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AGENDA
Maplewood City Council
7:00 P.M., Monday, May 9, 1983
Municipal Administration Building
Meeting 83-10

(A) CALL TO ORDER

(B) ROLL CALL

(C) APPROVAL OF MINUTES

(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. Advanced Life Support Care & Transportation
- 3. Holloway Ave. - Contract Amendment

(F) PUBLIC HEARINGS

- 1. Rezoning: English St. (Skillman - Tracks) 7:00 _____
- 2. Variance: English St. (Nuebel) 7:00 _____
- 3. Rezoning: Skillman & Clarence, 7:00 _____
- 4. Rezoning: Century Ave (Ivy to Tracks) 7:30 _____
- 5. Code Amendment: Signs in R-1 Zone, 7:45 _____
- 6. Rezoning: McKnight & Maryland, 8:00 _____
- 7. PUD Revision: Maryland & Ferndale, 8:15 _____

(G) AWARD OF BIDS

- 1. T.H. 61 Frontage Road _____

2

(H) UNFINISHED BUSINESS

1. Request from Mr. Otto _____

(I) NEW BUSINESS

1. Budget Transfer for Microcomputer Purchase _____
2. 1982 Annual Report & Audit _____
3. Ordinance to Abolish Insurance Committee _____
4. McKnight Rd. Trunk Water Main & Tank _____
5. Feasibility Study - Beaver Lake North _____
6. Amending Pole Bldg. Ordinance - 1st Reading _____
7. Maplewood Shirts, Caps, etc. _____
8. Update of National Fire Code _____

(J) VISITOR PRESENTATION

(K) COUNCIL PRESENTATIONS

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

(M) ADJOURNMENT

1983 CITY OF MAPLEWOOD		CHECK REGISTER		
CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
012052	04/25/83	5,243.05 5,243.05 *	MINN STATE TREASURER	MOTOR VEH LIC PBL

102502	04/25/83	226.00 226.00 *	MINN STATE TREASURER	DRIVERS LIC PBL

102710	04/25/83	2,500.00 2,500.00 *	POSTMASTER	POSTATE

102A74	04/25/83	1,660.77 1,660.77 *	DAWSON PATERSON	PRINTING

102C37	04/25/83	10.63 10.63 *	VOYA FOLETICH	REFUND ON INTERES

102D65 *	04/25/83	341.00 341.00 *	SCHIEHS RESTR	ADULT TRIP
102D66 *	04/25/83	100.00 100.00 *	SWEDISH INSTITUTE	ADULT TRIP

103218	04/25/83	500.00-	E V DOLAN	SERVICES RENDERE
103218	04/25/83	500.00	E V DOLAN	SERVICES RENDERE
103218	04/25/83	500.00 500.00 *	E V DOLAN	SERVICES RENDERE

103502	04/25/83	2,925.15	MINN STATE TREAS	MOTOR VEH LIC PB
103502	04/25/83	115.00	MINN STATE TREAS	DRIVERS LIC PBL
		3,040.15 *		

103B25	04/25/83	500.00 500.00 *	THOMAS DELANEY	SERVICES RENDERE

103B29	04/25/83	500.00 500.00 *	JOHN KENNA	SERVICES RENDERE

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		1,960.90	MN STATE TREASURER	MOTOR VEH LIC PB
104502	04/25/83	91.00	MN STATE TREASURER	DRIVERS LIC PBL
		2,051.90 *		

104742	04/25/83	58.00	CLERK OF DISTR CT	CNTY DRIVERS LIC
		58.00 *		

105502	04/25/83	356.00	MN STATE TREASURER	MOTOR VEH LIC PB
105502	04/25/83	48.00	MN STATE TREASURER	DRIVERS LIC PBL
		404.00 *		

105937	04/25/83	205.00	UNITED WAY ST PAUL	P/R JUCT
		205.00 *		

105067	04/25/83	19.54	WHITE BEAR AMC	REP MAINT VEH
		19.54 *		

108472	04/25/83	4,675.00	METRO WASTE CONTROL	SAC PABLE
108472	04/25/83	46.75-	METRO WASTE CONTROL	SAC PABLE
		4,628.25 *		

108502	04/25/83	1,225.75	MINN STATE TREASURER	MOTOR VEH LIC PB
108502	04/25/83	51.00	MINN STATE TREASURER	DNR LIC PBL
108502	04/25/83	131.00	MINN STATE TREASURER	DRIVERS LIC PBL
		1,407.75 *		

108532	04/25/83	15.00	P.E.H.A.	TRAVEL TRAINING
		15.00 *		

109232	04/25/83	1,000.00	EMPL BENEFIT	DENTAL CLAIMS PE
		1,000.00 *		

109502	04/25/83	5,360.25	MN STATE TREASURER	MOTOR VEH LIC PE
109502	04/25/83	219.00	MN STATE TREASURER	DRIVERS LIC PBL
		5,579.25 *		

OFFICE REVENUE DIV

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
109758	04/25/83	24.00	RMSY CNTY CONCIL	AMB RUNS
		24.00 *		

109C76	04/25/83	17.50	OFFICE PRODUCTS	TRAVEL TRAINING
109C76	04/25/83	17.50	OFFICE PRODUCTS	TRAVEL TRAINING
		35.00 *		

110282	04/25/83	25.00	GOVT TRAINING SERV	TRAVEL TRAINING
		25.00 *		

110502	04/25/83	219.00	MN STATE TREASURER	DRIVERS LIC PBL
		219.00 *		

110742	04/25/83	57.00	CLERK OF DIST CT	CNTY DRIVERS LIC
		57.00 *		

110D68	04/25/83	648.00	CADILLAC PLASTIC	SUPPLIES
		648.00 *		

111502	04/25/83	3,826.85	MN STATE TREAS	MOTOR VEH LIC PBL
111502	04/25/83	3,062.75	MN STATE TREAS	MOTOR VEH LIC PBL
111502	04/25/83	168.00	MN STATE TREAS	DRIVERS LIC PBL
		7,057.60 *		

111504	04/25/83	570.71	MN STATE TREAS	SURTAX PBL
111504	04/25/83	11.41-	MN STATE TREAS	SURTAX PBL
		559.30 *		

111889	04/25/83	18,753.86	T A SCHIFSXY	CONTRACT PBL
		18,753.86 *		

112502	04/25/83	6,649.36	MN STATE TREASURER	MOTOR VEH LIC PBL
112502	04/25/83	261.00	MN STATE TREASURER	DRIVERS LIC PBL
		6,910.36 *		

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1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
2				
3	112557	04/25/83	4,426.73	MN STATE TREAS P/R DEDUCT
4	112557	04/25/83	3,821.02	MN STATE TREAS P/R DEDUCT
5	112557	04/25/83	18.22	MN STATE TREAS P/R DEDUCT
6	112557	04/25/83	43.52	MN STATE TREAS P/R DEDUCT
7	112557	04/25/83	23.11	MN STATE TREAS P/R DEDUCT
8	112557	04/25/83	100.76	MN STATE TREAS P/R DEDUCT
9	112557	04/25/83	173.39	MN STATE TREAS P/R DEDUCT
10	112557	04/25/83	189.04	MN STATE TREAS P/R DEDUCT
11	112557	04/25/83	38.19	MN STATE TREAS P/R DEDUCT
12	112557	04/25/83	53.61	MN STATE TREAS P/R DEDUCT
13	112557	04/25/83	364.51	MN STATE TREAS P/R DEDUCT
14	112557	04/25/83	146.84	MN STATE TREAS P/R DEDUCT
15	112557	04/25/83	4,102.20	MN STATE TREAS P/R DEDUCT
16	112557	04/25/83	374.46	MN STATE TREAS P/R DEDUCT
17	112557	04/25/83	261.60	MN STATE TREAS P/R DEDUCT
18	112557	04/25/83	209.27	MN STATE TREAS P/R DEDUCT
19	112557	04/25/83	181.09	MN STATE TREAS P/R DEDUCT
20	112557	04/25/83	129.44	MN STATE TREAS P/R DEDUCT
21	112557	04/25/83	597.74	MN STATE TREAS P/R DEDUCT
22	112557	04/25/83	329.74	MN STATE TREAS P/R DEDUCT
23	112557	04/25/83	35.28	MN STATE TREAS P/R DEDUCT
24	112557	04/25/83	197.40	MN STATE TREAS P/R DEDUCT
25	112557	04/25/83	302.16	MN STATE TREAS P/R DEDUCT
26	112557	04/25/83	80.16	MN STATE TREAS P/R DEDUCT
27	112557	04/25/83	126.62	MN STATE TREAS P/R DEDUCT
28	112557	04/25/83	92.96	MN STATE TREAS P/R DEDUCT
29	112557	04/25/83	64.76	MN STATE TREAS P/R DEDUCT
30	112557	04/25/83	49.58	MN STATE TREAS P/R DEDUCT
31	112557	04/25/83	65.96	MN STATE TREAS P/R DEDUCT
32	112557	04/25/83	16.66	MN STATE TREAS P/R DEDUCT
33	112557	04/25/83	403.76	MN STATE TREAS P/R DEDUCT
34	112557	04/25/83	119.80	MN STATE TREAS P/R DEDUCT
35			17,139.58 *	
36				
37	*****			
38				
39	115015	04/28/83	324.20	AFSCHE UNION DUES PBL
40	115015	04/28/83	5.32	AFSCHE UNION DUES PBL
41			329.52 *	
42				
43	*****			
44				
45	115153	04/28/83	13,299.50	CTY CNTY EMPL CRED CREDIT UNION PB.
46			13,299.50 *	
47				
48	*****			
49				
50	115330	04/28/83	641.99	ICMA RETIREMNT DEFERRED COMP
51	115330	04/28/83	102.96	ICMA RETIREMNT DEFERRED COMP
52			744.95 *	
53				
54	*****			
55				
56	115373	04/28/83	145.00	ROSEMARY KANE P/R DEDUCTION
57				

1983 CITY OF MAPLEWOOD			CHECK REGISTER		
CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION	
		145.00 *			

115453	04/28/83	14,630.81	MAPLEWOOD ST BANK	FWT PBL	
		14,630.81 *			

115470	04/28/83	24.00	METRO SUPERVISORY	UNION DUES PBL	
		24.00 *			

115502	04/28/83	4,469.45	MN STATE TREASURER	MOTOR VEH LIC PBL	
115502	04/28/83	121.00	MN STATE TREASURER	DNR LIC PBL	
115502	04/28/83	231.00	MN STATE TREASURER	DRIVERS LIC PBL	
115502	04/28/83	164.00	MN STATE TREASURER	DRIVERS LIC PBL	
		4,985.45 *			

115520	04/28/83	264.90	MN BENEFIT ASSN	INSURANCE PBL	
		264.90 *			

115540	04/28/83	310.00	MN MUTUAL LIFE INS	INS PAYABLE	
		310.00 *			

115556	04/28/83	300.00	MN STATE RETIREMNT	DEFERRED COMP	
		300.00 *			

115559	04/28/83	7,554.13	MN STATE TREAS S/S	S/S PAYABLE	
115559	04/28/83	7,554.13	MN STATE TREAS S/S	S/S PAYABLE	
		15,108.26 *			

115870	04/28/83	8,134.34	MN STATE COMM REV	SMT PBL	
		8,134.34 *			

115973	04/28/83	158.88	MISC DEPT REVENUE	SMT PBL	
		158.88 *			

116502	04/28/83	3,688.80	MN STATE TREASURER	MOTOR VEH LIC PBL	
		3,688.80 *			

1983 CITY OF MAPLEWOOD		CHECK REGISTER			
CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION	

116083	04/28/83	40.00 40.00 *	SEXUAL OFFENSE	TRAVEL TRAINING	

117502	04/28/83	4,548.75	MN STATE TREASURER	MOTOR VEH LIC PBL	
117502	04/28/83	119.00	MN STATE TREASURER	DRIVERS LIC PBL	
		4,667.75 *			

117588	04/28/83	375.00 375.00 *	M.F.O.A	CERT OF CONFORMA	

118502	04/28/83	5,147.60	MINN STATE TREASURER	MOTOR VEH LIC PBL	
118502	04/28/83	127.00	MINN STATE TREASURER	DRIVERS LIC PBL	
		5,274.60 *			

118742	04/28/83	59.50 59.50 *	CLERK OF DIST CT	CNTY DRIVERS LIC	

118870	04/28/83	330.88-	COMM OF REVENUE	DIESEL TAX PBL	
118870	04/28/83	2,059.23	COMM OF REVENUE	DIESEL TAX PBL	
		1,728.35 *			

119502	05/02/83	5,936.54	MIN STATE TREAS	MOTOR VEH LIC PBL	
119502	05/02/83	302.00	MIN STATE TREAS	DRIVERS LIC PBL	
		6,238.54 *			

119084	05/02/83	185.00 185.00 *	IIMC CONF REGISTR	TRAVEL TRAINING	

129002	04/28/83	48.00	A-1 BUSINESS MACHINE	MAINT CONTRACT	
129002	04/28/83	48.00	A-1 BUSINESS MACHINE	MAINT CONTRACT	
129002	04/28/83	96.00	A-1 BUSINESS MACHINE	MAINT CONTRACT	
129002	04/28/83	144.00	A-1 BUSINESS MACHINE	MAINT CONTRACT	
129002	04/28/83	48.00	A-1 BUSINESS MACHINE	MAINT CONTRACT	
129002	04/28/83	192.00	A-1 BUSINESS MACHINE	MAINT CONTRACT	
129002	04/28/83	48.00	A-1 BUSINESS MACHINE	MAINT CONTRACT	
129002	04/28/83	96.00	A-1 BUSINESS MACHINE	MAINT CONTRACT	

1983 CITY OF MAPLEWOOD			CHECK REGISTER		
CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION	
2	129002	04/28/83	96.00	A-1 BUSINESS MACHINE	MAINT CONTRACT
3	129002	04/28/83	48.00	A-1 BUSINESS MACHINE	MAINT CONTRACT
4	129002	04/28/83	96.00	A-1 BUSINESS MACHINE	MAINT CONTRACT
5			960.00 *		
6					
7	*****				
8					
9	129009	04/27/83	9.35	ACRO-MINNESOTA INC	OFFICE SUPPLIES
10			9.35 *		
11					
12	*****				
13					
14	129011	04/27/83	49.92	ADVANCE LIGHTING INC	SUPPLIES
15	129011	04/27/83	49.92	ADVANCE LIGHTING INC	SUPPLIES
16	129011	04/27/83	49.92-	ADVANCE LIGHTING INC	SUPPLIES
17			49.92 *		
18					
19	129012	04/27/83	10.30-	ADVANCE STAMP CORP	OFFICE SUPPLIES
20	129012	04/27/83	10.30	ADVANCE STAMP CORP	OFFICE SUPPLIES
21	129012	04/27/83	10.30	ADVANCE STAMP CORP	OFFICE SUPPLIES
22			10.30 *		
23					
24	*****				
25					
26	129097	04/27/83	182.74	BILL BOYER FORD	REPAIR MAINT VEH
27			182.74 *		
28					
29	*****				
30					
31	129103	04/28/83	27.92	BOARD OF WATER COMM	UTILITIES
32	129103	04/28/83	6.48-	BOARD OF WATER COMM	UTILITIES
33	129103	04/28/83	6.48	BOARD OF WATER COMM	UTILITIES
34	129103	04/28/83	28.71	BOARD OF WATER COMM	UTILITIES
35	129103	04/28/83	6.48	BOARD OF WATER COMM	UTILITIES
36	129103	04/28/83	12.12	BOARD OF WATER COMM	UTILITIES
37	129103	04/27/83	228.64	BOARD OF WATER COMM	CONTRACT PYM
38			303.87 *		
39					
40	*****				
41					
42	129110	04/27/83	48.00	BRISSMAN KENNEDY	SUPPLIES
43			48.00 *		
44					
45	*****				
46					
47	129120	04/27/83	30.12	BUREAU OF BUSINESS P	MEMBERSHIP
48			30.12 *		
49					
50	*****				
51					
52	129177	04/27/83	4.45	COPY EQUIPMENT	OFFICE SUPPLIES
53			4.45 *		
54					
55	*****				
56					
57	129236	04/27/83	200.00	EVANS BARRY	VEHICLE ALLOW

1983 CITY OF MAPLEWOOD		CHECK REGISTER			
CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION	
		200.00 *			

129261	04/27/83	22.80	GEN ELECTRIC SUPPLY	SUPPLIES	
129261	04/27/83	27.30	GEN ELECTRIC SUPPLY	SUPPLIES	
		50.10 *			

129263	04/27/83	228.41	GENERAL REPAIR SERVI	SUPPLIES VEH	
		228.41 *			
129264	04/27/83	7.05	GENERAL SAFTY EQUIP	REPAIR MAINT VE	
129264	04/27/83	76.22	GENERAL SAFTY EQUIP	REPAIR MAINT VE	
		83.27 *			

129269	04/27/83	18.18	GENUINE PARTS CO	SUPPLIES VEH	
		18.18 *			
129270	04/27/83	133.00	GEORGES BODY SHOP	SUPPLIES VEH	
		133.00 *			

129276	04/27/83	4.00	GOODYEAR SERVICE STO	REPAIR MAINT	
129276	04/27/83	5.00	GOODYEAR SERVICE STO	REPAIR MAINT	
129276	04/28/83	179.36	GOODYEAR SERVICE STO	REPAIR MAINT VE	
129276	04/28/83	154.12-	GOODYEAR SERVICE STO	REPAIR MAINT VE	
129276	04/28/83	164.12	GOODYEAR SERVICE STO	REPAIR MAINT VE	
129276	04/28/83	148.36	GOODYEAR SERVICE STO	REPAIR MAINT VE	
		346.72 *			

129287	04/27/83	23.75	GREW JANET	SUPPLIES	
129287	04/27/83	16.15	GREW JANET	FUEL OIL	
		39.90 *			
129288	04/27/83	13.00	GRUBERS HARDWARE MAN	SUPPLIES VEH	
		13.00 *			

129302	04/27/83	55.00	HENNEPIN COUNTY CHIE	TRAVEL TRAINING	
		55.00 *			

129348	04/27/83	65.88	INTL BUS MACHINES CO	OFFICE SUPPLIES	
		65.88 *			

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
129382	04/27/83	7.12	KNOWLANS SUPER MARKE	SUPPLIES
		7.12 *		

129384	04/27/83	93.91	KNOX LUMBER	SUPPLIES
		93.91 *		

129401	04/27/83	35.00	LANG RICHARD	CANINE RETAINER
		35.00 *		

129452	04/27/83	163.35	MAPLEWOOD REVIEW	PUBLISHING
		163.35 *		

129464	04/27/83	17.72	MERIT CHEVROLET CO	SUPPLIES VEH
		17.72 *		

129477	04/27/83	35.00	METTLER DANIEL	CANINE RETAINER
		35.00 *		

129495	04/27/83	456.00	MINN MINING + MFG CO	SIGNS SIGNALS
129495	04/27/83	36.45-	MINN MINING + MFG CO	SIGNS SIGNALS
		419.55 *		

129502	04/27/83	15.00	MINN STATE TREASURER	MEMBERSHIP
		15.00 *		

129530	04/27/83	258.00	MN DEPT PUBLIC SAFTY	OFFICE SUPPLIES
		258.00 *		

129563	04/27/83	1,654.39	MN UNEMPLOY COMP FUN	UNEMPLOY BENEFI
		1,654.39 *		

129565	04/27/83	40.00	MITCHELL WINFIELD A	APPRAISAL SERVI
129565	04/27/83	80.00	MITCHELL WINFIELD A	APPRAISAL SERVI
129565	04/27/83	60.00	MITCHELL WINFIELD A	APPRAISAL SERVI

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
129565	04/27/83	180.00	MITCHELL WINFIELD A	APPRAISAL SERVIC
129565	04/27/83	620.00	MITCHELL WINFIELD A	APPRAISAL SERVIC
		980.00 *		

129582	04/27/83	265.87	MPLS STAR + TRIBUNE	PUBLISHING
		265.87 *		

129588	04/27/83	2.50	MUNIC. FINANCE OFFIC	BOOK
		2.50 *		

129594	04/27/83	15.00	MUNICIPAL CLERKS + F	MEMBERSHIP
		15.00 *		

129658	04/28/83	579.57	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	2.40	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	3.53	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	2.40	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	3.53	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	541.75	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	1,212.14	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	80.90	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	77.55	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	37.96	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	89.39	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	79.86	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	5,880.82	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	84.03	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	81.80	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	94.17	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	110.41	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	68.41	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	4.25	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	4.25	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	4.25	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	101.76	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	70.24	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	30.00	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	302.35	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	514.22	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	64.17	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	121.37	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	13.66	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	9.29	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	172.89	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	80.76	NORTHERN STATES POWE	UTILITIES
129658	04/28/83	198.90	NORTHERN STATES POWE	UTILITIES
		10,722.98 *		

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION

129660	04/28/83	56.13	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	42.97	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	18.58	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	50.92	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	49.87	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	201.10	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	45.29	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	165.66	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	18.95	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	24.81	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	26.23	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	94.95	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	27.45	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	121.05	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	25.95	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	143.90	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	95.20	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	42.97	NORTHWESTERN BELL TE	TELEPHONE
129660	04/27/83	40.83	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	25.95	NORTHWESTERN BELL TE	TELEPHONE
129660	04/27/83	14.18	NORTHWESTERN BELL TE	TELEPHONE
129660	04/27/83	101.47	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	104.10	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	53.13	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	25.95	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	28.87	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	18.78	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	26.52	NORTHWESTERN BELL TE	TELEPHONE
129660	04/28/83	29.45	NORTHWESTERN BELL TE	TELEPHONE
		1,719.21 *		

129702	04/27/83	74.80	PITNEY-BOWES INC	CONTRACT PYM
		74.00 *		

129710	04/27/83	900.00	POSTMASTER	POSTAGE
		900.00 *		

129768	04/27/83	4.50	RICE STREET CAR WASH	REPAIR MAINT VEH
129768	04/27/83	9.00	RICE STREET CAR WASH	REPAIR MAINT VEH
129768	04/27/83	18.00	RICE STREET CAR WASH	REPAIR MAINT VEH
129768	04/27/83	13.50	RICE STREET CAR WASH	REPAIR MAINT VEH
129768	04/27/83	27.00	RICE STREET CAR WASH	REPAIR MAINT VEH
129768	04/27/83	4.50	RICE STREET CAR WASH	REPAIR MAINT VEH
129768	04/27/83	4.50	RICE STREET CAR WASH	REPAIR MAINT VEH
129768	04/27/83	9.00	RICE STREET CAR WASH	REPAIR MAINT VEH
129768	04/27/83	4.50	RICE STREET CAR WASH	REPAIR MAINT VEH

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
129768	04/27/83	9.00	RICE STREET CAR WASH	REPAIR MAINT VEH
129768	04/27/83	13.50	RICE STREET CAR WASH	REPAIR MAINT VEH
129768	04/27/83	4.50	RICE STREET CAR WASH	REPAIR MAINT VEH
129768	04/27/83	4.50	RICE STREET CAR WASH	REPAIR MAINT VEH
		126.00 *		

129770 *	04/27/83	3.00	RICHA RDS MARKET	SUPPLIES PROG
		3.00 *		

129778	04/27/83	15.00	RO-SO	DEPOSIT REFUND
		15.00 *		

129798	04/27/83	52.80	S + T OFFICE PRODUCT	OFFICE SUPPLIES
129798	04/27/83	9.41	S + T OFFICE PRODUCT	OFFICE SUPPLIES
129798	04/27/83	3.20-	S + T OFFICE PRODUCT	OFFICE SUPPLIES
129798	04/27/83	95.12	S + T OFFICE PRODUCT	OFFICE SUPPLIES
129798	04/27/83	32.00	S + T OFFICE PRODUCT	OFFICE SUPPLIES
129798	04/27/83	20.17	S + T OFFICE PRODUCT	OFFICE SUPPLIES
129798	04/27/83	3.40	S + T OFFICE PRODUCT	OFFICE SUPPLIES
129798	04/27/83	35.75	S + T OFFICE PRODUCT	OFFICE SUPPLIES
129798	04/27/83	35.75	S + T OFFICE PRODUCT	OFFICE SUPPLIES
129798	04/27/83	35.75-	S + T OFFICE PRODUCT	OFFICE SUPPLIES
		245.45 *		

129841	04/27/83	272.90	ST PAUL CITY OF	REPAIR MAINT EQU
129841	04/27/83	609.05	ST PAUL CITY OF	REPAIR MAINT EQU
129841	04/27/83	290.00	ST PAUL CITY OF	REPAIR MAINT EQU
		1,171.95 *		
129842	04/27/83	160.93	ST PAUL DISPATCH	PUBLISHING
		160.93 *		

129852	04/27/83	10.30	ST PAUL STAMP WORKS	SUPPLIES
		10.30 *		

129874	04/27/83	121.55	STD SPRING & ALIGN	REPAIR MAINT VEH
		121.55 *		
129875	04/27/83	68.25	STREICHER GUNS INC	SUPPLIES RANGE
		68.25 *		

129888	04/27/83	76.50	TABULATING SERV BURE	DATA PROCESSING

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		76.50 *		
129889	04/27/83	211.40 211.40 *	T A SCHIFSKY	REPAIR MAINT

129902	04/27/83	97.18 97.18 *	TOLZ KING DUWALL	CONTRACT PYM
129903	04/27/83	43.01	TOLL WELDING SUPPLY	SUPPLIES
129903	04/27/83	17.25 60.26 *	TOLL WELDING SUPPLY	SUPPLIES

129906	04/27/83	7,544.00	TRACY OIL	FUEL OIL
129906	04/27/83	5,152.00	TRACY OIL	FUEL OIL
129906	04/27/83	3,892.00	TRACY OIL	FUEL OIL
129906	04/27/83	1,472.00	TRACY OIL	FUEL OIL
129906	04/27/83	7,784.00	TRACY OIL	FUEL OIL
129906	04/27/83	5,152.00	TRACY OIL	FUEL OIL
		30,996.00 *		

129914	04/27/83	40.00 40.00 *	TWIN CITY FILTER SER	FILTERS CLEANED

129954	04/27/83	21.50 21.50 *	VIRTUE PRINTING CO	OFFICE SUPPLIES

129957	04/27/83	7.98	WARNERS TRUEVALUE HD	OFFICE SUPPLIES
129957	04/27/83	6.85	WARNERS TRUEVALUE HD	SUPPLIES JAN
129957	04/27/83	12.94	WARNERS TRUEVALUE HD	SUPPLIES JAN
129957	04/27/83	14.86 42.63 *	WARNERS TRUEVALUE HD	SUPPLIES

129960	04/27/83	23.73	WEBER + TROSETH INC	REPAIR MAINT VEH
129960	04/27/83	.01-	WEBER + TROSETH INC	REPAIR MAINT VEH
129960	04/27/83	29.50 53.22 *	WEBER + TROSETH INC	DRY CHEMICALS

129A42	04/26/83	150.00 150.00 *	MEEHAN PAMELA	SUPPLIES EQUIP

OFFICE RECORDS

1983 CITY OF MAPLEWOOD		CHECK REGISTER		
CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
129B11	04/26/83	1,494.74 1,494.74 *	MORSE CLINTON	PROFESSIONAL SER

129C18	04/26/83	96.95 96.95 *	JIM HATCH SALES	SUPPLIES EQUIP

129C21	04/26/83	12.00 12.00 *	DISPATCH	NEWSPAPERS

129D47 *	04/26/83	9.00 9.00 *	GOAR JEANETTE	REFUND

129D69	04/26/83	332.58 332.58 *	B F GOODRICH TIRE	SUPPLIES VEH
129D70	04/26/83	15.00 15.00 *	H B H CONSTRUCTION	DEPOSIT REFUND
129D71 *	04/26/83	54.00 54.00 *	LEE CHARLES	REFUND
129D72	04/26/83	15.00 15.00 *	C S MC CROSSAN	DEPOSIT REFUND
129D73	04/26/83	89.50 89.50 *	MISS STREET METALS	SUPPLIES
129D74	04/26/83	1,302.00 1,302.00 *	MIDWEST ASPHALT	SUPPLIES
129D75	04/26/83	17.50 17.50 *	NATURE PRESERVED	SUPPLIES PROG
129D76	04/26/83	135.00 135.00 *	ST CLOUD STATE UNIV	TRAVEL TRAINING
129D77	04/26/83	8.11 8.11 *	UNIVERSAL MED SERV	MED OXYGEN
129D78	04/26/83	261.50 261.50 *	ACT ELECTRONICS INC	REPAIR MAINT
129D79	04/26/83	11.90 11.90 *	ALLANSON BUSINESS	OFFICE SUPPLIES
129D80	04/26/83	46.42	FISHER PHOTO SUPPLY	REPAIR MAINT

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		46.42 *		
129081 *	04/26/83	24.00	FREAD LESTER	REFUND
		24.00 *		
129082	04/26/83	109.25	PATTYS DELI	NATURE CTR TRIP
		109.25 *		

		160,328.90	FUND 01 TOTAL	✓
		1,091.87	FUND 03 TOTAL	✓
		40.00	FUND 43 TOTAL	✓
		80.00	FUND 47 TOTAL	✓
		60.00	FUND 51 TOTAL	✓
		1,725.00	FUND 58 TOTAL	✓
		10.63	FUND 60 TOTAL	✓
		97.18	FUND 61 TOTAL	✓
		18,753.86	FUND 65 TOTAL	✓
		620.00	FUND 76 TOTAL	✓
		2,423.76	FUND 90 TOTAL	✓
		1,000.00	FUND 94 TOTAL	✓
		33,797.32	FUND 96 TOTAL	✓
		220,028.52	TOTAL	
* INDICATES ITEMS FINANCED BY RECREATIONAL FEES				

OFFICE OF THE COMPTROLLER

DEPT-NO	EMPL-NO	EMPLOYEE NAME	CHECK-NO	AMOUNT	CLEARED
0002	484369671	BEHM LOIS	N 0418-00001	445.31	()
0002	206242018	EVANS BARRY	R 0418-00002	1,121.32	()
0002				1,566.53 *	
0010	473664474	JAHN DAVID	J 0418-00003	100.84	()
0010	475143403	PELOQUIN ALFRED	J 0418-00004	69.71	()
0010	469869481	SCHLEICHER JOHN	F 0418-00005	0.00	(X)
0010				170.55 *	
0011	475500285	MCPHERSON JOANNE	F 0418-00006	0.00	(X)
0011				*	
0012	357340166	CODE LARRY	J 0418-00007	148.43	()
0012	470520124	DOHERTY KATHLEEN	M 0418-00008	217.33	()
0012	471400908	ZUERCHER JOHN	L 0418-00009	119.65	()
0012				485.41 *	
0021	469501078	FAUST DANIEL	F 0418-00010	977.13	()
0021				977.13 *	
0022	469200614	HAGEN ARLINE	J 0418-00011	425.85	()
0022	390444446	MATHEYS ALANA	K 0418-00012	488.73	()
0022	476704432	MOELLER MARGARET	A 0418-00013	0.00	(X)
0022	473327550	VIGOREN DELORES	A 0418-00014	379.33	()
0022				1,293.91 *	
0031	471322198	AURELIUS LUCILLE	E 0418-00015	784.26	()
0031	476264816	SELVIG BETTY	D 0418-00016	475.18	()
0031				1,260.44 *	
0032	475269815	SCHADT JEANNE	L 0418-00017	177.24	()
0032				177.24 *	
0033	477288389	GREEN PHYLLIS	C 0418-00018	529.69	()
0033	472244994	HENSLEY PATRICIA	A 0418-00019	196.18	()
0033	475620547	KELSEY CONNIE	L 0418-00020	206.85	()
0033	468364435	VIETOR LORRAINE	S 0418-00021	401.99	()
0033				1,334.71 *	
0034	037144969	FREDERICKSON RITA	M 0418-00022	0.00	(X)
0034	474097528	STOTTLEMYER EDITH	G 0418-00023	0.00	(X)
0034				*	

DEPT-NO	EMPL-NO	EMPLOYEE NAME.	CHECK-NO	AMOUNT	CLEARED
0041	184440036	BASTYR	DEBORAH A 0418-00024	298.87	()
0041	468461717	COLLINS	KENNETH V 0418-00025	213.79	()
0041	392240565	HAGEN	THOMAS L 0418-00026	298.11	()
0041	477227536	OMATH	JOY E 0418-00027	376.41	()
0041	471502356	RICHIE	CAROLE L 0418-00028	315.41	()
0041	468602934	SVENDSEN	JOANNE M 0418-00029	473.68	()
0041				1,976.27 *	
0042	477481364	ARNOLD	DAVID L 0418-00030	371.51	()
0042	471402115	ATCHISON	JOHN H 0418-00031	690.30	()
0042	469689867	BOWMAN	RICK A 0418-00032	447.37	()
0042	468461930	CLAUSON	DALE K 0418-00033	217.87	()
0042	476446119	DREGER	RICHARD C 0418-00034	720.43	()
0042	470267887	GREEN	NORMAN L 0418-00035	636.34	()
0042	469568516	HALWEG	KEVIN R 0418-00036	552.40	()
0042	469820466	HEINZ	STEPHEN J 0418-00037	563.56	()
0042	473604916	HERBERT	MICHAEL J 0418-00038	466.12	()
0042	475528607	JAQUITH	DANIEL R 0418-00039	565.06	()
0042	392760009	KARIS	FLINT D 0418-00040	440.55	()
0042	472222231	KORTUS	DONALD V 0418-00041	210.13	()
0042	471563591	LANG	RICHARD J 0418-00042	550.00	()
0042	468181347	MCMULTY	JOHN J 0418-00043	177.43	()
0042	474607586	MEEHAN, JR	JAMES E 0418-00044	602.98	()
0042	471627417	METTLER	DANIEL B 0418-00045	693.12	()
0042	469442363	MOESCHTER	RICHARD M 0418-00046	163.18	()
0042	476340990	MORELLI	RAYMOND J 0418-00047	680.72	()
0042	475323183	NELSON	ROBERT D 0418-00048	754.10	()
0042	468462884	PELTIER	WILLIAM F 0418-00049	593.34	()
0042	473520457	SKALMAN	DOVALD W 0418-00050	167.08	()
0042	473548226	STAFNE	GREGORY L 0418-00051	624.20	()
0042	471721204	STEFFEN	SCOTT L 0418-00052	212.16	()
0042	471500251	STILL	VERNON T 0418-00053	573.68	()
0042	471629204	STOCKTON	DARRELL T 0418-00054	685.89	()
0042	474260130	ZAPPA	JOSEPH A 0418-00055	622.95	()
0042				12,982.47 *	
0043	475548434	BECKER	RONALD D 0418-00056	241.89	()
0043	469441789	GRAF	DAVID M 0418-00057	539.04	()
0043	476401388	LEE	ROGER W 0418-00058	633.55	()
0043	473567791	MELANDER	JON A 0418-00059	57.29	()
0043	468360918	NELSON	CAROL M 0418-00060	819.42	()
0043	471504316	RAZSKAZOFF	DALE E 0418-00061	616.05	()
0043	471564801	RYAN	MICHAEL P 0418-00062	470.04	()
0043	474486071	VORWERK	ROBERT E 0418-00063	302.54	()
0043	469502201	YOUNGREN	JAMES G 0418-00064	648.74	()
0043				6,328.56 *	
0045	471401878	EMBERTSON	JAMES M 0418-00065	655.84	()

DEPT-NO	EMPL-NO	EMPLOYEE NAME	CHECK-NO	AMOUNT	CLEARED
0045	472242227	SCHADT ALFRED	C 0418-00066	701.66	()
0045				1,357.50 *	
0046	468401899	CAHANES ANTHONY	G 0418-00067	146.59	()
0046	477627236	FLAUGHER JAYME	L 0418-00068	464.15	()
0046	475587232	FULLER JAMES	D 0418-00069	467.49	()
0046	473807030	MARTIN SHAWN	M 0418-00070	392.32	()
0046	472365919	NELSON KAREN	A 0418-00071	455.51	()
0046	468600183	RABINE JANET	L 0418-00072	392.32	()
0046	475363333	WILLIAMS DUANE	J 0418-00073	490.09	()
0046				2,808.47 *	
0051	471440267	BARTA MARIE	L 0418-00074	260.62	()
0051	473566872	HAIDER KENNETH	G 0418-00075	171.25	()
0051	504483174	WEGWERTH JUDITH	A 0418-00076	356.62	()
0051				788.49 *	
0052	496308314	CASS WILLIAM	C 0418-00077	594.21	()
0052	471526254	FREBERG RONALD	L 0418-00078	412.27	()
0052	502544337	HELEY RONALD	J 0418-00079	620.55	()
0052	471601083	HOCHBAN JOSEPH	H 0418-00080	565.26	()
0052	471501241	KANE MICHAEL	R 0418-00081	472.64	()
0052	468363473	KLAUS ING HENRY	F 0418-00082	587.46	()
0052	471500547	MEYER GERALD	W 0418-00083	512.40	()
0052	468166755	PREYNER JOSEPH	B 0418-00084	836.88	()
0052	472241484	REINERT EDWARD	A 0418-00085	625.38	()
0052	470346224	TEVLIN, JR HARRY	J 0418-00086	172.07	()
0052				5,399.12 *	
0053	472481010	ELIAS JAMES	G 0418-00087	571.67	()
0053	167246109	GEISSLER WALTER	M 0418-00088	574.11	()
0053	501464671	GESSELE JAMES	T 0418-00089	630.35	()
0053	475441688	PECK DENNIS	L 0418-00090	489.77	()
0053	476622458	PILLATZKE DAVID	J 0418-00091	778.75	()
0053	472662522	PRIEBE WILLIAM	0418-00092	479.01	()
0053				3,523.66 *	
0054	475601431	LUTZ DAVID	P 0418-00093	389.91	()
0054				389.91 *	
0058	471562563	BREHE IM ROGER	W 0418-00094	498.94	()
0058	477602582	EDSON DAVID	B 0418-00095	667.30	()
0058	470541590	MULWE GEORGE	W 0418-00096	523.13	()
0058	471501014	NADEAU EDWARD	A 0418-00097	543.18	()
0058	468361720	NUTESON LAVERNE	S 0418-00098	475.25	()
0058	471365993	OWEN GERALD	C 0418-00099	558.02	()
0058				3,265.82 *	

DEPT-NO	EMPL-NO	EMPLOYEE NAME	CHECK-NO	AMOUNT	CLEARED
0059	476249760	MACDONALD	JOHNSON	E 0418-00100	460.39 ()
0059	475501000	MULVANEY	DENNIS	M 0418-00101	615.31 ()
				1,075.70 *	
0061	477301066	BRENNER	LOIS	J 0418-00102	205.69 ()
0061	468341993	KRUMMEL	BARBARA	A 0418-00103	137.98 ()
0061	473260389	ODEGARD	ROBERT	D 0418-00104	878.74 ()
0061	468582618	STAPLES	PAULINE	0418-00105	393.78 ()
				1,616.19 *	
0062	473709024	BAUER	ALAN	H 0418-00106	0.00 (X)
0062	471447219	BURKE	MYLES	R 0418-00107	61.99 ()
0062	474608182	GERMAIN	DAVID	A 0418-00108	524.80 ()
0062	472303411	GUSINDA	MELVIN	J 0418-00109	770.49 ()
0062	474924209	HAAG	MATTHEW	J 0418-00110	0.00 (X)
0062	502544121	HELEY	ROLAND	B 0418-00111	556.60 ()
0062	473969784	HUNTER	TONY	0418-00112	129.85 ()
0062	471748313	LIBHARDT	THOMAS	D 0418-00113	0.00 (X)
0062	473565506	MARUSKA	MARK	A 0418-00114	542.27 ()
0062	474078128	RASCHKE	ALBERT	F 0418-00115	0.00 (X)
0062	477646662	SANDQUIST	THOMAS	J 0418-00116	0.00 (X)
0062	476203439	SANTA	REED	E 0418-00117	358.02 ()
0062	474845176	SPANNBAUER	MARTIN	J 0418-00118	0.00 (X)
0062	473660035	STARK	RICHARD	E 0418-00119	0.00 (X)
				2,944.02 *	
0063	471801203	ASHYON	KATERY	D 0418-00120	0.00 (X)
0063	270483797	BLACK	WILLIAM	J 0418-00121	0.00 (X)
0063	471901502	BOYD	JEFFREY	A 0418-00122	0.00 (X)
0063	474442474	BUNKE	RICHARD	H 0418-00123	0.00 (X)
0063	476924605	CASSEDAY	ELIZABETH	J 0418-00124	0.00 (X)
0063	473684976	CASSEDAY	MARY	K 0418-00125	0.00 (X)
0063	468684857	CERNIUS	DAVID	G 0418-00126	0.00 (X)
0063	472844611	DALLUGE	MATTHEW	D 0418-00127	0.00 (X)
0063	470880293	DELMONT	LISA	M 0418-00128	0.00 (X)
0063	474829219	DIEBEL	JERRY	D 0418-00129	0.00 (X)
0063	471884448	GALBRAITH	MICHAEL	D 0418-00130	0.00 (X)
0063	476686996	HERBER	KARIN	J 0418-00131	0.00 (X)
0063	474743915	KORTUS	JAMES	H 0418-00132	0.00 (X)
0063	468984515	KRUMMEL	BECKY	J 0418-00133	0.00 (X)
0063	477829499	KRUMMEL	ROGER	C 0418-00134	0.00 (X)
0063	469929687	KYRK	JODI	A 0418-00135	0.00 (X)
0063	474889823	LANGELETT	STEVEN	E 0418-00136	24.00 ()
0063	469953553	LARKIN	MOLLY	A 0418-00137	0.00 (X)
0063	473700729	MAHRE	MICHELE	A 0418-00138	0.00 (X)
0063	473869923	MCCULLOM	JULIE	A 0418-00139	0.00 (X)
0063	474966150	MIHELICH	CINDI	L 0418-00140	0.00 (X)
0063	473903822	NIELSEN	RONALD	C 0418-00141	0.00 (X)

DEPT-NO	EMPL-NO	EMPLOYEE NAME	CHECK-NO	AMOUNT	CLEARED
0063	475863902	PAULETTI ANTHONY	A 0418-00142	0.00	(X)
0063	477629606	RASCHKE JEFFERY	J 0418-00143	0.00	(X)
0063	472986940	RICHIE STACY	L 0418-00144	0.00	(X)
0063	469927221	ROTH VINCE	C 0418-00145	0.00	(X)
0063	468946400	RYDEN DENISE	0418-00146	0.00	(X)
0063	473686517	SANDQUIST KATHRYN	E 0418-00147	0.00	(X)
0063	477869067	SPANNBAUER DAWN	M 0418-00148	0.00	(X)
0063	469742645	SPANNBAUER KATHLEEN	G 0418-00149	0.00	(X)
0063	477920170	STRAUS LAURA	J 0418-00150	0.00	(X)
0063	472821395	SULLIVAN NANCY	J 0418-00151	0.00	(X)
0063	471528238	TATE PETER	W 0418-00152	0.00	(X)
0063	470626422	TAUBMAN DOUGLAS	J 0418-00153	533.93	()
0063	475904189	TOWNLEY MICHAEL	F 0418-00154	0.00	(X)
0063	475783041	VIETOR WENDY	L 0418-00155	0.00	(X)
0063	470963203	WALLACE JON	T 0418-00156	0.00	(X)
0063	475747042	WARD KERI	L 0418-00157	0.00	(X)
0063	396324246	WARD ROY	G 0418-00158	257.50	()

815.43 *

0064	151440508	GREW JANET	M 0418-00159	456.16	()
0064	471384624	HORSWELL JUDITH	A 0418-00160	478.23	()
0064	474542163	SOUTTER CHRISTINE	0418-00161	0.00	(X)

934.39 *

0071	389448993	CHLEBECK JUDY	M 0418-00162	314.52	()
0071	470540551	OLSON GEOFFREY	W 0418-00163	739.67	()

1,054.19 *

0072	477627178	EKSTRAND THOMAS	G 0418-00164	482.37	()
0072	475608505	JOHNS CN RANDALL	L 0418-00165	544.91	()

1,027.28 *

0073	476090677	OSTROM HARJORIE	0418-00166	724.06	()
------	-----------	-----------------	------------	--------	-----

724.06 *

0074	387520776	WENGER ROBERT	J 0418-00167	507.46	()
------	-----------	---------------	--------------	--------	-----

507.46 *

COUNT 00167

GRAND TOTAL 54,785.01

0001	477058088	ANDERSON NORMAN	G 0418-00168	181.91	()
0001	483621318	BASTIAN GARY	W 0418-00169	256.57	()
0001	468200109	GREAVU JOHN	C 0418-00170	250.64	()
0001	477367538	JUKER FRANCES	L 0418-00171	230.32	()
0001	472369335	MAIDA MARYLEE	T 0418-00172	258.48	()

0064	41800173	Soutter christine		486.04	
0001				1,177.92 *	

COUNT 00172

GRAND TOTAL 55,962.93

486.04

56,448.97

E-2

April 15, 1983

MEMORANDUM

Action by Council:

To: City Manager Barry Evans
From: Chief of Police Kenneth V. Collins
Subject: Advanced Life Support Care and Transportation Agreement

Endorsed _____
Modified _____
Rejected _____
Date _____

I met with Kathy Welte, representative of Health Resources Assistance Corporation. The purpose of the meeting was to enter into an agreement for Advanced Life Support services for the new Health Resources Center, which begins operation in late June 1983. Miss Welte needed the agreement for license purposes.

I advised her that neither the Maplewood Police Department nor the City of Maplewood had entered into any written agreements with doctors' offices, clinics, etc., and that it was a normal function for us to respond to these locations when Advanced Life Support care is needed. This, however, did not satisfy Health Resource's needs.

It was also pointed out to Miss Welte that we would not be utilized as a transportation service on Basic Life Support runs, and she understood this.

I do not have any objections to entering into this agreement because it is something that we would respond to and handle normally should we be called. I am referring this to you for approval and signing.

I would also like to point out that this agreement will be monitored quite closely, and should there appear to be any problems, I would recommend that the agreement be terminated.



KVC:js

cc Paramedic File
Officer Vorwerk



Health Resources Assistance Corporation

A Service of Health Resources, Inc.

March 28, 1983

RECEIVED
APR 5 1983

Mr. Ken Collins
Chief of Police
Office of Chief of Police
1380 Frost Avenue
Maplewood, MN. 55109

MAPLEWOOD
POLICE

Dear Chief Collins:

This letter serves to follow our conversation of March 14. The Health Resource Center will begin operations at 1655 Beam Avenue in late June of this year. Health care services to be provided are outpatient surgery and after-hour and weekend urgent care. Hours of operation for outpatient surgery are 6:30 am to 5:00 pm. The Urgent Care will be open from 5:00 pm to 11:00 pm Monday through Friday, and 9:00 am to 11:00 pm on weekends and holidays.

Due to the outpatient nature of these services, A.L.S. ambulance transfer of patients should be infrequent. However, we would like to enter into an agreement with your department whereby we can call for A.L.S. transport when it is deemed necessary by the patient's physician.

You indicated that you do not have written transfer agreements with institutions but, because we need one for licensing purposes, would not be averse to signing one. Enclosed is a brief transfer agreement; please call me if it raises any questions or concerns. If I have not heard from you by mid May, I'll give you a call to see how things are coming. Thanks very much.

Sincerely,

Kathy Welte

Kathy Welte
Ambulatory Care Center Manager

KW/ldw
Enc.

AGREEMENT BETWEEN
Maplewood Police Department
And
Health Resource Center, Inc.

The Health Resource Center, Inc. ("HRC") seeks to enter into an agreement for effecting patient transfer to a hospital when the need has been determined by the patient's physician.

The Maplewood Police Department (MPD) provides Advanced Life Support (ALS) transfer for area residents requiring such transportation.

Therefore:

1. The Maplewood Police Department agrees to provide ALS transport for HRC patients when requested to do so by HRC.
2. MPD agrees to bill to patients directly or their insurance companies for charges for the transportation; HRC is not responsible for these charges.
3. MPD will use its own routine protocols to care for patients in transit and accepts normal professional liability for such care provided while enroute. If a physician travels with his/her patient, the physician will provide medical direction during the transfer.
4. Whenever possible the MPD will take patient or physician hospital preference into account, but is not required to do so.
5. This agreement is effective from the date of signing and can be terminated by either party by a written notice 60 (sixty) days in advance.

Date: _____

City Of Maplewood

By: _____

Its: _____

Date: April 4, 1983

Health Resource Center, Inc.

By: James M. Sullivan

Its: Office President

AGREEMENT BETWEEN
Maplewood Police Department
And
Health Resource Center, Inc.

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The Maplewood Police Department (MPD) provides Advanced Life Support (ALS) transfer for area residents requiring such transportation.

Therefore:

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4. Whenever possible the MPD will take patient or physician hospital preference into account, but is not required to do so.
5. This agreement is effective from the date of signing and can be terminated by either party by a written notice 60 (sixty) days in advance.

Date: _____

City Of Maplewood

By: _____

Its: _____

Date: April 9, 1983

Health Resource Center, Inc.

By: Jerry M. Miller

Its: President

Action by Council:

MEMORANDUM

TO: City Manager
 FROM: Assistant City Engineer
 SUBJECT: Holloway Avenue Improvement, Project No. 81-12,
 Contract Amendment
 DATE: April 29, 1983

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

Attached is information concerning additional work and amendments to the construction contract proposed for the above-referenced project. The nature of the requested changes are as follows:

Items 1-4 represent changes requested by the City of North St. Paul to provide for repair of in-place water main and sanitary sewer facilities. All costs associated with these additions, \$14,598.50, will be apportioned to the City of North St. Paul.

Item 5 - proposes the addition of 685 lineal feet of sidewalk along the south boulevard from Margaret Street to the west line of the open space property. This item has previously been considered and approved by the City Council. The cost for the additional sidewalk, \$3,990.00, will be apportioned to the City of Maplewood. This item is 100 percent eligible for State Aid reimbursement.

We herewith recommend that the City Council approve the requested change in contract as delineated under change order No. 1. This will result in a net increase to the original contract amount of \$18,588.50.

mb
 Enc.

RESOLUTION
DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered made Improvement Project No. 81-12 and has let a construction contract therefore pursuant to Minnesota Statutes, Chapter 429.

AND WHEREAS, it is now necessary and expedient that said contract be modified and designated as Improvement Project No. 81-12, Change Order No. 1.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the Mayor and City Clerk are hereby authorized and directed to modify the existing contract by executing said Change Order No. 1.



SHORT-ELLIOTT-HENDRICKSON INC.

CHANGE ORDER

DATE: April 26, 1983

LOCATION: Maplewood, MN

CHANGE ORDER NO. 1

OWNER: City of Maplewood

PROJECT NO. Joint Holloway Ave. Imp.

FILE NO.: 81168

Nature of Change

Description and Cost:

- 1. New fire hydrants are required because the existing hydrants were lead joint type. This was not known until the hydrant leads were exposed during construction.
Furnish and install 7½" hydrant - 5 EA @ \$1,207.50/EA = \$ 6,037.50
 - 2. Repair existing sanitary sewer at 11 locations. Damaged sanitary sewer was discovered during T.V. inspections.
@ Lump Sum = 7,238.00
 - 3. Replace city furnished gate valve in manhole as requested by City of North St. Paul = 441.00
 - 4. Cut watermain and install 6 x 6 tee and sleeve as requested by North St. Paul - 3 HR @ \$ 294.00/HR = 882.00
 - 5. Construct 5' wide sidewalk on south side of Holloway between Sta. 32 + 65 and 39 + 50 as requested by Maplewood
3325 SF @ \$ 1.20/SF = 3,990.00
- TOTAL CHANGE ORDER \$18,588.50

Is Cost Actual or Estimated? ESTIMATED

This authorizes Contractor to perform this work as part of Base Contract when signed by all parties.

Recommended for Approval: Short-Elliott-Hendrickson, Inc.

By [Signature]
D. G. Christoffersen

Agreed to (by Contractor)

By [Signature] Title

Approved for Owner:

By _____
City of Maplewood

By _____
City of Maplewood

By _____
City of North St. Paul

Distribution

Contractor 2 Owner 1

Resident Engineer
By _____
City of North St. Paul

Short-Elliott-Hendrickson, Inc.
222 East Little Canada Road
Saint Paul, Minnesota 55117

MEMORANDUM

F-1

TO: City Manager
 FROM: Director of Community Development
 SUBJECT: Rezoning (BC to R-2)
 LOCATION: English Street (Soo Line tracks to Skillman Ave.)
 APPLICANT: City Council
 OWNERS: Elaine Beyer (2034 English Street), Ralph Nuebel
 Virginia Fishback (2022 English Street), Burlington Northern Railroad and
 James and Margaret Sobota (2036 English Street)
 DATE: March 31, 1983

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

SUMMARY

Request

Rezone this parcel from BC (business commercial) to a zone compatible with the city's land use plan.

Reason for Request

The city council initiated this rezoning as part of its "downzoning" program. This is where the zoning allows a greater intensity of land use than is proposed on the city's land use plan.

Alternatives (in order of preference)

1. Rezone this area to R-2 (residence district--double dwelling)
2. Amend the plan to RB (residential business), rezone the landscaping business and any of the existing homes requesting it to LBC (limited business commercial), and rezone the rest of the area to R-2.
3. Amend the plan to LSC, limited service commercial and rezone the area to LBC.
4. Amend the plan to SC, service commercial and rezone the area to BC (M), business commercial modified.

Comments

The intent of the land use plan is to limit development in this area to residential development. A BC zone allows uses that are not compatible with the adjacent homes to the east and north.

An R-2 zone is recommended because it is the only zone that is consistent with the land use plan and allows single dwellings as permitted uses. Under BC zoning, the existing homes are nonconforming uses and can not be expanded without a conditional use permit from the city council.

Mr. Sobota's landscaping business, however, would become a nonconforming use under the R-2 zone. Mr. Sobota was told before he built his warehouse, that this land was planned for residential development. Mr. Sobota's interests would be protected in that he could continue or sell his business without council approval, while the surrounding residents would be protected in that a public hearing and council approval would be required for any expansion or change to another type of commercial use.

The Planning Commission recommended that the R-2 zone be extended to the centerline of the Soo Line right-of-way to provide a buffer for future residences to the north. This is a common practice in most zoning ordinances. The Soo Line, however, has been abandoned and is up for sale. Bisecting the right-of-way into two 50-foot wide zones would make the property difficult to sell. Section 36-155 of City Code requires a setback of at least fifty feet for a commercial building from a residential zone. If the R-2 zone is extended to the centerline of the 100-foot wide right-of-way, a building could not be constructed on the south half.

Recommendation

Approval of the enclosed resolution (attachment one) rezoning this site to R-2 (residence district-double dwelling).

BACKGROUND

Site Description

Acreage of area to be rezoned: 5.6

Existing land uses: two single dwellings, undeveloped lots and a landscaping business

Surrounding Land Uses

Northerly: single dwellings

Easterly and Southerly: railroad rights-of-way. The Soo Line to the south has been abandoned and is proposed to be acquired by the state as a regional trail.

Westerly: English Street and single dwellings

Past Actions

5-18-78: Council approved a variance to allow Mr. Sobota to construct his landscaping business on a lot that does not abut a maintained public street, subject to maintaining a driveway to English Street.

1-10-83: Council tabled a rezoning to R-1 and lot width and area variances for Mr. Nuebel until a rezoning for the adjacent lots is considered.

DEPARTMENTAL CONSIDERATIONS

Planning

1. Land Use Plan designation: RM, residential medium density
2. The RM classification is designated for such housing types as single dwellings on small lots, double dwellings, townhouses and mobile homes. The maximum population density is 22 people for each net acre. The number of units for each acre would vary by dwelling type and bedroom mix. As an example, a two-and three-bedroom townhouse project with private roads would be allowed a maximum density of six units for each acre. A similar apartment project would be allowed 7.5 units for each net acre.
3. Zoning maps should be updated as necessary to make both land use maps and zoning maps compatible.
4. Section 36-485 of city code states that "In any instance where the city council or the planning commission is required to consider an exception or change in this chapter, including the zoning map, in accordance with the provisions of this chapter, the council or planning commission shall, among other things:
 - (a) Assure itself that the proposed change is consistent with the spirit, purpose and intent of this chapter.

- (b) Determine that the proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
 - (c) Determine that the proposed change will serve the best interests and conveniences of the community, where applicable, and the public welfare."
5. Zoning: BC, (business commercial) (See attachment five.)
 6. The BC zone allows a side range of commercial uses.
 7. The R-2 (residence district-double dwelling) zone in this area would allow single dwellings with a minimum lot area of 7500 square feet and double dwellings.
 8. The LBC (limited business commercial) zone is limited to professional offices and similar uses approved by the city council. (See attachment six.)
 9. The BCM (business commercial modified) zone is similar to the BC zone, but prohibits drive-up facilities for restaurants and outdoor commercial recreation. (See attachment six.)
 10. The existing landscaping business would become a nonconforming use if this zoning is approved. The following code requirements from section 36-17 apply:
 - (a) Any lawful use of a building or land existing at the effective date of any provision of this chapter may be continued although such use does not conform to such provisions of this chapter.
 - (b) The substitution of one nonconforming use for another nonconforming use may be permitted by the city council by special use permit, as provided in article III of this chapter; provided that, such nonconforming use is determined by the city council to be of the same or more restrictive nature as the original nonconforming use. Whenever a nonconforming use of a building or land has been changed to a use of a more restrictive classification or to a conforming use, such use shall not thereafter be changed to a use of a less restricted classification.
 - (c) A nonconforming building wholly or partially destroyed by fire, explosion, flood or other phenomenon, or legally condemned, may be reconstructed and used for the same nonconforming use; provided that, building reconstruction shall be commenced within one year from the date the building was destroyed or condemned and shall be carried on without interruption.
 - (d) If a nonconforming use of a building or land is voluntarily abandoned and ceases for a continuous period of one year or more, subsequent use of such building or land shall be in conformity with the provisions of this chapter.
 - (e) No existing building or premises devoted to a use not permitted in the district in which such building or premises is located shall be enlarged, reconstructed or structurally altered, unless:
 - (1) Required by law or government order; or

- (2) There would not be a significant affect, as determined by the city through a special use permit, on the development of the parcel as zoned.

ADMINISTRATIVE

Procedure

1. Planning Commission recommendation
2. City Council holds a public hearing and makes a decision. At least four votes are required for approval.

mb

Enclosures

1. Resolution
2. Location Map
3. Property Line Map
4. Land Use Plan
5. BC District
6. LBC/MC(M) District

Resolution

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Minnesota was duly called and held in the Council Chambers in said City on the _____ day of _____, 1983 at 7:00 p.m.

The following members were present:

The following members were absent:

WHEREAS, the City of Maplewood initiated a rezoning from BC, business to R-2, residence district (double dwelling) for the following-described area:

An area bounded by the centerlines of English Street⁰, Skillman Avenue and the Burlington Northern right-of-way, and the north line of the Soo Line right-of-way. This area includes block one, lots 1-27 Gladstone Addition;

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

1. This rezoning was initiated by the City of Maplewood, pursuant to chapter 36, article VII of the Maplewood Code of Ordinances.
2. This rezoning was reviewed by the Maplewood Planning Commission on April 4, 1983. The Planning Commission recommended to the City Council that said rezoning be approved.
3. The Maplewood City Council held a public hearing on _____ 1983 to consider this rezoning. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the city staff and Planning Commission.

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

1. The proposed change is consistent with the spirit, purpose and intent of the zoning ordinance and Comprehensive Plan.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
3. The proposed change will serve the best interests and conveniences of the community, where applicable, and the public welfare.

Adopted this _____ day of _____, 1983.

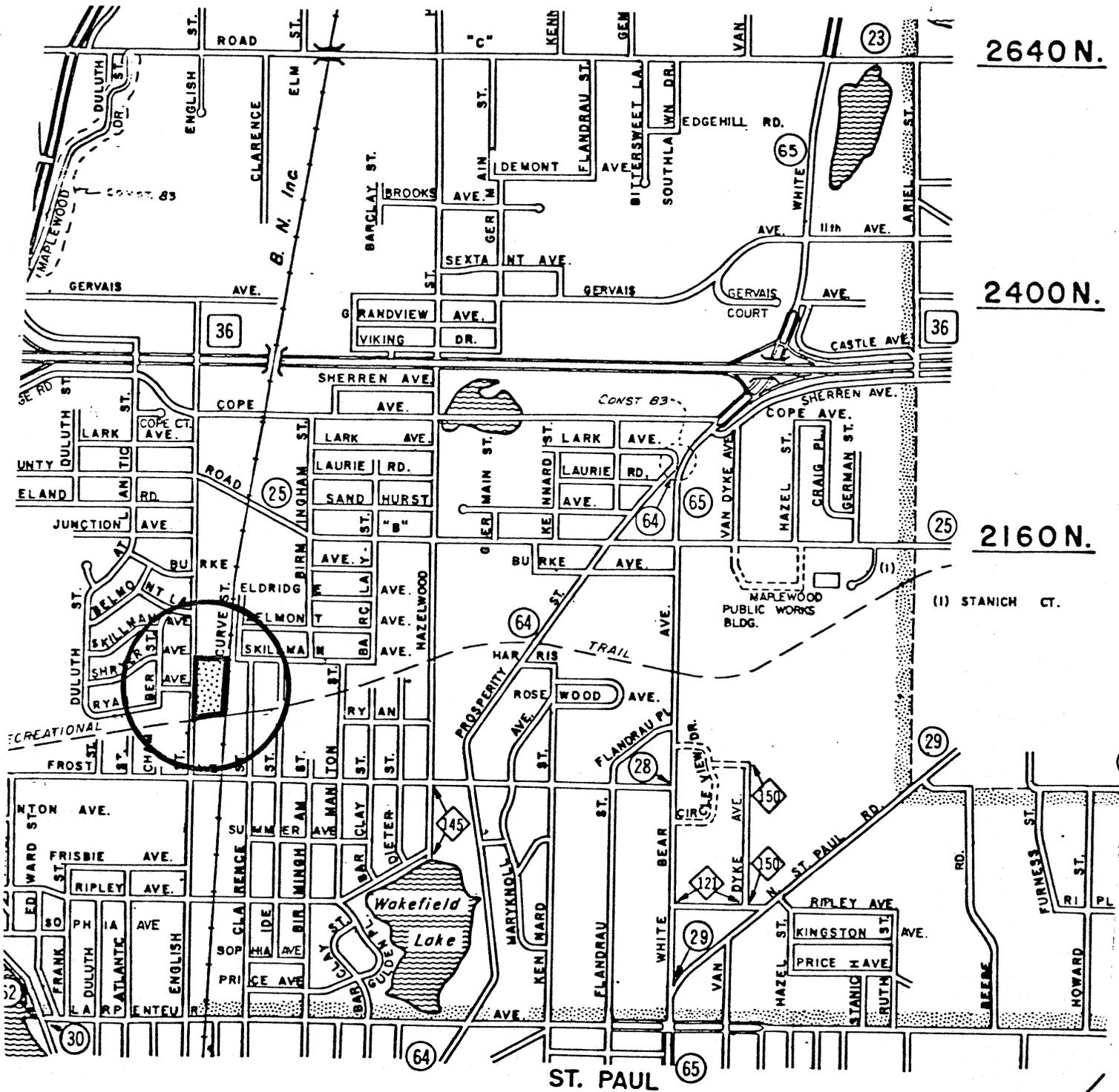
Seconded by _____ Ayes--

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

I, the undersigned, being the duly qualified and appointed Clerk of the City of Maplewood, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City of Maplewood, held on the day of , 1983, with the original on file in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to

Witness my hand as such Clerk and the corporate seal of the City this day of , 1983.

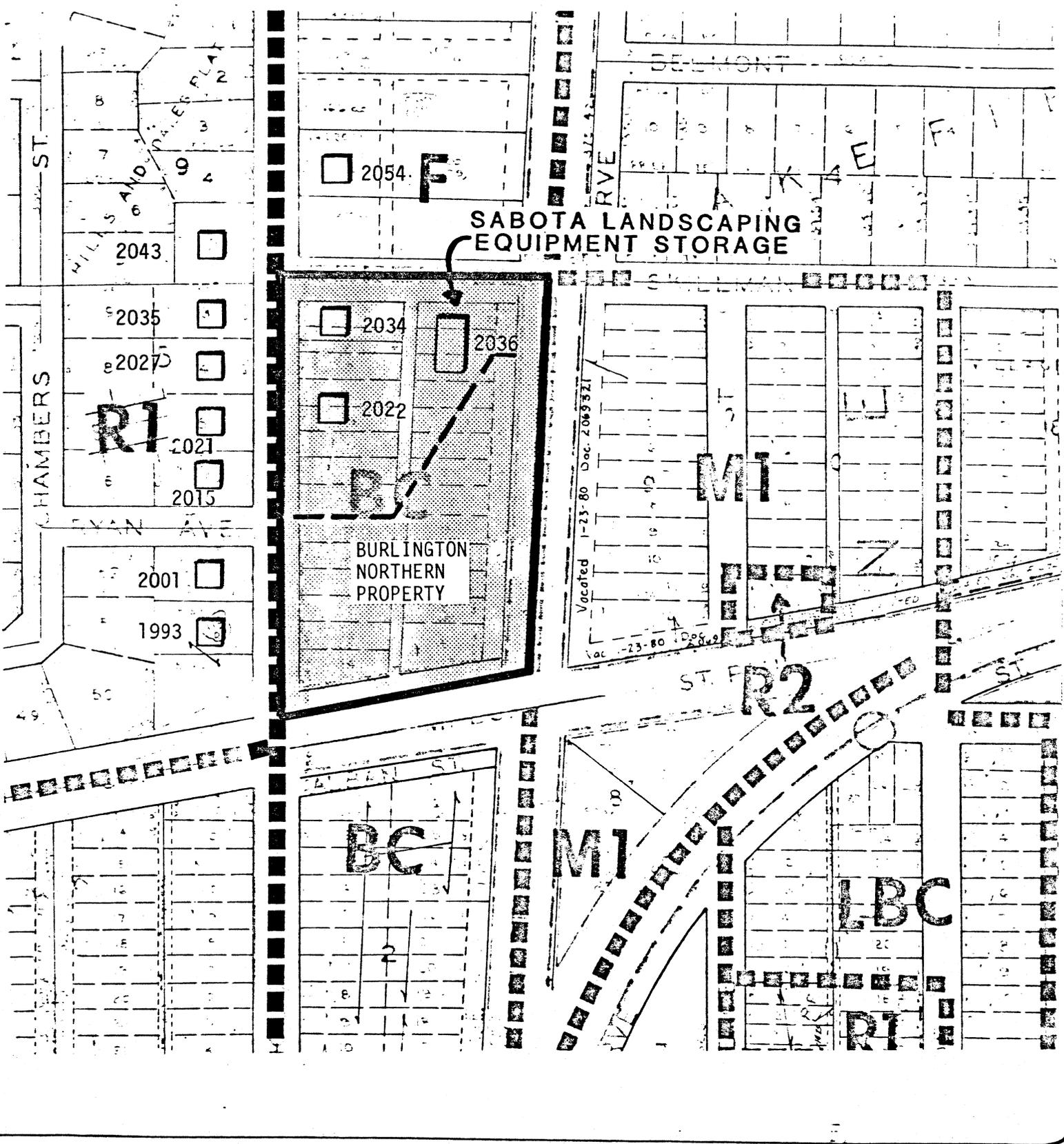
City Clerk
City of Maplewood, Minnesota



LOCATION MAP

Attachment Two

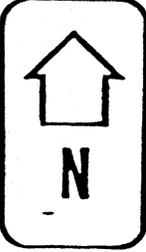


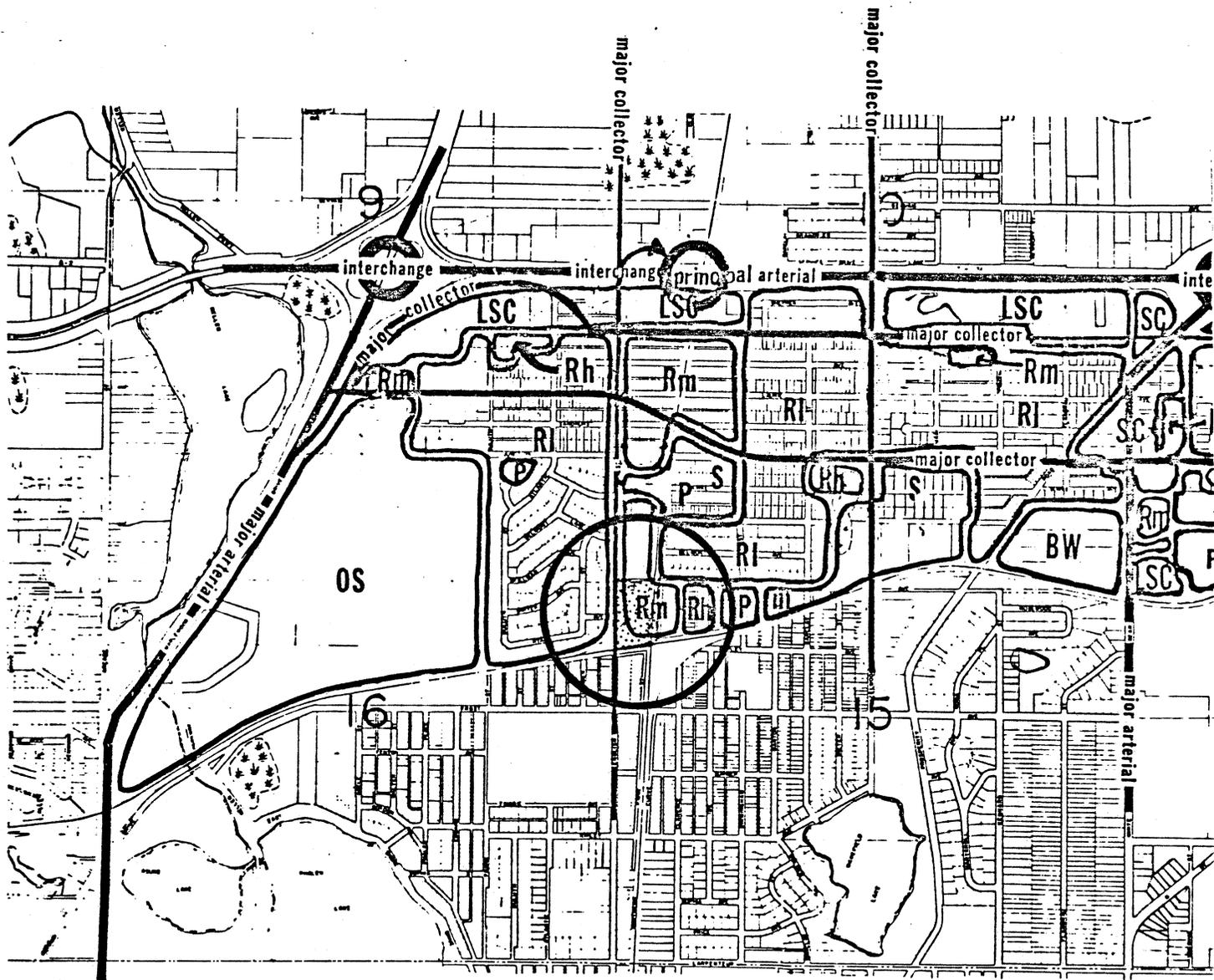


PROPERTY LINE MAP

Attachment Three

With Zoning





**Sherwood Glen
NEIGHBORHOOD LAND USE PLAN**

Attachment Four



Sec. 36-153. Use regulations.

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

- (1) *Permitted uses:* A building may be erected or used, and a lot may be used or occupied, for any of the following purposes, and no other:
 - (a) Apartment for one family in combination with business use.
 - (b) Hotel, motel, tourist home, rooming house or boarding-house.
 - (c) Retail store, restaurant, office, agency, studio, bank, personal service and craftsmen's shop, mortuary.
 - (d) Automobile sales agency, used car lot, parking garage or lot, provided all facilities are located and all services are conducted on the lot.
 - (e) Newspaper publishing, job printing establishment.
 - (f) Theater.
 - (g) Hand or automatic self-service laundry.
 - (h) Bakery or confectionery shop, for the production of articles to be sold only at retail on the premises.
 - (i) Public garage or motor fuel station; provided that a license to operate such business is first obtained from the city council pursuant to chapter 17 of this Code. All public garages and motor fuel stations must be so located on the site and the site shall be of the size as provided in section 36-156 of this division which defines kinds of operation, site area required and other data relating to such business.
 - (j) Any use of the same general character as any of the above permitted uses; provided that, no use which is noxious or hazardous shall be permitted.

- (2) *Special exceptions:* The following uses are allowed when authorized by the city council as a special exception:
 - (a) All uses permitted in R-3 Residence Districts, except the construction of dwelling houses permitted in divisions 3 and 4 of this article, R-1 and R-2 Residence Districts.
 - (b) Processing and distributing station for milk or other beverages, carting or hauling station.
 - (c) Place of amusement, recreation or assembly, other than a theater, when conducting indoors.
 - (d) Yard for storage, sale and distribution of ice, coal, fuel oil or building materials, when enclosed within a fence of not less than six (6) feet in height, but not including junkyard, salvage, automobile or other wrecking yard. (Code 1965, § 907.010; Ord. No. 232, § 3, 10-19-67; Ord. No. 256, 11-20-69; Ord. No. 402, § 1, 8-12-76)

Sec. 36-154. LBC Limited Business Commercial District.

The LBC Limited Business Commercial District is hereby established and may be authorized by the council in those locations where a regular BC Business Commercial District abuts a residential district, the intent of this provision being to make possible a modified commercial area in the nature of a buffer zone wherein the uses, subject to prior council approval, will be limited to professional offices and such other similar uses as the council may determine. The proposed plan of use in any such LBC limited business commercial district shall be submitted to the council for final determination and approval. (Code 1965, § 907.010; Ord. No. 232, § 3, 10-19-67; Ord. No. 256, 11-20-69; Ord. No. 402, § 1, 8-12-76)

Sec. 36-155. BC(M) Commercial District (Modified).

1. INTENT. The BC (M), Business Commercial-Modified District is intended to provide for the orderly transition between more intensive commercial uses and low or medium density residential areas. Restrictions on, but not limited to, building height, setbacks, orientation, parking lot location, or location of building entrances may be required to ensure compatibility with abutting residential uses.
2. USE REGULATIONS. A building may be erected or used, and a lot may be used or occupied, for any of the following purposes, and no other:
 - a. Retail store; professional administrative offices; bank or savings and loan; personal service, craftsmen's shop, mortuary
 - b. Hotel or motel
 - c. Walk-in theatre
 - d. Job printing shop
 - e. Bakery or candy shop producing goods for on-premises retail sales.
 - f. Any use of the same general character as any of the above permitted uses, as determined by the City Council, provided that no use which is noxious or hazardous shall be permitted.
3. The following uses when authorized by the City Council by means of a special use permit:
 - a. All uses permitted in R-3 Multiple Dwelling Districts, except the construction of houses permitted in R-1 and R-2 districts.
 - b. Laundromat or similar automatic self-service laundry
 - c. Restaurant, where there are no drive-up order windows or serving of food to patrons in their automobiles. All cooking odors must be controlled so as not to be noticeable to adjacent residences.
 - d. Place of amusement, recreation, or assembly, other than a theater, where there are no outdoor activities.

B. Rezoning: English Street (Skillman Avenue to the tracks) 4-4-83

Secretary Olson said the proposal is to rezone the property from BC to R-2 .

Chairman Axdahl asked if there was anyone present who wished to comment.

Jim Sobota, 1290 E. Nebraska, owner of the property at 2036 English Street, did not think it would be appropriate to have residential development next to a railroad track. He is opposed to any zone change.

Elaine Beyer, 2034 English Street, opposed to the rezoning to residential with multiple dwelling.

Ralph Nuebel, Forest Lake, said he previously asked for a rezoning of the property between 2034 and 2022 English Street. The Planning Commission, at that time, recommended approval of the zone change. He did have the required signatures for the petition for zone change. He is in favor of the zone change.

Virginia Fishback, 2022 English Street, questioned how this would affect her property.

Staff explained what types of uses would be permitted under the residential zoning district.

Ms. Fishback indicated she would not mind construction of single dwellings on the property, but not duplexes.

Mr. Nuebel said he did not request a double dwelling. He asked for a single-family dwelling. He felt the R-2 zoning would be better than business commercial.

Mr. Sobota commented on the procedures he had to follow to obtain permission to construct his storage building.

Mr. Nuebel questioned if English Street was to be widened.

Staff indicated he was not aware of any proposal.

Commissioner Fischer moved the Planning Commission recommend to the City Council approval of the resolution rezoning this site to R-2, residence district, double dwelling.

Commissioner Pellish seconded
Barrett, Ellefson, Fischer, Pellish, Prew, Sigmundik, Whitcomb.

Ayes--Commissioners Axdahl,

MEMORANDUM

Action by Council:

TO: City Manager
 FROM: Director of Community Development
 SUBJECT: Width Variance
 LOCATION: English Street
 APPLICANT/OWNER: Ralph Nuebel
 DATE: March 25, 1983

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

SUMMARY

Request

Approval of a lot width variance

Proposal

1. The applicant is proposing to build a single dwelling.
2. The following lot width variance is needed:
 - a. Lot Width--60 feet
 - b. Code Requirement--75 feet of lot width at the thirty-foot setback line
 - c. Variance Needed--fifteen feet

Comment

The lot to the north is already developed with a single dwelling on a sixty-foot wide lot. Staff can see no reason to deny this variance, assuming that council rezones this lot to a residential zone. If council denies a rezoning, a single dwelling cannot be constructed and the variance would not be needed.

Recommendation

Approval of the enclosed resolution (attachment three) approving a lot width variance of fifteen feet.

BACKGROUND

Site Description

1. Lot dimensions: 60 by 155 feet
2. Existing Land Use: undeveloped

Surrounding Land Uses

Northerly and Southerly: single dwellings

Westerly: English Street and single dwellings

Easterly: A metal pole building used for the storage of landscaping equipment

Past Actions

6-7-79: Council approved a lot width and area variance for a 60 by 135 foot parcel on West Kenwood Drive.

10-25-82: Council approved a lot width variance of five feet and an area variance of 550 square feet for a parcel on Lark Avenue.

1-10-83: Council tabled a rezoning to R-1 residence district (single dwelling) and a lot width and area variance for Mr. Nuebel until a rezoning for the adjacent lots is considered. If an R-2 zone is approved, a lot area variance would not be needed.

Planning

1. Land Use Plan Designation: Rm, Medium Density Residential. This classification is designated for such housing types as single-family houses on small lots, two-family homes, townhouses, and mobile homes. The maximum population density is 22 people per net acre.
2. Zoning: BC, business commercial
3. Statutory requirements:

State law requires that the following findings be made before a variance can be granted:

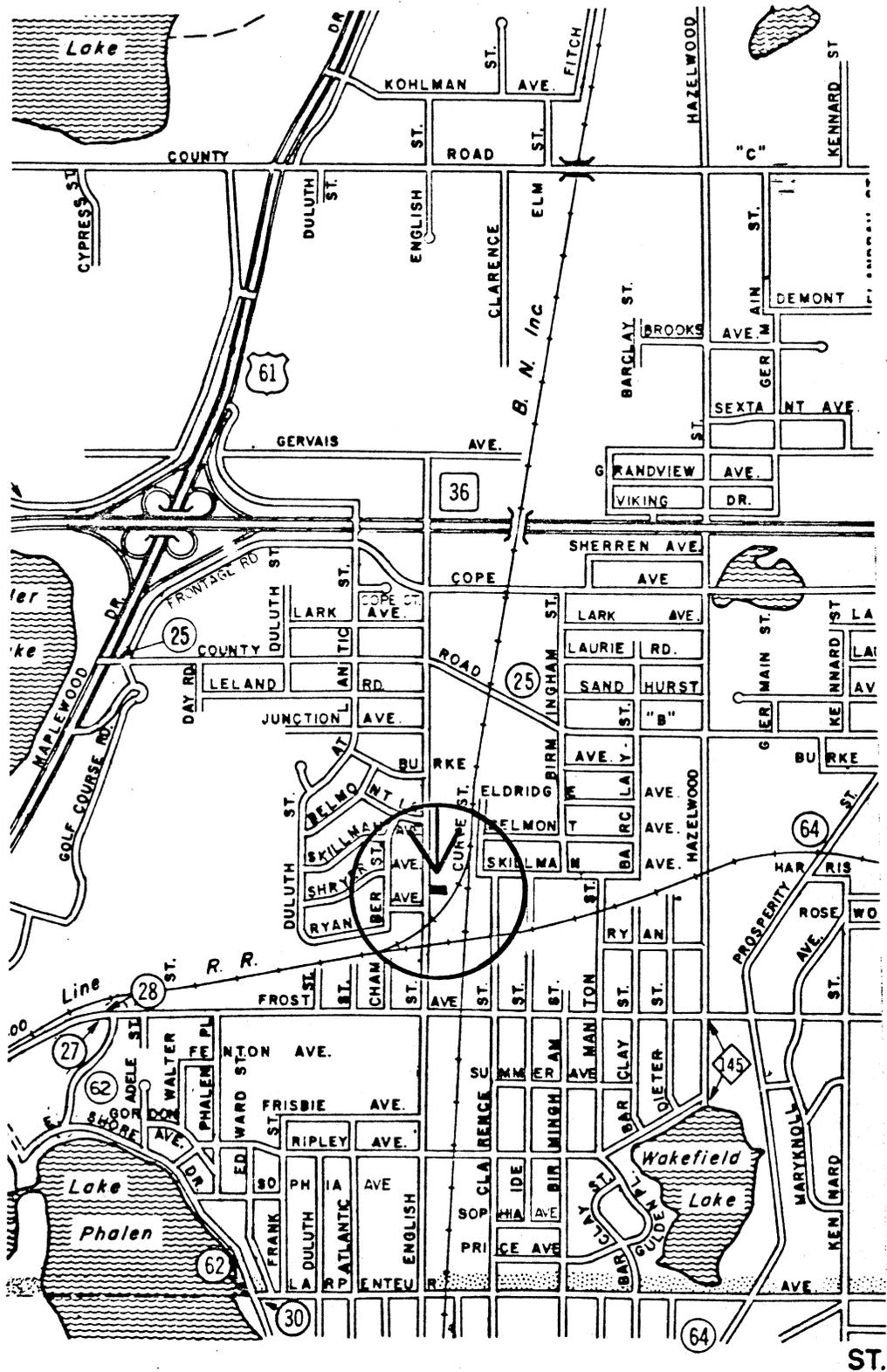
- a. Strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration.
- b. The variance would be in keeping with the spirit and intent of the ordinance.

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

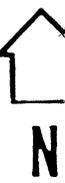
mb

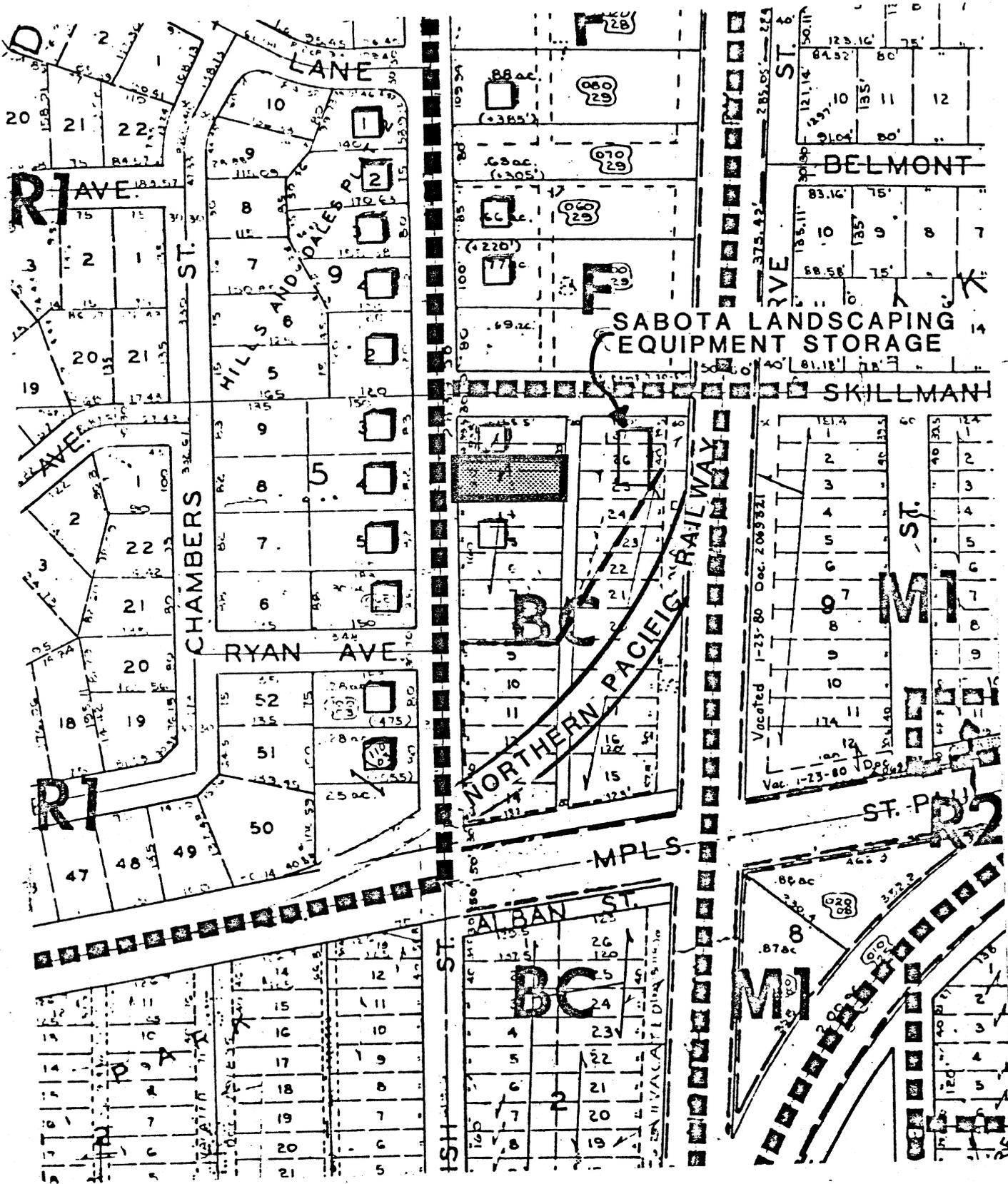
Enclosures:

1. Location Map
- Property Line Map
3. Variance Resolution



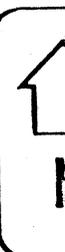
LOCATION MAP





PROPERTY LINE MAP

 With Zoning
 Ralph Nuebel Property



Attachment Three: Variance Resolution

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Minnesota was duly called and held in the Council Chambers in said City on the ____ day of _____, 1983 at 7:00 p.m.

The following members were present:

The following members were absent:

WHEREAS, Ralph Nuebel applied for a variance for the following-described property:

Lot three and the south half of lot two, block one, Gladstone Addition.

WHEREAS, section 36-69 of the Maplewood Code of Ordinances requires a lot width of 75 feet;

WHEREAS, the applicant is proposing to build on a sixty-foot wide lot, requiring a variance of fifteen feet;

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

1. This variance was applied for on October 27, 1982.
2. This variance was reviewed by the Maplewood Planning Commission on December 20, 1982. The Planning Commission recommended to the City Council that said variance be approved.
3. The Maplewood City Council held a public hearing on _____, 1983 to consider this variance. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the city staff and Planning Commission.

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

1. There is a hardship since the property could not be put to reasonable use if the code requirements were strictly enforced.
2. The variance would be in keeping with the spirit and intent of the ordinance.
3. The city has approved comparable lot width and area variances in the past.
4. The lot to the north is only sixty feet wide.

Adopted this _____ day of _____, 198_.

Seconded by

Ayes--

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

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

Witness my hand as such Clerk and the corporate seal of the City this _____ day of _____, 1983.

City Clerk
City of Maplewood, Minnesota

B. Rezoning and Variances--English Street (Nuebel)

12-20-82

Secretary Olson said the applicant is requesting approval of a zone change to R-1, and approval of lot width and lot area variances. Staff is recommending approval of both requests.

The applicant was not present

Commissioner Fischer moved the Planning Commission recommend to the City Council approval of the resolution rezoning the subject site from BC to R-1. Approval is based on the findings that:

1. R-1 zoning would be consistent with the Land Use Plan since single-family dwellings on small lots are permitted.
2. A single dwelling would be consistent with the adjacent development along English Street.
3. Density requirements as listed in the Land Use Plan would not be exceeded.

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

Commissioner Fischer moved the Planning Commission recommend to the City Council approval of the resolution granting a lot width and area variance on the basis that:

1. There is a hardship since the property could not be put to reasonable use if the code requirements were strictly enforced.
2. The variance would be in keeping with the spirit and intent of the ordinance.
3. The city has approved comparable lot width and area variances in the past.

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

MEMORANDUM

F-3

TO: City Manager
FROM: Director of Community Development
SUBJECT: Rezoning (M-1 to R-3 and R-2)
LOCATION: Clarence Street (tracks to Skillman Avenue)
APPLICANT: City Council
OWNERS: Block 9--Betram and Pauline Getsung
Apartments--William Olmer, Victor Tedesco, Patsy Monno and
Joseph Lombardo
2010 Clarence--Arnold and Gladys Pfarr; Anthony Caron and
W.L. Dufresne
The Burlington Northern Railroad
DATE: March 28, 1983

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

SUMMARY

Request

Rezone this area from M-1 (light manufacturing) to a one compatible with the city's land use plan.

Reason for the Request

The City Council initiated this rezoning as part of its "downzoning" program. This is where the zoning allows a greater intensity of land use than is proposed on the city's land use plan.

Comments

The M-1 zone is obsolete and could lead to development that is incompatible with surrounding residences. The abandonment of the Soo Line and possible conversion to a trail further supports the residential designation on the land use plan.

R-2 (residence district--double dwellings) zoning is recommended for 2010 Clarence Street. An R-2 zone permits single dwellings with a minimum lot area of 7500 square feet and double dwellings. An R-2 zone accomplishes the intent of the plan for multiple dwellings, while allowing the existing home to become a conforming use. The house is now a nonconforming use, which means that it cannot be expanded without a conditional use permit. The lot to the south is already zoned R-2.

The apartments are also a nonconforming use. An R-3 (multiple) zone would make them a permitted use.

An R-3 zone is also recommended for block 9, because an R-3 zone allows the highest use of the property that is consistent with the plan and there are already apartments to the east. The R-3 zone would allow about eighteen apartment units or fourteen townhouses. Alternatives would be an R-3C (townhouse) zone, which would limit development to townhouses, or an R-2 zone.

The Planning Commission recommended that the R-2 zone be extended to the centerline of the Soo Line right-of-way to provide a buffer for future residences to the north. This is a common practice in most zoning ordinances. The Soo Line, however, has been abandoned and is up for sale. Bisecting the right-of-way into two 50-foot wide zones would make the property difficult to sell. Section 36-155 of City Code requires a setback of at least fifty feet for a commercial building from a residential zone. If the R-2 zone is extended to the centerline of the 100-foot wide right-of-way, a building could not be constructed on the south half.

Recommendation

Approval of the enclosed resolution rezoning 2010 Clarence Street from M-1 to R-2 and the rest of the area to R-3.

BACKGROUND

Site Description

Acreage to be rezoned: 6.5

Existing land uses: Block nine is undeveloped. Block ten is occupied by three apartment buildings and a single dwelling.

Surrounding Land Uses

Northerly: Skillman Avenue and single dwellings

Easterly: Gladstone Park

Southerly: Abandoned Soo Line right-of-way. The State proposes to acquire the right-of-way for a regional trail.

Westerly: Burlington Northern tracks

Past Actions

7-29-65: Council rezoned block 9 from R-1 (residence district--single dwelling) to M-1.

1-20-66: Council rezoned the site now occupied with apartments from R-1 to M-1 (light manufacturing). There were no specific development plans at the time.

1968: The existing apartments were built.

11-10-69: The city's zoning map was readopted, which included an M-1 zone for 2010 Clarence Street.

4-15-82: Council approved a lot area variance and rezoning for lot 11, block 10 from R-1 to R-2 (residence district--double dwelling).

Planning

1. Land Use Plan designations:

- a. Block nine: RM, medium density residential
- b. Block ten: RH, high density residential (See attachment four.)

2. The RM classification is designated for such housing types as single dwellings on small lots, double dwellings, townhouses and mobile homes. The maximum population density is 22 people for each net acre. The number of units for each acre would vary by dwelling type and bedroom mix. As an example, a two and three bedroom townhouse project with private roads would be allowed a maximum density of six units for each acre. A similar apartment project would be allowed 7.5 units for each acre.

3. The RH classification is designated for such housing types as apartments, two-family homes, townhouses, nursing homes, dormitories, or elderly housing. The maximum population density is 34 people for each net acre. The number of units for each acre would vary by dwelling type and bedroom mix. As an

example, a two and three bedroom townhouse project with private roads would be allowed a maximum density of nine units for each acre. A similar apartment project would be allowed twelve units for each acre.

4. Zoning maps should be updated as necessary to make both land use maps and zoning maps compatible.
5. Section 36-485 of city code states that "In any instance where the city council or the planning commission is required to consider an exception or change in this chapter, including the zoning map, in accordance with the provisions of this chapter, the council or planning commission shall, among other things:
 - (a) Assure itself that the proposed change is consistent with the spirit, purpose and intent of this chapter.
 - (b) Determine that the proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
 - (c) Determine that the proposed change will serve the best interests and conveniences of the community, where applicable, and the public welfare."
6. Zoning: M-1
7. The M-1 zone allows commercial, office, warehouse and light manufacturing uses. (See attachment five.)
8. The R-3 zone allows townhouses and apartments at the maximum density specified in the Comprehensive Plan.
9. The R-2 zone allows single dwellings with a minimum lot area of 7500 square feet and double dwellings.
10. The single dwelling and apartments are nonconforming uses. The following code requirements from section 36-17 apply:
 - (a) Any lawful use of a building or land existing at the effective date of any provision of this chapter may be continued although such use does not conform to such provisions of this chapter.
 - (b) The substitution of one nonconforming use for another nonconforming use may be permitted by the city council by special use permit, as provided in article III of this chapter; provided that, such nonconforming use is determined by the city council to be of the same or more restrictive nature as the original nonconforming use. Whenever a nonconforming use of a building or land has been changed to a use of a more restrictive classification or to a conforming use, such use shall not thereafter be changed to a use of a less restricted classification.
 - (c) A nonconforming building wholly or partially destroyed by fire, explosion, flood or other phenomenon, or legally condemned, may be reconstructed and used for the same nonconforming use; provided that, building reconstruction shall be commenced within one year from the date the building was destroyed or condemned and shall be carried on without interruption.

- (d) If a nonconforming use of a building or land is voluntarily abandoned and ceases for a continuous period of one year or more, subsequent use of such building or land shall be in conformity with the provisions of this chapter.
- (e) No existing building or premises devoted to a use not permitted in the district in which such building or premises is located shall be enlarged, reconstructed or structurally altered, unless:
 - (1) Required by law or government order; or
 - (2) There would not be a significant affect, as determined by the city through a special use permit, on the development of the parcel as zoned.

Procedure

1. Planning Commission recommendation
2. City Council holds a public hearing and makes a decision. At least four votes are required for approval.

jw

Enclosures

1. resolution
2. location map
3. property line map
4. Land Use Plan
5. M-1 zone

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Minnesota was duly called and held in the Council Chambers in said City on the _____ day of _____, 1983 at 7:00 p.m.

The following members were present:

The following members were absent:

WHEREAS, the Maplewood City Council initiated a rezoning for the following properties:

lots 1-10 and 12-22, block ten and block nine, Gladstone Addition. The westerly zoning boundary shall extend to the centerline of the Burlington Northern tracks.

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

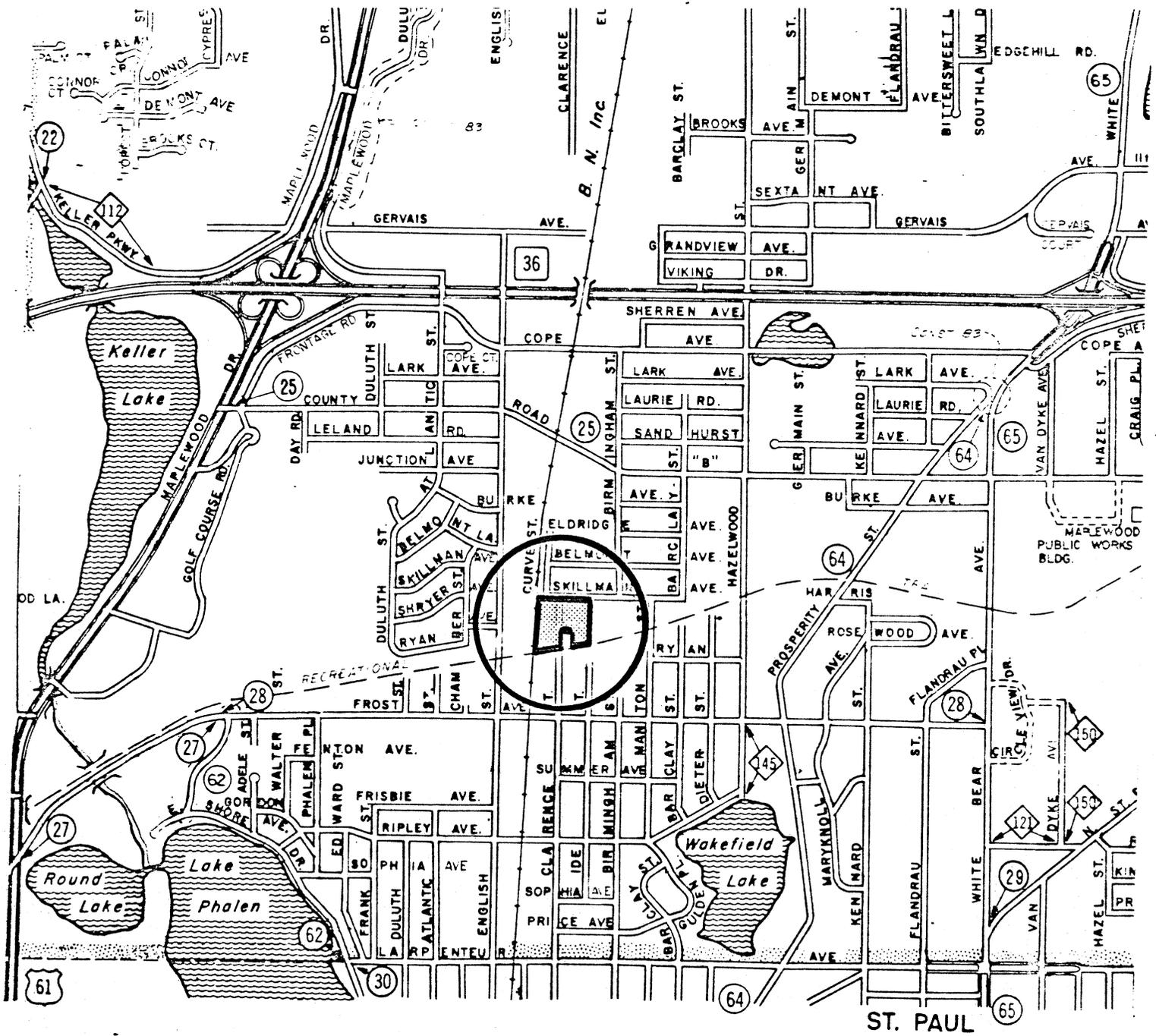
1. This rezoning was initiated by the Maplewood City Council, pursuant to chapter 36, article VII of the Maplewood Code of Ordinances.
2. This rezoning was reviewed by the Maplewood Planning Commission on April 4, 1983. The Planning Commission recommended to the City Council that said rezoning be _____.
3. The Maplewood City Council held a public hearing on _____ 1983 to consider this rezoning. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the city staff and Planning Commission.

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

1. Lots 7-10, block ten, Gladstone Addition are rezoned from M-1 (light manufacturing) to R-2 (residence district--double dwelling).
2. Lots 12-22 and 1-6, block ten, Gladstone Addition are rezoned from M-1 to R-3 (multiple).
3. Block nine, Gladstone Addition is rezoned from M-1 to R-3. (Zoning district boundaries shall extend to the centerlines of adjacent streets and railroad rights-of-way.)

Approval is based on the following findings of fact:

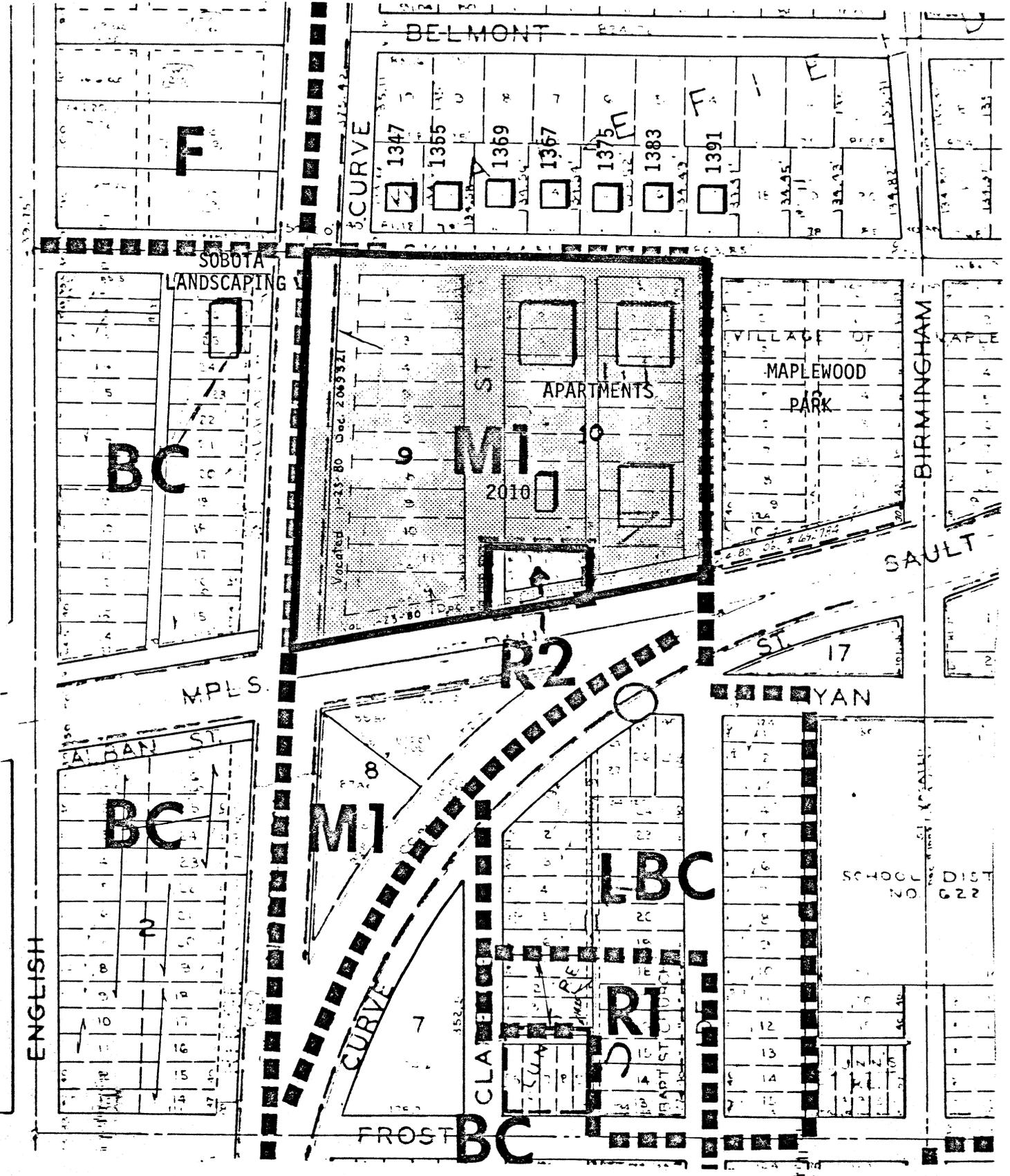
1. The proposed change is consistent with the spirit, purpose and intent of the zoning ordinance and Comprehensive Plan.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood,



LOCATION MAP

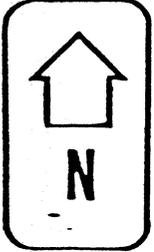
Attachment Two

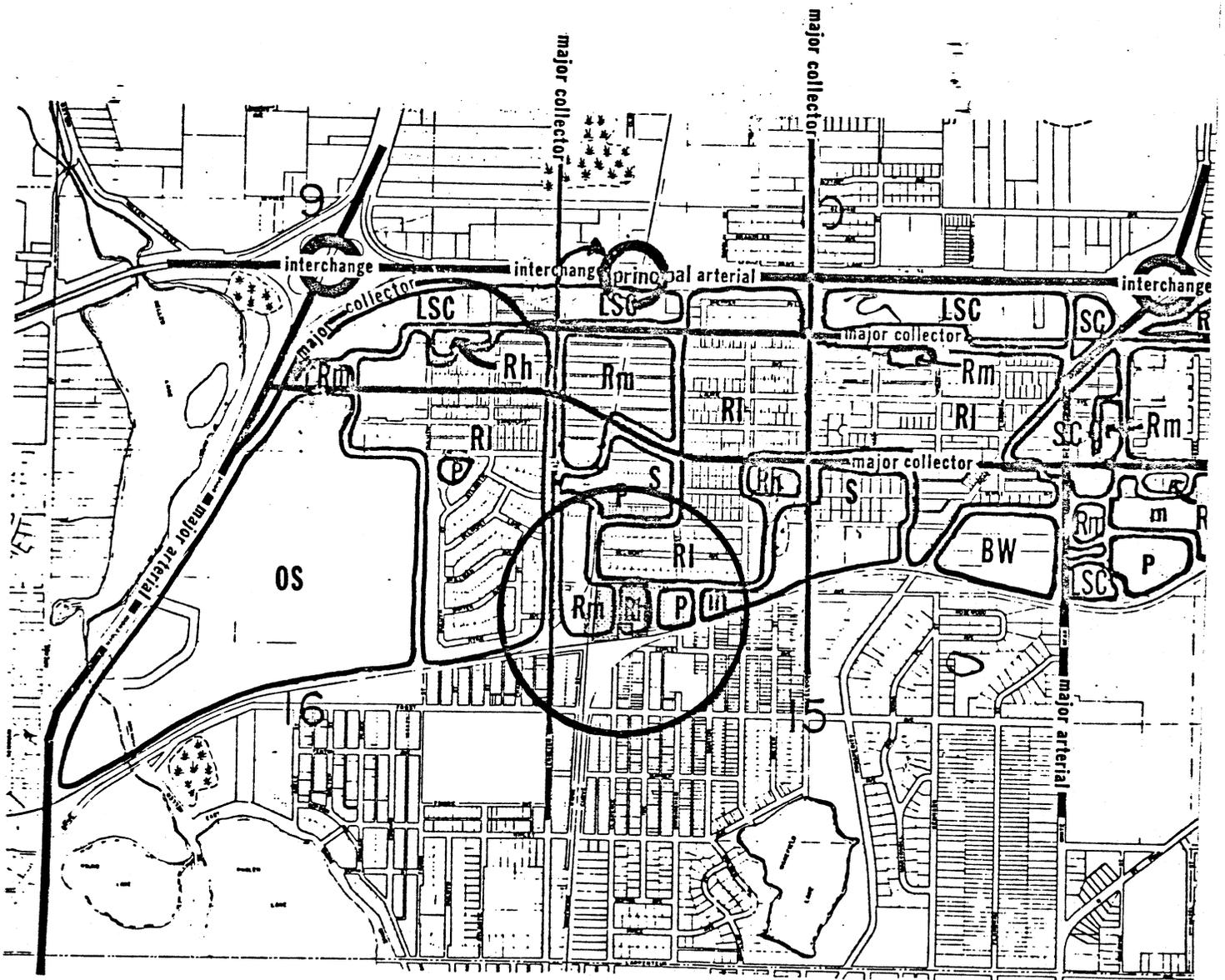




PROPERTY LINE MAP

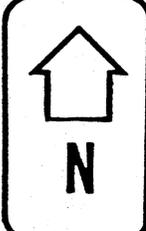
Attachment Three





Sherwood Glen
 NEIGHBORHOOD LAND USE PLAN

Attachment Four



DIVISION 9. M-1 LIGHT MANUFACTURING DISTRICT

Sec. 36-186. Permitted uses.

In M-1 Light Manufacturing Districts, a building may be erected or used, and a lot may be used or occupied for any of the following purposes and no other, provided that, no use which is noxious or hazardous shall be permitted:

- (a) Any use permitted in a BC Business and Commercial District and SC Shopping Center District, if the council is satisfied that such use will not interfere with proper development of the M-1 Light Manufacturing District, but not otherwise.
- (b) Wholesale business establishments.
- (c) Trucking yard or terminal.
- (d) Custom shop for making articles or products sold at retail on the premises.
- (e) Plumbing, heating, glazing, painting, paperhanging, roofing, ventilating and electrical contractors, blacksmith shop, carpentry, soldering and welding shop.
- (f) Yard for storage, sale and distribution of ice, coal, fuel oil or building materials.
- (g) Commercial place of amusement, recreation or assembly.
- (h) Bottling establishment.
- (i) Manufacturing as follows:
 - (I) Canvas and canvas products.
 - (II) Clothing and other textile products, not including manufacture of textiles.
 - (III) Electrical equipment, appliances and supplies, manufacture and assembly of, not including heavy electrical machinery.
 - (IV) Food products, combining or processing of, not including meat and fish.
 - (V) Jewelry, clocks, watches.
 - (VI) Leather products, including luggage and shoes.
 - (VII) Medical, dental or drafting equipment, optical goods.
 - (VIII) Musical instruments.
 - (IX) Perfumes, pharmaceutical products, compounding of rubber products and synthetic treated fabrics, not including rubber and synthetic processing.
 - (X) Small products from the following previously prepared materials: Cork, feathers, felt, fur, glass, hair, horn, paper, plastics, shells.
 - (XI) Tool, dye and pattern making, and similar small machine shops.
 - (XII) Wood products, including furniture and boxes.
- (j) Carpet and rug cleaning.
- (k) Laundry, dry cleaning or dyeing plant.
- (l) Laboratory, research, experimental and testing.
- (m) Any use of the same general character as any of the above-permitted uses, when authorized as a special exception by the city council.
- (n) Accessory use on the same lot with and customarily incidental to any of the above-permitted uses. (Code 1965, § 909.010; Ord. No. 395, § 1, 5-13-76)

C. Rezoning: Skillman and Clarence Street.

Secretary Olson said the proposal is to rezone from M-1 to R-2 and R-3.

Commissioner Fischer moved the Planning Commission recommend to the City Council approval of the resolution rezoning 2010 Clarence Street from M-1 to R-2 and the rest of the area to R-3.

Commissioner Whitcomb seconded
Barrett, Ellefson, Fischer, Pellish, Prew, Sigmundik, Whitcomb

Ayes--Commissioners Axdahl,

D. Rezoning: Gervais Avenue (west of White Bear Avenue)

Secretary Olson said the proposal is to rezone the property from LBC to R-3.

George Wessin, said his father was owner of the property, asked if the property located south of Gervais would be zoned R-3 also.

Secretary Olson indicated the property would remain LBC

Mr. Wessin said they were in agreement with the proposed zoning.

Commissioner Pellish moved the Planning Commission recommend to the City Council approval of the resolution rezoning the site from LBC to R-3.

Commissioner Ellefson seconded
Barrett, Ellefson, Fischer, Pellish, Prew, Sigmundik, Whitcomb

Ayes--Commissioners Axdahl,

MEMORANDUM

F-4

Action by Council:

TO: City Manager
FROM: Director of Community Development
SUBJECT: Rezoning (M-2 to F, R-2 and R-3)
LOCATION: Century Avenue, from Ivy Avenue to the tracks
APPLICANT: City of Maplewood
OWNERS: City of Maplewood, Gladys Block, Dick Pearson and Gerta Vanderhoff
and the Chicago and Northwestern Railroad
DATE: March 31, 1983

Endorsed _____
Modified _____
Rejected _____
Date _____

REQUEST

Council moved to reconsider rezoning the city property from M-2, heavy manufacturing to F, farm residence and initiated a rezoning for the remainder of the site from M-2 to R-2, residence district (double dwellings)

CONCLUSION

Comments

The Planning Commission and staff had previously recommended a rezoning to F and R-3, multiple dwellings. The city council did not approve this rezoning on March 14--getting only three votes in favor. Four votes are required. This leaves the zoning inconsistent with the plan.

There were three problems brought up by the opposing councilmembers:

1. Too many multiple dwellings and too high of a density in this area.
2. Mrs. Vanderhoff would have to rebuild by September 1.
3. Possible location for the steam generation plan.

The density in this area is controlled by the Land Use Plan, not zoning. The zoning only determines the type of building. The proposed density is medium density. If council would prefer to limit development to double and single dwellings, an R-2 (double-dwelling) zone would be best. This would also allow Mrs. Vanderhoff to rebuild in the future. The M-2 zone allows all types of uses--everything from quads to used-car lots to industrial uses. Leaving the zoning as M-2 does not prohibit multiple dwellings.

The city property was proposed as one possible site for the steam generation plant. As you can see from the enclosed site review summary (attachments six and seven), the dump site was rated as being poor and was given a low priority. If this site is chosen in the future, it would be better to issue a special use permit than allow a M-2 zone to remain that may attract nuisance uses.

An R-2 or R-3 zone would be consistent with the Land Use Plan and would eliminate the development of potential nuisance uses that could develop under M-2 zoning. These zonings would not affect the Pearson mobile home park, since this was approved with a conditional use permit.

Mrs. Vanderhoff has stated that she would like to rebuild a house on her property. The previous house was required to be removed because of fire damage. This could be done under the M-2 or R-2 zone. The R-3 zone, however, requires council approval to construct a single or double dwelling. No approval would be required if construction is started within one year of removal (September 1, 1983).

Recommendation

Approval of the enclosed resolutions, rezoning the city property to F (farm residence), the Vanderhoff property to R-2 (double and single dwelling) and the Pearson property to R-3 (multiple dwelling).

BACKGROUND

Site Descriptions (See attachment three.)

Maplewood site:

A seventeen acre, undeveloped parcel. This site was previously a public dump. Part of this site is now used as a nature preserve called "Jim's Prairie." The Park and Recreation Commission recommended that this prairie be included on the Minnesota Natural Heritage Register.

Vanderhoff site:

A thirteen acre, undeveloped parcel with several sheds from a previous house. This house was removed because of fire damage.

Pearson-Block site:

A 39-acre parcel that is undeveloped, except for a single dwelling.

Surrounding Land Uses

Northerly: Railroad tracks

Easterly: Century Avenue and single dwellings in Oakdale.

Southerly: Undeveloped, except for quads on Ferndale Street. The city approved a PUD for this property allowing the development of single dwellings, and quads or town houses.

Westerly: Undeveloped. The city approved the construction of town houses, a park and golf course as part of the Maple Greens PUD.

Past Actions

5-18-72: Council indefinitely tabled a special use permit request for a solid waste transfer station on the Vanderhoff site.

9-5-74: Council granted a special use permit for a solid waste transfer station after being ordered to do so by a court.

10-25-82: Council approved a special use permit for a 245 lot mobile home park on the Pearson-Block site.

3-14-83: Council did not approve a rezoning to F and R-3.

3-28-83: Council moved to reconsider the F rezoning and initiated a rezoning to R-2.

DEPARTMENTAL CONSIDERATIONS

Planning

1. Land Use Plan designations: RM, residential medium density and OS, open space. (See attachment four.)

2. The RM classification is designated for such housing types as single dwellings on small lots, double dwellings, town houses and mobile homes. The maximum population density is 22 people/net acre. The number of units for each acre would vary by dwelling type and bedroom mix. As an example, a two and three bedroom town house project with private roads would be allowed a maximum density of six units for each acre. A similar apartment project would be allowed 7.5 units for each acre.
3. Page 18-2 of the Land Use Plan states that "Zoning maps should be updated as necessary to make both land use maps and zoning maps compatible."
4. Section 36-485 of City Code states that "In any instance where the city council or the planning commission is required to consider an exception or change in this chapter, including the zoning map, in accordance with the provisions of this chapter, the council or planning commission shall, among other things:
 - (a) Assure itself that the proposed change is consistent with the spirit, purpose and intent of this chapter.
 - (b) Determine that the proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
 - (c) Determine that the proposed change will serve the best interests and conveniences of the community, where applicable, and the public welfare."
5. Zoning: M-2, heavy manufacturing.
6. The M-2 zone allows any type of use, except for specified nuisance uses which require a conditional use permit. (See attachment five.)
7. The F zone allows agricultural and single dwelling uses.
8. The R-2 zone allows double dwellings and single dwellings with a minimum lot area of 7,500 square feet.
9. The R-3 zone allows town houses and apartments at the maximum density allowed by the Comprehensive Plan. Single dwellings are allowed with council approval.
10. Section 36-17 (c) states that "A nonconforming building wholly or partially destroyed by fire, explosion, flood or other phenomenon, or legally condemned, may be reconstructed and used for the same nonconforming use; provided that, building reconstruction shall be commenced within one year from the date the building was destroyed or condemned and shall be carried on without interruption."

ADMINISTRATIVE

Procedure

1. Planning Commission recommendation
2. City Council holds a public hearing and makes a decision. At least four votes are required for approval.

jc

Enclosures

1. Resolution
2. Location Map
3. Property Line Map
4. Land Use Plan
5. M-2 District
6. Site Review Summary
7. Site Locations

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Minnesota was duly called and held in the Council Chambers of said City on the _____ day of _____, 1983 at 7:00 p.m

The following members were present:

The following members were absent:

WHEREAS, the Maplewood City Council initiated the following rezonings:

1. M-2, heavy manufacturing to F, farm residence for unplatted lands beginning on the North South 1/4 line of Section 24-29-22 450 feet South thereon from the Southerly line of the Omaha Railway right-of-way thence Northeasterly to the Northeast corner of the Northwest 1/4 of the Southeast 1/4 thence Northeasterly to a point 75 feet Southeasterly at a radius from the center line of the main track of said railway thence Southwesterly parallel with and 75 feet Southeasterly at a radius from said track center line to said North South 1/4 line thence South thereon to the beginning in Section 24-29-22.
2. M-2 to R-2, double and single dwellings for unplatted land, subject to Century Avenue. Part of the Northeast 1/4, Southeasterly of C. St. P. M. and O. railroad right-of-way in Section 24-29-22, more commonly described as 1487 Century Avenue North.
3. M-2 to R-3, multiple dwellings for unplatted land, subject to Century Avenue. The Northeast 1/4 of the Southeast 1/4 of Section 24-29-22, more commonly described as 1375 Century Avenue North.

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

1. The rezoning was initiated by the Maplewood City Council, pursuant to chapter 36, article VII of the Maplewood Code of Ordinances;
2. This rezoning was referred to and reviewed by the Maplewood Planning Commission on April 4, 1983, at which time said Planning Commission recommended to the City Council that said rezoning be
3. The Maplewood City Council held a public hearing on _____, 1983 to consider this rezoning. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the city staff and planning commission.

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

1. The proposed change is consistent with the spirit, purpose and intent of the zoning ordinance and Land Use Plan.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
3. The proposed change will serve the best interests and conveniences of the community, where applicable, and the public welfare.

Adopted this day of , 1983.

Seconded by

Ayes--

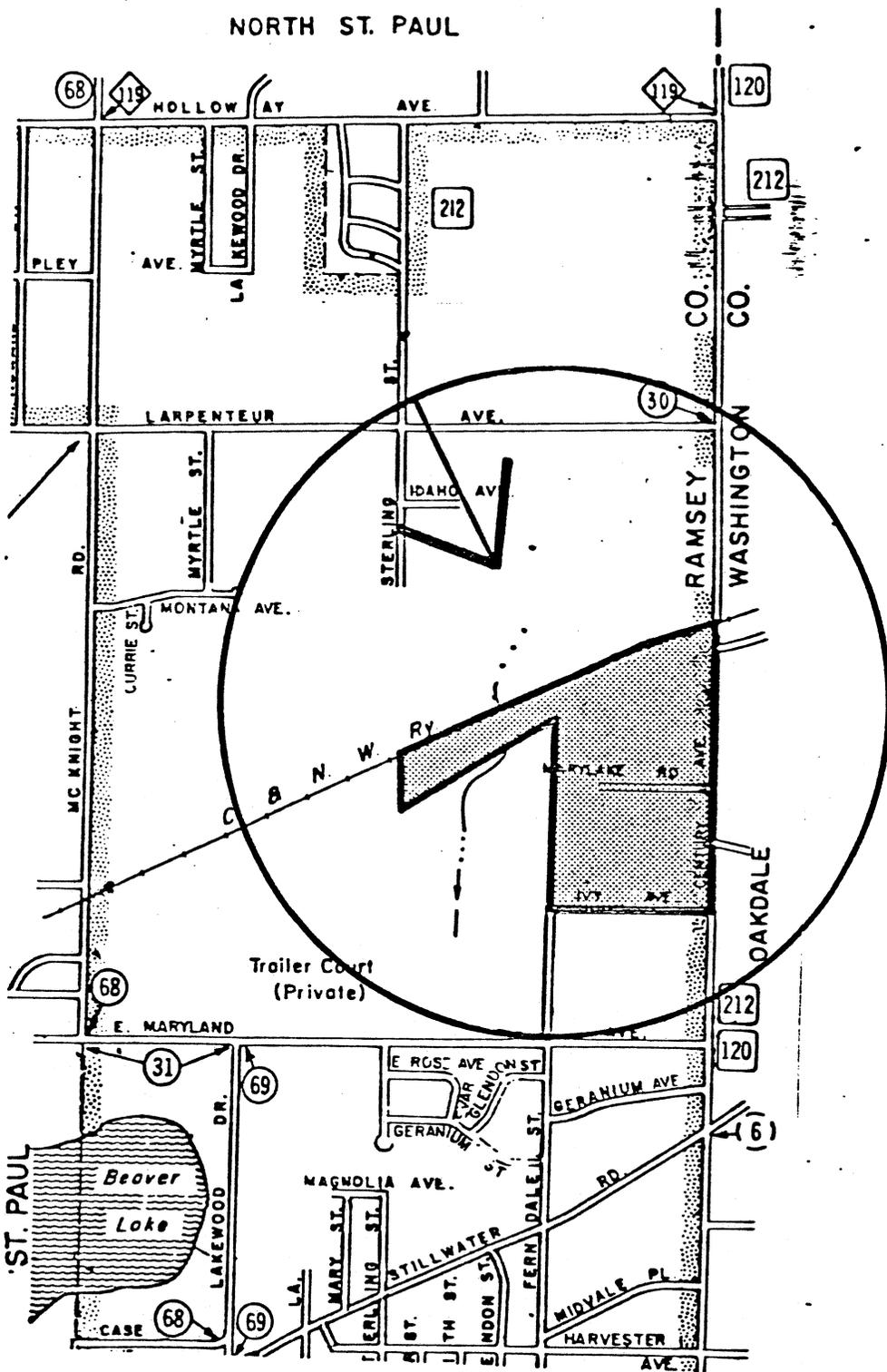
STATE OF MINNESOTA)
)
 COUNTY OF RAMSEY) SS.
)
 CITY OF MAPLEWOOD)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Maplewood, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City of Maplewood, held on the day of , 1983, with the original on file in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to this rezoning.

Witness my hand as such Clerk and the corporate seal of the City this day of , 1983.

City Clerk
 City of Maplewood, Minnesota

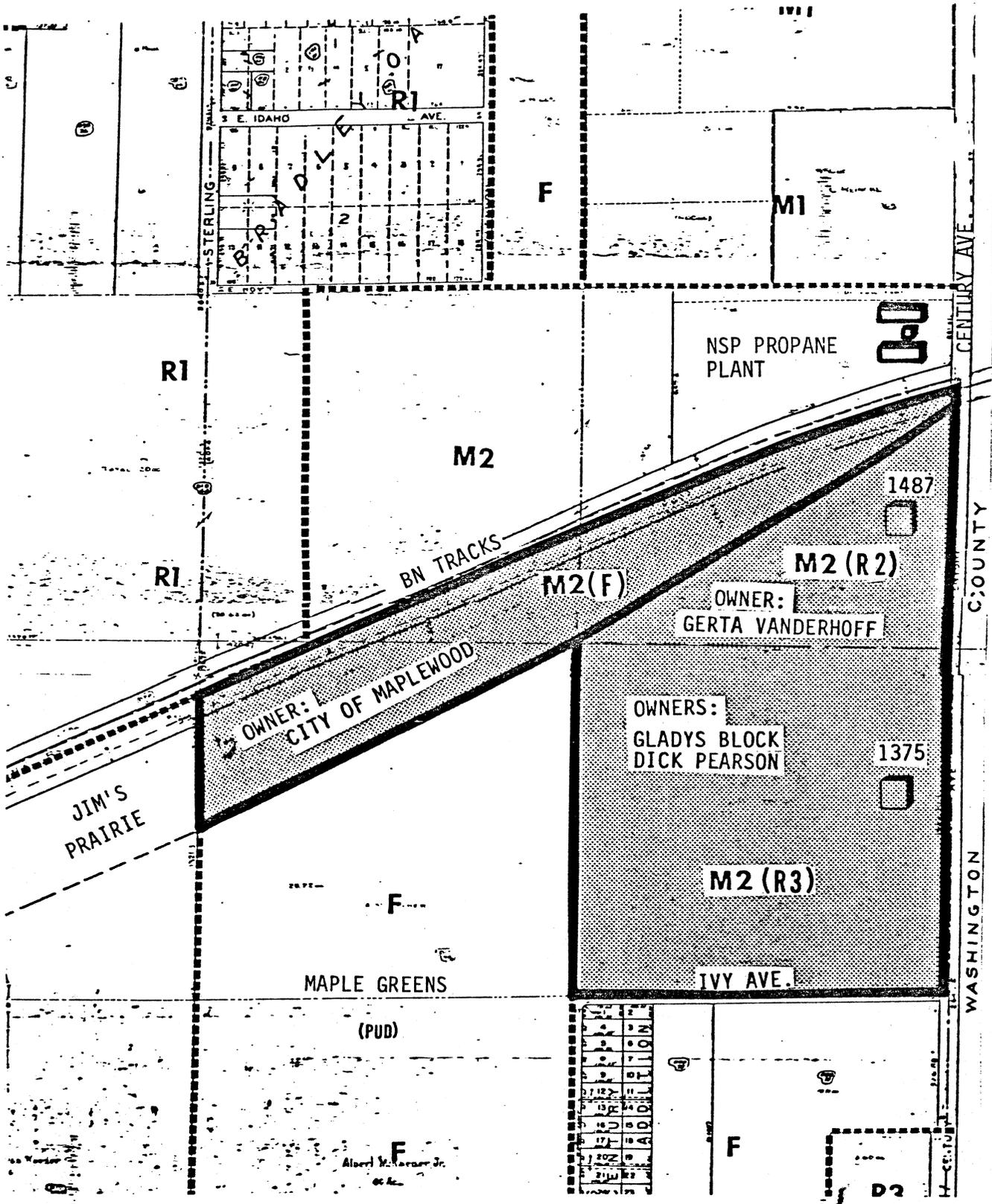
NORTH ST. PAUL



LOCATION MAP



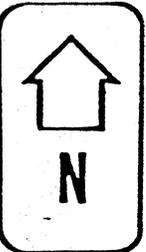
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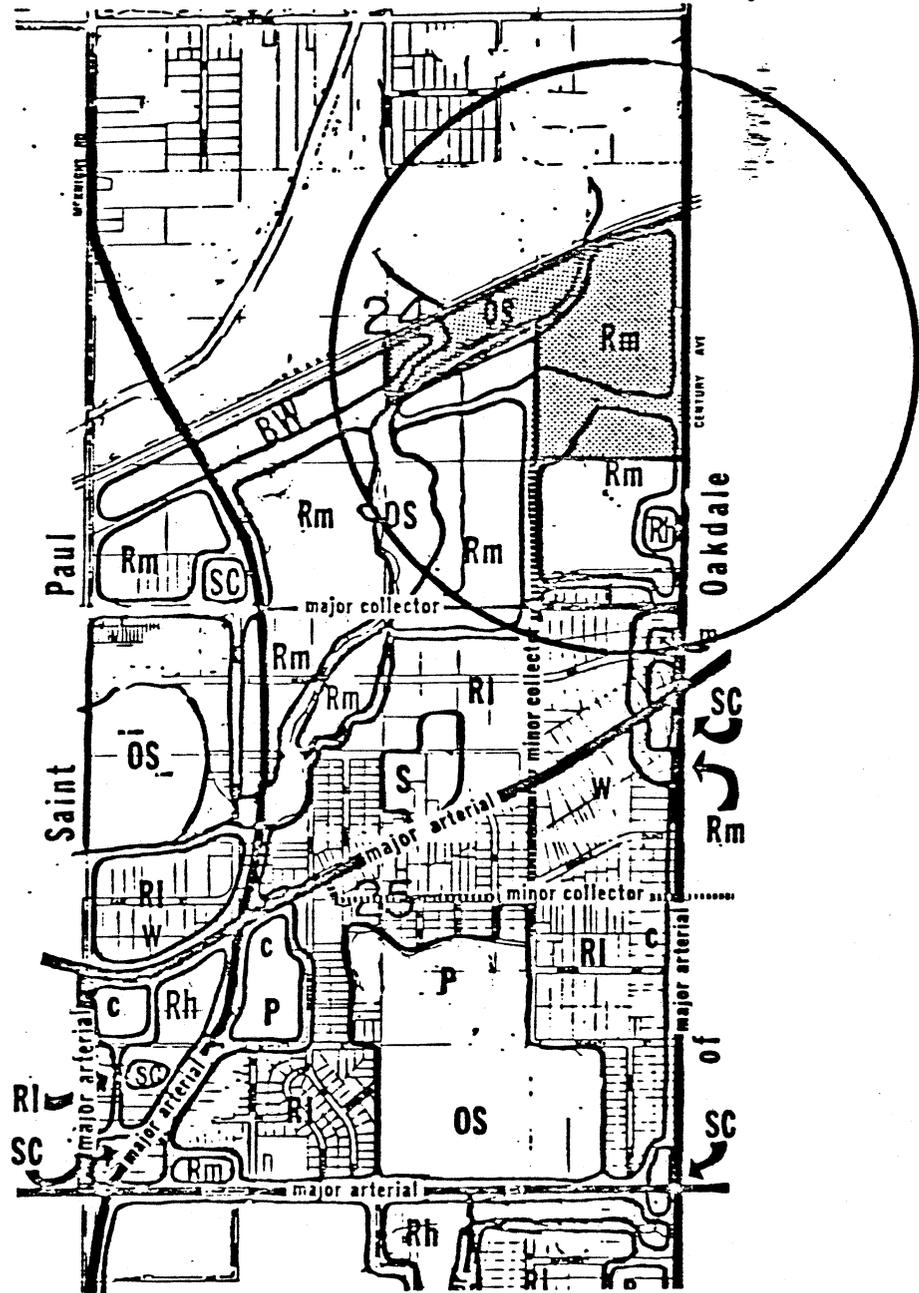


PROPERTY LINE MAP

EXISTING ZONING M2
 PROPOSED ZONING (F), (R-2) and (R-3)

ATTACHMENT THREE





Beaver Lake
NEIGHBORHOOD LAND USE PLAN



DIVISION 10. M-2 HEAVY MANUFACTURING DISTRICT

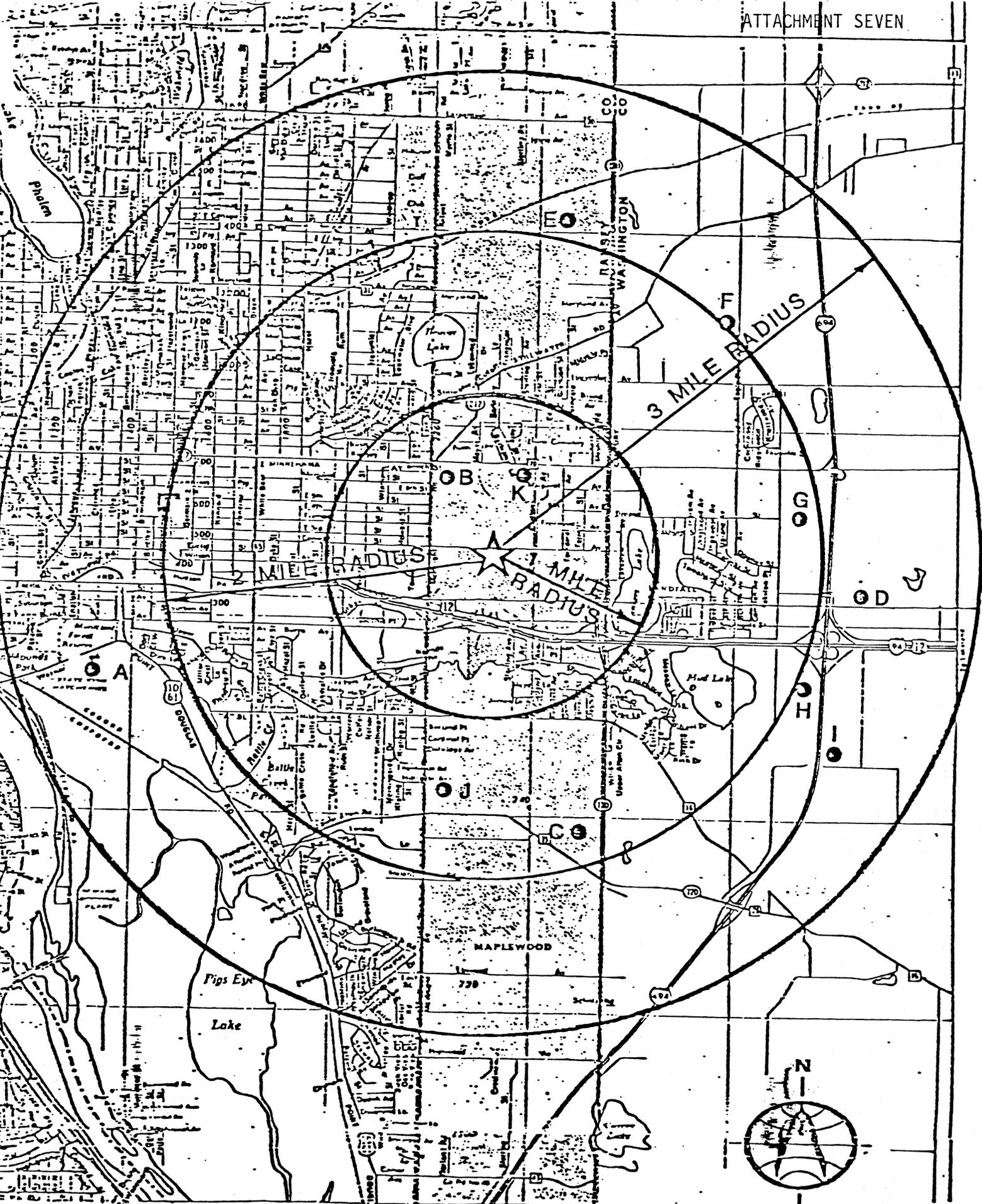
Sec. 36-201. Use regulations.

A building may be erected or used and a lot may be used or occupied for any lawful use, except that the following uses shall only be allowed by special use permit, after a finding by the city council that such use will not be noxious or hazardous to surrounding properties:

- (a) Dwelling, except for living quarters for watchmen or caretakers and their families, as an accessory use to a business or industrial use;
- (b) Abattoir or stock yard;
- (c) Distillation of bones and wood;
- (d) Incinerator or reduction of garbage, offal and dead animals;
- (e) Junkyard, salvage or wrecking yard, or the baling of rags or junk, except when enclosed within a building;
- (f) Manufacture of:
 - (1) Asphalt or asphalt products;
 - (2) Explosives, fireworks, including storage thereof;
 - (3) Fertilizer, when manufactured from organic materials;
 - (4) Gypsum, cement, plaster or plaster of paris;
 - (5) Rubber or gutta percha;
 - (6) Sulphurous, sulphuric, nitric, picric, hydrochloric or other offensive or corrosive acids.
- (g) Wood pulp and fiber, reduction and processing thereof. (Code 1965, § 910.010)

PRELIMINARY SITE REVIEW SUMMARY

<u>Site</u>	<u>Steam Line Routing</u>	<u>Truck Access</u>	<u>Screened From Residential Areas</u>	<u>Proximity to:</u>		<u>Site Location</u>		<u>Summary Statement Degree of Acceptability</u>
				<u>Major Highways</u>	<u>3M Campus Power Plant (miles)</u>	<u>City</u>	<u>County</u>	
(A) Fish Hatchery	Poor	Good	Yes	Excellent	3.2	St. Paul	Ramsey	Good
(B) Outdoor Theater	Excellent	Good	No	Good	0.85	Maplewood	Ramsey	Excellent
(C) Workhouse	Good	Good	No	Good	2.4	Maplewood	Ramsey	Good
(D) Ford Dealer	Poor	Poor	No	Fair	2.8	Lake Elmo	Washington	Poor
(E) Maplewood Dump	Fair	Poor	No	Poor	2.9	Maplewood	Ramsey	Poor
(F) Open Land	Fair	Poor	Yes	Poor	2.75	Oakdale	Washington	Poor
(G) K-Mart	Fair	Excellent	Yes	Excellent	2.8	Oakdale	Washington	Good
(H) Wooddale West	Fair	Poor	No	Fair	2.0	Woodbury	Washington	Fair
(I) Wooddale East	Poor	Fair	No	Fair	2.4	Woodbury	Washington	Poor
(J) Battle Creek	Good	Good	No	Good	1.5	Maplewood	Ramsey	Good
(K) Minnehaha	Excellent	Good	No	Good	0.6	Maplewood	Ramsey	Excellent



- ★ ENERGY MARKET
- POTENTIAL FACILITY LOCATION

One inch equals approximately 0.75 miles
 Scale: 0.75 miles

E. Rezoning: Century Avenue (Ivy Avenue to the tracks)

Secretary Olson said the Council moved to reconsider the rezoning of the city property from M-2 to F and initiated a rezoning for the remainder of the site from M-2 to R-2.

Commissioner Fischer moved the Planning Commission recommend to the City Council approval of the resolutions, rezoning the City property to F, the Vanderhoff property to R-2 and the Pearson property to R-3.

Commissioner Pellish seconded
Barrett, Ellefson, Fischer, Pellish, Prew, Sigmundik, Whitcomb.

Ayes--Commissioner Axdahl,

MEMORANDUM

F-5

TO: City Manager
FROM: Thomas Ekstrand--Associate Planner
SUBJECT: Ordinance Amendment--Signs in Residential Zones
APPLICANT: City of Maplewood
DATE: March 30, 1983

Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

SUMMARY

Request

Amendment of the sign ordinance to permit signage for institutions in residential areas.

Reason for Change

The current sign ordinance does not allow signs for churches, schools or other institutions. The result is a large number of variance requests.

Objective

To create reasonable sign criteria for facilities commonly located in residential districts, thereby eliminating the need for so many variances.

Comments

Institutional buildings, like any commercial business, should be permitted identification signage. The present ordinance does not address signs for these facilities, presumably due to an oversight.

Staff feels that for institutions, 32 square feet would suffice for most signage needs. This size sign would also be comparable to the average maximum size sign permitted by those communities surveyed.

Section 36-318 has been deleted from the proposed ordinance: the maximum permitted number of signs is already addressed in the amendment.

REFERENCE INFORMATION

Existing Code

Refer to the enclosed amendment.

Past Actions

Council has approved sign variances for the following facilities:

- a. 2-20-79: Gladstone Community Education Center to erect a 26.4 square-foot ground sign.
- b. 8-6-81: Health Resources, Inc. to erect a 40 square-foot ground sign.
- c. 10-25-82: Sun-Ray Montessori School to erect a 32 square-foot ground sign-
- d. 12-13-82: Trinity Baptist Church to erect a 28 square-foot ground sign. Council also directed staff to prepare a code amendment to allow signs for churches and schools.

Survey

Refer to the enclosed survey of surrounding communities closest to Maplewood in population and of adjacent communities.

Of the communities surveyed which have specific size requirements, the average maximum size sign for a church or school is 30 square feet.

Procedure

1. Recommendation by the Community Design Review Board
2. Public hearing by the City Council
3. Second reading by the City Council (at least four votes required for approval)

jw

Enclosures:

1. Proposed Ordinance
2. Survey

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 36 OF THE MAPLEWOOD
CODE RELATING TO SIGNS IN R-1, R-2 AND R-3 DISTRICTS

The Maplewood City Council hereby ordains as follows (additions are underlined and deletions are crossed out):

Section 1. Sections 36-316 to 36-318 of the Maplewood Code are hereby amended to read as follows:

Section 36-316. Permitted.

The only signs which are permitted in an R-1 Residence District (Single Dwelling), R-2 Residence District (Double Dwelling) or R-3 Residence District (Multiple Dwelling) in the city are as follows:

- (1) Signs permitted in Schedule I, subdivision I of this division, as regulated therein.
- (2) One fascia sign of not more than two (2) square feet in area giving the name and occupation of the occupant of a building carrying on a home occupation as defined in the city zoning ordinance.
- (3) One business or identification fascia or freestanding identification sign of not more than eight (8) square feet in area for each street frontage fronting on each street which bounds a lot in for an apartment district or townhouse complex.
- (4) One fascia or freestanding identification sign for each street frontage of not more than eight-(8) thirty -two (32) square feet in area for an a apartment building church, school, library, community center dormitory unit, fraternity or sorority house similar use in a residential district. (Ord. No. 427, -818.170 (Schedule II (1)), 7-14-77)

Section 2. Section 36-318 of the Maplewood Code is hereby deleted.

~~Section-36-318. Maximum-number-of-signs.~~

~~In-no-case-shall-the-number-of-signs-per-building-exceed-one-in-an R-1-Residence-District-(Single-Dwelling),-R-2-Residence-District (Double-Dwelling)-or-R-3-Residence-District-(Multiple-Dwelling)-in the-city.--(Ord.-No.-427,-818.170-(Schedule-II(3)),-7-14-77)~~

Secs. 36-319 318 - 36.328. Reserved.

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

Passed by the City Council of the
City of Maplewood, Minnesota this
day of , 1983.

ATTEST:

Mayor

Ayes--

Nays--

City Clerk

SIGNS - RESIDENTIAL DISTRICTS

Survey of Metropolitan Communities
Closest to Maplewood in Population

<u>Municipality</u>	<u>Institutional Signs (Churches, Schools)</u>
Maplewood	Code does not address
Coon Rapids	32 sq. ft. wall or ground sign per frontage
Roseville	50 square feet
Burnsville	No guidelines
Plymouth	32 sq. ft. wall or ground sign--one sign only
Brooklyn Center	One 36 sq. ft. ground sign plus one 32 sq. ft. wall sign per frontage
Fridley	One 24 sq. ft. sign
Blaine	One 36 sq. ft. wall or ground sign per frontage
New Hope	One 20 sq. ft. sign per frontage
Golden Valley	One 35 sq. ft. sign
White Bear Lake	One 32 sq. ft. sign
Apple Valley	One ground and one wall sign at 40 sq. ft. each
S. St. Paul	Conditional use permit required for structure and signs
Eagan	One sign at 16 sq. ft.
Maple Grove	One sign--18 sq. ft.
Columbia Heights	Two signs permitted at 32 sq. ft.
Cottage Grove	No limit to the number of signs, but together they may not exceed 100 sq. ft.
Shoreview	One 24 sq. ft. ground sign per frontage

Municipality

Institutional Signs
(Churches, Schools)

Crystal

4 sq. ft. ground sign--
code does not address wall
signs

ADJACENT COMMUNITIES

Little Canada

24 sq. ft.

St. Paul

One ground sign 30 sq. ft.

N. St. Paul

One sign at 24 sq. ft.

Oakdale

One sign per frontage at
24 sq. ft.

Woodbury

One sign at 24 sq. ft.

Newport

3 sq. ft. wall or ground

4-12-83

5. UNFINISHED BUSINESS

A. Sign Code--(R-1 zone)

The Board reviewed with staff the revisions made to the proposed ordinance. They discussed what size signs would be permitted.

Board Member Folley moved the Board recommend to the City Council a proposed revision to the sign ordinance as reviewed and amended by the Board.

7. VISITOR PRESENTATIONS

8. BOARD PRESENTATIONS

9. STAFF PRESENTATIONS

10. ADJOURNMENT

Meeting adjourned at 9:55 p.m.

MEMORANDUM

F6

Action by Council:

TO: City Manager
 FROM: Associate Planner--Johnson
 SUBJECT: Rezoning
 LOCATION: Maryland Avenue and McKnight Road
 APPLICANT: Council
 OWNERS: Beaver Lake Estates, Perry Shortridge, Tony Oswald, Vernon Potter, Gerald Bruzek, Evelyn Salkowicz, John Johnson, Carl Olsen and Paul Edmiston (See Attachment Three for Parcel Ownership)
 DATE: May 2, 1983

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

SUMMARY OF THE PROPOSAL

Request

Rezone about 68 acres at the corner of McKnight Road and Maryland Avenue from M-2, Heavy Manufacturing to a zone compatible with the land use plan designation of RM, residential medium density.

Proposal

1. This rezoning is part of the city-wide "downzoning" program. (Down-zoning occurs when the zoning ordinance is amended to change a zoning district from a higher to a lower intensity use: in this case, from heavy manufacturing to residential use.)
2. There are no development proposals for these properties.

CONCLUSION

Comments

The city council, on March 28, did not approve a rezoning from M-2, heavy manufacturing to R-2, double dwellings and R-3, multiple dwellings. Three councilmembers were in favor, with one opposed. The reason for the opposing vote was a concern that there are too many multiple dwellings in this area.

Leaving the M-2 zone, leaves several problems unresolved:

1. The zoning is not consistent with the land use plan.
2. The M-2 zone allows all types of uses, including multiples, commercial and industrial.
3. The residents were in favor of the rezoning, wanting to maintain a residential character to the area.

As a result of these problems, on April 11 council moved to reconsider their previous action on May 9.

The three alternatives for the land west of future McKnight Road are listed below in order of preference by staff and shown on the enclosed maps:

1. Councilmember Anderson's proposal: R-3 and R-2.
2. Councilmember Juker's proposal: R-2
3. Planning Commission's proposal: R-1

Recommendation (Requires at least four votes for approval)

Approval of Councilmember Anderson's proposal, rezoning the site to R-3 and R-2.

BACKGROUND

Site Description

Acreage: Approximately 68

Existing Land Use: Beaver Lake Estates Mobile Home Park, six single dwellings (one dwelling includes a pole building), and undeveloped land

Surrounding Land Uses

- Northerly: Bulk Storage facility and undeveloped land, planned and zoned for industrial use
- East: Undeveloped land, planned for residential medium density. A planned unit development for Maple Greens has been approved for their site.
- South: Maryland Avenue and six single-dwelling lots. Across Maryland Avenue, county open space and the proposed Beaver Lake Hills planned unit development
- West: McKnight Road. Across McKnight Road are single dwellings in St. Paul

Past Actions

6-6-68: Council approved a special use permit for the Beaver Lake Estates Mobile Home Park.

9-13-73: Council denied a zone change from M-2, Heavy Manufacturing to R-1, Single Dwelling for 2325 East Maryland Avenue and referred the question of rezoning a larger area to the Planning Commission.

1-9-75: Council gave first reading to a rezoning from M-2, Heavy Manufacturing to R-1, Single Dwelling for the six lots north of Maryland Avenue (map two). Due to citizen opposition, Council declined a 12-2-74 Planning Commission recommendation to initiate "public hearings for the rezoning of the complete area between Maryland, McKnight, the mobile home park, and the Bulk Service, Inc. property and that such hearing should consider the reasons for bringing the zoning for the area into alignment of the use proposed under the Comprehensive Plan (Residential Medium Density) for the City of Maplewood."

1-16-75: Second reading of the six-lot zone change request was defeated for lack of four votes in favor.

4-20-78: Council approved a zone change from M-2 to R-1 for the six-lot area shown on map two in response to a lawsuit brought against the city.

8-6-82: An administrative lot division was approved for Mr. Perry Shortridge to create the triangular parcel to the southwest of the mobile home park, lying east of the McKnight realignment. The applicant indicated a desire for commercial use of this property.

DEPARTMENT CONSIDERATIONS

Planning

1. Land Use Plan designation: RM, Residential Medium Density and LSC, Limited Service Commercial (proposed in a separate report)
2. Zoning: M-2, Heavy Manufacturing
3. Policies Criteria from Plan, page 18-2: "Zoning maps should be updated as necessary to make both land use maps and zoning maps compatible."
4. Compliance with Land Use Laws: Section 36-485 states that "In any instance where the city council or the planning commission is required to consider an exception or change in this chapter, including the zoning map, in accordance with the provisions of this chapter, the council or planning commission shall, among other things:
 - (1) Assure itself that the proposed change is consistent with the spirit, purpose and intent of this chapter.
 - (2) Determine that the proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
 - (3) Determine that the proposed change will serve the best interests and conveniences of the community, where applicable, and the public welfare."

Citizen Comments

The three persons with single dwellings fronting on Maryland Avenue that are recommended for rezoning to R-2 were notified. The owners of 2335 and 2345 responded. 2345 had no objection to the proposal. 2335 thought R-2 to the north of his property would be more compatible with the existing dwellings.

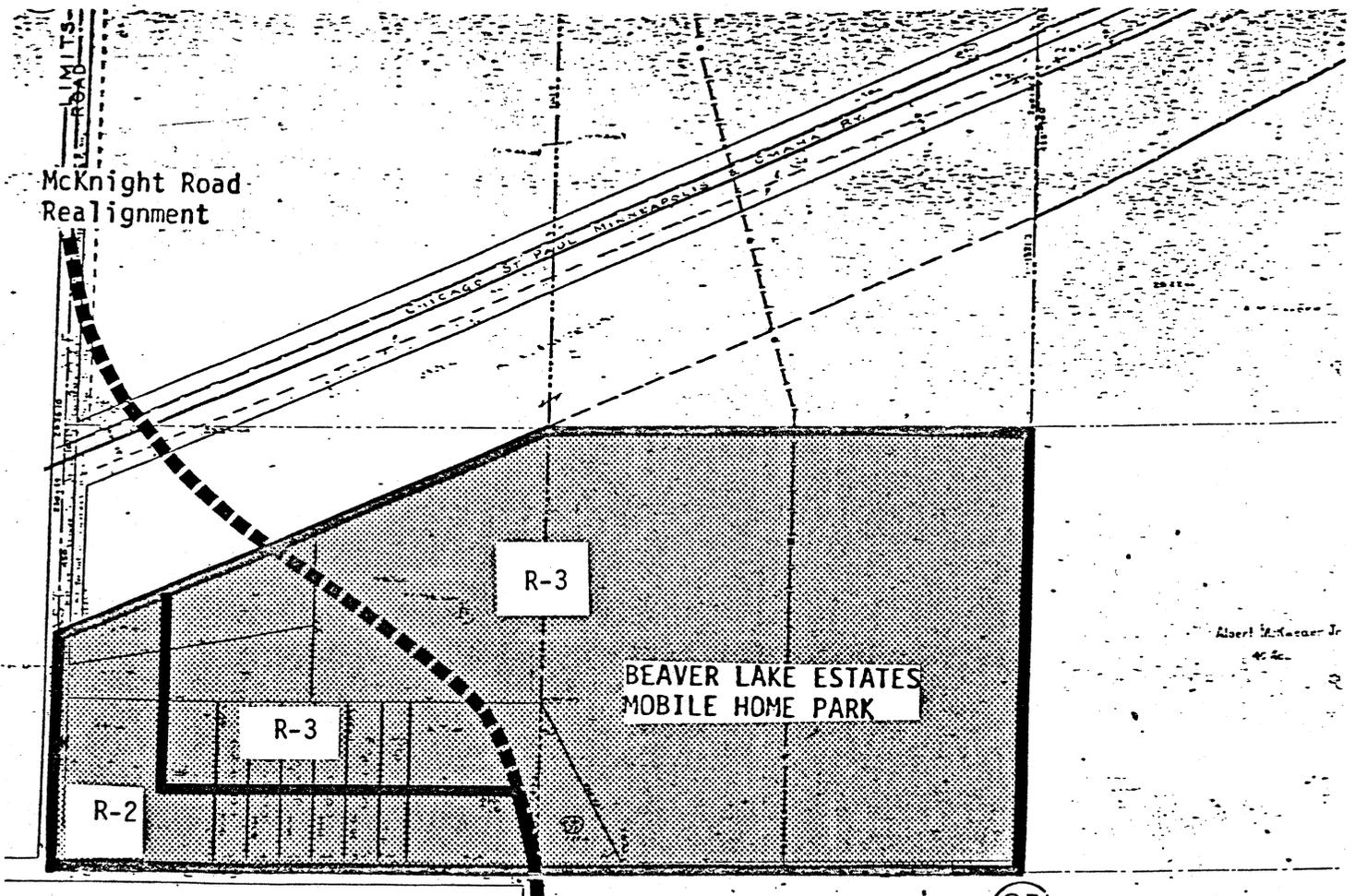
Procedure

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

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Enclosures

1. Councilmember Anderson's Proposal
2. Councilmember Juker's Proposal
3. Planning Commission's Proposal
4. Beaver Lake Neighborhood Land Use Plan
5. Existing Zoning/Affected Property Owners

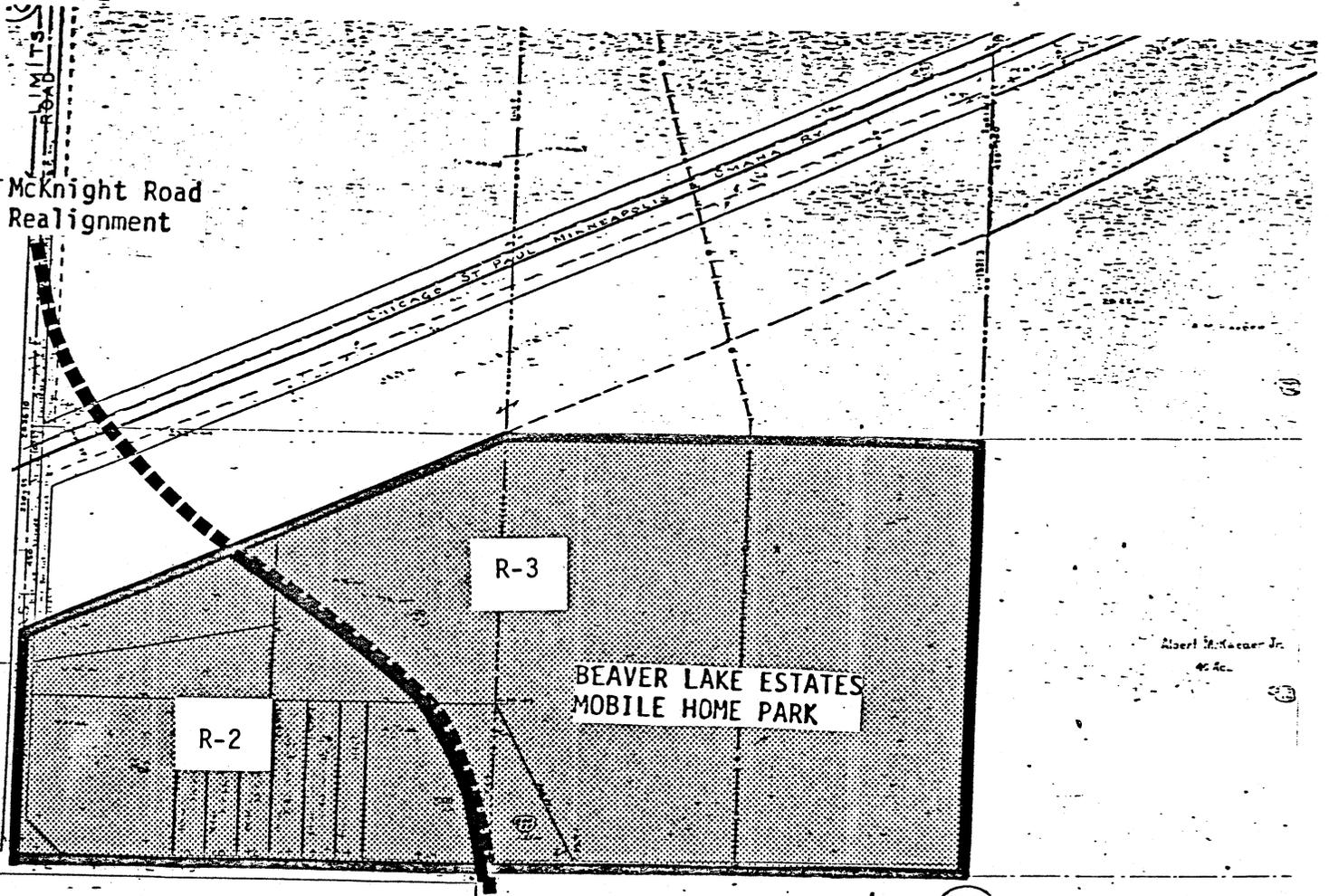


ATTACHMENT 1

PROPOSED ZONING (Councilmember Anderson)

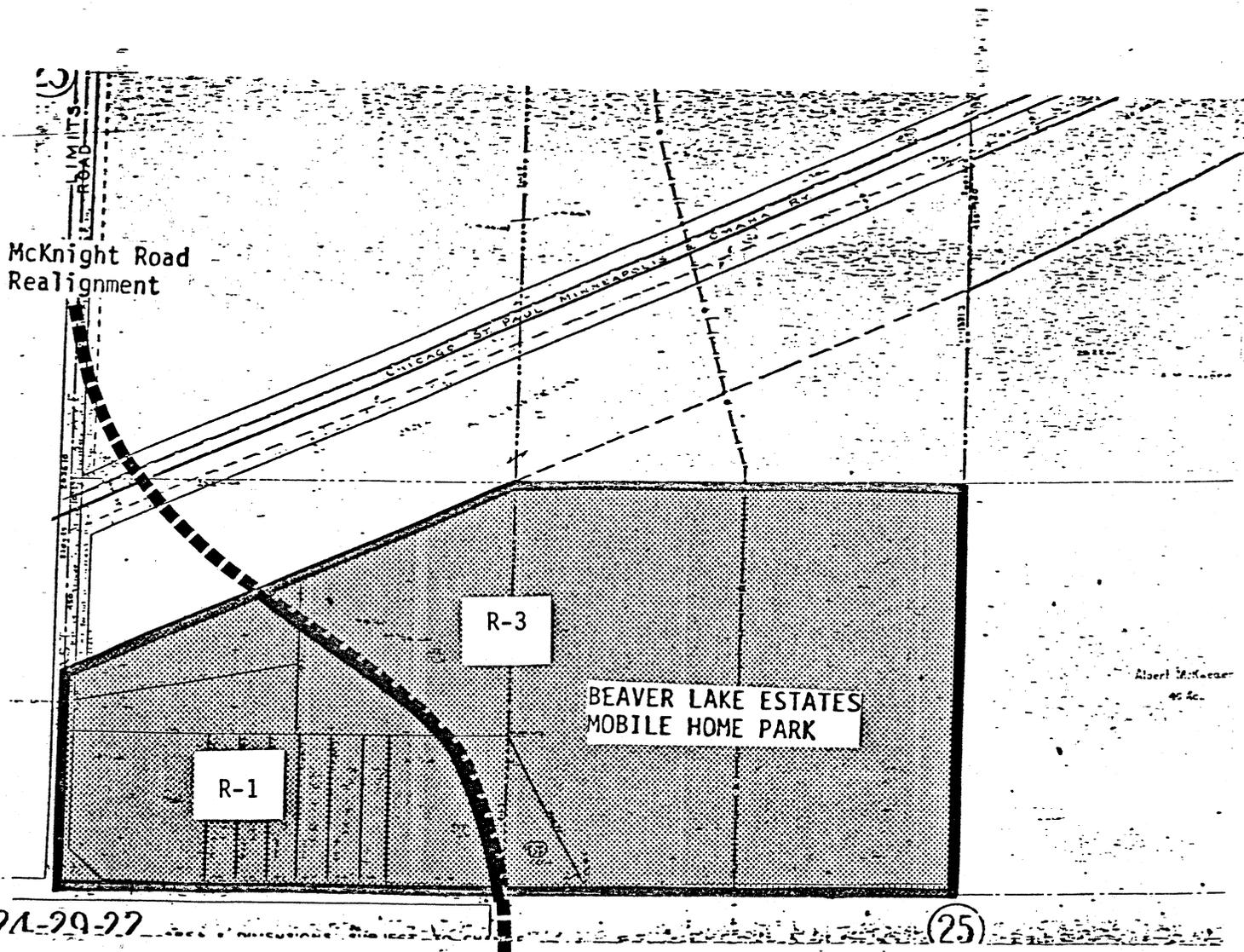


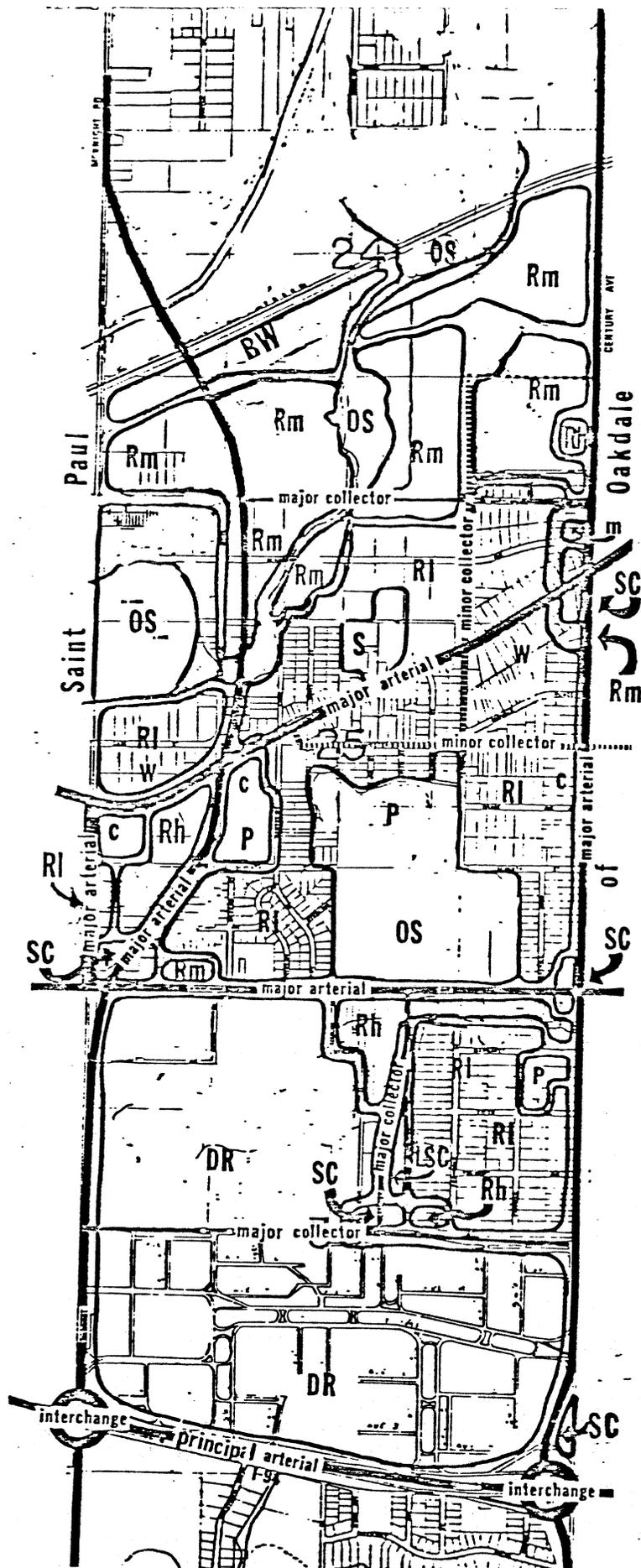
McKnight Road
Realignment



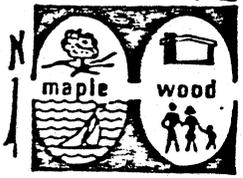
Albert M. Juker Jr.
46 Ac.



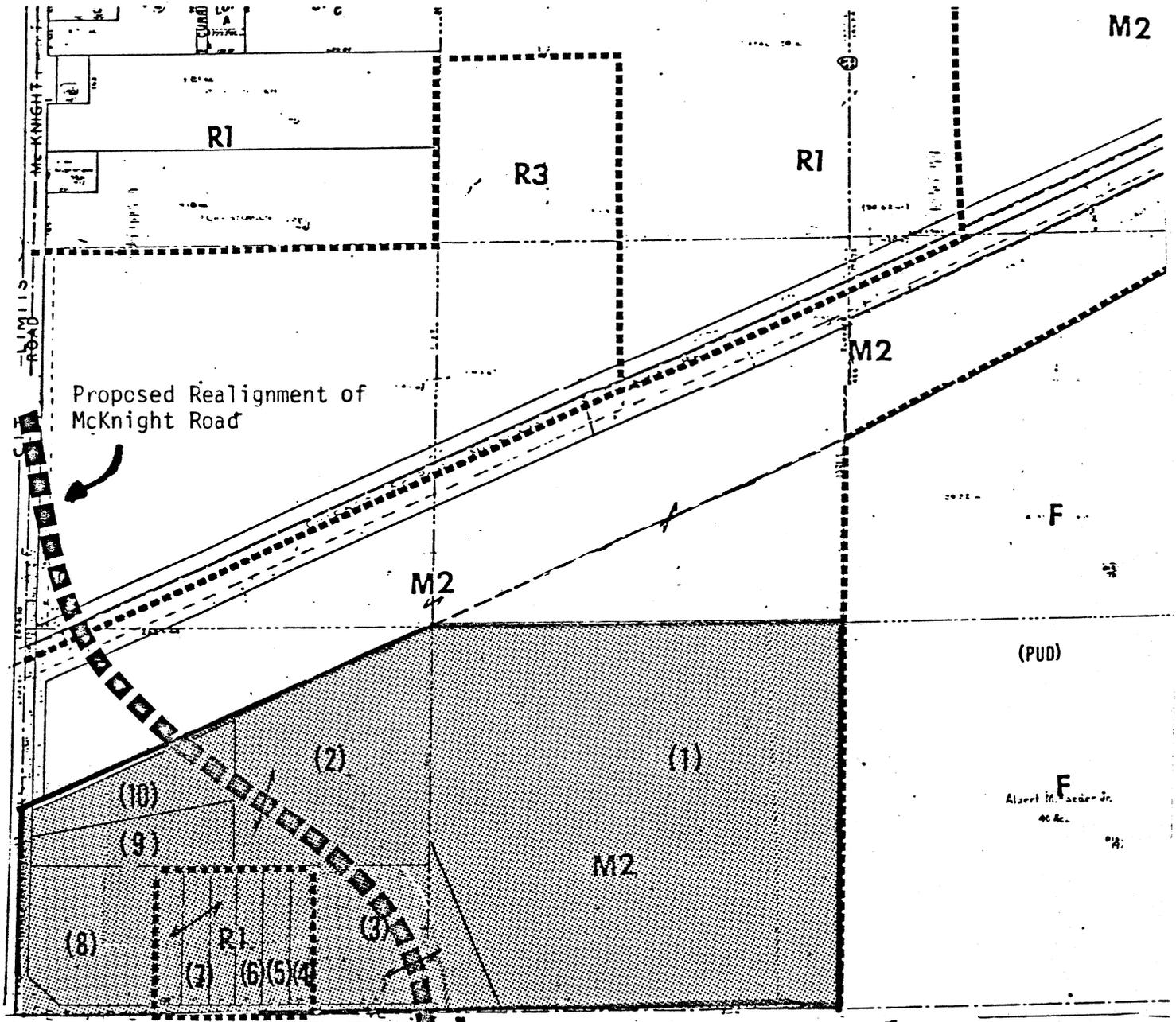




Revised:
 3-3-83
 4-15-83



Beaver Lake
 NEIGHBORHOOD LAND USE PLAN



- | | |
|---|--|
| (1) Beaver Lake Estates
Mobile Home Park | (6) Carl Olsen (2325 Maryland Ave.) |
| (2) Tony Oswald | (7) Russel Miezgocki |
| (3) Perry Shortridge | (8) Evelyn Salkowicz (1240 McKnight Rd.) |
| (4) Paul Edmiston (2345 Maryland Ave.) | (9) Gerald Bruzek (1250 McKnight Rd.) |
| (5) John Johnson (2335 Maryland Ave.) | (10) Vernon Potter (1262 McKnight Rd.) |

ATTACHMENT

EXISTING ZONING



B. Zone Change--McKnight Road and Maryland Ave.ue.

3-7-83

Secretary Olson said the proposal is to rezone about 68 acres from M-2, Heavy Manufacturing to R-3, Multiple Dwelling and R-2, Double Dwelling and NC, Neighborhood Commercial.

Chairman Axdahl asked if there was anyone present who wished to comment.

Gerald Bruzik, 1250 N. McKnight, asked where a roadway would go for the property in back of his home.

Secretary Olson said it would depend on how the property would be developed.

Mr. Bruzik said he would like the property to stay single-family residential.

Vern Potter, 1262 N. McKnight, asked if he would have to remove his existing storage building.

Staff indicated the building would not have to be removed. It would be a nonconforming use which would mean the use could be continued, but not expanded or sold or any other type of manufacturing use.

Mr. Potter said he is thinking of constructing another building. He wished the property to remain zoned light manufacturing.

John Johnson, 2335 E. Maryland, said he did have the area rezoned to R-1 so he could construct a home on the property. He suggested the proposed alignment of McKnight serving as a buffer zone and he would also agree with the R-2 zoning but not the R-3.

The Commission discussed the possibility of having a zoning district less than R-3 on the west side of the McKnight Road Alignment and having the R-3 and NC zoning on the easterly side of the alignment.

Staff indicated they were trying to maximize the development possibilities for the property owners so they would get the maximum return on their property.

The Commission also questioned if the Manufacturing zoned property could just be changed to a residential district without designating single or multiple. They also discussed what effect a higher residential zone would have on property taxes.

Commissioner Prew moved the Planning Commission recommend to the City Council the area under consideration be rezoned as follows:

1. Area 1, which would refer to all properties east of the proposed new alignment of McKnight Road, except for what is now called area 2, would be rezoned to R-3 Multiple Dwelling.
2. Area 2, which would consist of the piece of property at the intersection between the mobile home park and proposed McKnight alignment as shown on the staff memorandum, would be NC, Neighborhood Commercial.
3. Area 3, which would be all remaining parts, which would be all parts west of the proposed McKnight Road alignment would be rezoned as R-1, Residence District (Single Dwelling).

Commissioner Whitcomb seconded

Ayes--Commissioners Axdahl, Barrett, Ellefson, Fischer, Hejny, Pellish, Prew, Whitcomb.

MEMORANDUM

F-7

TO: City Manager
FROM: Director of Community Development
SUBJECT: Planned Unit Development Revision
LOCATION: Maryland Avenue and Ferndale Street
APPLICANT/OWNER: Castle Design and Development Co., Inc.
PROJECT: Beaver Creek Condominium Homes
DATE: April 28, 1983

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

SUMMARY

Request

The applicant is requesting a revision to the 1973 planned unit development approval to relocate the 110 units approved for the north part of the site to the south part.

Project Description

1. 340 condominium units with 340 garage spaces and 340 open spaces.
2. Each unit would be sold separately.
3. Elevation and site plan are enclosed.
4. The open space to the north would be left undeveloped.
5. Each building is 2-1/2 stories high in the front and three stories in the rear.
6. There are seventeen buildings with twenty units in each building.
7. All interior streets, drives and open space would be owned and maintained by a homeowners' association.
8. There would be seven one-bedroom and thirteen two-bedroom units in each building.
9. A swimming pool and tennis court are proposed.
10. Refer to the applicant's letter (attachment four).

Reason for the Request

1. Condition eleven of the Maple Greens PUD requires that "Prior to granting the final ten occupancy permits in the first stage, the developer shall propose the succeeding stages of development to the village council for review and determination of the availability and adequacy of delivery of necessary support services."

2. Condition one requires that "any changes in the adopted plan shall require a public hearing and approval by the village council."

Comments

Relocating the previously approved 110 units from the north part of the site to the south has several advantages to the city:

1. Marylake Road would not have to be constructed as a public improvement project.
2. The northerly building site adjacent to "Jim's Prairie" would remain open space and may be desirable to be acquired as a park.
3. It would be difficult to get sanitary sewer to the northerly portion of the site.

The disadvantage is that there will be more density and traffic on Maryland Avenue than was approved in the 1973 PUD. The overall site density is still less than allowed under the city land use plan. The land use plan would allow 716 units. This proposal is for only 340 units.

Recommendation

Replace condition one of the 1973 PUD with the following wording:

1. The site plan approved in 1973 shall be revised to move the 110 units approved along the northerly boundary of the PUD to the north side of Maryland Avenue. The plan dated April 27, 1983 shall be the specific development plan north of Maryland Avenue, subject to design review board approval. Any changes that result in an increase in density or change in building type or site plan shall require a public hearing and approval by the city council. Approval of the plan north of Maryland Avenue is subject to the following conditions:
 - a. The two existing parcels shall be combined as one parcel.
 - b. All common areas shall be maintained by the homeowners' association. The city attorney must approve all rules and by-laws, Any changes affecting the common areas shall require city council approval.
 - c. The City Council must order a feasibility study for the water main on McKnight Road and the elevated storage prior to construction of phases three and four of the proposal.
 - d. The City Council must order a public improvement for the ponding and storm water outlet system to Beaver Lake prior to construction of phases three and four of the proposal.
 - e. Dedication of 33 feet of right-of-way for Maryland Avenue.
 - f. Grading on the north part of the property shall not affect the city property called "Jim's Prairie."

- g. The developer shall make available to the City an area suitable for a neighborhood park as indicated in the Maplewood Comprehensive Plan. Location and size to be agreed upon by the developer and the Director of Community Services. If purchase is necessary, the City will follow its procedures for establishing the value of the land. Any costs of appraisals or other expenses shall be paid by the developer.

BACKGROUND

Site Description

Acreege of the site (north of Maryland Avenue): 69 acres

Existing land use: undeveloped

Surrounding Land Uses

Northerly: city owned land used as a nature area called "Jim's Prairie."

Easterly: quads along Ferndale Street and a proposed mobile home park to the north of the quads.

Southerly: Maryland Avenue. Quads are being constructed south of Maryland Avenue

Westerly: Beaver Lake Mobile Home Park

Past Actions

7-26-73: Council approved a planned unit development, which included the applicant's site, subject to the following:

1. The attached site plan (see attachment three) indicating land uses, densities and street patterns shall be the village approved plan of development for the entire development, and any changes in the adopted plan shall require a public hearing and approval by the Village Council.
2. The development of the special use permit area shall be staged to allow development only of that portion designated RL and lying south of Maryland Avenue west of Ferndale Street and north of Magnolia Avenue, except as provided in condition No. 3, and such development shall only be allowed by official subdivision platting in accordance with the village platting code.
3. Development of additional stages shall not be permitted until the village council is completely satisfied that all necessary support services are available or guaranteed to adequately service such additional staged areas within the special use permit property, while at the same time not overloading or jeopardizing the service delivery capability or performance to any existing surrounding developments or properties.
4. All structures proposed in the PUD special use permit shall be reviewed through the Community Design Review Board Ordinance provisions to achieve an aesthetically and visually pleasant appearance and landscaped development, and the developer shall provide, at a minimum, in RL areas, an entire street throughout its length with structural and landscaping plans so that a comprehensive design review can be performed by the village.

5. The proposed open space within the entire development and within each stage shall be clearly delineated and clarified in a legal document which outlines the development of the open space, its maintenance and citizen or resident rights to that open space, and such clarification shall be reviewed as part of the subdivision platting requirement and approved prior to any building permit or ancillary development permit such as grading.
6. The developer shall provide an escrowed amount equal to the estimated cost of the Ferndale Avenue feasibility study; said amount shall be used to pay for said study if said project is not undertaken and assessed. (In other words, if the project does not go through, and there is not a project, add the cost of the feasibility study onto the developer it will be paid out of an escrowed amount. If the project should go through, and it is to be assessed, then the escrowed amount will be returned to the developer. The developer would guarantee it from the beginning.)
7. No building or ancillary development permit shall be issued unless and until the improvement of Ferndale Avenue has been ordered by the village council and no occupancy permit shall be issued within the first stage until such street is improved to village minimum street standards.
8. Any increased surface drainage resulting from the proposed development shall not discharge run-off anywhere from the site at any greater rate or volume than was the case resulting from its undeveloped state, and should such not be possible, the development shall be responsible to secure all necessary off-site legal rights for increased drainage discharge and/or storage and further bear all required related development costs to accommodate such run-off, and prior to any building permits of any kind being issued a drainage plan shall be submitted and approved by the village engineer prior to any permit issuance.
9. All utilities installed within the confines of the special use permit shall be installed underground.
10. The first stage shall commence physical construction within 12 months from the date of village council approval.
11. Prior to granting the final ten occupancy permits in the first stage, the developer shall propose the succeeding stages of development to the village council for review and determination of the availability and adequacy of delivery of necessary support services.
12. All residential dwelling units shall be subject to the neighborhood park acquisition and development charge policy of the village in effect at the time of the issuance of building permits.
13. The developer shall provide financial assurance to the village guaranteeing his faithful performance of completing each stage approved and such assurance shall be the equivalent of five percent of each stage's completed construction valuation, and the developer shall provide evidence from a financial institution indicating that sufficient monies are assured to develop each stage approved by the village council and such financial assurances shall be performed and submitted to the village prior to application for the first building permit of each stage.

- 14 . The village reserves the right to impose additional conditions on each stage of development when such particulars are presented.
15. The applicant and owner shall agree to the above conditions in writing.

Planning

1. Land use plan designation: RM, residential medium density and OS, open space
2. The RM classification is designated for such housing types as single dwellings on small lots, double dwellings, town houses and mobile homes. The maximum population density is 22 people/net acre. The number of units for each acre would vary by dwelling type and bedroom mix. As an example, a two and three bedroom town house project with private roads would be allowed a maximum density of six units for each acre. A similar apartment project would be allowed 7.5 units for each acre.
3. Zoning: F, farm residence

Environmental

Except for three knolls with relatively higher ground, most of this site is classified as a wet meadow wetland. The soil is usually without standing water, but is waterlogged within a few inches of the surface. Standing water is apparent in the spring.

Public Works

Water

The water distribution system in this service area is presently incomplete. The supply and pressure required for fire fighting purposes is not adequate. The city, however, has approved several other developments in this area, including Pearson's mobile home park, Sam Cave's quads and the quads and dwellings south of Maryland Avenue. The third and fourth phases should be conditioned on the city council ordering a feasibility study for the McKnight Road water main.

Domestic water supply also has some limitations in pressure for higher elevations in this area. The Beaver Creek project is at a lower elevation and should be adequate.

The water pressure problems in this area were considered in 1981, but water improvements were postponed believing that McKnight Road would be constructed in a timely manner. There is a substantial cost savings to be realized if the water improvements are constructed in conjunction with McKnight Road. However, no firm schedule is available for McKnight Road. The water system improvements must be considered immediately for this area, regardless of any additional development. A feasibility study should be prepared investigating the 16-inch water main along McKnight Road and the elevated storage required for this area.

Sanitary Sewer

Sanitary sewer is available and presently is adequate for the proposed development. It should be noted, however, that at ultimate development of the service district there will be a capacity limitation. Staff is monitoring this condition and will bring it to the council's attention when the flow nears capacity.

The sanitary sewer also has some bearing on the site layout for the proposed development. Due to the elevation of the sanitary sewer it would be difficult to serve the northern portion of the subject property. This to some extent explains the concentration of units proposed on the southern end of the parcel.

Storm Drainage

This site is part of a larger drainage area that extends from the railroad on the north to the outlet into Beaver Lake. Some of the storm drainage system is in place but the main trunk and ponding system remains to be constructed. The developer agrees to work with the city staff in developing ponding areas that benefit the entire drainage area. Before completion of the proposed development, the ponding and outlet system should be constructed, however, limited development can take place with no additions to the present drainage system.

Parks

The city's bicycle routes/trails map shows a proposed trail running north and south through the center of this site. The director of community services states that "at this time it appears to me that the trail should not be a limiting factor in the development of this planned unit development. The construction limits indicate that approximately one-third to one-half of the property will be used for condominium homes. As a park system we would be interested in investigating the possibility of acquiring stable property that could be used for a playground and also property that could be added to the preservation of Jim's Prairie."

The Park and Recreation Commission at its April 18 meeting recommended that "the northern half of the PUD, as it appears on the proposal, would be left intact regarding grading or any other land use that presently exists." The commission also wished to notify the Council "that the Park and Recreation Commission is concerned about the high concentration of people in this area of the city due to the development of another trailer court, town houses and condominiums, and none of the developers are providing active recreational facilities for their tenants."

Other Agencies

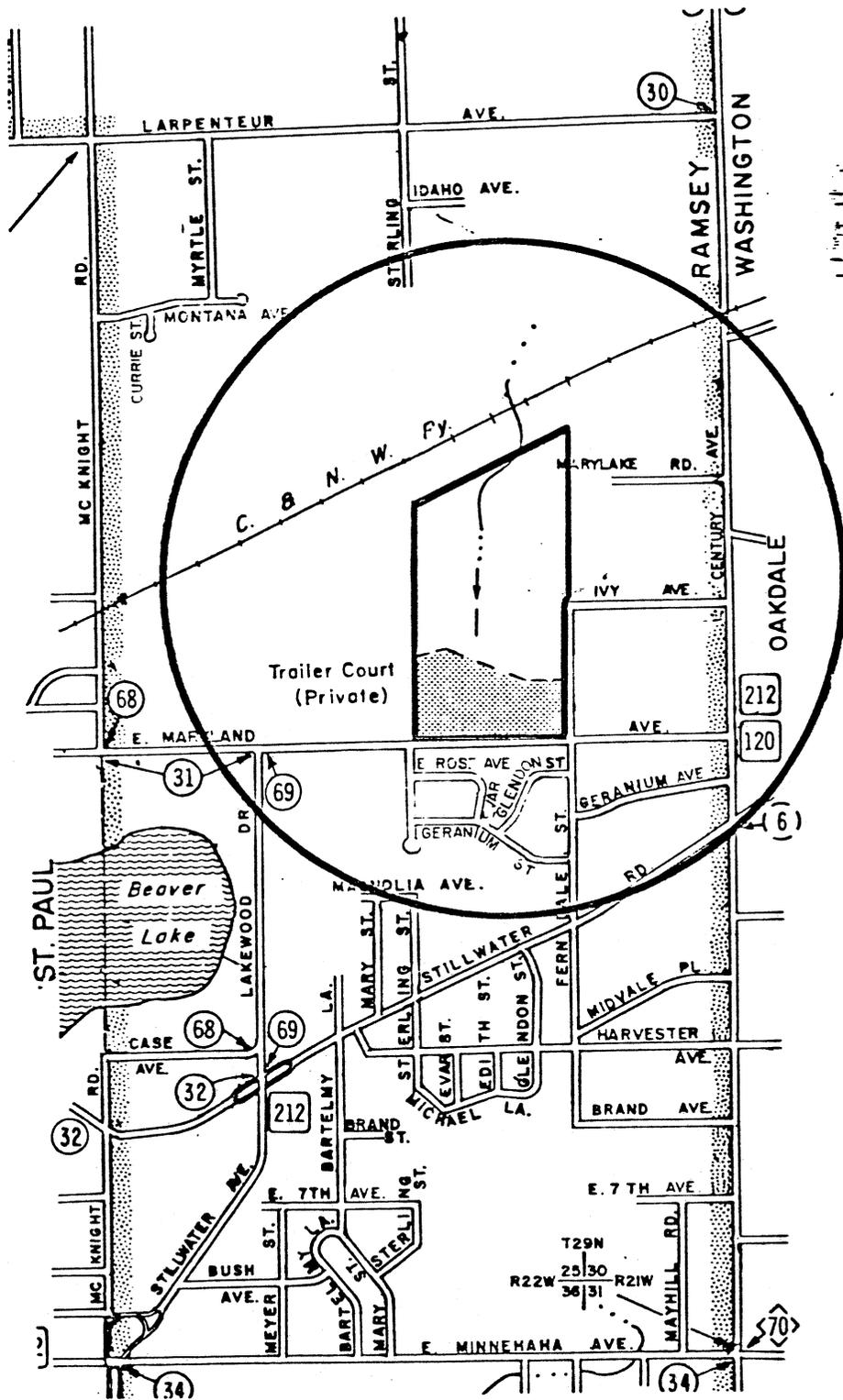
The Environmental Quality Board (EQB) previously approved an environmental assessment worksheet for the previous plan. The EQB staff is reviewing this proposal and will inform us if further approvals are required for the new plan.

Procedure

1. Planning Commission recommendation to city council.
2. City council holds a public hearing and makes a decision.

jc
enclosures

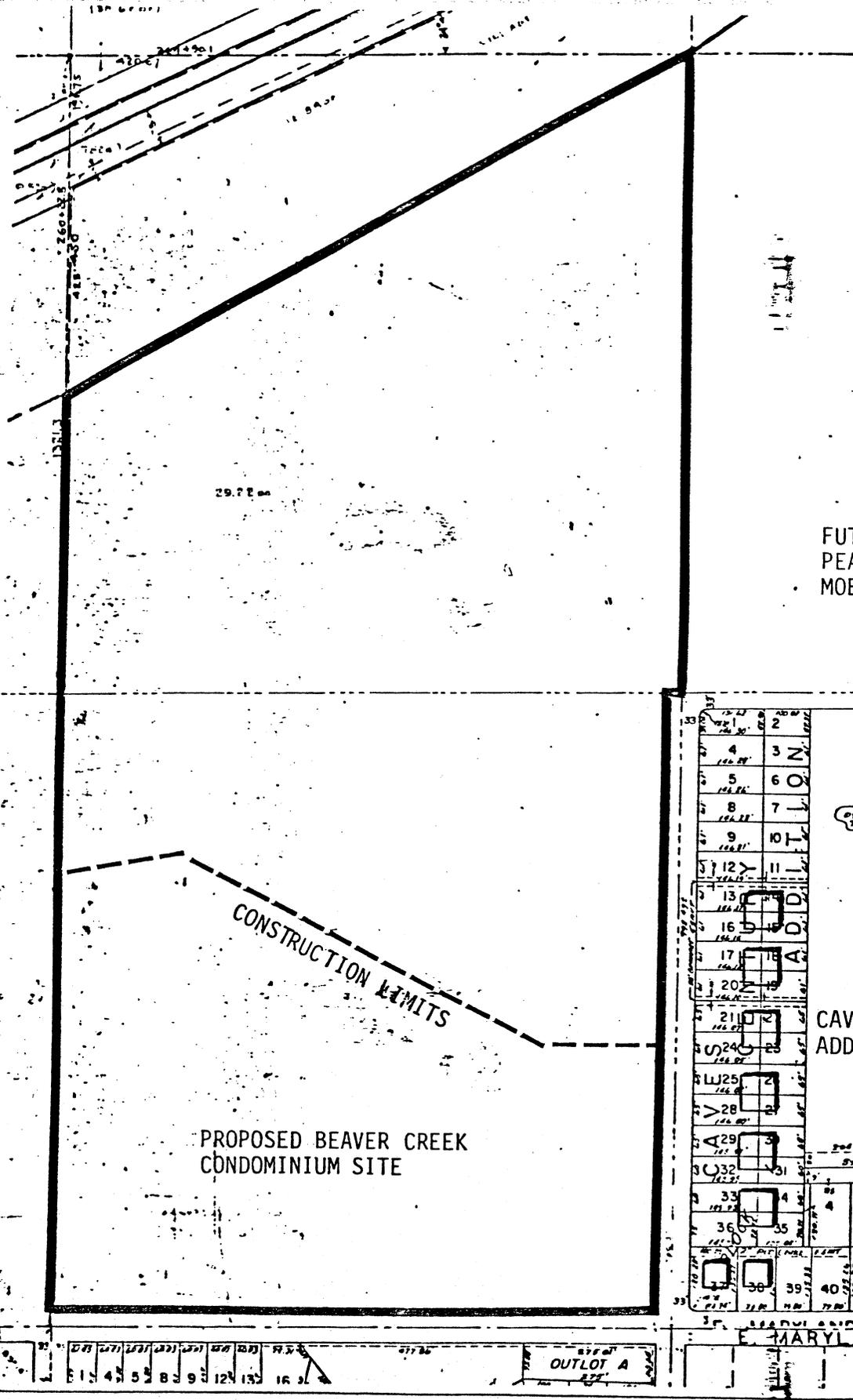
1. Location Map
2. Property Line Map
3. 1973 PUD
4. Letter
5. Bicycle Routes/Trails
6. Neighborhood Park Concept
7. Site Plans (2)
8. Building Elevations (Separate Document)



Attachment one

LOCATION MAP





FUTURE SITE OF
PEARSON ESTATES
MOBILE HOME PARK

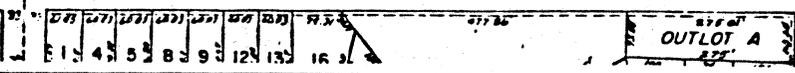
BEAVER LAKE
ESTATES MOBILE
HOME PARK

CONSTRUCTION LIMITS

PROPOSED BEAVER CREEK
CONDOMINIUM SITE

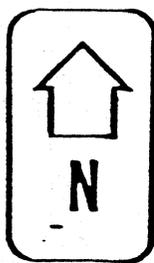
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CAVES CENTURY
ADDITION QUADS



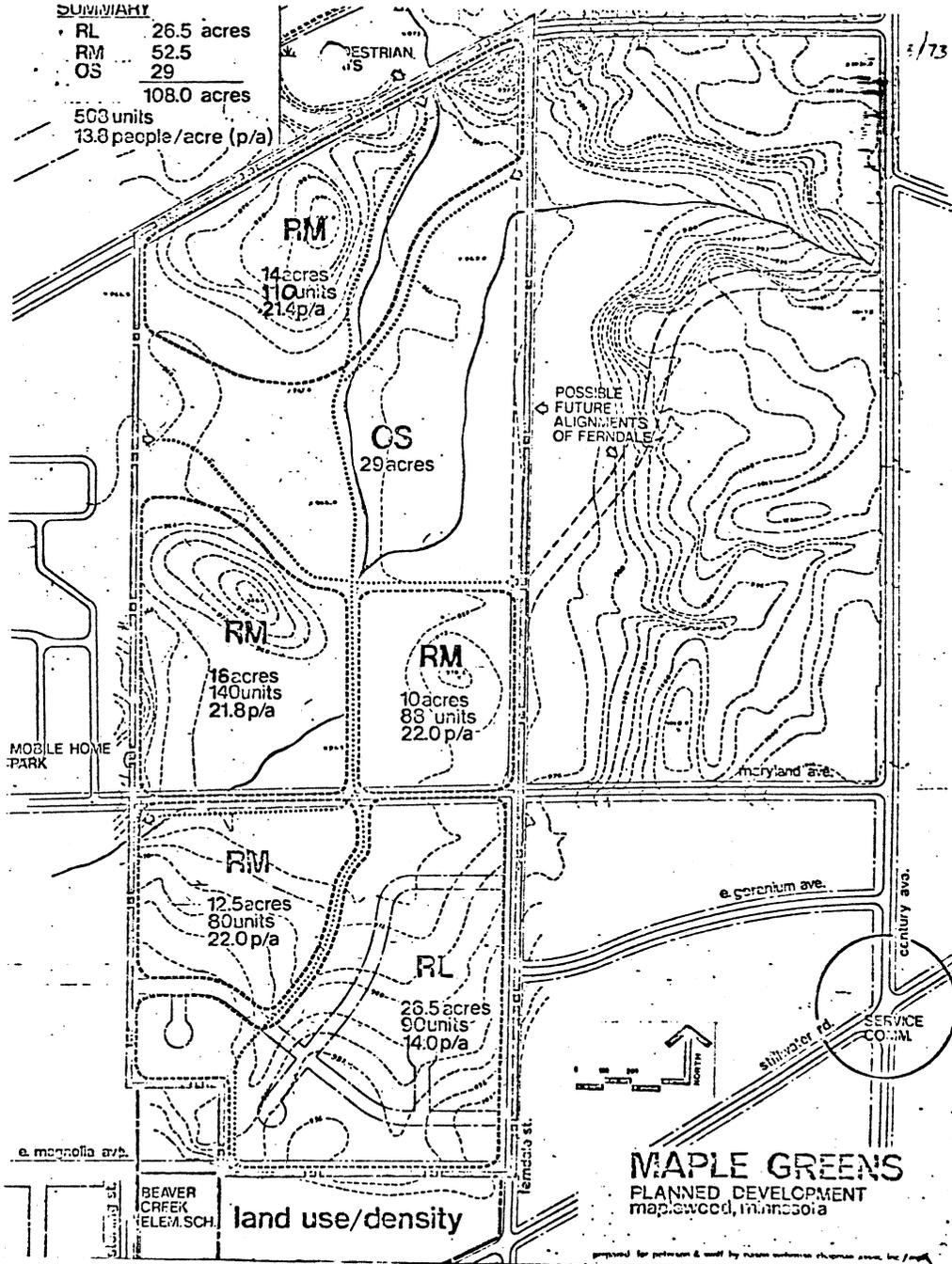
Attachment two

PROPERTY LINE MAP



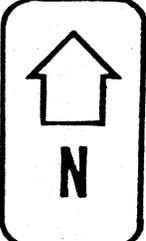
SUMMARY	
RL	26.5 acres
RM	52.5
OS	29
108.0 acres	

503 units
13.8 people/acre (p/a)



Attachment three

1973 PUD





Design & Development Co. Inc.
2419 No. Margaret St. North St. Paul, MN 55109 Phone 770-6138

April 11, 1983

Honorable Mayor
Honorable Councilpersons
City of Maplewood
Maplewood, Minnesota

Castle Design & Development Co., Inc. has recently purchased the property located at Ferndale and Maryland which consists of 69 acres.

In 1973 the City Council of Maplewood granted a Planned Unit Development for this property. This P.U.D. consisted of 340 total units w/a configuration of part of the units to be on the South and the remainder at the North end of the property.

At that time it was anticipated that Mary Lake Road (Old Dump Road) would be continued on to service the property to the North.

At that time also, very little consideration was given to the soil condition of this particular piece of property.

Sometime later the City of Maplewood initiated the construction of the continuance of Maryland Avenue - together with sewer and water.

The assessment which resulted against this particular piece of property came to a total sum of \$325,000.00 - which was extremely high.

Since the council action of 1973 said "that in the event any changes were contemplated in the configuration of streets, unit placement, or number of units, the applicant must go back before the council for approval.

We are not contemplating asking for a change in number and as there was no street configuration at the time.

We are now asking that there be a change in the configuration of the placement of the units.

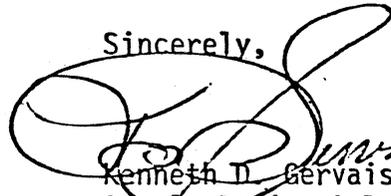


To install Mary Lake Road at this time is totally unreasonable due to the fact it would only service one property and also as the council in approving Pearson's Trailer Court plans - the property now owned by Pearson would have no use for that road.

We are submitting a plan which entails moving all the allowable units under the 1973 P.U.D. to the South portion of the property; thereby taking total advantage of the utilities intact and making the cost of those utilities more applicable to the project and dispersing their cost where they become more equitable.

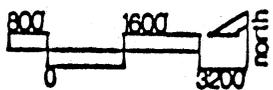
I hope our relationship in the past and Castle Design & Development Co's reputation with the city to do what they say they will - will help you to come to a favorable decision on this new development.

Sincerely,

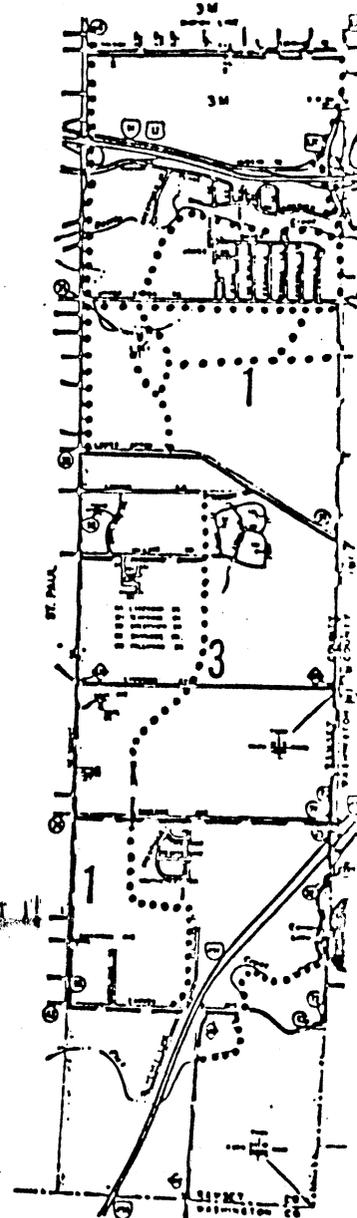
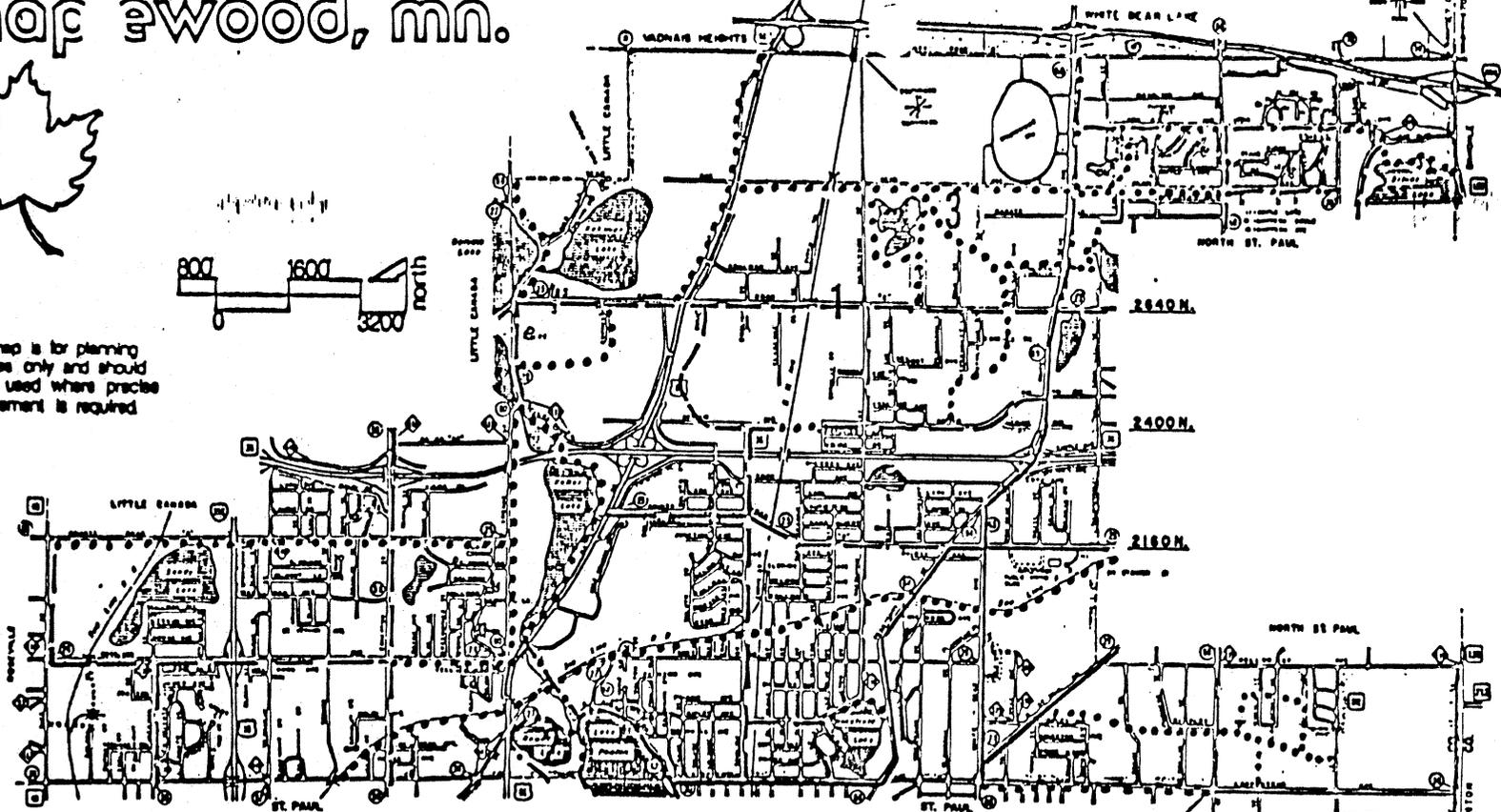


Kenneth D. Gervais/Vice Pres
Castle Design & Dev. Co., Inc.

kdg/jmg



This map is for planning purposes only and should not be used where precise measurement is required.



bicycle routes/trails

- Existing Bicycle Route (on street)
- - - Existing Bicycle Route (off street)
- - - Potential Bicycle Routes (on street)
- Potential Bicycle Routes (off street)
- 1 County Proposed Bicycle Routes
- 2 Proposed Regional Trail
- 3 City Proposed Off-Road Bicycle Routes

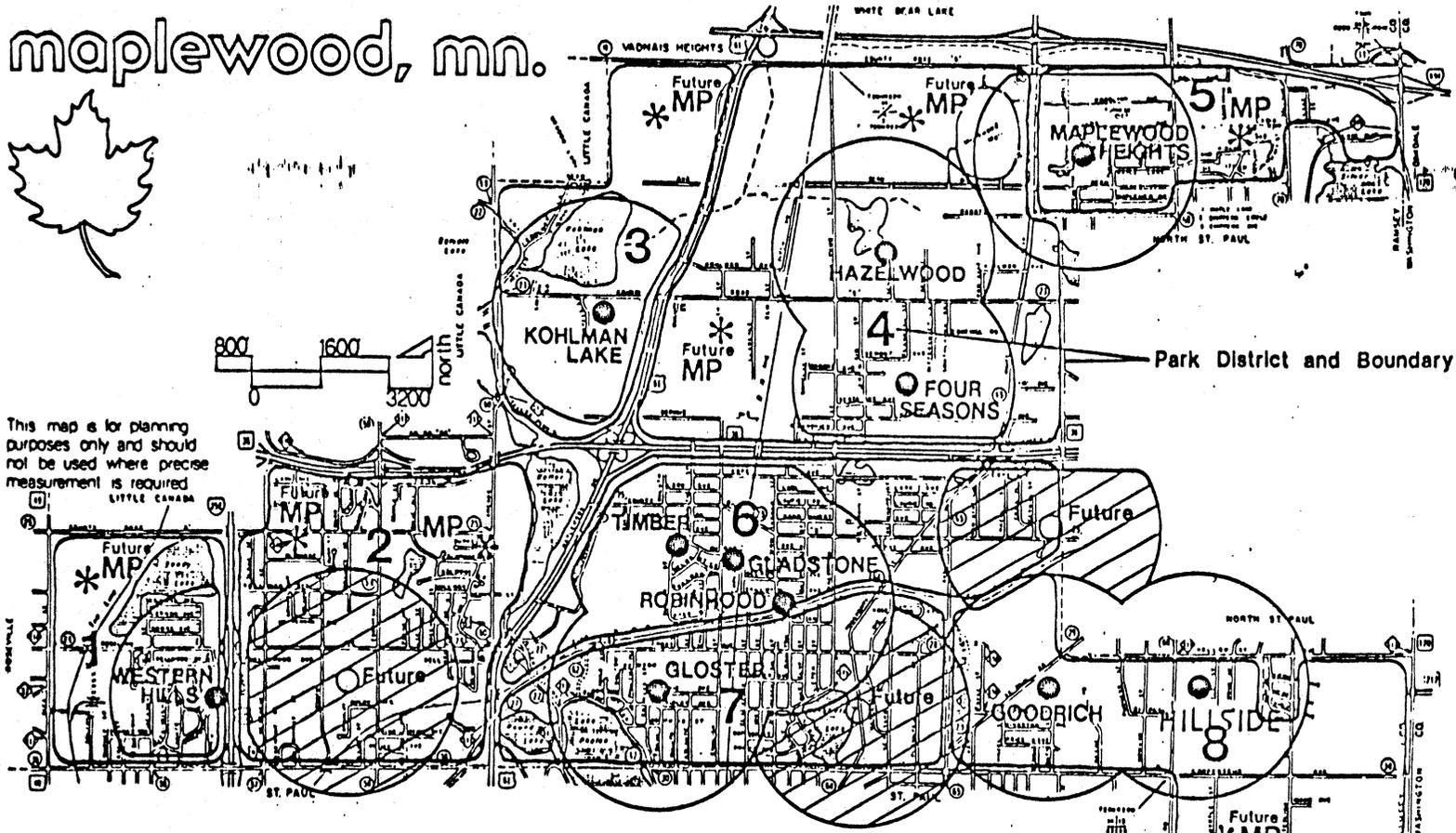
Source: Minnesota Department of Natural Resources; Maplewood Transportation Plan, Barton-Aschman; and City of Maplewood

Attachment five

maplewood, mn.



Attachment six



This map is for planning purposes only and should not be used where precise measurement is required.

GOAL: 1 Park/3000 Residents and Parks Within 1/2 Mile of Residents



Existing Neighborhood Park and Service Radius

Mini-Parks

Proposed Neighborhood Park and Service Radius

Future sites are search areas only

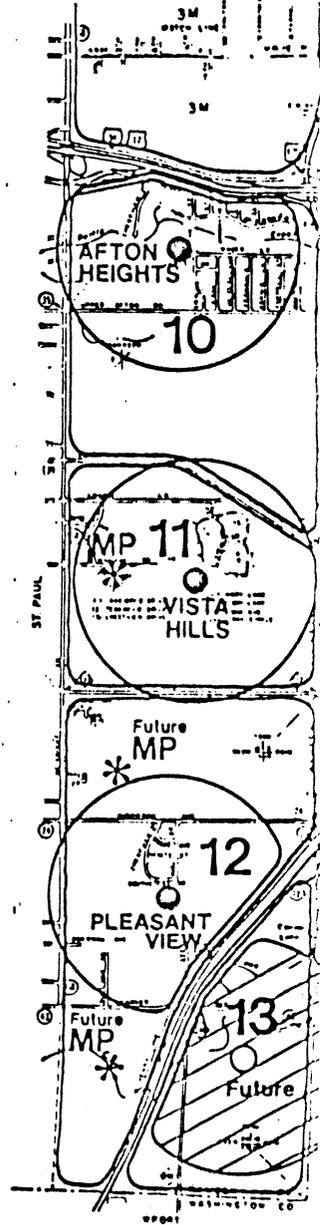
16-5

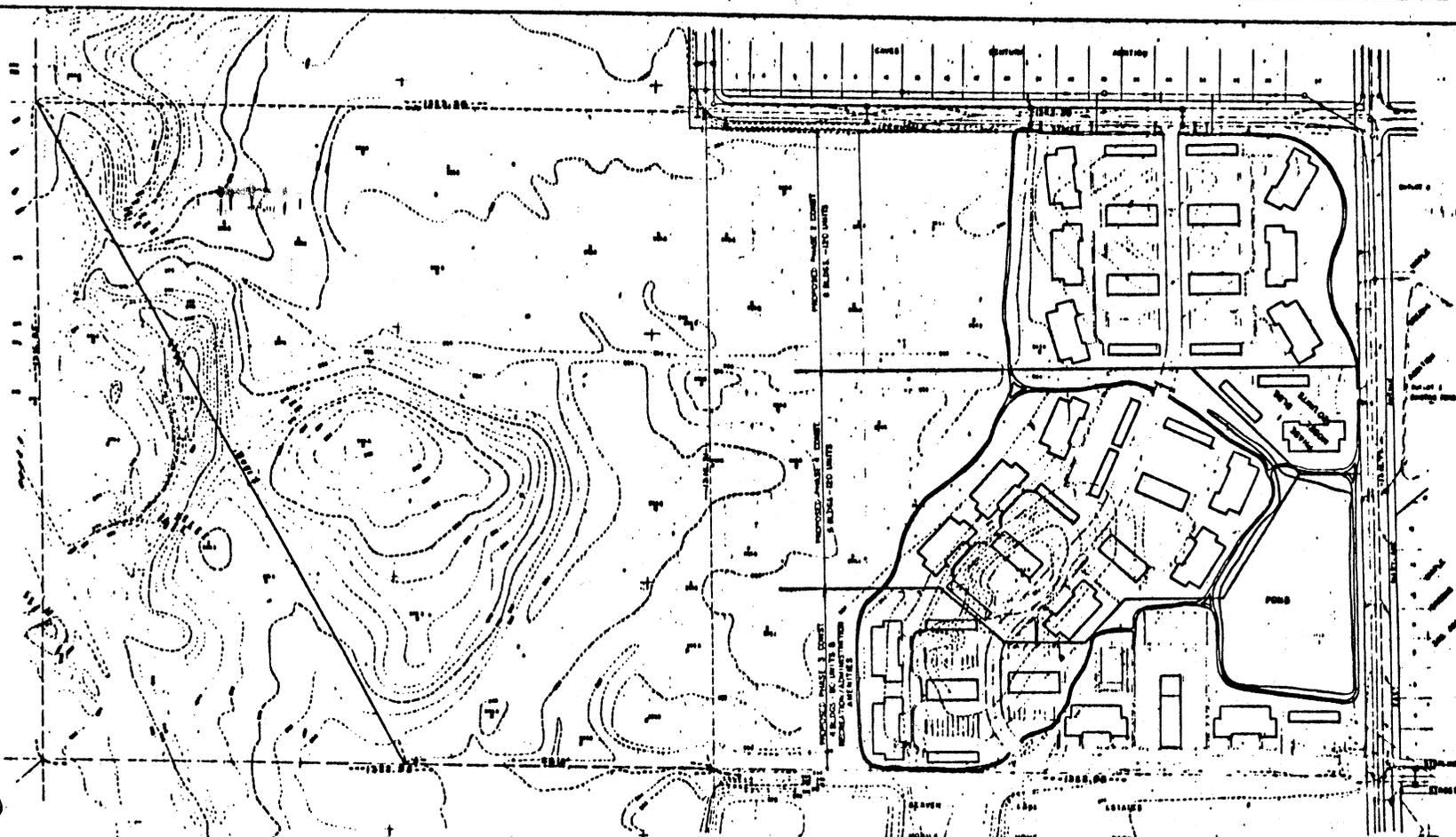
Prepared by:
Erkkila & Associates
Landscape Architecture
Planning & Design

Neighborhood Park Concept

Suite 100 2611 Co. St. Paul, MN 55111

October 1980





TYPICAL BUILDING BEDROOM COUNT

LEVEL	UNIT A	UNIT B	UNIT C	UNIT D	UNIT E	TOTAL
1ST FLOOR	2 UNITS - 2 B R'S BEA	2 UNITS - 2 B R'S BEA	1 UNIT - 2 B R'S BEA	1 UNIT - 1 B R'S BEA	—	11
2ND FLOOR	2 UNITS - 2 B R'S BEA	2 UNITS - 2 B R'S BEA	—	1 UNIT - 1 B R'S BEA	2 UNITS - 1 B R'S BEA	11
3RD FLOOR	2 UNITS - 2 B R'S BEA	2 UNITS - 2 B R'S BEA	—	1 UNIT - 1 B R'S BEA	2 UNITS - 1 B R'S BEA	11
TOTALS	6 UNITS - 6 B R'S BEA	6 UNITS - 6 B R'S BEA	1 UNIT - 1 B R'S BEA	2 UNITS - 2 B R'S BEA	4 UNITS - 4 B R'S BEA	3300

LEGAL DESCRIPTION

THAT PART OF THE NW 1/4 OF THE SE 1/4 LYING SE 1/4 OF A LINE FROM THE NE CORNER OF SAID NW 1/4 OF THE SE 1/4 TO A POINT ON THE W LINE OF SAID NW 1/4 OF THE SE 1/4 AND 480 FEET S OF THE ORIGINAL C & T P.M. S.O. RY. RIGHT OF WAY; ALSO THE SW 1/4 OF THE SE 1/4, ALL IN SECTION 34, T 18, R 22, RAMSEY COUNTY, MINNESOTA, SUBJECT TO HARTLAND AVE.

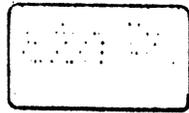
SITE DATA

GROSS AREA PER DESCRIPTION	692+ACRES
LESS STREET RIGHT OF WAY	2+ACRES
NET AREA	678+ACRES
COMPREHENSIVE PLAN R-3 RESIDENCE DISTRICT (MULTIPLE DWELLING)	
EXISTING ZONING: P-PARK RESIDENTIAL	
PROPOSED ZONING: R-3 RESIDENCE DISTRICT (MULTIPLE DWELLING)	
TOTAL CONDOMINIUM BUILDINGS	17
TOTAL UNITS PER BUILDING	120
TOTAL UNITS	2040
TOTAL GARAGE PARKING	340
TOTAL OPEN PARKING	340
RECREATION PARKING	22
TOTAL OFF STREET PARKING	702

LEGEND

- SECTION LINE
- QUARTER LINE
- SUBSECTION LINE
- PROPERTY LINE
- EXISTING S' CONTOUR
- EXISTING M' CONTOUR
- EXISTING SANITARY SEWER
- EXISTING WATERMAIN
- EXISTING STORM SEWER

DATE: 07/25/02
 100% PLAN
 001
 000



SHAWNEE ENGINEERING & ARCHITECTURE
 1100 W. WASHINGTON ST.
 MINNEAPOLIS, MINNESOTA

REVISIONS
 DATE: 07/25/02

OWNER: WASHINGTON FEDERAL SAVINGS & LOAN ASSOCIATION OF STILLWATER
 70 CASTLE DESIGN & DEVELOPMENT CO. INC.
 2415 W. WASHINGTON STREET
 55078 ST. PAUL, MINNESOTA 55108
 TEL: (612) 770-5100

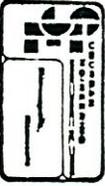
PROJECT:

PROJECT TITLE: BEAVER CREEK CONDOMINIUM HOMES

NO. 000

DATE	11/11/03
BY	...
SCALE	AS SHOWN

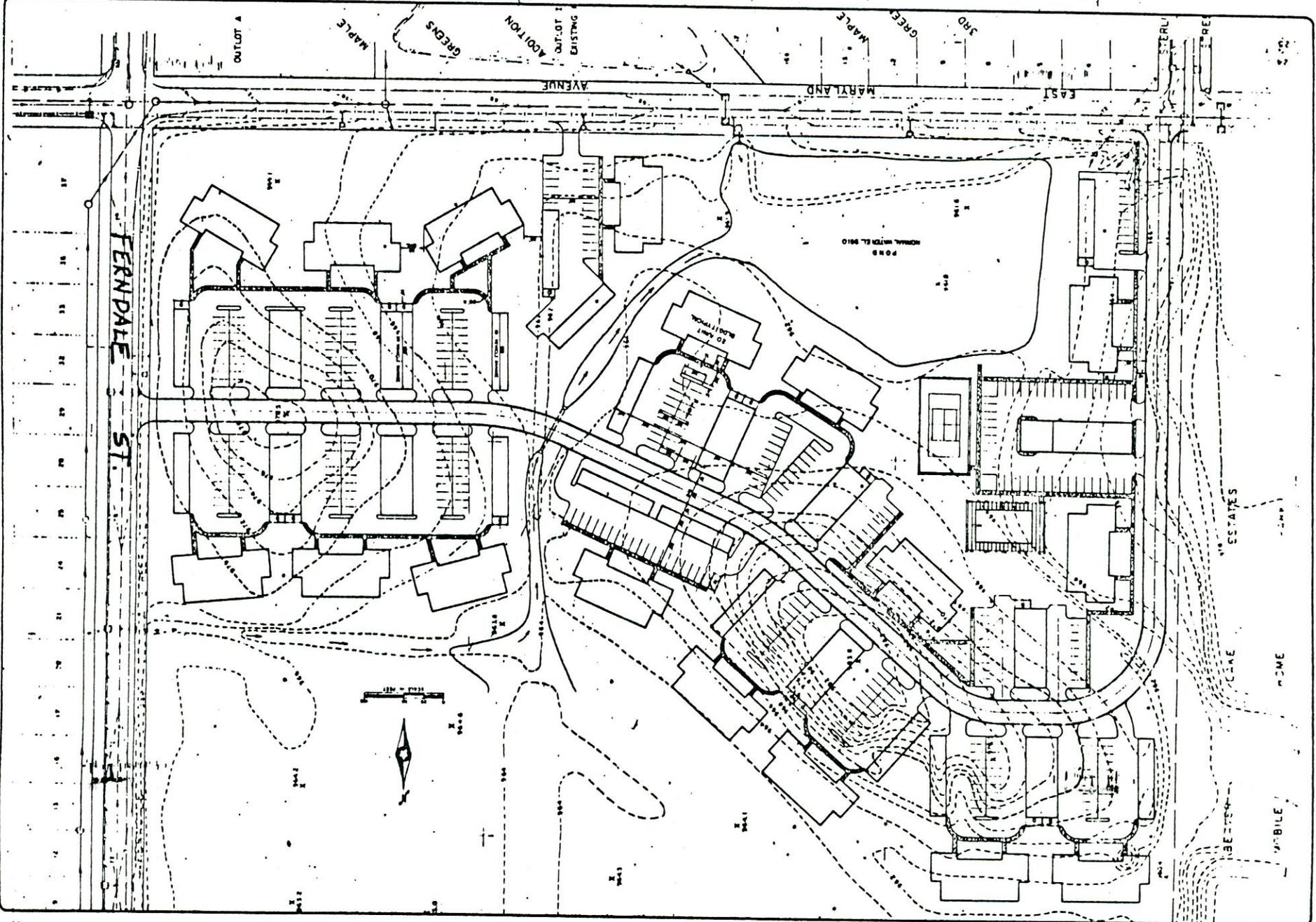
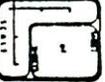
PROJECT	BEAVER CREEK CONDOMINIUM HOMES
OWNER	WASHINGTON FEDERAL SAVINGS & LOAN ASSOCIATION
DESIGNER	...



REVISIONS	DATE	DESCRIPTION

OWNER	WASHINGTON FEDERAL SAVINGS & LOAN ASSOCIATION
DESIGNER	...
DATE	...

PROJECT	PROPOSED PUD BEAVER CREEK CONDOMINIUM HOMES
OWNER	...
DATE	...



MEMORANDUM

Action by Council:

TO: City Manager
 FROM: Assistant City Engineer
 DATE: April 29, 1983
 SUBJECT: T.H. 61 Frontage Road, Project No. 80-10
 Award of Construction Contract

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

Construction bids were received and opened on March 11, 1983. The bidding results were furnished to the City Council at the March 14, 1983 meeting. Attached is a copy of the memorandum for your reference.

The bid from the low bidder, U. D. Contracting, Inc. was used for determining the estimated project costs during the assessment hearing held on April 11, 1983. At the assessment hearing and subsequent "findings of fact" meeting, special requests were heard concerning three property owners. The nature of the requests are not considered to result in appeals.

On April 25, 1983, the City Council authorized the execution of the Cooperative Agreement with the Minnesota Department of Transportation for the construction and cost sharing responsibilities of the project. We anticipate that the State will sign the agreement within the next two weeks.

In consideration of the forementioned data, we herewith recommend that the City Council award a construction contract to the low bidder, U. D. Contracting, Inc. in the amount of \$409,715.90. The award should be contingent upon execution of the Cooperative Agreement by MnDOT.

mb
 Enc.

RESOLUTION
FOR
AWARD OF BIDS

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of U. D. Contracting, Incorporated in the amount of \$409,715.17 is the lowest responsible bid for the construction of the T.H. 61 Frontage Road, Project No. 80-10, 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, upon ratification of the Cooperative Agreement for the construction of said improvements by the Minnesota Department of Transportation.

MEMORANDUM

PROJECT NO. 80-10FOLDER NO. 8INITIALS DJP

TO: City Manager
 FROM: Assistant City Engineer
 SUBJECT: Tabulation of Bids, T.H. 61 Frontage Road, Project 80-10
 DATE: March 14, 1983

Construction bids were received on Friday, March 11, 1983 for the above-referenced project. We are herewith providing you with the bidding results for City Council review.

BIDS RECEIVED

Ranking	Bidder	Bid Bond	Total Amount of Bid
1	U. D. Contracting, Inc.	5%	\$409,715.17
2.	Total Asphalt Constr. Co.	5%	410,725.90
3.	W.G. Hehbeing Bros, Inc.	5%	418,180.24
4.	Hardrives, Inc.	5%	426,761.60
5.	Orfei & Sons, Inc.	5%	429,905.73
6.	Alexander Constr. Co.	5%	433,048.07
7.	Forest Lake Constr., Inc.	5%	433,095.45
8.	C. S. McCrossan, Inc.	5%	449,961.79
9.	Schafer Constr. Co., Inc.	5%	475,258.65
	Engineer's Estimate		433,387.00

Attached is a Tabulation of Bids delineating the itemized unit prices and extensions of all of the bids received.

Recommendation

U. D. Contracting, Inc. did perform the work on the North Hazelwood Park-- Project 80-02. Even though we did experience problems with the contractor, and the contractor did proceed with arbitration against the City, we see no legal basis for rejection of their bid. We will, therefore, use their bid for the basis of the assessment which will be held on April 11, 1983.

H-1

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Director of Public Works
SUBJECT: Request from Mr. Harry Otto
DATE: May 2, 1983

Endorsed _____
Modified _____
Rejected _____
Date _____

Staff has investigated the work required to satisfy Mr. Otto's request. The work involves building a catch basin, installing approximately 45 feet of pipe, filling the boulevard and restoring the surface. The cost range is about \$800.00 to \$1000.00.

As the Council may recall, Mr. Otto previously requested the City to address a drainage problem. Last summer the work was done and apparently does function, according to Mr. Otto. The filling and piping now requested would negate any positive effect created by last year's work.

It should also be noted that similar requests from property owners are not uncommon. If the Council wishes to address these types of problems on a regular basis, appropriate accounts should be established and funded through the budget process.

MEMORANDUM

I-1
Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Finance Director *D. Orust*
RE: Budget Transfer for Microcomputer Purchase
DATE: May 2, 1983

PROPOSAL

It is proposed that budget transfers totaling \$4,640 be approved for the purchase of a microcomputer to replace the leased computer terminal in the Finance Department.

BACKGROUND

Currently the City is paying \$104 per month for a leased computer terminal in the Finance Department. This terminal was installed last Fall when the City changed to an on-line data processing system. It is proposed that the terminal be replaced with a Hewlett-Packard Model 125 microcomputer which would be identical to the system in the Public Works Building.

The advantages of this proposal are as follows:

1. Purchase of a microcomputer would be cheaper in the long run than continuing to lease a terminal for data entry to the LOGIS system.
2. The microcomputer could be used for fixed asset accounting records which are now maintained by Marshall & Stevens, Incorporated. This would save money and allow fixed asset reports to be printed more often and with less turn-around time.
3. A microcomputer would enable the finance staff to use Visicalc software for the preparation of accounting worksheets and financial projections.
4. The microcomputer would provide word processing capabilities.
5. Software purchased for the microcomputer in the Public Works Building could be used on the microcomputer in the Finance Department as they would be identical models.
6. The microcomputer proposed for purchase has the capability for communication with the Ramsey County computer and the mini-computer in the Public Safety Department should the need arise in the future.
7. A sales promotion is currently in effect which would allow the City to purchase the microcomputer for \$700 less than what was paid when the Public Works Department made their purchase.

TO: City Manager
May 2, 1983
Page 2

The total cost of the microcomputer and required peripherals is \$6,640. Earlier this year the Council approved a 1982 Budget carry-over of \$2,020 to partially finance this purchase. It is proposed that the remaining monies needed for this purchase be financed by savings due to cancellation of the terminal lease (7 months @ \$104) and the balance from the contingency account.

RECOMMENDATION

It is recommended that the Council authorize the above budget transfers totaling \$4,640 to finance the purchase of a microcomputer.

DFF:1nb

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Finance Director *[Signature]*
RE: 1982 Annual Financial Reports and Audit
DATE: April 26, 1983

Endorsed _____
Modified _____
Rejected _____
Date _____

Recently the City's 1982 Annual Financial Reports and audit were completed. Three documents have been prepared this year:

- 1) General Purpose Financial Report - contains data extracted from the Comprehensive Annual Financial Report and provides a concise summary of the City's financial condition. Copies of this report will be distributed to the City's advisory boards, commissions and council. Also, a limited supply will be available to the public.
- 2) Comprehensive Annual Financial Report - contains detailed financial and statistical information to provide complete information on all financial transactions during the year. Copies of this report will be distributed to the Council, State Auditor, Moody's Investors Service, Standard and Poors, bond investors and the Maplewood Library.
- 3) Management Report and Recommendations - contains the auditors comments on the City's financial condition and provides recommendations regarding financial management. Copies of this report will be distributed to the Council and Finance staff on approximately April 29th.

It is recommended that the Council schedule a meeting with the auditors to discuss these reports. In the past, these meetings have been held in conjunction with the regular Council-Staff meeting on Thursdays. As an alternative, a special meeting could be held to allow more time for discussion and review of the reports.

DFF:lnb

MEMORANDUM

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Finance Director *H. O. Ernst*
RE: Ordinance to Abolish Insurance Committee (1st Reading)
DATE: May 2, 1983

PROPOSAL

It is proposed to have first reading of the attached ordinance to abolish the Insurance Committee to avoid potential violation of antitrust laws.

BACKGROUND

The Insurance Committee was formed several years ago to eliminate the procedures wherein one agent was regularly awarded the City's insurance coverages without competition. Annually, the Insurance Committee obtains quotations on the City's insurance coverages (except for employee group insurance) and prepares a recommendation to the City regarding placement of insurance. Present members of the Committee are Jerry Ekblad, Bill Howard, Irving Anderson, Ed Maranda, John Winter and Dick Pearson. More details regarding the Committee are in the attached excerpts from the Maplewood Code (Exhibit A).

In November, 1982, I was contacted by a representative of a professional risk management firm regarding the management of the City's insurance program. This representative suggested I check the legality of the City's Insurance Committee and mailed to me a copy of an agreement between the Attorney General and insurance agents for the City of Virginia, Minnesota. On November 4th, I mailed this agreement to the City Attorney and requested a written opinion on the legality of the City's Insurance Committee.

In January, I received a publication on the application of antitrust laws to insurance purchases. This publication dealt extensively with alternative insurance purchasing procedures (including the use of insurance committees) and cited legal opinions regarding antitrust laws in relation to insurance purchasing. This publication was referred to the City Attorney and a copy is attached (Exhibit B).

On April 27th, the City Attorney issued a legal opinion "that the City should abandon its present ordinance and method of obtaining insurance and resort to a method which will not be in violation of the antitrust laws." A copy of this opinion is attached (Exhibit C).

On April 28th, the City Attorney and I attended a meeting of the Insurance Committee. The Committee members were presented a copy of the City Attorney's legal opinion and a long discussion ensued. The following is a summary of the items discussed:

TO: City Manager
May 2, 1983
Page 2

1. A recommendation would be made to the City Council at its May 9th meeting to have first reading of an ordinance that would abolish the Insurance Committee.
2. Members of the Insurance Committee volunteered to assist the City in the preparation of specifications for proposals on insurance coverages that expire July 1, 1983.
3. The specifications will be drafted in a manner to allow the greatest possible number of quotations.
4. The specifications will be reviewed, typed and duplicated by the City no later than May 15.
5. The City will publish ads in the Maplewood Review and St. Paul Dispatch requesting insurance quotations.
6. Insurance quotations will be due by mid-June and they will be evaluated by the City with assistance from members of the Insurance Committee that did not submit quotations.
7. A recommendation will be made to the City Council at its June 27th meeting regarding placement of insurance coverages effective July 1st.
8. Items that must be considered regarding an ordinance for a new Insurance Committee are elimination of the residency requirement, requirement that insurance specifications drafted by the Committee be drawn to promote competition, Committee members that evaluate quotations cannot submit a quotation, and insurance commissions must not be split among committee members.

When the meeting adjourned, it was decided that future meetings would be on an informal basis until a new ordinance is drafted to reform the Insurance Committee.

The only viable alternative to an Insurance Committee in the future would be the use of a professional risk management firm to determine necessary insurance coverages, draft specifications and evaluate quotations. At least three metropolitan area cities have recently hired a professional risk management firm. These cities are Burnsville, Eden Prairie and Bloomington. It would cost approximately \$2,400 if we were to hire a professional risk management firm.

RECOMMENDATION

It is recommended that the attached ordinance (Exhibit D) be approved for first reading.

DFF:lnb

(b) The provisions of Minnesota Statutes, Sections 419.01 through 419.18, providing for the powers and duties of the commission, are hereby adopted and made a part of this chapter as if fully set forth herein. (Ord. No. 223, § 1, 3-3-67)

State law references—Existing civil service commission in a city not affected upon the adoption of the Optional Plan B council-manager form of government, M.S. § 412.621, subd. 2; authority for city to create a police civil service commission, M.S. § 419.01; authority for city to adopt the provisions of state law in the above section, M.S. §§ 419.01, 471.62.

Secs. 2-87—2-95. Reserved.

DIVISION 4. INSURANCE COMMITTEE

Sec. 2-96. Established; purpose; function; etc.

There is hereby established for the city an insurance committee as an advisory board to the city council to obtain, when ordered by the city council, the best insurance coverage for the city at the most reasonable rates. (Ord. No. 316, § 2 (§ 210.010), 6-8-72)

Sec. 2-97. Qualifications of members; indefinite terms of office; annual report.

(a) A member of the insurance committee created in this division must have the following qualifications and he must:

- (1) Be a natural person.
- (2) Have been a resident of the city for a period of one year, or have maintained his principal office in the city for the sale of insurance for a period of one year immediately preceding his becoming a member, and shall continue to be a resident throughout his membership on the committee.
- (3) Be licensed to transact all lines of insurance which the committee may place for the city, and have been so licensed for at least one year before being accepted into membership.
- (4) Derive at least seventy-five (75) per cent of his earned income from his occupation as an insurance agent, and must remain active in the sale and service of insurance.
- (5) Not be an employee of the city, nor hold an elective public office in the city.

(6) Be an insurance agent covered by errors and omissions insurance.

(b) All parties so qualifying shall be reported to the council and appointed to the committee and will remain members of the committee until they fail to meet the aforesaid qualifications or resign from said committee.

(c) The committee shall, within thirty (30) days after its annual meeting, provide the council with a full report of its proceedings for the year, including an up-to-date list of the members of the committee and the offices held in the committee by said members. (Ord. No. 316, § 3 (§ 210.020), 6-8-72)

Sec. 2-98. Officers; meetings; annual meeting.

The insurance committee created in this division shall elect its own officers and establish meeting times; except that, the annual meeting shall occur on the last Thursday in October at 7:30 p.m. in the city hall. (Ord. No. 316, § 4 (§ 210.030), 6-8-72)

Sec. 2-99. Duties.

The duties of the insurance committee created in this division shall be as follows:

- (1) To review, study and make recommendations to the city council in regard to the insurance coverage and program for the city;
- (2) To prepare specifications for insurance coverage to be presented to the council;
- (3) Consult with the city manager and various members of the staff relative to insurance programs;
- (4) Upon order of the city council to obtain such contracts of insurance and bonds as are requested by the council. (Ord. No. 316, § 5 (§ 210.040), 6-8-72)

Sec. 2-100. Compensation and expenses.

The insurance committee created in this division shall pay all of its own expenses, including compensation to the members, if any,

§ 2-100

MAPLEWOOD CODE

from earned commissions on the insurance obtained for the city. The city shall have no further obligation to pay compensation or expenses. (Ord. No. 316, § 6 (§ 210.050), 6-8-72)

Sec. 2-101. Bylaws.

(a) The bylaws of the insurance committee created in this division shall be approved by the city council, and three (3) copies of which shall be kept on file in the office of the city clerk.

(b) Any amendment to such bylaws shall be effective only on approval by resolution of the city council. (Ord. No. 316, § 7 (§ 210.060), 6-8-72)

[The next page is 131]

Governmental Risk Management Manual

**SUPPLEMENT
No. 39**

This material deals with application of Antitrust Laws to insurance purchase and should be placed in the Manual following page 8-56.

TO Mayor & Council
 City Manager
 City Clerk
 Pub. Safety Director
 Pub. Works Director
 Comm. Dev. Director
 Comm. Serv. Director
 Personnel Director
 Other Don Lairs

FROM Director of Finance

DATE 1-25-83

Antitrust and Insurance Purchasing

INTRODUCTION

Ever since the passage of the Sherman Antitrust Act in 1890, local school boards have been operating under the concept that they were exempt from the operation and application of that law. With the United States Supreme Court decision of January 1, 1982, in *Community Communications Company, Inc. v. City of Boulder, Colorado, et al.* (No. 80-1350), this has all changed. In that decision, a majority of the court said that local jurisdictions *are* subject to the antitrust laws.

This decision can have tremendous impact on the way that political subdivisions of the state purchase various products and services, including insurance. For whatever reason, insurance appears to be the last vestige of the patronage system in local governments! Many have already "cleaned up their act!" Others have not.

It is the intent of this article to look at the situation involved in insurance purchases in light of the *Boulder* decision from a non-legal viewpoint and make recommendations how to avoid the potential lawsuits that could develop from the use of illegal methods of purchase.

THE BOULDER DECISION

In 1943, in *Parker v. Brown* (317 U.S. 341), the U.S. Supreme Court addressed the question of whether the federal antitrust laws prohibited the State, in the exercise of its sovereign powers, from imposing certain anticompetitive restraints. It was noted that California's program "derived its authority . . . from the legislative command of the state (at page 350), and was therefore exempt, by virtue of the Sherman Act's own limitations, from antitrust attack." The Court stated:

We find nothing in the language of the Sherman Act or its history which suggests that its purpose was to restrain a state or its officers or agents from activities directed by its legislature. In a dual system of government in which, under the Constitution, the states are sovereign, save only as Congress may constitutionally subtract from their authority, an unexpressed purpose to nullify a state's control over its officers and agents is not lightly to be attributed to Congress (at pages 350-351).

The availability of this exemption to a State's municipalities was presented in *City of Lafayette, Louisiana v. Louisiana Power & Light Co.* (435 U.S. 389) in 1978. In reviewing the appli-

cability of the "state action" doctrine enunciated in the *Parker* decision, the Court stated:

Cities are not themselves sovereign; they do not receive all the federal deference of the States that create them. *Parker's* limitation of the exemption to "official action directed by a state" is consistent with the fact that the States' subdivisions generally have not been treated as equivalents of the States themselves. In light of the serious economic dislocation which could result if cities were free to place their own parochial interests above the Nation's economic goals reflected in the antitrust laws, we are especially unwilling to presume that Congress intended to exclude anticompetitive municipal action from their reach (at pages 412-413).

The state might sanction anticompetitive municipal activities and thereby immunize municipalities from antitrust liability. The "state policy" that was thus relied upon would have to be "clearly articulated and affirmatively expressed" (at page 410). The Court further stated that ours is a "dual system of government, which has no place for sovereign cities" (at page 351). In the *City of Lafayette* decision, the court stated that "municipalities are not themselves sovereign and that accordingly they could partake of the *Parker* exemption only to the extent that they acted pursuant to a *clearly articulated and affirmatively expressed* State policy (at pages 412-413; emphasis supplied).

Such a requirement of "clear articulation and affirmative expression" is *not* satisfied when the State's position is one of mere neutrality respecting the municipal actions challenged as anticompetitive.

As a result of the *Boulder* decision, one can state categorically that, unless that state legislature clearly articulates and affirmatively expresses it to be state policy to permit a local government — city, town, county, or school district — to regulate itself in purchasing procedures, such local government may find itself subject to the antitrust laws if it uses anticompetitive procedures.

INSURANCE PURCHASING PROCEDURES

There are numerous methods employed by local government in the purchase of insurance, ranging from the award to a local agent/broker on a political patronage basis to competitive bidding. A brief look at these procedures follows.

Award Politically Motivated. In this type of situation, members of the Board or Council are permitted to award insurance contracts to local agents/brokers who reside in their district and are, at a minimum, members of the same political party, to advise and write their insurance policies. Let it be stated that this procedure may be used by any political party. At a local level, a county did use a system whereby each Supervisor was permitted to award 11 insurance policies (out of a total of 33) to agents/brokers living in his/her district. These were obviously awarded to those agents/brokers who "supported" that Supervisor.

Use of an Agents' Association. In some jurisdictions, the local agents' association is the organization that both advises and writes the insurance for that jurisdiction. This may or may not be politically motivated; usually it is not. It is merely the "easy" way to do it. The procedure may be by a formal contract with the association, it may be by formal resolution of the governing body, or it may be merely informal. In any case, the commissions on the insurance are usually shared among the members of the association, with the member who actually writes and services the account receiving a larger share of the commission for his/her efforts. In other cases the association itself, where this is legal, may receive the entire commission and use it as the association sees fit.

Use of a Committee of Local Agents. In this type of situation, a committee is selected by the governing body from a list of applicants. The applicants may be any agent in the community, or it may be that just members of the local agents' association are solicited for applications. The members of the committee then advise the jurisdiction on their insurance needs and write the appropriate insurance. Members of the committee may receive either the commissions on this insurance or may merely receive either the commissions on this insurance or may merely receive a fee in lieu of such commissions.

Use of Competitive Bidding. Under this format, formal specifications are drafted either by in-house staff or by outside contractors and distributed to the insurance marketplace for bids. When the bids are received, they are analyzed and an award made to the lowest and best bid. The idea behind this is to take insurance out of the political arena and receive the best contract, service, and price available in the marketplace.

Use of Pre-Qualification of Agents/Brokers. This method started in California and has spread to other parts of the country. Agents/brokers are asked to complete a questionnaire and, those

selected from the respondents are to participate in an interview. The one, two, or three top participants are then selected to represent the jurisdiction to the insurance marketplace to receive the best contract and price for the coverage requested. The competition is between the agents/brokers selected, and the bidding that takes place is between those agents/brokers who complete the questionnaires. Compensation may be on a commission or a fee basis.

INSURANCE PLACEMENT AND ANTITRUST APPLICATION

From those placement procedures listed above, it is clear that the last two – competitive bidding and pre-qualification – if done properly, have no involvement with the antitrust laws. It is not so clear for the first three methods.

On January 10, 1977, the Attorney General for the State of Arizona issued opinion 77-4 (R75-747, R75-760). It may be of interest to know that the Attorney General at that time is now the Governor of the State of Arizona. The opinion is based on two questions raised by a State Senator:

1. whether a school board may purchase group insurance coverage for district employees without competitive bidding; and
2. whether a school board can legally provide group insurance coverage for its employees through the services of an advisory committee composed of insurance agents who each receive a portion of the insurance commission generated by the purchase of such insurance.

The answer to the first question raised is not of paramount importance for the purpose of this article; however, several comments of the Attorney General are of interest. It was stated in the opinion that school districts are considered to be *political subdivisions* of the State rather than state agencies. Though this is applicable to only Arizona, it is probably the interpretation that would be obtained by most, if not all, of the school districts in the country if such a question was raised. It was further concluded that, in Arizona, the competitive bidding requirement (A.R.S. 41-730) does *not* mandate the use of competitive bidding by school districts.

The Attorney General went on, however, to state that it should be emphasized that school districts, like all public agencies, have a fiduciary obligation to obtain maximum return for each tax dollar spent.

In answer to the second question raised, the Attorney General stated that the insurance advisory committee poses potential antitrust violations. These potential antitrust violations are

based on two fronts: the problem of commission splitting by an advisory group of insurance advisors charged with recommending an insurance carrier, and, to the extent the advisory board conspires to eliminate competitors, its behavior would constitute the establishment or maintenance of a monopoly or attempt to monopolize in violation of the law.

Thus, if an advisory committee of insurance agents both advises and then places the insurance it has so advised purchasing, it may be in violation of the Arizona antitrust statutes as an unlawful agreement among competitors to allocate customers. An agreement among competitors (the agents) to allocate customers or classes of customers is a *per se* violation of the antitrust laws, *United States v. Consolidated Laundries Corp.*, 291 F. 2d 563 (1961), and the school board should not lend its tacit approval to the scheme.

The use of an advisory committee raises potential problems analogous to the scheme in *Continental Ore Co. v. Union Carbide Corp.*, 370 U.S. 690 (1962) where the Canadian government designated an industry member as its exclusive purchasing agent for vanadium. There, the court found the alleged conspiracy between the defendants and the purchasing agent to exclude Continental from the market was not immune from the reach of the antitrust laws.

A more serious question was raised by the Attorney General — whether or not a school board itself would also be liable because of its involvement with the advisory board. Under the *Parker* decision, it had been assumed that governmental bodies themselves were immune from the antitrust laws. With the decision in the *Boulder* case, that assumption has been dispelled unless it is undertaken under the clearly articulated and affirmatively expressed policy of the state legislature. A further question involves the potential liability of an individual public official as distinguished from a governmental body for participation in an unlawful conspiracy.

Not only did the opinion hold the advisory committee in violation of the antitrust laws, but went further and viewed that the commission splitting arrangement among committee members would also violate the insurance code of Arizona. In this regard, too, he noted that an Arizona statute prohibits a successful bidder for insurance to *the State* to directly or indirectly split commissions with a person who has not performed services. Though that particular statute relates to the state, it is the opinion of the Attorney General that it at least suggests a general legislative policy against the splitting of commissions. Thus, the practice of sharing commissions with "advisors" who are not themselves rendering substantial services raises serious ques-

tions of illegality and should not be tolerated by any public body.

In 1976, the Attorney General of the State of Missouri issued a set of advisory guidelines with respect to the purchase of insurance by political subdivisions which were attached to the Arizona opinion. These guidelines were the result of an exhaustive study of insurance purchasing practices of Missouri municipalities. Let us look at these guidelines.

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

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

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

The Attorney General did, however, provide some guidelines or methods that could be employed that would not be violative of the antitrust laws. The political subdivision has the

authority to assure itself that the writing agent and underwriting insurance company are reputable and will provide the necessary service both before the implementation of an insurance plan as well as follow-up service after the coverage has been purchased. As examples: a minimum rating by A. M. Best Company may be required of the underwriting company; a financial and reputation check may be made on the agent/broker; a requirement that the agent or company have a designated number of years in the business of insurance; a requirement that the agent/broker be reasonably accessible to provide continuing service (without being a subterfuge to allow only a select group of persons to monopolize the business); competitive bidding is another way that would not offend the antitrust laws (again only if agents in a larger geographical area are allowed to bid); and finally the use of an agent of record after an interviewing process has been followed that is designed to secure the widest possible choice. When this latter method is employed, the political subdivision should implement a program whereby *all* interested agents or firms which are capable of providing such service are afforded the opportunity to compete for the position. Again, exclusionary restrictions cannot be established that allow only local agents or a select group of agents the opportunity to compete for such a position.

To avoid a conflict with the antitrust laws, the political subdivision must utilize a system that affords all interested parties who qualify under reasonable and predetermined criteria an equal opportunity to sell the insurance coverage that is needed.

COMMISSION SPLITTING

In all too many cases, especially where an association of agents or an agent's committee is used for the placement of insurance, the commissions that are received are shared with numerous agents. Few, if any, of those agents receiving a share of the commission have performed any services for that share. The Superintendent of Insurance of the State of New York has established a rule that prohibits such sharing of commissions with agents who have performed no services. At least two Attorneys General have given opinions that rule this to be against the state and federal antitrust laws. It is understood that the Attorney General of the State of New Hampshire has handed down a similar opinion.

Rather than splitting commissions with other agents, some associations or committees use part of the commission to purchase various items for which there is no budget. At the annual meeting of the Public Risk and Insurance Association

(PRIMA) held in San Antonio, Felix Kloman, President of Risk Planning Group in Darien, Connecticut, told of such an association. They used 40% of the commissions for the purchase of various items for a municipality. The statement was then made that they could have received 40% less commission and saved the municipality that much money in its insurance premiums. If a political subdivision does not budget for an item, then using commissions to purchase that same item is a mere subterfuge on the part of the governing authority inasmuch as budgeted funds — insurance premiums — are being used, at least in part, to purchase unbudgeted items. The purchased items are usually determined after consultation with the governing authorities.

AN EXAMPLE

In light of what has been stated, an example of the type of activity that has been discussed is in order. In this example one should bear in mind that nothing will be said or implied that the insurance actually purchased on behalf of the municipality is out of order; however, this is merely a discussion of the *method* of placement.

On June 25, 1982, the City of Phoenix, Arizona, executed a Memorandum of Understanding (No. 29934) with the City of Phoenix Insurance Committee, hereafter referred to as the Committee. This is a matter of public record. The sole question regarding this memorandum is in regard to the placement of insurance as it relates to previous discussion in this Supplement.

Pertinent sections of this memorandum are as follows:

- C. . . . All such proposals shall include a provision that the total commission shall be withheld by the Committee as now or hereinafter constituted, or its successors, as trustees for a special account of the Independent Insurance Agents of Phoenix. This account shall be used for expenditures necessary to maintain executive office and personnel for the primary purpose of servicing the insurance business of the City. The expenditures of money from this special fund over that necessary to maintain a reasonable executive office and personnel is to be used for expenditures involving the public betterment of the City of Phoenix embracing such subjects as fire prevention, safety programs, and the advancement of the Independent Insurance Agents of Phoenix. The control of this special account shall be in the hands of the five members of the City Insurance Committee and the President, Vice-President, and Secretary-Treasurer of the Independent Insurance Agents of Phoenix.
- D. Arrangements may be made for proposals outside the membership of the committee if such action is deemed necessary to obtain the best competitive proposal for the City. Such outside proposals will be

placed through the Committee with as much of the commission as possible to be paid to the special fund of the Phoenix Association.

* * * * *

1. The members of the Committee shall be appointed by the City Council from nominations submitted by the Independent Insurance Agents of Phoenix. The Association shall submit three names for each vacancy to be filled, each of whom shall be a legal resident of the City of Phoenix.

In light of the opinion of the Attorney General of Arizona (77-4) discussed earlier in this Supplement, the question can be raised as to whether or not the City Council of Phoenix, acting in a fiduciary capacity for public funds, is obtaining the maximum return for each tax dollar spent on insurance.

That same opinion raises the further question of whether an insurance advisory committee poses potential antitrust violations. The bases for this question are: commission splitting and an attempt to monopolize. As previously stated, if an advisory committee of insurance agents both advises and the places the insurance it has so advised purchasing, it may be in violation of the Arizona antitrust statutes as an unlawful agreement among competitors to allocate customers.

The previous discussion also refers to the recommendations of the Attorney General of the State of Missouri. Among practices that he determined to be unreasonable restraints on trade and violative of state and federal antitrust laws are:

3. awarding the insurance coverage to only local firms or agencies;

* * * * *

6. awarding the insurance coverage only through local insurance agents' associations or like committees of selected insurance agents;
7. restricting those firms or agencies who can compete for a municipality's insurance coverage to firms or agencies which reside in, maintain offices in, pay taxes in, or maintain some other form of localized contact with the municipality.

As noted above, the names submitted to fill each vacancy on the Committee "shall be legal residents of the City of Phoenix," thus excluding residents of any other city in the State of Arizona from competing for this business. According to the opinions referred to earlier, this appears to be a restraint of trade and, thus, violative of the antitrust laws of the nation and the states.

Most, if not all states, including Arizona, have a statutory provision against the splitting of commissions with other persons not similarly licensed. In Arizona, this is A.R.S. Section 20-311B. This

question arises inasmuch as the commissions received by the Committee are received by it as trustees for a special account of the Independent Insurance Agents of Phoenix. One may interpret that as splitting, or even giving, the commission to the association which, in all likelihood, is not a licensed agent. Though not an antitrust question, it is another mark against this method of placement. In a true commission splitting arrangement, other agents, usually members of the association, would receive a share of the commission without rendering any service. Indirectly, one could say this case is one of commission splitting in that the dues of the association are not as high as they otherwise might be if they had to support the office and personnel of the association entirely.

Another area of potential illegal activity is that provision in the memorandum in which it states that funds not used otherwise will be used for the public betterment of the City of Phoenix, including such programs as fire prevention and safety. Again, most, if not all, states have an Unfair Trade Practices article in their insurance code. In Arizona, this is Article 6, Chapter 2, Title 20. A.R.S. Section 20-452 specifically refers to illegal inducements. In that section, among other provisions, it is against the law to give an insured "any prizes, goods, wares, merchandise or tangible property of an aggregate value in excess of two dollars." There are few items that can be used for public betterment that cost less than two dollars!

If your political subdivision has a contract, memorandum, or Council resolution that has any of the provisions mentioned in this example, or ones similar to them, you may be in violation of state and/or federal antitrust laws. Further, you may be in violation of your state's insurance code. Agents, as a group, are public spirited citizens of their community. Why they permit themselves and their community to become involved in such activities is only speculation. Rather than speculate, why not take the appropriate action before legal suits are filed?

CONCLUSION

In all too many political subdivisions, the method employed for the purchase of insurance is violative of both the state and federal antitrust laws. Prior to the *Boulder* decision, this apparently posed no problem for the governing authorities inasmuch as it was believed that they were not subject to the antitrust laws. That decision changed everything!

Competitive bidding is not the only solution to the problem. As a matter of fact, as pointed out by the Attorney General of the State of

Missouri, under certain circumstances, even competitive bidding might be violative of the anti-trust laws. Properly done, competitive bidding is but *one way* to avoid the potential penalties of the law. The pre-qualification of the agent/broker through the use of predetermined criteria is another way. The crux of the question is whether or not the political jurisdiction imposes unjust geographical limitations upon qualified agents/brokers.

As a final comment, bear in mind that the penalties of the Sherman Act include triple

damages. There is some current thought that individual members of governing bodies might be liable as well as the political subdivision itself. It is unfair to your public to continue a method of insurance purchasing that may cause you to pay a higher price than competition would dictate as well as for them to have a governing body that violates the law in its activities. It is suggested, therefore, that you submit your current practice of insurance purchasing to legal scrutiny by your legal counsel.

LAIS, BANNIGAN & KELLY, P.A.

ATTORNEYS AT LAW
409 MIDWEST FEDERAL BUILDING
5TH AND CEDAR
SAINT PAUL, MINNESOTA 55101

DONALD L. LAIS
JOHN F. BANNIGAN, JR.
PATRICK J. KELLY

AREA CODE 612
224-3781

April 27, 1983

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

Re: City of Maplewood
Agent's Insurance Committee

Dear Barry:

I received a copy of an Agreement between the Attorney General and certain insurance agents for the City of Virginia, Minnesota filed in District Court of Ramsey County and titled "Assurance of Discontinuance". I checked with the Attorney General's office and have had extensive discussions with Steve Killgriff of that office regarding the insurance committee in the City of Maplewood. Mr. Killgriff is the attorney who obtained the Assurance and Discontinuance with the Virginia agents.

That agreement provides the following:

- A. Each such bid or offer shall be made independantly and not in conjunction with any other insurance agent or agency;
- B. There shall be no discussion or contact with any other insurance agent or agency regarding the terms or nature of the bid or offer; and
- C. Any commission received from the sale or provision of such insurance shall not be shared with any other insurance agent or agency.

Mr. Killgriff advised me that it was his position that if any of the above elements, that is A, B or C, were taking place they would constitute a violation of the Minnesota Antitrust Law and possibly the Federal Antitrust Laws. This becomes significant to the City because of the decision of Community Communications Company, Inc. of the City of Boulder, Colorado, et al wherein the U.S. Supreme Court said that local jurisdictions are subject to the Antitrust Laws. This

Mr. Barry Evans

Page 2

April 27, 1983

means that the City could be subject to a lawsuit by some person who is excluded by the residency requirement of Section 2-97 Subdivision A, Subsection 2 of our ordinance or from some other provision of the ordinance. The City could also be subject to suit by a taxpayer who may challenge the particular application of the ordinance to the actual purchase of insurance.

Section 2-99 provides the duties of the committee. Subsections 1, 2 and 3 deal with obtaining information concerning needs of the City, preparation of specifications and recommendations to the council for insurance coverage.

Subsection 4 provides as follows:

"Upon order of the City Council to obtain such contracts of insurance and bonds as are required by the Council."

This latter section is defective since it does not provide for any safeguards to the City in the obtaining of the insurance. In Supplement No. 39 to Governmental Risk Management Manual issued in November of 1982, quotes from the opinion of the attorney general of the State of Arizona wherein he was asked "Whether a school board can legally provide group insurance coverage for its employees for the services of an advisory committee composed of insurance agents who each receive a portion of the insurance commission generated by the purchase of such insurance." The Arizona attorney general stated that such use of the advisory committee posed potential Antitrust violations on two fronts: "The problem of commission splitting by an advisory group of insurance advisors charged with recommending an insurance carrier, and, to the extent the advisory board conspires to eliminate competitors, its behavior would constitute the establishment or maintenance of a monopoly or attempt to monopolize in violation of the law." He went on to say: "Thus, if an advisory committee of insurance agents both advises and then places the insurance it has so advised purchasing, it may be in violation of the Arizona Antitrust Statutes as an unlawful agreement among competitors to allocate customers. An agreement among competitors to allocate customers or classes of customers is per se in violation of the antitrust laws, he cites the United States v Consolidated Laundries, Corp., 291 F 2d 563 (1961) and goes on to say that the school board should not lend its tacit approval to the scheme."

Mr. Barry Evans

Page 3

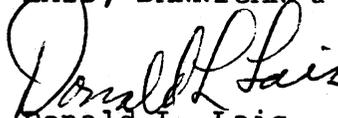
April 27, 1983

The Maplewood Agents Insurance Committee was established to solve the problem wherein one agent was regularly awarded the insurance business without affording other firms or agencies the opportunity to compete and thus was an improvement of the system in place when the committee was established. The Boulder decision now makes the City vulnerable to court actions under our existing ordinance and the practices of the City in connection with the agents insurance committee.

It is, therefor, my opinion that the City should abandon its present ordinance and method of obtaining insurance and resort to a method which will not be in violation of the antitrust laws.

Very truly yours,

LAIS, BANNIGAN & KELLY, P.A.


Donald L. Lais

DLL:cg

ORDINANCE NO. _____

AN ORDINANCE REPEALING SECTIONS OF
THE MAPLEWOOD CODE RELATING TO THE INSURANCE COMMITTEE

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

Section 1. This ordinance does hereby repeal Sections 2-96
through 2-101 of the Maplewood Code.

Section 2. This ordinance shall take effect and be in force
from and after its passage and publication.

Passed by the City Council
of the City of Maplewood
this _____ day of _____, 1983

Mayor

Attest:

Clerk

Ayes -

Nays -

I-4

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Assistant City Engineer
DATE: April 28, 1983
SUBJECT: McKnight Road Trunk Water Main and Elevated Tank
Project No. 83-4

Endorsed _____
Modified _____
Rejected _____
Date _____

Booster service improvements to service area no. 6 were previously contemplated and studied under Project No. 78-19.

In 1979, the City Council ordered construction of water main on McKnight Road from Larpenteur Avenue south to the railroad right-of-way. It was anticipated that this project could be extended to connect to the facilities under the Maryland Avenue improvement. The ordering was subject to the Hillcrest Development Corporation entering into a developers agreement for payment of a portion of the improvements. The developer did not execute the agreement within the time limitation and the project was, therefore, terminated.

In 1981, a revised study considering only the McKnight Road water main improvement was authorized. As a result of the study, it was apparent that a substantial cost savings could be realized if the water main construction could be performed in conjunction with the County's McKnight Road improvement. The street improvements were anticipated to begin this year. Recent contact with Ramsey County indicates that a more likely time for the construction of roadway along the subject route will be in 1985.

Postponing the water main improvement two more years, in an area of the City with the most critical water service deficiency, may not be in the best interest of the Maplewood citizens. The existing system near the Stillwater Road--Maryland Avenue area has low static pressures and simple hydrant flushing interrupts normal domestic service. During peak usage periods the St. Paul Stillwater tank operates dangerously close to empty.

Several developers are currently building residential dwellings in previously approved PUD's and several other developers are seriously considering new developments within the next year in the Maryland Avenue area. These developments will tax the already deficient water distribution system and storage facilities.

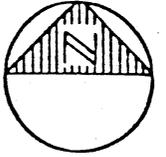
We are, therefore, recommending that the City Council authorize the updating of the 1981 feasibility study with consideration to include studying the need and costs associated with a 1.0 million gallon elevated storage tank near Stillwater Road and T. H. 120.

RESOLUTION--CALLING FOR PRELIMINARY PLANS

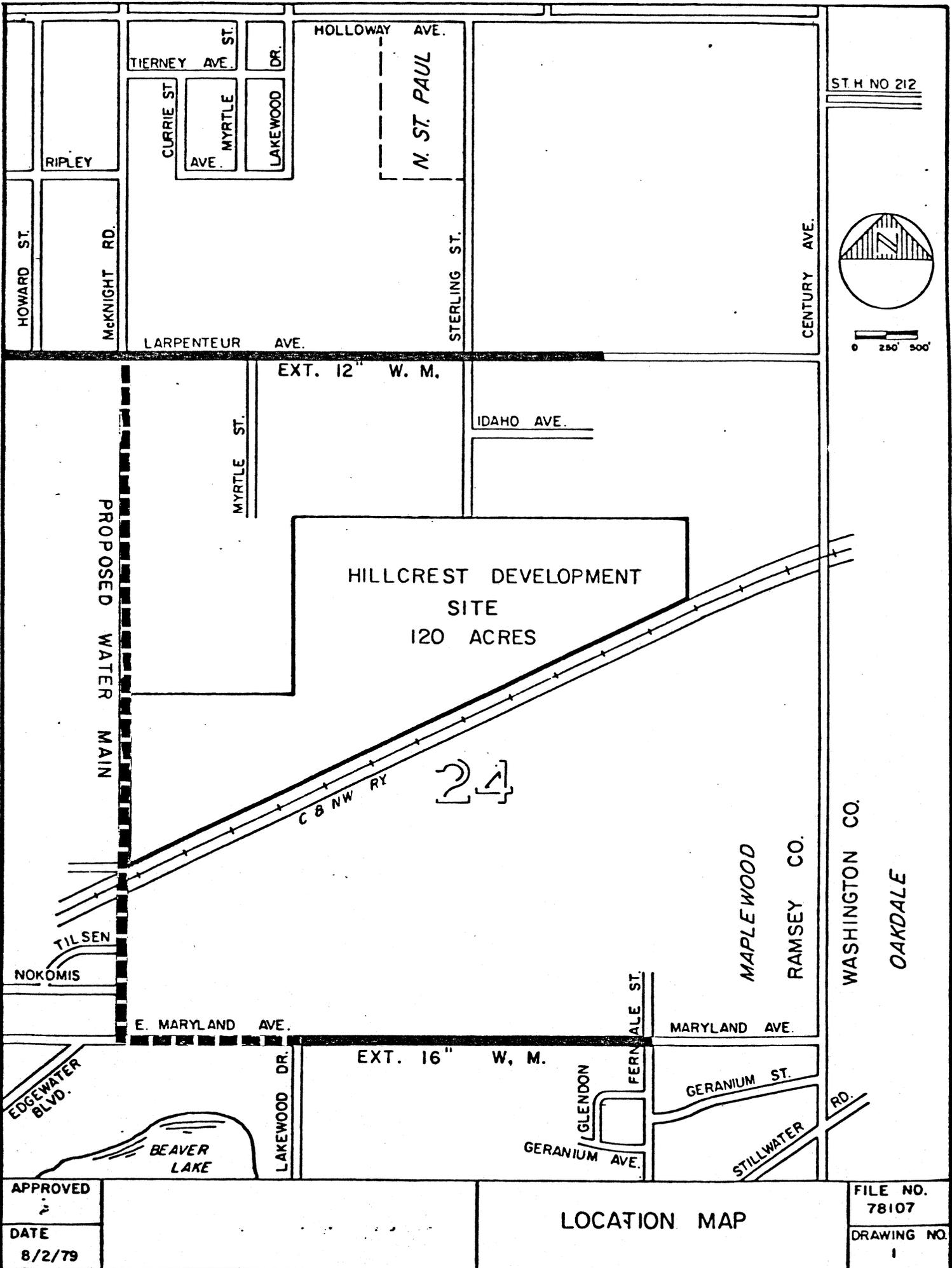
WHEREAS, The City Council has proposed that the area described as: Service Area No. 6, City Improvement No. 83-4 be improved by construction of an elevated storage tank and trunk water main improvement along McKnight Road from Larpenteur Avenue to the Lakewood Drive--Maryland Avenue intersection.

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

ST. H NO 212



0 250' 500'



HILLCREST DEVELOPMENT
SITE
120 ACRES

24

C & NW RY

PROPOSED WATER MAIN

APPROVED
DATE
8/2/79

LOCATION MAP

FILE NO.
78107
DRAWING NO.
1

WASHINGTON CO.
OAKDALE

MAPLEWOOD
RAMSEY CO.

EXT. 16" W. M.

LAKWOOD DR.

E. MARYLAND AVE.

MARYLAND AVE.

GERANIUM ST.

GERANIUM AVE.

STILLWATER RD.

GLENDON

FERN ALE ST.

NOKOMIS

TILSEN

EDGEWATER BLVD.

BEAVER LAKE

RIPLEY

McKNIGHT RD.

HOWARD ST.

TIERNEY AVE.

CURRIE ST.

MYRTLE AVE.

LAKWOOD

DR.

HOLLOWAY AVE.

N. ST. PAUL

STERLING ST.

CENTURY AVE.

IDAHO AVE.

MYRTLE ST.

I-5

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Director of Public Works
SUBJECT: Feasibility Study--Beaver Lake North
DATE: May 2, 1983

Endorsed _____
Modified _____
Rejected _____
Date _____

The property along Maryland Avenue between Lakewood Drive and Century Avenue is developing very rapidly. Considering recent construction and proposed construction for the near future, over 1000 housing units are involved. All of this development will contribute to increasing the stormwater runoff from the drainage area.

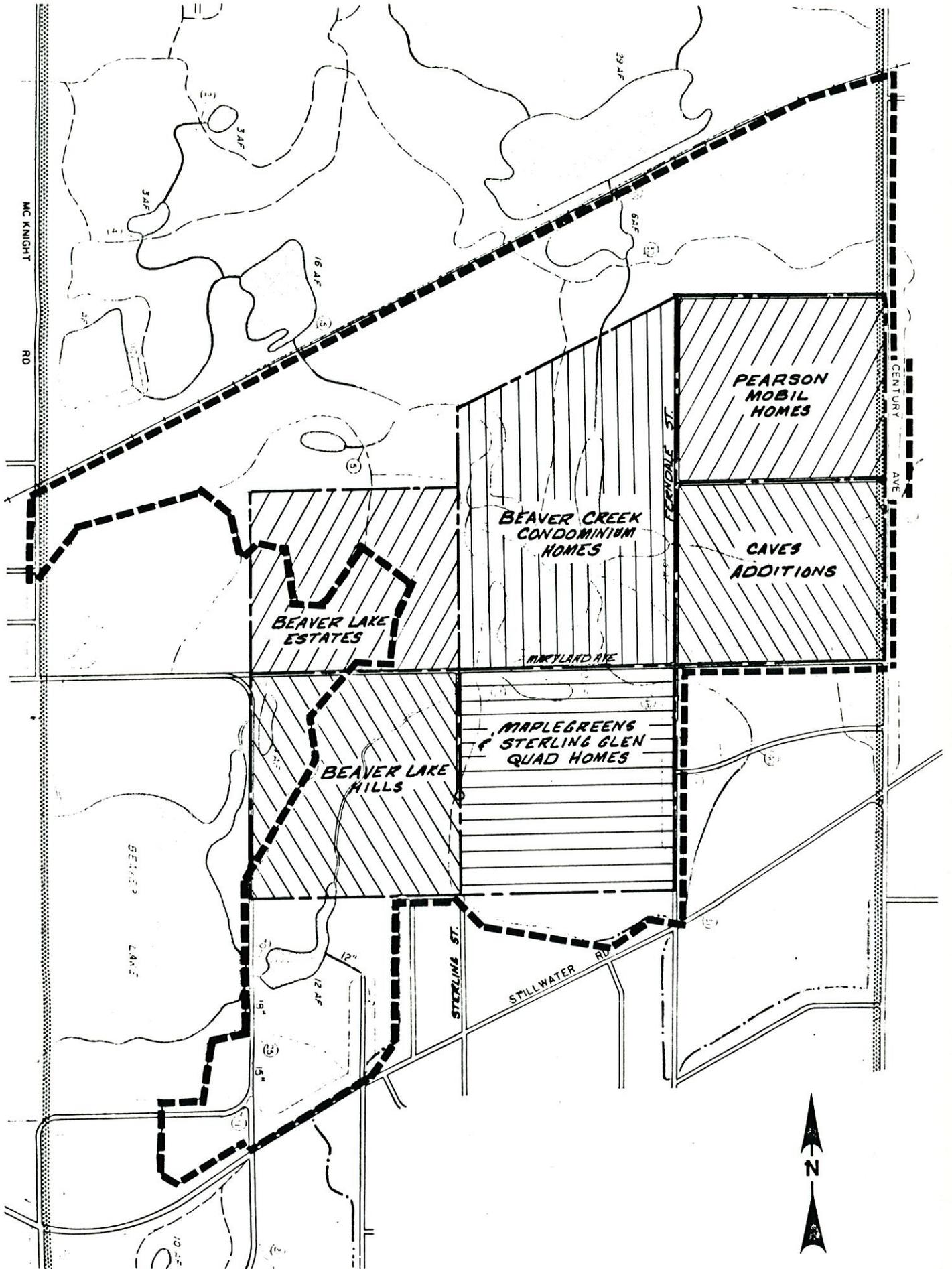
The developers in the area are required to construct onsite storm sewers. The main outlet for the entire area, however, is not complete. The City has an opportunity at this time to install the main outlet as development takes place. This has several advantages. The City can work with developers to locate ponds and drainage easements acceptable to both before platting is complete. Developers can be required to grant easements rather than the City buying easements if acquisition is accomplished after platting. At this time, a relatively few property owners are involved where in a few years the number will be substantial.

The attached map shows the subject drainage area and identifies the larger developments. This watershed currently drains to Beaver Lake through a ditch south of Maryland Avenue. It is expected that this corridor will also be used for the permanent outlet.

This creates some concern since the present trunk sanitary sewer is parallel to the ditch. The sanitary sewer in question is expected to be under capacity at some time in the future. It would be advantageous for the City to investigate sanitary sewer replacement along with the storm sewer improvements.

It is recommended the City Council authorize preparation of a feasibility study investigating the main storm sewer outlet for that area generally bounded by McKnight Road, Stillwater Road, Century Avenue and the Chicago Northwestern Railroad tracks. In addition, alternatives should be investigated for replacement of the trunk sanitary sewer.

jw
Attachment



MC KNIGHT RD

CENTURY AVE

PEARSON MOBIL HOMES

CAVES ADDITIONS

BEAVER CREEK CONDOMINIUM HOMES

BEAVER LAKE ESTATES

BEAVER LAKE HILLS

MAPLEGREENS & STERLING GLEN QUAD HOMES

STERLING ST

STILLWATER RD



5.4 AF

3.4 AF

16.4 AF

5.4 AF

6.4 AF

12.4 AF

19.4 AF

5.4 AF

5.4 AF

COPY

I-6

ORDINANCE NO.

AN ORDINANCE AMENDMENT REGULATING THE REVIEW OF METAL POLE BUILDINGS

The City Council of the City of Maplewood does hereby ordain as follows:

Section 1. Section 202.240 of the Maplewood Code is hereby added to read as follows:

202.240 SPECIAL AREAS

1. It shall be unlawful to erect a metal building in the City of Maplewood which is of a design commonly referred to as a "metal pole building", "pole barn" or "agri-building", unless such building would be located in a F, Farm Residence District or unless such building is a metal storage building commonly used as a back yard storage shed. Should any dispute arise over the classification of a proposed metal building, the Director of Community Development shall determine whether the proposed metal building fits into the "metal pole building" category. Appeals of the Director's decision shall be made to the City Council for a determination of building type.
2. Buildings having metal exteriors, but not being of the typical pole building design, may only be allowed in areas zoned F, Farm Residence, B C, Business Commercial, M-1, Light Manufacturing and M-2, Heavy manufacturing. Special architectural design and nonmetal decorative modifications may be required to assure compatibility with community development.
3. The City Council may hear requests for variances from the literal provisions of this ordinance in instances where its strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of the ordinance. "Undue hardship" is used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under the 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 variance from the ordinance, if granted, will not alter the essential character of the locality.

Section 2. This ordinance shall take effect and be in force after its passage and publication.

Passed by the City Council of the City of Maplewood, Minnesota, this _____ day of _____, 1983.

Mayor

Attest:

City Clerk

Ayes -

Nays -



I-7

CITY OF MAPLEWOOD

1380 FROST AVENUE MAPLEWOOD, MINNESOTA 55109

OFFICE OF COMMUNITY SERVICES

770-4570

MEMORANDUM

To: Barry Evans, City Manager
From: Pauline Staples, Assistant Director
Subj: Maplewood Shirts, Hats, etc.
Date: March 1, 1983

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

Pauline Staples
3-1-83

The printing company and t-shirt business would like to know the status of the t-shirt order. They would like to begin work and need the down payment.

We need to know the following:

- 1) What budget is the down payment coming from?
- 2) What department is selling the articles?
- 3) What items are they going to go with?
- 4) What logo do you wish to have?
- 5) What colors?
- 6) What will the selling price be?
- 7) Number of articles they wish to purchase in each category?

Would appreciate an answer as soon as possible on this.

NO 2713

MAPLEWOOD



**MAPLEWOOD
MINNESOTA**

*Logo for all items.
Colors used by recreation department
as Maplewood color are maroon & gold.*

MAPLEWOOD T-SHIRT ORDER

<u>ARTICLE</u>	<u>COST TO US</u>	<u>SELLING COST</u>	<u>PROFIT</u>
HAT	2.25 ea.	3.50 ea.	1.25 ea.
LADIES V-NECK T-SHIRT	5.50 ea.	7.00 ea.	1.50 ea.
ADULT GOLF SHIRT	7.95 ea.	9.00 ea.	1.05 ea.
LONG-SLEEVED T-SHIRT	5.20 - Youth 5.50 - Adult	6.50 Youth 7.50 Adult	1.30 ea. 2.00 ea.
COTTON SHORT-SLEEVED SHIRT	2.35 - Youth	3.50 ea.	1.15 ea.
LADIES T-SHIRT	5.10 ea.	7.00 ea.	1.90 ea.

<u>HAT COLORS</u>	<u>NUMBER ORDERED</u>
GOLD	36
MAROON	36

LADIES V-NECK T-SHIRT
LOGO ON LEFT SIDE UPPER
COLORS

SIZES & NUMBER ORDERED

GOLD	SMALL - 5	MED. - 10	LARGE - 10	XL - 5
MAROON	SMALL - 5	MED. - 10	LARGE - 10	XL - 5

ADULT GOLF SHIRT
LOGO ON POCKET
COLORS

SIZES & NUMBER ORDERED

GOLD	SMALL - 10	MED. - 10	LARGE - 20	XL - 15
MAROON	SMALL - 10	MED. - 10	LARGE - 20	XL - 15

LONG-SLEEVED T-SHIRT
SMALL LOGO ON LEFT SIDE
COLORS (ADULT SIZES ONLY)

SIZES & NUMBER ORDERED

GOLD	SMALL - 5	MED. - 10	LARGE - 10	XL - 10
MAROON	SMALL - 5	MED. - 10	LARGE - 10	XL - 10

COTTON SHORT-SLEEVED SHIRT
LARGE LOGO IN MIDDLE
COLORS

SIZES & NUMBER ORDERED (SIZES 10-12-14 ONLY)

GOLD	SMALL - 10	MED. - 10	LARGE - 10
MAROON	SMALL - 10	MED. - 10	LARGE - 10

LADIES T-SHIRT
ROUND NECK
LOGO ON LEFT UPPER SIDE
COLORS

SIZES & NUMBER ORDERED

GOLD	SMALL - 5	MED. - 10	LARGE - 10	XL - 5
MAROON	SMALL - 5	MED. - 10	LARGE - 10	XL - 5

I-8

March 30, 1983

MEMORANDUM

Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

To: Director of Public Safety Kenneth Collins
 From: Fire Marshal A. C. Schadt *acs*
 Subject: National Fire Code Update

This office has now received the 1983 updated National Fire Codes published by the National Fire Protection Association.

In order to be consistent with our City Ordinance Article II, Section 12-51, it is recommended by this office that the present Code publishing year be changed from 1979 to 1983.

Attached for your information is a copy of the Code Section that indicates the necessary change that would be required by Council action.

Your endorsement and follow-up relative to the above is recommended by this office.

ACS:js

Has my approval. 4-4-83
Ken Collins

9:00 a.m. and 9:00 p.m. on any day. All commercial buildings shall be required to have installed within or without each building an incinerator constructed pursuant to city inspection and approval. (Code 1965, § 1401.05; Ord. No. 253, 6-26-69)

Sec. 12-32. On roadways.

No fire shall ever be started by any person on the surface of any bituminous, asphalt or oil-treated roadway in the city at any time. (Code 1965, § 1401.060)

Secs. 12-33—12-50. Reserved.

ARTICLE II. FIRE CODES

Sec. 12-51. Adoption of National Fire Codes.

1983

There is hereby adopted by the city, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, all of those certain codes, standards, recommended practices and manuals contained in and set out in Volumes 1 through 16, inclusive, of the National Fire Codes published in 1979 by the National Fire Protection Association, and the provisions of same are hereby incorporated herein and made a part of this article by reference as completely and to the same extent as if set out at length in this article. (Code 1965, § 1703.010; Ord. No. 265, § 1, 4-2-70; Ord. No. 327, § 1, 7-20-72; Ord. No. 410, § 1, 1-27-77)

Sec. 12-52. Adoption of Uniform Fire Code.

1982

Fire Marshal

There is hereby adopted by the city for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Uniform Fire Code, 1979 Edition and the whole thereof, published by the International Conference of Building Officials, of which not less than three (3) copies have been received and they are filed in the office of the clerk of the city and the same are hereby adopted and incorporated as if fully set out at length herein, and the provisions thereof shall be controlling within the limits of the city. (Code 1965, § 1703.010;