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AGENDA
Maplewood City Council
7:00 P.M., Monday, October 2, 1984
East County Line Fire Station #2
Londin Lane at Lower Afton Road
Meeting 84-22

(A) CALL TO ORDER

(B) ROLL CALL

(C) APPROVAL OF MINUTES

1. Meeting 84-21, September 24, 1984

(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. Delinquent Sewer Bills
3. Delinquent Weed Cutting
4. Budget Transfer
5. Change Order - Holloway Avenue Improvement
6. Appropriation for Fireworks Donations
7. Maplewood Project 82-9 Stipulation (Hedlund)

(F) PUBLIC HEARINGS

1. 7:00 - 1985 Budget _____
2. 7:00 - Variance: 1770 Edward (Galbraith) _____
3. 7:20 - Mortgage Revenue Bond Financing (Podawiltz) _____
4. 7:30 - Conditional Use Permit: 2646 Maryland Ave. _____
5. 7:40 - PUD Revision: Sterling Glen _____

(G) AWARD OF BIDS

(H) UNFINISHED BUSINESS

1. No Parking - Co. Rd. D _____
2. Ordinance on Planning Fees (2nd Reading) *Casper to Now* _____
3. Contract with Architectural Alliance *Casper to Now* _____
4. Ordinance on Liquor License Bonds (2nd Reading) _____

(I) NEW BUSINESS

1. PERA Resolution _____
2. Questions by Ted DeZurik - Sprinklers _____
3. Driveway Permit - 2800 White Bear Avenue (Todd) _____

(J) VISITOR PRESENTATIONS

(K) COUNCIL PRESENTATIONS

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

(L) ADMINISTRATIVE PRESENTATIONS

(M) ADJOURNMENT

MINUTES OF MAPLEWOOD CITY COUNCIL
7:00 P.M., Thursday, September 24, 1984
Council Chambers, Municipal Building
Meeting No. 84-21

A. CALL TO ORDER

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

B. ROLL CALL

John C. Greavu, Mayor	Present
Norman G. Anderson, Councilmember	Present
Gary W. Bastian, Councilmember	Present
MaryLee Maida, Councilmember	Present
Michael T. Wasiluk, Councilmember	Present

C. APPROVAL OF MINUTES

1. Minutes of Meeting No. 84-20 (September 10, 1984)

Councilmember Bastian moved that the Minutes of Meeting No. 84-20 (September 10, 1984) be approved as submitted.

Seconded by Councilmember Anderson.

Ayes - Mayor Greavu, Councilmember Anderson, Bastian and Wasiluk.
Councilmember Maida abstained.

D. APPROVAL OF AGENDA

Councilmember Bastian moved to approve the Agenda as amended:

1. County Road B and McMenemy
2. State Code - Sprinkler Systems
3. 3M - Battle Creek Charge
4. Commissioner's Meeting
5. Variance Alternative
6. Wakefield Park
7. Bobeldyk
8. Budget

Seconded by Mayor Greavu.

Ayes - all.

E. CONSENT AGENDA

Councilmember Anderson moved, seconded by Councilmember Bastian, Ayes - all, to approve the Consent Agenda Items 1 through 10 as recommended:

1. Accounts Payable

Approved the accounts (Part I - Fees, Services and Expenses - Check Register dated September 14, 1984 and September 17, 1984 \$491,324.76; Part II - Payroll Check dated September 7, 1984 - \$62,630.11) in the amount of \$553,954.87.

2. Budget Transfer for Temporary Help - Finance

Approved a budget transfer of \$1,430 from the money originally budgeted for the purchase of a phone system to finance the temporary accountant's wages and worker's compensation insurance costs in the finance department.

3. Renewal of G.H.P. and E.B.P. Contracts

Approved that the existing one year contracts for employee insurance be renewed with Group Health Plan and Employees Benefit Plan.

4. Renewal of B.C.B.S. Contract

Approved that the existing one year contract for employee insurance with Blue Cross/Blue Shield be renewed for one year with the addition of the AWARE Program subject to the bargaining unit's approval.

5. Appropriation from P.A.C. Fund

Approved a budget appropriation of \$7,000 from the Commercial P.A.C. Fund to the Goodrich Overlay Project.

6. Final Payment and Change Order: Project 80-10

84 - 9 - 134

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered made Improvement Project No. 80-10, T.H. 61, Frontage Road, and has let a construction contract, therefore, pursuant to Minnesota Statutes, Chapter 429; and

WHEREAS, said project has been certified as completed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the project is completed and final payment on the construction contract is hereby authorized.

Resolution No. 84-9-135

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered made Improvement Project No. 80-10, T.H. 61 Frontage Road, 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. 80-10, Change Order No. 6.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the Mayor and City Engineer are hereby authorized and directed to modify the existing contract by executing said Change Order No. 6.

7. Final Payment: Project 84-6

Resolution No. 84-9-136

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered made Improvement Project No. 84-6, Bituminous Overlay Project and has let a construction contract; and

WHEREAS, said project has been certified as completed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA that the project is completed and final payment on the construction contract is hereby authorized.

8. Time Extension: Tilsen's 11th Addition

Approved a six month time extension for Robert Tilsen's Maplewood Heights No. 11 planned unit development and preliminary plat.

9. Change of Manager on Liquor License - Holiday Inn

Approved Gary Lee Wink as the holder of the On Sale Intoxicating Liquor License at the Holiday Inn, 1780 E. County Road D.

10. Change of Manager on Liquor License - Red Lobster

Approved Leonard Goodrum as Manager-License holder for the On Sale Intoxicating Liquor License for Red Lobster.

Councilmember Bastian moved to waive the Rules of Procedures to hear J - Visitor Presentation at this time.

Seconded by Councilmember Wasiluk.

Ayes - all.

J. VISITOR PRESENTATION

1. Mr. Ted DeZurick

a. Mr. Ted DeZurick stated he is building four and eight unit condominiums on Larpenteur Avenue known as Bennington Woods. He applied for a building permit and was told he needed a sprinkling system. The cost per building is extensive and he requests the Council investigate the need for such requirements.

b. Council adopted an optional code regarding sprinkling system and Mr. DeZurick's building falls in this category.

c. Councilmember Anderson instructed staff to investigate the need for such code.

Seconded by Councilmember Wasiluk.

Ayes - all.

F. PUBLIC HEARINGS

1. 7:00 P.M. Plan Amendment and Conditional Use Permit (WMIN)

The hearing was cancelled, the applicant withdrew their request.

2. 7:10 P.M. - Conditional Use Permit - County Road D (Podawiltz)

a. Mayor Greavu convened the meeting for a public hearing regarding the request of Maple Ridge Partnership for a conditional use permit for a 41 foot tall apartment building to be located on the north side of County Road D between 1655 and 1729 East County Road D. Maplewood Code permits a maximum of 35 feet.

b. Manager Evans presented the staff report.

c. Board Member Rossbach presented the following Community Design Review Board recommendation:

"WHEREAS, Maple Ridge Partnership initiated a conditional use permit to build a 41 foot tall apartment building when the maximum permissible height is 35 feet at the following described property:

That part of the W 1/2 of the E 1/2 of the SE 1/4 lying south of the right of way of U.S. Highway No. 694, all in Section 34, Township 30, Range 22, Ramsey County, Minnesota, containing approximately 5.06 acres.

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

1. This conditional use permit was initiated by Maple Ridge Partnership, pursuant to Maplewood Code of Ordinances.

2. This conditional use permit was reviewed by the Maplewood Community Design Review Board on August 14, 1984. The Community Design Review Board recommended to the City Council that said permit be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD COMMUNITY DESIGN REVIEW BOARD that the above described conditional use permit be approved on the basis of the following findings of fact:

1. The use is in conformity with the City's Comprehensive Plan and with the purpose and standards of this chapter.

2. The establishment or maintenance of the use would not be detrimental to the public health, safety or general welfare.

3. The use would be located, designed, maintained and operated to be compatible with the character of that zoning district.

4. The use would not depreciate property values.

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

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

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

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

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

10. The use would cause minimal adverse environmental effects.

Board Member Deans seconded.

Ayes all."

- d. Mr. Mike Podawiltz, the developer, spoke on behalf of the proposal. He also stated he agrees to the conditions recommended by the Community Design Review Board.
- e. Mayor Greavu called for proponents. None were heard.
- f. Mayor Greavu called for opponents. None were heard.
- g. Mayor Greavu closed the public hearing.
- h. Mayor Greavu introduced the following resolution and moved its adoption:

84 - 9 - 137

WHEREAS, Maple Ridge Partnership initiated a conditional use permit to build a 41 foot tall apartment building when the maximum permissible height is 35 feet at the following described property:

That part of the W 1/2 of the E 1/2 of the SE 1/4 lying south of the right of way of U.S. Highway No. 694, all in Section 34, Township 30, Range 22, Ramsey County, Minnesota, containing approximately 5.06 acres.

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

1. This conditional use permit was initiated by Maple Ridge Partnership, pursuant to the Maplewood Code of Ordinances.
2. This conditional use permit was reviewed by the Maplewood Community Design Review Board on August 14, 1984. The Community Design Review Board recommended to the City Council that said permit be approved.
3. The Maplewood City Council held a public hearing on September 24, 1984. 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 Community Design Review Board.

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

1. The use is in conformity with the City's Comprehensive Plan and with the purpose and standards of this chapter.
2. The establishment or maintenance of the use would not be detrimental to the public health, safety or general welfare.
3. The use would be located, designed, maintained and operated to be compatible with the character of that zoning district.
4. The use would not depreciate property values.
5. The use would not be hazardous, detrimental or disturbing to present and potential surrounding land uses, due to the noises, glare, smoke, dust, odor, fumes, water pollution, water run off, vibration, general unsightliness, electrical interference or other nuisances.

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

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

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

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

10. The use would cause minimal adverse environmental effects.

11. The six extra feet of building height is insignificant due to the freeway location and large setbacks.

Seconded by Councilmember Bastian.

Ayes - all.

G. AWARD OF BIDS

None.

H. UNFINISHED BUSINESS

I. Plan Amendment - Maplewood West Boulevard

a. Director of Community Development Geoff Olson presented the staff report.

b. The following persons spoke on behalf of Mr. William Korstad's development and proposal for the roads:

Mr. James Benshaaf, Benshaaf and Associates
Mr. Perry Bolen, Bolen and Associates
Mr. Karl Grittner
Mr. William Korstad, the developer.

c. The following persons spoke on behalf of Mr. Robert Hajicek's development and proposal for the roads:

Mr. Peter Fausch, Stegar-Roscoe, Inc.
Mr. Robert Hajicek.

d. Mr. Greg Tilsen, Homart, Inc. and Mr. Bill Knutson, Health Resources, Inc., expressed their views as to how each proposal would effect their development.

e. Councilmember Anderson moved to adopt the following staff recommendation for the Maplewood West Boulevard development:

I. Adopt guidelines, based on keeping as many options open as possible, rather than amending the plan, because:

a. The streets are basically local and do not need to be shown on the plan.

b. It would be premature to draw specific alignments on the land use plan map, when development plans have not yet been done.

c. Guidelines need to be adopted, however, to give direction to the developers in this area.

The guidelines are as follows:

- 1) The following streets should be included in development plans for the area:
 - a) Maplewood West Boulevard from at least Beam Avenue to the north property line of Mr. Korstad's property. Continuation of this street to County Road D may be allowed by the City, provided that traffic from Mr. Hajicek's property is reasonably distributed over Hazelwood Avenue, Maplewood West Boulevard and a future Southlawn Drive.
 - b) A Southlawn Drive from Beam Avenue to County Road D. The alignment may have to be realigned to the west to front on properties that would benefit from the assessments.
 - c) An east-west street(s) connecting Hazelwood Avenue and the Maplewood Mall ring road. There should be access to this street from the Korstad and Hajicek properties.
- 2) Specific alignments will be determined at the time that development plans are submitted to the City, except that alignments for a Maplewood West Boulevard and an east-west street to the mall ring road are approved as follows (plan on file in the Community Development Department):

Maplewood West Boulevard as a through street, with a curve to the east. This curve would intersect an east-west street from the mall ring road, along the Korstad-Hajicek-Homart property line, at a point between 320 and 500 feet from the west line of the Homart property.

- 3) Change Maplewood West Boulevard to Kennard Street to be consistent with the City's street system and to avoid confusion with Maplewood Drive (Highway 61).

Seconded by Councilmember Wasiluk.

Ayes - all.

2. Code Amendment: Environmental Protection and Critical Areas Ordinance (Second Reading)
 - a. Manager Evans presented the staff report.
 - b. Mayor Greavu introduced the following ordinance and moved its adoption:

ORDINANCE NO. 571

AN ORDINANCE AMENDING THE MAPLEWOOD CODE RELATING
TO THE ENVIRONMENTAL PROTECTION AND
CRITICAL AREA ORDINANCES

Section 1. Chapter nine of the Code of Ordinances is amended to consolidate the Critical Area Ordinance (Sections 36-496 through 36-549) with the Environmental Protection Ordinance (Sections 9-186 through 9-193) as follows:

ARTICLE IX. ENVIRONMENTAL PROTECTION AND CRITICAL AREA

DIVISION 1, GENERALLY

Section 9-186. Purpose.

The purpose of this ordinance is to protect significant natural features, which:

- (1) Preserve the natural character of neighborhoods
- (2) Protect the health and safety of residents
- (3) Protect water quality
- (4) Prevent erosion or flooding
- (5) Manage the Mississippi River Corridor Critical Area in accordance with the Critical Areas Act of 1973, the Minnesota Policy Act of 1973 and the Governor's critical area designation order, Executive Order 130, dated November 23, 1976.

Section 9-187. Applicability.

This ordinance shall apply to any new subdivision, development or building to be approved by the City Council or Community Design Review Board. This ordinance shall not apply to any use permitted on a temporary basis for a period not to exceed two years, when such use is established without site preparation.

Section 9-188. Definitions.

Bluffline--a line delineating a top of a slope with direct drainage to a protected water, connecting the points at which the slope becomes less than eighteen percent. (More than one bluffline may be encountered proceeding landward from a protected water.)

Critical Area--The Mississippi River Corridor Area bounded by Carver Avenue, I-494 and the City limits.

Crown Cover--the ratio between the amount of land shaded by the vertical projection of the branches and foliage area of standing trees to the total area of land, usually expressed as a percentage.

Direct Drainage--drainage into a protected water without an intervening pond or wetland

Erosion--the general process by which soils are removed by flowing surface or sub-surface water or wind

Gross Soil Loss--the average annual total amount of soil material carried from one acre of land by erosion

Lift Station--a facility, including pumping facilities, for the lifting of sewage or storm water runoff to a higher sewage facility or storm water runoff facility

Pipeline--an underground line of pipe including associated pumps, valves, control devices and other structures utilized for conveying liquids, gases, sewage or other finely divided solids from one point to another

Protected Water--formerly referred to as public waters, means any water defined in Minnesota Statutes, Section 105.37, subdivision 14

Retaining Wall--a structure utilized to hold a slope in position which it would not naturally remain in

Sediment--suspended matter carried by water, sewage or other liquids

Slope--the inclination of the natural surface of the land from the horizontal; commonly described as a ratio of the length to the height.

Structure--anything manufactured, constructed or erected which is normally attached to or positioned on land, including portable structures

Substation--any utility structure, other than lines, pipelines, holes or towers

Terrace--a relatively level area bordered on one or more sides by a retaining wall

Tree--any woody plant, except a shrub, that has at least one trunk whose diameter is four inches or greater, four feet above the ground

Utility Facility--physical facilities of electric, telephone, telegraph, cable television, water, sanitary and storm sewer, solid waste, gas or similar service operations

Vegetation--all plant growth, especially trees, shrubs, mosses or grasses

Water Body--any lake, stream, pond, wetland or river

Wetland--any land which is seasonably wet or flooded, including all marshes, bogs, swamps or floodplains

Section 9-189. Density Guarantee.

The requirement in this article shall prevent the development of property to the maximum density allowed in the Maplewood Comprehensive Plan Update. The City Council may require the clustering of dwellings in the form of townhouses, quads or apartments or similar uses, where it is necessary to preserve natural features. Single family homes are not precluded from consideration as part of any proposed development under this ordinance.

DIVISION 2, SITE PLANNING REQUIREMENTS

Section 9-190. Site plan required

The applicant shall submit a site plan and any other information needed to determine compliance with this ordinance. Specific requirements shall be stated on an application form in the office of the Director of Community Development.

Section 9-191. Site Plan approval standards.

No site plan which fails to satisfy the following standards shall be approved:

(1) General standards

- a. The conduct of all grading, landscaping, structure placement, and street routing shall be consistent with and to the maximum extent in the furtherance of the City's Comprehensive Plan, and for development in the Mississippi River Corridor Critical Area, the Maplewood Critical Area Plan.
- b. The proposed development shall not lessen existing public access to and along a protected water.
- c. The proposed development shall be designed, constructed and maintained to avoid causing:
 1. Accelerated erosion
 2. Pollution, contamination or siltation of water bodies or storm sewers
 - d. Flooding
 4. Ground water contamination.
- d. Development shall not substantially diminish the scientific, historical educational, recreational or aesthetic value of unique natural areas and unique plant and animal species, which are registered with the State as such, and shall not substantially alter the reproductive cycle of the species.
- e. Views of protected waters from buildings or public streets shall not be impaired by the placement of advertising signs.

(2) Slopes

- a. No development shall be permitted on existing slopes of eighteen percent or greater which are in direct drainage to a protected water.
- b. In areas not in direct drainage to a protected water, no development shall be allowed on existing slopes greater than forty percent.
- c. No development, whether or not in direct drainage to a protected water, shall be permitted on land having an existing slope in excess of twelve percent, unless the applicant proves the following conditions are met:
 1. Controls and protections exist uphill from the proposed development such that there is no danger of structures or streets being struck by falling rock, mud, sediment from erosion, uprooted trees or other materials.

2. The proposed development presents no danger of falling rock, mud, sediment from erosion, uprooted trees or other materials to structures downhill.
 3. The view of a developed slope within the Critical Area from the Mississippi River and opposite river bank is consistent with the natural appearance of the undeveloped slope, consistent with any state registered historic areas nearby, compatible with the view from historic areas, and compatible with surrounding architectural features.
 4. The City Engineer may require the developer to provide a soils engineer to certify the stability of potentially unstable slopes.
- d. The basic character of natural slopes of 25% or more in grade shall not be altered without approval from the City Council. The Council shall base their decision on:
1. The degree of alteration of the slope and
 2. The importance of the slope to the character of the area.
- e. All new structures and roads shall be placed no closer than forty feet feet from a bluff line. Exceptions shall be:
1. Public recreation facilities, scenic overlooks, public "observation" platforms or public trail systems
 2. The construction of above-ground pumping stations
 3. Other development, when the applicant can conclusively demonstrate that construction or final development will not negatively impact slopes with a grade of eighteen percent or greater
 4. All other structures, other than buildings and roadway surfaces, but including retaining walls, shall meet the following design requirements:
 - a) Retaining walls or terrace contours in excess of three feet in height shall have a fence.
 - b) Construction materials shall be subject to Community Design Review Board approval.
- f. The requirements of this section shall not apply in the following situations:
1. Where a slope has been substantially altered by prior excavation or filling.
 2. Where a slope is less than 200 feet in length (top to bottom) or 500 feet in width (side to side).
 3. Where earth sheltered homes are proposed.

Erosion control and soils:

- a. All erosion control, storm water run-off, utility and similar structures shall be designed to be maintained and operated without requiring the

crossing or operation of heavy maintenance vehicles and equipment, such as bulldozers, trucks and backhoes, on slopes in excess of eight percent. This requirement may be waived by the City Council where there is no other alternative.

- b. Construction shall not be allowed where there are soil problems, including but not limited to, soil bearing strength, shrink/swell potential or excessive frost movement, unless effective soil correction measures or building construction methods are approved by the building official.
- c. Development shall be accomplished only in such a manner that on-site gross soil loss levels shall not exceed five tons per acre per year during construction, but only two tons per acre per year when the site is adjacent to a water body, water course or storm sewer inlet and 0.5 tons per acre per year after construction activities are completed.
- d. A development shall be located to minimize the removal of vegetation and alteration of the natural topography.
- e. Erosion protection measures shall make maximum use of natural, in-place vegetation, rather than the placing of new vegetation on the site.

(4) Wetlands

- a. Wetlands and other water bodies shall not be used as primary sediment traps during construction.
- b. Filling or construction shall not be allowed in areas proposed for ponding in the Maplewood Drainage Plan, as determined by the City Engineer.
- c. Filling shall not cause the natural nutrient stripping capacity of the wetland to fall below the nutrient production of the wetland watershed for its projected development.
- d. Fill must be free of chemical pollutants and organic wastes.
- e. The property owners adjoining a wetland should be given the opportunity for an equal apportionment of fill.

(5) Trees

- a. Development shall be designed to preserve the maximum number of healthy trees. This requirement shall not apply to diseased trees or where a forester certifies that thinning is needed for the overall health of a woodlot; in which case, a specific tree removal plan must be approved by the City.
- b. If trees are not cut, the density of trees shall be restored to that which existed before development, but in no case shall the applicant be required to raise the density above ten trees per acre, unless part of a required planting screen. Any trees required to be planted shall be varied in species, shall maximize the use of species native to the area, shall not include any species under disease epidemic and shall be hardy under local conditions. Tree diameters shall be at least two inches.

- c. The applicant shall demonstrate that all grading which takes place will be conducted in a manner that preserves the root zone aeration and stability of existing trees and provides an adequate watering area equal to at least one-half of each tree's crown cover.

DIVISION 3, UTILITIES AND STREETS

Section 9-192. Utilities.

- a) Underground placing of utilities shall be required, unless economic, technological or land characteristic factors make underground placement unfeasible. Economic considerations alone shall not be the major determinant regarding feasibility.
- (b) Overhead crossings of protected waters, if required, shall meet the following criteria:
- (1) The crossings shall be adjacent to or part of an existing utility corridor, including bridge or overhead utility lines, whenever possible.
 - (2) All structures utilized shall be as compatible as practical with land use and scenic views.
 - (3) Right of way clearance shall be kept to a minimum.
 - (4) Vegetative screening shall be utilized to the maximum extent that would be consistent with safety requirements.
 - (5) Routing shall avoid unstable soils, blufflines or high ridges. The alteration of the natural environment, including grading, shall be minimized.
 - (6) The crossings shall be subject to the site planning requirements set forth in this ordinance.
- (c) Utility substations
- (1) All substations shall be subject to the site planning requirements set forth in this ordinance.
 - (2) New substations or refurbishment of existing substations shall be compatible in height, scale, building materials, landscaping and signing with surrounding natural environment or land uses. Screening by natural means is encouraged.
- (d) Pipelines
- (1) All proposed pipelines and underground facilities shall be subject to the site planning requirements set forth in this ordinance.
 - (2) These facilities shall be located to avoid wetlands, woodlands or areas of unstable soils.
 - (3) All underground placing of utilities or pipelines shall be followed by turf establishment.
 - (4) All proposed pipelines shall be placed at least eight feet under a creek bed.

Section 9-193. Streets.

- (a) The grades of any streets shall not exceed seven percent, unless there is no feasible alternative as determined by the City Engineer.
- (b) Roads shall be constructed to minimize impacts on the natural terrain and natural landscape.
- (c) All roads shall be subject to the site planning requirements set forth in Section 9-191.

Section 2. Sections 36-496 to 36-549 (Critical Area Ordinance) of the Maplewood Code of Ordinances are hereby rescinded.

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

Seconded by Councilmember Maida.

Ayes - all.

3. Code Amendment: Driveway Setback (Second Reading)

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

ORDINANCE NO. 572

AN ORDINANCE ALLOWING THE CITY COUNCIL TO APPROVE
DRIVEWAYS WITHIN THE FIVE FOOT SETBACK

THE MAPLEWOOD CITY COUNCIL DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 29-120 is amended as follows:

Section 29-120. Location.

Driveways shall have a setback of at least five feet from the side or rear lot lines, except by written agreement with the owner of the adjacent lot or where the City Council or Community Design Review Board approves a lesser setback. In order to approve a driveway within the five foot setback, without approval of the adjacent owner, the City shall notify the adjacent owner at least ten days before the meeting. The Council must make a finding that the drive would have no adverse effect on the adjacent lot or owner. The Council shall include the following considerations in determining adverse effect:

- a. Snow storage
- b. Proximity of the drive to an adjacent house
- c. Difference in grade elevations
- d. Drainage
- e. Headlight glare
- f. Noise
- g. Berms

Section 2. Section 29-123 is added as follows:

Section 29-123. Enforcement

If the drive is illegally constructed within the setback, the City may require that the portion of the driveway that is within the setback be removed.

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

Seconded by Councilmember Anderson. Ayes - all.

I. NEW BUSINESS

1. No Parking - County Road D

a. Councilmember Bastian moved to table this item until the next meeting and instructed staff to notify the area business of the proposal.

Seconded by Councilmember Maida. Ayes - all.

2. Rezoning: County Road B and VanDyke

a. Manager Evans stated at the last meeting Council was questioned as to what had happened to the development proposal for the northwest corner of County Road B and VanDyke. If the developer wishes to proceed he must start with a new application.

b. Mr. Manfred Recihert requested the Council rezone the property.

c. Councilmember Bastian moved Council initiate a hearing to rezone the property on the northwest corner of County Road B and VanDyke Street from R-3 and BC to LBC.

Seconded by Councilmember Wasiluk. Ayes - all.

3. Conveyance of Tax Forfeited Land: Maple Crest Park

a. Manager Evans presented the staff report.

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

84 - 9 - 138

WHEREAS, the Board of County Commissioners of Ramsey County by Resolution dated September 17, 1984, classified as non-conservation land, certain land lying within the limits of the City of Maplewood; and

WHEREAS, a copy of the classification resolution together with a list of the land classified has been submitted for approval of the classification in accordance with Minnesota Statutes Annotated, Section 282.01, sub. 1; and

WHEREAS, the City of Maplewood has determined that said land is required for park and recreation purposes;

NOW, THEREFORE, BE IT RESOLVED, that said classification of the land shown on said list as non-conservation land is hereby approved; and

BE IT FURTHER RESOLVED, that the proper City officials be and hereby are authorized to make an application for conveyance of said tax forfeited land for park and recreation purposes; and

BE IT FURTHER RESOLVED, that the City Clerk be and hereby is authorized to file a certified copy of this resolution and application for conveyance of said tax forfeited land in the Office of the Land Commissioner.

Seconded by Councilmember Wasiluk. Ayes - all.

4. Ordinance on Liquor License Bonds

a. Manager Evans presented the staff report.

b. Councilmember Anderson moved first reading of an ordinance amending the forfeiture of bond requirements for liquor licenses to allow collection of cash up to the amount of the bond.

Seconded by Councilmember Bastian. Ayes - all.

J. VISITOR PRESENTATIONS

1. Doris Calhoun, 2205 Arkwright

a. Ms. Calhoun expressed the wishes of the neighborhood and herself regarding the proposed development of the property on County Road B legally described as Lots 5 and 6, Block 36, Dawson's Suburban Acres.

b. Councilmember Bastian moved to initiate a rezoning hearing for the above mentioned property to R-1 based on Council's prior actions with down zoning property.

Seconded by Councilmember Wasiluk. Ayes - all.

2. Jack Landsdahl, 1451 E. County Road B

a. Mr. Landsdahl presented a petition signed by area residents requesting clean up of the vacant property east of 1451 E. County Road B.

H. UNFINISHED BUSINESS

4. City Hall

a. Manager Evans presented the staff report.

b. Councilmember Maida made the following disclosure that her husband is employed by a mechanical engineering firm who works for several architectural firms, but he has no ownership, no policy making decision in the firm.

b. Following a vote and discussion, Councilmember Wasiluk moved to hire the firm of Architectural Alliance for the City Hall project.

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

Nays - Councilmember Bastian.

Council will meet with Architectural Alliance October 1, 1984 at 4:00 P.M.

5. Joint Powers Agreement - IDR Roseville

a. Manager Evans presented the staff report.

b. Mayor Greavu moved to enter into an agreement with Roseville for \$3,600,000 portion of Maplewood's IDR allocation.

Seconded by Councilmember Maida. Ayes - all.

Councilmember Anderson moved to waive the Rules of Procedures and extend the meeting past the deadline.

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

6. Fees and Permits

a. Manager Evans presented the staff report.

b. Councilmember Anderson moved first reading of an ordinance to increase the planning fees and moved that the variance fees remain as stated.

Seconded by Councilmember Wasiluk. Ayes - all.

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

84 - 9 - 139

BE IT RESOLVED, THAT THE City Council of Maplewood, Minnesota, established the following fees effective January 1, 1985:

Amusement Park License	\$110.00
Bench Permit	
First Bench	30.00
Each Additional Bench	15.00
Bingo License	
For one Night/Wk. for 52 wks.	110.00
For two nights/wk. for 52 wks.	220.00
One night	10.00
Christmas Tree Sales	
Regular	105.00
Non-profit organization	80.00
Cigarettes & Tobacco	30.00
Coin-Operated Amusement Devices	
Per Location	110.00
Per Machine	27.00
Dog Kennels	
First Time	30.00
Renewal	10.00
Gambling License	110.00
Golf Course	110.00

Motels	
1 - 15 units	45.00
16 - 35	70.00
36 - 100	110.00
over 100	135.00
Restaurant and/or Bakery	
Food Establishment	120.00
Catering Food Vehicle	
First Vehicle	60.00
Each Additional	30.00
Fleet License	170.00
Itinerant Food Establishment	
(Limit 7 Days)	
First Day	30.00
Each Additional Day	15.00
Non-Perishable Food Vehicle	
First Vehicle	30.00
Each Additional	15.00
Fleet License	75.00
Potentially Hazardous Food Vehicle	
First Vehicle	85.00
Each Additional	40.00
Fleet License	250.00
Special Food Handling Establishment	40.00
Tavern License	220.00
Taxicab License	
Base Charge	30.00
Each Driver	10.00
Theater License	
Indoor	110.00
Outdoor	220.00
Contractor's License	60.00
3.2 Beer License	
On-Sale	100.00*
Off-Sale	30.00*
Temporary Food & Beer	15.00/day
<u>LICENSES DUE JULY 1st</u>	
Used Car Dealer	220.00
<u>LICENSES DUE AUGUST 1st</u>	

Motor Vehicle Repair	40.00
Service Station	
First Pump	45.00
Each Additional Pump	6.00
Trailer Rental	
First 5 Trailers	15.00
Each Additional Trailer	2.00

LIQUOR LICENSES

Club Liquor License	300.00*
On-Sale Liquor	4,285.00
Off-Sale Liquor	200.00*
Sunday Liquor	200.00*
Beer and Wine	
Seating up to 25	840.00
Each Additional 10 Seats	110.00
Maximum	2,230.00

MISCELLANEOUS SERVICE CHARGES

Commercial and Industrial Revenue Note/Bonds

Base Charge (% of Bond Issue)	1%
Minimum	5,000.00
Maximum	20,000.00
Amount Paid With Application	1,000.00

Liquor License Investigation Fee 335.00

Block Party License 15.00

Carnival License 110.00

Solicitor License

Base Per Company	60.00
Additional Per Solicitor	30.00

Auctioneer License

Annual	55.00
Daily	15.00

Pawn Shop 55.00

Pending Assessment Searches 6.00

Police Accident Report Copies 5.00

Cat and Dog Licenses

Male	6.00
Female	6.00
Neutered/Spayed	3.00

Building Relocation	110.00
Community Design Review Board	60.00
Sewer Connection Permit (Per Connection)	
Residential Connection	30.00
Non-Residential Connection	45.00
Moving Permit	60.00
Wrecking Permit	30.00
Driveway Permit	6.00
Property Owner List	30.00 + 3.50/name
Mobile Home Permits	35.00

PUBLICATIONS (includes sales tax)

Zoning Code	6.00
Platting Code	3.00
Sign Code	2.50
Comprehensive Plan	10.00
Zoning Map	3.50
City Map	3.50
Section Map	3.50

*License Fee set by State Law.

Seconded by Councilmember Wasiluk. Ayes - all.

K. COUNCIL PRESENTATIONS

1. County Road B and McMenemy
Discussed under J-1
2. State Building Code - Sprinkler Systems
Discussed previously
3. D.N.R.

a. Councilmember Anderson moved to notify DNR that they should not charge 3M Co. for the fish that killed in Battle Creek Lake based on the fact that DNR did not "stock" the lake and no costs were incurred by them.

Seconded by Councilmember Maida. Ayes - all.

4. Commissioner's Meeting

a. Councilmember Anderson requested Council to give some thoughts for establishing another Council/Commission meeting.

5. Variance Alternatives

a. Councilmember Bastian made several suggestions regarding the granting of variances and the laws governing variances.

b. Staff is investigating.

L. ADMINISTRATIVE PRESENTATIONS

1. Wakefield Park Lease

a. Manager Evans stated the lease for Wakefield Park had been approved approximately 1½ years ago, but changes had to be made and it should be signed.

b. Councilmember Bastian moved to approve the lease agreement for Wakefield Park as submitted.

Seconded by Councilmember Maida.

Ayes - all.

2. BobeIdyk

a. Manager Evans stated the County is entering into litigation against Mr. BobeIdyk regarding his tri-plex on White Bear Avenue and inquired if Maplewood wished to join them.

b. Councilmember Bastian moved to enter into a suit with the County against Mr. BobeIdyk.

Seconded by Councilmember Anderson.

Ayes - all.

M. ADJOURNMENT

10:35 P.M.

City Clerk

Manual Checks for September 1984

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
253N50	09/28/84	19.50	NORTHWESTERN BELL	TELEPHONES
253N50	09/28/84	10.50-	NORTHWESTERN BELL	TELEPHONES
		.00 *		

260M71	10/01/84	23.94-	MN ST TREAS SURTAX	SURTAX PBL
260M71	10/01/84	23.94-	MN ST TREAS SURTAX	SURTAX PBL
		47.88--*		

261K20	09/28/84	145.00	KANE ROSEMARY	P/R DEDUCT
		145.00 *		

261M69	09/28/84	5,061.00	MINN STATE TREAS	MOTOR VEH LIC PBL
261M69	09/28/84	50.00	MINN STATE TREASURER	DRIVERS LIC PBL
261M69	09/28/84	340.00	MINN STATE TREAS	MOTOR VEH LIC PBL
261M69	09/28/84	344.00	MINN STATE TREASURER	DRIVERS LIC PBL
		5,795.00 *		

262220	09/28/84	32.00	ACC REC'VELE MGMT	COLLECTION AGENCY
		32.00 *		

262D45	09/28/84	12.00	DISPATCH	PAPERS
		12.00 *		

262+25	09/28/84	160.00	WENW CNTY CHIEFS	TRAVEL TRAINING
		160.00 *		

262M69	09/28/84	7,013.33	MINN STATE TREAS	MOTOR VEH LIC PBL
		7,013.33 *		

263C40	09/28/84	105.50	CLERK OF COURT	CNTY DRIVERS LIC
		105.50 *		

263M69	09/28/84	4,885.85	MINN STATE TREAS	MOTOR VEH LIC PBL
263M69	09/28/84	273.00	MINN STATE TREASURER	DRIVERS LIC PBL
		5,158.85 *		

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
263N50	09/28/84	38.90	NORTHWESTERN BELL	TELEPHONES
263N50	09/28/84	39.00	NORTHWESTERN BELL	TELEPHONES
263N50	09/28/84	23.30	NORTHWESTERN BELL	TELEPHONES
263N50	09/28/84	38.90	NORTHWESTERN BELL	TELEPHONES
263N50	09/28/84	39.00-	NORTHWESTERN BELL	TELEPHONES
263N50	09/28/84	19.50	NORTHWESTERN BELL	TELEPHONES
263N50	09/28/84	359.01	NORTHWESTERN BELL	TELEPHONES
263N50	09/28/84	35.90	NORTHWESTERN BELL	TELEPHONES
263N50	09/28/84	39.00	NORTHWESTERN BELL	TELEPHONES
263N50	09/28/84	67.95	NORTHWESTERN BELL	TELEPHONES
263N50	09/28/84	89.05	NORTHWESTERN BELL	TELEPHONES
263N50	09/28/84	81.80	NORTHWESTERN BELL	TELEPHONES
		796.31 *		

264520	09/28/84	75.00	MN MFOA	TRAVEL TRAINING
		75.00 *		

264523	09/28/84	101.76	RADISSON ARROWJOD	TRAVEL TRAINING
		101.76 *		

264M09	09/28/84	4,633.40	MINN STATE TREAS	MOTOR VEH LIC P
264M09	09/28/84	245.00	MINN STATE TREAS	DRIVERS LIC PRL
		4,878.40 *		

264N80	09/28/84	2.40-	N.S.P	UTILITIES
264N80	09/28/84	2.40	N.S.P	UTILITIES
264N80	09/28/84	421.17	N.S.P	UTILITIES
264N80	09/28/84	421.17-	N.S.P	UTILITIES
		.00 *		

265385	09/28/84	100.00	CHANHASSEN THEATRE	PROGRAMS
		100.00 *		

265516 *	09/28/84	33.95	COCA COLA	PRDG SUPPLIES
		33.95 *		
265517 *	09/28/84	579.60	FASHION LINE	PRDG SUPPLIES
		579.60 *		
265518	09/28/84	3.00	HAAG MATT	REFUND
		3.00 *		
265519 *	09/28/84	55.00	JACOBSENS APPLE ORC	SPECIAL EVENTS

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		55.00 *		

265E64	09/28/84	1,000.00 1,000.00 *	EMPLOYEE BEN CLAIMS	DENTAL CLAIMS

265M69	09/28/84	4,009.86	MINN STATE TREASURER	MOTOR VEH LIC PBL
265M69	09/28/84	365.00	MINN STATE TREASURER	DRIVERS LIC PBL
		4,374.86 *		

265N80	09/28/84	3.53	N.S.P	UTILITIES
265N80	09/28/84	2.40	N.S.P	UTILITIES
265N80	09/28/84	2.40	N.S.P	UTILITIES
265N80	09/28/84	421.17	N.S.P	UTILITIES
265N80	09/28/84	72.32	N.S.P	UTILITIES
265N80	09/28/84	6.11	N.S.P	UTILITIES
265N80	09/28/84	408.09	N.S.P	UTILITIES
		916.78 *		

268A05	09/28/84	335.00	AFSCME	UNION DUES PBL
268A05	09/28/84	5.32	AFSCME	UNION DUES PBL
		341.22 *		

268A75	09/28/84	210.56 210.56 *	A T & T	TELEPHONE

268C35	09/28/84	14,351.50 14,351.50 *	CITY CNTY CR UN	CREDIT UNION PBL

268I15	09/28/84	2,671.32	ICMA	DEFERRED COMP PBL
268I15	09/28/84	505.74	ICMA	DEFERRED COMP PBL
		3,176.76 *		

268M35	09/28/84	288.75 288.75 *	MN BENEFIT ASSN	P/R DEDUCT

268M52	09/28/84	14,646.71	MN FEDERAL SAVINGS	FWT FRL
268M52	09/28/84	337.50	MN FEDERAL SAVINGS	US SAVINGS PBL

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		14,984.21 *		

268461	09/28/84	310.00 310.00 *	MN MUTUAL LIFE INS	INSURANCE P&L

268465	09/28/84	7,889.01 7,889.01 *	MN ST COMM/REV	SWT P&L

268465	09/28/84	15.77	MN ST RETIREMENT	DEFERRED COMP P&L
268468	09/28/84	9.23	MN ST RETIREMENT	DEFERRED COMP P&L
		25.00 *		
268469	09/28/84	5,065.35	MN STATE TREAS	MOTOR VEH LIC P&L
268469	09/28/84	85.00	MINN STATE TREASURER	DNR LIC P&L
268469	09/28/84	26.00	MINN STATE TREASURER	DNR LIC P&L
268469	09/28/84	345.00	MINN STATE TREASURER	DRIVERS LIC P&L
		5,521.35 *		
268470	09/28/84	3,965.87	MN STATE TREAS S/S	S/S P&L
268470	09/28/84	4,143.46	MN STATE TREAS S/S	S/S P&L
		8,109.33 *		

268583	09/28/84	20.00 20.00 *	STATE OF MINN	NOTARY

268480	09/28/84	298.60 298.60 *	UNITED MAY	P/R DEDUCT P&L

268425	09/28/84	157.40 157.40 *	MISC DEPT REVENUE	SWT P&L

269521 *	09/28/84	2,049.00 2,049.00 *	N.E.S.A	PROGRAMS
269522	09/28/84	6,995.46	NORTHWEST ASPHALT	CONTRACT PYM
269522	09/28/84	83,832.18	NORTHWEST ASPHALT	CONTRACT PYM
269522	09/28/84	9.00-	NORTHWEST ASPHALT	CONTRACT PYM
		90,818.64 *		

269M20	09/28/84	28,050.00	METRO WASTE CONTROL	SAC P&L

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
269M29	09/28/84	280.50- 27,769.50 *	METRO WASTE CONTROL	SAC PBL

269M69	09/28/84	5,195.05	MINN STATE TREASURER	MOTOR VEH LIC PE
269M69	09/28/84	382.00	MINN STATE TREASURER	DRIVERS LIC PBL
		5,577.05 *		

269M76	09/28/84	6,495.08	MN ST TREAS PERA	PERA PBL
269M76	09/28/84	8,629.13	MN ST TREAS PERA	PERA PBL
		15,124.21 *		

270C40	10/01/84	95.00 95.00 *	CLERK OF COURT	CNTY LIC PBL

270M45	10/01/84	8.00 8.00 *	METRO AREA MGMT	TRAVEL TRAINING

270M69	10/01/84	5,189.00	MINN STATE TREAS	MOTOR VEH LIC PE
270M69	10/01/84	242.00	MINN STATE TREAS	MOTOR VEH LIC PE
		5,431.00 *		

270M71	10/01/84	1,196.72	MN ST TREAS SURTAX	SURTAX PBL
270M71	10/01/84	23.94	MN ST TREAS SURTAX	SURTAX PBL
		1,220.72 *		

271C36	10/01/84	1,287.80 1,287.80 *	CARE ANIMAL	ANIMAL CONTROL

271M69	10/01/84	3,859.75	MINN STATE TREAS	MOTOR VEH LIC PE
271M69	10/01/84	90.00	MINN STATE TREAS	MOTOR VEH LIC PE
		3,949.75 *		

272M69	10/01/84	6,429.18	MINN STATE TREAS	MOTOR VEH LIC PE
272M69	10/01/84	439.00	MINN STATE TREAS	MOTOR VEH LIC PE
		6,868.18 *		

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
272 NRC	10/01/84	86.07	N.S.P.	UTILITIES
272 NRC	10/01/84	82.76	N.S.P.	UTILITIES
272 NRC	10/01/84	105.45	N.S.P.	UTILITIES
		274.28 *		

		141,691.49	FUND 01 TOTAL	GENERAL
		646.89	FUND 03 TOTAL	HYDRANT CHARGE
		6,995.46	FUND 11 TOTAL	PARK DEVELOPMENT
		83,823.18	FUND 12 TOTAL	STREET CONSTRUCTION
		13,287.56	FUND 92 TOTAL	PAYROLL BENEFIT
		1,000.00	FUND 94 TOTAL	DENTAL SELF-INS
		247,444.58	TOTAL	

*NECESSARY EXPENDITURES SINCE LAST COUNCIL MEETING

Accounts Payable October 8, 1984

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
274468	09/26/84	75.00-	HENDRICKS BEA	WAGES
274468	09/26/84	75.00	HENDRICKS BEA	WAGES
		.00 *		

284019 *	09/26/84	16.00	NOORDUM SHIRLEY	REFUND
		16.00 *		

284040 *	09/26/84	16.00	BURKE AVA	REFUND
		16.00 *		

284086	09/26/84	621.55	MPLS EQUIPMENT	SUPPLIES VEH
		621.55 *		

284125	09/26/84	175.00	CORPORATE RISK MANG	CONTRACT FYM
		175.00 *		

284151	09/26/84	25.00	FRISKY PETS	SUPPLIES
		25.00 *		

284164	09/26/84	35.00	WEEHAN JAMES	CANINE ALLOWANCE
		35.00 *		

284170	09/26/84	41.81	ALPHEON VOID	SUPPLIES VOID
		11.81		

284219	09/26/84	118.95	NORTH CENTRAL CONSTR	SUPPLIES
		118.95 *		

284315	09/26/84	21.30-	G T PARTS CC	SUPPLIES VEH
284315	09/26/84	62.15	G T PARTS CC	SUPPLIES VEH
		40.85 *		

284317	09/26/84	350.00	ROBERT MARTIN	CONTRACT FYM
284317	09/26/84	100.00	ROBERT MARTIN	CONTRACT FYM
		450.00 *		

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION

284359	09/26/84	197.72	GOODYEAR AUTO SERV	SUPPLIES VEH
284359	09/26/84	84.80	GOODYEAR AUTO SERV	CONTRACT PYM
		282.52 *		

284366	09/26/84	154.42	DAVIES WATER EQUIP	SUPPLIES
		194.42 *		

284397	09/26/84	106.74	MIAN BEARING CO	SUPPLIES VEH
		106.74 *		

284400	09/26/84	141.65	RAMALEY PRINTING	PRINTING
		141.65 *		

284415	09/26/84	87.13	JOHNSON MARY	WAGES
		87.13 *		
284416	09/26/84	77.00	TOOLEY MARJORY	WAGES
		77.00 *		
284417	09/26/84	69.00	EDDY BETTY	WAGES
		69.00 *		
284418	09/26/84	69.00	LIPINSKI JOYCE	WAGES
		69.00 *		
284419	09/26/84	78.00	SANDQUIST SIBBIE	WAGES
		78.00 *		
284420	09/26/84	78.00	KLEBE EMMA	WAGES
		78.00 *		
284421	09/26/84	76.50	WIEGERT ELSIE	WAGES
		76.50 *		
284422	09/26/84	70.00	SCHMIDT JOYCE	WAGES
		70.00 *		
284423	09/26/84	78.00	LEONARD LYNETTE	WAGES
		78.00 *		
284424	09/26/84	78.00	ERICKSON PHYLLIS	WAGES
		78.00 *		
284425	09/26/84	76.00	MOLCHAN GUNBERG	WAGES

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		76.00 *		
284426	09/26/84	76.00 76.00 *	JONES SANDY	WAGES
284427	09/26/84	68.00 68.00 *	FRIGGE LINDA	WAGES
284428	09/26/84	74.00 74.00 *	WICHOLM JUDY	WAGES
284429	09/26/84	82.00 82.00 *	SUFAN KATHY	WAGES
284430	09/26/84	76.00 76.00 *	HOLEHTON JOANNE	WAGES
284431	09/26/84	70.00 70.00 *	WALM MYRTLE	WAGES
284432	09/26/84	70.00 70.00 *	COLLERSCHELL ESTHER	WAGES
284433	09/26/84	82.88 82.88 *	WOLSZON MARGARET	WAGES
284434	09/26/84	78.00 78.00 *	FOEGORSKI ARMELLA	WAGES
284435	09/26/84	70.00 70.00 *	HAAS BETTY	WAGES
284436	09/26/84	74.00 74.00 *	HAAS THEODORE	WAGES
284437	09/26/84	78.00 78.00 *	EMERSON BETTY	WAGES
284438	09/26/84	68.00 68.00 *	HOLCK MILDRED	WAGES
284439	09/26/84	68.00 68.00 *	FREDERICKSON RITA	WAGES
284440	09/26/84	76.00 76.00 *	FISCHER LORRAINE	WAGES
284441	09/26/84	76.00 76.00 *	BERGLUND BETTY	WAGES
284442	09/26/84	68.00 68.00 *	FOX ANNA	WAGES
284443	09/26/84	85.00 85.00 *	MYERS JEAN	WAGES

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
284444	09/26/84	80.00 80.00 *	FLUG CORFINE	WAGES
284445	09/26/84	78.00 78.00 *	MCCRE KATHERINE	WAGES
284446	09/26/84	80.00 80.00 *	MCDONALD MARGARET	WAGES
284447	09/26/84	80.00 80.00 *	MALLET DOLORES	WAGES
284448	09/26/84	74.38 74.38 *	FOSEBURGH ANNE	WAGES
284449	09/26/84	76.00 76.00 *	LIEDER MARY LCU	WAGES
284450	09/26/84	74.00 74.00 *	GOLASKI DIANE	WAGES
284451	09/26/84	73.00 73.00 *	ARBORE DOROTHY	WAGES
284452	09/26/84	74.00 74.00 *	WERDEN PAT	WAGES
284453	09/26/84	80.00 80.00 *	COTTRELL JOAN	WAGES
284454	09/26/84	70.00 70.00 *	ABRAHAMSON KAREN	WAGES
284455	09/26/84	85.00 85.00 *	LOFGREN DELCRES	WAGES
284456	09/26/84	80.00 80.00 *	OLSON MAXINE	WAGES
284457	09/26/84	80.00 80.00 *	HART SIGRID	WAGES
284458	09/26/84	70.00 70.00 *	LUTTRELL SHIRLEY	WAGES
284459	09/26/84	71.00 71.00 *	AREUCKLE JACK	WAGES
284460	09/26/84	73.31 73.31 *	WARNER CARCLINE	WAGES
284461	09/26/84	73.00 73.00 *	ARBUCKLE CHARLENE	WAGES
284462	09/26/84	78.00	MILLER ALICE	WAGES

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		78.00 *		
284463	09/26/84	70.00 70.00 *	ANDERSON IRENE	WAGES
284464	09/26/84	78.00 78.00 *	ERICCOY DORIS	WAGES
284465	09/26/84	81.00 81.00 *	LEITER BARBARA	WAGES
284466	09/26/84	77.00 77.00 *	THOMPSON PATRICIA	WAGES
284467	09/26/84	67.00 67.00 *	BUFTON KAREN	WAGES
284468	09/26/84	75.00 75.00 *	HENDRICKS BEA	WAGES
284469	09/26/84	75.00 75.00 *	AXDAHL EVELYN	WAGES
284470	09/26/84	69.00 69.00 *	DITTEL KATHLEEN	WAGES
284471	09/26/84	67.00 67.00 *	DICKSON HELEN JEAN	WAGES
284472	09/26/84	80.00 80.00 *	SCHNEIDER LORRAINE	WAGES
284473	09/26/84	85.00 85.00 *	MATHEWS ELEANOR	WAGES
284474	09/26/84	67.00 67.00 *	BIENIGHAUSER	WAGES
284475	09/26/84	78.00 78.00 *	ALLEN AGNES	WAGES
284476	09/26/84	8.00 8.00 *	MISHA JANET	WAGES
284477	09/26/84	8.00 8.00 *	BLANCK PATRICIA	WAGES
284478	09/26/84	66.00 66.00 *	DUELLMAN ALFREY	WAGES
284479	09/26/84	79.00 79.00 *	DEHEN MILDRED	WAGES
284480	09/26/84	74.00 74.00 *	FASTNER DELCRIS	WAGES

1984 CITY OF MAPLEWOOD		CHECK REGISTER		
CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
284481	09/26/84	78.00 78.00 *	GETTY CRFHA	WAGES
284482	09/26/84	60.56 60.56 *	LIBHARDT MARY	WAGES
284483 *	09/26/84	27.90 27.90 *	A-1 BUSINESS SERVICE	SUPPLIES
284484	09/26/84	150.00 150.00 *	ANDERSON ERICKSON	REFUND
284485	09/26/84	79.45 79.45 *	ASSOCIATED BAG CO	SECURITY TAPES
284486	09/26/84	49.23 49.23 *	BOLET PAINT	SUPPLIES
284487	09/26/84	200.00 200.00 *	CJ S TOOLS	SUPPLIES VEH
284488 *	09/26/84	10.00 10.00 *	DE HAVEN LINDA	REFUND
284489 *	09/26/84	16.00 16.00 *	DELESHA JULENE	REFUND
284490	09/26/84	50.75 50.75 *	D.C.HEY CO	SUPPLIES
284491 *	09/26/84	100.00 100.00 *	DREGER ROBERT	REFUND
284492	09/26/84	400.00 400.00 *	E.E.P.	CONTRACT FYM
284493 *	09/26/84	10.00 10.00 *	GRUNDHOFFER JAMES	REFUND
284494 *	09/26/84	16.00 16.00 *	HAMRE CAROL	REFUND
284495 *	09/26/84	12.00 12.00 *	HANNULA ROD	REFUND
284496 *	09/26/84	16.00 16.00 *	HENSLEY FAT	REFUND
284497 *	09/26/84	16.00 16.00 *	HOLCK MILDRED	REFUND
284498 *	09/26/84	10.00 10.00 *	JANISCH RITA	REFUND
284499	09/26/84	16.00	JOHNSON DOROTHY V	REFUND

1984 CITY OF MAPLEWOOD		CHECK REGISTER		
CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		16.00 *		

284501	*09/26/84	10.00 10.00 *	MAUER CRAIG	REFUND
284502	09/26/84	565.15	NATL BUSINESS SYSTEM	READER
284502	09/26/84	1,762.82	NATL BUSINESS SYSTEM	READER
		2,327.97 *		
284503	09/26/84	59.80 59.80 *	FAYETTE JEAN	EMT INSTRUCTOR
284504	09/26/84	59.80 59.80 *	FAYETTE GREGORY	EMT INSTRUCTOR
284505	09/26/84	19.00 19.00 *	SUPT OF DOCUMENTS	EMT INSTRUCTOR
284506 *	09/26/84	16.00 16.00 *	PUCLEASA AURORA	REFUND
284507 *	09/26/84	10.00 10.00 *	SCHMITZ KAREN	REFUND
284508 *	09/26/84	13.75 13.75 *	STACEY HARRY	REFUND
284509 *	09/26/84	32.00 32.00 *	THOMAS HELEN	REFUND
284510 *	09/26/84	16.00 16.00 *	TOBRIDY HELEN	REFUND
284511 *	09/26/84	10.00 10.00 *	GODDEN LINDA	REFUND
284512	09/26/84	100.00 100.00 *	SCHLOPKA DENNIS	REFUND ESCROW
284513	09/26/84	425.00 425.00 *	KOPESKY STEVE	REFUND SAC
284514	09/26/84	1.50 1.50 *	RAMSEY COUNTY	OFFICE SUPPLIES
284515	09/26/84	12.50 12.50 *	UREAN LAND INST	BOOK

284A02	09/26/84	39.82	ACRO-MINN	SUPPLIES
284A02	09/26/84	39.83	ACRO-MINN	SUPPLIES
		79.65 *		

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION

284A69	09/26/84	29.60	ARNALS AUTO SERV	REPAIR MAINT VEH
284A69	09/26/84	21.75	ARNALS AUTO SERV	REPAIR MAINT VEH
284A69	09/26/84	41.75	ARNALS AUTO SERV	REPAIR MAINT VEH
284A69	09/26/84	84.75	ARNALS AUTO SERV	REPAIR MAINT VEH
284A69	09/26/84	30.15	ARNALS AUTO SERV	REPAIR MAINT VEH
284A69	09/26/84	46.80	ARNALS AUTO SERV	REPAIR MAINT VEH
284A69	09/26/84	79.80	ARNALS AUTO SERV	REPAIR MAINT VEH
284A69	09/26/84	164.90	ARNALS AUTO SERV	REPAIR MAINT VEH
284A69	09/26/84	21.75	ARNALS AUTO SERV	REPAIR MAINT VEH
284A69	09/26/84	21.75	ARNALS AUTO SERV	REPAIR MAINT VEH
		543.00 *		

284E13	09/26/84	1,988.00	BAFT JAMES C	INSPECTOR
		1,988.00 *		

284E15	09/26/84	103.23	BATTERY TIRE WHSE	SUPPLIES VEH
284E15	09/26/84	41.38	BATTERY TIRE WHSE	SUPPLIES VEH
		144.61 *		

284E27	09/26/84	136.84	BERG TORSETH	SUPPLIES
		136.84 *		

284E45	09/26/84	18.44	BOARD OF WATER COMM	UTILITIES
		18.44 *		

284E48	09/26/84	240.33	ECYER TRUCK PARTS	SUPPLIES VEH
		240.33 *		

284C26	09/26/84	156.84	CANVAS PROD REPAIR	SUPPLIES
		156.84 *		

284C33	09/26/84	72.75	CAPITOL SUPPLY	SUPPLIES
		72.75 *		

284C36	09/26/84	1,287.80-	CARE ANIMAL CONTROL	ANIMAL CONTROL
284C36	09/26/84	1,287.80	CARE ANIMAL CONTROL	ANIMAL CONTROL

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIP
		.00 *		

284038	09/26/84	44.55	CLEAN STEP RUGS	RUGS CLEANED
284038	09/26/84	44.55	CLEAN STEP RUGS	RUGS CLEANED
		89.10 *		
284039	09/26/84	81.25	CEMSTONE PRODUCTS	SUPPLIES
		81.25 *		

284050	09/26/84	72.50	CLUTCH&TRANSMISSION	SUPPLIES VEH
284050	09/26/84	30.00	CLUTCH&TRANSMISSION	SUPPLIES VEH
284050	09/26/84	246.16	CLUTCH&TRANSMISSION	SUPPLIES VEH
		348.66 *		

284055	09/26/84	189.42	COPY DUPLICATING	DUPLICATING C
		189.42 *		

284057	09/26/84	11.93	COLLINS KENNETH	OFFICE SUPPLI
		11.93 *		

284095	09/26/84	8.43	CUDE LIBBY	SUPPLIES
		8.43 *		

284030	09/26/84	112.66	DALCO	SUPPLIES
284030	09/26/84	16.98	DALCO	SUPPLIES
		95.68 *		

284037	09/26/84	37.50	DATA DISPATCHING	SUPPLIES
		37.50 *		

284040	09/27/84	525.68	DEPT OF PUBLIC SFTY	AUG COMP MAINT
284040	09/27/84	40.00	DEPT OF PUBLIC SFTY	AUG COMP MAINT
		565.68 *		

284043	09/26/84	93.00	DIAMOND RADIATOR	SUPPLIES VEH
284043	09/26/84	45.00	DIAMOND RADIATOR	SUPPLIES VEH
		138.00 *		

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION

284E15	09/26/84	224.03	E K QUEHL	SUPPLIES
284E25	09/26/84	1,440.00	E K QUEHL	SUPPLIES
		1,664.03 *		

284E97	09/27/84	120.00	ESS BROTHERS & SONS	SUPPLIES
		120.00 *		

284E90	09/26/84	225.00	EVANS RARY	VEHICLE ALLOWANC
		225.00 *		

284E42	09/26/84	82.97	GENERATOR SPECIALTY	SUPPLIES
		82.97 *		

284E45	09/26/84	6.50	GOODYEAR TIRE CO	SUPPLIES VEH
284E45	09/26/84	29.00	GOODYEAR TIRE CO	SUPPLIES VEH
284E45	09/26/84	6.50	GOODYEAR TIRE CO	SUPPLIES VEH
284E45	09/26/84	62.32	GOODYEAR TIRE CO	SUPPLIES VEH
284E45	09/26/84	221.36	GOODYEAR TIRE CO	SUPPLIES VEH
284E45	09/26/84	62.32	GOODYEAR TIRE CO	SUPPLIES VEH
284E45	09/26/84	27.00	GOODYEAR TIRE CO	SUPPLIES VEH
		415.00 *		
284E46	09/26/84	31.71	GENUINE PARTS	SUPPLIES
		31.71 *		

284E49	09/26/84	3.44	GOPHER BEARING CO	SUPPLIES
		3.44 *		

284E57	09/26/84	753.75	GRACE DUANE C	CONSULTING INSPE
		753.75 *		
284E58	09/26/84	12.96	GREW JANET	PRCG SUPPLIES
284E58	09/26/84	4.44	GREW JANET	PRCG SUPPLIES
284E58	09/26/84	6.73	GREW JANET	PRCG SUPPLIES
		24.13 *		

284E60	09/26/84	7.50	ERLBERG FOW HANK	SUPPLIES
		7.50 *		

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION

284J26	09/26/84	23.72 23.72 *	INNERLINE	DF SERVICES

284J50	09/26/84	338.94-	INTL-HOUGH DIV	SUPPLIES VEH
284J50	09/26/84	338.94	INTL-HOUGH DIV	SUPPLIES VEH
284J50	09/26/84	319.76	INTL-HOUGH DIV	SUPPLIES VEH
		319.76 *		

284J30	09/26/84	560.00 560.00 *	J&J TROPHIES	SUPPLIES PPOG

284J32	09/26/84	266.08	J.L. SHIELY CC	SUPPLIES
284J32	09/26/84	2,725.46	J.L. SHIELY CC	SUPPLIES
		2,991.54 *		

284J53	09/26/84	2.33	JOHNSON RANDALL	TRAVEL TRAINING
284J53	09/26/84	5.70	JOHNSON RANDALL	FUEL OIL
		7.33 *		

284K55	09/26/84	74.85	KNOX LUMBER	SUPPLIES
284K55	09/26/84	83.82	KNOX LUMBER	SUPPLIES
284K55	09/26/84	85.56	KNOX LUMBER	SUPPLIES
		244.23 *		

284L28	09/26/84	35.00 35.00 *	LANE RICHARD	CANINE ALLOWANCE

284M11	09/26/84	85.97 85.97 *	MAC QUEEN EQUIPMENT	SUPPLIES

284M48	09/26/84	2,667.84 2,667.84 *	METRO INSP SERVICE	ELEC INSPECTION

284M90	09/27/84	873.90	MOTOROLA INC	CONTRACT FYM

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		873.90 *		

284N5L	09/27/84	50.39	NORTHWESTERN BELL	TELEPHONE
284N5C	09/27/84	47.30	NORTHWESTERN BELL	TELEPHONE
284N5D	09/27/84	13.12	NORTHWESTERN BELL	TELEPHONE
284N5L	09/27/84	114.65	NORTHWESTERN BELL	TELEPHONE
		225.46 *		

284N8D	09/27/84	1,297.07	N.S.P.	UTILITIES
284N8C	09/27/84	55.60	N.S.P.	UTILITIES
284N8C	09/27/84	2.40	N.S.P.	UTILITIES
284N8C	09/27/84	3.53	N.S.P.	UTILITIES
284N8C	09/27/84	2.40	N.S.P.	UTILITIES
284N8L	09/27/84	3.53	N.S.P.	UTILITIES
284N8D	09/27/84	44.68	N.S.P.	UTILITIES
284N8C	09/27/84	141.50	N.S.P.	UTILITIES
284N8L	09/27/84	87.86	N.S.P.	UTILITIES
284N8C	09/27/84	6,103.65	N.S.P.	UTILITIES
284N8C	09/27/84	148.62	N.S.P.	UTILITIES
284N8C	09/27/84	134.12	N.S.P.	UTILITIES
284N8C	09/27/84	93.15	N.S.P.	UTILITIES
284N8C	09/27/84	41.10	N.S.P.	UTILITIES
284N8C	09/27/84	122.18	N.S.P.	UTILITIES
284N8C	09/27/84	129.69	N.S.P.	UTILITIES
284N8C	09/27/84	96.35	N.S.P.	UTILITIES
284N8D	09/27/84	90.19	N.S.P.	UTILITIES
284N8D	09/27/84	4.25	N.S.P.	UTILITIES
284N8L	09/27/84	83.80	N.S.P.	UTILITIES
284N8C	09/27/84	27.85	N.S.P.	UTILITIES
284N8C	09/27/84	26.43	N.S.P.	UTILITIES
284N8L	09/27/84	6.07	N.S.P.	UTILITIES
284N8C	09/27/84	87.92	N.S.P.	UTILITIES
284N8C	09/27/84	27.48	N.S.P.	UTILITIES
284N8D	09/27/84	4.25	N.S.P.	UTILITIES
284N8D	09/27/84	27.50	N.S.P.	UTILITIES
284N8C	09/27/84	4.25	N.S.P.	UTILITIES
284N8C	09/27/84	15.37	N.S.P.	UTILITIES
284N8C	09/27/84	112.96	N.S.P.	UTILITIES
284N8C	09/27/84	63.74	N.S.P.	UTILITIES
284N8C	09/27/84	17.12	N.S.P.	UTILITIES
284N8C	09/27/84	20.77	N.S.P.	UTILITIES
284N8C	09/27/84	13.29	N.S.P.	UTILITIES
284N8D	09/27/84	256.82	N.S.P.	UTILITIES
284N8C	09/27/84	91.47	N.S.P.	UTILITIES
284N8D	09/27/84	143.35	N.S.P.	UTILITIES
284N8C	09/27/84	12.18	N.S.P.	UTILITIES
284N8C	09/27/84	90.70	N.S.P.	UTILITIES
284N8C	09/27/84	7.95	N.S.P.	UTILITIES
284N8C	09/27/84	74.84	N.S.P.	UTILITIES
		9,817.68 *		

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
284N95	09/26/84	9.25 9.25 *	NOTESON LAVERNE	TRAVEL TRAINING

284C52	09/26/84	16.00 16.00 *	CLSON PEARL	REFUND

284P40	09/26/84	6.95 6.95 *	PHOTOS TO GO	OFFICE SUPPLIES
284F41	09/26/84	67.80 67.80 *	PIONEER FILM	SUPPLIES

284F45	09/26/84	74.00 74.00 *	PITNEY BOWES	CONTRACT FYM

284F50	09/26/84	875.00 875.00 *	POSTMASTER	POSTAGE

284F67	09/26/84	76.50 76.50 *	PROFESSIONAL PROCESS	AMB JULY

284F09 284F09	09/26/84 09/26/84	4.93 53,240.31 53,245.14 *	RAMSEY COUNTY RAMSEY COUNTY	CONTRACT FYM CONTRACT FYM

284F26	09/26/84	306.11 306.11 *	REEF INDUSTRIES	SUPPLIES

284F49	09/26/84	30.48 30.48 *	ROAD RESCUE	SUPPLIES

284S02 284S02	09/26/84 09/26/84	2.60 4.20 6.80 *	S&D LOCK & SAFE S&D LOCK & SAFE	SUPPLIES SUPPLIES

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
284S05	09/26/84	59.00	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	18.28	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	26.12	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	7.80	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	38.00	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	9.28	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	73.16	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	43.68	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	46.41	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	23.60	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	95.28	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	79.97	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	32.68	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	16.74	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	32.69	S & T OFFICE	OFFICE SUPPLIES
284S05	09/26/84	58.56	S & T OFFICE	OFFICE SUPPLIES
		661.25 *		

284S30	09/26/84	42.13	SEARS #8412	SUPPLIES
284S30	09/26/84	14.98	SEARS #8412	SUPPLIES
284S30	09/26/84	12.28	SEARS #8412	SUPPLIES
		69.39 *		

284S37	09/26/84	18.14	SEVEN CORNERS ACE HDW	SUPPLIES
		18.14 *		

284S39	09/26/84	100.64	SHORT ELLIOT MENDR	CONTRACT PYM
		100.64 *		

284S58	09/26/84	21.00	ST PAUL CITY OF	VEH RADIO MAINT
		21.00 *		

284S65	09/27/84	38.00	ST PAUL RAMSEY MED	PHYSICAL
284S65	09/27/84	200.00	ST PAUL RAMSEY MED	PHYSICAL
		238.00 *		

284S70	09/26/84	462.72	STANDARD SPG ALIGN	REPAIR MAINT
284S70	09/26/84	412.36	STANDARD SPG ALIGN	REPAIR MAINT
		881.08 *		

284S82	09/26/84	78.07	STATE OF MN DOT	CONTRACT PYM

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
284S82	09/26/84	23,348.49	STATE OF MN DOT	CONTRACT FYM
284S82	09/26/84	6,480.36	STATE OF MN DOT	CONTRACT FYM
284S82	09/26/84	303.29	STATE OF MN DOT	CONTRACT FYM
		30,210.21 *		

284S84	09/26/84	35.00	STEFFEN SCOTT	CANINE ALLOWANCE
284S84	09/26/84	200.00	STEFFEN SCOTT	KENNEL SUPPLIES
		235.00 *		

284S90	09/26/84	37.39	SUPERAMERICA	FUEL OIL
284S90	09/26/84	24.90	SUPERAMERICA	FUEL OIL
284S90	09/26/84	161.97	SUPERAMERICA	FUEL OIL
284S90	09/26/84	160.15	SUPERAMERICA	FUEL OIL
284S90	09/26/84	25.50	SUPERAMERICA	FUEL OIL
284S90	09/26/84	123.79	SUPERAMERICA	FUEL OIL
284S90	09/26/84	151.15	SUPERAMERICA	FUEL OIL
284S90	09/26/84	14.00	SUPERAMERICA	FUEL OIL
284S90	09/26/84	45.50	SUPERAMERICA	FUEL OIL
284S90	09/26/84	59.00	SUPERAMERICA	FUEL OIL
284S90	09/26/84	11.00	SUPERAMERICA	FUEL OIL
284S90	09/26/84	16.00	SUPERAMERICA	FUEL OIL
284S90	09/26/84	105.14	SUPERAMERICA	FUEL OIL
284S90	09/26/84	13.70	SUPERAMERICA	FUEL OIL
284S90	09/26/84	34.00	SUPERAMERICA	FUEL OIL
284S90	09/26/84	40.33	SUPERAMERICA	FUEL OIL
		1,023.52 *		

284T29	09/27/84	712.80	T.A.SCHIFSKY SONS	SUPPLIES
284T29	09/26/84	4,950.00	T.A.SCHIFSKY SONS	CONTRACT FYM
		5,662.80 *		

284T60	09/26/84	68.77	TOLL WELDING SUPP	SUPPLIES
		68.77 *		

284T80	09/26/84	58.00	TRUCK UTILITIES MFG	SUPPLIES
284T80	09/28/84	82.77	TRUCK UTILITIES MFG	SUPPLIES
		140.77 *		

284T93	09/26/84	43.75	TWIN CITY FILTER	FILTER CLEANED
		43.75 *		

284U00	09/26/84	32.20	UNIFORMS UNLIMITED	UNIFORMS

1984 CITY OF MAFFLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
284L50	09/26/84	103.00-	UNIFORMS UNLIMITED	UNIFORMS
284L50	09/26/84	44.05	UNIFORMS UNLIMITED	UNIFORMS
284L50	09/26/84	66.55	UNIFORMS UNLIMITED	UNIFORMS
284L50	09/26/84	176.15	UNIFORMS UNLIMITED	UNIFORMS
284U50	09/26/84	44.95	UNIFORMS UNLIMITED	UNIFORMS
284L50	09/26/84	199.00	UNIFORMS UNLIMITED	UNIFORMS
284L50	09/26/84	48.82	UNIFORMS UNLIMITED	UNIFORMS
284L50	09/26/84	26.05	UNIFORMS UNLIMITED	UNIFORMS
284L50	09/26/84	144.75	UNIFORMS UNLIMITED	UNIFORMS
284U50	09/26/84	23.22	UNIFORMS UNLIMITED	UNIFORMS
		702.74 *		

284L86	09/26/84	90.60	UNIVERSAL MEDICAL	SUPPLIES
284L86	09/27/84	23.80	UNIVERSAL MEDICAL	SUPPLIES
284L86	09/27/84	10.00	UNIVERSAL MEDICAL	SUPPLIES
		124.40 *		

284L21	09/26/84	28.04	WARNERS TRUE VALU	SUPPLIES
		28.04 *		
284L22	09/26/84	305.95	WARNER INC SUPLY	SUPPLIES
		305.95 *		

284W50	09/26/84	65.00	WEBER-TRCSETH INC	SUPPLIES
284W50	09/26/84	44.50	WEBER-TRCSETH INC	SUPPLIES
284W50	09/26/84	13.00	WEBER-TRCSETH INC	SUPPLIES
284W50	09/26/84	20.50	WEBER-TRCSETH INC	SUPPLIES
		143.00 *		

284X30	09/26/84	130.09	XEROX	DUPLICATING COS
284X30	09/26/84	130.09	XEROX	DUPLICATING COS
		260.18 *		

284Z40	09/26/84	915.18	ZIEGLER INC	REPAIR MAINT VE
284Z40	09/26/84	614.30	ZIEGLER INC	REPAIR MAINT VE
		1,529.48 *		

284Z60	09/26/84	13.00	ZRLST WILLIAM	REFUND
		13.00 *		

		36,354.59	FUND 01 TCTAL	GENERAL
		34.06	FUND 03 TCTAL	HYDRANT CHARGE

1984 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO. DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
	150.00	FUND 10 TOTAL	WATER AVAILABIL
	4,950.00	FUND 11 TOTAL	PARK DEVELOPME
	1,440.00	FUND 12 TOTAL	STREET CONSTR S
	23,348.49	FUND 32 TOTAL	83-12 RICE CANY
	6,480.36	FUND 40 TOTAL	84-5 HWY 61&CC
	303.29	FUND 58 TOTAL	80-10 HW 61 PFM
	105.47	FUND 65 TOTAL	81-12 FOLLOWAY
	53,240.31	FUND 71 TOTAL	81-21 W B AVE/H
	1,875.98	FUND 90 TOTAL	SANITARY SEWER
	400.00	FUND 94 TOTAL	DENTAL SELF-INS
	6,135.56	FUND 96 TOTAL	VEHICLE & EQUIP
	134,818.11	TOTAL	

* INDICATES ITEMS FINANCED BY RECREATIONAL FEES

DEPT-NO	EMPL-NO	EMPLOYEE NAME	CHECK-NO	AMOUNT	CLEARED
0002	484369671	BEHM LOIS	N 0917-00001	459.00	()
0002	206242018	EVANS BARRY	R 0917-00002	1,377.68	()
0002				1,836.68 *	
0010	473664474	JAHN DAVID	J 0917-00003	108.19	()
0010	473900147	JOHNSON GREGORY	R 0917-00004	0.00	(X)
0010	469586523	SWANSON JR. LYLE	E 0917-00005	468.08	()
0010				576.27 *	
0012	357340166	CUDE LARRY	J 0917-00006	175.61	()
0012	470520124	DOHERTY KATHLEEN	M 0917-00007	81.74	()
0012	471400908	ZUERCHER JOHN	L 0917-00008	103.94	()
0012				361.29 *	
0021	469501078	FAUST DANIEL	F 0917-00009	1,035.47	()
0021	469743719	MEYER NANCY	E 0917-00010	0.00	(X)
0021				1,035.47 *	
0022	469200614	PAGEN ARLINE	J 0917-00011	483.47	()
0022	390444446	MATHEYS ALANA	K 0917-00012	543.52	()
0022	476704432	MOELLER MARGARET	A 0917-00013	342.99	()
0022	473327550	VIGNALO DELORES	A 0917-00014	464.89	()
0022				1,834.57 *	
0031	471322198	AURELIUS LUCILLE	E 0917-00015	811.92	()
0031	474264816	SELVOG BETTY	D 0917-00016	619.21	()
0031				1,431.13 *	
0033	477288389	GREEN PHYLLIS	C 0917-00017	581.89	()
0033	472244994	WEASLEY PATRICIA	A 0917-00018	256.90	()
0033	476620547	KELSEY CONNIE	L 0917-00019	294.47	()
0033	476269815	SCHADT JEANNE	L 0917-00020	173.61	()
0033	468364435	VIETOR LORRAINE	S 0917-00021	431.23	()
0033				1,738.10 *	
0034	474097528	STOTTLEMYER EDITH	G 0917-00022	52.00	()
0034				52.00 *	
0041	468461717	COLLINS KENNETH	V 0917-00023	57.28	()
0041	477369263	MARTINSON CAROL	F 0917-00024	350.62	()
0041	475323183	NELSON ROBERT	D 0917-00025	636.91	()
0041	477227636	ONATH JOY	E 0917-00026	386.83	()
0041	471502356	RICHIE CAROLE	L 0917-00027	413.34	()
0041	468602934	SVENDSEN JOANNE	M 0917-00028	501.08	()
0041				2,346.06 *	

DEPT-NO	EMPL-NO	EMPLOYEE NAME	CHECK-NO	AMOUNT	CLEARED
0042	477481364	ARNOLD DAVID	L 0917-00029	314.64	()
0042	471402115	ATCHISON JOHN	H 0917-00030	737.57	()
0042	476721577	BANICK JOHN	J 0917-00031	546.30	()
0042	469689867	BOWMAN RICK	A 0917-00032	666.39	()
0042	468461930	CLAUSON DALE	K 0917-00033	778.27	()
0042	476446119	DREGER RICHARD	C 0917-00034	778.64	()
0042	470267887	GREEN NORMAN	L 0917-00035	668.39	()
0042	469568516	HALWEG KEVIN	R 0917-00036	587.90	()
0042	473604916	HERBERT MICHAEL	J 0917-00037	665.38	()
0042	472222231	KORTUS DONALD	V 0917-00038	430.51	()
0042	471563591	LANG RICHARD	J 0917-00039	605.26	()
0042	476401388	LEE ROGER	W 0917-00040	680.85	()
0042	474607686	PEEHAN, JR JAMES	E 0917-00041	773.70	()
0042	469442063	HOESCHTER RICHARD	M 0917-00042	309.12	()
0042	476340990	MORELLI RAYMOND	J 0917-00043	596.39	()
0042	468462884	PELTIER WILLIAM	F 0917-00044	690.93	()
0042	471564801	RYAN MICHAEL	P 0917-00045	654.63	()
0042	470520457	SKALMAN DONALD	W 0917-00046	393.85	()
0042	473548226	STAFNE GREGORY	L 0917-00047	735.76	()
0042	471721204	STEFFEN SCOTT	L 0917-00048	335.75	()
0042	471500251	STILL VERNON	T 0917-00049	725.39	()
0042	471629204	STOCKTON DERRELL	T 0917-00050	861.50	()
0042	471602052	THOMALLA DAVID	J 0917-00051	525.52	()
0042	475363333	WILLIAMS DUANE	J 0917-00052	500.37	()
0042	474260130	ZAPPA JOSEPH	A 0917-00053	727.28	()
0042				15,290.29 *	
0043	475548434	BECKER RONALD	D 0917-00054	360.31	()
0043	469441789	GRAF DAVID	M 0917-00055	630.83	()
0043	469820466	HEINZ STEPHEN	J 0917-00056	819.17	()
0043	392760009	KARIS FLINT	D 0917-00057	104.70	()
0043	473567791	MELANDER JCN	A 0917-00058	49.60	()
0043	468360918	NELSON CAROL	M 0917-00059	918.60	()
0043	471504316	RAZSKAZOFF DALE	E 0917-00060	724.97	()
0043	474486071	VORWERK ROBERT	E 0917-00061	315.36	()
0043	469502201	YOUNGREN JAMES	B 0917-00062	455.55	()
0043				4,379.09 *	
0045	471401878	EMBERTSON JAMES	M 0917-00063	758.80	()
0045	472242227	SCHADT ALFRED	C 0917-00064	779.83	()
0045				1,538.63 *	
0046	468401899	CAPANES ANTHONY	B 0917-00065	74.53	()
0046	477627236	FLAUGHER JAYME	L 0917-00066	483.90	()
0046	376709873	MADELL RAYMOND	M 0917-00067	469.56	()
0046	473807030	PARTIN SHAWN	M 0917-00068	449.26	()
0046	472365919	NELSON KAREN	A 0917-00069	499.99	()
0046	468600183	RABINE JANET	L 0917-00070	464.93	()

DEPT-NO	EMPL-NO	EMPLOYEE NAME	CHECK-NO	AMOUNT	CLEARED
0046	477700322	STAHNKE JULIE	A 0917-00071	424.61	()
0046				2,866.78 *	
0051	471440267	BARTA MARIE	L 0917-00072	241.90	()
0051	473566872	HAIDER KENNETH	G 0917-00073	60.61	()
0051	504483174	WEGWERTH JUDITH	A 0917-00074	358.47	()
0051				660.98 *	
0052	496308314	CASS WILLIAM	C 0917-00075	672.31	()
0052	471526254	FREBERG RONALD	L 0917-00076	396.31	()
0052	502544037	MELEY RONALD	J 0917-00077	607.74	()
0052	471501241	KANE MICHAEL	R 0917-00078	432.25	()
0052	468363473	KLAUSING HENRY	F 0917-00079	471.60	()
0052	475601431	LUTZ DAVID	P 0917-00080	483.88	()
0052	471500547	MEYER GERALD	M 0917-00081	450.42	()
0052	476904500	OSWALD ERICK	D 0917-00082	0.00	(X)
0052	468166755	PRETTNER JOSEPH	B 0917-00083	856.37	()
0052	472241484	REINERT EDWARD	A 0917-00084	631.69	()
0052	470346224	TEVLIN, JR HARRY	J 0917-00085	58.49	() VOID
0052	475589777	ZAPPA JAMES	M 0917-00086	0.00	(X)
0052				5,061.06 *	
0053	472683970	AHL, JR. RAY	C 0917-00087	774.70	()
0053	472481010	ELIAS JAMES	G 0917-00088	703.74	()
0053	167246109	GEISSLER WALTER	M 0917-00089	606.34	()
0053	501464671	GESSELE JAMES	T 0917-00090	801.10	()
0053	475441688	PECK DENNIS	L 0917-00091	549.76	()
0053	472662522	PRIEBE WILLIAM	0917-00092	506.14	()
0053				3,941.78 *	
0054	473683775	LOPAREN JOHN	R 0917-00093	430.52	()
0054				430.52 *	
0058	471562563	BREMEIM ROGER	M 0917-00094	560.90	()
0058	477602582	EDSON DAVID	B 0917-00095	610.11	()
0058	470541598	MULWEE GEORGE	M 0917-00096	490.07	()
0058	471501014	NADEAU EDWARD	A 0917-00097	566.64	()
0058	468361720	NUTESON LAVERNE	S 0917-00098	468.05	()
0058	471365993	OWEN GERALD	C 0917-00099	580.95	()
0058				3,276.72 *	
0059	476249760	MACDONALD JOHN	E 0917-00100	503.93	()
0059	475501000	MULVANEY DENNIS	M 0917-00101	691.93	()
0059				1,195.86 *	
0061	477301066	BRENNER LOIS	J 0917-00102	90.66	()

DEPT-NO	EMPL-NO	EMPLOYEE NAME	CHECK-NO	AMOUNT	CLEARED
0061	468341993	KRUMMEL BARBARA	A 0917-00103	157.06	()
0061	473260389	OEGARD ROBERT	D 0917-00104	972.10	()
0061	468582618	STAPLES PAULINE	0917-00105	589.52	()
0061				1,809.34 *	
0062	474928762	BRENNER JAY	A 0917-00106	0.00	(X)
0062	471447219	BURKE MYLES	R 0917-00107	38.22	()
0062	474608182	GERMAIN DAVID	A 0917-00108	509.75	()
0062	472303411	GUSINDX MELVIN	J 0917-00109	873.68	()
0062	474924209	HAGG MATTHEW	J 0917-00110	109.39	()
0062	502544121	HELEY ROLAND	B 0917-00111	629.26	()
0062	468584797	HOPKINS THOMAS	C 0917-00112	0.00	(X)
0062	469744593	MOSCHKA JAMES	E 0917-00113	273.90	()
0062	473969784	HUNTER TONY	0917-00114	86.00	()
0062	471748313	LIBHARDT THOMAS	D 0917-00115	0.00	(X)
0062	473503915	LINDORFF DENNIS	P 0917-00116	556.74	()
0062	473565506	PARUSKA MARK	A 0917-00117	587.05	()
0062	444444444	NEAL TODD	W 0917-00118	0.00	(X)
0062	474078128	RASCHKE ALBERT	F 0917-00119	0.00	(X)
0062	477646662	SANDQUIST THOMAS	J 0917-00120	0.00	(X)
0062	475904189	TOWNLEY MICHAEL	F 0917-00121	0.00	(X)
0062	477881931	TOWNLEY PATRICK	J 0917-00122	0.00	(X)
0062	475745266	WARD TROY	G 0917-00123	0.00	(X)
0062	398164097	YUKER WALTER	A 0917-00124	53.08	()
0062				3,717.07 *	
0063	501884242	AALGAARD ROSS	A 0917-00125	0.00	(X)
0063	470940175	ANDERSON CHRISTINE	M 0917-00126	0.00	(X)
0063	475823190	BARTHOLMY JODY	M 0917-00127	0.00	(X)
0063	468988277	BESETH RONALD	L 0917-00128	0.00	(X)
0063	270483797	BLACK WILLIAM	J 0917-00129	0.00	(X)
0063	472362015	BORASH DONNA	F 0917-00130	287.10	()
0063	470962448	BRYANT ROBERT	D 0917-00131	0.00	(X)
0063	474442474	EUNKE RICHARD	H 0917-00132	0.00	(X)
0063	476924605	CASSEDAY ELIZABETH	J 0917-00133	0.00	(X)
0063	473684976	CASSEDAY MARY	K 0917-00134	0.00	(X)
0063	469441338	CE MARS SANDRA	L 0917-00135	251.49	()
0063	474829219	DIEBEL JERRY	D 0917-00136	0.00	(X)
0063	474901922	DINDERMAN JANINE	M 0917-00137	0.00	(X)
0063	476721245	DOUGHTY LINDA	R 0917-00138	0.00	(X)
0063	476900508	DRAKE BARBARA	J 0917-00139	0.00	(X)
0063	469948845	FALTEISEK JAMES	E 0917-00140	0.00	(X)
0063	472921037	FISCHER SUSAN	M 0917-00141	0.00	(X)
0063	473925557	FOWLER MARY	K 0917-00142	0.00	(X)
0063	477988735	GALBRAITH CHRIS	0917-00143	0.00	(X)
0063	469983628	GRAF MICHAEL	0917-00144	0.00	(X)
0063	502825654	HAMM DEADRA	M 0917-00145	0.00	(X)
0063	475826712	HARPER JAMES	0917-00146	0.00	(X)
0063	474847811	HEIMERL CAROL	0917-00147	0.00	(X)
0063	476686996	HERBER KARIN	J 0917-00148	0.00	(X)

DEPT-NO	EMPL-NO	EMPLOYEE NAME	CHECK-NO	AMOUNT	CLEARED
0063	473908785	HOLLINGSWORTH LISA	0917-00149	0.00	(X)
0063	470851140	JOHNSON JOSEPH A	0917-00150	0.00	(X)
0063	469806100	JOHNSON TERESA L	0917-00151	0.00	(X)
0063	469862099	KANE KAREN	0917-00152	0.00	(X)
0063	470680548	KIELSA KARI J	0917-00153	0.00	(X)
0063	476743753	KLASSEN SUSAN	0917-00154	0.00	(X)
0063	474743915	KORTUS JAMES M	0917-00155	0.00	(X)
0063	468984615	KRUMMEL BECKY J	0917-00156	0.00	(X)
0063	472484219	LE CLAIR MARY L	0917-00157	0.00	(X)
0063	470269324	MAC DONALD ELAINE E	0917-00158	0.00	(X)
0063	476923936	MAGILL JOSEPH M	0917-00159	0.00	(X)
0063	473700729	MAHRE MICHELE A	0917-00160	0.00	(X)
0063	470926903	MESSIN KATHLEEN M	0917-00161	0.00	(X)
0063	474966150	MIMELICH CINDI L	0917-00162	0.00	(X)
0063	469583307	NISKA JANET A	0917-00163	0.00	(X)
0063	474745123	NOESEN CRISTIN A	0917-00164	0.00	(X)
0063	473565827	OLSON ROBERTA J	0917-00165	0.00	(X)
0063	472808158	PADGETT MARCIE D	0917-00166	0.00	(X)
0063	469848105	PEARSON LESLIE A	0917-00167	0.00	(X)
0063	472941928	PELTIER MICHAEL R	0917-00168	0.00	(X)
0063	468827763	RADA MICHAEL F	0917-00169	0.00	(X)
0063	396604919	SINNIGER SARAH J	0917-00170	0.00	(X)
0063	477869067	SPANNBAUER DAWN M	0917-00171	0.00	(X)
0063	469945370	SPANNBAUER EVA C	0917-00172	0.00	(X)
0063	469742645	SPANNBAUER KATHLEEN G	0917-00173	0.00	(X)
0063	474845176	SPANNBAUER MARTIN J	0917-00174	0.00	(X)
0063	469965435	SPANNBAUER SUSAN L	0917-00175	0.00	(X)
0063	477920170	STRAUS LAURA J	0917-00176	0.00	(X)
0063	476861186	SULLIVAN JULIE	0917-00177	0.00	(X)
0063	471823921	SZUREK JOANN M	0917-00178	0.00	(X)
0063	470626422	TAUBMAN DOUGLAS J	0917-00179	594.48	()
0063	470963203	WALLACE JON T	0917-00180	253.00	()
0063	396324246	WARD ROY G	0917-00181	278.31	()
0063	474606610	ZAHN WILLIAM A	0917-00182	0.00	(X)
0063				1,664.38 *	
0064	151440508	GREW JANET M	0917-00183	521.20	()
0064	471384624	HORSNELL JUDITH A	0917-00184	258.57	()
0064	474542163	SOUTTER CHRISTINE	0917-00185	300.01	()
0064				1,079.78 *	
0071	389448993	CHLEBECK JUDY M	0917-00186	353.00	()
0071	475502485	MISKELL NANCY J	0917-00187	0.00	(X)
0071	470540551	OLSON GEOFFREY W	0917-00188	802.86	()
0071				1,155.86 *	
0072	477627178	EKSTRAND THOMAS G	0917-00189	558.61	()
0072	475608505	JOHNSON RANDALL L	0917-00190	528.97	()
0072				1,087.58 *	

DEPT-NO	EMPL-NO	EMPLOYEE NAME	CHECK-NO	AMOUNT	CLEARED
0073	476090677	OSTROM MARJORIE	0917-00191	805.29	()
0073				805.29 *	
0074	387520776	WENGER ROBERT	J 0917-00192	563.80	()
0074				563.80 *	
0052	470346224	TEVLIN HARRY	J 091700001A	607.91	()
COUNT 00192	GRAND TOTAL			XXXXXXXX 62,285.80	
0001	477058088	ANDERSON NORMAN	G 0917-00193	128.61	()
0001	483621318	BASTIAN GARY	M 0917-00194	279.90	()
0001	468200109	BREAVU JOHN	C-0917-00195	272.46	()
0001	472369035	MAIDA MARYLEE	T 0917-00196	279.95	()
0001	477056134	WASILUK MICHAEL	T 0917-00197	300.00	() VOID
0001	477056134	WASILUK MICHAEL	T-091700198	150.00	()
COUNT 00197	GRAND TOTAL			XXXXXXXX XXXXXXXX 63,396.72	

MEMORANDUM

Action by Council:

E-4

Entered _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Public Works Coordinator
SUBJECT: Budget Transfer
DATE: 9-27-84

Through the good offices of the East County Line Fire Department and its chief, a donation totaling \$1,250.00 has been received from the Maplewood Moose Lodge, North St. Paul VFW and Champion Paper Company of St. Paul.

The donation was made for the purpose of purchasing hydrant marker flags, and in the hope that the city would provide matching funds to expand the undertaking.

If matching funds are provided, 280 hydrant marker flags could be purchased and installed prior to the 1984-85 snow season.

Staff supports this concept and recommends that the hydrant charge maintenance materials account (03-4180-60) be increased by \$2,500.00.

To accomplish this, anticipated revenues should be increased by the amount of the donation, with the remaining \$1,250.00 being transferred from the hydrant charge contingency account (03-4910-60).

mb

E-5

Action by Council:

MEMORANDUM

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Assistant City Engineer RCA
DATE: October 1, 1984
SUBJECT: Change Order No. 3--Holloway Avenue Improvement--
Project No. 81-12

Herewith is Change Order No. 3 for the Holloway Avenue Improvement Project. We are requesting council authorization and execution of the Change Order. The changes involve water service corrections that were required but not located until the project's final inspection.

jc
Attachment

RESOLUTION

DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT

WHEREAS, the city council of Maplewood, Minnesota has heretofore entered into a Joint Powers Agreement with Ramsey County and North St. Paul and has ordered made Improvement Project No. 81-12 and has let a construction contract therefor 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. 3.

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. 3.



SHORT-ELLIOTT-HENDRICKSON INC.

CHANGE ORDER

DATE: SEPTEMBER 18, 1984

LOCATION: MAPLEWOOD, MN

CHANGE ORDER NO. 3

OWNER: CITY OF MAPLEWOOD

PROJECT NO. JOINT HOLLOWAY AVE. IMP.

FILE NO.: 81168

Nature of Change

Description and Cost:

INSTALL CURB STOP ON EXISTING WATER SERVICE
AND RESTORE SURFACE LUMP SUM \$ 950

INSULATE EXISTING WATER SERVICE AND
RESTORE SURFACE LUMP SUM 1,000

TOTAL \$1,950

Is Cost Actual or Estimated? ACTUAL

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 *D. G. Christoffersen*
D. G. Christoffersen

Approved for Owner:
CITY OF MAPLEWOOD

Agreed to by Contractor:

By CITY OF NORTH ST. PAUL

By *Donald W. Marty* Title Sec
T. H. Schifsky & Sons, Inc.

By RAMSEY COUNTY

By _____

Distribution

Contractor 2 Owner 1 Resident Engineer 1 St. Paul Office 1

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



CITY OF MAPLEWOOD

1380 FROST AVENUE MAPLEWOOD, MINNESOTA 55109

OFFICE OF COMMUNITY SERVICES

770-4570

MEMO

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Pauline Staples
RE: Transfer of Donation to July 4th Fund
DATE: September 21, 1984

Donations that have been received for the July 4th Celebration at Wakefield Park. The money received has been earmarked strictly for Fireworks. City Council action is required to appropriate these funds to the above account.

Metropolitan Inspection Service	\$ 45.85
North Maplewood Lions Club	100.00
Chicone's Bar & Cafe	30.00
Party Time Liquors	25.00
Circus	100.00
Maplewood Moose Lodge	200.00
St. Paul Ski Club	50.00
Maplewood Bowl, Inc.	35.40
Video King	35.00
St. Paul Suburban Bus	30.00
Hardee's Restaurant	26.50
Gladstone House	30.00
Warner's Hardware	60.00
Midas Muffler	23.75
	<hr/>
	\$791.50

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Finance Director *W. O. Gust*
RE: Public Hearing and Resolutions - 1985 Budget
DATE: October 2, 1984

Endorsed _____
Modified _____
Rejected _____
Date _____

The public hearing notices on the 1985 Budget have been published in accordance with the Federal Revenue Sharing laws. A copy of the public hearing notice is attached for informational purposes (Exhibit A).

After the public hearing is held, two resolutions need to be adopted. The first resolution formally adopts the 1985 Budget and is attached as Exhibit B. The expenditure amounts listed in the proposed resolution include the revisions made by the Council during their budget meeting. These revisions are itemized in Exhibit D and include a recommended \$7,800 increase in the tax levy. The following is a summary of the General Fund revisions:

<u>Original Proposed Budget</u>	<u>Exhibit D Revisions</u>	<u>Current Proposed Budget</u>	
\$1,946,614		\$1,946,614	Beginning Fund Balance
6,418,680	+\$ 9,820	6,428,500	Revenues
230,000		230,000	Transfer in from Revenue Sharing Fund
6,265,370	- 7,950	6,257,420	Expenditures
1,333,000	+ 17,770	1,350,770	Transfer out to Capital Improvement Fund
30,000		30,000	Transfer out to Special Assessment Fund
<u>\$ 966,924</u>		<u>\$ 966,924</u>	Ending Fund Balance

The budget resolution expands the authority of the City Manager to implement budget changes. Previously it provided "that all budget changes shall require City Council approval except for budget transfers of up to \$1,500 between accounts with the same department and fund which shall be implemented upon approval by the City Manager." The attached resolution allows the City Manager to approve all budget transfers within a department except those that would increase the salary appropriation. This revision would reduce the number of routine budget transfers that would be sent to the Council which would save time and money.

A second resolution (Exhibit C) must be adopted that levies taxes payable in 1985 that will provide an amount sufficient enough to support the 1985 Budget. The second part of this resolution adjusts the tax levies previously certified for all existing bond issues. It should be noted that these previously certified bond issue tax levies were initially established at the time bonds were sold and equal the estimated unassessed improvement project costs. The scheduled tax levies have to be adjusted annually to finance the debt service requirements based upon the special assessments actually levied, investment interest earnings, and the amount to be transferred from the General Fund.

Adoption of both resolutions is recommended.

NOTICE OF PUBLIC HEARING
PROPOSED 1985 BUDGET

NOTICE IS HEREBY GIVEN, that the Maplewood City Council will hold a public hearing to consider proposed uses of federal revenue sharing funds by the City of Maplewood during 1985 and the relationship of such funds to the City's entire 1985 Budget. The hearing will begin at 7:00 p.m. on October 8, 1984, and will be held at the East County Line #2 Fire Station, 2501 Londin Lane. All citizens will have the opportunity to provide written and oral comments on the possible uses of revenue sharing funds and to ask questions concerning the entire budget and the relationship of revenue sharing funds to the entire budget.

The following is a summary of the proposed budget:

	<u>Proposed 1985 Budget</u>	<u>Proposed Revenue Sharing Portion</u>
General Government	\$ 5,529,910	\$ -0-
Finance	399,210	-0-
City Clerk	178,890	-0-
Public Safety	3,144,040	230,000
Public Works	3,607,400	-0-
Community Services	891,010	-0-
Community Development	287,530	-0-
	<u>\$14,037,990</u>	<u>\$ 230,000</u>

The revenue sharing funds are proposed to be transferred to the General Fund and used to partly finance the contracts between the City and its three fire departments: Gladstone, Parkside and East County Line. A detailed breakdown of the above will be available for public inspection during normal business hours at the City Hall, 1380 Frost Avenue.

ANY PERSONS HAVING INTEREST in this matter are invited to attend and be heard. Senior Citizens are encouraged to attend and comment. Handicapped persons needing assistance or aids should contact the City Clerk before the meeting.

Mrs. Lucille Aurelius
City Clerk

Publish: September 19, 1984
(Maplewood Review)
Post: In City Hall for public display

RESOLUTION ADOPTING A BUDGET FOR 1985

BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA that the budget for 1985 is hereby adopted as outlined in the following summary:

	<u>Operating Budget</u>	<u>Capital Improvements Budget</u>	<u>Debt Service Budget</u>
Estimated Balances 1-1-85	\$4,204,986	\$2,299,319	\$5,455,966
Revenues	9,318,200	244,750	2,966,670
Net other increases (decreases)	(1,235,550)	1,275,384	155,146
Expenditures	<u>8,812,620</u>	<u>2,253,800</u>	<u>2,963,620</u>
Estimated Balances 12-31-85	\$3,475,016	\$1,510,113	\$5,614,162

BE IT FURTHER RESOLVED that the following appropriations are hereby approved for the 1985 Operating Budget:

General Fund:

\$ 572,290	General Government
220,340	Finance
178,890	City Clerk
3,151,070	Public Safety
1,057,320	Public Works
789,980	Community Services
287,530	Community Development
<u>6,257,420</u>	General Fund Total

Hydrant Charge Fund:

94,530	Public Works
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Sewer Fund:

175,120	City Clerk
1,982,860	Public Works

V.E.M. Fund:

302,690	Public Works
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\$8,812,620

Total Operating Budget Appropriations

BE IT FURTHER RESOLVED that the following appropriations are hereby approved for the 1985 Capital Improvements Budget:

Capital Improvement Projects Fund:

\$2,000,000	Construction of new City Hall
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Park Development Fund:

83,000	Various park improvement projects (as listed in the 1985 Budget document)
--------	--

Street Construction State Aid Fund:

120,000	Street overlay and sealcoating program
50,000	Traffic signal and opticom installations
<u>\$2,253,800</u>	Total Capital Improvements Budget Appropriation

BE IT FURTHER RESOLVED that the following appropriations principal, interest, and fiscal charges are hereby approved for the 1985 Debt Service Budget:

\$ 220,580	Debt Service Funds
2,743,040	Special Assessment Fund - Debt Service Accounts
<u>\$2,963,620</u>	Total Debt Service Budget Appropriations

BE IT FURTHER RESOLVED that authorization is hereby given to transfer \$230,000 of revenue sharing monies to the General Fund to partly finance the contracts between the City and its three fire departments: Gladstone, Parkside and East County Line.

BE IT FURTHER RESOLVED that the transfer of appropriations among the various accounts within a department budget or within a non-departmental expense category shall only require the approval of the City Manager, except that any transfer of appropriations within a departmental budget so as to increase the salary appropriation shall require the approval of the City Council.

BE IT FURTHER RESOLVED that all appropriations which are not encumbered or expended at the end of the fiscal year shall lapse and shall become a part of the unencumbered fund balance which may be appropriated for the next fiscal year except appropriations for capital improvement projects which shall not lapse until the project is completed or cancelled by the City Council.

RESOLUTION LEVYING TAXES PAYABLE IN 1985

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

1. The following amounts of taxes be levied for 1985, payable in 1985, upon the taxable property in said City of Maplewood, for the following purposes:

General Operations	\$3,834,800
Debt Service	731,500
Total Levy	<u>\$4,566,300</u>

2. There is on hand in the following sinking funds excess amounts as indicated after each fund and such shall be used to pay on the appropriate obligations of the City:

Description	
1967 General Obligation Sanitary Sewer Bonds	\$ 3,400
1967 General Obligation Improvement Bonds	11,100
1968 Improvement Bonds	11,000
1969 General Obligation Improvement Bonds	6,100
1972 General Obligation Improvement Bonds - Series 1	8,400
1972 General Obligation Improvement Bonds - Series 2	2,500
1973 Improvement Bonds	107,200
1977 Public Works Building Bonds	20,700
1977 General Obligation Improvement Bonds - Series 2	121,300
1979 General Obligation Improvement Bonds	9,700
1980 Fire Station Bonds	<u>3,700</u>
Total	\$ 305,100

In accordance with Minnesota Statutes 475.61 and 273.13, Subd. 19 (3), (a), (b), (c) and Chapter 297a and Chapter 162 of Minnesota Statutes, the County Auditor of Ramsey County is hereby authorized and directed to reduce by the amounts above mentioned the tax that would be otherwise included in the rolls for the year 1984 and collectible in 1985.

3. It has been determined that the following bond issues have insufficient projected assets to meet projected liabilities, as required by State Statute, and the original resolution levying ad-valorem taxes must be increased in the following amount:

Description	Increase In Levy
1970 General Obligation Improvement Bonds	\$ 29,700
1977 General Obligation Improvement Bonds - Series I	<u>28,000</u>
Total	\$ 57,700

4. Changes set forth in sections one (1) and two (2) above result in a net reduction of \$247,400 and are summarized and hereby adopted in the attached Schedule. Such amounts shown are the total amounts to be spread on the rolls in 1984 and collectible in 1985 for each of the bond issues shown, including the reductions and increases in levy amounts set forth in sections one (1) and two (2) above.
5. The City Clerk is hereby authorized and directed to furnish a copy of this resolution to the County Auditor of Ramsey County forthwith.

BONDS & INTEREST LEVIES COLLECTIBLE 1985

<u>BOND ISSUES</u>	<u>Amount</u>	<u>Date</u>	<u>Code No.</u>	<u>Per Bond Register</u>	<u>Amount Levied</u>
Consolidated Improvement	\$ 975M	12/1/64	19	\$ -0-	\$ -0-
Municipal Building	175M	5/1/65	05	-0-	-0-
General Obligation Improvement	835M	12/1/65	19	17,000	17,000
General Obligation Improvement	750M	12/1/66	19	24,000	24,000
General Obligation Impr. Sanitary Sewer	645M	7/1/67	16	12,000	8,600
General Obligation Improvement	450M	12/1/67	17	12,000	900
General Obligation Improvement	380M	12/1/68	18	11,000	-0-
*General Obligation Improvement	1,980M	12/1/69	23	45,000	38,900
**General Obligation Improvement	605M	12/1/70	26	10,000	39,700
*General Obligation Improvement	1,740M	8/1/71	23	65,000	65,000
State Aid Bonds	540M	8/1/71	06	-0-	-0-
General Obligation Improvement	1,090M	5/1/72	20	30,000	21,600
General Obligation Improvement	670M	12/1/72	21	30,000	27,500
General Obligation Improvement	2,175M	7/1/73	22	107,200	-0-
**General Obligation Improvement	1,240M	11/1/74	26	40,000	40,000
**General Obligation Improvement	1,360M	12/1/75	26	75,000	75,000
**General Obligation Improvement	1,990M	5/1/76	26	132,000	132,000
General Obligation Improvement- Series 1	3,730M	4/1/77	24	27,400	55,400
Public Works Building Bonds	995M	4/1/77	07	86,300	65,600
General Obligation Improvement- Series 2	3,815M	10/1/77	25	126,000	4,700
General Obligation Bonds - 1979	825M	8/1/79	27	52,000	42,300
Fire Station Bonds	470M	8/1/80	08	<u>77,000</u>	<u>73,300</u>
				\$978,900	\$731,500

*TAX LEVIES PLEDGED TO REDEEM G. O. REFUNDING IMPROVEMENT BONDS 1974

**TAX LEVIES PLEDGED TO REDEEM G. O. REFUNDING IMPROVEMENT BONDS 1977

REVISIONS TO THE PROPOSED 1985 BUDGET

COUNCIL CHANGES:

<u>Item No.</u>	<u>Amount</u>	<u>Account Code</u>	<u>Description</u>
1.	+\$ 4,500	01-4640-62	Increased the appropriation for dragging equipment for ball fields.
2.	+ 2,250	01-3803	Increased the estimated revenues for an anticipated donation from M.A.A. for preceding item.
3.	- 21,730	01-4010-62 thru 01-4050-62	Deleted the proposed appropriation for one additional park maintenance person.
4.	+ 6,000	01-4490-19	Added an appropriation for the State-mandated comparable worth study.
5.	- 12,760	01-4020-22 thru 01-4050-22	Deleted the proposed appropriation for a half-time accountant
6.	+ 9,010	01-4020-22 and 01-4050-22	Added an appropriation for a temporary accountant.
7.	+ 7,030	01-4480-44	Increased the appropriation for the contribution to the Firemen's Relief Association.

Staff Recommended Changes:

8.	+ 7,570	01-3011	Increased the estimated revenues from property taxes. The form submitted by the volunteer firemen on October 1st indicated that the minimum City contribution to their pension fund for 1985 is \$27,871. This is \$7,871 more than what was estimated when the tax levy limit was originally calculated. An increase in the tax levy by \$7,800 will produce \$7,570 additional revenue after deducting a 2.9% allowance for delinquent taxes.
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MEMORANDUM

F-2

TO: City Manager
FROM: Director of Community Development
SUBJECT: Side Yard Setback Variance
LOCATION: 1770 Edward Street
APPLICANT/OWNER: Albert and Marilyn Galbraith
DATE: September 26, 1984

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

SUMMARY

Request

A side yard setback variance of 18.5 feet.

Proposed Construction

The applicants would like to construct an addition to their house with a side yard setback of 11.5 feet. Code requires at least thirty feet. A variance of 18.5 feet or 62% of the code requirement is needed.

Recommendation

Approval of a side yard setback variance of 18.5 feet for 1770 Edward Street, based on the following findings:

1. There is an undue hardship on this lot because it is substandard in width (70 feet). Code requires 100 feet of width. The required side yard setback of 30 feet unduely restricts the buildable width of the lot and the house is already built to the minimum setback on the north side.
2. The spirit and intent of the ordinance is to keep a uniform setback from public streets and provide adequate sight distance at the corner. The intent of the ordinance is met because:
 - a. Sophia Street is a short street without uniform setbacks.
 - b. Council approved a variance in 1972 to allow the house across the street (1763 Edward Street) to be built with a side yard setback of 15 feet.
 - c. While there are no records of variances, aerial photos show that the garage at 1756 Edward Street and the house at 1758 Phalen Place appear to be built at the right-of-way line.
 - d. The existing garage is already built 9.5 feet from the right-of-way line.
 - e. The addition would not be seen by any other houses, except the house to the south, because of existing trees.
 - f. The addition would not interfere with sight distance at the corner.

BACKGROUND

Site Description

Lot size: 70 feet of width and 120 feet of depth for an area of 8400 square feet (both lot width and area or substandard)

Existing use: single dwelling

Surrounding Land Uses

1. Single dwellings

2. Other corner lots in this neighborhood are also substandard. The lot to the south (1756 Edward) is substandard in width and area. The other two lots on this corner (1763 and 1758) are substandard in width.

Past Action

9-23-71:

Council denied an application to vacate the alley behind this lot.

6-22-71:

Council approved a ten foot front yard setback for the house to the north (1774 Edward Street).

5-18-72:

Council denied a side yard setback variance for the house across the street (1763 Edward Street). The request was to have a side yard setback of 10.6 feet. Council based their denial on the following reasons:

1. The site has available land area to construct a home in accordance with minimum village standards without requiring a setback variance.
2. No homes in the entire area are or have been allowed to build that close to an intersection existing.
3. To grant the variance would be giving a special privilege denied to all corner lots or any other lot.
4. The variance would allow a building too close to an already hazardous intersection and thereby further inhibit sight clearance and reduce traffic safety.
5. The minimum distance a driveway curb cut is allowed from the intersection of two streets is 20 feet according to Chapter 1500 of the Municipal Code. Therefore, the variance would cause driveway conflict for street opening.
6. Although surrounding neighbors may have signed agreeing to the variance it does not relieve the public responsibility for safety, conformity to standards, or the preventing of special favors for convenience sake.

6-1-72:

Council reconsidered and approved the variance at 1763 Edward Street after the variance was reduced from 20 to 15 feet. Approval was based on the petition signed by the surrounding property owners stating they did not object to the placement of Mr. Franke's home and that it appears to be in line with the closest property and as long as it does not protrude beyond the nearest neighbor's home to the east.

Planning

Land use plan designation: R1, residential low density

Zoning: R-1, single dwelling residential

Compliance with land use laws:

a. State law:

The following findings must be made before a variance can be granted:

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

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

b. City ordinance:

Section 36-71(1) states that "on a corner lot, the side yard on the street side of such corner lot shall have a width of not less than thirty feet."

Citizen Comments

Staff surveyed the 45 property owners within 350 feet of the site. Nineteen are in favor, nine had no comment, two objected and the rest did not reply. Those in favor gave the following reasons:

1. This is an old plat and there are many variances in this neighborhood.
2. Sophia Street ends 150 feet to the east.
3. The addition would not interfere with traffic vision.
4. 11.5 feet is an adequate setback.

5. The garage is already, only ten feet from the property line.
6. The addition would improve the appearance and increase the value of the home.

The objections are as follows:

1. Too close to the street.
2. Obstructs the view.
3. Does not enhance the lot or street.
4. Would create a precedent for other variances and create a "hodge-podge" in the area.

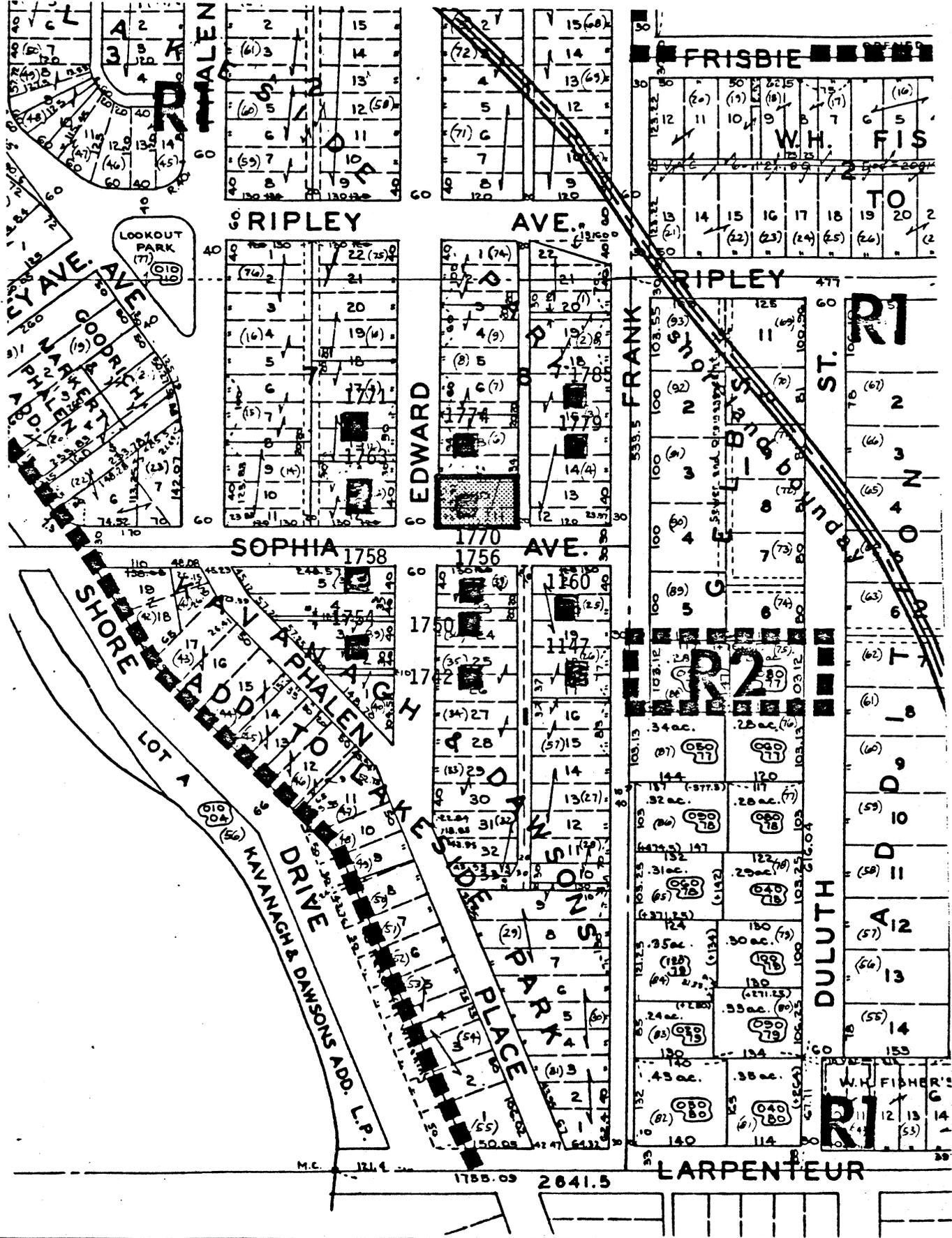
Procedure

1. Planning commission recommendation
2. City council holds a public hearing and makes a decision.

jw

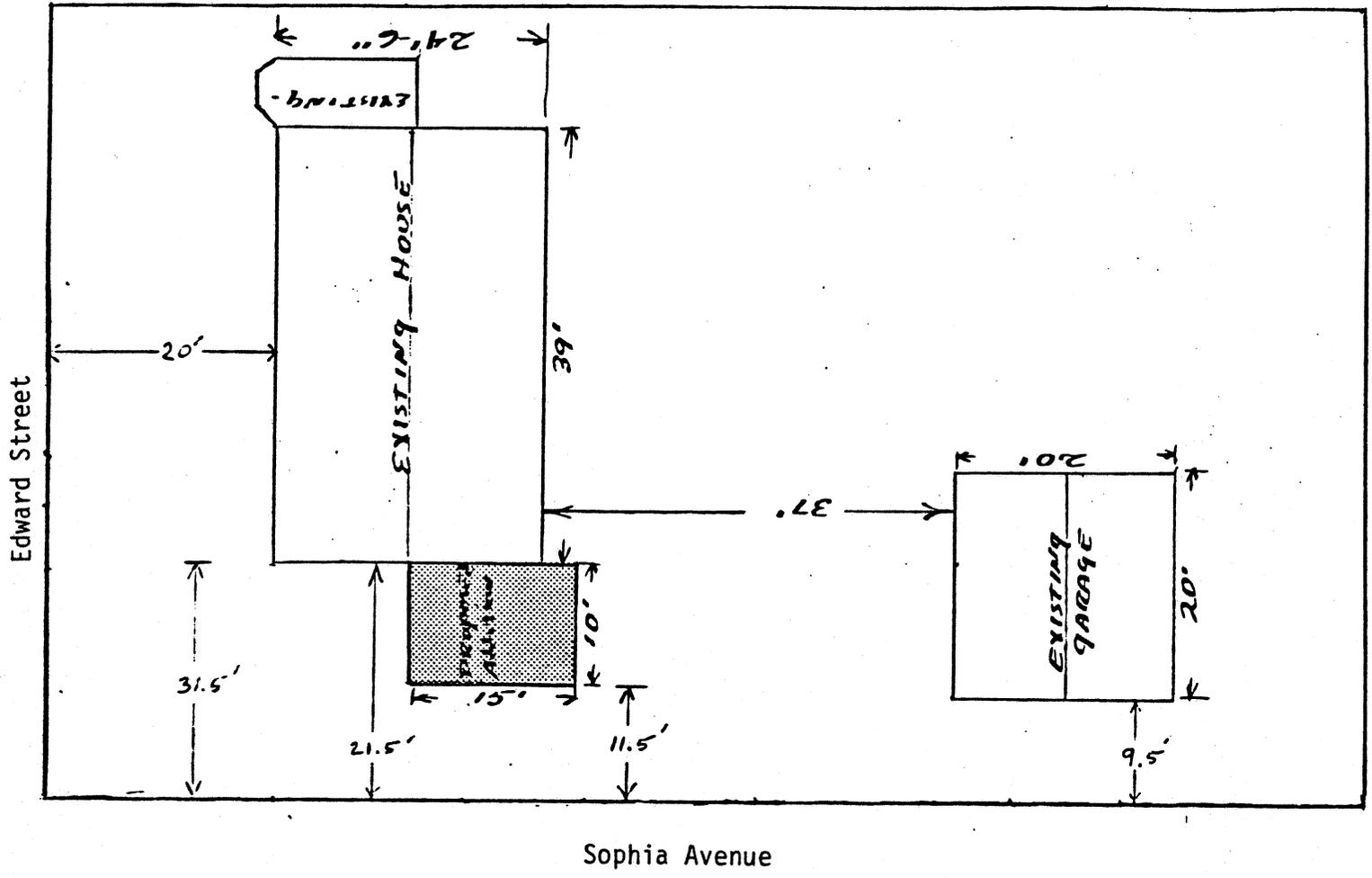
Attachments

1. Location map
2. Property line/zoning map
3. Site plan
4. Letter
5. Resolution



PROPERTY LINE / ZONING MAP





Sophia Avenue

SITE PLAN

 Proposed Addition



7 Sept 1984

City of Maplewood
1902 E Co. Rd B
Maplewood Minn 55109

To whom it may concern,

As per regulations for filing for a Zoning Appeal
1-e, b, c,

- a) Enclosed a scale drawing of site plan showing existing & proposed
- c) Enclosed certified list of property owners -
- b) When our property was plotted & existing structures built, c. 1941, the existing codes were not in force, thus if the present codes were enforced to the letter of the law it would be impossible for our proposed addition to be built.

The majority of homes in our immediate vicinity are in the same situation as ours. In viewing the neighborhood I feel that our proposed Addition would not in the least be out of keeping with the character of existing structures.

Our neighborhood is one of a quiet residential area with a minimum of traffic on both Edward & Sophia, IT SEEMS improbable that either Edward or Sophia would/should be widened. If they were it would destroy the entire character of the neighborhood

Sincerely yours.

Marilyn J. Wallerstein & Robert H. J.

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 East County Line Fire Station #2 in said city on the 8th day of October, 1984 at 7 p.m.

The following members were present:

The following members were absent:

WHEREAS, Albert and Marilyn Galbraith applied for a variance for the following-described property:

Lots 10 and 11 and the south 6 feet of lot 9 in Block 8,
Lakeside Park

This property is also known as 1770 Edward Street Maplewood;

WHEREAS, Section 36-71(1) of the Maplewood Code of Ordinances requires a 30 foot side yard setback on the street side of a corner lot;

WHEREAS, the applicant is proposing an 11.5 foot setback, requiring a variance of 18.5 feet;

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

1. This variance was applied for on September 7, 1984.
2. This variance was reviewed by the Maplewood Planning Commission on October 1, 1984. The planning commission recommended to the city council that said variance be approved.
3. The Maplewood City Council held a public hearing on October 8, 1984 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 approved on the basis of the following findings of fact:

1. There is an undue hardship on this lot because it is substandard in width (70 feet). Code requires 100 feet of width. The required side yard setback of 30 feet unduly restricts the buildable width of the lot and the house is already built to the minimum setback on the north side.
2. The spirit and intent of the ordinance is to keep a uniform setback from public streets and provide adequate sight distance at the corner. The intent of the ordinance is met, because:

MEMORANDUM

Endorsed _____

Modified _____

Rejected _____

Date _____

TO: City Manager
 FROM: Associate Planner--Johnson
 SUBJECT: Tax-Exempt Mortgage Revenue Bond Financing (Preliminary Approval) and Housing Bond Plan Amendment
 LOCATION: County Road D, East of Hazelwood
 APPLICANT: Maple Ridge Partnership and Podawiltz Development Corporation
 OWNER: Robert Hajicek
 PROJECT: Maple Ridge Apartment Project
 DATE: September 27, 1984

SUMMARY

Request

1. Preliminary approval of a \$3.8 million tax-exempt mortgage revenue bond program to construct a 100-unit multiple dwelling project.
2. Amend the city's housing bond plan to include this program.

Proposal

1. The apartment complex would be designed principally for young professionals who will be employed at or near the St. John's Hospital medical campus.
2. The proposed rents would be:
 - a. All 43 one-bedroom units \$450/month
 - b. Twenty-seven of the two bedroom units: \$525/month
 - c. Thirty of the two-bedroom (executive) units: \$600/month
3. Construction is estimated to begin in November and be completed next August.
4. The city's full faith and credit would not back these bonds.

Comments

The proposal: The proposed apartment development has been granted all required zoning and building design approvals. The enclosed report (page 8) from Maxfield and Solomonsen, real estate market analysts, satisfies the required documentation that this development:

1. Will not have a negative effect on the vacancy rates of existing Maplewood apartment complexes and
2. That there is reasonable assurance that 20 percent of the units will be occupied by low-to-moderate income persons until the bonds are retired.

Housing bond plan amendment: Council's adoption of the housing bond plan in October 1982 authorized the use of tax-exempt financing for multiple dwellings. This plan, however, did not include specific development programs. As a result, each time a development is approved for this financing, council must amend the housing bond plan. The amendment must be reviewed by the Metropolitan Council before the developer's request for the tax-exempt financing can be submitted to the Minnesota Housing Finance Agency for approval.

Recommendation

Adopt the enclosed resolution (page 16), granting:

1. Preliminary approval of \$3.8 million in tax-exempt mortgage revenue bond financing for the Maple Ridge apartments, proposed north of County Road D, east of Hazelwood Avenue, on the basis that:

- a. The development would be consistent with the comprehensive plan.
- b. A qualified marketing consultant has documented that:
 - 1) The development will not have a negative impact on the vacancy rates of existing multiple dwellings in the city.
 - 2) There is reasonable assurance that the development will be able to comply with the 20 percent low-to-moderate income requirement over the life of the bond issue.

Final approval shall be subject to the following conditions:

- a. Payment of a lump sum or annual program participation fee, whichever would be more beneficial to the city, as follows:
 - 1) Lump sum fee: At bond closing, a lump-sum fee shall be paid in the amount of one percent of the bond issue, not to exceed \$20,000, less the \$2,000 application fee, subject to federal arbitrage restrictions.
 - 2) Annual fee: An annual fee payable on each anniversary of the bond issue of not less than one-eighth of one percent of the unpaid balance and one-quarter of one percent of the bond issue shall be paid at bond closing, subject to federal arbitrage restrictions.
- b. The bond indenture agreement shall require:
 - 1) The developer to annually certify on the anniversary date to the city, compliance with federal low-to-moderate income requirement.
 - 2) The program trustee, as approved by the city council, shall inform the city of any noncompliance trends, regarding the low-to-moderate income occupancy requirement.

2. Amending the housing bond plan to include a \$3.8 million dollar tax exempt financing program for the Maple Ridge apartment project.

BACKGROUND

Site Description

1. Size: 5.06 acres
2. Existing land use: undeveloped

Surrounding Land Uses

North: I-694

East and west: single dwellings located on large parcels planned for RH, residential higher density.

South: County Road D. Across the street is undeveloped land, planned for DC, diversified center use.

Past Action

7-10-84:

The HRA recommended approval of tax-exempt financing for the development.

8-14-84: The community design review board conditionally approved the site, building and landscape plans for the development.

9-24-84:

Council approved a conditional use permit to allow the Maple Ridge apartment structure to exceed 35 feet in height from grade.

Housing

1. The Maxfield and Solomonson report states that the city "will need a maximum of 95 to 100 rental units per year through 1990 to house its own growth."
2. On August 27, 1984, council adopted the following requirements for approval of tax-exempt mortgage revenue financing for multiple dwellings:
 - a. The development shall be consistent with the comprehensive plan.
 - b. The development will not have a negative impact on the vacancy rates of existing multiple dwellings in the city.
 - c. There is reasonable assurance that the development will be able to comply with the 20 percent low-to-moderate income requirement over the life of the bond issue.
 - d. The bond indenture agreement shall require:

1) The developer to annually certify to the city, on the anniversary date of the bonds, compliance with the federal low-to-moderate income requirement.

2) The program trustee, as approved by the city council, shall inform the city of any noncompliance trends.

3. Federal law regarding the issuance of tax-exempt mortgage revenue bonds for multiple-family housing requires at least 20 percent of the units to be occupied by low-to-moderate income persons until the bonds are retired. Once a person or family is income-qualified, their unit counts toward the 20 percent as long as they reside in the unit even though their income may rise above the ceiling.

4. Low-to-moderate income is defined as an annual adjusted household income of 80 percent or less of the average annual income in the twin city area. In 1984, the 80 percent ceiling was \$25,280. (Gross income is reduced by \$750 per adult and \$500 per child to calculate adjusted annual income.) In 1984, the Metropolitan Council's suggested rent ceiling for low-to-moderate income households was \$515 per month, excluding the cost of utilities.

5. According to Apartment Guide figures, the average monthly rent for an apartment unit in Maplewood is \$380.

Finance

The city may use the program participation fee for any purpose.

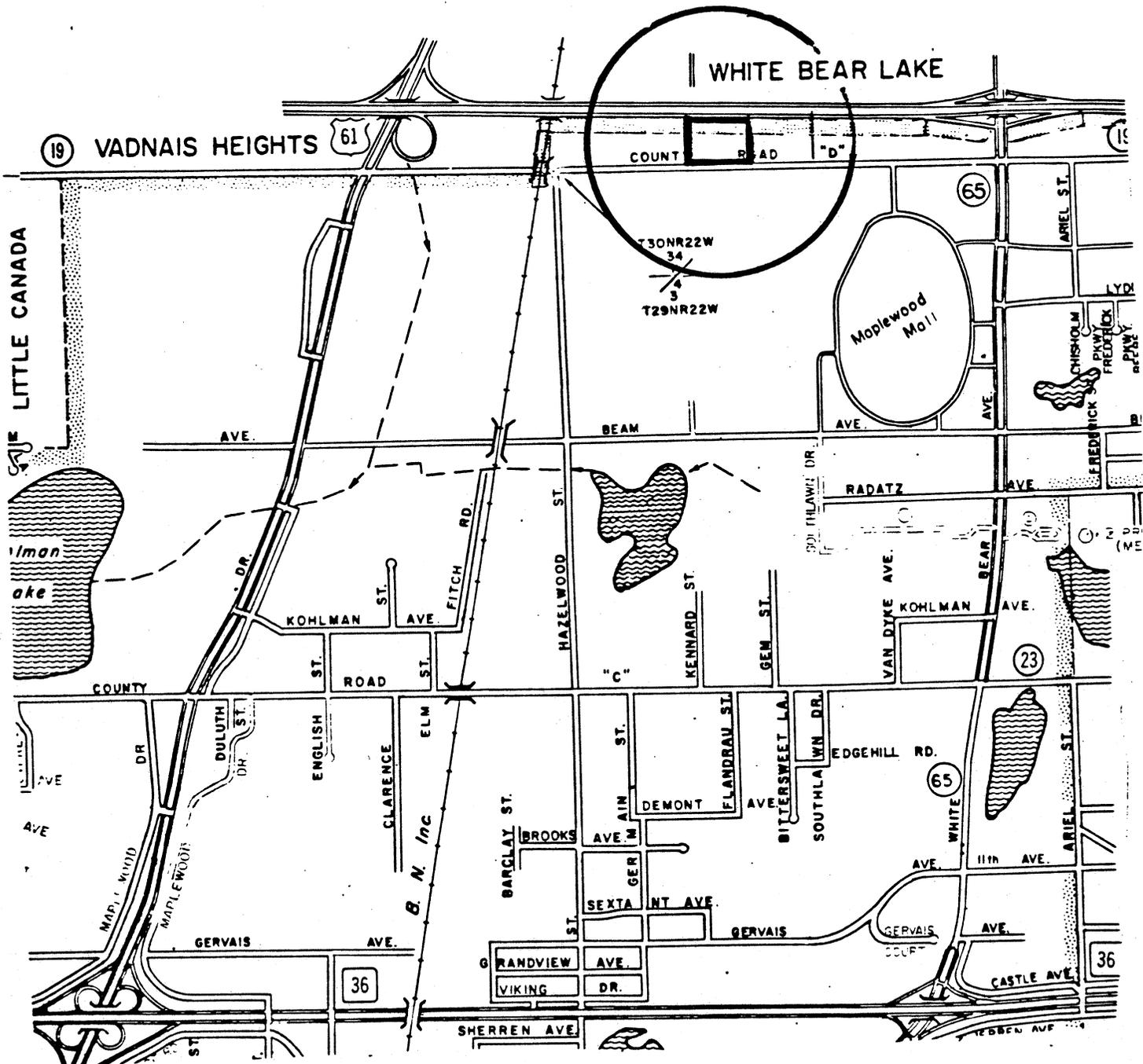
Procedure

1. HRA recommendation
2. City council decision, following a public hearing
3. Submission of the housing bond plan amendment to Metropolitan Council to review for consistency with the Metropolitan Housing Guide.
4. Submission of the Maple Ridge apartment bond program to the MHFA for approval.

jc

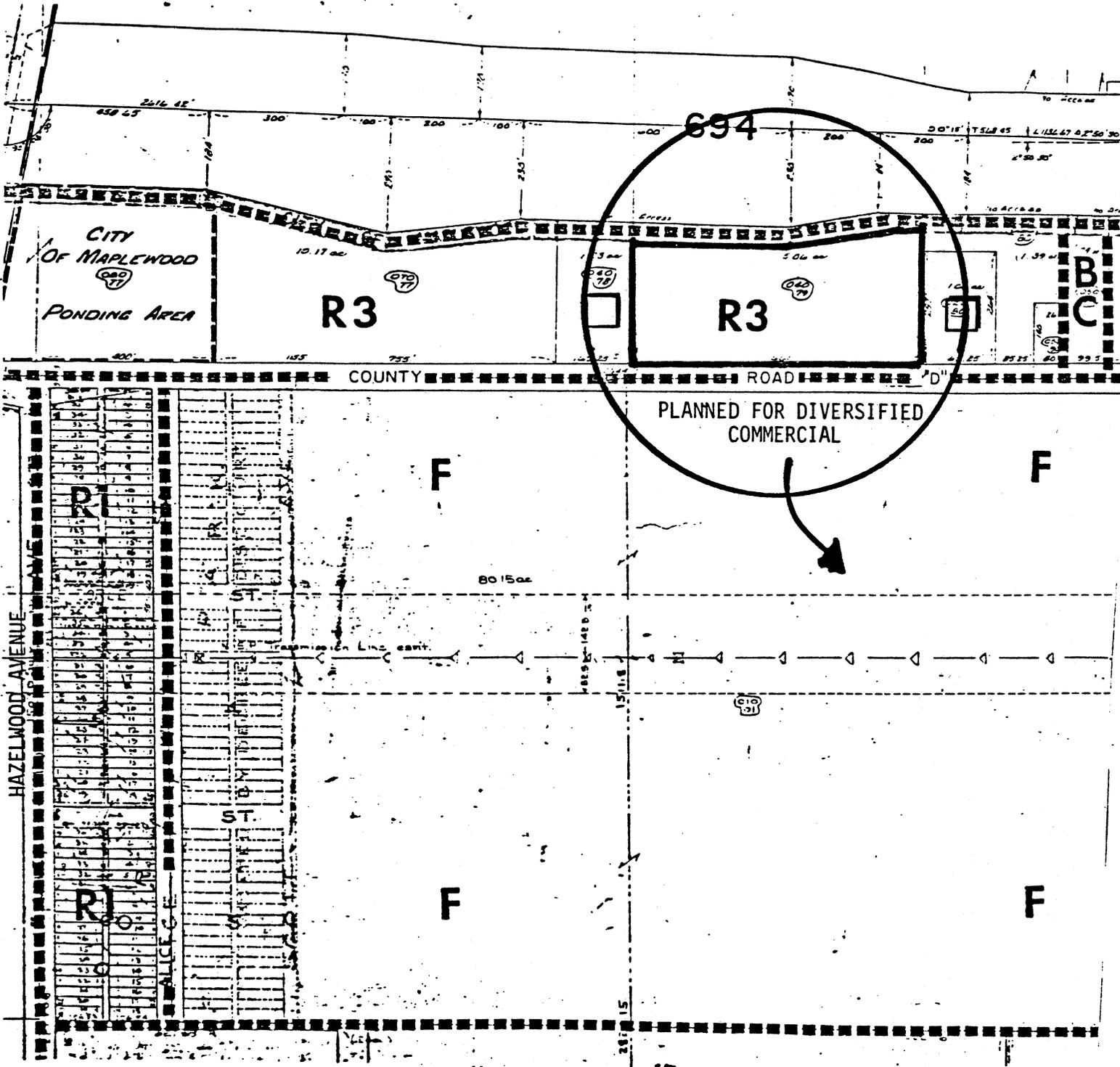
Attachments:

1. Location map
2. Property line/zoning map
3. Site plan
4. Maxfield and Solomonson Report
5. Resolution



LOCATION MAP

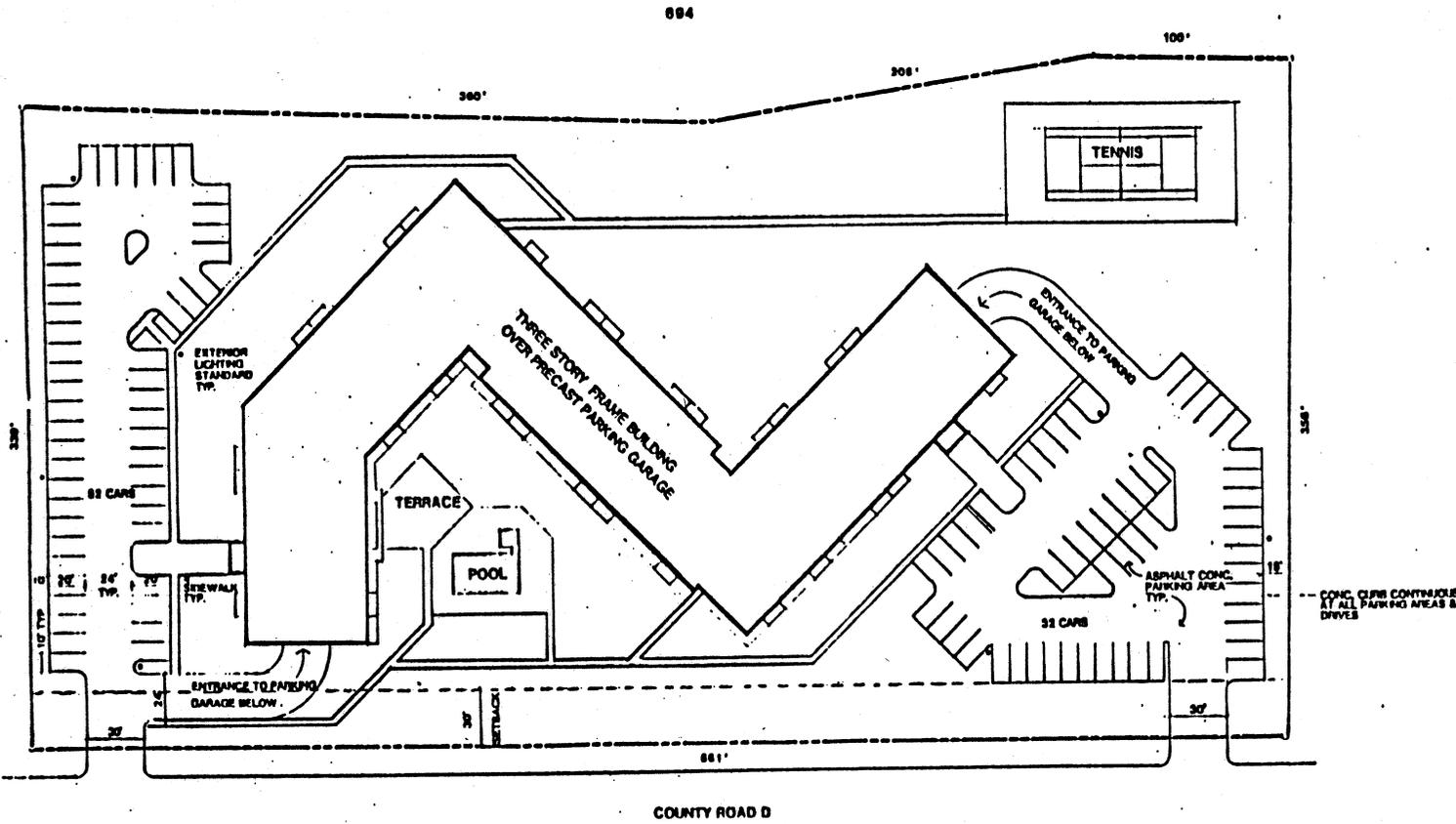




ST. JOHN'S HOSPITAL COMPLEX

PROPERTY LINE / ZONING MAP



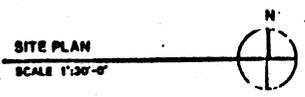


MAPLE RIDGE APARTMENTS

Podawitz Development Corp.

Commission
Date
Drawn
Revisions

SITE PLAN



1 BEDROOM - 43 @ 114 DENS FACTOR = 60.2
2 BEDROOM - 57 @ 12.8 = 142.8
UNITS 100 203.0 PERSONS

PARKING - 2 / UNIT REQUIRED = 200 CARS PROVIDED
SURFACE = 104
GARAGE = 100
TOTAL = 204 CARS

SITE: 6.08 ACRES
DENSITY INCREASES - UNDERGROUND PARKING 300 S.F. / UNIT
- LANDSCAPING 100 S.F. / UNIT
700 S.F. / UNIT = 40,000 S.F. = .58 A
6.08 ACRES
-.52 ACRES = 6.56 ACRES
203.32 PERSONS ALLOWED

HIGH DENSITY	34 PERSONS/ACRE			
TERRITORY COVERAGE	-	28,850 S.F.	.91A	17 %
PARKING COVERAGE	-	47,600 S.F.	1.09A	21.8% ±
ESTIM. AREA	-	120,448 S.F.	2.78A	66.8% ±
RECREATIONAL AREA	-	12,828 S.F.	.38A	8.7% ±

attachment three

JUL 31 1984

Maxfield & Solomonson

September 25, 1984

Mr. Michael Podawiltz
Podawiltz Development Corporation
501 Mall Germain
Suite 318
P.O. Box 1361
St. Cloud, Minnesota 56302

Dear Mr. Podawiltz:

Attached is a Summary of Findings on the proposed Maple Ridge rental development. Our analysis has considered the two issues related to the bonding criteria: the impact of these apartments on vacancies overall in Maplewood and the number of low to moderate income residents in Maplewood available for this development. We expect your units will be well accepted.

We do not anticipate that the proposed development will have a negative impact on the market either short term or long term. Also, there appear to be no problems concerning the availability of low to moderate income households to satisfy the assigned criteria.

Based on market interviews and data, your proposed product should meet with excellent market acceptance. Resident managers mentioned that they have many prospective residents asking for two bedroom, two bath units. Of special interest, are two bedroom, two bath units with equal sized bedrooms. Your proposed designs should be well accepted.

We have enjoyed preparing this analysis for you. If you have any questions concerning this summary or the data which has been assembled for the final report, please call us at your convenience. We would also be glad to forward any of the backup data you need prior to the delivery of our report in the next ten days.

Sincerely,

MAXFIELD & SOLOMONSON, INC.



Gary M. Solomonson

mkh
Attachment

SUMMARY OF FINDINGS

Proposed Development

We have reviewed the proposed development plan, the site and location, and proposed rent schedules for the Maple Ridge Apartments. Conceptually the proposed mix of 43 one bedroom units and 57 two bedroom units is well balanced in light of market demand issues identified by the managers of the 16 comparable properties. The 30 two bedroom units which offer "double master bedrooms" will offer a much desired and needed product in the competitive market area. Presently, there are no two bedroom, two bath units which offer equal sized bedrooms for roommate households. There are also very few two bedroom, two bath units in the competitive market area.

TABLE
PROPOSED UNIT MIX

<u>Number</u>	<u>Unit Type</u>	<u>Gross Square Footage</u>	<u>Description</u>
First Floor			
1	2 Bedroom, 2 Bath	1,215	Manager Unit
8	1 Bedroom, 1 Bath	803	Standard Unit
2	1 Bedroom, 1 Bath	842	Corner Unit
2	1 Bedroom, 1 Bath	803	Handicap Unit
7	2 Bedroom, 2 Bath	1,041	Standard Unit
7	2 Bedroom, 2 Bath	1,041	Double Master Bedroom Unit
<u>3</u>	2 Bedroom, 2 Bath	1,041	Corner Double Master Bedroom Unit
32			
Second Floor			
12	1 Bedroom, 1 Bath	803	Corner Standard Unit
2	1 Bedroom, 1 Bath	842	Corner Unit
9	2 Bedroom, 2 Bath	1,041	Standard Unit
7	2 Bedroom, 2 Bath	1,041	Double Master Bedroom Unit
3	2 Bedroom, 2 Bath	1,041	Corner Double Master Bedroom Unit
<u>1</u>	2 Bedroom, 2 Bath	1,215	Corner Unit
34			
Third Floor			
13	1 Bedroom, 1 Bath	803	Standard Unit
2	1 Bedroom, 1 Bath	842	Corner Standard Unit
8	2 Bedroom, 2 Bath	1,041	Standard Unit
7	2 Bedroom, 2 Bath	1,041	Double Master Bedroom Unit
3	2 Bedroom, 2 Bath	1,041	Corner Double Master Bedroom Unit
<u>1</u>	2 Bedroom, 2 Bath	1,215	Corner Unit
34			

The proposed unit square footages are all competitively sized. The one bedroom units at Maple Ridge are slightly larger than the norm and the two bedroom units are equal to the norm.

Other building features which will help Maple Ridge establish its competitive position will be the underground parking, community room, private balconies, outdoor swimming pool and terrace and tennis court. Two passenger elevators are planned. The finishing package appears to be appropriate and will be competitive with existing area product.

The site and location should be very acceptable for rental residential housing. The proposed landscaping plan which has been prepared by Blumentals should create an environment which would appeal to the market. The location is excellent relative to minor and major transportation routes and the new job base developing in Maplewood. The St. John's medical complex will provide many prospective residents as will other developing area businesses. Also, the location's proximity to the Roseville, Little Canada, Shoreview, Vadnais Heights and White Bear market gives it added strength in attracting households from these communities, as well as Maplewood.

Another excellent locational feature is the site's close proximity to Maplewood Mall and strip centers near the mall. As identified in the area overview you prepared, the area has over 1,200,000 square feet of retail space.

Area Demographics

We prepared a demographic analysis of a study area which includes:

1. Maplewood
2. Little Canada
3. Roseville
4. Shoreview (Part of City)
5. Vadnais Heights
6. Gem Lake
7. White Bear Lake
8. North St. Paul
9. Oakdale

The total population in 1970 in the study area was 117,157 compared to 133,060 in 1980, a 13.6 percent increase during that ten year period. The projected count for 1990 is 146,461 persons, ten percent growth.

Maplewood's population was 25,223 in 1970 and 26,990 in 1980. This was a seven percent increase. The projection for 1990 of 29,400 would be an 8.9 percent increase over 1980. This is an excellent growth pattern when compared to an overall metropolitan projection of 8.5 percent.

The household count for the study area was 30,743 in 1970 and 45,561 in 1980 for a 48.2 percent change. The 1990 projections are set at 55,335 households which represents a 21.5 percent increase or 9,774 households. This would

indicate that an annual base of 977 new homes will be needed in the study area through 1990.

The 1970 household count in Maplewood was 6,487 compared to 8,806 in 1980. This represented a 35.7 percent growth or 2,319 households. The projected growth to 10,500 households for Maplewood represents an addition of 1,694 households up 19 percent.

The study area employment growth looks very positive for the balance of the decade. Maplewood had 12,003 jobs in 1970 and 20,000 in 1980 for a 66 percent increase. This was five percent ahead of the study area for the same period. Study area employment increased from 43,212 in 1970 to 69,590 in 1980, up 61 percent. Meanwhile, the metropolitan increase was only 26 percent. The projected employment growth for Maplewood is 40 percent with an increase to 28,000 by 1990. This will mean an increase of 80 jobs per year.

* Our final report will provide several demographic tables. Our analysis of this data is based on the assumption that a healthy rental market is in part characterized by a 97 occupancy level. With a higher than 97 percent occupancy rate, choice is limited and rents are not as competitive. Based on the analysis of population, household, and employment growth, we believe the city of Maplewood will need a minimum of 95 to 100 rental units per year through 1990 to house its own growth. In addition to this growth, the study area will need an additional 479 units per year through 1990. Maplewood could easily absorb 200 of these units per year. Based on the lack of proposed developments in the study area, Maplewood will be in a position to capture a significant portion of the rental market from other communities in the study area as well.

* Finally, our analysis of the study area income data, indicates that the development should not encounter any problems in fulfilling its 20 percent obligation for low and moderate income households. This data will be profiled in tables in the final report.

Rent Comparables

Our rental analysis included a survey of 16 area apartment developments with key comparables from each community in the study area. Comparison tables have been set up and will be included in the final report. We surveyed a total of 1,444 one bedroom units and 1,570 two bedroom units. Rental rates, unit counts, dates and amounts of recent rental adjustments, rental policies, deposits, unit mixes, parking and garage rents, unit square footages, and vacancies were analyzed for each development.

The comparables selected in the study area were:

Maplewoods
2391 Larpenteur

Grand Pre East
215 Viking Drive

East Gate
6048 51st North

Woodmere
6940 Woodmere

Burns Place
1950 Burns

Edgerton Highlands
4751 Skillman

Edgerton Manor
2021 Edgerton

Bradley House
2150 Wilson Avenue

Northwood Villa
East County Road D

Tamarack
6850 Ashwood Road

Green Gate
1829 Furness

Battlecreek
215 McKnight Road

Hazelwood Heights
1512 County Road B

Hillsborough
2345 Woodbridge

Maple Manor
1770 Adolphus

McKnight Village
177 McKnight Road

Vacancy Analysis

* There were a total of 11 one bedroom units and 16 two bedroom units vacant. Considering our sample base of 1,444 one bedroom units and 1,570 two bedroom units, the vacancy rate is less than one percent for one bedroom units and is one percent for two bedroom units. We believe a healthy rental market needs a vacancy rate of three percent to accommodate turnovers, consumer choice, and competitive rents. Therefore, based on the demographic analysis summarized earlier, we need to add a base of two percent to the existing one percent vacancy rate for both Maplewood and the study area. This would require an additional 56 to 60 units per year for Maplewood and an additional 479 units per year in the study area. Based on current demographics and proposed rental housing developments in the study area, the proposed project, Maple Ridge, should not have a negative impact in the Maplewood market.

Another concern addressed by area resident managers was the additional need for both one bedroom units and two bedroom, two bath units with equal sized bedrooms for roommate households. The Maple Ridge unit mix addresses this concern. In consideration of the number of singles living at the development, the community spaces and recreational areas have been appropriately designed.

Rent & Absorption Projections

Your firm's rental projections are as follows:

<u>Number</u>	<u>Unit Type</u>	<u>Rent Without Garage</u>	<u>Rent With Garage</u>
43	1 Bedroom, 1 Bath	\$415	\$450
27	2 Bedroom, 2 Bath	\$490	\$525
30	2 Bedroom, 2 Bath	\$565	\$600
<u>100 Units Total</u>			

Based on our analysis and the assumption that construction would begin in January of 1985 with an initial occupancy date of September 1, 1985, we have concluded that the rent potential is slightly higher. Based on the net square footages presented to us by your firm, we have projected the following rates.

TABLE
COMPARATIVE MARKET
CORRELATION ANALYSIS

	<u>1 BR/1 BA Standard</u>	<u>1 BR/1 BA Corner</u>	<u>2 BR/2 BA Standard</u>	<u>2 BR/2 BA Dbl Master</u>	<u>2 BR/2 BA Dbl Master Corner</u>
Square Feet	768	800	1,004	1,004	1,004
Assigned Base Rent	.54	.54	.49	.50	.50
Corner Premium	--	.02	--	--	.02
Second Bath Premium	--	--	.02	.02	.02
Equal Bedroom Premium	--	--	--	.02	.02
Recreation Amenity Premium	--	--	--	--	--
New Construction Premium	.02	.02	.02	.02	.02
Location/Neighborhood	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>
Total	.56	.58	.53	.56	.58
1984 (4th Quarter)*	\$430	\$464	\$532	\$562	\$582
1985 (3rd Quarter)*					
6% annual x .75 = 4.5%	\$450	\$485	\$556	\$587	\$640

* Excluding garage.

Source: Maxfield & Solomonson, Inc.

Based on these rental rates, an aggressive and professional marketing program should achieve the following absorption schedule.

1.	Initial marketing program (June, July, August) -	30 units
2.	September	12 units
3.	October	12 units
4.	November	8 units
5.	December	6 units
6.	January	6 units
7.	February	6 units
8.	March	8 units
9.	April	<u>12 units</u>
	Total	100 units

RESOLUTION RECITING A PROPOSAL FOR A
FINANCING PROGRAM FOR A MULTI-FAMILY RENTAL
HOUSING DEVELOPMENT, GIVING PRELIMINARY
APPROVAL TO THE PROJECT AND THE PROGRAM,
AND THE AMENDMENT OF THE HOUSING REVENUE BOND
PROGRAMS PORTION OF THE CITY'S 462C HOUSING PLAN
TO INCLUDE THE PROGRAM
PURSUANT TO MINNESOTA STATUTES, CHAPTER 462C,
AUTHORIZING THE CITY OF MAPLEWOOD
TO ISSUE HOUSING REVENUE BONDS
AND AUTHORIZING THE SUBMISSION OF THE
FINANCING PROGRAM FOR THE PROJECT FOR APPROVAL TO THE
METROPOLITAN COUNCIL AND
MINNESOTA HOUSING FINANCE AGENCY AND
AUTHORIZING THE PREPARATION OF NECESSARY
DOCUMENTS AND MATERIALS IN CONNECTION
WITH THE SAID PROJECT AND PROGRAM

(MAPLE RIDGE PARTNERSHIP PROJECT)

WHEREAS,

(a) Minnesota Statutes, Chapter 462C
(the "Act") confers upon cities the power to
issue revenue bonds to finance a program for
the purposes of planning, administering,
making or purchasing loans with respect to
one or more multi-family housing developments
within the boundaries of the city;

(b) The City has received from Maple
Ridge Partnership, a Minnesota limited
partnership (the "Developer"), a proposal
that the City undertake a program to finance
a Project hereinafter described, through the
issuance of revenue bonds or obligations (in
one or more series or which may be in the
form of a single debt instrument) (the
"Bonds") pursuant to the Act;

(c) The City desires to: facilitate
the development of rental housing within the
community; encourage the development of
affordable housing opportunities for
residents of the City; encourage the
development of housing facilities designed

for occupancy by persons of low or moderate income; and encourage the development of blighted or underutilized land and structures within the boundaries of the City; and the Project will assist the City in achieving these objectives;

(d) The City desires to expand the "Housing Revenue Bond Programs" portion of its 462C Housing Plan to incorporate the program for the Project;

(e) The Developer is currently engaged in the business of real estate development. The Project to be financed by the Bonds is the construction and equipping of an approximately 118,575 square foot multi-family rental housing development of 100 rental units, consisting of 43 one-bedroom units and 57 two-bedroom units, located North of County Road D, South of 694 and East of Hazelwood Street in the City, and consists of the construction of buildings on such land which will result in the provision of additional rental housing opportunities to persons within the community;

(f) The City has been advised by the Developer that conventional, commercial financing to pay the capital costs of the Project is available only on a limited basis and at such high costs of borrowing that the economic feasibility of operating the Project would be significantly reduced, but the Developer has also advised the City that with the aid of municipal financing, and resulting low borrowing costs, the Project is economically more feasible;

(g) A public hearing on the Project, the financing program and the amendment of the "Housing Revenue Bond Programs" portion of the City's 462C Housing Plan therefor was

held at 7:20 p.m. on October 8, 1984, after notice was published, all as required by Minnesota Statutes, Section 462C.05, subd. 5, at which public hearing all those appearing at said hearing who desired to speak were heard;

(h) No public official of the City has either a direct or indirect financial interest in the Project nor will any public official either directly or indirectly benefit financially from the Project.

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

1. The City hereby gives preliminary approval to the proposal of the Developer that the City undertake the Project, described above, and the program of financing therefor, pursuant to Minnesota Statutes, Chapter 462C, consisting of the construction and equipping of multi-family rental housing facilities within the City pursuant to the Developer's specifications and to a revenue agreement between the City and the Developer on such terms and conditions with provisions for revision from time to time as necessary, so as to produce income and revenues sufficient to pay, when due, the principal and interest on the Bonds in a total principal amount of approximately \$3,800,000 to be issued pursuant to the Act to finance the construction and equipping of the Project; and said agreement may also provide for the entire interest of the Developer therein to be mortgaged to the purchaser or purchasers of the Bonds, or a trustee for the holder(s) of the Bonds; and the City hereby undertakes preliminarily to issue its bonds in accordance with such terms and conditions;

2. The "Housing Revenue Bond Programs" portion of the City's 462C Housing Plan as herein proposed to be amended is hereby approved and adopted and the City Clerk is authorized and directed to submit the amended 462C Housing Plan to the Metropolitan Council for its review and comment. The comments of the Metropolitan Council, if any, shall be submitted to the City Council for its consideration;

3. At the option of the Developer, the financing may be structured so as to take advantage of whatever means are available and are permitted by law to enhance the security for, or marketability of, the Bonds; provided that any such financing structure must be approved by the City;

4. On the basis of information available to the City, it appears, and the City hereby finds, that the Project constitutes a multifamily housing development within the meaning of subdivision 5 of Section 462C.02 of the Act; that the Project will be primarily occupied, in part, by persons of low or moderate income; that the availability of the financing under the Act and the willingness of the City to provide such financing will be a substantial inducement to the Developer to undertake the Project, and that the effect of the Project, if undertaken, will be to encourage the provision of additional multi-family rental housing opportunities to residents of the City, to assist in the prevention of the emergence of blighted and marginal land and to promote more intensive development and use of land within the City;

5. The Project, and the program to finance the Project by the issuance of revenue bonds, is hereby given preliminary approval by the City subject to the approval of the financing program by the Minnesota Housing Finance Agency (the "MHFA") and subject to final approval by the City, the Developer and the purchasers of the Bonds as to ultimate details of the financing of the Project;

6. In accordance with subdivision 5 of Section 462C.05, Minnesota Statutes, the Mayor of the City is hereby authorized and directed to submit the program for financing the Project to the MHFA, requesting its approval, and other officers, employees and agents of the City are hereby authorized to provide the MHFA with preliminary information as it may require;

7. The Developer has agreed and it is hereby determined that any and all costs incurred by the City in connection with the financing of the Project whether or not the Project is carried to completion and whether or not approved by MHFA will be paid by the Developer;

8. Briggs and Morgan, Professional Association, acting as bond counsel, and Miller & Schroeder Municipals, Inc., are authorized to assist in the preparation and review of necessary documents relating to the Project and the financing program therefor, to consult with the City Attorney, the City's fiscal consultant, Developer and purchasers of the Bonds (or trustee for the purchasers of the Bonds) as to the maturities, interest rates and other terms and provisions of the Bonds and as to the covenants and other provisions of the necessary documents and submit such documents to the City for final approval;

9. Nothing in this Resolution or the documents prepared pursuant hereto shall authorize the expenditure of any municipal funds on the Project other than the revenues derived from the Project or otherwise granted to the City for this purpose. The Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City except the revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holder or holders of the Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Bonds or the interest thereon, or to enforce payment thereon against any property of the City. The Bonds shall recite in substance that the Bonds, including the interest thereon, are payable solely from the revenue and proceeds pledged to the payment thereof. The Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation;

10. In anticipation of the approval by the MHFA and the issuance of the Bonds to finance all or a portion of the Project, and in order that completion of the project will not be unduly delayed when approved, the Developer is hereby authorized to make such expenditures and advances toward payment of that portion of the costs of the Project to be financed from the proceeds of the Bonds, as the Developer considers necessary, including the use of interim, short-term financing, subject to reimbursement from the proceeds of the Bonds if any when delivered but otherwise without liability on the part of the City.

Adopted by the City Council of the City of Maplewood, Minnesota this 8th day of October, 1984.

STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF MAPLEWOOD

I, the undersigned, being the duly qualified and acting Clerk of the City of Maplewood, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City duly called and held on the date therein indicated, insofar as such minutes relate to a resolution giving preliminary approval to a multi-family rental housing development project.

WITNESS my hand and the seal of said City this ____ day of
October, 1984.

City Clerk

(SEAL)

MEMORANDUM

TO: City Manager
 FROM: Associate Planner--Johnson
 SUBJECT: Conditional Use Permit--Home Occupation
 LOCATION: 2646 Maryland Avenue
 APPLICANT/OWNER: Katherine Shonka
 DATE: August 28, 1984

Action by Council:

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

SUMMARY

Request

Approval of a conditional use permit to operate a beauty salon as a home occupation.

Proposal

1. The applicant would be the only employee.
2. The customers would be taken one at a time, by appointment only. The hours would be Monday through Friday, generally between 8 a.m. and 5 p.m. An occasional Saturday appointment is anticipated.
3. One customer car, possibly two, would be on the premises at one time. The driveway is adequate to accommodate at least four cars.
4. There would be no outside advertising.
5. A walkout exit from the basement will be constructed.

Comments

The proposal is compatible with city code requirements.

Recommendation

Approval of the enclosed resolution (page 6), approving a conditional use permit to operate a beauty shop as a home occupation for one year following the date of council approval at 2646 Maryland Avenue subject to:

1. An exit from the basement in addition to the existing stairway shall be completed and approved by the city building official before customers may be permitted in the shop area. The basement stairway shall also be brought into compliance with the Uniform Building Code (UBC).
2. An operative 10-pound dry chemical, all-purpose fire extinguisher must be wall-mounted and readily available in the beauty shop and a smoke detector is to be installed near the stairway.
3. Renewal may be granted if all of the home occupation code requirements have been complied with and no nuisance situations persist.
4. A license shall be obtained from the city clerk in January, 1985 and every year thereafter for which the conditional use permit is in effect.

BACKGROUND

Site Description

1. Size: 100 x 200 feet
2. Existing land use: a one-story style single dwelling with about 728 square feet of foundation area.
3. Location of the home occupation: the shop would be located in the basement with an area of about 130 square feet.

Surrounding Land Uses

North: Maryland Avenue across the street are single dwellings
East and West: single dwellings
South: single dwelling

Past Actions

Conditional use (prior to 1983-special exception) permits most recently approved by council for beauty or barber shop home occupations were:

1-17-80:

A beauty shop for Marjorie Zabel, 2648 East 5th street, subject to a limitation of two customer chairs.

4-3-80:

A barber shop for Daniel Spadino, 2620 Keller Parkway.

1-10-83:

A beauty shop for Kathleen Apman, 1904 Maryknoll

Planning

1. Land use plan designation: RL, residential lower density
2. Zoning: R-1, single dwelling residential
3. Section 36-66 of the city code requires ten conditions for operation of a home occupation. Refer to the attached resolution (page 6).
4. Section 36-442 of the city code requires ten findings for approval of a conditional use permit. Refer to the enclosed resolution (page 6).

City Clerk

Section 17-22 of city code requires that "a license shall be secured from the city clerk, annually in the month of January, to continue operation of a home occupation, once original approval is granted" (by conditional use permit).

Building Official/Fire Marshal

The proposed walkout access is required. This improvement requires a building permit. The stairway must also be brought up to code.

Citizen Comments

Eleven of the neighboring property owners within 150 feet of this property were surveyed. Of the six respondents, five were in favor and one was opposed. The person opposed, believes that there would be insufficient off-street parking which would result in traffic congestion on Maryland Avenue.

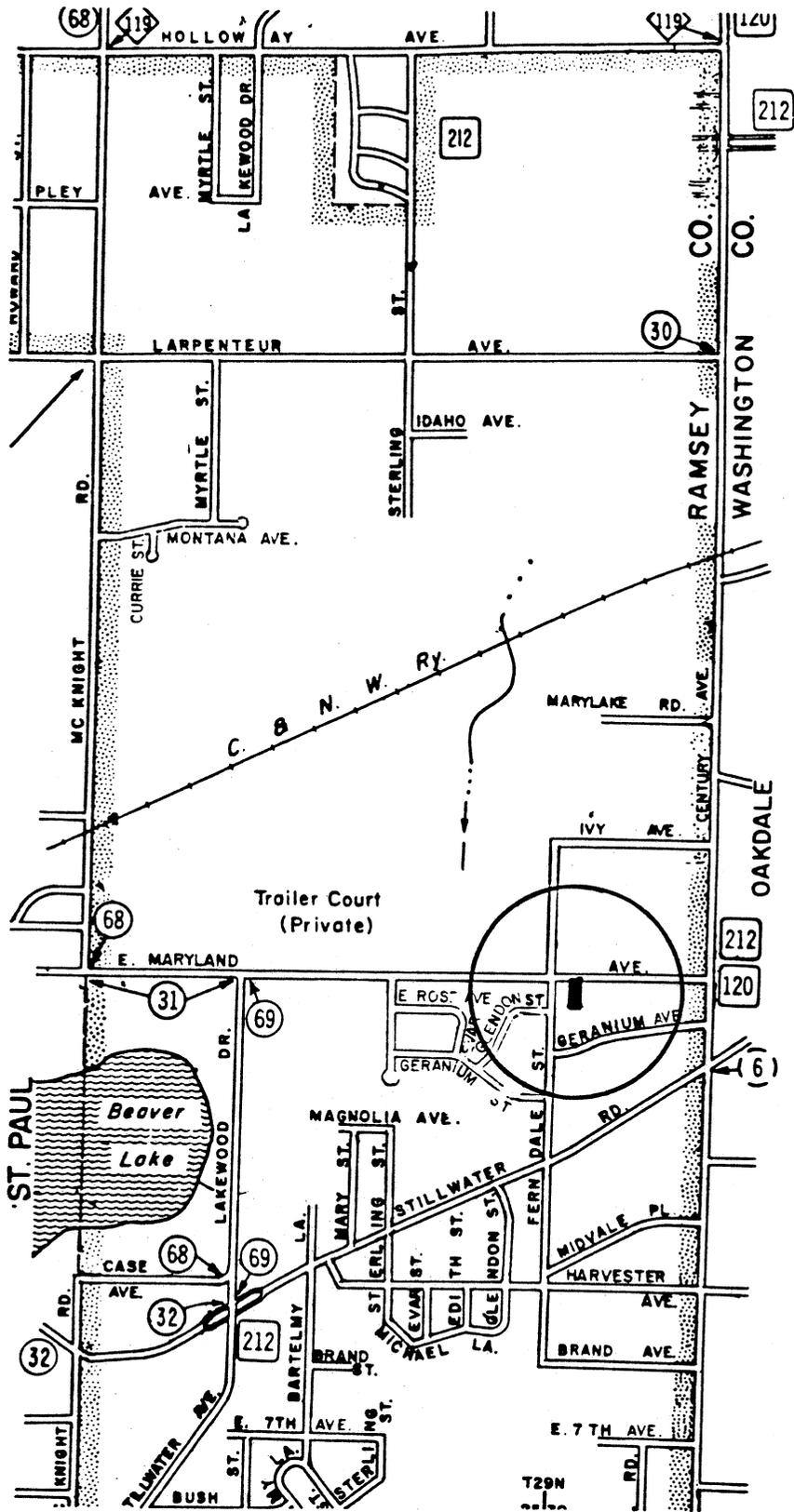
Procedure

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

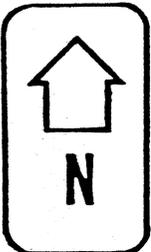
mb

Attachments

1. Location Map
2. Property line/zoning map
3. Resolution



LOCATION MAP



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 _____, 198 at 7 p.m.

The following members were present:

The following members were absent:

WHEREAS, Katherine Shonka initiated a conditional use permit to operate a beauty shop as a home occupation at the following-described property:

Lot 3, Block 6, Midvale Acres

This property is also known as 2646 E. Maryland Avenue, Maplewood;

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

1. This conditional use permit was initiated by Katherine Shonka, pursuant to the Maplewood Code of Ordinances.

2. This conditional use permit was reviewed by the Maplewood Planning Commission on September 17, 1984. The planning commission recommended to the city council that said permit be _____.

3. The Maplewood City Council held a public hearing on _____, 1984. 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.

WHEREAS, Section 36-66 of the city code requires home occupations to conform to the following requirements:

1. Not more than one person, other than members of the family residing on the premises, shall be allowed to engage in such occupation.

2. An area equivalent to no more than twenty (20) percent of each level of the dwelling unit floor area shall be used in the conduct of a home occupation.

3. There shall be no change in the outside appearance of the building or premises, that would indicate the conduct of a home occupation, other than one sign meeting the requirements of the city sign code.

4. Limited retail sales of products produced off-site may be permitted, but only when subordinate to the principal activity of the home occupation.

5. No traffic shall be generated by a home occupation in greater volumes than would normally be expected in a residential neighborhood. The need for off-street parking shall not exceed more than three off-street parking spaces for home occupations at any given time, in addition to the parking spaces required by the resident occupants.

6. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or caused fluctuations in line voltage off the premises.

7. No fire safety or health hazard shall exist.

8. A home occupation shall not include the repair of internal combustion engines, body shops, machine shops, welding, ammunition manufacturing or other objectionable uses as determined by the city. Machine shops are defined as places where raw metal is fabricated, using machines that operate on more than one hundred twenty (120) volts of current.

9. Any violation of these requirements shall result in the denial or revocation of the home occupation.

10. Approval shall be for a period not to exceed one year. Renewal shall be subject to the provisions of Chapter 17, Article II, of the city licensing code.

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

1. The use is in conformity with the city's comprehensive plan and with the purpose and standards of this chapter.

2. The establishment or maintenance of the use would not be detrimental to the public health, safety or general welfare.

3. The use would be located, designed, maintained and operated to be compatible with the character of that zoning district.

4. The use would not depreciate property values.

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

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

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

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

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

10. The use would cause minimal adverse environmental effects.

A. Conditional Use Permit--Home Occupation: 2646 Maryland

9-17-84

Secretary Olson said the proposal is a home occupation request to operate a beauty salon. Staff is recommending approval of the request.

The applicant indicated she had nothing to add to the staff report. They do have sufficient room on their driveway to provide the off-street parking.

Commissioner Whitcomb moved the planning commission recommend the city council adopt the following resolution:

WHEREAS, Katherin Shonka initiated a conditional use permit to operate a beauty shop as a home occupation at the following-described property:

Lot 3, Block 6, Midvale Acres

This property is also known as 2646 E. Maryland Avenue, Maplewood;

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

1. This conditional use permit was initiated by Katherine Shonka, pursuant to the Maplewood Code of Ordinances.

2. This conditional use permit was reviewed by the Maplewood planning Commission on September 17, 1984. The planning commission recommended to the city council that said permit be approved.

WHEREAS, Section 36-66 of the city code requires home occupations to conform to the following requirements:

1. Not more than one person, other than members of the family residing on the premises, shall be allowed to engage in such occupation.

2. An area equivalent to no more than twenty (20) percent of each level of the dwelling unit floor area shall be used in the conduct of a home occupation.

3. There shall be no change in the outside appearance of the building or premises, that would indicate the conduct of a home occupation, other than one sign meeting the requirements of the city sign code.

4. Limited retail sales of products produced off-site may be permitted, but only when subordinate to the principal activity of the home occupation.

5. No traffic shall be generated by a home occupation in greater volumes than would normally be expected in a residential neighborhood. The need for off-street parking shall not exceed more than three off-street parking spaces for home occupations at any given time, in addition to the parking spaces required by the resident occupants

6. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In the case of electrical interference in any radio or television receivers off the premises, or cause fluctuations in line voltage off the premises.

7. No fire safety or health hazard shall exist.

8. A home occupation shall not include the repair of internal combustion engines, body shops, machine shops, welding, ammunition manufacturing or other objectionable uses as determined by the city. Machine shops are defined as places where raw metal is fabricated, using machines that operate on more than one hundred twenty (120) volts of current.

9. Any violation of these requirements shall result in the denial or revocation of the home occupation.

10. Approval shall be for a period not to exceed one year, Renewal shall be subject to the provisions of Chapter 17, Article II, of the city licensing code.

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

1. The use is in conformity with the city's comprehensive plan and with the purpose and standards of this chapter.

2. The establishment or maintenance of the use would not be detrimental to the public health, safety or general welfare.

3. The use would be located, designed, maintained and operated to be compatible with the character of that zoning district.

4. The use would not depreciate property values.

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

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

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

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

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

10. The use would cause minimal adverse environmental effects.

Approval is granted for one year from the date of council approval subject to the following conditions:

1. An exit from the basement in addition to the existing stairway shall be completed and approved by the city building official before customers may be permitted in the shop area. The basement stairway shall also be brought into compliance with the Uniform Building Code (UBC)

2. An operative 10-pound dry chemical, all-purpose fire extinguisher must be wall mounted and readily available in the beauty shop and a smoke detector is to be installed near the stairway.

3. Renewal may be granted if all of the home occupation code requirements have been complied with and no nuisance situations persist.

4. A license shall be obtained from the city clerk in January 1985 and every year thereafter for which the conditional use permit is in effect.

Commissioner Sigmundik seconded
Ellefson, Fischer, Larson, Pellish, Sigmundik, Whitcomb

Ayes--Commissioners Barrett,

B. Time Extension: Tilsen's 11th Addition

Secretary Olson said this is a request for a time extension for Tilsen's Maplewood Heights #11 development and preliminary plat. Staff is recommending approval of a six-month time extension.

Commissioner Pellish moved the planning commission recommend the city council approve a six-month time extension for Robert Tilsen's Maplewood Heights #11 planned unit development and preliminary plat.

Commissioner Larson seconded
Ellefson, Larson, Pellish, Sigmundik, Whitcomb

Ayes--Commissioners Barrett,

F-5

Action by Council:

MEMORANDUM

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Associate Planner, Johnson
SUBJECT: Planned Unit Development Revision/Plat and Street Vacations
LOCATION: Geranium Avenue and Evar Street
APPLICANT/OWNER: Castle Design and Development Company
PROJECT: Sterling Glen
DATE: September 10, 1984

SUMMARY

Request

1. Revise the conditional use permit for the Maple Greens planned unit development to substitute 64 rental apartment units (eight buildings) for 52 quad units (13 buildings).
2. Vacate the plat and streets.

Proposal

1. See the applicant's site plan on page 8. The applicant has agreed to make the following revisions to comply with minimum code requirements:
 - a. Increase the parking stall depth from 18 to 20 feet.
 - b. Increase the separation between the open parking stalls and the dwelling units to at least 15 feet.
2. The applicant will initiate the court proceedings required to vacate the Sterling Glen plat on this site (block one and lots one through 36 of block two), once the revised site plan is approved.
3. The change from town house to apartment-style units and the vacation of the previously platted public right-of-way will result in a density lower than originally approved for the site as part of the Maple Greens planned unit development.
4. The units will be rentals.
5. The applicant is in the process of applying for council approval of tax-exempt mortgage revenue financing for this development.
6. The dwelling exteriors will be constructed with low maintenance materials.

Comments

Poor soils make the construction of the public streets for the previously approved site plan cost-prohibitive, as explained in the applicant's letter on page 10. The proposed site plan eliminates the need for public streets. With the revisions stated in item one above, the new site plan is consistent with the zoning code and the density originally authorized for this site with the Maple Greens planned unit development.

Recommendation

Approve the enclosed resolutions (pages 11 and 14) vacating the plat and streets and amending the conditional use permit for the Maple Greens planned unit development to substitute eight eight-plex apartment structures for the 13 four-plex town house (quad) structures originally approved south of Geranium Avenue along Evar Street and Jessamine Avenue (presently platted as block one and lots one through 36, block two, Sterling Glen Addition), subject to:

1. The applicant vacating the underlying platted lots.
2. Construction beginning within one year of council approval, unless council authorizes a time extension.
3. Adherence to the site plan dated September 11, 1984, with the following revisions:
 - a. Increase the parking stalls to 20 feet of depth.
 - b. Increase the separation between the open parking stalls and the dwelling units to at least 15 feet.
4. Approval of the site, building and landscape plans by the community design review board.

BACKGROUND

Site Description

Size: approximately 6.1 acres

Existing land use: undeveloped

Easements: Evar Street and Jessamine Avenue would be vacated along with all of the platted lots that made up this site.

Surrounding Land Uses

North: Geranium Avenue. Across the street are quads, double dwellings and two single dwellings.

East: a double dwelling and two single dwellings all fronting away from this property.

South: an unimproved 33-foot wide portion of Magnolia Avenue right-of-way. (Consideration should be given to vacating part or all of this right-of-way.)

West: a single dwelling on a large lot and quads.

Past Action

7-26-73:

Council approved a conditional use permit for the Maple Greens planned unit development (PUD) as shown on page 7. Fifty-two quad units (13 buildings) were approved for the subject site.

7-20-78:

Council approved a preliminary plat for the Maple Greens 3rd Addition. It contained the subject site as approved for development in 1973.

12-13-82:

Council approved the Sterling Glen Addition final plat. It encompassed about two-thirds of the Maple Greens 3rd Addition preliminary plat and all of the subject site. This final plat did not alter the preliminary plat configuration approved in 1973 for this site.

Planning

1. Land use plan designation: S, school (southwesterly portion of the site) and RL, residential lower density.
2. Permitted density: the density for this portion of the Maple Greens planned unit development was approved at 33 people/net acre.
3. Proposed density: 26 people/net acre.
4. Zoning: planned unit development

5. Compliance with land use laws:

a. Section 36-438-(c) states "the development (planned unit development) shall conform to the plan as filed with the city. Any substantive variations from the plan shall require recommendation by the planning commission and approval by the city council after a public hearing."

b. Section 36-442-(b) requires ten findings for approval of a conditional use permit. Refer to findings one through ten in the resolution on page 11.

c. Section 36-442-(d) states "the proposed construction must be substantially started or the proposed use utilized within one year of council approval or the permit shall become null and void. The council may grant one six-month extension of the permit if just cause is shown. This requirement shall not apply to PUDs with an approved phasing plan."

d. Section 36-109 (2) states "Minimum parking stall size shall be ten (10) feet by twenty (20) feet, except that parking stalls for owner-occupied units may be reduced to nine (9) by eighteen (18) feet."

e. Section 36-109 (3) states "An open parking stall shall be a minimum distance of fifteen (15) feet from a dwelling unit and five (5) feet from any abutting property line, side or rear."

6. Design review: The final site building and landscaping plans must be approved by the community design review board before a building permit may be issued.

Public Works

1. There is no public need to improve the half width right-of-way that borders the south property line of this site. It would also not be cost-effective to improve due to the lack of benefiting properties and the steep grades.

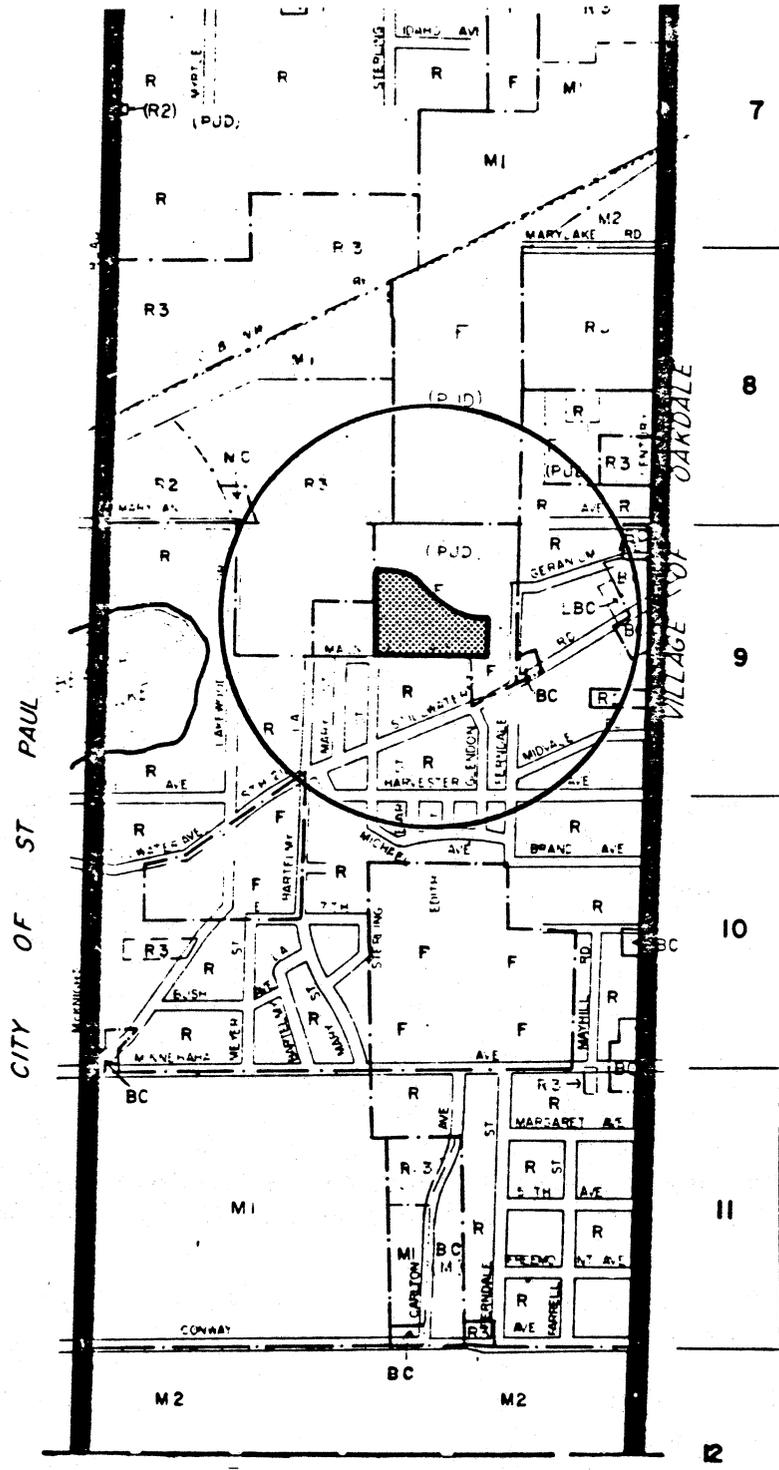
2. A water tower is proposed to the south on the school property or the smaller lot to the northeast of the funeral home (page 6). A water main easement will be needed within the right-of-way along the south boundary of this site for this water tower.

Procedure

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

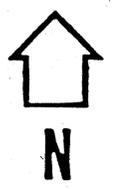
Attachments

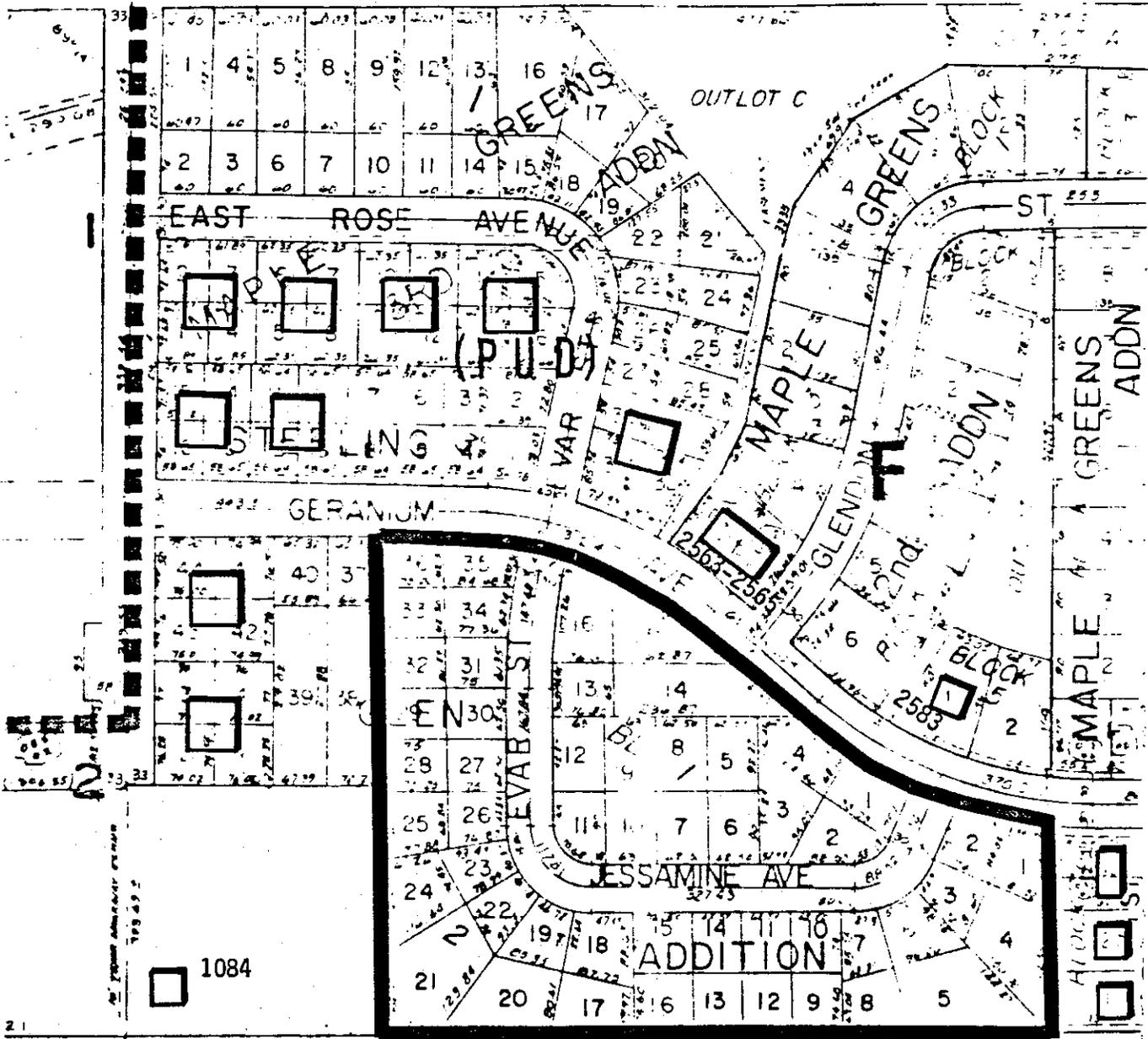
1. Location map
2. Property line
3. Maple Greens PUD
4. Site plan
5. Proposed building elevation
6. Applicant's letter of request
7. Conditional use permit resolution
8. Vacation resolution



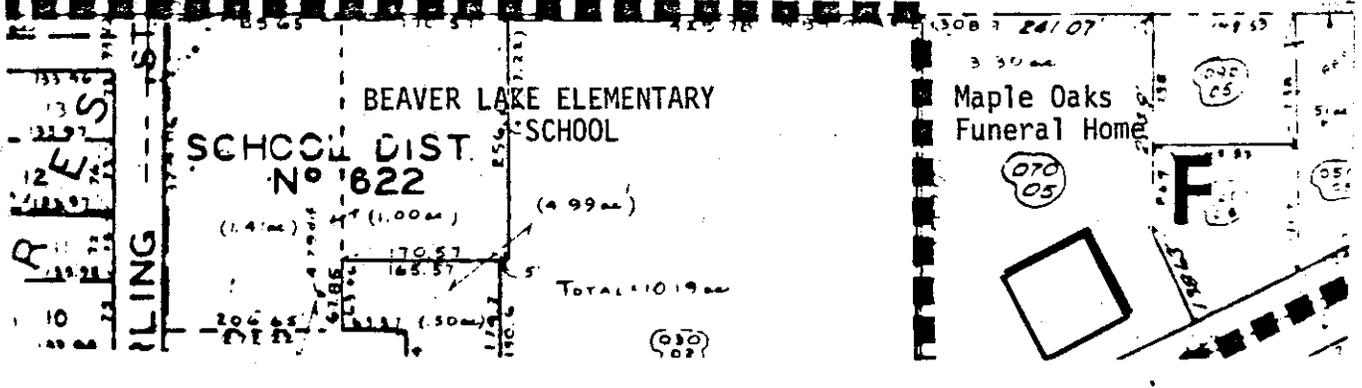
LOCATION MAP

attachment one



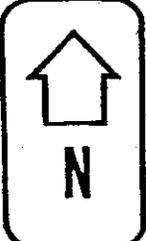


1084

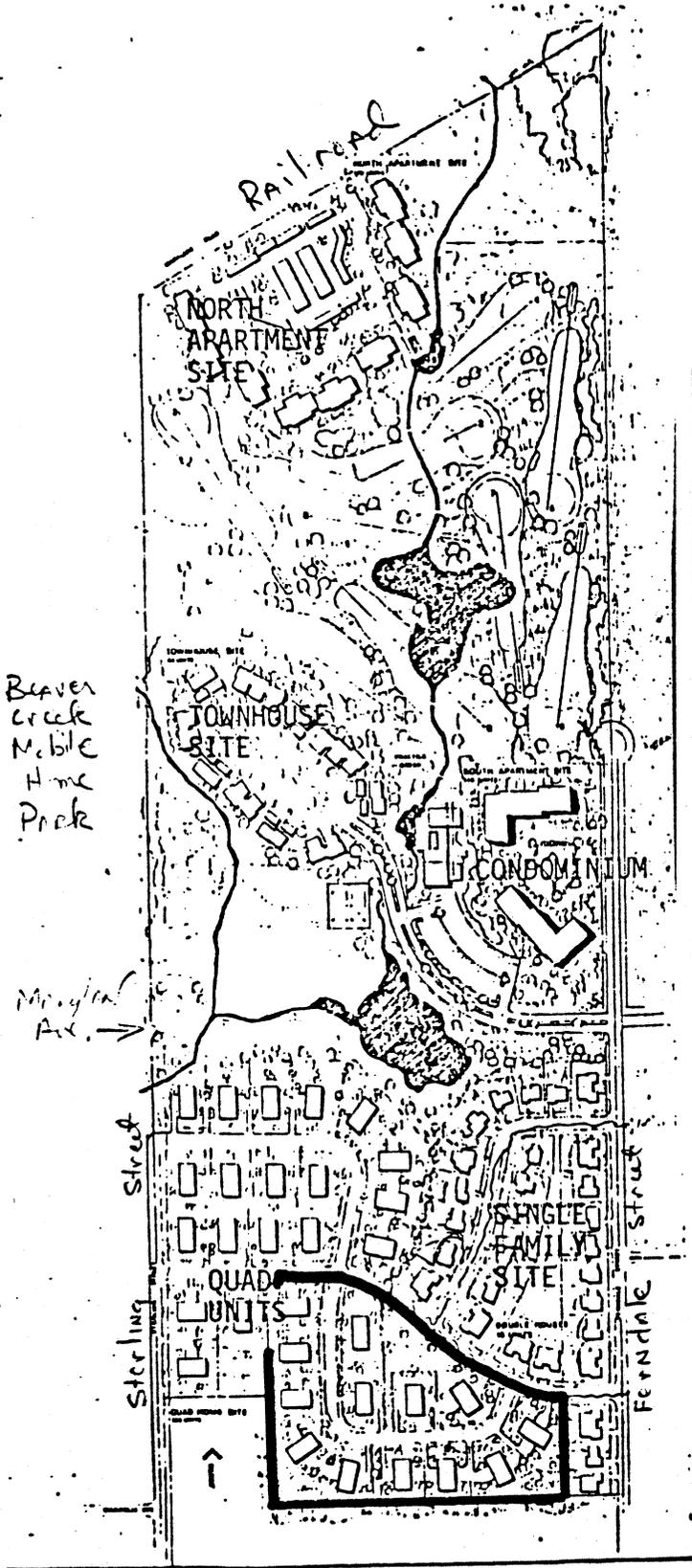


PROPERTY LINE / ZONING MAP

(The platted lots and streets will be vacated once the proposed site plan is approved)



MAPLE GREENS
 PLANNED UNIT DEVELOPMENT



TABULATION

NORTH APARTMENT SITE: 170 UNITS

TOWNHOUSE SITE: 44 UNITS

SOUTH APARTMENT SITE: 110 UNITS

QUAD HOME SITE: 128 UNITS

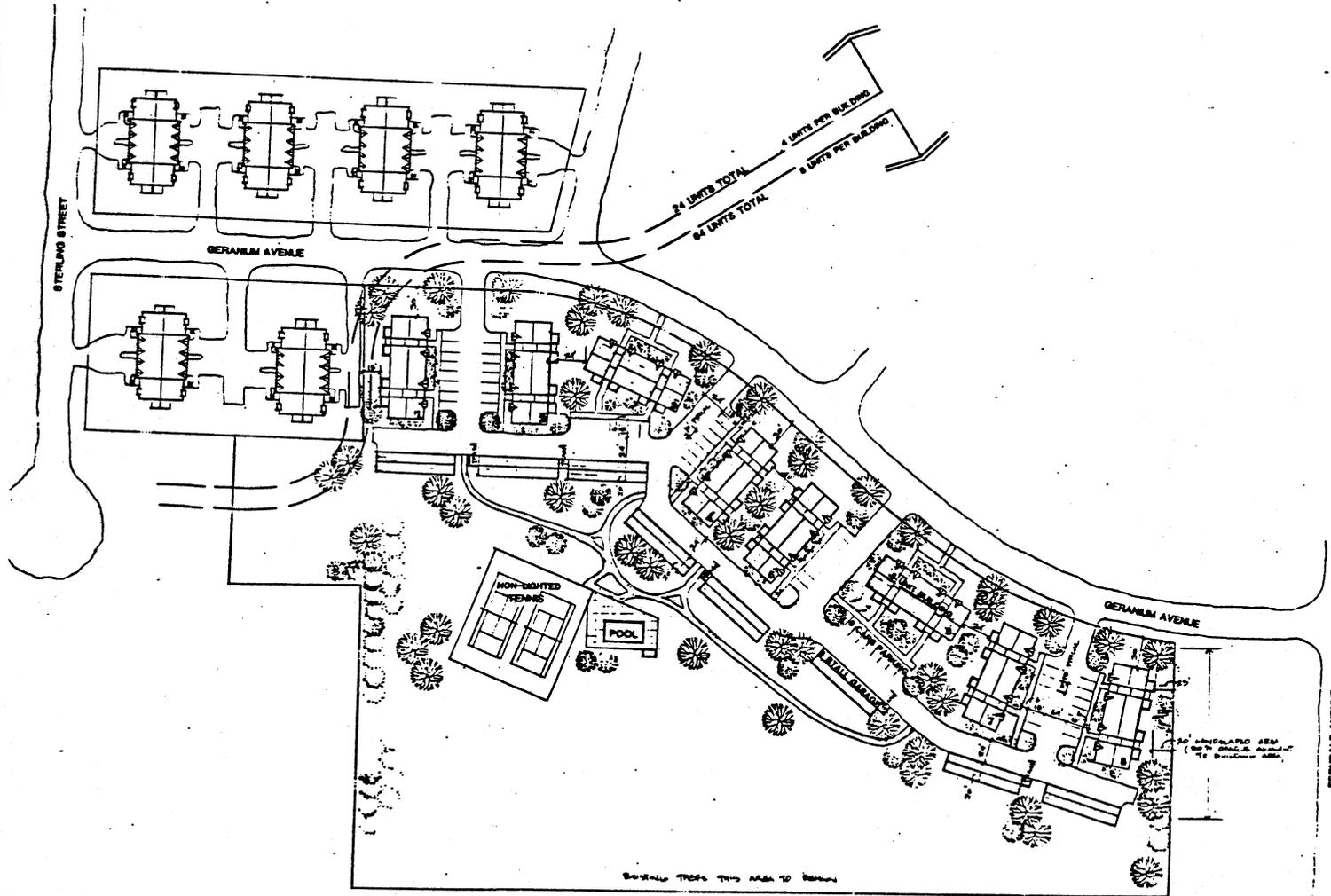
DOUBLE HOMES: 16 UNITS

SINGLE FAMILY HOMES: 22 UNITS

TOTAL: 490 UNITS

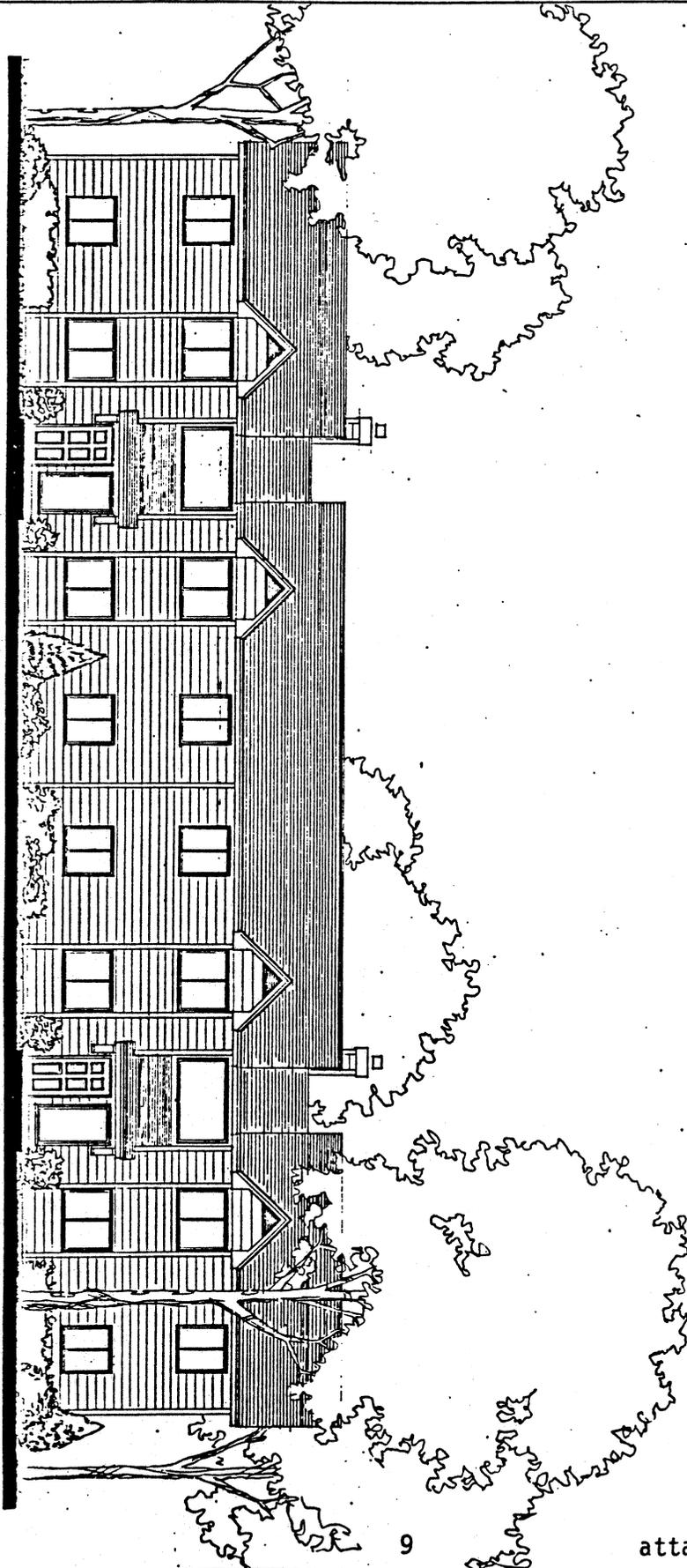
SUBJECT SITE 13 quad structures or 52-dwelling units

MAPLE GREENS
 MAPLEWOOD, MINNESOTA



PROPOSED SITE PLAN (September 11, 1984)





9

attachment five

ELEVATION

NOLET

DATE

STERLING GLEN

2

OF 3

8/7/84

MAPLEWOOD, MINNESOTA

RVK
ARCHITECTS

ONE EAST COLLINGS BLVD.
ST. PAUL, MINNESOTA 55101
612-291-2200



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

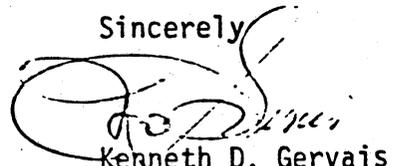
August 10, 1984

Maplewood City Planner
City of Maplewood
1380 Frost
Maplewood, Mn. 55109

Dear Sir,

Castle Design & Development Co., Inc. is proposing to redo Sterling Glen Addition. When we obtained the property the present plat had been approved as a preliminary plat. We started construction and proceeded to complete a short section of Geranium Ave. We found that the soil condition and water table were such that the cost tripled to what the street should have cost, the City Engineer concurs with this fact. The portion of Sterling Glen which we are proposing to replat has Evar St. loop which we feel would even be worse to try to construct. Second, the 4 unit type home has lost its appeal to the market and we feel we must change the type of construction. We will, as you see, be going to the rental market as there has not been any new rental unit built in Maplewood in quite some time.

Sincerely



Kenneth D. Gervais
Vice-President

KDG:grs



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 _____, 1984 at 7 p.m.

The following members were present:

The following members were absent:

WHEREAS, Castle Design and Development initiated a a revision to the conditional use permit for the Maple Greens planned unit development at the following-described property:

Block one and lots one through 36, block two, Sterling Glen Addition, Section 25, Township 29, Range 22

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

1. This conditional use permit was initiated by Castle Design and Development, pursuant to the Maplewood Code of Ordinances.

2. This conditional use permit was reviewed by the Maplewood Planning Commission on September 17, 1984. The planning commission recommended to the city council that said permit be _____.

3. The Maplewood City Council held a public hearing on _____, 1984. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The council also considered reports and recommendations of the city staff and planning commission.

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

1. The use is in conformity with the city's comprehensive plan and with the purpose and standards of this chapter.

2. The establishment or maintenance of the use would not be detrimental to the public health, safety or general welfare.

3. The use would be located, designed, maintained and operated to be compatible with the character of that zoning district.

4. The use would not depreciate property values.

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

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 , 1984, with the original on file in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to a conditional use permit revision

Witness my hand as such clerk and the corporate seal of the city
this day of , 1984.

City Clerk
City of Maplewood, Minnesota

Pursuant to due call and notice thereof a regular meeting of the city council of the City of Maplewood, Minnesota was duly called and held in the council chambers in said city on the _____ day of _____, 1984 at 7 p.m.

The following members were present:

The following members were absent:

WHEREAS, Castle Design initiated proceedings to vacate the public interest in the following-described real property:

Block one and lots one through 36, block two, Sterling Glen Addition, Section 25, Township 29, Range 22, including Evar Street and Jessamine Avenue

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

1. This vacation was initiated by Castle Design.
2. A majority of the owners of property abutting said streets have signed a petition for this vacation.
3. This vacation was reviewed by the planning commission on September 17, 1984. The planning commission recommended to the city council that this vacation be _____.
4. The city council held a public hearing on _____, 1984 to consider this vacation. Notice thereof was published and mailed pursuant to law. All persons present at this hearing were given an opportunity to be heard and present written statements. The council also considered reports and recommendations of the city staff and planning commission.

NOW, THEREFORE, BE IT RESOLVED by the Maplewood City Council that it is in the public interest to grant the above-described vacation.

Adopted this _____ day of _____, 1984.

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 , 1984, 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 vacation of a plat and streets.

Witness my hand as such clerk and the corporate seal of the city
this day of , 1984.

City Clerk
City of Maplewood, Minnesota

C. PUD Revision: Maple Greens

9-17-84

Secretary Olson said the request is to revise the conditional use permit for the Maple Greens planned unit development to substitute 64 rental apartment units (eight buildings) for 52 quad units (13 buildings) and to vacate the plat and streets. Staff is recommending approval of the request.

Ken Gervais, Castle Design and Development Co, said the preliminary plat which became Sterling Glen from Maple Greens, were in place when they purchased the property. Since that time, they have found that the quad buildings do not have a good market as it is over built and also it is difficult to stabilize streets in the area. What they propose is clustering eight unit buildings.

Mr. Gervais indicated there will be three handicap units on the base floor level. The exterior of the buildings will be maintenance free. The garages will be hardboard siding.

Commissioner Whitcomb moved the planning commission recommend the city council adopt the following resolutions vacating the plat and streets and amending the conditional use permit for the Maple Greens planned unit development to substitute eight eight-plex apartment structures for 13 four-plex town house (quad) structures originally approved south of Geranium Avenue along Evar Street and Jessamine Avenue (presently platted as block one and lots one through 36, block two, Sterling Glen Addition:

WHEREAS, Castle Design and Development initiated a revision to the conditional use permit for the Maple Greens planned unit development at the following-described property:

Block one and lots one through 36, block two Sterling Glen Addition, Section 25, Township 29, Range 22

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

1. This conditional use permit was initiated by Castle Design and Development, pursuant to the Maplewood Code of Ordinances.

2. This conditional use permit was reviewed by the Maplewood Planning Commission on September 17, 1984. The planning commission recommended to the city council that said permit be approved.

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

1. The use is in conformity with the city's comprehensive plan and with the purpose and standards of this chapter.

2. The establishment or maintenance of the use would not be detrimental to the public health, safety or general welfare.

3. The use would be located, designed, maintained and operated to be compatible with the character of that zoning district.

4. The use would not depreciate property values.

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

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

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

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

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

10. The use would cause minimal adverse environmental effects.

11. The revision is consistent with the original planned unit development.

Approval is subject to the following conditions:

1. The applicant vacating the underlying platted lots and street rights-of way from the Sterling Glen Addition.

2. Construction beginning within one year, unless council authorizes a time extension. This proposal shall be considered part of a phased development for purposes of a time extension, if necessary.

3. Adherence to the site plan dated September 11, 1984, with the following revisions:

a. Increase the parking stalls to 20 feet of depth.

b. Increase the separation between the open parking stalls and the dwelling units to at least 15 feet.

4. Approval of the site, building and landscape plans by the community design review board.

5. Submission of an erosion control plan for approval by the city engineer.

WHEREAS, Castle Design initiated proceedings to vacate the public interest in the following-described real property:

Block one, lots one through 36, block two, Sterling Glen Addition, Section 25, Township 29, Range 22, including Evar Street and Jessamine Avenue

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

1. This vacation was initiated by Castle Design.

2. A majority of the owners of property abutting said streets have signed a petition for this vacation.

3. This vacation was reviewed by the planning commission September 17, 1984. The planning commission recommended to the city council that this vacation be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD PLANNING COMMISSION that it is in the public interest to grant the above-described vacation.

Commissioner Barrett seconded
Ellefson, Larson, Pellish, Sigmundik, Whitcomb

Ayes--Commissioners Barrett,

H-1
Action by Council:

Endorsed _____

Modified _____

Rejected _____

Date _____

MEMORANDUM

TO: City Manager
FROM: City Engineer
SUBJECT: No Parking--County Road D, White Bear Avenue to Ariel Street
DATE: September 17, 1984

County Road "D" through this section is a 2-lane rural section with limited shoulders. Recently, a number of larger trucks have chosen to park on this area. This not only encroaches on the traveled roadway, but also limits the sight distance for individuals attempting to make turns onto County Road D.

It is recommended the city council request Ramsey County to designate County Road D from White Bear Avenue to Ariel Street a "no-parking" zone.

mb

H-2

Action by Council:

Endorsed.....

Modified.....

Rejected.....

Date.....

MEMORANDUM

TO: City Manager
FROM: Director of Community Development
RE: Planning Fees
DATE: October 2, 1984

Council gave 1st reading to this ordinance on September 24th. 2nd reading is recommended.

GWO:1nb

ORDINANCE NO. _____
PLANNING FEES

Section 1. Section 36-26 of the Zoning Code of the City of Maplewood is hereby amended as follows:

Sec. 36-26. Fees. The following nonrefundable application fees shall be required:

Zone Change	\$140
Special Use Permit	140
Planned Unit Development	140
Comprehensive Plan Amendment	140
Variances:	
R-1	40
All other districts	80
Vacations	45
Lot Divisions	30 for each lot created
Preliminary Plat	140
Home Occupation Permit	40 for the initial permit and 15 for an annual renewal
Final Plat	30

Section 2. Section 36-258 of the sign code is amended as follows:

Sec. 36-258. Fees.

(1) A sign erection permit fee (except for billboards) shall be paid in accordance with the following schedule:

<u>Square Feet</u>	<u>Fee</u>
1 - 10	\$ 10
11 - 25	15
26 - 50	25
51 - 100	60
over 100	110

(2) The fee for erection of billboards shall be \$8.00 for the first five square feet, plus 47¢ for each additional square foot.

(3) The annual license fee for billboards shall be \$205.

Section 3. This ordinance shall take effect on January 1, 1985.

Passed by the Maplewood City Council on _____.

Mayor

Attest:

Clerk

Ayes--

MEMORANDUM

Action by Council:

TO: City Manager
 FROM: Director of Community Development
 SUBJECT: Questions by Ted DeZurik--Sprinklers
 DATE: September 28, 1984

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

Ted DeZurik, from Woodmark, Inc., requested on September 24, that he be allowed to construct an eight-unit multiple dwelling in the Bennington Woods project without sprinklers. Sprinklers are required by appendix E of the State Building Code when a multiple dwelling building exceeds 8500 square feet or is three or more stories in height.

Mr. DeZurik is concerned because he presold the units, based on an opinion from his architect, that the eight-unit building should be considered to be two four-unit buildings, because of a fire wall separation. (Sprinklers are not required for a four-unit building.) He feels that he may lose some of these sales if he must raise the price to pay for a sprinkler system. Mr. DeZurik has several specific questions:

1. Can appendix E be modified or replaced with a local ordinance?

Answer: no. Dick Brooks, director of building codes and standards for the state, informed me that state law prohibits cities from modifying appendix E or adopting any other ordinance regulating building construction standards. He was not aware of any changes being proposed by the state to appendix E that would affect multiple dwellings. The purpose of the state building code is to provide a uniform standard of construction in the state. Appendix E, however, is optional. But it must be adopted without change.

The city has only two choices--enforce appendix E or rescind it. Council adopted appendix E on May 23, 1983 at the urging of the fire departments. Enclosed is the report that went to the city council in 1983, describing the reasons for adopting appendix E.

2. Could the building be considered as two separate four-unit buildings because of the area separation wall?

Answer: not for the purposes of appendix E. Section 505 (c) of the building code states that "Each portion of a building separated by one or more area separation walls may be considered as a separate building." According to the state building code office, adoption of appendix E supercedes this area of the code in establishing the maximum allowable gross square foot area permitted in one building. In order to separate the building into two four-unit buildings, the building would have to be divided by two side-by-side exterior walls without openings.

3. Could this building be considered "grandfathered in," because it was approved by the community design review board before appendix E was adopted?

Answer: no. Appendix E states that its "requirements are applicable throughout the municipality for new buildings . . ." Mr. DeZurik's eight-unit building was not started or a permit issued before adoption of appendix E. While the community design review board did approve the overall site plan and exterior building design before adoption of appendix E, this approval did not include construction plans. Condition one of the board's approval states that "Approval of plans by the board does not constitute approval of a building permit." In addition, staff had advised Mr. DeZurik's architect at the time of board approval that appendix E was being considered and that it would apply to his project.

4. Why are two separate water services required--one for domestic service and one for the sprinkler system?

Answer: This is a requirement of the City of St. Paul. It allows the city to shut off domestic service for nonpayment, without shutting off water to the sprinkler system and creating a liability for fire protection.

Recommendation

Take no action.

jc

Attachment:

5-13-83 staff report

cc: Ted DeZurik

MEMORANDUM

TO: City Manager
FROM: Building Official
SUBJECT: Appendix E--Sprinklers
DATE: May 13, 1983

Proposal

Adoption of Appendix E (attachment one), by reference to the State Building Code. Adoption of Appendix E would permit the city to require the installation of sprinkler systems in new construction, additions and with a change in the type of occupancy, where such sprinkler systems are not now required. Attachment two describes the types of occupancies affected. Attachment three gives examples of how Appendix E would have affected three buildings in Maplewood if they were built under Appendix E.

Authority

Minnesota State Statutes, 1980 Section 299 F 011 Subd. 4 prohibits municipalities from establishing requirements in excess of the Uniform Building Code. Appendix E was developed by the state to allow municipalities to establish uniform additional standards above and beyond the basic provision of the State Building Code.

Purpose

Adoption of Appendix E has advantages to the city and building owner.

1. Increased fire protection.

This amendment is highly endorsed by the fire marshal's office and our three fire departments. (See attachment four.) Sprinklers provide increased protection for life and property.

2. Reduces property losses.

Attachment five shows the property loss savings that occurred with sprinkler systems in Edina and Duluth.

A five-year study of insurance losses by Factory Mutual shows buildings without sprinklers had nine times greater losses than sprinklered buildings. In a comparison of two Edina apartment buildings, one sprinklered and the other not sprinklered, the sprinklered 13-story building suffered \$1,000 loss and no deaths. The unsprinklered four-story building, which had heat detectors and an alarm system, suffered \$70,000 loss and two dead.

Minnesota Mining (3M) states that 98% of their industrial fires were suppressed without fire department personnel in buildings with sprinkler systems installed. The balance of 2% were shelving and other hidden areas. 3M building 220 6th floor loss was 2 1/2 million. One-third of the floor was damaged by fire. Prior to this fire they chose not to install sprinklers in the total building at a cost of 3/4 million dollars. After the fire, all office buildings in their system not previously sprinklered have had the systems installed.

3. Allows more flexible construction.

Under the building code, the installation of sprinkler systems allows larger allowable areas, additional stories and substitution of one-hour fire resistive construction in some cases.

4. Cost savings to building owners

It could be possible, based on square footage and occupancy, to build a required steel or masonry building of a certain type of wood construction with sprinklers installed, realizing cost savings. Other requirements are also lessened with sprinklers: travel distance to exits and the elimination of required fire alarm systems in public buildings and apartment buildings. Manual pullstations result in unnecessary false alarms to the fire departments. The building owner benefits by a reduction in insurance costs, often with a payback within 7 to 10 years, depending upon the type of occupancy.

5. Reduces manpower needed for the fire stations

Manpower for firefighters during daytime hours is becoming increasingly difficult to obtain due to increased commitments to work. The building owner, therefore, should take the responsibility of protecting his property. Reduction in personal injury reduces manpower, since firefighters man the medic vans as well.

This is an option, not a mandatory provision, based on local fire suppression capabilities. Some municipalities will not adopt this appendix. Initial construction costs would be increased. However, the benefit to the city in maintaining a proficient level of fire protection in the face of additional construction and restricted budgets supports the adoption of Appendix E.

Recommendation

Adopt the enclosed ordinance (attachment nine) which adopts the new Appendix "E" to the State Building Code, requiring sprinkler systems.

jc
Enclosures

1. Appendix E.
2. Types of Buildings affected by Appendix E
3. Examples of applying Appendix E in Maplewood
4. Fire Marshal's memo
5. Property loss comparisons
6. Water and manpower requirements
7. Statement of need and reasonableness
8. Report of the hearing examiner
9. Code amendment

Department of Administration Building Codes and Standards Division

Adopted Rules Governing Amendments to the State Building Code Entitled Proposed Optional Appendix E Automatic Fire Suppression Systems

Rule as Adopted

2 MCAR § 1.10020 Optional provisions for installation of on-premises fire suppression systems.

A. Purpose. This rule authorizes optional provisions for the installation of on-premises fire suppression systems in new construction. It is intended to alleviate increasing demands for additional fire suppression resources by allowing a municipality to adopt the optional provisions of this rule based on its local fire suppression capabilities.

B. Municipal option. The sprinkler system requirements in C. may be adopted without change by a municipality. If they are adopted, the requirements are applicable throughout the municipality for new buildings, additions to buildings, and buildings for which the occupancy classification is changed.

C. Requirements. Automatic sprinkler systems must be installed and maintained in operable condition in buildings in the occupancy classifications listed in 1.-12. This requirement is in addition to other minimum requirements set in the state building code. The height and area increases provided ~~for~~ in sections 506 and 507 of the Uniform Building Code, as adopted in the state building code ~~may be applied~~ are applicable.

1. Group A-1 occupancies.
2. Group A-2 occupancies with an occupant load of 300 or more.
3. Group A-2.1 occupancies.
4. Group B-1 service stations with 3,000 or more gross sq. ft. of area, not including canopies.
5. Group B-1 parking garages with 5,000 or more gross sq. ft. of area.
6. Group B-2 offices and post-secondary classrooms with 8,500 or more gross sq. ft. of area or three or more stories in height.
7. Group B-2 retail, warehouse, or manufacturing areas with 2,000 or more gross sq. ft. of area or three or more stories in height.
8. Group E-1 and E-2 occupancies with 8,500 or more gross sq. ft. in area or two or more stories in height, except for minor additions that do not increase the occupant load or significantly increase the fire load.
9. Group E-3 occupancies with an occupant load of 30 or more.
10. Group H-4 occupancies with 3,000 or more gross sq. ft. of area.
11. Group R-1 apartment houses with 8,500 or more gross sq. ft. of area or with dwelling units on three or more floors, except that when they are not required by Uniform Building Code, sections 1807 or 1907, or other provisions of the state building code, automatic sprinkler systems within dwelling units in apartment occupancies are considered complete when protection is provided in all habitable rooms. Building officials, in concurrence with their fire chiefs, may accept alternate systems not fully complying which have fire protection capabilities equivalent to systems which comply with Standard 38-1 of the Uniform Building Code.
12. Group R-1 hotels and motels with 8,500 or more gross sq. ft. of area or with guest rooms on three or more floors.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION —** Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.



STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
SAINT PAUL

BUILDING CODES AND
STANDARDS DIVISION

408 METRO SQUARE
7TH AND ROBERT STS.
ST. PAUL, MN 55101

Phone: 612/296-4639

April 17, 1984

[REDACTED]

Re: City Adoption of Appendix E of the State Building Code

Dear Mr. [REDACTED]

Optional Appendix E is very restrictive in its application to new buildings and for buildings in which the occupancy classification is changed, compared to conventional building code standards. Occupancy classification change is governed by 1982 UBC Sections 104 and 502.

Appendix E is intended to be restrictive as it is an alternate means of fire protection rather than continued increases in fire fighting personnel and equipment as a city grows in size and complexity. Conversely a municipality may continue to encourage major development as well as residential growth without regard to its fire suppression capabilities.

Appendix E is intended to be a standardized "super" sprinkler ordinance for municipalities to adopt based on an examination of its commitment to fire suppression capabilities.

The municipal council must make hard decisions, i.e. hire more fire fighters, buy new equipment, build new stations, funding, responsibilities to citizens, what do we (council) want as a standard for fire protection in our community, should future construction pay added cost of fire protection, etc.

The key decisions the council must make are:

1. Is the present fire suppression capability adequate for the community as it exists today?
2. Are there resources available to increase fire suppression capability if needed?

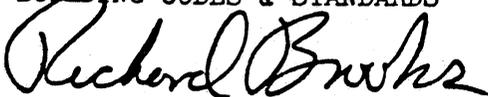
3. Is it equitable to require future construction to build in its fire protection and also be taxed for fire protection services?
4. Is water distribution system adequate with proper sizing for sprinklers?
5. Are current construction provisions pertaining to fire protection being applied?
6. Will Appendix E discourage construction?
7. Will Appendix E make our community non-competitive?
8. Has the fire suppression capability kept pace with growth over the past 15 years?
9. Is Appendix E a substitute for municipal responsibility?
10. What is the impact of making most buildings non-conforming?

Appendix E is much more than a "sprinklers are good" provision. Appendix E is a major policy decision for a community to make as it has considerable impact on future development and existing businesses deciding to expand. The adoption of Appendix E would make most existing structures non-conforming which would severely limit remodeling and expansion unless sprinklers are installed.

I am sure all possibilities have not been addressed. My main point is that it is not an issue to address lightly and pass into regulation without considerable thought and consideration of the impact. A fine line exists between the user pay principle and municipal responsibility and equity to its citizens.

Yours truly,

BUILDING CODES & STANDARDS



Richard A. Brooks
Assistant Director

RAB:p

Attachment two: Types of Buildings affected by
Appendix E

Group A Occupancies are dining rooms, drinking establishments, auditoriums and other places of assembly where people gather. All occupancies in this category, with an occupant load over 300 persons, are required to be sprinklered by Appendix E.

Group B Occupancies are primarily offices, retail stores, warehouses and manufacturing areas. Occupancies in this category will now require sprinklers i.e. an office building with 8,500 gross square feet of area or three or more stories must be sprinklered. Under present code a wood frame office building could be built with 8,000 square feet, two stories in height and not be sprinklered. A small retail store of 2,000 or more gross square feet or three or more stories in height would require sprinklers. A retail store of wood frame construction of 2,000 gross square feet is not required to be sprinklered under the present code.

Group E Occupancies are primarily educational facilities and facilities for day care purposes. The requirement in this category does not change appreciably.

Group H Occupancies are hazardous areas, handling of hazardous and flammable liquids, wood working establishments, areas where loose combustible fibers or dust are manufactured, and spray painting shops.

Group H-4 is a repair garage with an allowable area of 5,100 square feet in type V construction. Appendix E would require sprinklers for 3,000 square feet or more of area.

Group R-1 Occupancies are hotels and apartment houses. Under present code apartment houses of frame construction would allow 6,000 square feet and two floors. Appendix E requires sprinklers for 8,500 gross square feet or with dwelling units on three or more floors regardless of type of construction-- wood frame, masonry, etc.

Group R-1 Occupancies, hotels and motels under Appendix E would require sprinklers if the building had 8,500 or more gross square feet or with guest rooms on three or more floors.

Attachment Three: Examples of applying Appendix E in Maplewood

Holiday Inn

Holiday Inn was built in 1977, has 29,500 square feet per floor with a total of 59,000 square feet.

Code did not require fire suppression system. Appendix E would require the system at 8,500 square feet.

Commercial area of Holiday Inn has 16,674 square feet on one floor. The Code in effect when this motel was constructed allowed 10,100 square feet of area and with sprinklers permitted doubling of area to 20,200 square feet. Therefore, the commercial area of Holiday Inn is sprinklered to accommodate the number of square feet in this area.

Appendix E would require sprinklers for all occupancies with occupant load over 300.

Cricket Inn

Cricket Inn has 116 units, 4 floors, 45,569 square feet total with 11,367 square feet per floor.

The structural elements of this building are noncombustible, therefore, the present building code would allow 27,000 square feet, 4 stories high, without a sprinkler system.

The recommendation of the Fire Marshal's Office required sprinklers, thus it became a condition of the Design Review Board and Council. The motel is sprinklered.

Appendix E would require sprinkler system at 8,500 square feet or 3 floors in height.

Emerald Inn

Emerald Inn has 68 units, five floors with approximately 30,000 square feet including the penthouse.

Building Code today would allow Emerald Inn to be built as a 4-story motel without sprinklers. However, the building is fully sprinklered, due to the five stories, to comply with the Code.

Appendix E would require sprinklers at second floor because of area.

April 25, 1983

MEMORANDUM

To: Building Inspector Marge Ostrom
From: Fire Marshal A. C. Schadt
Subject: Appendix "E" Sprinkler Systems

The new Appendix "E" to the State Building Code is now completed and has been documented in the State Register, Volume 7, Number 42, dated April 18, 1983.

It would be advantageous that this Appendix "E" be included in the 1982 Building Code, which would require an Ordinance approved by Council action.

This appendix is highly endorsed by the City's fire services from the three contracting departments as well as this office, and we urge your department's support and approval in obtaining the adoption required by law.

We recommend your department proceed forward in obtaining the proper Ordinance for Code enforcement.

ACS:js

cc Director of Public Safety
- Fire Departments

COPY

Attachment five

COMPARISON

TWO EDINA APARTMENT FIRES

6730 VERDON AVENUE

4 stories
Approx. 10 years old
Heat Detectors Throughout

Type I Fire Resistive

Apartment

Within Dwelling Unit

Living Room/Hallway
(Room Unoccupied)

Clothes Basket
(Ignition Source Unknown)

Occupant Entering

To contents, Hall Closet

To Carpet/Interior Hall

Door to Corridor Open

To Public Corridor
Interior Finish
(Rated Less than 25)

To Adjoining Apartment
(Open Door)

2 Dead

\$70,000.00

6 Engines 24 Men

2 Ladders 5 Men

3 Ambulances 7 Men

7151 YORK AVENUE SOUTH

13 stories
10 years old

Type I Fire Resistive

Apartment - Elderly

Within Dwelling Unit

Living Room
(Room Unoccupied)

Plastic Decorative Wreath
(Candle)

Sprinkler/Alarm

To Television Set Cabinet

To Wall Hangings, Picture
Frames

SPREAD OF FIRE CHECKED
Sprinkler

CONSTRUCTION

OCCUPANCY

FIRE LOCATION

FIRE AREA

FIRE START

ALERT

FIRE GROWTH

LOSS

- Life

- Property

\$1,000.00

RESOURCES

1 Engine 8 men

COMPARISON

Two Duluth Building Fires

222 East Second Street
Senior Citizen Apartments

West Junior High
3 Stories

Type 1 Fire Resistive

-- CONSTRUCTION --

Type 1 Fire Resistive

Senior Apartments

-- OCCUPANCY --

School

Within Dwelling Unit

-- FIRE LOCATION --

School Office

Living Room
(Occupied)

-- FIRE AREA --

Office

Papers (Pipe)

-- FIRE START --

Wooden Desk

Smoke Alarm

-- ALERT --

Custodian arriving
for work

Smokers, Pipe to
newspaper

-- FIRE GROWTH --

Desk

To Magazine rack

To Office furniture

To Overstuffed
chair

Office gutted

Spread of Fire
checked

Fire checked by
closed office door

Sprinkler

Smoke spread through
school by way of vent
system.

\$3,000.00

-- LOSS --

\$110,000

Highlights of Fire in the U.S.

A 26-page booklet that is a comprehensive study of deaths, injuries, dollar loss and incidents on national, state and local levels reveals some interesting facts about America's fire experience.

- In order of severity, the five most dangerous occupancies for fire fighters are manufacturing, basic industry, storage, stores and offices, and vacant and construction sites.
- The fire death problem is especially serious in large cities and rural communities. Medium sized cities have the lowest fire death rates. The death rates in most rural areas are the highest, higher even than large cities. Rural areas and big cities have higher dollar losses per capita from fire than do mid-size cities.

Copies of the report are available from the Federal Emergency Management Agency, 500 C Street S.W., Washington, D.C. 20472

Sprinklers Reduce Property Losses

A recent five-year study by Factory Mutual System shows that dollar losses due to fires in buildings without sprinklers are nine-times greater than losses in sprinklered buildings. Fires in buildings with sprinklers averaged a \$32,000 loss, compared to a \$201,000 loss in non-sprinklered properties.

Firebug Game Brochures Out of Print

The country's fire service has succeeded in having video game brochures for "Firebug" taken out of print. The game has been changed to an escape game using the five-story maze. The advertising copy has been modified to reflect the escape from the burning building theme.

The copy originally encouraged participants to skillfully burn the building and escape detection. Promotion of the game brought a general uproar from fire service, law enforcement and the insurance industry. The Minnesota distributor of the game agreed to remove the product from retail shelves following contact with the President of the International Association of Arson Investigators, Minnesota Chapter, Bruce Ryden.

Los Angeles Sues to Recover Fire-fighting Costs

In what Los Angeles city attorneys believe to be an unprecedented case, the city has filed suit against a plastics company to recover the costs of fighting a fire at its plant. The city contends the company was grossly negligent in the storage of highly flammable materials on its premises and had failed to correct legal violations after being ordered to do so. Contending that the hazardous storage was the cause of the fire in May, 1980, Los Angeles seeks to recover \$200,414 in expenses plus \$1-million in punitive damages. The company already has pleaded no contest and paid a \$4,000 fine for violation of the fire code.

WATER AND MANPOWER REQUIREMENTS

Theoretically, one gallon of water per minute applied in a fog pattern should have enough cooling power to extinguish 100 cubic feet of fire involving ordinary combustibles. Thus, to be able to extinguish a fire in two floors of a 1500 square foot home (8 foot ceilings) would require:

$$\begin{aligned} 1500 \times 2 &= 3000 \\ 3000 \times 8 &= 24000 \\ 24000 \div 100 &= 240 \text{ GPM required} \end{aligned}$$

Fire suppression experts recommend 3 or 4 gallons per minute per 100 cubic feet for fire extinguishment under practical conditions, which allows for such things as openings which aid fire spread, the difficulty in applying water directly on the seat of the fire, as required by the theoretical formula to be valid.

The number of fire fighters required to maneuver the hoses is related to the size of the hose streams. The following are minimum fire fighter requirements on hose streams.

$$\begin{aligned} 100 \text{ GPM} &- 2-3 \\ 250 \text{ GPM} &- 3-5 \end{aligned}$$

"A typical sprinkler head delivers an average of 15 gallons of water per minute, and the data of various national organizations indicates that about three fourths of all fires in sprinklered buildings are extinguished with one or two sprinkler heads going off."

Kimball, Warren, Fire Attack 1, Command Decisions and Company Operations, 1973, National Fire Protection Association, 60 Battery March Street, Boston, Mass., 02110, pg. 81 f.

International Fire Service Training Association, Fire Stream Practices, 1980, Fire Protection Publications, Oklahoma State University, Stillwater, Oklahoma, 74078, pg. 158.

STATE OF MINNESOTA

DEPARTMENT OF ADMINISTRATION

In the Matter of the Proposed
Rules of the Department of Administration
Governing Amendments to the State Building
Code entitled Proposed Optional Appendix E
Automatic Fire Suppression Systems

STATEMENT OF NEED AND
REASONABLENESS

The above captioned rules are a proposed optional appendix chapter to the State Building Code which authorizes municipalities to require on-site fire suppression systems in certain occupancies.

The proposed rules are needed to authorize municipalities to adopt fire suppression requirements, established through information obtained from nationally-recognized experts, to a protection level higher than currently authorized. MN Stats. 1980, Section 299F.011, Subd. 4 prohibits municipalities from establishing requirements in excess of the requirements of the Uniform Building Code adopted pursuant to MN Stats. 1980, Section 16.83 to 16.867 (State Building Code). The adoption of rules establishing standards for additional on site fire suppression systems is necessary to permit municipalities to obtain standards of fire suppression capabilities not in conflict with provisions of the State Building Code when it is determined by the municipalilty that additional provisions are necessary and cost effective.

The agency's authority to promulgate the proposed rules is contained in MN Stats. (1980) §§ 16.85 and 16.86.

The expansion of fire suppression and prevention capabilities is necessary for public safety in buildings located in expanding municipalities. A primary concern of growing municipalites is to establish a balance of public

and private sector financing for fire suppression protection in new buildings where public sector funding limits have been reached.

These rules are a reasonable approach to fire suppression on the local level because resources for municipal fire departments are limited to current or reduced expenditure levels. The level of fire fighting and prevention provided is exclusively a local determination. The economic feasibility and reasonableness of adopting uniform regulations in excess of the State Building Code must be determined by the municipality providing the services and those bearing the expense.

The establishment of optional rules for adoption without change are based on a study of nationwide trends of the fire suppression capabilities of municipal fire departments. This provides municipalities a method to establish reasonable additional standards based on local capabilities.

During the 1981 session of the Minnesota Legislature, a bill was introduced permitting local units of government to enact ordinances requiring on-site fire suppression systems as they deemed appropriate. The legislation passed the House and was considered by the Government Operations Committee of the Senate, where testimony was offered in opposition to the bill. One issue of opposition was that the uniformity provided for in the State Building Code would be destroyed and designers, developers and builders would be subjected to a vast array of requirements. The chairman of the Senate committee recommended that all affected parties attempt to resolve their differences through the rule making process of the Administrative Procedure Act.

The Director of the Building Codes and Standards Division subsequently appointed a committee to review the issues involved and recommend how they

might be best resolved. The listing of committee members is attached to this statement. (Exhibit 1) The committees first meeting was on July 16, 1981 and after a series of 16 meetings the final (4th) draft of the proposal was completed on May 26, 1982. During the committee deliberations input was received from many resource persons, including fire protection engineers, fire department administrative personnel, mechanical engineers, the concrete industry, sprinkler industry, insurance industry, committee members, and others. Several informational meetings were held with architects, building developers, building owners and managers, building officials and others, and draft copies were revised following input from concerned persons.

The consensus of the committee was to propose an optional appendix chapter to the State Building Code that could be adopted, without change, at the discretion of municipal governments, similar to the existing appendix chapter D relating to building security. A measure of uniformity would thus be maintained so that persons affected could quickly ascertain whether or not the appendix chapter had been adopted by any given municipality, so that structures would be designed and constructed accordingly. The committee believes this approach will be a long term solution to existing and future problems.

Although Minnesota Statutes do not mandate that municipalities provide fire protection for their citizens, many municipalities are endeavoring to maintain a proficient level of fire protection in the face of additional construction and restricted budgets due to cutbacks in resources. Municipalities firmly believe that by providing for built-in fire suppression systems in new construction, they can maintain a reasonable degree of protection without building additional fire stations, obtaining new equipment and supplies, and recruiting additional personnel. Additional resources would

also be necessary, to provide ongoing training of personnel; maintenance and operation of equipment, and buildings; as well as additional fire fighter salaries. The cost of providing additional services involves both initial capital outlay plus continuous program maintenance costs. The Fresno California Cronicle attached to this statement (Exhibit #2) supports the effectiveness of this position. In spite of considerable growth in area and population, fire department staffing, equipment and number of stations was not substantially increased.

Recently adopted OSHA regulations impose additional training requirements and safety equipment provisions which places an additional burden on the ability of municipalities to provide fire protection service within reasonable budget levels. The added training requirements may be a deterrent to obtaining volunteer fire fighters due to increased commitments on volunteer fire fighters time. Service of full time paid fire fighters is beyond the budget limitations of most municipalities in Minnesota. OSHA Subpart L. Federal Register Vol. 45, No. 179, Sept. 12, 1980 Sec. 1910.156. A listing of paid and volunteer fire departments in the state is attached to this statement (Exhibit #3).

The Minnesota Fire Chiefs Association has, for years, advocated the extensive use of automatic sprinkler systems in buildings to control or extinguish fires and reduce property damage losses. In addition they are concerned about the life safety of building occupants and fire department personnel who must enter buildings to suppress fires. Statistics show that multiple death losses are very rare in buildings equipped with automatic sprinkler systems throughout. Property losses are greatly reduced in buildings protected throughout by automatic sprinkler systems. Manpower needs are reduced dramatically when buildings are protected with automatic

sprinklers. Comparisons of fires in comparable buildings with and without sprinklers are attached to this statement (Exhibit #4). Edina - Apartment Building fires; Richfield Hub Center; Duluth, Apartment Building.

The installation of sprinkler systems is recognized by the present building code as providing additional fire safety protection, by allowing larger allowable areas, additional stories, and substitution for 1 hour fire resistive construction in some cases. Some cost savings can be realized when the code is researched and applied to a given design.

A Concern has been expressed by multi-family housing developers that increased initial costs will be a deterrent to development of much needed lower and moderate income housing. Experience has shown that there is much less clean up and re-construction after a fire in a sprinklered apartment building, thus allowing re-occupancy of units quickly after a fire. The early reoccupancy results in additional pay-back of initial investment. Tenants are benefitted by the additional safety provided by automatic sprinkler protection. In the proposed rule an exception to ZMCAR Section 1.10020.C.11, was incorporated to allow acceptance of sprinkler systems that would provide protection at minimal cost.

Water supply demands for extinguishment of fires with hose lines are much greater than when automatic sprinklers are used. Fires usually grow rapidly in their early stages, delayed alarms or long response times are serious obstacles to fire extinguishment. On-site extinguishing systems provide an alarm when the sprinkler system is actuated by heat of the fire, thus providing an early alarm as well as containment or extinguishment of the fire.

Small fires are usually fought with 1-1/2" hose lines requiring 2 men per line. Large fires require 2-1/2" hose lines needing 3 or 4 men per hose line. The majority of fires set off a maximum of 2 sprinkler heads with a discharge 15 to 20 GPM. Water and manpower requirements are attached to this statement (Exhibit #5).

Fire resistive construction is required by the code in many instances. Experience by fire and building departments, and investigations after fires has shown that fire resistive assemblies have failed during fires. Some of the factors causing failure are as follows:

1. Many sub-contractors are involved and none of them has total responsibility to assure compliance. These sub-contractors include ceiling installers, electricians, insulators (thermal and acoustical), sheet metal and ventilation installers, plumbers, communications people and others.
2. Frequently, inspectors and plan review personnel are not sufficiently experienced and trained to detect all deficiencies in complex assemblies.
3. Many building departments are understaffed, due to budget constraints.
4. Remodeling of buildings often gives rise to the use of substitute materials and as a result ceilings or walls are no longer fire resistive, and compartmentation is negated.

When fire suppression efforts are underway compartments must be opened to gain access. In many instances this will cause the fire to spread from its original source. Fire fighters advance hoses into stairways and corridors to attack fires. When this occurs, the fire resistive character of such vital life safety areas is defeated. Automatic sprinkler protection tends to offset the hazards which prevail when fire resistive assemblies have been negated.

Minnesota cities are developing a pattern of maintaining a manpower level in their fire departments which is minimally sufficient to extinguish the average size house fire. When the provisions of proposed Appendix E, based on occupancy classification and hazard, are combined with a minimally sufficient fire department an acceptable level of fire extinguishment capability is achieved.

Group A Occupancies (public assembly) accomodating 300 or more persons, normally have large open areas rather than small compartments. Compartments help contain a fire. Fire in a large compartment can readily defeat a small fire fighting force. Sprinkler protection is needed in order to contain an incipient fire. This reduces the chances of panic in a large crowd attempting to flee a growing fire and allows a smaller fire fighting force to extinguish the fire.

The square footage limitation for Group B service stations is restricted due to the nature of the occupancy. Flammable and combustible liquids greatly increase the fire loading in these occupancies. Even in a small square footage occupancy flammable or combustible liquids fire can readily overcome an average fire fighting force.

Group B-1 (parking garages), consisting of large open areas, do not allow storage other than automobiles. The spacing of the automobiles and the fact that fires in an auto are normally contained within the engine or passengers compartment provide some degree of assurance in keeping a fire isolated. Due to this fact the square footage limitations for parking garages was established at 5,000 square feet. This is more liberal than the Group B-1 service stations due to the lesser hazard.

Group B-2 (offices and post-secondary classrooms), were assigned a square footage limitation of 8500 square feet. These occupancies are divided into fairly small compartments which contain a moderate fire loading of normal combustibles. Due to this fact, the committee determined that the square footage limitation could be increased above the more restrictive requirements of the occupancy groups previously listed. The height of a building is a critical factor. Regardless of square footage, the average fire department would still require additional equipment and manpower to gain access to buildings of over two stories.

The Group B-2 (retail, warehouse and manufacturing Occupancies), were assigned a square footage limitation of 2000 square feet. These types of occupancies normally contain a high loading of normal combustibles, densely stored in an open area.

Group E-1 and E-2 Occupancies (K-12 schools) were assigned a square footage limitation of 8500 square feet. The characteristics of these occupancies are similar to Group B-2, offices and post-secondary classrooms. K-12 schools are comprised of smaller compartments which help contain a fire.

Group H-4 Occupancies (repair garages) were assigned a maximum square footage limitation of 3000 square feet. H-4 Occupancies have welding and cutting operations, as well as other open flames used in areas where flammable liquids are stored and dispensed. H-4 Occupancies have a greater probability of fire with such fires being more severe in nature due to the highly flammable and combustible contents.

The Group R-1 Occupancies (apartment houses, hotels and motels) were assigned a maximum square footage limitation of 8500 square feet. The characteristics of these occupancies are similar to Group B-2 offices and post-secondary classrooms as to compartmentation and combustible contents. R-1 Occupancies, where the occupants are sleeping, creates a life loss potential not associated with B-2 Occupancies. Hotel and motel occupancies also present the problem that sleeping occupants are not familiar with their surroundings which also increases the life loss potential. R-1 Occupancies require a high level of fire department manpower for evacuation and rescue purposes.

All testimony received at the hearing will be given due consideration and incorporated into the proposed rule if determined necessary and reasonable.

Date: 11-30-82



JAMES J. HINIKER, JR.
COMMISSIONER

Attachment eight

BCD-83-001-PT

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF ADMINISTRATION
BUILDING CODES AND STANDARDS DIVISION

In the Matter of the Proposed Rules of
the Department of Administration Govern-
ing Amendments to the State Building Code
Entitled Proposed Optional Appendix E
Automatic Fire Suppression Systems.

REPORT OF THE
HEARING EXAMINER

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the State Office of Administrative Hearings at 9:30 a.m. on Wednesday, January 5, 1983 in Room 408 of the Metro Square Building, Seventh and Robert Streets, St. Paul, Minnesota. Larry D. Starns, Special Assistant Attorney General, 204 Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota 55155, appeared on behalf of the Building Codes and Standards Division of the Minnesota Department of Administration (hereinafter "BCD"). Richard Brooks, Assistant Director for the BCD, James Reis, Deputy Chief of the Duluth Fire Department, and Sivert Hendrickson, Building Official for the City of Richfield, appeared and testified for the BCD in support of the proposed rules. The hearing continued until all interested groups of persons had had an opportunity to testify concerning the adoption of the proposed rules.

This Report shall be available for review to all affected individuals upon request for at least five working days before the agency takes any further action on the rule(s). Pursuant to Minn. Stat. § 14.16 (1982), the Commissioner of the Department of Administration shall, if he proposes to adopt the rule as recommended herein, submit the rule, together with the complete hearing record to the Attorney General and shall be responsible for notifying persons who have indicated that they wish to be notified of such filing. If the Commissioner makes changes in the rule other than those recommended herein, he shall submit the rule with the complete hearing record to the Chief Hearing Examiner for a review of the changes prior to submitting it to the Attorney General for review.

Based upon all the testimony, exhibits, and written comments, the Hearing Examiner makes the following:

FINDINGS OF FACT

1. On November 18, 1982, the BCD filed the following documents with the Chief Hearing Examiner:
 - (a) A copy of the proposed rules.
 - (b) The Order for Hearing.
 - (c) The Notice of Hearing proposed to be issued.
 - (d) A Statement of the number of persons expected to attend the hearing and estimated length of the Agency's presentation.
2. On December 6, 1982, a Notice of Hearing and a copy of the proposed rules were published at 7 State Register 23, pp. 886-888.
3. On December 2, 1982, the BCD mailed the Notice of Hearing to all persons and associations who had registered their names with the BCD for the purpose of receiving such notice.

4. On December 8, 1982, the BCD filed the following documents with the Hearing Examiner:

- (a) The Notice of Hearing as mailed.
- (b) The Agency's certification that its mailing list was accurate and complete.
- (c) The Affidavit of Mailing the Notice to all persons on the Agency's list.
- (d) The Statement of Need and Reasonableness.
- (e) The names of BCD personnel who will represent the Agency at the hearing together with the names of any other witnesses solicited by the Agency to appear on its behalf.
- (f) A copy of the State Register containing the proposed rules.

The documents were available for inspection at the Office of Administrative Hearings from the date of filing to the date of the hearing.

5. The record remained open through January 25, 1983 for the receipt of written comments and statements, the period having been extended by order of the Hearing Examiner to 20 calendar days following the hearing.

6. Statutory authority to adopt the proposed rules is contained in Minn. Stat. §§ 16.85 and 16.86 (1987).

7. During the 1981 legislative session, a bill was introduced permitting local units of government to enact ordinances requiring on-site fire suppression systems as was deemed appropriate. This legislation passed the House of Representatives and was considered by the Governmental Operations Committee of the Senate, where testimony in opposition to the bill was heard. One issue raised was that the uniformity provided in the State Building Code would be destroyed and designers, developers and builders would be subjected to a vast array of requirements if local governmental units were allowed to pass their own fire suppression ordinances. The Chairman of the Senate Committee recommended that all affected parties attempt to resolve their differences through the rule-making process of the Administrative Procedure Act.

The Director of the Building Codes and Standards Division subsequently appointed a committee to review the issues involved and recommend how they might best be resolved.¹ The Committee first met on July 16, 1981 and, after a series of 16 meetings, the final (fourth) draft of the proposal was completed on May 26, 1982. During the committee deliberations, input was received from many resource persons, including fire protection engineers, fire department administrative personnel, mechanical engineers, the concrete industry, sprinkler industry, insurance industry and committee members, among others. Several informational meetings were held with architects, building developers, building owners and managers, and building officials. Draft copies were revised following input from all of those concerned individuals.

¹ The advisory committee appointed by the Director of the BCD was made up of the following persons:

Floyd Erickson, Asst. Director
School Facilities, Dept. of
Education

William Gary
Associated General Contractors

Jan Gasterland, Building Official
North Star Chapter, ICB

Omer McGary
Retired Fire Chief

The consensus of the committee was to propose an optional appendix chapter to the State Building Code which could be adopted, without change, at the discretion of municipal governments, similar to the existing appendix Chapter D relating to building security. A measure of uniformity would thus be maintained so that persons affected could quickly ascertain whether or not the appendix chapter had been adopted by any given municipality, so that structures could be designed and constructed accordingly.

During this entire deliberative process, and to the present, the BCD has not published a notice of intent to seek outside information in the State Register. Minn. Stat. § 14.10 (1982) requires as follows:

14.10 SOLICITATION OF OUTSIDE INFORMATION.

When an agency seeks to obtain information or opinions in preparing to propose the adoption, amendment, suspension, or repeal of a rule from sources outside of the agency, the agency shall publish notice of its action in the state register and shall afford all interested persons an opportunity to submit data or views on the subject of concern in writing or orally. Such notice and any written material received by the agency shall become a part of the hearing record to be submitted to the attorney general under section 14.16. (Emphasis added)

Although the issue of compliance with Minn. Stat. § 14.10 was not raised during the hearing, it is the statutory responsibility of the Hearing Examiner to determine whether the Agency has "fulfilled all relevant, substantive and procedural requirements of law or rule." Minn. Stat. § 14.50 (1982).

The usual rule of law is that technical defects in compliance with procedural requirements which do not reflect bad faith undermining the purpose of the procedure and which do not prejudice the rights of those intended to be protected by them will not suffice to overturn governmental action. City of Minneapolis v. Wurtele, 291 N.W.2d 386, 391 (Minn. 1980). This general rule has been applied to the rulemaking proceedings of administrative agencies where the courts have required only substantial compliance. "Tote", Inc. v. Ohio State Racing Commission, 121 N.E.2d 463, motion dismissed, 130 N.E.2d 455 (Ohio 1954); Kindery v. Chappie, 504 P.2d 831 (Alaska 1972); Anderson, Leach & Morse, Inc. v. Washington State Liquor Control Board, 575 P.2d 721 (Washington, 1978).

.....
Ex. 1 (Cont.)

G. Clinton Hedsten, P.E.
Director of Engineering
Oxford Properties

James Hein, CHAIRMAN
Duluth Fire Dept. Deputy Chief

Jack Horner, General Counsel
Minnesota Multi Housing Assn.

Mes Werner
State Fire Marshal

Sivert Hennricksen
Past Supervisor
Code Consultants
Building Codes & Standards Div.
Present Building Official

Richard A. Brooks
Assistant Director
Building Codes & Standards Div.,

Calvin M. Mueser, AIA
Russell, Green, Abrahamson

Russell Smith
Building Official

Norman R. Osterby, Director
Building Codes & Standards Div.

Pat Coughlin
Minnesota Fire Chiefs Association
Richfield Fire Department

The Minnesota Supreme Court has yet to apply the "substantial compliance" doctrine to defects in administrative rulemaking procedures. The Court was asked to adopt that doctrine in Johnson Brothers Wholesale Liquor v. Kovak, 295 N.W. 2d 238 (Minn. 1980), but refused to do so because the agency in that case had engaged in no rulemaking proceedings whatsoever. The Court did not hold that the doctrine would not be applied in an appropriate case and its applicability to rulemaking proceedings under the Minnesota Administrative Procedures Act has been suggested. See, Auerbach, Administrative Rulemaking in Minnesota, 63 Minn. L.Rev. 151, 215 (1979).

In this matter, there is no evidence of any bad faith on the part of the Agency in the solicitation of outside comments and rule drafting procedure. Rather, the record shows that the BCD made all reasonable attempts to allow all affected persons and/or groups to participate in the deliberation process. Although the technical requirements in Minn. Stat. § 14.10 were not complied with by the BCD, the purpose of that statute has been met. There is no evidence that anyone was prejudiced by the failure of the BCD to comply with the publication requirement. Consequently, the Hearing Examiner finds that the BCD has "substantially complied" with the statutory "solicitation" requirements. In the narrow circumstances of this case, no negative findings or conclusions will result.

8. Although Minnesota Statutes do not mandate that municipalities provide fire protection for their citizens, many municipalities are endeavoring to maintain a proficient level of fire protection in the face of additional construction and restricted budgets due to cutbacks in resources. By providing for built-in fire suppression systems in new construction, a reasonable degree of protection can be maintained without additional fire stations, obtaining new equipment and supplies, and recruiting additional fire-fighting personnel. The experience of Rochester, Minnesota, which has had a "sprinkler ordinance" for the past 15 years shows that although the population of the city has increased by 32,000 and the has expanded an additional four square miles, the manpower requirements for the fire department have been reduced by six fire-fighters. This is a direct result of the requirement that all new construction be equipped with automatic sprinkler systems.² In addition, automatic sprinkler systems have been shown to be both life and property saving devices in case of fire.

9. The proposed rule, 2 NCAR § 1.10020, Optional Provisions for Installation of On-Premises Fire Suppression Systems, authorizes municipalities to adopt, without change, requirements for the installation of automatic sprinkler systems in new construction as set forth in the rule. The rule specifies the types of occupancies along with square foot requirements which will fall under

² Pursuant to Minn. Stat. § 16.86, subd. 6 (1987), the BCD adopted a special amendment to the State Building Code (SBC) which permitted the City of Rochester to adopt a sprinkler ordinance. See, Special Provisions for the City of Rochester contained in the SBC immediately prior to Appendix A. Although Rochester is the only municipality which has been authorized to adopt fire code provisions different than the state code, other municipalities have also done so as part of zoning regulations. The validity of those regulations is questionable, however, in light of the requirements of Minn. Stat. § 299F.011 (1987), and the Minnesota Supreme Court's holding in City of Minnetonka v. Mark J. Jones Assoc., 236 N.W.2d 163 (1975).

the "sprinkler" mandate. Single family residences are not covered by this rule. At hearing, the BCD amended two sentences in the proposed rule to clarify ambiguities. The last sentence in paragraph C. was amended to read, "The height and area increases provided in sections 506 and 507 of the Uniform Building Code, as adopted in the state building code are applicable." In addition, the last sentence in paragraph C.11. was amended to read, "Building officials, in concurrence with their fire chiefs, may accept alternate systems which have fire protection capabilities equivalent to systems which comply with Standard 38-1 of the Uniform Building Code." The Hearing Examiner finds that these amendments merely clarify the intent of the rule and are not substantial changes to the rules as proposed.

Several building officials commented that the proposed rule would fragment fire code requirements throughout the state. Additionally, those officials argued that the square foot requirements for each of the occupancies listed are both arbitrary and excessive. Amendments were suggested to increase the square foot requirements for each occupancy grouping. The BCD contends that this optional appendix will not fragment the SBC because if it is adopted by a municipality, it must be adopted in whole, thus fragmentation cannot result. Advisory Board member Patrick J. Coughlin, Assistant Chief of the Richfield Public Safety Department, stated that quantitative formulas which relate the cubic feet of compartment size to gallons of water needed per minute and manpower requirements were used to establish the square footage requirements. These computations are briefly described in Exhibit 5 to the Statement of Need and Reasonableness.

The Minnesota State Builders Association and the Minnesota Multi-Housing Association (MSBA and MMEA, respectively) both argued that the safety features provided by the proposed rule do not justify the cost for rule implementation. The MMEA points out that Minn. Stat. § 16.83, which requires that "the construction of buildings should be permitted at the least possible cost consistent with recognized standards of health and safety" dictates against this proposed rule. Both the MSBA and the MMEA have suggested that paragraph C.11. be amended by deleting the square foot requirement and making the provision applicable only to dwellings with units on four or more floors rather than three or more as proposed. Each argues that the 8,500-square-foot requirement contained in the rule is too restrictive and that a dwelling unit with three floors cannot be distinguished from a typical one-family residence.

Mr. Phil Carlson from the Carlson Automatic Fire Protection Company testified that it would cost less than \$600 to sprinkle a 1,000-square-foot apartment unit. In addition, the record shows that insurance cost benefits will accrue to the owners of "sprinkled" buildings. If a fire does occur in a sprinkled building, a reduction in the loss of property and/or possibly life will result. The derivation of the square-foot requirements has been discussed above. Similarly, the sprinkler requirement for apartment houses which have dwelling units on three or more floors was also a product of the equipment, manpower, water demand and compartment size formulas.

Mr. Wilkin Berger, testifying on behalf of the Minnesota Society of Architects, suggested that the term "automatic sprinkler systems" should be used throughout the rule rather than initial use of the term "fire suppression

systems". The term, "fire suppression systems", was used in the proposed rule, however, to allow for the inclusion of other types of systems in the rule by way of later amendment.

As amended by the BCD above, the Hearing Examiner finds that the need for and reasonableness of proposed Rule 2 MCR § 1.10020 has been demonstrated by an affirmative presentation of facts in the record. Because of the optional nature of this proposed appendix to the SEC, each municipality will have the opportunity to assess the cost-effectiveness of this rule in light of its own needs. If municipalities determine that this rule is too restrictive to be adopted, the BCD may be forced to reconsider some of the provisions contained therein. There were amendments suggested to the proposed rule which are reasonable alternatives, however. The Hearing Examiner points out that many written comments were received from fire chiefs, fire marshals, mayors, and fire-fighter organizations throughout the state which endorse the rule as proposed and support its reasonableness as a needed measure for fire protection and budgetary control for municipal government.

Based upon the foregoing Findings of Fact, the Hearing Examiner makes the following:

CONCLUSIONS

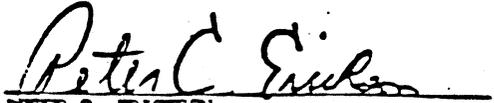
1. That the Building Code Division gave proper notice of the hearing in this matter.
2. That the BCD has fulfilled the procedural requirements of Minn. Stat. § 14.14, subds. 1 and 2 (1982) and all other procedural requirements of law or rule.
3. That the BCD has documented its statutory authority to adopt the proposed rules, and has fulfilled all other substantive requirements of law or rule within the meaning of Minn. Stat. §§ 14.05, subd. 1, 14.15, subd. 3 and 14.50 (i) and (ii) (1982).
4. That the BCD has demonstrated the need for and reasonableness of the proposed rules by an affirmative presentation of facts in the record within the meaning of Minn. Stat. § 14.14, subd. 2 and 14.50 (iii) (1982).
5. That the additions and amendments to the proposed rules which were suggested by the BCD after publication of the proposed rules in the State Register do not result in rules which are substantially different from the proposed rules as published in the State Register within the meaning of Minn. Stat. § 14.15, subd. 3 (1982) and 9 MCR §§ 2.110 A. and 2.111 (1980 Ed.).
6. That any Findings which might properly be termed Conclusions and any Conclusions which might properly be termed Findings are hereby adopted as such.
7. That a finding or conclusion of need and reasonableness in regard to any particular rule subsection does not preclude and should not discourage the BCD from further modification of the rules based upon an examination of the public comments, provided that no substantial change is made from the proposed rules as originally published, and provided that the rule finally adopted is based upon facts appearing in this rule hearing record.

Based upon the foregoing Conclusions, the Hearing Examiner makes the following:

RECOMMENDATION

It is hereby recommended that the proposed rules be adopted consistent with the Findings and Conclusions made above.

Dated this 14 day of February, 1983.



PETER C. ERICKSON
Hearing Examiner

Reported: Taped.

SPRINKLER REQUIREMENTS

12/15/82

Occupancy Group		1979 UBC Rqmts per Ch.38	City of Rochester amendments	Appendix E option proposed 1983	
Assembly	1000+ w/stage	A-1		All areas	
	-1000 w/stage	A-2		All w/300+ occupants	
	300+	A-21		All areas	
	-300	A-3			
	stadiums, etc.	A-4			
Business	service stat. garages	B-1		serv stat 3000+ garages 5000+	
	retail, stor, off school +12th	B-2	retail +12000 high pile stor	off & school 8500+ or 3 st.+ retail & stor 2000+ or 3 st.+	
	hangar stor	B-3			
	non com stor	B-4			
Education	thru 12th, 50+	E-1		8500+ or 2 st.+	
	thru 12th, -50	E-2		8500+ or 2 st.+	
	day care, etc	E-3		All w/+29 occupants	
Hazardous	haz materials	H-1	+1500		
	flam liquids	H-2	+1500		
	dust generat	H-3	+3000		
	repair garages	H-4	over 1 story	+8400 Zone 1&2 +20200 Zone 3	3000+
	repair hangars	H-5			
Instituti'n	Hosp, nurs hm	I-1			
	B suprvd. live	I-2			
	mental, jails	I-3			
Residence	apartments, hotels	R-1	+20200 or 4st Zn 1,2 +30000 Zone 3	8500+ or 3 st.+ 8500+ or 3 st.+	
	dwellings	R-3			
Misc	priv garages tanks, etc.	M-1 M-2			

Sprinklers required for all floors over 1500sqft if without exterior openings as code defined.
 Top and alternate floors, and terminal rooms, of rubbish and linen chutes penetrating floor.

bsmt+1500
 display+12000
 stair spaces
 stage & lofts

bsmt +1500
 stair space

flam over 240g1

All areas

+13500 Zone 1&2
 +10000 V, Zone 1
 +20200 Zone 3

Attachment nine

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION NINE OF THE
MAPLEWOOD CODE RELATING TO SPRINKLERS

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

Section 1. Section 9-22 of the Maplewood Code is hereby amended to read as follows (additions underlined, deletions crossed out):

Sec. 9-22. Procedures and administration.

As provided by the state building code, the following appendices of the state building code are hereby adopted by reference:

Appendix A--Fall Out Shelters

Appendix B--Variations in Snow Loads

~~1979~~ 1982 Uniform Building Code Appendix Chapter 35

Minnesota Plumbing Code Appendix B

State Building Code Appendix C--Abbreviations and Addresses of Technical
Origin

~~1979~~ 1982 Uniform Building Code Chapters 12, 48, 49, 55, 70.

Minnesota Plumbing Code--Appendix C, D

State Building Code Flood Proofing Regulations--Section 201.2 through 208.2

Appendix E--Sprinklers

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

Passed by the city council of the
City of Maplewood, Minnesota,
this _____ day of _____, 1983

Mayor

Attest:

Clerk

Ayes--

Nays--

October 2, 1984

MEMORANDUM

To: Public Safety Director Kenneth V. Collins
From: Deputy Fire Marshal James Embertson
Subject: Appendix E Amendment to the State Building Code

Enclosed are documents that were presented to the City Council when the sprinkler ordinance was originally proposed for approval. Enclosed in this packet were the statement of need and reasonableness, hearing examiner report and comparisons of fires that occurred in sprinklered buildings and unsprinklered buildings. The advantage was of the municipality requiring built-in fire protection to be the burden of the developer, as opposed to the developer putting the responsibility back on the municipality after the development has been completed.

The average costs per installation have been under \$20,000, as compared to the last pumpers delivered in this city, which have been \$120,000 to \$155,000 per unit. This all adds to the city's responsibility and burden of the fire departments' budget, excluding the manpower required, which also must increase. Perhaps the problem of the cost is not with the fire service, but with the St. Paul Water Department and their stringent requirements of the double service and multiple header required where utilization of a single service to supply the domestic and fire line could be separated inside the building with a double gate valve and detector check. This would also delete the seven-foot area required for the existing header system. With a coordinated effort by construction, developers, League of Cities and other organizations, this could be a reality.

In the 1983 annual report by the State Fire Marshal's office, apartment buildings rated third highest in fire deaths. Smoking material rated number one in cause for fire deaths, and fireplaces and wood stoves rated number two.

In the particular complex in question, which is of wood-frame construction, many units have wood-burning appliances.

In multiple living units, you are relying on other occupants of the building to use utmost care; but fires do occur, especially in unoccupied units where fires progress to greater magnitude before detection. Therefore, where sprinklers are present, extinguishment procedures are immediate or are held in check until fire department personnel arrive on the scene. When water begins to flow, an alarm is sounded, where smoke detectors have been known to fail and fire partitions have failed as time passes, either by neglect, servicemen or other modifications to the building. Past history has proved this many, many times.

A recent multiple dwelling fire in Maplewood in one unit caused three units to be uninhabitable due to smoke damage and excessive water, which was required to extinguish the fire, where in a sprinklered unit the damage is usually confined to one unit.

By increasing sprinklered (protected) properties, cities have increased area boundaries and population and yet decreased fire department personnel and are still supplying adequate fire protection.

The silent sentries are the vanguard.....now and in the future.

JME:js

Enclosures

EAST COUNTY LINE VOLUNTEER FIRE DEPARTMENT

Station #1

1177 Century Ave.
Maplewood, MN. 55119



Station #2

2501 Londin Lane
Maplewood, MN. 55119

September 28, 1984

Barry Evans
City Manager
City of Maplewood
1380 Frost Avenue
Maplewood MN 55109

Dear Barry:

We request and support the adoption of Appendix E because:

1. It is at this time a vital method by which a community may accept reasonable fire loss potentials through proven protective systems in times where nationally and locally it is becoming extremely difficult to recruit, train and maintain volunteers.
2. Built-in protection systems should be expanded in construction in hopes of reducing the demands on volunteers' family and personal time and should also control the need to expand fire force manpower needed for increased construction without protective systems.
3. Most sprinkler systems will be paid for with reduced insurance rates and an honest developer should be willing to bear the initial cost.
4. Sprinkler systems may offset and somewhat lessen real concerns about life safety and fire flow requirements in poor water supply areas.
5. No one has been more stringent than Bloomington for 15 years and the proof is there.
6. Maplewood's geographic layout has and is already taxing fire service capabilities and without a strong application of built in protective systems, the time is coming where it may not be adequate for a growing community and extreme costs to the city may be necessary

Page Two

7. If the 3M complex was not provided with built-in systems, there would be some real problems with providing adequate fire protection in today's fire system.

Sincerely,

Duane Williams
Chief

cc: Jim Embertson
Deputy Fire Marshal



Gladstone Fire Department

Maplewood, Minnesota 55109

Gladstone Station
1900 CLARENCE STREET
Business Phone 770-4523

Fire Phone - 777-8191

Hazelwood Station
1530 EAST COUNTY ROAD C
Business Phone 770-1183

September 30, 1984

MEMORANDUM

To: City Manager Barry Evans
From: Gladstone Fire Chief Dennis S. Cusick
Subject: Appendix E Amendment to Minnesota State Building Codes

It has been brought to the attention of the fire service that the City Council has considered a review of the status of Appendix E to the Minnesota State Fire Codes within the City of Maplewood.

The Gladstone Fire Department is in complete support of the City Council's action of May 1983 in which they made applicable Appendix E to the City of Maplewood.

Experience has shown that early automated fire detection and suppression has been primarily responsible for the reduction in loss of life and significantly reduced property loss. It is well documented within the fire service that an average fire will double in size every two minutes and that the first five minutes of any fire is most crucial to a successful extinguishment. The City of Maplewood, through its volunteer fire departments, relies heavily on modern technology for the proficient control and extinguishment of fires. The addition of Appendix E to the Minnesota State Building Code has provided such technology.

Should you desire additional documentation or feel that a presentation to the City Council will be of value, please advise me.

Thank you for your attention to this position.

DSC:js



PARKSIDE VOLUNTEER FIRE DEPARTMENT INC.

2001 McMENEMY ROAD • MAPLEWOOD, MINNESOTA 55117 • (612) 776-0174

Barry Evans
City Manager
City of Maplewood
1380 Frost Ave.
Maplewood, Mn. 55109

October 1, 1984

Dear Barry

It is the contention of myself and the members of this department that any and all support possible should be given to Appendix E of the State Building Codes. Whenever there is a loss of life in fires it can usually be traced to a lack of detectors and or sprinkler systems. Statistics show that sprinklers not only help to contain fire to reduce property loss, but also buy time for occupants in structures to escape unharmed.

In a day and age when we have so many technical devices to help mankind, it would seem a shame not to use some of the greatest life saving devices from fire that we have. If the fact of the dollar losses saved does not affect you please consider the number of lives that could be lost if the building codes were to be relaxed.

With Great Concern

Thor Bodsgaard

Thor Bodsgaard, Executive Chief
Parkside Volunteer Fire Department

I.3

MEMORANDUM

TO: City Manager
FROM: Director of Community Development
SUBJECT: Driveway Permit
LOCATION: 2800 White Bear Avenue
APPLICANT: William Todd
DATE: September 26, 1984

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

Request

Special permission to keep a concrete slab, that is part of the driveway, within five feet of the south property line.

Proposal

1. Mr. Todd constructed a concrete slab adjacent to his garage several years ago without a permit. The slab is an extension of the driveway and used for parking. It was built approximately five inches onto the adjacent lot. Mr. Todd has recently cut off about 1.5 feet to get all of the slab on his property.
2. Section 29-120 of city code states that "driveways shall have a setback of at least five feet from the side or rear lot lines, except by written agreement with the owner of the adjacent lot or where the city council or community design review board approves a lesser setback. In order to approve a driveway within the five foot setback, without approval of the adjacent owner, the city shall notify the adjacent owner at least ten days before the meeting. The council must make a finding that the drive would have no adverse effect on the adjacent lot or owner. The council shall include the following considerations in determining adverse effect:
 - a. Snow storage
 - b. Proximity of the drive to an adjacent house
 - c. Difference in grade elevations
 - d. Drainage
 - e. Headlight glare
 - f. Noise
 - g. Berms"
3. Section 29-123 states that "if the drive is illegally constructed within the setback, the city may require that the portion of the driveway that is within the setback be removed."
4. The driveway is also within the five foot setback. It was constructed before the code was adopted, however, and no permit is required.

Comments

The adjacent owner, Mr. Bobeldyk, has constructed a three foot high retaining wall at the property line that prevents Mr. Todd's slab from having any adverse effect on Mr. Bobeldyk's property.

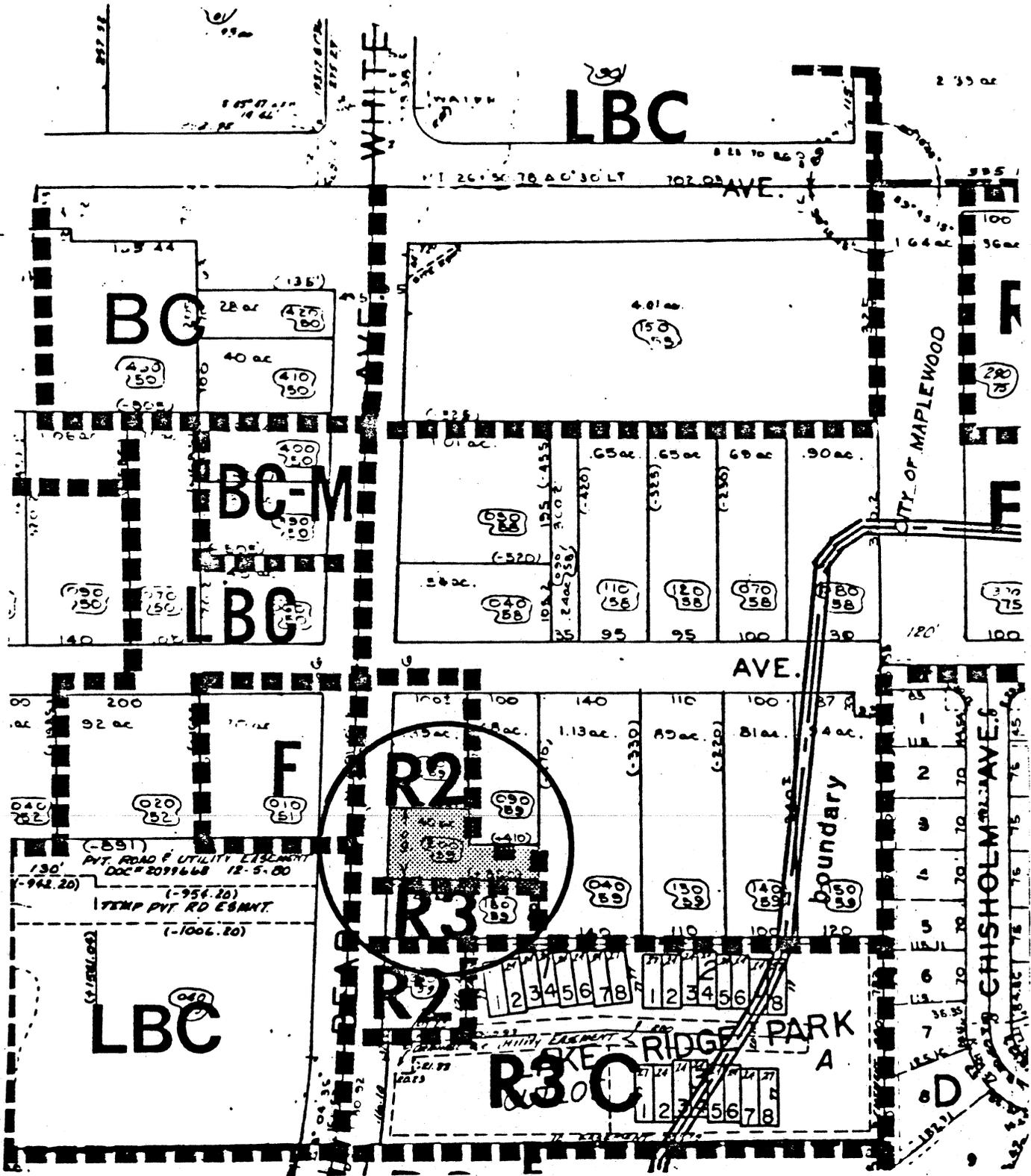
Recommendation

Approval to keep a concrete slab within the five foot setback. Approval is based on the finding that the drive would have no adverse effect on the adjacent lot or owner.

jw

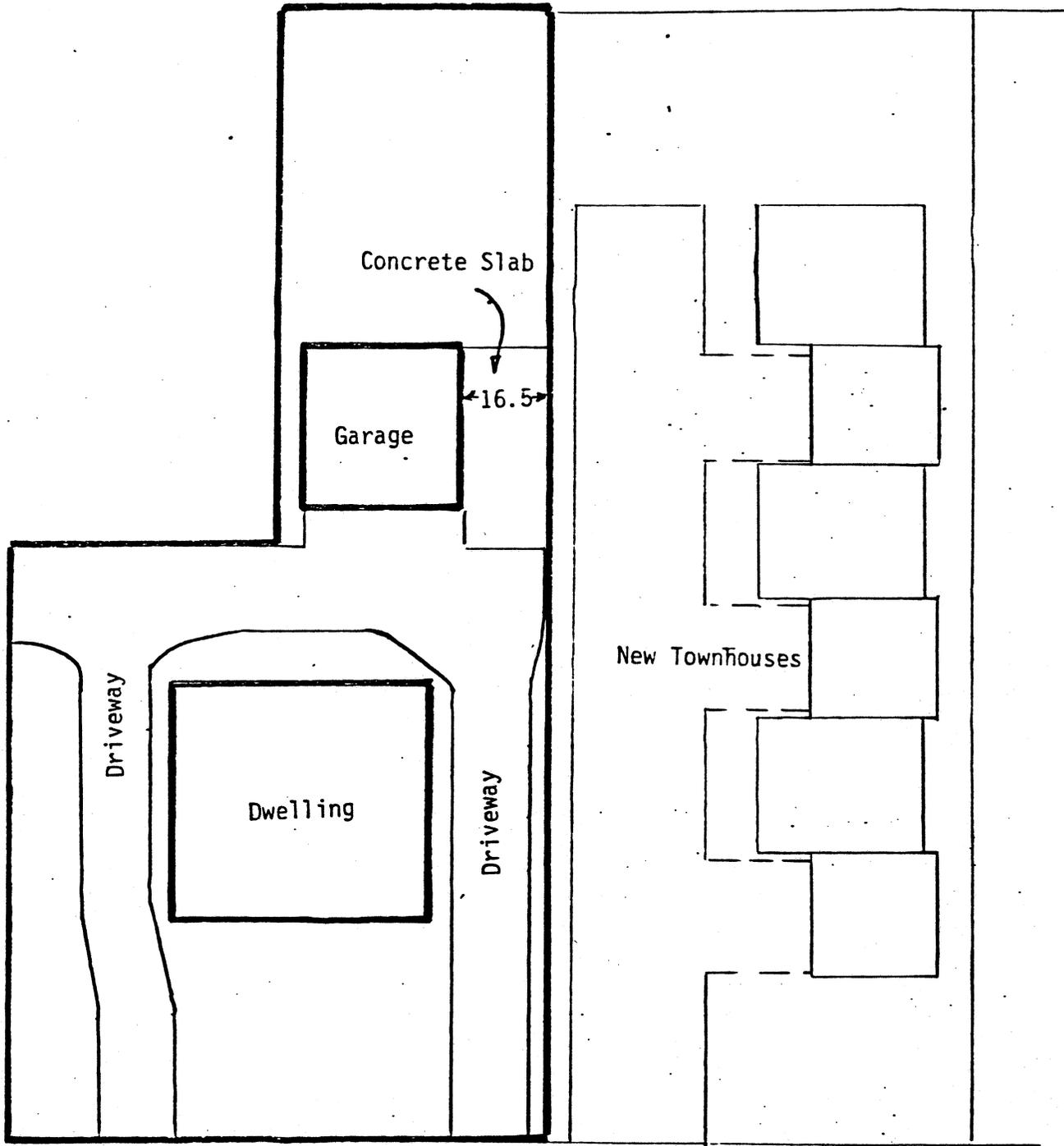
Attachments

1. Property line/zoning map
2. Site plan
3. Letter

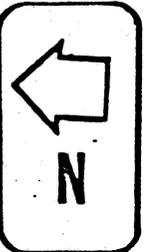


PROPERTY LINE / ZONING MAP





SITE PLAN



William M. Todd
2800 White Bear Avenue
Maplewood, Minnesota 55109

September 4, 1984

Mr. Geoff Olson
Community Development Director
1902 E. County Rd. B
Maplewood, Minnesota 55109

Gentlemen:

I would like to apply to the City of Maplewood for a variance regarding the concrete slab located on my property at 2800 White Bear Avenue. This slab extends a few inches onto Irv Bobeldyke's property.

I have asked Mr. Bobeldyke on three different occasions if he wanted me to cut off the slab and he said "No, its not necessary, its no problem." He has since put a wall right on top of the slab so I must cut it off at the property line or the weight of the wall will eventually crack the slab.

Again, I would like to cut the slab off at the property line, however, I am willing to comply with whatever the City Council's decision is regarding this.

Thank you.

Sincerely,



William M. Todd

cc. Maplewood City Council