAL + FISCAL
015169	252.00	MOGREN BROS LANDSCAPING	MAINTENANCE MATERIA
015170 VOID	6,866.52	MUNICIPAL CLERKS + FIN	FEES, SERVICE
015171	903.50	MUNIC + PRIVATE SERVICE	R E F U N D AND-FEES, SERVICE Animal Control
015172 VOID	35.00	NORMS TIRE SALES	SUPPLIES, VEHICLE
015173	1,429.84	CITY OF NORTH ST PAUL	UTILITIES
015174 *	30.00	NO ST PL-MPLWD SCHOOLS	SUPPLIES, PROGRAM
015175	790.38	NORTHERN STATES POWER CO	UTILITIES
015176	7.41	NORTHERN STATES POWER CO	UTILITIES
015177 *	419.18	NORTHWESTERN BELL TEL CO	TELEPHONE
015178	953.80	NORTHWESTERN BELL TEL CO	TELEPHONE
015179	900.30	NORTHWESTERN BELL TEL CO	TELEPHONE
015180	7.50	NORTHWOOD HDW	SUPPLIES, EQUIPMENT
015181	6.24	GEOFFREY OLSON	TRAVEL + TRAINING
015182	93.50	OSWALD FIRE HOSE	MAINTENANCE MATERIA AND-SUPPLIES, EQUIP
015183	8.00	OXYGEN SERVICE CO INC	SUPPLIES, EQUIPMENT
015184	213.00	PALEN/KIMBALL CO	REP. + MAINT., BLDG
015185	34,101.25	PARKSIDE FIRE DEPT	FEES, SERVICE Fire Protection
015186	2,075.00	PETERSON, BELL + CONVERSE	FEES, SERVICE Dec. Services
015187	172.00	RAMSEY CLINIC ASSOC P A	FEES, SERVICE Physical
015188	25.00	RAMSEY COUNTY CHIEFS OF	TRAVEL + TRAINING

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015189	6,402.47	RAMSEY COUNTY TREASURER	FEES, SERVICE AND-MAINTENANCE MAT Data Processing
015190	94.50	RICE STREET CAR WASH	REP. + MAINT., VEHI
015191	1,695.00	ROCHESTER CHEMICAL + MAT	MAINTENANCE MATERIA
015192	184.00	RUGGED RENTAL RUGS	FEES, SERVICE Rug Cleaning
015193	792.49	S + T OFFICE PRODUCTS	SUPPLIES, OFFICE
015194	105.60	S + T OFFICE PRODUCTS	SUPPLIES, OFFICE
015195	445.20	T A SCHIFSKY + SONS INC	MAINTENANCE MATERIA
015196	792.81	SCHOELL + MADSON INC	OUTSIDE ENGINEERING
015197	97.96	SEARS ROEBUCK + CO	SMALL TOOLS
015198	1,611.58	SHORT-ELLIOTT-HENDRICKSN	OUTSIDE ENGINEERING
015199	85.00	DON SKALMAN FIREARMS	UNIFORMS + CLOTHING
015200	33.89	SNYDERS DRUG STORES INC	SUPPLIES, JANITORIA
015201	58.36	CHRISTINE SOUTTER	TRAVEL + TRAINING AND-SUPPLIES, PROGR
015202	380.85	CITY OF ST PAUL	REP. + MAINT., RADI
015203	54.60	ST PAUL DISPATCH	PUBLISHING
015204	63.50	ST PAUL RAMSEY HOSPITAL	FEES, SERVICE examination
015205	252.00	ST PAUL RENT-ALL	RENTAL, EQUIPMENT
015206	25.05	ST PAUL STAMP WORKS INC	SUPPLIES, OFFICE
015207	-3.75	GREGORY L STAFNE	TRAVEL + TRAINING
015208 *	20.00	PAULINE STAPLES	SUPPLIES, PROGRAM
015209	48.50	STD SPRING + ALIGNMENT	REP. + MAINT., VEHI
015210	31.85	DON STREICHER GUNS INC	EQUIPMENT, OTHER AND-SUPPLIES, RANGE
015211	27.20	JO ANNE SVENDSEN	TRAVEL + TRAINING
015212	76.50	TABULATING SERV BUREAU	FEES, SERVICE Data Processing

CHECK *

A M O U N T

C L A I M A N T

P U R P O S E

015213 *	47.40	J THOMAS ATHLETIC CO	SUPPLIES, PROGRAM
015214	1,790.70	TOLZ, KING, DUVALL	FEES, CONSULTING
015215	5.60	TRUCK UTILITIES + MFG CO	SUPPLIES, VEHICLE
015216	80.50	TWIN CITY GARAGE DOOR CO	REP. + MAINT., EQUIP
015217	112.86	TWIN CITY HARDWARE CO	MAINTENANCE MATERIAL
015218	840.16	UNIFORMS UNLIMITED	UNIFORMS + CLOTHING
015219	90.00	UNIVERSITY OF MINNESOTA	TRAVEL + TRAINING
015220	75.00	UNIVERSITY OF MINNESOTA	TRAVEL + TRAINING
015221	34.65	VIKING INDUSTRIAL CENTER	UNIFORMS + CLOTHING
015222	39.50	VIRTUE PRINTING CO	SUPPLIES, PROGRAM
015223	41.10	WAHL + WAHL INC	REP. + MAINT., EQUIP
015224 *	202.53	WARNERS TRUEVALUE HDW	SUPPLIES, PROGRAM AND-SMALL TOOLS AND-MAINTENANCE MAT AND-SUPPLIES, EQUIP AND-SUPPLIES, VEHIC
015225	68.25	WASTE MGT OF MN INC	MAINTENANCE MATERIAL
015226	287.77	WEBER + TROSETH INC	SUPPLIES, EQUIPMENT
015227	69.72	WESTINGHOUSE ELECTRIC	SUPPLIES, JANITORIAL
015228	5.20	WHITE BEAR OFFICE PROD	SUPPLIES, OFFICE
015229	250.59	XEROX CORPORATION	DUPLICATING COSTS
015230 *	15.00	WILLIAM C EBERTZ	WAGES, P/T + TEMP.
015231 *	46.50	MARILYN JOYCE GALBRAITH	WAGES, P/T + TEMP.
015232 *	84.60	DENISE RYDEN	WAGES, P/T + TEMP.
015233	750.00	ALLIED PLASTIC	MAINTENANCE MATERIAL
015234	71.95	SHIRLENE JOHNSON	BOOKS
015235	12.00	WILLIAM PRIEBE	SUBSCRIPTIONS+MEMBER

CHECK #

A M O U N T

C L A I M A N T

P U R P O S E

015236

8.90

RED OWL

SUPPLIES, PROGRAM

015237

12.00

UNIV' OF MINN REC DEPT

TRAVEL + TRAINING

145

242,018.25

CHECKS WRITTEN

TOTAL OF 203 CHECKS TOTAL

439,500.77

* INDICATES ITEMS FINANCED BY RECREATIONAL FEES

CERTIFICATION REGISTER

CHECK DATE 12-17-82

CHECK	NAME			GROSS PAY	NET PAY
06013	BEHM	LOIS	N	706.59	479.60
06014	EVANS	BARRY	R	1,817.54	1,211.86
06015	PELOQUIN	ALFRED	J	747.23	46.34
06016	SCHLEICHER	JOHN	F	119.00	119.00
06017	CUDE	LARRY	J	191.54	145.44
06018	DOHERTY	KATHLEEN	M	313.50	223.18
06019	ZUERCHER	JOHN	L	115.39	115.13
06020	FAUST	DANIEL	F	1,446.46	1,047.44
06021	HAGEN	ARLINE	J	888.92	398.30
06022	MATHEYS	ALANA	K	677.54	459.85
06023	VIGCREN	DELORES	A	586.62	348.51
06024	AURELIUS	LUCILLE	E	1,350.46	671.94
06025	SELVOG	BETTY	D	711.23	457.80
06026	GREEN	PHYLLIS	C	738.92	511.71
06027	SCHADT	JEANNE	L	215.36	178.28
06028	VIETOR	LORRAINE	S	561.69	381.83
06029	HENSLEY	PATRICIA	A	238.80	182.02
06030	KELSEY	CONNIE	L	190.74	179.21
06031	FREDERICKSON	RITA	M	115.00	115.00
06032	STCITLEMYER	EDITH	G	165.00	164.75
06033	BASTYR	DEBORAH	A	553.39	268.42
06034	COLLINS	KENNETH	V	1,504.62	196.47
06035	HAGEN	THOMAS	L	1,424.31	317.08
06036	OMATH	JOY	E	553.39	368.96
06037	RICHIE	CAROL	L	501.23	285.26

CERTIFICATION REGISTER

CHECK DATE 12-17-82

CHECK	NAME			GROSS PAY	NET PAY
06038	SVENDSEN	JOANNE	M	677.54	440.97
06039	ARNOLD	DAVID	L	1,182.92	422.75
06040	ATCHISON	JOHN	H	1,036.15	702.00
06041	BOGMAN	RICK	A	629.54	419.25
06042	CAHANES	ANTHONY	G	1,216.15	135.60
06043	CLAUSON	DALE	K	1,036.15	158.08
06044	DREGER	RICHARD	C	1,212.00	698.32
06045	GREEN	NORMAN	L	1,207.38	626.09
06046	HALWEG	KEVIN	R	1,075.39	550.73
06047	HEINZ	STEPHEN	J	871.38	558.36
06048	HERBERT	MICHAEL	J	1,016.77	597.47
06049	JACUITH	DANIEL	R	820.44	544.30
06050	KORTUS	DONALD	V	305.04	237.69
06051	LANG	RICHARD	J	1,129.08	582.13
06052	MCMULTY	JOHN	J	1,235.21	287.70
06053	MEEHAN, JR	JAMES	E	997.38	516.49
06054	METTLER	DANIEL	B	1,036.61	689.91
06055	MOESCHTER	RICHARD	M	1,026.30	156.82
06056	MORELLI	RAYMOND	J	1,016.77	689.08
06057	PELTIER	WILLIAM	F	1,163.08	590.04
06058	SKALMAN	DONALD	M	1,016.77	153.94
06059	STAFNE	GREGORY	L	1,016.77	627.98
06060	STILL	VERNON	T	997.38	605.95
06061	STOCKTON	DARRELL	T	1,016.08	690.07
06062	ZAPPA	JOSEPH	A	1,208.77	682.96

CERTIFICATION REGISTER

CHECK DATE 12-17-82

CHECK	NAME			GROSS PAY	NET PAY
06063	BECKER	RONALD	D	1,141.49	281.38
06064	GRAF	DAVID	M	1,070.00	522.38
06065	LEE	ROGER	W	1,110.60	638.46
06066	MELANDER	JON	A	1,065.23	25.40
06067	NELSON	CAROL	M	1,642.93	1,128.83
06068	RAZSKAZOFF	DALE	E	1,172.04	543.34
06069	RYAN	MICHAEL	P	1,103.36	477.64
06070	VORWERK	ROBERT	E	1,399.61	404.38
06071	YOUNGREN	JAMES	G	1,101.94	665.95
06072	EMBERTSON	JAMES	M	944.31	623.39
06073	SCHADT	ALFRED	C	1,127.54	670.65
06074	FLAUGHER	JAYNE	L	677.54	445.47
06075	FULLER	JAMES	D	617.08	438.00
06076	MARTIN	SHAWN	M	549.69	377.98
06077	NELSON	KAREN	A	660.35	406.90
06078	NELSON	ROBERT	D	1,264.98	671.32
06079	RABINE	JANET	L	549.69	372.23
06080	WILLIAMS	DUANE	J	1,174.29	536.12
06081	BARTA	MARIE	L	477.69	315.29
06082	HAIDER	KENNETH	G	1,391.08	298.24
06083	HEGWERTH	JUDITH	A	490.62	351.68
06084	CASS	WILLIAM	G	1,157.08	571.33
06085	FREBERG	RONALD	L	824.00	326.34
06086	HELEY	RONALD	J	847.18	537.64
06087	HOCHBAN	JOSEPH	H	824.00	538.45

CERTIFICATION REGISTER

CHECK DATE 12-17-82

CHECK	NAME			GROSS PAY	NET PAY
06088	KANE	MICHAEL	R	824.00	376.94
06089	KLAUSING	HENRY	F	867.04	465.81
06090	MEYER	GERALD	W	824.00	429.50
06091	PRETTNER	JOSEPH	B	1,169.60	735.02
06092	REINERT	EDWARD	A	824.00	529.68
06093	TEVLIN, JR	HARRY	J	934.94	575.69
06094	ELIAS	JAMES	G	981.69	608.96
06095	GEISSLER	WALTER	M	935.08	569.52
06096	GESSELE	JAMES	T	915.62	612.59
06097	PECK	DENNIS	L	981.69	485.15
06098	PILLATZKE	DAVID	J	1,157.08	796.63
06099	PRIEBE	WILLIAM		730.16	460.69
06100	LUTZ	DAVID	P	593.50	358.30
06101	BREHEIM	ROGER	W	769.60	481.42
06102	EDSON	DAVID	B	871.50	577.40
06103	MULWEE	GEORGE	W	798.46	499.89
06104	NADEAU	EDWARD	A	874.22	573.37
06105	NOTESON	LAVERNE	S	940.27	323.69
06106	OWEN	GERALD	C	840.00	500.86
06107	MACDONALD	JOHN	E	908.80	469.45
06108	MULVANEY	DENNIS	M	878.40	559.53
06109	BRENNER	LOIS	J	677.54	155.97
06110	KRUMMEL	BARBARA	A	270.40	126.98
06111	ODEGARD	ROBERT	D	1,364.77	940.04
06112	STAPLES	PAULINE	M	1,056.92	684.50

CERTIFICATION REGISTER

CHECK DATE 12-17-82

CHECK	NAME			GROSS PAY	NET PAY
06113	BAUER	ALAN	H	189.13	164.03
06114	BURKE	MYLES	R	870.35	469.52
06115	GERMAIN	DAVID	A	885.80	555.69
06116	GUSINDA	MELVIN	J	1,230.80	672.19
06117	HAAG	MATTHEW	J	178.00	178.00
06118	HELEY	ROLAND	B	893.53	586.84
06119	HUNTER	TONY		111.60	109.26
06120	MARUSKA	MARK	A	901.25	565.54
06121	SANTA	REED	E	916.70	417.00
06122	GALBRAITH	MICHAEL	D	24.00	24.00
06123	TAUBMAN	DOUGLAS	J	804.00	509.50
06124	WARD	ROY	G	328.62	253.25
06125	GREW	JANET	M	684.92	446.14
06126	SOUTTER	CHRISTINE		684.92	467.59
06127	CHLEBECK	JUDY	M	711.23	296.43
06128	OLSON	GEOFFREY	W	1,340.31	752.21
06129	EKSTRAND	THOMAS	G	785.54	492.70
06130	JOHNSON	RANDALL	L	785.54	500.33
06131	OSTROM	MARJORIE		1,133.54	709.30
06132	WENGER	ROBERT	J	857.54	479.78
CHECK REGISTER TOTALS				102,272.44	54,953.73
06133	Cusick	Dennis	S.	450.00	396.64
CHECK REGISTER TOTALS				102,722.44	55,350.37

MEMORANDUM

Informal _____
Modified _____
Repealed _____
Date _____

TO: City Manager
FROM: Finance Director *H. O. Gust*
RE: Designation of Official Depository and Banking Services Agreement
DATE: December 16, 1982

PROPOSAL

It is proposed (1) that an agreement with Maplewood State Bank for banking, lockbox and account reconciliation services be approved as outlined in their proposal and (2) that Maplewood State Bank be designated as the official depository for the City's demand deposits during 1983.

BACKGROUND

Chapter 427.02 of the Minnesota Statutes gives authority to the City Council to designate at the beginning of each calendar year, or from time to time, banks as depositories for City funds. Normally, the depository designation has been acted upon by the City Council in December as it takes approximately six weeks to have new checks printed.

It has been past practice to request quotations from nearby banks for checking account services. These quotations are expressed in terms of the size of the compensating balance required to be maintained in the City's checking account. During the past five years, Eastern Heights State Bank of St. Paul was the depository in 1978, Town and Country (Hillcrest) State Bank from 1979 through 1980 and Maplewood State Bank during 1981 and 1982. The required compensating balance at Maplewood State Bank for 1982 has been \$35,000.

On November 19th, letters requesting proposals for 1983 banking services were sent to all local banks and savings and loan institutions. Requests for proposals were sent to savings and loan associations because a recent change in law authorizes cities to use Negotiable Order of Withdrawal (N.O.W.) accounts which are essentially checking accounts that pay interest. Each financial institution was requested to submit a quotation based upon agreement terms presently in effect at Maplewood State Bank. Also, each financial institution was requested to submit alternate proposals for a N.O.W. account.

In response to those letters, the following quotations were received:

I. Checking Account:

	<u>Compensating Balance Amounts</u>			
	<u>Basic Services</u>	<u>Lockbox Services</u>	<u>Reconciliation Services</u>	<u>Total</u>
Maplewood State	\$35,000	\$ 23,000	\$ 1,000	\$ 59,000
Northwestern	71,420	146,335	30,597	248,352
Town and Country	20,000	No Bid	No Bid	20,000

II. Alternate N.O.W. Account

	<u>Compensating Balance Amounts</u>			
	<u>Basic Services</u>	<u>Lockbox Services</u>	<u>Reconciliation Services</u>	<u>Total</u>
Maplewood State	\$60,000	\$ 37,000	\$ 2,000	\$ 99,000
Northwestern	95,771	196,229	41,029	333,029
Town and Country	25,000	No Bid	No Bid	25,000

The quotations were for a term of one year except for Northwestern's, which was subject to repricing on April 1, 1983. Details regarding the base, lockbox and reconciliation services are listed in the attached Exhibits A through C.

ANALYSIS OF QUOTATIONS

It is recommended that the proposal from Town and Country State Bank be rejected because it does not include lockbox services. The lockbox services are especially important to the City because a significant amount of personnel time is saved in the City Clerk's Department by having a bank process utility bill payments. Also, the lock box services makes the utility bill payments available for investment more quickly. In the past periodic delays occurred in the processing of utility bill remittances due to variations in other work demands (especially motor vehicle licensing) and when key personnel are absent due to illness or vacations. Also, the number of utility bill remittances vary greatly each day with the majority being received near the payment due date. The timely deposit of utility bill remittances via a lock box service has generated approximately \$4,000 of additional investment interest.

Of the two quotations for complete services, the lowest is from Maplewood State Bank. Their quotation for lockbox services is significantly less than Northwestern National Bank because they will not provide around-the-clock pick-up services from the Post Office Box. This will delay the crediting of utility remittances to the City's account by approximately one day, which is not a significant factor.

An analysis of Maplewood State Bank's proposal for checking versus N.O.W. account services indicates that the N.O.W. account would be the better, assuming that the average interest rate on overnight investments during 1983 does not exceed 13%. This was computed as follows:

\$99,000	N.O.W. Account compensating balance required
<u>x.0525</u>	Interest rate on N.O.W. Account
\$ 5,197.50	Anticipated 1983 interest
\$ 5,197.50 ÷ \$40,000	= 13%

The N.O.W. Account requires a compensating balance \$40,000 greater than the proposal for checking account services. Therefore, with a checking account, the extra \$40,000 that would be available would have to be invested at an interest rate of 13% in order to equal the same amount that would be earned with a N.O.W. account. Current and forecasted interest rates indicate that short-term rates will not average 13% during 1983. Therefore, it is recommended that a N.O.W. account be utilized in 1983.

RECOMMENDATION

It is recommended: (1) that an agreement with Maplewood State Bank for banking, lockbox and account reconciliation services be approved as outlined in their proposal and (2) that Maplewood State Bank be designated as the official depository for the City's demand deposits during 1983.

RESOLUTION

BE IT RESOLVED, that the Maplewood State Bank is hereby designated as the depository for demand deposits of the City of Maplewood, and

BE IT FURTHER RESOLVED, that an agreement is hereby approved with Maplewood State Bank for banking, lockbox and account reconciliation services based upon the terms in their proposal dated December 15, 1982, and

BE IT FURTHER RESOLVED, that funds deposited in said bank may be withdrawn by check when signed by the signature, or by the facsimile signature, of the Mayor, City Manager and City Treasurer, and

BE IT FURTHER RESOLVED, that funds in said bank may be wire transferred at the request of the City Treasurer or Finance Director for purchases of City investments, and

BE IT FURTHER RESOLVED, that deposits in said bank shall not exceed the amount of F.D.I.C. insurance covering such deposit unless collateral or a bond is furnished as additional security, and

BE IT FURTHER RESOLVED, that this depository designation shall be effective until a new depository is designated.

City of Maplewood

Proposed Terms for Financial Services Agreement

1. Checking account services shall be provided free of charge when the City maintains a compensating balance in the amount specified in the financial institution's proposal. In the event a daily balance is less than the required compensating balance, the City will increase the next day's balance above the required amount so that the average balance for the month equals the required compensating balance. An occasional overdraft balance will be allowed.
2. The financial institution shall provide the following reports:
 - a. A daily verbal report of the current balance in the checking account.
 - b. A monthly checking account statement.
3. The financial institution shall pledge collateral of a type and in amounts as required by State Law.
4. The financial institution shall provide the City free of charge checking account deposit slips.
5. The financial institution shall provide the City free of charge three safe deposit boxes that measure 10" x 5" x 21", or with a volume equal to this.
6. The financial institution shall provide same day credit for all deposits received prior to 3:00 p.m. on weekdays (except holidays).
7. The financial institution shall provide free wire transfer services for City purchases of investments at other banks. These wire transfers shall be promptly processed and not delayed until wire transfers in are confirmed.
8. The financial institution will return cancelled checks sorted in numerical order.
9. The preceding terms shall be agreed to in writing for a minimum period of twelve months commencing when a new supply of printed checks become available early in 1983.

City of Maplewood
Proposed Terms for Lockbox Services Agreement

1. City utility bill payments will be mailed to a North St. Paul post office box from which mail will be picked up at approximately 8:30 a.m. by an employee of the financial institution every day, Monday through Friday, except holidays.
2. The mail will then be taken to the financial institution for processing. The contents of each envelope will be verified as to payment amount and billing amount. If the payment amount is different than the bill amount, the amount paid will be noted on the bill stub. If the payment is delinquent, the envelope will be stapled to the bill stub and returned to the City. If a bill stub is received without a check, the envelope will be stapled to the bill stub and returned to the City. The remainder of the envelopes which contained good payments will be destroyed by the financial institution. The remainder of the bill stubs will be stamped with the date and returned to the City.
3. Each day's receipts will be deposited on the same day to the City's account.
4. A computer printout will be prepared daily indicating the payment amounts by account number and date of payment.
5. The computer printout, bill stubs and deposit receipt will be available for daily pick up by the City.
6. On the second weekday of each month, after the utility bill payments received that day have been processed, the financial institution will produce a computer printout showing all transactions processed since the second workday of the previous month. The format of this printout should be the same as the daily printout.
7. By noon on the third weekday of each month, the computer printout (listed under item six) and a computer tape containing the same data will be available for pick up by the City.
8. Approximately 2,300 utility payments are received per month.

City of Maplewood
Proposed Terms for Account Reconciliation Service Agreement

1. A computerized checking account (or N.O.W. account) reconciliation report will be provided by the financial institution on a monthly basis.
2. The City will deliver a computer tape to the financial institution each month containing data on checks written during the month (i.e., check number, date, amount).
3. Within two days after the computer tape is delivered, the financial institution will prepare a computer printout with the following column headings:

Column 1 - CK. DATE
2 - CHECK AMT.
4 - AMOUNT O/S
5 - AMOUNT PAID
6 - DIFFERENCE

This printout, the computer tape, the bank statement, and cancelled checks will be picked up by the City at the financial institution.

MEMORANDUM

Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

TO: City Manager
FROM: Public Works Director *WJH*
SUBJECT: Watershed Boundary
DATE: December 21, 1982

Attached is a map and sample resolution developed by a staff committee from a number of surrounding cities. The intention is to certify the actual watershed boundary at this time. Over the next year the cities will attempt to negotiate a joint powers agreement to manage stormwater within the watershed boundary. The City Council will be involved in this process as information is developed.

It is recommended the City Council adopt the attached resolution.

jw
Attachments

WHEREAS, Minnesota Statutes 1982, Section 473.875 to 473.883 were devised and adopted to preserve and use natural water storage and retention systems to dispose of stormwater runoff; and

WHEREAS, Minnesota Statutes 1982, Section 473.878 requires that watershed management planning be conducted for all areas within the metropolitan area; and

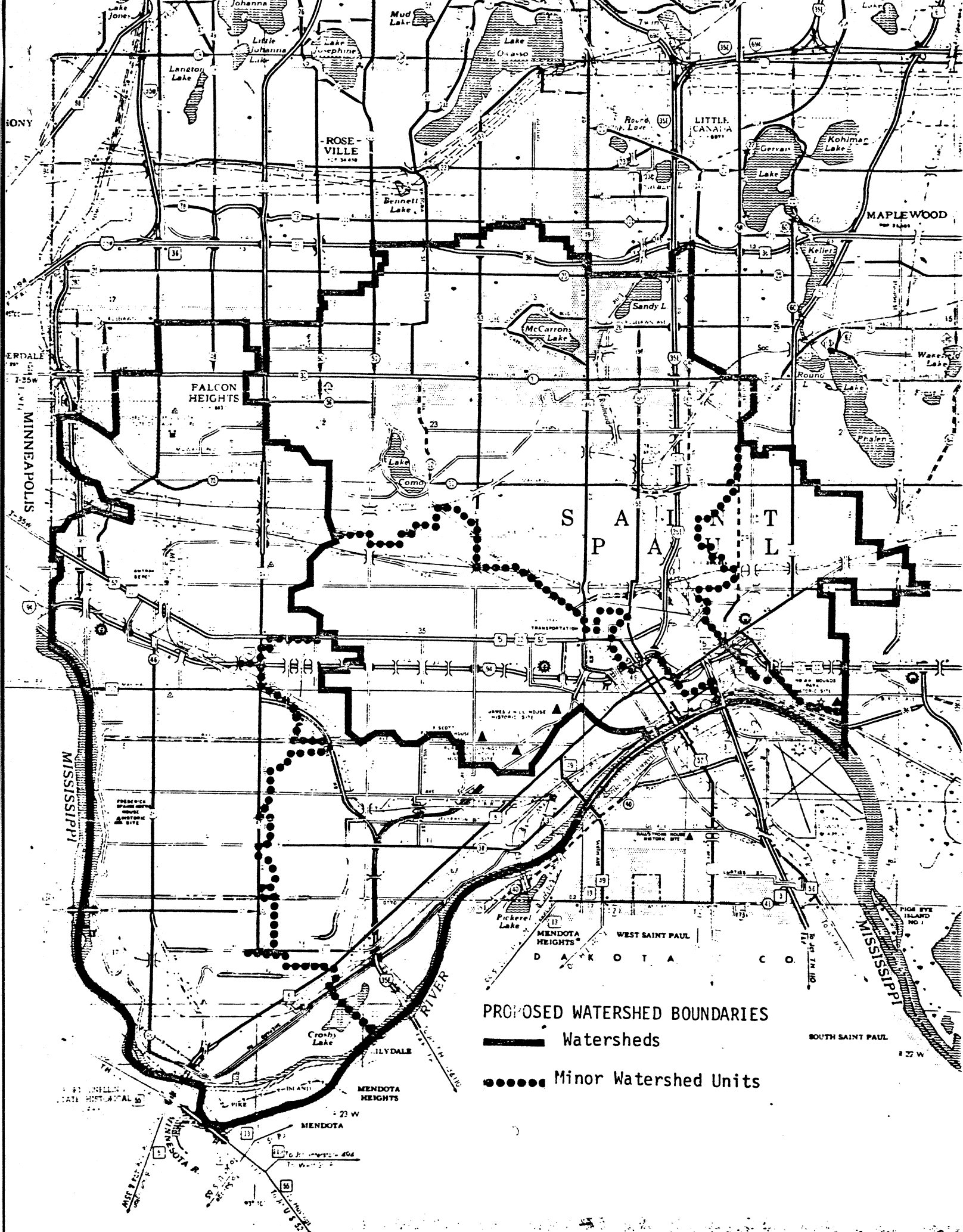
WHEREAS, Minnesota Statutes 1982, Section 473.877, Subd. 2 requires that before planning can commence for any specific area, a map delineating watershed boundaries shall be submitted to the Water Resources Board for review and comment; and

WHEREAS, the Department of Natural Resources is currently making revisions to the watershed boundaries map for the Water Resources Board; and

WHEREAS, staff or consultant engineer representatives from the City of Falcon Heights, the State Fair Board, the City of Lauderdale, the City of Little Canada, the City of Maplewood, the City of Roseville, the City of St. Paul, and the University of Minnesota-St. Paul Campus have worked together in delineating watershed boundaries for southwestern Ramsey County as depicted on the attached map;

NOW, THEREFORE, BE IT RESOLVED, that the attached map represents the City of Maplewood's position on watershed boundaries for southwestern Ramsey County; and

BE IT FURTHER RESOLVED that the attached map be forwarded to the Department of Natural Resources in preparation of the metropolitan watershed boundaries map.



Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

November 8, 1982

Mr. Barry Evans
City Manager
1380 Frost Avenue
Maplewood, Minnesota 55109

Subject: Interceptor Maintenance Agreement for 1983

Dear Mr. Evans:

We wish to renew for another year Interceptor Maintenance Agreement No. 129 under the same general terms and conditions contained in the agreement now in force between the City of Maplewood and the Metropolitan Waste Control Commission with the exception of Section 6.02 Cost Estimates; Payments. We would like to amend this section to read:

"Section 6.02 Cost Estimates; Payments". The parties estimated that the total amount of costs which the Commission will be required to pay the Municipality for performance of this agreement in 1983 will be \$14,300.00. Such amount shall be paid in twelve monthly installments as an advance payment of such costs. On or before March 1, 1984, the Municipality will submit to the Commission a detailed statement of the actual costs incurred by the Municipality which the board is required to pay in accordance with Section 6.01, and will remit to the Commission any amount paid to the Municipality which is in excess of such actual costs. If the total of the monthly advances paid by the board is less than the actual amount of such costs, the Commission shall pay to the Municipality on or before April 1, 1984, an amount equal to the difference between the actual costs and the monthly advances previously paid. The Municipality shall keep detailed records supporting all costs of the types specified in Section 6.01 which it expects the Commission to pay, and shall make the same available to the Commission on request.

The Renewal Agreement is enclosed in triplicate for endorsement. We have signed the enclosed statement as our intention of renewing the agreement and ask that you also sign and return to us (2) of the executed copies and retain one (1) for your records. Should

Mr. Barry Evans
City Manager - City of Maplewood
November 8, 1982
Page Two

you have any questions or suggested changes to the basic agreement, please feel free to contact us.

Your cooperation in accepting this renewal procedure is greatly appreciated.

Very truly yours,

A handwritten signature in cursive script, appearing to read "G. W. Lusher".

George W. Lusher
Chief Administrator

GWL:LRB:pp
Enclosures

cc: LaRae Bohn, Accounting Supervisor
Wilbur A. Blain, Director of Operations
Rick Arbour, Interceptor Manager

STATEMENT OF AGREEMENT RENEWAL
INTERCEPTOR MAINTENANCE AGREEMENT NO. 129

The Metropolitan Waste Control Commission and the City of Maplewood agree to renew the Interceptor Maintenance Agreement No. 135 which is currently in force between these parties. The terms of the agreement for the renewal period shall be the same as those contained in the agreement which was executed for the January 1, 1982 - December 31, 1982 period with the exception of Section 6.02:

"Section 6.02 Cost Estimates; Payments". The parties estimate that the total amount of costs which the Commission will be required to pay to the Municipality for performance of this agreement in 1983 will be \$14,300.00. Such amount shall be paid in twelve monthly installments as an advance payment of such costs. On or before March 1, 1984, the Municipality will submit to the Commission a detailed statement of the actual costs incurred by the Municipality which the board is required to pay in accordance with Section 6.01, and will remit to the Commission any amount paid to the Municipality which is in excess of such actual costs. If the total of the monthly advances paid by the board is less than the actual amount of such costs, the Commission shall pay to the Municipality on or before April 1, 1984, an amount equal to the difference between the actual costs and the monthly advances previously paid. The Municipality shall keep detailed records supporting all costs of the types specified in Section 6.01 which it expects the Commission to pay, and shall make the same available to the Commission on request.

The renewal period for Interceptor Maintenance Agreement No. 129 shall be January 1, 1983 - December 31, 1983. That both parties agree to the renewal period and terms is evidenced by the signatures affixed to this statement.

FOR THE CITY OF MAPLEWOOD

(Title)

Barry Evans
(Title) City Manager

Dated

THE METROPOLITAN WASTE CONTROL COMMISSION

C. Wayne Courtney, Jr.
Salisbury Adams, Chairman

George W. Lusher
George W. Lusher, Chief Administrator

November 18, 1982
Dated

STATEMENT OF AGREEMENT RENEWAL

INTERCEPTOR MAINTENANCE AGREEMENT NO. 129

The Metropolitan Waste Control Commission and the City of Maplewood agree to renew the Interceptor Maintenance Agreement No. 135 which is currently in force between these parties. The terms of the agreement for the renewal period shall be the same as those contained in the agreement which was executed for the January 1, 1982 - December 31, 1982 period with the exception of Section 6.02:

"Section 6.02 Cost Estimates; Payments". The parties estimate that the total amount of costs which the Commission will be required to pay to the Municipality for performance of this agreement in 1983 will be \$14,300.00. Such amount shall be paid in twelve monthly installments as an advance payment of such costs. On or before March 1, 1984, the Municipality will submit to the Commission a detailed statement of the actual costs incurred by the Municipality which the board is required to pay in accordance with Section 6.01, and will remit to the Commission any amount paid to the Municipality which is in excess of such actual costs. If the total of the monthly advances paid by the board is less than the actual amount of such costs, the Commission shall pay to the Municipality on or before April 1, 1984, an amount equal to the difference between the actual costs and the monthly advances previously paid. The Municipality shall keep detailed records supporting all costs of the types specified in Section 6.01 which it expects the Commission to pay, and shall make the same available to the Commission on request.

The renewal period for Interceptor Maintenance Agreement No. 129 shall be January 1, 1983 - December 31, 1983. That both parties agree to the renewal period and terms is evidenced by the signatures affixed to this statement.

FOR THE CITY OF MAPLEWOOD

(Title)

Barry B. Evans
(Title) City Manager

Dated

THE METROPOLITAN WASTE CONTROL COMMISSION

C. Wayne Courtney, Jr.
Salisbury Adams, Chairman

George W. Lusher
George W. Lusher, Chief Administrator

November 18, 1982
Dated

STATEMENT OF AGREEMENT RENEWAL
INTERCEPTOR MAINTENANCE AGREEMENT NO. 129

The Metropolitan Waste Control Commission and the City of Maplewood agree to renew the Interceptor Maintenance Agreement No. 135 which is currently in force between these parties. The terms of the agreement for the renewal period shall be the same as those contained in the agreement which was executed for the January 1, 1982 - December 31, 1982 period with the exception of Section 6.02:

"Section 6.02 Cost Estimates; Payments". The parties estimate that the total amount of costs which the Commission will be required to pay to the Municipality for performance of this agreement in 1983 will be \$14,300.00. Such amount shall be paid in twelve monthly installments as an advance payment of such costs. On or before March 1, 1984, the Municipality will submit to the Commission a detailed statement of the actual costs incurred by the Municipality which the board is required to pay in accordance with Section 6.01, and will remit to the Commission any amount paid to the Municipality which is in excess of such actual costs. If the total of the monthly advances paid by the board is less than the actual amount of such costs, the Commission shall pay to the Municipality on or before April 1, 1984, an amount equal to the difference between the actual costs and the monthly advances previously paid. The Municipality shall keep detailed records supporting all costs of the types specified in Section 6.01 which it expects the Commission to pay, and shall make the same available to the Commission on request.

The renewal period for Interceptor Maintenance Agreement No. 129 shall be January 1, 1983 - December 31, 1983. That both parties agree to the renewal period and terms is evidenced by the signatures affixed to this statement.

FOR THE CITY OF MAPLEWOOD

(Title)

Barney G. Evans
(Title) City Manager

Dated

THE METROPOLITAN WASTE CONTROL COMMISSION

C. Wayne Courtney D.C.
Salisbury Adams, Chairman

George W. Lusher
George W. Lusher, Chief Administrator

November 18, 1982
Dated

F-1

City Council Agenda

December 27, 1982

Community Development Item

Action by Council

Endorsed _____

Modified _____

Rejected _____

Date _____

Public Hearing

4:00 Variance and lot division: 2775 Hazelwood (O'Brien)

MEMORANDUM

TO: City Manager
FROM: Associate Planner--Johnson
SUBJECT: Lot Frontage Variance
LOCATION: 2775 Hazelwood Avenue
APPLICANT: Patrick O'Brien (Executor of Estate)
OWNER: John O'Brien (Deceased)
DATE: December 16, 1982

SUMMARY OF THE PROPOSAL

Request

Approval of a lot frontage variance to create two single-dwelling lots.

Proposal

1. Create a 75 x 350 foot parcel (parcel two--map two) to sell the existing dwelling.
2. Create a 40 x 350 foot corridor to access the remainder of parcel one--map two. Parcel one would be retained by the applicant. He has no plans to improve the property in the near future.
3. The driveway for 2759 Hazelwood Avenue permits access to the immediate rear yard. The applicant prefers not to undertake the necessary grading to extend this driveway to provide access to the rear portion of parcel one.
4. See the applicant's letter of justification.

CONCLUSION

Analysis

1. Should a home be allowed in the rear of parcel one?
 2. If a home is to be allowed, should access to Hazelwood Avenue be by a forty foot wide strip of land or by private driveway easement?
- A. Should a house be allowed?

Advantages:

The large rear yard area of this property would be utilized. This neighborhood is presently developed at one-fourth of the permitted density.

Concerns:

Provided the city retains approval of the location of the dwelling, all planning and public safety concerns can be resolved. These concerns include:

1. The alignment options for a future street could be substantially reduced or eliminated. The dwelling at 2785 Hazelwood Avenue presently limits the alignment opportunities for a street (map three).

2. Fire fighting capability would be reduced substantially if the dwelling were to be located farther than 500 feet from the road (775 feet from the nearest hydrant).
3. The structure could look out of place if a street were constructed and the front of the dwelling was not oriented toward the street.
4. The number of future lots that could be developed could be substantially reduced if the dwelling is not located according to a future development plan.

B. Type of access?

Council should deny the request for the 40 x 350 foot strip of land. If approved, the city would not have an enforceable means of requiring its recombination when the rear portion of the property is accessible by a public street. The result would be two-fold: a potential 40 x 350 maintenance nuisance, and 2) if the adjoining neighbors refused to purchase it, requests to make it a buildable lot.

As an alternative, consideration should be given to allowing the property to be accessed by a private driveway easement. The problems of the 40 x 350 foot strip of land would be resolved. Approval would be justified due to the uncertainty of when or if a street will be built to serve the rear portion of this lot and because all public safety and planning concerns would be satisfied as conditions for a building permit.

If the Council does not wish to allow the applicant to build on the rear portion of the property until a street is built, the applicant could still be permitted to split-off the easterly 350 x 115 feet of this property. The remainder of parcel one should then be required to be combined with the applicant's property to the south to avoid tax forfeiture (map four).

Recommendation

- I. Approval of enclosed Resolution "A" to deny a twenty foot lot frontage variance and lot division to create a 40 x 350 foot strip of land to access the large rear yard area at 2775 Hazelwood Avenue on the basis that:
 1. When a public street access is provided to the rear portion of this property, the city would have no enforceable means of requiring the 40 x 350 corridor to be recombined with adjacent property.
 2. If not recombined, maintenance problems would likely result.
 3. A private driveway easement would serve the same purpose, without the potential of future maintenance problems.
 4. The applicant would not be caused an undue hardship that is unique to the circumstances of this property.
 5. The access corridor would be inconsistent with the spirit and intent of the zoning code and Land Use Plan.

- II Approval of enclosed Resolution "B" to approve a sixty foot lot frontage variance and permit the portion of 2775 Hazelwood west of the easterly 350 feet to be accessed by private driveway easement, subject to the satisfaction of the following conditions prior to the issuance of a building permit:
1. The dwelling shall conform with the setback requirements for the future lot shown on map three which abuts 2775 Hazelwood Avenue to the west or similar lot configuration in the same vicinity to be approved by the Director of Community Development.
 2. The front of the dwelling shall be oriented toward the future street in item one.
 3. An agreement shall be entered into and recorded to run with the property, requiring the owner of this property to maintain and provide snow plowing in accordance with city specifications, as determined by the city engineer.
 4. The farthest part of the dwelling shall not be located more than 500 feet from the Hazelwood Avenue right-of-way.
 5. Prior to an occupancy permit being issued, the driveway shall be constructed to Uniform Fire Code standards, requiring an all-weather, twelve foot wide, five-ton driveway within 150 feet of the farthest portion of the dwelling.
 6. Provide at least a 22 foot wide driveway easement to the rear of 2775 Hazelwood Avenue, with lot division.
 7. Recording of a deed restriction with the westerly portion of parcel one, stating that "at such time that this property gains frontage to a public street, the driveway easement to Hazelwood Avenue shall be discontinued."

Approval is recommended on the basis that:

1. Through conditional approval, all public safety and planning concerns would be complied with, satisfying the spirit and intent of the code and Land Use Plan.
2. Strict enforcement of the code would constitute an undue hardship because of the uncertainty of when or if a future street will be constructed to access the rear portion of this property.

BACKGROUND

Site Description

1. Acreage: 2.39
2. Existing Land Use: Single dwelling and garage

Surrounding Land Uses

North: Two large lot single dwellings

East: Hazelwood Avenue. Across Hazelwood Avenue, Hazelwood City Park and open space

South: A single dwelling lot and the westerly portion of the applicant's single dwelling property

West: Railroad right-of-way

Past Actions

3-2-78: Council approved a lot division requested by the applicant's father, John O'Brien, at 2775 Hazelwood Avenue, creating a 75 x 350 foot parcel presently being requested. A deed for this lot was not recorded.

4-20-81: Staff approved an administrative lot division for John O'Brien to create an 85 x 350 foot lot in the northeast corner of the property, leaving the present 115 feet of frontage on Hazelwood Avenue. This was approved as an alternative to the 1978 split.

DEPARTMENT CONSIDERATIONS

Planning

1. Land Use Plan designation: RL, Residential Lower Density
2. Zoning: R-1 Residence District (Single Dwelling)
3. Policy Criteria from the Plan (p. 18-3): "Ensure efficient utilization and conservation of land on both an individual site as well as a community basis."
4. Compliance with Land Use Laws

A. Statutory:

Section 462.357 of State Statutes states that "variances from the literal provisions of the zoning code can be granted if:

1. Strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration. 'Undue hardship' as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to his property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute an undue hardship if

reasonable use for the property exists under the terms of the ordinance.

2. When it is demonstrated that such actions will be in keeping with the spirit and intent of the ordinance."

B. Ordinance

1. Section 30-8(f)(1) states that an interior single dwelling lot shall have no less than sixty feet of frontage. The applicant proposes forty feet of frontage, requiring a variance of twenty feet.
2. Section 30-11 states that: "the planning commission may recommend variations from the requirements of this chapter in specific cases which, in its opinion, do not affect the general plan or the intent of this chapter. Such recommendations shall be communicated to the council in writing, substantiating the recommended variations. The council may approve variations from the requirements of this chapter in specific cases which, in its opinion do not adversely affect the plan and spirit of this chapter."

Public Works

1. Sewer and water are available. A dwelling constructed on parcel one would be over 150 feet from the street. The owner would not be required to hook up to sewer.
2. There is a possibility that a future street could be built to access the westerly portions of the lots in this neighborhood (map three). Unrestricted development of the applicant's property could create street alignment problems and reduce the developability of the applicant's property.

Public Safety

Although it is undesirable for a dwelling to be located between 450 and 500 feet from the road, this proposal is acceptable. A fire hydrant is located 275 feet south of the proposed access, which is adequate to provide fire protection. The dwelling should not be permitted to be farther than 500 feet from the road. The lack of potential water volume would affect the ability to fight a fire.

ADMINISTRATIVE

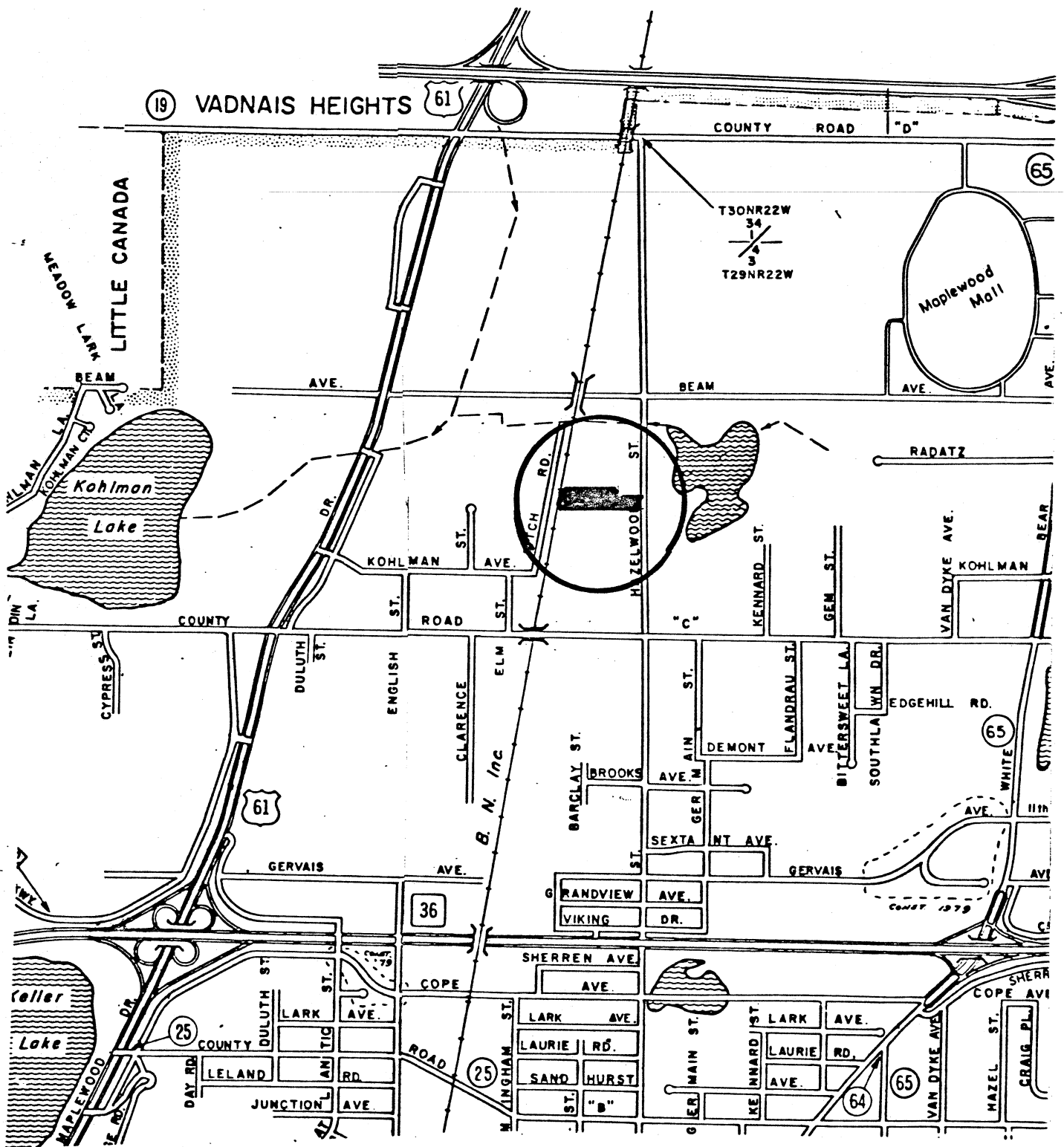
Procedure

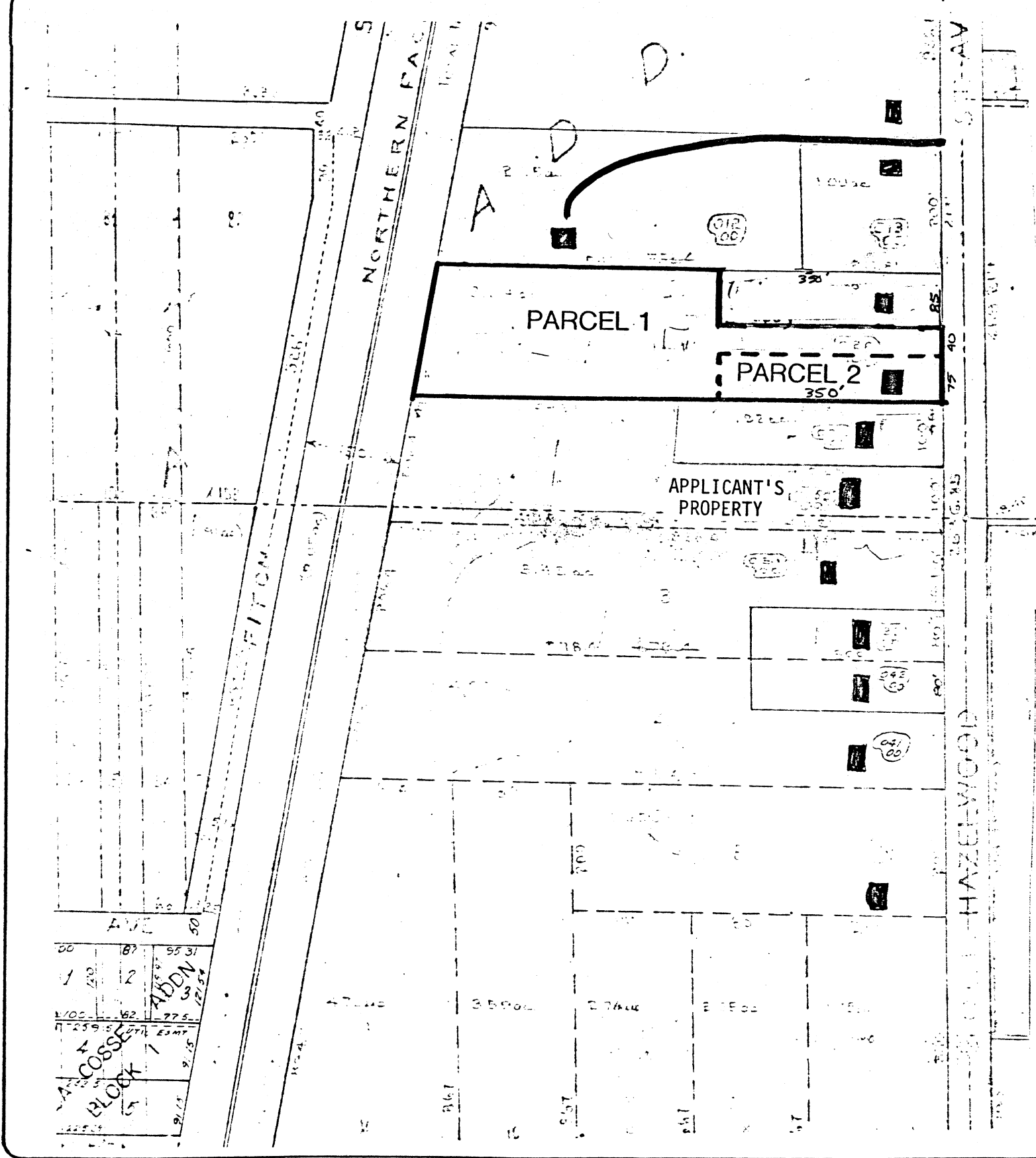
1. Planning Commission recommendation
2. City Council decision

jw

Enclosures:

1. Location Map
2. Property Line Map
3. Possible Future Development Plan
4. Lot Division--Staff Proposal
5. Letter of Justification
6. Resolution "A"
7. Resolution "B"

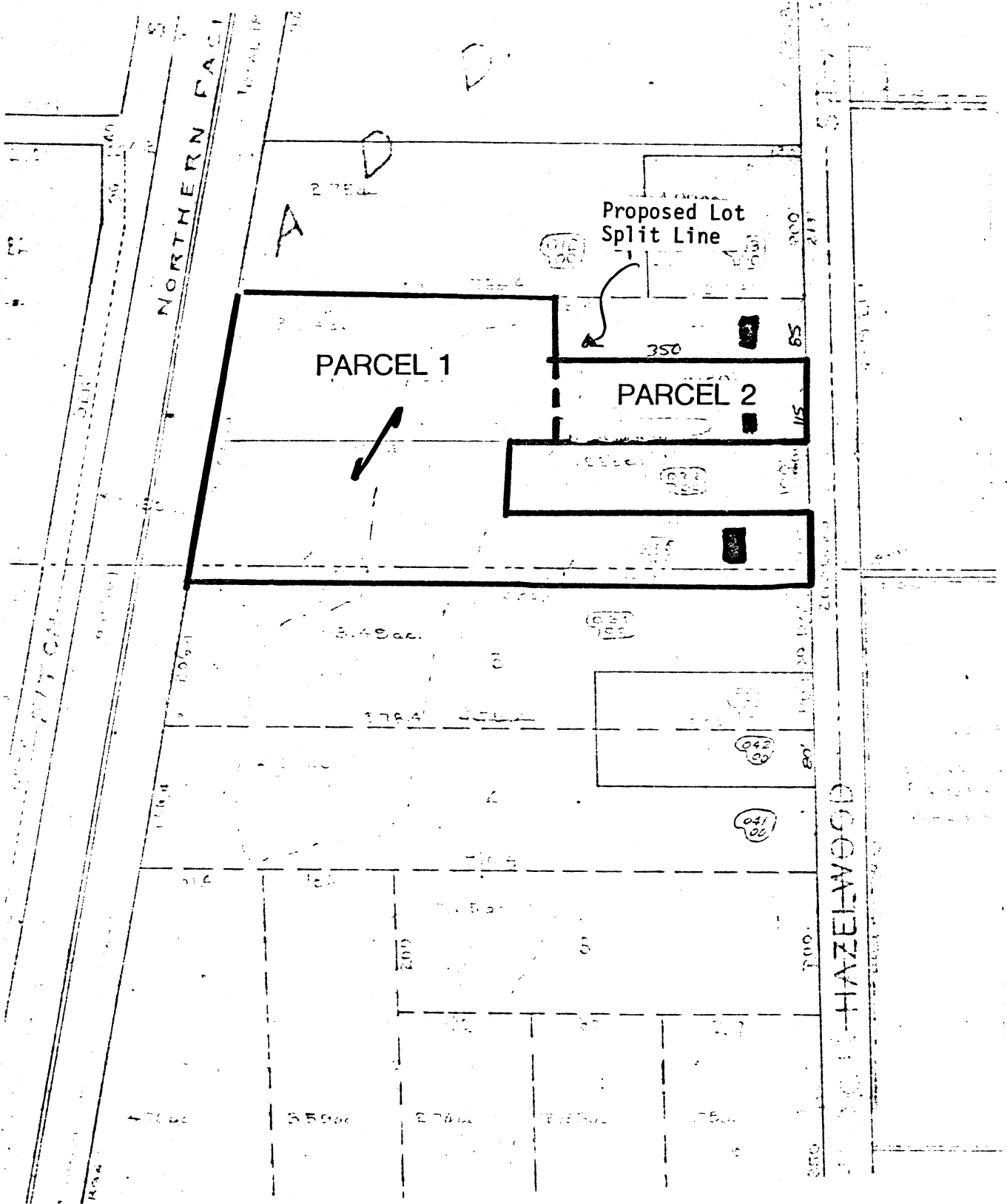




Map 2

PROPERTY LINE MAP





Map 4

LOT DIVISION ALTERNATIVE
(If Access Variance is Denied)



STATEMENT OF HARDSHIP AND NEED

1. Death of owner forces sale of the residence at 2775 Hazelwood.
2. Desire to keep for recreational and other reasons (sentimental), (buffer area), (tree farm), the west portion of property contiguous to property owned by me (West $\frac{1}{2}$ of South $\frac{1}{2}$ of lot 2) to the South of North $\frac{1}{2}$ of lot 2.
3. Variance is required to allow a 40 foot access to 3 acres of undeveloped recreational land that comprises the west portion of lot 2.
4. I realize the potential for a house behind a house in the future is an undesirable situation. However, if a building is ever proposed in the future, I feel that appropriate safeguards and conditions could be provided for at that time in order to compensate for what can ordinarily be a problem if no specific remedies are applied.

(The house could be confined within the 40 foot frontage limits. A particularly well-marked 40 foot driveway / access way could be easier to find than the usual poorly marked entry.)
5. This house has been vacant and on the real estate market since late last winter and it will result in extreme hardship if the terms of the current purchase agreement cannot be met on December 29, 1982.

Patrick W. O'Brien, P. R.

Patrick W. O'Brien, Personal Representative for
The Estate of John E. O'Brien

COUNTY OF RAMSEY
CITY OF MAPLEWOOD

RESOLUTION MAKING FINDINGS OF FACT AND
DENIAL OF A VARIANCE

WHEREAS, a variance request has been initiated by Patrick O'Brien for a twenty foot lot frontage variance to create two residential properties for the following described property:

Except the east 350 feet of the north 85 feet, the north half of Lot 2, Gardena Addition

Such above property being also known and numbered as Number 2775 Hazelwood Avenue, Maplewood, Ramsey County, Minnesota:

WHEREAS, the procedural history of this variance request is as follows:

1. That a variance request has been initiated by Patrick O'Brien, pursuant to Section 30-11 of the Maplewood Code and Section 462.357(g) of State Statute;
2. That said variance request was referred to and reviewed by the Maplewood City Planning Commission on the 20th day of December, 1982, at which time said Planning Commission recommended to the City Council that said variance be denied;
3. That the Maplewood City Council held a public hearing to consider the variance request, notice thereof having been published and mailed pursuant to law; and
4. That all persons present at said hearing were given an opportunity to be heard and/or present written statements, and the Council considered reports and recommendations of the city staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MAPLEWOOD, RAMSEY COUNTY, MINNESOTA that the above-described variance be denied on the basis of the following findings of fact:

1. When a public street access is provided to the rear portion of this property, the city would have no enforceable means of requiring the 40 x 350 foot corridor to be recombined with adjacent property.
2. If not recombined, maintenance problems would likely result.
3. A private driveway easement would serve the same purpose, without the potential of future maintenance problems.
4. The applicant would not be caused an undue hardship that is unique to the circumstances of this property.
5. The access corridor would be inconsistent with the spirit and intent of the zoning code and Land Use Plan.

Adopted this _____ day of _____, 198____.

Mayor

ATTEST:

City Clerk

COUNTY OF RAMSEY
CITY OF MAPLEWOOD

RESOLUTION MAKING FINDINGS OF FACT AND
APPROVAL OF A VARIANCE

WHEREAS, a variance request has been initiated by Council for a sixty foot lot frontage variance and permit access by private driveway easement for the following described property:

Except the easterly 350 feet, the north one-half of Lot 2, Gardena Addition

Such above property being also known and numbered as Number 2775 Hazelwood Avenue, Maplewood, Ramsey County, Minnesota:

WHEREAS, the procedural history of this variance request is as follows:

1. That a variance request has been initiated by the City Council, pursuant to Section 30-11 of the Maplewood Code and Section 462.357(g) of State Statute;
2. That said variance request was referred to and reviewed by the Maplewood City Planning Commission on the 20th day of December, 1982, at which time said Planning Commission recommended to the City Council that said variance be approved;
3. That the Maplewood City Council held a public hearing to consider the variance request, notice thereof having been published and mailed pursuant to law; and
4. That all persons present at said hearing were given an opportunity to be heard and/or present written statements, and the Council considered reports and recommendations of the city staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MAPLEWOOD, RAMSEY COUNTY, MINNESOTA that the above-described variance be granted on the basis that:

1. Through conditional approval, all public safety and planning concerns would be complied with, satisfying the spirit and intent of the code and Land Use Plan.
2. Strict enforcement of the code would constitute an undue hardship because of the uncertainty of when or if a future street will be constructed to access the rear portion of this property.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the above-described variance be granted, subject to the following conditions:

1. The dwelling shall conform with the setback requirements for the future lot shown on map three which abuts 2775 Hazelwood Avenue to the west or

similar lot configuration in the same vicinity to be approved by the Director of Community Development.

2. The front of the dwelling shall be oriented toward the future street in item one.
3. An agreement shall be entered into and recorded to run with the property, requiring the owner of this property to maintain and provide snow plowing in accordance with city specifications, as determined by the city engineer.
4. The farthest part of the dwelling shall not be located more than 500 feet from the Hazelwood Avenue right-of-way.
5. Prior to an occupancy permit being issued, the driveway shall be constructed to Uniform Fire Code standards, requiring an all-weather, twelve foot wide, five-ton driveway within 150 feet of the farthest portion of the dwelling.
6. Provide at least a 22 foot wide driveway easement to the rear of 2775 Hazelwood Avenue, with lot division.
7. Recording of a deed restriction with the westerly portion of parcel one, stating that "at such time that this property gains frontage to a public street, the driveway easement to Hazelwood Avenue shall be discontinued."

Adopted this ____ day of _____, 198__.

Mayor

ATTEST:

City Clerk

F-2

December 17, 1982

Action by Council:

MEMORANDUM

Endorsed _____

Modified _____

Rejected _____

Date _____

To: City Manager Barry Evans
From: Chief of Police Kenneth V. Collins *KVC*
Subject: Background Investigation of Liquor License Applicant Gary Herbert
Anderson, dba Maplewood Bowl

A background investigation of Gary Herbert Anderson has been made. Nothing has been developed that would preclude his obtaining a liquor license in the City of Maplewood.

For your information.

KVC:js

cc City Clerk
Liquor File
82-013618

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, GARY HERBERT ANDERSON as _____
(Individual owner, officer or partner)

for and in behalf of MYSELF

hereby apply for an ON Sale Intoxicating Liquor License to be located at 1955 ENGLISH ST., MAPLEWOOD, MN., 55109 - 1/2 OF VAC ALLEY IN Bk 1, A07 LOTS 14THRU28 IN E 1/2 OF CHAMBER ST. VAC LINCOLN PARK ADDITION in the City of _____
(Give address and legal description)

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

2. Give applicants' date of birth:

GARY H. ANDERSON 27 AUGUST 1943
(Day) (Month) (Year)

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

3040 WOODLARK DR., WOODBURY, MN.
3015 W 43RD ST., MINNAPOLIS, MN.

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.

ALL NATIVE

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

ELIZABETH ANN ANDERSON, 3040 WOODLARK DR., WOODBURY, MN

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

OWNER / MANAGER OF ENTERTAINMENT CENTER
ELECTRICAL ENGINEER

*Liquor
File*

82-013618

Liquor Insurance and Security Statement

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

If a corporation, date of incorporation _____, state in
which incorporated _____, amount of authorized capitalization

_____ amount of paid in capital _____

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:

(Name)

(Address)

(City)

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? GROUND

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? _____

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

No. State the approximate distance of the establishment from such school or church _____

11. State name and address of owner of building ROBERT L. HALL, 7330 101ST SE, NO.
WHITE BEAR LAKE, MN.; has owner of building any connection, directly or in-

directly, with applicant? HOLDER OF CONTRACT ONLY

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 No

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 MID-60 TV SYSTEMS JOE WALSH PRESIDENT
FIRST BANK OF BURNSVILLE BOB STANLIK PRESIDENT
MAPLEWOOD INTERPRISE BOB HALL

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 MAPLEWOOD BOUL

25. State name of person that will operate store GARY H. ANDERSON

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? _____. 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).

COCKTAIL LOUNGE 175 SEATS

NIGHT CLUB 400 "

RESTAURANT 50 "

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

MARQUARD BOUL - 2 1/2 years

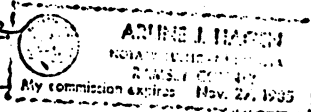
33. Applicant, and his associates in this application, will strictly comply with all the laws of the State of Minnesota governing the taxation and the sale of intoxicating liquor; rules and regulations promulgated by the Liquor Control Commissioner; and all ordinances of the municipality; and I hereby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

May 11, 1935

(Signature of Applicant)

Subscribed and sworn to before me this

27th day of December, 1935
Arthur J. Hagon



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 within 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.

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.

Maplewood Bowl, Inc.

1955 ENGLISH STREET • ST. PAUL, MINNESOTA 55109

Phone 774-8787

DECEMBER 3, 1982

TO WHOM IT MAY CONCERN;

MAPLEWOOD BOWL, INC. WOULD LIKE TO CHANGE THE NAME ON ITS LIQUOR LICENSE FROM DOUGLAS MICHAEL THORP TO GARY HERBERT ANDERSON. THE REASON FOR THIS IS THAT DOUG THORP WANTS TO CLEAR HIS NAME FROM THE LICENSE SO THAT HE MAY PURSUE THE POSSIBILITY OF BUYING ANOTHER BOWLING CENTER SHOULD SUCH AN OPPORTUNITY ARISE.

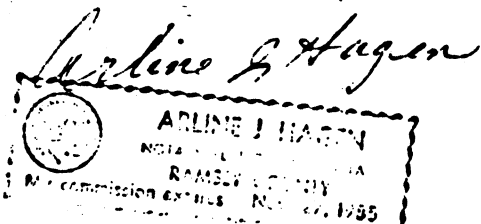
GARY ANDERSON AT PRESENT HAS NO OTHER SUCH INTERESTS AND DOES NOT PLAN TO IN THE FORESEEABLE FUTURE.

SINCERELY,



GARY H. ANDERSON

OWNER/MANAGER
MAPLEWOOD BOWL, INC.



Wated 12-08-82

(Name of Lender)

☐ Individual - If you check this box, provide financial information only about yourself.

☐ Joint, with _____ Relationship _____ If you check this box, provide Financial Information about yourself and the other person.

PERSONAL FINANCIAL STATEMENT OF

NOTE: Any willful misrepresentation could result in a violation of Federal Law (Sec. 10 U.S.C. 1014)

Name GARY HERBERT ANDERSON Birth Date 8-27 1941 Statement Date Dec 7 1982

Address 3040 Woodlane Dr City Woodbury State/Zip Ny 55121 Social Sec. No. _____

Home Phone _____ No. of Dependents _____ Bus. or Occupation _____ = Bus. Phone _____

NOTE: Complete all of Section II BEFORE Section I

SECTION 1

ASSETS			Thousands	Hundreds	Cents	LIABILITIES			Thousands	Hundreds	Cents
1	Cash On Hand & in Banks	Sec. II-A	3	300	00	21	Notes Due to Banks	Sec. II-A	1	500	00
2	Cash Value of Life Insurance	Sec. II-B				22	Notes Due to Relatives & Friends	Sec. II-H			
3	U.S. Gov. Securities	Sec. II-C				23	Notes Due to Others	Sec. II-H			
4	Other Marketable Securities	Sec. II-C	156	800	00	24	Accounts & Bills Payable	Sec. II-H	1	000	00
5	Notes & Accounts Receivable - Good	Sec. II-D				25	Unpaid Income Taxes Due - <input type="checkbox"/> Federal <input type="checkbox"/> State				
6	Other Assets Readily Convertible to Cash - Itemize					26	Other Unpaid Taxes & Interest				
7						27	Loans on Life Insurance Policies	Sec. II-B			
8						28	Contract Accounts Payable	Sec. II-H			
9						29	Cash Rent Owed				
10	TOTAL CURRENT ASSETS		160	100	00	30	Other Liabilities Due within 1 Year - Itemize				
11	Real Estate Owned	Sec. II-E	120	000	00	31					
12	Mortgages & Contracts Owned	Sec. II-F				32					
13	Notes & Accounts Receivable - Doubtful	Sec. II-D				33	TOTAL CURRENT LIABILITIES		2	500	00
14	Notes Due from Relatives & Friends	Sec. II-D				34	Real Estate Mortgages Payable	Sec. II-E	67	000	00
15	Other Securities - Not Readily Marketable	Sec. II-C				35	Liens & Assessments Payable				
16	Personal Property	Sec. II-G	19	000	00	36	Other Debts - Itemize				
17	Other Assets - Itemize <i>Inventory 012</i>		8	000	00	37					
18	<i>Liverpool & Paris Warehouse,</i>					38	Total Liabilities		69	500	00
19	<i>Mortgage on home 12204</i>					39	Net Worth (Total Assets minus Total Liabilities)		237	600	00
20	TOTAL ASSETS		307	100	00	40	TOTAL LIABILITIES & NET WORTH		207	100	00

ANNUAL INCOME		ESTIMATE OF ANNUAL EXPENSES	
Salary, Bonuses & Commissions	\$ 46,100.00	Income Taxes	\$ 6000.00
Dividends & Interest	\$	Other Taxes	\$
Rental & Lease Income (Net)	\$	Insurance Premiums	\$ 2000.00
Alimony, child support, or separate maintenance income need not be revealed if you do not wish to have it considered as a basis for repaying this obligation.		Mortgage Payments	\$ 1200.00
Other Income—Itemize	\$	Rent Payable	\$
Provide the following information only if Joint Credit is checked above.		Other Expenses	\$
Other Persons Salary, Bonuses & Commissions	\$		\$ 6000.00
Alimony, child support, or separate maintenance income need not be revealed if you do not wish to have it considered as a basis for repaying this obligation.			\$
Other Income of Other Person—Itemize	\$		\$
TOTAL	\$ 46,100.00	TOTAL	\$ 15,200.00

GENERAL INFORMATION	CONTINGENT LIABILITIES
Are any Assets Pledged? <input type="checkbox"/> No <input type="checkbox"/> Yes (See Section II)	As Endorser, Co-maker or Guarantor \$
Are you a Defendant in any Suits or Legal Actions? <input type="checkbox"/> No <input type="checkbox"/> Yes	On Leases or Contracts \$
(Explain):	Legal Claims \$
Have you ever been declared Bankrupt in the last 14 years? <input type="checkbox"/> No <input type="checkbox"/> Yes	Federal - State Income Taxes \$
(Explain):	Other - \$

SECTION II

A CASH IN BANKS AND NOTES DUE TO BANKS (List all Real Estate Loans in Section II-E)

NAME OF BANK	Type of Account	Type of Ownership	On Deposit	Notes Due Banks	COLLATERAL (If Any) & Type of Ownership
RICHMOND STATE			\$ 300.00	\$	
IDB			300.00		
RICHMOND STATE				1500.00	
		Cash on Hand	\$		
(Complete Rest of Section II on Reverse Side)		TOTALS	\$ 3300.00	\$ 1500.00	

(Complete Rest of Section II on Reverse Side)

SECTION II Continued

COMPANY	Face of Policy	Cash Surrender Value	Policy Loan from Insurance Co.	Other Loans Policy as Collat'l	BENEFICIARY
SURETY MUTUAL	\$ 100,000.00	\$	\$	\$	WIFE
METROPOLITAN LIFE	100,000.00				HAROLD BOWEN, JR.
TOTALS	\$	\$			

C SECURITIES OWNED (Including U.S. Gov't Bonds and all other Stocks and Bonds)

Part 2 - Reporting U.S. Gov't Bonds and all other Stocks and Bonds							
Face Value-Bonds No. of Shares Stock	DESCRIPTION Indicate those Not Registered in Your Name	Type of Ownership	COST	Market Value U.S. Gov. Sec.	Market Value Mktable Sec.	MARKET VALUE Non Marketable Mkttable SEC. REG'N	Amount Pledged to Secure Loans
1600	HARTON	PUBLIC					
16.47	MARLBORO DOWN	PUBLIC			4800		\$
					152000		
TOTALS \$				\$	\$	\$	

D NOTES AND ACCOUNTS RECEIVABLE (Money Payable or Owed to You Individually - Indicate by a ✓ if Others have an Ownership Interest)

MAKER/DEBTOR	<input type="checkbox"/>	When Due	Original Am't	Balance Due Good Accounts	Balance Due Doubtful Acc's	Bal. Due Notes Rel. & Friends	SECURITY (If Any)
	<input type="checkbox"/>		\$	\$	\$	\$	
	<input type="checkbox"/>						
	<input type="checkbox"/>						
	<input type="checkbox"/>						
TOTALS				\$	\$	\$	

E REAL ESTATE OWNED (Indicate by a ✓ if Others have an Ownership Interest)

TITLE IN NAME OF	Description & Location	Date Acquired	Original Cost	Present Value of Real Estate	Amount of Ins. Carried	MORTGAGE OR CONTRACT PAYABLE			
						Bal. Due	Payment	Maturity	To Whom Payable
Homestead-	3040 Wenzel Dr		\$	\$72,000	\$	67,000			Citicorp
	Woodsbury								
			TOTAL \$		TOTAL \$				

F. MORTGAGES AND CONTRACTS OWNED (Indicate by a ☒ if Others have an Ownership Interest)

[illegible]

G PERSONAL PROPERTY (Indicate by a "✓" if Others have an Ownership interest)

PROPERTY OWNERSHIP STATEMENT						Form No. 9 (Rev. 12)	
DESCRIPTION	✓	Date When New	Cost When New	Value Today	LOANS ON PROPERTY		
					Balance Due	To Whom Payable	
Automobiles-			\$	\$ 4000	\$		
Personal Property				15,000			

4 NOTES (Other than Bank, Mortgage and Insurance Company Loans), ACCOUNTS AND BILLS AND CONTRACTS PAYABLE

PAYABLE TO	Other Obligors (If Any)	When Due	Notes Due To Rel. & Friends	Notes Due "Others" (Not Banks)	Accounts & Bills Payable	Contracts Payable	COLLATERAL (If Any)
			\$				
TOTALS \$							

For the purpose of procuring credit from time to time, I/We furnish the foregoing as a true and accurate statement of my/our financial condition. Authorization is hereby given to the Lender to verify in any manner it deems appropriate any and all items indicated on this statement. The undersigned also agrees to notify the Lender immediately in writing of any significant adverse change in such financial condition.

Date Signed _____ 19____ Signature _____ Signature _____

(Other Person if Applicable)

(Name of Lender)

☐ Individual - If you check this box, provide Financial Information only about yourself.

☐ Joint, with _____ Relationship _____ If you check this box, provide Financial Information about yourself and the other person.

PERSONAL FINANCIAL STATEMENT OF

NOTE: Any willful misrepresentation could result in a violation of Federal Law (Sec. 10 U.S.C. 1014)

Name GARY HERBERT ANDERSON Birth Date 8-27 1943 Statement Date Dec 7 1982

Address 3040 Woodlark Dr. City Woodbury State/Zip MA 55125 Social Sec. No. _____

Home Phone _____ No. of Dependents _____ Bus. or Occupation _____ Bvt. Phone _____

NOTE: Complete all of Section II BEFORE Section I

SECTION I

ASSETS				LIABILITIES							
		Thousands	Hundreds	Cents		Thousands	Hundreds	Cents			
1	Cash On Hand & in Banks	Sec. II-A	3	300	00	21	Notes Due to Banks	Sec. II-A	1	500	00
2	Cash Value of Life Insurance	Sec. II-B				22	Notes Due to Relatives & Friends	Sec. II-H			
3	U. S. Gov. Securities	Sec. II-C				23	Notes Due to Others	Sec. II-H			
4	Other Marketable Securities	Sec. II-C	156	800	00	24	Accounts & Bills Payable	Sec. II-H	1	000	00
5	Notes & Accounts Receivable - Good	Sec. II-D				25	Unpaid Income Taxes Due - <input type="checkbox"/> Federal <input type="checkbox"/> State				
6	Other Assets Readily Convertible to Cash - Itemize					26	Other Unpaid Taxes & Interest				
7						27	Loans on Life Insurance Policies	Sec. II-B			
8						28	Contract Accounts Payable	Sec. II-H			
9						29	Cash Rent Owed				
10	TOTAL CURRENT ASSETS		160	100	00	30	Other Liabilities Due within 1 Year - Itemize				
11	Real Estate Owned	Sec. II-E	120	000	00	31					
12	Mortgages & Contracts Owned	Sec. II-F				32					
13	Notes & Accounts Receivable - Doubtful	Sec. II-D				33	TOTAL CURRENT LIABILITIES		2	500	00
14	Notes Due From Relatives & Friends	Sec. II-D				34	Real Estate Mortgages Payable	Sec. II-E	67	000	00
15	Other Securities - Not Readily Marketable	Sec. II-C				35	Liens & Assessments Payable				
16	Personal Property	Sec. II-G	19	000	00	36	Other Debts - Itemize				
17	Other Assets - Itemize <i>Inventory of</i>		8	000	00	37					
18	<i>ELECTRICAL PARTS, UNEXPLORED,</i>					38	Total Liabilities		69	500	00
19	<i>MUTABWA FUR AUDIO CONSOLES</i>					39	Net Worth (Total Assets minus Total Liabilities)		237	600	00
20	TOTAL ASSETS		307	100	00	40	TOTAL LIABILITIES & NET WORTH		307	100	00

ANNUAL INCOME		ESTIMATE OF ANNUAL EXPENSES	
Salary, Bonuses & Commissions	\$ 46,100.00	Income Taxes	\$ 6000.00
Dividends & Interest	\$	Other Taxes	\$
Rental & Lease Income (Net)	\$	Insurance Premiums	\$ 2000.00
Alimony, child support, or separate maintenance income need not be revealed if you do not wish to have it considered as a basis for repaying this obligation.		Mortgage Payments	\$ 1200.00
Other Income—Itemize	\$	Rent Payable	\$
Provide the following information only if Joint Credit is checked above.		Other Expenses	\$
Other Persons Salary, Bonuses & Commissions	\$		\$ 6000.00
Alimony, child support, or separate maintenance income need not be revealed if you do not wish to have it considered as a basis for repaying this obligation.			\$
Other Income of Other Person—Itemize	\$		\$
TOTAL	\$ 46,100.00	TOTAL	\$ 15,200.00

GENERAL INFORMATION	CONTINGENT LIABILITIES
Are any Assets Pledged? <input type="checkbox"/> No <input type="checkbox"/> Yes (See Section II)	As Endorser, Co-maker or Guarantor \$
Are you a Defendant in any Suits or Legal Actions? <input type="checkbox"/> No <input type="checkbox"/> Yes	On Leases or Contracts \$
(Explain):	Legal Claims \$
Have you ever been declared Bankrupt in the last 14 years? <input type="checkbox"/> No <input type="checkbox"/> Yes	Federal - State Income Taxes \$
(Explain):	Other - \$

SECTION II

A CASH IN BANKS AND NOTES DUE TO BANKS (List all Real Estate Loans in Section II-E)

NAME OF BANK	Type of Account	Type of Ownership	On Deposit	Notes Due Banks	COLLATERAL (If Any) & Type of Ownership
RICHFIELD STATE 103			\$ 300.00	\$	
RICHMOND STATE			3000.00	1500.00	
(Complete Rest of Section II on Reverse Side)		Cash on Hand	\$		
		TOTALS	\$3300.00	\$ 1500.00	

(Complete Rest of Section II on Reverse Side)

Cash on Hand

TOTALS

18

83300.00

1

\$ 1500.00

March 11, 1960

March 1, May 20

SECTION II Continued

COMPANY	Face of Policy	Cash Surrender Value	Policy Loan from Insurance Co.	Other Loans Policy as Collat'l	BENEFICIARY
SECURITY MUTUAL	\$ 100,000.00	\$	\$	\$	WIFE
METROPOLITAN LIFE	100,000.00				MARLENE DAVE, WIFE
TOTALS	\$	\$	\$		

C SECURITIES OWNED (including U.S. Gov't Bonds and all other Stocks and Bonds)

Face Value-Bonds No. of Shares Stock	DESCRIPTION <small>Indicate those Not Registered in Your Name</small>	Type of Ownership	COST	Market Value U.S. Gov. Sec.	Market Value M'etable Sec.	MARKET VALUE Non-Residing Aliens-Holder SEC. INTEREST	Amount Pledged to Secure Loans
1600	HARTER	PUBLIC			4900		\$
16.47	MARLBOROUGH BOWL Inc.	PRIVATE			152,000		\$
TOTALS \$				\$	\$	\$	

D NOTES AND ACCOUNTS RECEIVABLE (Money Payable or Owed to You Individually - Indicate by a ✓ if Others have an Ownership Interest)

MAKER/DEBTOR	#	When Due	Original Am't	Balance Due Good Accounts	Balance Due Doubtful Acc'ts	Bal. Due Notes Rel. & Friends	SECURITY (If Any)
			\$	\$	\$	\$	
			TOTALS	\$	\$	\$	

E REAL ESTATE OWNED (Indicate by a ☒ if Others have an Ownership Interest)

TITLE IN NAME OF	Description & Location	Date Acquired	Original Cost	Present Value of Real Estate	Amount of Ins. Carried	MORTGAGE OR CONTRACT PAYABLE			
						Bal. Due	Payment	Maturity	To Whom Payable
Homestead-	304D VANDERBILT DR		\$	\$120,000	\$	67,000			CITI CORP
	Vanderbilt								
			TOTAL \$		TOTAL \$				

F MORTGAGES AND CONTRACTS OWNED (Indicate by a ✓ if Others have an Ownership Interest)

[illegible]

G PERSONAL PROPERTY (Indicate by a "✓" if Others have an Ownership Interest)

DESCRIPTION	#	Date When New	Cost When New	Value Today	LOANS ON PROPERTY	
					Balance Due	To Whom Payable
Automobiles-			\$	\$ 4000.00	\$	
<i>Personal Property</i>				15642.00		
			TOTAL	815000.00		

H. NOTES (Other than Bank, Mortgage and Insurance Company Loans), ACCOUNTS AND BILLS AND CONTRACTS PAYABLE

PAYABLE TO	Other Obligors (If Any)	When Due	Notes Due To Rel. & Friends	Notes Due "Others" (Not Banks)	Accounts & Bills Payable	Contracts Payable	COLLATERAL (If Any)
			\$.
		TOTALS	\$				

For the purpose of procuring credit from time to time, I/We furnish the foregoing as a true and accurate statement of my/our financial condition. Authorization is hereby given to the Lender to verify in any manner it deems appropriate any and all items indicated on this statement. The undersigned also agrees to notify the Lender immediately in writing of any significant adverse change in such financial condition.

Date Signed _____ 19____ Signature _____ Signature _____

Western Surety Company

MINNESOTA ON SALE LIQUOR BOND

No. License _____

Bond No. 58013612

KNOW ALL MEN BY THESE PRESENTS:

That we, Maplewood Bowl Entertainment Center as Principal, and the WESTERN SURETY COMPANY, a Corporation duly licensed to do business in the State of Minnesota, as Surety, are held and firmly bound unto the city of Maplewood,
(City—Town—Village)

Minnesota, in the sum of Three Thousand and no/100 (\$3,000) DOLLARS, to the payment whereof well and truly to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

WHEREAS, the above named Principal proposes to carry on the business of an On Sale retail dealer of intoxicating liquor in the City of Maplewood, Minnesota.
(City—Town—Village)

NOW, THEREFORE, the said Principal and the WESTERN SURETY COMPANY do hereby agree to and with the said City of Maplewood, Minnesota, and all persons suffering damages by reason of the breach of the conditions of this bond, that the said Principal shall for a period beginning at twelve o'clock noon on the 31st day of December, 1982, and ending at twelve o'clock noon on the 31st day of December, 1983:

- a. Obey the law relating to such licensed business.
- b. Pay to the municipality when due, all taxes, license fees, penalties and other charges provided by law.
- c. That in the event of any violation of the provisions of any law relating to the retail "On Sale" of intoxicating liquor, this bond shall be forfeited to the municipality in which such license was issued.
- d. Pay to the holder of the principal amount of this bond, any damages for death or injury caused by or resulting from the violation of any provisions of law relating hereto, and in such case, recovery under this subdivision may be had from the Surety on this bond. The amount specified in this bond is declared to be a penalty and the amount recoverable is to be measured by the actual damages, provided, however, that in no case shall the Surety hereunder be liable for any amount in excess of the penal amount of this bond.
- e. The total amount of the liability of the Surety under this bond shall in no event exceed the penal amount of this bond, whether for one or more defaults and whether to one or more persons.

Dated this 17th day of August, 1982.

Signed, sealed, and delivered in the presence of MAPLEWOOD BOWL ENTERTAINMENT CENTER

BY _____

as to Principal

WESTERN SURETY COMPANY

By Joe P. Kirby
Countersigned Joe P. Kirby, President

as to Surety

By Minnesota Resident Agent

ACKNOWLEDGMENT OF SURETY
(Corporate Officer)

STATE OF SOUTH DAKOTA,
County of Minnehaha }

On this 3rd day of February, 1981, before me, a Notary Public in and for said County, personally appeared Joe P. Kirby personally known to me, who being by me duly sworn, did say that he is the aforesaid officer of the WESTERN SURETY COMPANY of Sioux Falls, South Dakota, a corporation duly organized and existing under the laws of the State of South Dakota, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that the said instrument was signed, sealed and executed in behalf of said corporation by authority of its Board of Directors, and further acknowledge that the said instrument and the execution thereof to be the voluntary act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Sioux Falls, South Dakota, the day and year last above written.



J. Rhone
Notary Public

ACKNOWLEDGMENT OF PRINCIPAL

(Individual)

STATE OF MINNESOTA

County of _____ ss.

On this _____ day of _____, 19____, before me personally appeared _____ to be the person described in and who executed the foregoing instrument as principal, and acknowledged that he executed the same as his free act and deed.

My Commission Expires _____

_____, 19____ Notary Public, _____ County, Minnesota
(SEAL)

ACKNOWLEDGMENT OF PRINCIPAL

(Partnership)

For partners, the individual acknowledgment is used and the names of the partners are placed therein.

ACKNOWLEDGMENT OF PRINCIPAL

(Corporation)

STATE OF MINNESOTA

County of _____ ss.

On this _____ day of _____, 19____, before me appeared _____, to me personally known and being by me duly sworn did say that he is the _____ of _____; that the seal affixed to the foregoing instrument is the corporate seal of the corporation and that the instrument was executed in behalf of the corporation by authority of its Board of Directors, and the said _____ acknowledged the instrument to be the free act and deed of the corporation.

My Commission Expires _____

_____, 19____ Notary Public, _____ County, Minnesota
(SEAL)



Western Surety Company

License No. _____

BOND FOR

ON SALE LIQUOR LICENSE

on behalf of

MAPLEWOOD BOWL ENTERTAINMENT
CENTER

from

MAPLEWOOD _____, Minnesota

Approved by the _____

Council, of the municipality of _____

this _____ day of _____

19____.

Representative of Council

**MAPLEWOOD POLICE DEPARTMENT
SUPPLEMENTARY REPORT**

CASE CONTROL NO.
82-013618

DATE REPORTED 12-17-82		TIME REPORTED 1500 hours		OFFENSE ORIGINALLY REPORTED Liquor License Investigation	
OFFENSE CHANGED TO			COMPLAINANT/VICTIM		ADDRESS
REPORTING OFFICER Collins		BADGE # 34	SQUAD 9901	MULT. CLEARANCE YES _____ NO _____	FURTHER ACTION/REPORT REQ. YES _____ NO X
STATUS CLEARED BY ARREST _____ NOT CLEARED _____ UNFOUNDED _____ EXCEPTIONAL CLEARANCE _____					

NARRATIVE: SHOW CASE DEVELOPMENTS SINCE LAST REPORT. IF PROPERTY, EVIDENCE OR WITNESS IDENTIFIED, USE PAGE 2 OFFENSE / INCIDENT REPORT. IF SOMEONE IS ARRESTED, USE ARREST/CITATION REPORT. IF OFFENSE CHANGED, EXPLAIN WHY. IF MULTIPLE CLEARANCE, LIST ALL ORIGINAL CASE NUMBERS.

Applicant Gary Herbert Anderson

DOB 8-27-43

Partner Douglas Michael Thorp

DOB 10-14-46

I spoke to the above parties at the Maplewood Bowl and re-advised them of the public hearing on Anderson's liquor license application on December 27, 1982. I was also advised that Thorp will remain a partner in the Maplewood Bowl operation and only wanted his name removed from the Maplewood Bowl liquor license so that he may enter into another liquor business with his father.

Collins, #34

CASE CONTROL NO.

CHARLES W. BRIGGS (1887-1978)
J. NEIL MORTON
COLE ORHLER
A. LAURENCE DAVIS
FRANK HAMMOND
LEONARD J. KEYES
B. G. HART
JOHN M. SULLIVAN
BERNARD P. FRIEL
BURT E. SWANSON
M. J. GALVIN, JR.
DAVID G. FORSBERG
JOHN J. MCNEELY
GERALD H. SWANSON
MCNEIL V. SEYMOUR, JR.
TERENCE N. DOYLE
RICHARD H. KYLE
JONATHAN H. MORGAN
JOHN L. DEVNEY
R. L. SORENSON
PETER H. SEED
PHILIP L. BRUNER
SAMUEL L. HANSON
RONALD E. ORCHARD
AVRON L. GORDON
JOHN R. KENEFICK
JOHN R. FRIEDMAN
DAVID J. SPENCER
DANIEL J. COLE, JR.
PETER W. SIPRINS
DOUGLAS L. SKOR
MICHAEL E. JERONIMUS
R. SCOTT DAVIES
JAMES W. LITTLEFIELD
JOHN B. VAN DE NORTHE, JR.
STEVEN Z. KAPLAN
RICHARD G. MARK
ANDREW G. BECHER
JEROME A. GEIS
STEVE A. BRAND
MARK W. WESTRA
ALAN H. MACLIN

LAW OFFICES
BRIGGS AND MORGAN
PROFESSIONAL ASSOCIATION

2200 FIRST NATIONAL BANK BUILDING

SAINT PAUL, MINNESOTA 55101

2452 IDS CENTER

MINNEAPOLIS, MINNESOTA 55402

(612) 291-1215

December 21, 1982

MARK R. MILLER
JEFFREY F. SHAW
DAVID G. GREENING
DAVID B. SAND
BETTY L. HUM
CHARLES R. HAYNOR
ROCCO J. MAFFEI, JR.
ANDREA M. BOND
MARTIN H. FISK
JOHN BULTENA
ROBERT L. DAVIS
RICHARD H. MARTIN
TRUDY H. SCHROER
MARY L. IPEL
ROBYN L. HANSEN
WILLIAM J. JOANIS
MARGARET K. SAVAGE
JEANNE M. FORNERIS
BRIAN G. BELISLE
TONY R. STEMBERGER
MARY SCHAFFNER EVINGER
MICHAEL H. STREATER
STEVEN T. HALVENSEN
JOHN H. LINDSTROM
RICHARD D. ANDERSON
SALLY A. SCOGGIN
JAMES F. CHRISTOFFEL
BARBARA JEAN D'AQUILA
DAVID C. McDONALD
BRUCE W. MOOTY
VIRGINIA A. DWYER
ERIC NILSSON
TRUDY R. GASTRAZORO
ELIZABETH J. ANDREWS
PETER G. HALLS
CHARLES B. ROGERS

OF COUNSEL
RICHARD E. KYLE
SAMUEL H. MORGAN
FRANK N. GRAHAM

Action by Council:

REPLY TO Saint Paul

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

Endorsed _____
Modified _____
Rejected _____
Date _____

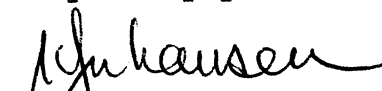
Re: \$900,000 Commercial Development Revenue
Bonds of 1982 (BKM Management Company Project)

Dear Mrs. Aurelius:

Enclosed for presentation to the City Council of the City of Maplewood at its December 27, 1982 meeting, is one copy of the City Council resolution authorizing this transaction.

The Indenture and Loan Agreement for this transaction have been previously provided to Barry Evans and Donald Lais for review on behalf of the City. The Mortgage and Assignment of Leases and Rents are being drafted by counsel to the Bank and have not yet been available. Complete drafts of all of the documents will, of course, be delivered to you on Monday, December 27, 1982 in time for the meeting. At that time we will also forward to you signature pages for all documents which we will expect the City to sign in connection with this transaction. It is presently contemplated that this issue will close on Wednesday, December 29, 1982.

Very truly yours,


Robyn Hansen

RH/kd
Enclosures
cc: Barry Evans
Donald Lais

Extract of Minutes of Meeting of the
City Council of the
City of Maplewood, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Minnesota was duly held at the City Hall in said City on Monday, the 27th day of December, 1982, at 4:00 o'clock P.M.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION AUTHORIZING A PROJECT UNDER
THE MINNESOTA MUNICIPAL INDUSTRIAL
DEVELOPMENT ACT AND THE ISSUANCE OF
COMMERCIAL DEVELOPMENT REVENUE BONDS
TO FINANCE THE PROJECT

The motion for the adoption of the foregoing resolution was duly seconded by member _____, and upon vote being taken thereon the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

RESOLUTION AUTHORIZING A PROJECT UNDER
THE MINNESOTA MUNICIPAL INDUSTRIAL
DEVELOPMENT ACT AND THE ISSUANCE OF
COMMERCIAL DEVELOPMENT REVENUE BONDS
TO FINANCE THE PROJECT

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

1. The Council has received a proposal from BKM Management Company (the "Company") that the City undertake to finance a certain Project as herein described, pursuant to the Minnesota Municipal Industrial Development Act, Chapter 474, Minnesota Statutes (the "Act"), through issuance by the City of Maplewood its \$900,000 Commercial Development Revenue Bonds of 1982 (BKM Management Company Project), (the "Bonds"), and in accordance with a Bond Purchase Agreement (the "Purchase Agreement") between the City, the Company and Allison-Williams Company.
2. The Company has acquired certain real estate and constructed thereon an automobile and truck sales and service facility and related improvements and equipment (hereinafter referred to as the "Project"). The Project as described above has and will provide employment to 40 additional persons and will otherwise further the policies and purposes of the Act and the findings made in the preliminary resolution adopted by this Council on April 16, 1981 with respect to the Project are hereby ratified, affirmed and approved.
3. It is proposed that, pursuant to a Loan Agreement dated December 15, 1982, between the City as Lender and the Company as Borrower (the "Loan Agreement"), the City loan the proceeds of the Bonds to the Company to finance the cost of the Project. The basic payments to be made by the Company under the Loan Agreement are fixed so as to produce revenue sufficient to pay the principal of, premium, if any, and interest on the Bonds when due. It is further proposed that the City assign its rights to the basic payments and certain other rights under the Loan Agreement to American National Bank and Trust Company in St. Paul, Minnesota (the "Trustee") as security for payment of the Bonds under an Indenture of Trust dated December 15, 1982 (the "Indenture") and that the Company grant a mortgage and security interest in the Project to the Trustee pursuant to a Mortgage and Security Agreement dated December 15, 1982 (the "Mortgage") and to further secure the

payment of the Bonds and the interest thereon, enter into an Assignment of Leases and Rents dated December 15, 1982 (the "Assignment of Leases and Rents"). The payment of the Bonds are further served by an irrevocable letter of credit (the "Letter of Credit") issued by Northwestern National Bank of Minneapolis (the "Bank") under the terms of which the Trustee may present a draft for so much of the principal, interest and tax call premium, if any, under the Bonds as is not otherwise provided by the Company when due under the Loan Agreement, or, under certain circumstances, so much of the principal, interest and tax call premium, if any, paid or to be paid with respect to the Bonds as may be deemed a voidable preference under the United States Bankruptcy Code.

3. This Council by action taken on April 16, 1981 gave preliminary approval to the proposal and on or about December 20, 1982 the Commissioner of Securities of the State of Minnesota gave approval to the Project as tending to further the purposes and policies of the Act.

4. Pursuant to the preliminary approval of the Council, forms of the following documents have been submitted to the Council for approval:

- (a) The Loan Agreement.
- (b) The Indenture.
- (c) The Mortgage.
- (d) The Assignment of Leases and Rents.
- (e) The Purchase Agreement.
- (f) The Letter of Credit.

5. It is hereby found, determined and declared that:

- (a) the Project described in the Loan Agreement and Indenture referred to above constitutes a Project authorized by the Act;
- (b) the purpose of the Project is and the effect thereof will be to promote the public welfare by the acquisition, construction and equipping of a facility for an automobile and truck sales and service facility.

(c) the Project is located within the City limits, at a site which is easily accessible to employees residing within the City and the surrounding communities;

(d) the acquisition, construction and installation of the Project, the issuance and sale of the Bonds, the execution and delivery by the City of the Loan Agreement, the Purchase Agreement and the Indenture, and the performance of all covenants and agreements of the City contained in the Loan Agreement, Purchase Agreement and Indenture and of all other acts and things required under the constitution and laws of the State of Minnesota to make the Loan Agreement, Purchase Agreement, Indenture and Bonds valid and binding obligations of the City in accordance with their terms, are authorized by the Act;

(e) it is desirable that the Company be authorized, in accordance with the provisions of Section 474.03 of the Act and subject to the terms and conditions set forth in the Loan Agreement, which terms and conditions the City determines to be necessary, desirable and proper, to complete the acquisition and installation of the Project by such means as shall be available to the Company and in the manner determined by the Company, and with or without advertisement for bids as required for the acquisition and installation of municipal facilities;

(f) it is desirable that the Bonds be issued by the City upon the terms set forth in the Indenture;

(g) the basic payments under the Loan Agreement are fixed to produce revenue sufficient to provide for the prompt payment of principal of, premium, if any, and interest on the Bonds issued under the Indenture when due, and the Loan Agreement, Mortgage and Indenture also provide that the Company is required to pay all expenses of the operation and maintenance of the Project, including, but without limitation, adequate insurance thereon and insurance against all liability for injury to persons or property

arising from the operation thereof, and all taxes and special assessments levied upon or with respect to the Project Premises and payable during the term of the Mortgage, Loan Agreement and Indenture;

(h) under the provisions of Minnesota Statutes, Section 474.10, and as provided in the Loan Agreement and Indenture, the Bonds are not to be payable from or charged upon any funds other than the revenue pledged to the payment thereof; the City is not subject to any liability thereon; no holder of any Bonds shall ever have the right to compel any exercise by the City of its taxing powers to pay any of the Bonds or the interest or premium thereon, or to enforce payment thereof against any property of the City except the interests of the City in the Loan Agreement which have been assigned to the Trustee under the Indenture; the Bonds shall not constitute a charge, lien or encumbrance, legal or equitable upon any property of the City except the interests of the City in the Loan Agreement which have been assigned to the Trustee under the Indenture; the Bonds shall recite that the Bonds are issued without moral obligation on the part of the state or its political subdivisions, and that the Bonds, including interest thereon, are payable solely from the revenues pledged to the payment thereof; and, the Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

6. Subject to the approval of the City Attorney, the forms of the Loan Agreement, the Purchase Agreement and Indenture and exhibits thereto and all other documents described in paragraph 4 hereof are approved substantially in the form submitted. The Loan Agreement and Indenture, in substantially the form submitted, are directed to be executed in the name and on behalf of the City by the Mayor and the City Clerk. The Purchase Agreement, and any other documents and certificates necessary to the transaction described above shall be executed by the appropriate City officers. Copies of all of the documents necessary to the transaction herein described shall be delivered, filed and recorded as provided herein and in said Loan Agreement and Indenture.

7. The City shall proceed forthwith to issue its Bonds, in the form and upon the terms set forth in the Indenture. The offer of Allison-Williams Company to purchase the Bonds for \$868,500 plus accrued interest to the date of delivery at the interest rate or rates specified in the Indenture is hereby accepted. The Mayor and City Clerk are authorized and directed to prepare and execute the Bonds as prescribed in the Indenture and to deliver them to the Trustee for authentication and delivery to Allison-Williams Company.

8. The Mayor and City Clerk and other officers of the City are authorized and directed to prepare and furnish to Allison-Williams Company Purchaser certified copies of all proceedings and records of the City relating to the bonds, and such other affidavits and certificates as may be required to show the facts relating to the legality of the Bonds as such facts appear from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

9. The approval hereby given to the various documents referred to above includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the City Attorney prior to the execution of the documents. The execution of any instrument by the appropriate officer or officers of the City herein authorized shall be conclusive evidence of the approval of such documents in accordance with the terms hereof. In the absence of the Mayor or Clerk, any of the documents authorized by this resolution to be executed may be executed by the Acting Mayor or the City Clerk, respectively.

Passed: December 27, 1982.

Mayor

Attest

City Clerk

(SEAL)

STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF MAPLEWOOD

I, the undersigned, being the duly qualified and acting Clerk of the City Council of the City of Maplewood, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City duly called and held on the date therein indicated, insofar as such minutes relate to the authorization of the issuance of the \$900,000 Commercial Development Revenue Bonds of 1982 (BKM Management Company Project).

WITNESS my hand and the seal of said City this ____ day of December, 1982.

City Clerk

(SEAL)