

The Listening Forum begins at 6:30 p.m. before the second and fourth regularly scheduled City Council meetings and replaces Visitor Presentations on the City Council Agenda.

**AGENDA**  
**MAPLEWOOD CITY COUNCIL**  
7:00 P.M. Monday, February 27, 2012  
City Hall, Council Chambers  
Meeting No. 04-12

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

1. *Acknowledgement of Maplewood Residents Serving the Country.*

**C. ROLL CALL**

Mayor's Address on Protocol:

***“Welcome to the meeting of the Maplewood City Council. It is our desire to keep all discussions civil as we work through difficult issues tonight. If you are here for a Public Hearing or to address the City Council, please familiarize yourself with the Policies and Procedures and Rules of Civility, which are located near the entrance. Before addressing the council, sign in with the City Clerk. At the podium please state your name and address clearly for the record. All comments/questions shall be posed to the Mayor and Council. The Mayor will then direct staff, as appropriate, to answer questions or respond to comments.”***

**D. APPROVAL OF AGENDA**

**E. APPROVAL OF MINUTES**

1. Approval of February 06, 2012, City Council Workshop Minutes
2. Approval of February 13, 2012, City Council Meeting Minutes

**F. APPOINTMENTS AND PRESENTATIONS**

1. Resolution for the Maplewood Heritage Award to Charlotte Wasiluk
2. Presentation of the Certificate of Achievement for Excellence in Financial Reporting
3. Presentation by Mn/DOT Interstate 35E MnPASS

**G. CONSENT AGENDA – *Items on the Consent Agenda are considered routine and non-controversial and are approved by one motion of the council. If a councilmember requests additional information or wants to make a comment regarding an item, the vote should be held until the questions or comments are made then the single vote should be taken. If a councilmember objects to an item it should be removed and acted upon as a separate item.***

1. Approval of Claims.
2. Approval of a Resolution for a Temporary Gambling Permit for the MN Waterfowl Banquet to be held at Moose Lodge, 1946 English Ave
3. Approval of Resolution Accepting Assessment Roll and Ordering Assessment Hearing for April 9, 2012 Mill and Overlays, City Project 11-15
4. Approval of Cooperative Agreement with Mn/DOT TH 120 / Innovation Blvd Signal Improvement, City Project 12-01
5. Authorize Waiver to Maplewood Purchasing Procedures to Allow for Contract Negotiation for Gethsemane Park Improvements, Bartelmy Meyer Improvements, City Project 11-14
6. Conditional Use Permit, CarMax Mogren Retail Addition—Annual Review
7. Conditional Use Permit Review – 3M Leadership Development Institute, 2350 Minnehaha Avenue

8. Approve of a Resolution for a Lawful Gambling License for Little Canada Days Inc. to operate at Huey's Saloon, 2425 Maplewood Drive N (This Report Will be Provided at the Meeting)

**H. PUBLIC HEARINGS**

1. Environmental Assessment Public Hearing, TH 36/English Street Interchange Improvements, City Project 09-08
2. Approval of First Reading Changing Municipal Elections from Odd to Even Year

**I. UNFINISHED BUSINESS**

1. Authorize Purchase of Trash Carts for the Maplewood Trash Plan

**J. NEW BUSINESS**

1. First Reading of the Ordinance Adopting the Republication of the City Code of Ordinances

**K. AWARD OF BIDS**

**L. ADMINISTRATIVE PRESENTATIONS**

**M. COUNCIL PRESENTATIONS**

**N. ADJOURNMENT**

Sign language interpreters for hearing impaired persons are available for public hearings upon request. The request for this must be made at least 96 hours in advance. Please call the City Clerk's Office at 651.249.2001 to make arrangements. Assisted Listening Devices are also available. Please check with the City Clerk for availability.

**RULES OF CIVILITY FOR OUR COMMUNITY**

*Following are some rules of civility the City of Maplewood expects of everyone appearing at Council Meetings – elected officials, staff and citizens. It is hoped that by following these simple rules, everyone's opinions can be heard and understood in a reasonable manner. We appreciate the fact that when appearing at Council meetings, it is understood that everyone will follow these principles: Show respect for each other, actively listen to one another, keep emotions in check and use respectful language.*

**MINUTES**  
**MAPLEWOOD CITY COUNCIL**  
**MANAGER WORKSHOP**  
5:15 P.M. Monday, February 6, 2012  
Council Chambers, City Hall

**A. CALL TO ORDER**

A meeting of the City Council was held in the City Hall Council Chambers and was called to order at 5:18 p.m. by Mayor Rossbach.

**B. ROLL CALL**

Will Rossbach, Mayor	Present
Robert Cardinal, Councilmember	Present
Kathleen Juenemann, Councilmember	Present
Marvin Koppen, Councilmember	Present
James Llanas, Councilmember	Present

**C. APPROVAL OF AGENDA**

Councilmember Llanas moved to approve the agenda as submitted.

Seconded by Councilmember Koppen Ayes – All

The motion passed.

**D. UNFINISHED BUSINESS**

None

**E. NEW BUSINESS**

**1. Review of Draft 2013 – 2017 Capital Improvement Plan**

Assistant City Manager/Public Works Director Ahl presented the report and staff answered questions of the council.

**2. Discussion of Options for Police Department / City Hall Expansion Project in 2012 – 2013**

**a. Discussion of Police Department / City Hall Expansion Design Approach**

Assistant City Manager/Public Works Director Ahl presented the staff report. Larry Koch, of SEH, Inc. provided a summary of the findings and options for expanding the Police Department.

**F. ADJOURNMENT**

Mayor Rossbach adjourned the meeting at 7:01 p.m.

**MINUTES**  
**MAPLEWOOD CITY COUNCIL**  
 7:00 p.m., Monday, February 13, 2012  
 Council Chambers, City Hall  
 Meeting No. 03-12

**A. CALL TO ORDER**

A meeting of the City Council was held in the City Hall Council Chambers and was called to order at 7:02 p.m. by Mayor Rossbach.

**B. PLEDGE OF ALLEGIANCE****C. ROLL CALL**

Will Rossbach, Mayor	Present
Robert Cardinal, Councilmember	Present
Kathleen Juenemann, Councilmember	Present
Marvin Koppen, Councilmember	Absent
James Llanas, Councilmember	Present

**D. APPROVAL OF AGENDA**

Councilmember Juenemann moved to approve the agenda as submitted.

Seconded by Councilmember Llanas                      Ayes – All

The motion passed.

**E. APPROVAL OF MINUTES****1. Approval of January 23, 2012 City Council Workshop Minutes**

Councilmember Juenemann moved to approve the January 23, 2012 City Council Workshop Minutes as submitted.

Seconded by Councilmember Llanas                      Ayes – All

The motion passed.

**2. Approval of January 23, 2012 City Council Meeting Minutes**

Councilmember Llanas moved to approve the January 23, 2012 City Council Workshop Minutes as submitted.

Seconded by Councilmember Juenemann                      Ayes – All

The motion passed.

**F. APPOINTMENTS AND PRESENTATIONS****1. Resolution of Appreciation for Jeremy Yarwood and Robert Martin**

Mayor Rossbach read the resolution of appreciation for Jeremy Yarwood and Robert Martin. Mayor Rossbach then presented Mr. Martin with the resolution.

Councilmember Juenemann moved to approve the Resolutions of Appreciation for Jeremy Yarwood and Robert Martin.

RESOLUTION 12-2-679  
JOINT RESOLUTION OF APPRECIATION

WHEREAS, Jeremy Yarwood has been a member of the Maplewood Planning Commission since April 11, 2005 and has served faithfully in that capacity to the present time; and

WHEREAS, the Planning Commission has appreciated his experience, insights and good judgment; and

WHEREAS, he has freely given of his time and energy, without compensation, for the betterment of the City of Maplewood; and

WHEREAS, he has shown sincere dedication to his duties and has consistently contributed his leadership, time and effort for the benefit of the City.

NOW, THEREFORE, IT IS HEREBY RESOLVED for and on behalf of the City of Maplewood, Minnesota, and its citizens that Jeremy Yarwood is hereby extended our gratitude and appreciation for his dedicated service.

Passed by the Maplewood  
City Council on February 13, 2012

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Will Rossbach, Mayor

Passed by the Maplewood  
Planning Commission  
On January 17, 2012

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Lorraine Fischer, Chairperson

Attest:

---

Karen Guilfoile, City Clerk

RESOLUTION 12-2-680  
JOINT RESOLUTION OF APPRECIATION

WHEREAS, Robert Martin has been a member of the Maplewood Planning Commission since July 9, 2007 and has served faithfully in that capacity to the present time; and

WHEREAS, the Planning Commission has appreciated his experience, insights and good judgment; and

WHEREAS, he has freely given of his time and energy, without compensation, for the betterment of the City of Maplewood; and

WHEREAS, he has shown sincere dedication to his duties and has consistently contributed his leadership, time and effort for the benefit of the City.

NOW, THEREFORE, IT IS HEREBY RESOLVED for and on behalf of the City of Maplewood, Minnesota, and its citizens that Robert Martin is hereby extended our gratitude and appreciation for his dedicated service.

Passed by the Maplewood  
City Council on February 13, 2012

\_\_\_\_\_  
Will Rossbach, Mayor

Passed by the Maplewood  
Planning Commission  
On January 17, 2012

\_\_\_\_\_  
Lorraine Fischer, Chairperson

Attest:

\_\_\_\_\_  
Karen Guilfoile, City Clerk

Seconded by Councilmember Cardinal

Ayes – All

The motion passed.

**2. Cable Commission Update – Kim Facile**

Kim Facile the city representative for the Ramsey/Washington Suburban Cable Commission addressed the council. Ms. Facile gave an update on the Commission and answered questions of the council.

**G. CONSENT AGENDA**

Councilmember Juenemann requested that agenda items G3, G5, G6, G12, and G13 be highlighted. She also had a question for item G4.

After discussion councilmember Juenemann moved to approve agenda items G1 thru G18.

Seconded by Councilmember Llanas

Ayes – All

The motion passed.

**1. Approval of Claims**

Councilmember Juenemann moved to approve the Approval of Claims.



Councilmember Juenemann moved to approve the Resolution Recommending that the Ramsey County Board of Commissioners Approve the Repurchase Application Submitted for 2603 Mayer Lane.

RESOLUTION 12-2-681  
SUPPORTING THE REPURCHASE APPLICATION  
SUBMITTED TO RAMSEY COUNTY FOR 2603 MAYER LANE

WHEREAS, the property located at 2603 Mayer Lane was forfeited to the State of Minnesota for non-payment of taxes on August 2, 2011;

WHEREAS, the prior owner of this property has filed a repurchase application with Ramsey County;

WHEREAS, it is the Ramsey County Board's policy that repurchase applications be reviewed by the municipality in which the property is located who shall adopt a resolution recommending approval or denial of said application;

WHEREAS, the municipality shall consider in its recommendation whether the property is considered a municipal problem based on illegal activity, code violations or health and safety violations;

WHEREAS, the city's police, building code, zoning code and health personnel have all confirmed that their records show no violations of any sort at this address in the evaluation period of the previous five years;

NOW, THEREFORE, BE IT RESOLVED that the Maplewood City Council hereby recommends to the Ramsey County Board of Commissioners approval of the repurchase application submitted by the prior owners of 2603 Mayer Lane.

The Maplewood City Council approved this resolution on February 13, 2012.

Seconded by Councilmember Llanas                      Ayes – All

The motion passed.

**5. Approval of Heritage Preservation Commission 2011 Annual Report**

Councilmember Juenemann moved to approve the 2011 Heritage Preservation Commission Annual Report.

Seconded by Councilmember Llanas                      Ayes – All

The motion passed.

**6. Approval of Spring Clean-Up Event – April 21, 2012**

Environmental Planner Finwall presented the staff report.

Councilmember Juenemann moved to approve the Spring 2012 Clean-Up Event and Fee Schedule. The Event is Scheduled for April 12, 2012, from 8:00 a.m. to 1:00 p.m. at Aldrich Arena.

Seconded by Councilmember Llanas                      Ayes – All



The motion passed.

**10. Approval of 2012 Service Agreement between City of Maplewood and Financial Concepts, Inc. (FCI)**

Councilmember Juenemann moved to approve the Service Agreement with Financial Concepts, Inc. for the Year 2012.

Seconded by Councilmember Llanas

Ayes – All

The motion passed.

**11. Approval of 2012 Master Group Contract between City of Maplewood and Medica Insurance Company**

Councilmember Juenemann moved to approve the Master Group Contract with Medica Insurance Company for 2012.

Seconded by Councilmember Llanas

Ayes – All

The motion passed.

**12. Approval of Resolution Accepting a Donation to the Fire Department from Residential Mortgage Group**

Fire Chief Lukin presented the staff report.

Councilmember Juenemann moved to approve the Resolution Accepting a Donation to the Fire Department from Residential Mortgage Group; and the Necessary Budget Adjustments be made so the Funds can be Expended by the Fire Department as needed.

RESOLUTION 12-2-683  
RESOLUTION AUTHORIZING GIFT TO CITY

WHEREAS, Maplewood is AUTHORIZED to receive and accept grants, gifts and devices of real and personal property and maintain the same for the benefit of the citizens and pursuant to the donor's terms if so-prescribed, and;

WHEREAS, Karen Carlson and Tracy Sellin wish to grant the city of Maplewood the following: \$100.00, and;

WHEREAS, Karen Carlson and Tracy Sellin have instructed that the City will be required to use the aforementioned for: use by the fire department to directly improve the community, and;

WHEREAS, the city of Maplewood has agreed to use the subject of this resolution for the purposes and under the terms prescribed, and;

WHEREAS, the City agrees that it will accept the gift by a four-fifths majority of its governing body's membership pursuant to Minnesota Statute §465.03;

NOW, THEREFORE, BE IT RESOLVED, pursuant to Minnesota Statute §465.03, that the Maplewood City Council approves, receives and accepts the gift aforementioned and under such terms and conditions as may be requested or required.

The Maplewood City Council passed this resolution by four-fifths or more majority vote of its membership on February 13, 2012.

Signed:

Signed:

Witnessed:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Mayor

(Title)

\_\_\_\_\_  
Chief of Fire

(Title)

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

(Title)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)

Seconded by Councilmember Llanas

Ayes – All

The motion passed.

**13. Approval of the 2011 Annual Parks and Recreation Commission Report**

Councilmember Juenemann moved to approve the Parks and Recreation Commission 2011 Annual Report.

Seconded by Councilmember Llanas

Ayes – All

The motion passed.

**14. Approval to Purchase Police Vehicles**

Councilmember Juenemann moved to approve the Purchase of Two Ford Police Interceptor Utility Vehicles and One Ford Police Interceptor Sedan.

Seconded by Councilmember Llanas

Ayes – All

The motion passed.

**15. Approval of Resolution Approving Final Payment and Acceptance of Project, Holloway Avenue and Stanich Highlands Area Improvements, City Project 09-13**

Councilmember Juenemann moved to approve the Resolution Approving Final Payment and Acceptance of Project, for City Project 09-13.

RESOLUTION 12-2-684  
APPROVING FINAL PAYMENT AND ACCEPTANCE OF PROJECT  
CITY PROJECT 09-13

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered Improvement Project 09-13, the Holloway Avenue and Stanich Highlands Area Improvements, and has let a construction contract pursuant to Minnesota Statutes, Chapter 429, and



2. The finance manager is hereby authorized to close the project fund 439 and make the appropriate budget adjustments upon making the necessary transfer of \$195,784.15 to cover total project cost funded by the Sanitary Sewer Fund.

Approved this 13<sup>th</sup> day of February 2012

Seconded by Councilmember Llanas

Ayes – All

The motion passed.

- 18. 2012 Mill and Overlays, Project 11-15**
  - a. Resolution Approving Plans and Specifications and Advertising for Bids**
  - b. Resolution Ordering Preparation of Assessment Roll**

Councilmember Juenemann moved to the Resolution for the 2012 Mill and Overlays, City Project 11-15: Approving Plans and Advertisement for Bids and Ordering the Preparation of the Assessment Roll.

RESOLUTION 12-2-686  
APPROVING PLANS  
ADVERTISING FOR BIDS

WHEREAS, pursuant to resolution passed by the city council on November 14, 2011 plans and specifications for the 2012 Mill and Overlays, City Project 11-15, have been prepared by (or under the direction of) the city engineer, who has presented such plans and specifications to the council for approval,

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

1. Such plans and specifications, a copy of which are attached hereto and made a part hereof, are hereby approved and ordered placed on file in the office of the city clerk.
2. The city clerk shall prepare and cause to be inserted in the official paper and in the Construction Bulletin an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published twice, at least twenty-one days before the date set for bid opening, shall specify the work to be done, shall state that bids will be publicly opened and considered by the council at 10:00 a.m. on the 27th day of March, 2012, at city hall and that no bids shall be considered unless sealed and filed with the clerk and accompanied by a certified check or bid bond, payable to the City of Maplewood, Minnesota for five percent of the amount of such bid.
3. The city clerk and city engineer are hereby authorized and instructed to receive, open, and read aloud bids received at the time and place herein noted, and to tabulate the bids received. The council will consider the bids, and the award of a contract, at the regular city council meeting of April 9, 2012.

Seconded by Councilmember Llanas

Ayes – All

The motion passed.

## H. PUBLIC HEARING

- 1. Bartelmy-Meyer Area Street Improvements, City Project 11-14**

- a. **Public Hearing 7:00 pm**
- b. **Resolution Ordering Improvement after Public Hearing (4 votes)**

City Engineer/Deputy Public Works Director Thompson presented the staff report and answered questions of the council. Environmental and Natural Resources Commissioner Carol Mason Sherrill address the council, gave the commission report and answered questions of the council. Parks & Recreation Commissioner Bruce Roman addressed the council to give the commission report.

Mayor Rossbach opened the public hearing and the following people spoke:

1. Kathie Baldwin, Maplewood
2. Bobbi (did not give last name), Maplewood
3. George Schneider, Maplewood
4. Frank Manolovitz, Maplewood
5. Steve Langdon, Maplewood

Mayor Rossbach closed the public hearing.

Councilmember Cardinal stated that he had received an email from Kimberly Jeske Walfort expressing concern about the narrowing of streets.

Councilmember Llanas moved to approve the Resolution Ordering the Improvement for the Bartelmy-Meyer Area Street Improvement, City Project 11-14.

RESOLUTION 12-2-687  
ORDERING IMPROVEMENT

WHEREAS, a resolution of the city council adopted the 23rd day of January 2012, fixed a date for a council hearing on the proposed street improvements for the Bartelmy Meyer Area Street Improvements, City Project 11-14.

AND WHEREAS, ten days mailed notice and two weeks published notice of the hearing was given, and the hearing was duly held on February 13, 2012, and the council has heard all persons desiring to be heard on the matter and has fully considered the same;

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

1. That it is necessary, cost-effective and feasible, as detailed in the feasibility report, that the City of Maplewood make improvements to the Bartelmy-Meyer Area Street Improvements, City Project 11-14.
2. Such improvement is hereby ordered as proposed in the council resolution adopted the 13th day of February, 2012.
3. The City's consultant engineer, Kimley-Horn and Associates, Inc., is the designated engineer for this improvement and is hereby directed to prepare final plans and specifications for the making of said improvement as previously directed by the city council at the January 23, 2012 council meeting.
4. The finance director was authorized to make the financial transfers necessary to implement the financing plan for the project by the city council at the January 23, 2012 council meeting. A project budget of \$4,157,000 was established. The approved financing plan is as follows:

ESTIMATED PROJECT COST RECOVERY	
FUNDING SOURCE	FEASIBILITY ESTIMATE
RWMWD GRANT FUND	\$907,000
G.O. IMPROVEMENT BONDS*	\$1,401,390
SPECIAL BENEFIT ASSESSMENTS	\$733,610
SANITARY SEWER FUND	\$140,000
W.A.C. FUND	\$50,000
ENVIRONMENTAL UTILITY FUND	\$175,000
PARK FUND	\$20,000
ST. PAUL WATER	\$700,000
DRIVEWAY REPLACEMENT PROGRAM	\$30,000
<b>TOTAL FUNDING</b>	<b>\$4,157,000</b>

\*Note: Includes G.O. Improvement Bond funding in the amount of \$710,000.00 from Fund 510 from previous project, which reduces bonding obligations to \$691,390.00.

Approved this 13<sup>th</sup> day of February 2012

Seconded by Councilmember Juenemann                      Ayes – All

The motion passed 4-0.

Mayor Rossbach called for a 10 minute recess

**2. Approval of First Reading Changing Municipal Elections from Odd to Even Year**

City Clerk Guilfoile presented the staff report.

Councilmember Cardinal made a motion to deny the First Reading of the Ordinance Changing Municipal Elections from Odd to Even Years.

Mayor Rossbach ruled councilmember Cardinal out of order since the public hearing had not been opened yet.

Mayor Rossbach opened the public hearing and the following individual spoke:

1. Mark Jenkins

Mayor Rossbach closed the public hearing.

Mayor Rossbach moved to table the First Reading of the Ordinance Changing Municipal Elections from Odd to Even Years until the next meeting when all council are present.

Seconded by Councilmember Llanas                      Ayes – All

The motion passed.

**I. UNFINISHED BUSINESS**

None

**J. NEW BUSINESS**

**1. Approval of an On-Sale Intoxicating Liquor License for Aramark (3M)**



#### **4. Authorize Waiver to Maplewood Purchasing Procedures to Allow Purchase of Trash Carts Through a Cooperative Purchasing Company**

Environmental Planner Finwall presented the staff report.

Councilmember Llanas moved to approve a One-Time Waiver to the City of Maplewood Purchasing Procedure to Allow the City to Purchase Trash Carts through a Cooperative Purchasing Company Which Meets the Requirements of State Statute.

Seconded by Councilmember Juenemann

Ayes – Mayor Rossbach, Council Members Juenemann and Llanas

Nays – Councilmember Cardinal

The motion passed.

Councilmember Cardinal submitted the following questions for staff to answer and requested that they be included in the minutes.

1. Since the League of Cities is our insurer, shouldn't they review the contract for any possible lawsuits?
2. Escape clause and Opt out clause ---are either of these in the contract? Specifically, what are the definable, measurable factors to measure level of performance? You need specific, measurable criteria in order to determine good or sub-par performance.6+
3. Give reasoning of the urgency of City signing Allied Waste contract on December 14, 2011 without Citizen input?
4. Is there a written report stating the problem with Trash Collection in Maplewood; combining citizen comments, trash hauler comments, and staff comments support changing trash collection? All we have seen are copies of overhead transparencies with bullet points?
5. In the contract where is it that Allied Waste acknowledged the number of residents that will be actually receiving services? Did or does anyone know these numbers?
6. Are any of the numbers contained in the contract with Allied and did they ever ask before signing a minimum threshold for contract to be enforced?
7. Why was there no large final report by (Dan Krizit) of Foth Engineering Infrastructure & Environment?
8. Why did city staff do the primary writing and reporting and why were the findings a staff product and not Foth?
9. Why was Foth (Certified independent engineers) not asked to do a large final report?
10. Where in the City analyzed trash collection system (outlined on City website) does it address "Hauler Impacts" as required in Minnesota Statutes 115A.94 and on Maplewood Trash Plan website?
11. How does Going Green complement the city ordering 150+ tons of new carts to simply change color and name if they currently are fully functioning carts?

#### **5. Approval of Bylaw Amendments for Fire Relief Association**

Fire Chief Lukin presented the staff report and answered questions of the council.

Councilmember Juenemann moved to approve the Two Bylaw Amendments for the Fire Relief Association Affecting Appendix B, Article III, Section 3.2 Partial Vesting of Accrued Benefits and Appendix B, Article IV, Section 4.3 Deferred Interest which also affects Appendix C.

Seconded by Councilmember Llanas

Ayes – All

The motion passed.

## **6. Consider Action Plan for Rookies Bar**

Police Chief Thomalla presented the staff report and answered questions of the council. Present at the meeting was Mr. Baker, Attorney for Rookies, who addressed and answered questions of the council. Owners of Rookies Bar, Patrick Conroy and Kari Hooten, were also present and addressed the council.

Councilmember Llanas moved to approve staff recommendation to accept both the internal and external cameras as well as letting the owners monitor their music.

Seconded by Councilmember Cardinal.

Councilmember Cardinal moved to make a friendly amendment to the motion to include installing internal video and audio equipment, external video equipment, encouraging better music selection that would have less violent tones and develop an action plan with Chief Thomalla that would address all issues and concerns.

Mayor Rossbach summarized the motion to include the video and audio recordings and the police department having access to them; encouraging better music; develop an action plan that should address all of the aspects of running their business that the city would be interested in that may impact public safety, the timeline would be 30 days from Tuesday, February 14, 2012 and the action plan be submitted to either Chief Thomalla or City Clerk Guilfoile.

Ayes – All

The motion passed.

Mayor Rossbach requested staff to put together a report that would advise the council on what actual legal right they have when it comes to controlling an establishment such as this.

## **K. AWARD OF BIDS**

None.

## **L. ADMINISTRATIVE PRESENTATIONS**

### **1. East Metro Fire Training Facility/Marshlands Update**

Ron Lee with SHE, Inc. addressed the council and gave a brief report on the project. Chief Lukin presented the East Metro Fire Training Facility report to the council and answered questions of the council. Environmental Planner Finwall presented the report on land use issues. Naturalist Virginia Gaynor presented the report on marshlands and answered questions of the council. City Engineer/Deputy Public Works Director Thompson presented the project funding and project schedule report and answered questions of the council.

**M. COUNCIL PRESENTATIONS**

None.

**N. ADJOURNMENT**

Mayor Rossbach adjourned the meeting at 11:04 p.m.

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## MEMORANDUM

Agenda Item F1

TO: James Antonen, City Manager  
FROM: David Fisher, Building Official,  
Chuck Ahl, Assistant City Manager  
SUBJECT: **Resolution for the Maplewood Heritage Award to Charlotte Wasiluk**  
DATE: February 21, 2012

### INTRODUCTION

The Maplewood Heritage Award is an annual award recognizing an individual who has positively influenced our City's past or strengthened the preservation of Maplewood history. The Heritage Preservation Commission nominated and selected Charlotte Wasiluk for the annual Maplewood Heritage Award for 2011.

### RECOMMENDATION

Approve the attached resolution for the 2011 Maplewood Heritage Award to Charlotte Wasiluk.

P: HPCVAward Resolution for the Maplewood Heritage Award Charlotte Wasiluk 2-21-2012 dgf

Attachment:  
Resolution of Appreciation

**RESOLUTION FOR THE 2011 MAPLEWOOD HERITAGE AWARD TO CHARLOTTE WASILUK**

*WHEREAS, Charlotte Wasiluk has lived in what is now the City of Maplewood since 1921, worked with her husband Mike Wasiluk to bring a kindergarten to the Gladstone School District #21 in 1950 and has been a volunteer for school district #622; and*

*WHEREAS, Charlotte Wasiluk was appointed to the Maplewood City Council in June of 1985 and elected to the Maplewood City Council in November of 1985 and has served faithfully in that capacity; and*

*WHEREAS, Charlotte Wasiluk helped establish the first recycling program in 1986 with a drop off site on the Public Works campus and has served faithfully in that capacity; and*

*WHEREAS, Charlotte Wasiluk helped form the first Open Space Committee in 1987 and was appointed by the Maplewood City Council to the Open Space Committee that identified and ranked open space sites for purchase in 1991 and co-chaired the successful campaign of a 5 million dollar referendum to purchase critical land & habitat of open space in Maplewood and has served faithfully in that capacity; and*

*WHEREAS, Charlotte Wasiluk was a charter member of the Maplewood Area Historical Society from 1997 to present and helped form Friends of the Bruentrup Farm to save the farm and has served as Treasurer from 1997 to 1998 and Vice President from 1989 to 2004 and President from 2004 to 2009 and Ex Officio member from 2008 to present and has served faithfully in that capacity; and*

*WHEREAS, Charlotte Wasiluk was appointed to the first Maplewood Historical Preservation Commission from 1996 to 2000 and has served faithfully in that capacity; and*

*WHEREAS, the Heritage Preservation Commission has appreciated her experience, insights and good judgment; and*

*WHEREAS, Charlotte Wasiluk has freely given of her wisdom, time and energy, without compensation, for the betterment of the City of Maplewood; and*

*WHEREAS, Charlotte Wasiluk has shown dedication to her duties and has consistently contributed her leadership and effort for the benefit of the City.*

*NOW, THEREFORE, IT IS HEREBY RESOLVED for and on behalf of the City of Maplewood, Minnesota, and its citizens that Charlotte Wasiluk is hereby extended the Maplewood Heritage Award – The Maplewood Heritage Award is an annual award recognizing an individual who has positively influenced our City’s past or strengthened the preservation of Maplewood history.*

*Passed by the Maplewood City Council on \_\_\_\_\_, 2012*

\_\_\_\_\_  
*Will Rossbach, Mayor*

*Passed by the Maplewood Heritage Preservation Commission On \_\_\_\_\_, 2012*

\_\_\_\_\_  
*Peter Boulay, Chairperson*

*Attest: \_\_\_\_\_*  
*Karen Guilfoile, City Clerk*

**AGENDA REPORT**

**TO:** James Antonen, City Manager  
**FROM:** Charles Ahl, Assistant City Manager  
**SUBJECT:** Presentation of the Certificate of Achievement for Excellence in Financial Reporting  
**DATE:** February 21, 2012

**INTRODUCTION**

The Certificate of Achievement for Excellence in Financial Reporting has been awarded to the City of Maplewood by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

**RECOMMENDATION**

No action on this item is required. Mayor Rossbach will give a formal presentation of the award to Maplewood's Finance Manager during the meeting.

## AGENDA REPORT

**TO:** James Antonen, City Manager  
**FROM:** Michael Thompson, Dep. Public Works Director/ City Engineer  
**SUBJECT:** **Interstate 35E MnPASS Presentation by Mn/DOT**  
**DATE:** February 21, 2012

### INTRODUCTION

Brad Larsen, Mn/DOT's MnPASS Policy Manager, will provide a 10-15 minute PowerPoint presentation on the MnPASS project proposed on Interstate 35E through a portion of Maplewood.

### RECOMMENDATION

No action required.

**AGENDA REPORT**

**TO:** City Council  
**FROM:** Finance Manager  
**RE:** APPROVAL OF CLAIMS  
**DATE:** January 3, 2012

Attached is a listing of paid bills for informational purposes. The City Manager has reviewed the bills and authorized payment in accordance with City Council approved policies.

ACCOUNTS PAYABLE:

\$ 231,527.65	Checks # 86430 thru # 86478 dated 2/14/12
\$ 383,697.03	Disbursements via debits to checking account dated 2/6/12 thru 2/10/12
\$ 221,217.60	Checks # 86479 thru # 86533 dated 2/14/12 thru 2/21/12
\$ 214,242.15	Disbursements via debits to checking account dated 2/13 thru 2/17/12
\$ 1,050,684.43	Total Accounts Payable

PAYROLL

\$ 507,484.20	Payroll Checks and Direct Deposits dated 2/17/12
\$ 2,180.89	Payroll Deduction check # 9985837 thru # 9985840 dated 2/17/12
\$ 509,665.09	Total Payroll

\$ 1,560,349.52 GRAND TOTAL

Attached is a detailed listing of these claims. Please call me at 651-249-2902 if you have any questions on the attached listing. This will allow me to check the supporting documentation on file if necessary.

sb  
attachments

**Check Register**  
**City of Maplewood**

02/10/2012

Check	Date	Vendor	Description	Amount	
86430	02/14/2012	04842	MARY JOSEPHINE ANDERSON	ZUMBA INSTRUCTION - JAN	210.00
86431	02/14/2012	00240	C.S.C. CREDIT SERVICES	APPLICANT BACKGROUND CHECKS	65.11
86432	02/14/2012	02149	HEIDI CAREY	MARKETING & ADVERTISING SRVS-JAN	4,000.00
86433	02/14/2012	04220	ISS FACILITY SERVICES-MPLS	SANI-GLAZE RESTROOM FLOORS	1,990.01
86434	02/14/2012	02728	KIMLEY-HORN & ASSOCIATES INC	PROJ 09-08 PROF SRVS THRU 12/30/11	29,096.40
	02/14/2012	02728	KIMLEY-HORN & ASSOCIATES INC	PROJ 04-21 PROF SRVS THRU 12/30/11	19,562.30
86435	02/14/2012	00393	DEPT OF LABOR & INDUSTRY	MONTHLY SURTAX - JAN 13506123035	4,258.86
86436	02/14/2012	04265	MARIA PIRELA	ZUMBA INSTRUCTION - JAN	640.50
86437	02/14/2012	01337	RAMSEY COUNTY-PROP REC & REV	FLEET SUPPORT FEE - JAN	414.96
86438	02/14/2012	02274	SPRINT	SPRINT SRVS 12/15 -01/14	6,809.95
86439	02/14/2012	04252	TOWMASTER TRUCK EQUIP. INC.	PLOW TRUCK CHAINS	4,790.13
86440	02/14/2012	04192	TRANS-MEDIC	EMS BILLING - JAN	3,245.00
86441	02/14/2012	01190	XCEL ENERGY	ELECTRIC UTILITY	14,777.30
	02/14/2012	01190	XCEL ENERGY	ELECTRIC UTILITY	681.53
	02/14/2012	01190	XCEL ENERGY	ELECTRIC UTILITY	80.95
	02/14/2012	01190	XCEL ENERGY	ELECTRIC UTILITY	44.68
	02/14/2012	01190	XCEL ENERGY	ELECTRIC UTILITY	13.81
86442	02/14/2012	04199	YOUTH SERVICE BUREAU, INC.	JUVENILE REFERRAL SRVS - 1ST QTR	6,630.00
86443	02/14/2012	01047	3M	SHEETING FOR SIGN FABRICATION	2,264.41
	02/14/2012	01047	3M	FILM FOR SIGN FABRICATION	252.49
86444	02/14/2012	03964	ACCESS COMMUNICATIONS INC	FIBER OPTIC LOCATE SRVS	1,306.52
86445	02/14/2012	03727	ADVANCED WATERJET TECH INC	REMOVAL OF REFLECTIVE SHEETING	480.19
86446	02/14/2012	03738	CHARLES E. BETHEL	JANUARY ADD SERVICES	4,343.75
86447	02/14/2012	04549	JAN ALICE CAMPBELL	ZUMBA INSTRUCTION - JAN	408.00
86448	02/14/2012	04155	CIVICPLUS	ANNUAL FEE FOR WEBSITE SERVICES	9,873.00
86449	02/14/2012	04374	EMS TECHNOLOGY SOLUTIONS, LLC	AMBUTRAK LICENSE FEES	399.00
86450	02/14/2012	00612	GYM WORKS INC	REPAIR EXERCISE EQUIP MCC	1,214.24
86451	02/14/2012	04846	HEALTHEAST	MEDICAL SUPPLIES	56.40
86452	02/14/2012	03875	JASON KREGER	REIMB FOR MILEAGE 12/9/11 - 12/15/11	24.98
	02/14/2012	03875	JASON KREGER	REIMB FOR MILEAGE 12/19/11 - 02/07/12	18.32
	02/14/2012	03875	JASON KREGER	REIMB FOR MILEAGE 11/1/11 - 11/21-/11	15.54
86453	02/14/2012	00857	LEAGUE OF MINNESOTA CITIES	PATROL SUBSCRIPTION	1,445.00
86454	02/14/2012	04984	TIM LINDER	REIMB FOR WORK BOOTS	127.89
86455	02/14/2012	04986	LUCKY CLUB MUSIC	JEFF ARUNDEL CONCERT MCC SEPT 9	336.00
86456	02/14/2012	04832	MAPLETREE CHILD CARE CENTER	CHARITABLE GAMBLING	385.00
86457	02/14/2012	01035	MN CHAPTER IAAI	MEMBERSHIP RENEWAL	25.00
86458	02/14/2012	01060	MN STATE FIRE CHIEFS ASSOC	MEMBERSHIP DUES	247.00
86459	02/14/2012	04847	NORTHLAND IRRIGATION INC.	WINTERIZATION SYS	80.00
86460	02/14/2012	00001	ONE TIME VENDOR	REFUND H SANCHEZ ROOM RENTAL	400.00
86461	02/14/2012	00001	ONE TIME VENDOR	REFUND HUNTOON/NELSON BCBS	271.22
86462	02/14/2012	00001	ONE TIME VENDOR	REFUND MORENO HP BENEFIT	153.27
86463	02/14/2012	00001	ONE TIME VENDOR	REFUND PARTNERS BANQUET ROOM PRC	100.00
86464	02/14/2012	00001	ONE TIME VENDOR	REFUND J BELMARES HP BENEFIT	60.00
86465	02/14/2012	00001	ONE TIME VENDOR	REFUND WESELY BCBS BENEFIT	20.00
86466	02/14/2012	00001	ONE TIME VENDOR	REFUND S BAHNEMAN ANIMAL LICENSE	20.00
86467	02/14/2012	04581	ORION SYSTEMS/NETWORKS	SUBSCRIPTION FOR LETS - FEB	150.00
86468	02/14/2012	02008	RAMSEY COUNTY PUBLIC WORKS	PROJ 08-13 CONSTRUCTION COSTS	46,664.00
86469	02/14/2012	03446	RICK JOHNSON DEER & BEAVER INC	DEER REMOVAL - JAN	230.00
86470	02/14/2012	04883	SPRING LAKE PARK FIRE DEPT INC	BLUE CARD TRAINING	920.00
86471	02/14/2012	00198	ST. PAUL REGIONAL WATER SRVS	WATER UTILITY	1,001.75
86472	02/14/2012	04528	SARA M. R. THOMPSON	ZUMBA INSTRUCTION - JAN	218.50
86473	02/14/2012	01649	TRI-STATE BOBCAT, INC.	TOOLCAT 5610 F-SERIES/BUCKETS	44,252.37
	02/14/2012	01649	TRI-STATE BOBCAT, INC.	2011 BOBCAT SNOWBLOWER	3,903.72

86473	02/14/2012	01649	TRI-STATE BOBCAT, INC.	2012 BOBCAT SNOWBLOWER	3,903.72
	02/14/2012	01649	TRI-STATE BOBCAT, INC.	2011 BOBCAT SNOW V-BLADE	2,774.05
86474	02/14/2012	00063	VERIZON WIRELESS	WIRELESS SRVS 12/17/11 - 01/16/12	802.54
86475	02/14/2012	02359	WALLY'S UPHOLSTERY	MATERIAL FOR EXERCISE EQUIP PADS	938.36
86476	02/14/2012	03103	WASHINGTON CTY CHIEF OF POLICE	ASSOCIATION DUES	50.00
86477	02/14/2012	01771	CITY OF WHITE BEAR LAKE	RAMSEY CO GIS USER GROUP FEE 2012	3,828.41
86478	02/14/2012	01789	CITY OF WOODBURY	SEWER MAINTENANCE DISTRICT 51W	251.52

**49 Checks in this report.**

231,527.65

**CITY OF MAPLEWOOD**  
**Disbursements via Debits to Checking account**

<b>Transmitted Settlement</b>				
<u>Date</u>	<u>Date</u>	<u>Payee</u>	<u>Description</u>	<u>Amount</u>
2/2/2012	2/6/2012	U.S. Treasurer	Federal Payroll Tax	94,106.20
2/2/2012	2/6/2012	P.E.R.A.	P.E.R.A.	88,745.60
2/3/2012	2/6/2012	MN State Treasurer	Drivers License/Deputy Registrar	22,381.40
2/2/2012	2/7/2012	MidAmerica - ING	HRA Flex plan	15,590.46
2/2/2012	2/7/2012	Labor Unions	Union Dues	1,843.00
2/6/2012	2/7/2012	MN State Treasurer	Drivers License/Deputy Registrar	37,282.25
2/2/2012	2/8/2012	MN State Treasurer	State Payroll Tax	20,280.72
2/7/2012	2/8/2012	MN State Treasurer	Drivers License/Deputy Registrar	40,049.76
2/8/2012	2/9/2012	MN State Treasurer	Drivers License/Deputy Registrar	34,986.79
2/2/2012	2/10/2012	Optum Health	DCRP & Flex plan payments	2,236.08
2/9/2012	2/10/2012	MN State Treasurer	Drivers License/Deputy Registrar	25,324.27
2/9/2012	2/10/2012	MN Dept of Natural Resources	DNR electronic licenses	870.50
<b>TOTAL</b>				<b>383,697.03</b>

**Check Register**  
**City of Maplewood**

02/17/2012

Check	Date	Vendor	Description	Amount	
86479	02/14/2012	02464	US BANK	FUNDS FOR ATMS	10,000.00
86480	02/14/2012	00001	ONE TIME VENDOR	REFUND K HINER- PASSPORT	25.00
86481	02/14/2012	00001	ONE TIME VENDOR	REFUND INDIAN YOUTH ENRICH OVERPD	103.76
86482	02/15/2012	04911	DECKCI DECOR	TABLE LINENS FOR BRIDAL EXPO 2/18	144.28
86483	02/21/2012	00131	ASPEN EQUIPMENT CO	BUCKET TRUCK RENTAL - TREE TRIM	3,633.75
86484	02/21/2012	00463	EMERGENCY APPARATUS MAINT	REPAIR LADDER 2 TRUCK	10,362.68
86485	02/21/2012	01973	ERICKSON OIL PRODUCTS INC	CAR WASHES - JAN	96.00
86486	02/21/2012	00519	FLEXIBLE PIPE TOOL CO.	REPAIR CCTV TRACTOR UNIT 623	2,528.56
86487	02/21/2012	00585	GOPHER STATE ONE-CALL	NET BILLABE TICKETS - JAN	213.45
86488	02/21/2012	01160	NEWMAN TRAFFIC SIGNS	STOP SIGN FACES	1,189.52
86489	02/21/2012	01337	RAMSEY COUNTY-PROP REC & REV	911 DISPATCH SRVS - JAN	27,409.41
	02/21/2012	01337	RAMSEY COUNTY-PROP REC & REV	FLEET SUPPORT FEE - JAN	455.52
86490	02/21/2012	00033	ACE HARDWARE	SUPPLIES PLUS HOUSE CHARGE	10.75
86491	02/21/2012	04951	ANTHONY J. ANDERSON	REFS 1ST HALF WINTER VOLLEYBALL	50.00
86492	02/21/2012	00116	APPEARANCE PLUS CAR WASH CORP	CAR WASHES - JAN	129.70
86493	02/21/2012	03744	ANTHONY BARILLA, JR	REFS 1ST HALF WINTER VOLLEYBALL	50.00
86494	02/21/2012	04419	LOUISE A. BEAMAN	REFS 1ST HALF WINTER VOLLEYBALL	275.00
86495	02/21/2012	01869	DALE BOETTCHER	REFS 1ST HALF WINTER VOLLEYBALL	150.00
86496	02/21/2012	01865	DON BOWMAN	ASSIGNMENTS 1ST HALF WINTER VB	146.00
86497	02/21/2012	03812	JASON BRASH	REIMB FOR MILEAGE 2/6 - 2/10	133.20
86498	02/21/2012	00272	NICHOLAS CARVER	REIMB FOR MILEAGE 2/7 - 2/8	54.39
86499	02/21/2012	01871	KENNETH COOPER	REFS 1ST HALF WINTER VOLLEYBALL	75.00
86500	02/21/2012	00462	EMBEDDED SYSTEMS, INC.	REPAIR TORNADO SIREN #6	205.34
86501	02/21/2012	00464	EMERGENCY AUTOMOTIVE TECH, INC	LIGHTS FOR 2011 DURANGO VIN #0710	4,590.04
86502	02/21/2012	02567	EVERGREEN LAND SERVICES	PROJ 09-08 ACQUISITION & APPRAISAL	900.00
86503	02/21/2012	04867	FOTH INFRASTRUCTURE & ENVIR	PROF SRVS THRU 1/27	3,341.90
86504	02/21/2012	04421	TRACEY FREDRICK	REFS 1ST HALF WINTER VOLLEYBALL	150.00
86505	02/21/2012	03538	PATRICK JAMES HUBBARD	REFS 1ST HALF WINTER VOLLEYBALL	900.00
86506	02/21/2012	02506	HUNT ELECTRIC CORP	ELECTRICAL WORK ON RINK LIGHTS	1,849.93
86507	02/21/2012	02237	IMPERIAL IMPRESSIONS	POLICE INFO CARDS	168.00
86508	02/21/2012	04950	JERRY JOHNSON	REFS 1ST HALF WINTER VOLLEYBALL	150.00
86509	02/21/2012	04985	KRIS ENGINEERING, INC.	TRYING OUT CUTTING EDGE ON PLOW	2,028.48
86510	02/21/2012	00891	M A M A	MAMA MEETING FEB 9	20.00
86511	02/21/2012	04420	ROBIN MCNULTY	REFS 1ST HALF WINTER VOLLEYBALL	150.00
86512	02/21/2012	03270	MICHAEL A. MILLER/ISN	YOUTH BASKETBALL OFFICIALS 1/7-2/4	1,104.00
86513	02/21/2012	01089	MN UC FUND	QUARTERLY UNEMPLOYMENT - 4TH	9,078.11
86514	02/21/2012	00001	ONE TIME VENDOR	REFUND KASS HP BENEFIT	520.00
86515	02/21/2012	00001	ONE TIME VENDOR	REFUND KB SERVICE CO PERMIT	133.00
86516	02/21/2012	00001	ONE TIME VENDOR	REFUND J KANNIAINEN CHANGE MEMBER:	108.20
86517	02/21/2012	00001	ONE TIME VENDOR	REFUND CUSTOM REMODELERS PERMIT	97.00
86518	02/21/2012	00001	ONE TIME VENDOR	REFUND JOHNSON HP BENEFIT	80.00
86519	02/21/2012	00001	ONE TIME VENDOR	REFUND J CAREY TRIP CANCELLED	49.00
86520	02/21/2012	00001	ONE TIME VENDOR	REFUND L DAHEDL CLASS CANCELLED	45.00
86521	02/21/2012	01863	ROGER PACKER	REFS 1ST HALF WINTER VOLLEYBALL	525.00
86522	02/21/2012	04953	BARTON JAMES PECK	REFS 1ST HALF WINTER VOLLEYBALL	150.00
86523	02/21/2012	04432	EUGENE E. RICHARDSON	REFS 1ST HALF WINTER VOLLEYBALL	425.00
86524	02/21/2012	02663	CARL SAARION	REFS 1ST HALF WINTER VOLLEYBALL	275.00
86525	02/21/2012	03557	PAUL SIKORA	REFS 1ST HALF WINTER VOLLEYBALL	125.00
86526	02/21/2012	01836	CITY OF ST PAUL	PROJ 10-14 WATER MAIN WORK	3,396.44
	02/21/2012	01836	CITY OF ST PAUL	RADIO SHOP SERVICES - JAN	279.33
	02/21/2012	01836	CITY OF ST PAUL	CRIME LAB SERVICES - JAN	175.00
86527	02/21/2012	01915	NANCY STEFFEN	REFS 1ST HALF WINTER VOLLEYBALL	75.00
86528	02/21/2012	04339	MICHAEL STREFF	REIMB FOR WORKOUT SHOES 2/8	75.00

86529	02/21/2012	01635	TOWER ASPHALT INC	PROJ 09-13 FINAL PMT #8	128,780.13
86530	02/21/2012	04104	TRANE U.S. INC.	SRVS CONTRACT FOR MCC HVAC EQUIP	2,496.00
86531	02/21/2012	01669	TWIN CITIES TRANSPORT &	FORFEITED VEHICLE & TOWING - JAN	299.24
86532	02/21/2012	01683	UNIFORMS UNLIMITED INC	BODY ARMOR VEST (KROLL)	1,137.49
86533	02/21/2012	01872	MARK WEBER	REFS 1ST HALF WINTER VOLLEYBALL	100.00
					<b>221,217.60</b>

**55 Checks in this report.**

**CITY OF MAPLEWOOD**  
**Disbursements via Debits to Checking account**

<b>Transmitted Settlement</b>				
<u>Date</u>	<u>Date</u>	<u>Payee</u>	<u>Description</u>	<u>Amount</u>
2/10/2012	2/13/2012	MN State Treasurer	Drivers License/Deputy Registrar	23,791.54
2/13/2012	2/14/2012	MN State Treasurer	Drivers License/Deputy Registrar	31,434.81
1/31/2012	2/15/2012	VANCO	Billing fee	234.50
2/10/2012	2/15/2012	US Bank VISA One Card*	Purchasing card items	534.53
2/14/2012	2/15/2012	MN State Treasurer	Drivers License/Deputy Registrar	36,848.96
2/15/2012	2/15/2012	Pitney Bowes	Postage	2,985.00
2/15/2012	2/16/2012	MN State Treasurer	Drivers License/Deputy Registrar	15,783.85
2/15/2012	2/16/2012	ING - State Plan	Deferred Compensation	27,241.00
2/10/2012	2/17/2012	US Bank VISA One Card*	Purchasing card items	54,005.25
2/15/2012	2/17/2012	ICMA (Vantagepointe)	Deferred Compensation	4,361.15
2/16/2012	2/17/2012	MN State Treasurer	Drivers License/Deputy Registrar	16,381.56
2/16/2012	2/17/2012	MN Dept of Natural Resources	DNR electronic licenses	640.00
<b>TOTAL</b>				<b><u>214,242.15</u></b>

**\*Detailed listing of VISA purchases is attached.**

Transaction Date	Posting Date	Merchant Name	Transaction Amount	Name
01/31/2012	02/02/2012	SEARS ROEBUCK 1722	\$79.98	PAUL BARTZ
02/02/2012	02/03/2012	LA POLICE GEAR INC	\$119.99	PAUL BARTZ
02/04/2012	02/06/2012	SEARS ROEBUCK 1122	(\$79.98)	PAUL BARTZ
01/27/2012	01/30/2012	UNIFORMS UNLIMITED INC	\$291.35	WILLIAM SYPNIEWSKI
01/27/2012	01/30/2012	UNIFORMS UNLIMITED INC	\$123.19	WILLIAM SYPNIEWSKI
			\$534.53	

Transaction Date	Posting Date	Merchant Name	Transaction Amount	Name
02/08/2012	02/10/2012	UNIFORMS UNLIMITED INC	\$177.99	MARK ALDRIDGE
02/01/2012	02/01/2012	GOVERNMENT FINANCE OFFIC	\$330.00	GAYLE BAUMAN
02/04/2012	02/06/2012	UNIFORMS UNLIMITED INC	\$163.16	MARKESE BENJAMIN
02/07/2012	02/09/2012	STREICHER'S MPLS	\$268.14	MARKESE BENJAMIN
01/27/2012	01/30/2012	WALGREENS #3122	\$15.58	OAKLEY BIESANZ
02/06/2012	02/08/2012	MISSISSIPPI MARKET - S	\$17.16	OAKLEY BIESANZ
02/07/2012	02/08/2012	PETLAND	\$9.32	OAKLEY BIESANZ
01/26/2012	01/30/2012	ORIENTAL TRADING CO	\$16.99	NEIL BRENEMAN
01/30/2012	01/31/2012	AMAZON.COM	\$65.19	NEIL BRENEMAN
01/31/2012	01/31/2012	AMAZON.COM	\$65.19	NEIL BRENEMAN
01/31/2012	01/31/2012	AMAZON.COM	\$65.19	NEIL BRENEMAN
01/31/2012	01/31/2012	AMAZON.COM	\$65.19	NEIL BRENEMAN
01/31/2012	02/01/2012	AMAZON.COM	\$65.19	NEIL BRENEMAN
01/31/2012	02/01/2012	AMAZON.COM	\$65.19	NEIL BRENEMAN
02/01/2012	02/02/2012	FLAGHOUSE INC	\$58.12	NEIL BRENEMAN
02/01/2012	02/02/2012	GE CAPITAL	\$43.92	SARAH BURLINGAME
02/02/2012	02/03/2012	CUB FOODS, INC.	\$375.00	SARAH BURLINGAME
02/01/2012	02/02/2012	VIKING ELECTRIC - CREDIT	\$55.46	SCOTT CHRISTENSON
02/03/2012	02/06/2012	WW GRAINGER	\$471.84	SCOTT CHRISTENSON
02/03/2012	02/06/2012	WW GRAINGER	\$100.83	SCOTT CHRISTENSON
02/03/2012	02/06/2012	WW GRAINGER	\$302.53	SCOTT CHRISTENSON
02/07/2012	02/09/2012	WW GRAINGER	\$22.69	SCOTT CHRISTENSON
02/09/2012	02/10/2012	VIKING ELECTRIC - CREDIT	\$173.14	SCOTT CHRISTENSON
01/31/2012	02/01/2012	FRATTALLONES WOODBURY AC	\$7.93	CHARLES DEAVER
02/09/2012	02/10/2012	G&K SERVICES 182	\$118.37	CHARLES DEAVER
02/03/2012	02/06/2012	SPRINT STORE #226	\$81.39	RICHARD DOBLAR
01/26/2012	01/30/2012	THE HOME DEPOT 2810	\$70.51	LARRY FARR
01/30/2012	01/31/2012	TARGET 00011858	\$32.28	LARRY FARR
01/30/2012	01/31/2012	BATTERIES PLUS #31	\$104.81	LARRY FARR
01/30/2012	02/01/2012	DAVIS LOCK & SAFE	\$36.87	LARRY FARR
01/30/2012	02/01/2012	THE HOME DEPOT 2801	\$175.57	LARRY FARR
01/30/2012	02/01/2012	RED WING SHOE STORE	\$114.74	LARRY FARR
01/31/2012	02/01/2012	CERTIFIED LABORATORIES	\$341.46	LARRY FARR
02/01/2012	02/03/2012	WM EZPAY	\$468.89	LARRY FARR
02/03/2012	02/06/2012	SCHINDLER ELEVATOR CORP	\$617.73	LARRY FARR
02/05/2012	02/07/2012	WM EZPAY	\$995.71	LARRY FARR
02/06/2012	02/07/2012	WM EZPAY	\$429.32	LARRY FARR
02/09/2012	02/10/2012	MCDONALD'S F3117	\$5.02	LARRY FARR
02/09/2012	02/10/2012	G&K SERVICES 182	\$514.96	LARRY FARR
02/09/2012	02/10/2012	G&K SERVICES 182	\$303.70	LARRY FARR
02/09/2012	02/10/2012	AQUA LOGICS INC	\$471.67	LARRY FARR
02/09/2012	02/10/2012	AQUA LOGICS INC	\$195.09	LARRY FARR
02/09/2012	02/10/2012	COMMERCIAL FURNITURE SERV	\$269.53	LARRY FARR
02/03/2012	02/06/2012	KEEFE CO PARKING	\$6.50	DAVID FISHER
01/27/2012	01/30/2012	TOSHIBA BUSINESS SOLUTION	\$66.01	MYCHAL FOWLDS
01/27/2012	01/30/2012	TOSHIBA BUSINESS SOLUTION	\$1,399.08	MYCHAL FOWLDS
01/27/2012	01/30/2012	TOSHIBA BUSINESS SOLUTION	\$269.99	MYCHAL FOWLDS
01/31/2012	02/01/2012	BESTBUY.COM 00009944	\$278.50	MYCHAL FOWLDS
01/31/2012	02/01/2012	ESRI INC	\$4,426.32	MYCHAL FOWLDS
01/31/2012	02/02/2012	PROFIT SYSTEMS INC	\$1,128.31	MYCHAL FOWLDS
01/31/2012	02/06/2012	GHG CORPORATION	\$1,600.00	MYCHAL FOWLDS
02/06/2012	02/08/2012	QQUEST ASSET MANAGEMENT	\$483.20	MYCHAL FOWLDS
02/06/2012	02/08/2012	TRITECH EMERGENCY MED	\$2,789.59	MYCHAL FOWLDS
02/06/2012	02/08/2012	IMAGING PATH	\$3,899.65	MYCHAL FOWLDS

01/27/2012	01/30/2012 SHI CORP	\$366.37	NICK FRANZEN
01/28/2012	01/30/2012 HP DIRECT-PUBLICSECTOR	\$4,402.26	NICK FRANZEN
01/28/2012	01/30/2012 IDU*PUBLIC SECTOR	\$190.70	NICK FRANZEN
02/01/2012	02/02/2012 IDU*PUBLIC SECTOR	\$543.90	NICK FRANZEN
02/03/2012	02/06/2012 CDW GOVERNMENT	\$612.89	NICK FRANZEN
02/07/2012	02/08/2012 AWL*PEARSON EDUCATION	\$10.70	NICK FRANZEN
02/07/2012	02/09/2012 OFFICE DEPOT #1090	\$192.81	NICK FRANZEN
02/09/2012	02/10/2012 AWL*PEARSON EDUCATION	\$10.70	NICK FRANZEN
01/24/2012	01/30/2012 DALCO ENTERPRISES, INC	\$202.12	CLARENCE GERVAIS
01/26/2012	01/30/2012 OFFICE MAX	\$7.81	CLARENCE GERVAIS
01/27/2012	02/07/2012 DALCO ENTERPRISES, INC	\$336.60	CLARENCE GERVAIS
01/30/2012	01/31/2012 BATTERIES PLUS #31	\$36.41	CLARENCE GERVAIS
02/03/2012	02/06/2012 NFPA NATL FIRE PROTECT	\$855.00	CLARENCE GERVAIS
02/04/2012	02/06/2012 FIRST SHRED	\$145.08	JEAN GLASS
01/30/2012	02/01/2012 JOANN ETC #1902	\$4.79	JAN GREW HAYMAN
02/07/2012	02/08/2012 VZWRLSS*APOCC VISN	\$22.64	KAREN GUILFOILE
01/30/2012	01/31/2012 GOODIN COMPANY	\$236.05	MARK HAAG
02/02/2012	02/06/2012 GARELICK STEEL	\$123.92	MARK HAAG
02/02/2012	02/06/2012 THE HOME DEPOT 2801	\$24.62	MARK HAAG
02/03/2012	02/06/2012 CONTINENTAL SAFETY EQUIPM	\$134.01	MARK HAAG
02/07/2012	02/08/2012 KOHL'S #0408	\$48.97	STEVEN HIEBERT
01/27/2012	01/30/2012 HENRIKSEN ACE HARDWARE	\$428.52	GARY HINNENKAMP
01/31/2012	02/01/2012 HOULE FARM GARDEN AND PET	\$24.50	GARY HINNENKAMP
02/10/2012	02/10/2012 STATE SUPPLY CO INC	(\$189.61)	GARY HINNENKAMP
01/27/2012	01/30/2012 HEJNY RENTAL INC	\$26.12	RON HORWATH
02/08/2012	02/09/2012 DLX FOR BUSINESS	\$130.26	MARY JACKSON
01/31/2012	02/01/2012 WW GRAINGER	\$166.31	DAVID JAHN
02/03/2012	02/06/2012 TARGET 00011858	\$13.25	DAVID JAHN
02/03/2012	02/06/2012 THE HOME DEPOT 2801	\$29.75	DAVID JAHN
01/26/2012	01/30/2012 THE HOME DEPOT 2801	\$6.42	TOM KALKA
02/08/2012	02/10/2012 SHELL OIL 57444610000	\$27.00	TOM KALKA
02/04/2012	02/06/2012 COMCAST CABLE COMM	\$143.76	DUWAYNE KONEWKO
02/07/2012	02/08/2012 CDW GOVERNMENT	\$32.50	JASON KREGER
02/09/2012	02/10/2012 CDW GOVERNMENT	\$185.58	JASON KREGER
02/10/2012	02/10/2012 HP DIRECT-PUBLICSECTOR	\$149.98	JASON KREGER
02/07/2012	02/08/2012 BATTERIES PLUS #31	\$25.14	NICHOLAS KREKELER
02/08/2012	02/10/2012 UNIFORMS UNLIMITED INC	\$141.77	BRETT KROLL
01/30/2012	01/31/2012 DRIVERS LICENSE GUIDE	\$118.70	DAVID KVAM
02/02/2012	02/06/2012 UNIFORMS UNLIMITED INC	\$23.49	DAVID KVAM
02/03/2012	02/06/2012 UNIFORMS UNLIMITED	\$163.72	DAVID KVAM
02/07/2012	02/08/2012 THOMSON WEST*TCD	\$280.15	DAVID KVAM
02/08/2012	02/09/2012 THE GRAFIX SHOPPE	\$335.00	DAVID KVAM
02/04/2012	02/06/2012 TOMMY HILFIGER #080	\$35.67	TODD LANGNER
02/04/2012	02/07/2012 NIKE ALBERTVILLE FS 16	\$64.97	TODD LANGNER
01/27/2012	01/30/2012 FIRESTORE	\$70.76	MICHAEL LOCHEN
01/26/2012	01/30/2012 BARNETT CHRYJEEP KIA	\$19.44	STEVE LUKIN
02/01/2012	02/02/2012 HENRIKSEN ACE HARDWARE	\$32.48	STEVE LUKIN
02/01/2012	02/02/2012 DICK'S CLOTHING&SPORTING	\$14.97	STEVE LUKIN
02/01/2012	02/03/2012 MILLS FLEET FARM #2,700	\$72.80	STEVE LUKIN
02/06/2012	02/07/2012 BEST BUY MHT 00000109	\$117.80	STEVE LUKIN
02/06/2012	02/07/2012 WM EZPAY	\$197.20	STEVE LUKIN
01/31/2012	02/01/2012 CENTURY COLG	\$15.95	JERROLD MARTIN
02/01/2012	02/02/2012 KIMBER MFG	\$108.75	JERROLD MARTIN
02/06/2012	02/08/2012 UNIFORMS UNLIMITED INC	\$90.82	GLEN MCCARTY
01/27/2012	01/30/2012 BOUND TREE MEDICAL LLC	\$272.50	MICHAEL MONDOR
01/28/2012	01/30/2012 BOUND TREE MEDICAL LLC	\$58.41	MICHAEL MONDOR

01/30/2012	01/31/2012	ALLINA HEALTH SYSTEM WEB	\$925.00	MICHAEL MONDOR
02/01/2012	02/02/2012	ANCOM COMMUNICATIONS INC	\$368.63	MICHAEL MONDOR
02/07/2012	02/08/2012	BOUND TREE MEDICAL LLC	\$868.77	MICHAEL MONDOR
02/07/2012	02/09/2012	OFFICE MAX	\$20.22	MICHAEL MONDOR
02/08/2012	02/10/2012	OFFICE MAX	\$59.98	MICHAEL MONDOR
02/09/2012	02/10/2012	NATL. REGISTRY OF EMTS	\$20.00	MICHAEL MONDOR
02/09/2012	02/10/2012	NATL. REGISTRY OF EMTS	\$240.00	MICHAEL MONDOR
02/02/2012	02/03/2012	HENRIKSEN ACE HARDWARE	\$25.04	JOHN NAUGHTON
02/02/2012	02/03/2012	U OF M CCE NONCREDIT	\$175.00	AMY NIVEN
02/08/2012	02/10/2012	OFFICE DEPOT #1090	\$112.56	AMY NIVEN
02/09/2012	02/10/2012	G&K SERVICES 182	\$121.21	AMY NIVEN
02/09/2012	02/10/2012	G&K SERVICES 182	\$1,059.13	AMY NIVEN
02/08/2012	02/09/2012	HENRIKSEN ACE HARDWARE	\$7.28	RICHARD NORDQUIST
01/27/2012	01/30/2012	BROWNELLS INC	\$64.94	MICHAEL NYE
01/28/2012	01/30/2012	RADIOSHACK COR00161455	\$52.81	MICHAEL NYE
01/28/2012	01/30/2012	WALGREENS #01751	\$12.83	MICHAEL NYE
02/02/2012	02/03/2012	BACKPAGE.COM	\$7.00	MICHAEL NYE
02/02/2012	02/03/2012	BACKPAGE.COM	\$7.00	MICHAEL NYE
02/02/2012	02/03/2012	BACKPAGE.COM	\$7.00	MICHAEL NYE
02/02/2012	02/03/2012	BACKPAGE.COM	\$7.00	MICHAEL NYE
02/02/2012	02/03/2012	BACKPAGE.COM	\$7.00	MICHAEL NYE
02/06/2012	02/08/2012	OFFICE DEPOT #1090	\$66.16	MARY KAY PALANK
02/02/2012	02/03/2012	FULFILLMT7126239369	\$1,376.02	CHRISTINE PENN
02/02/2012	02/03/2012	WEDDINGPAGES INC	\$300.00	CHRISTINE PENN
01/30/2012	01/31/2012	PTI*PEAKTECH TELPAR	\$156.17	PHILIP F POWELL
01/31/2012	02/06/2012	SIRCHIE FINGER PRINT LABO	\$194.39	PHILIP F POWELL
02/01/2012	02/02/2012	ARROWHEAD SCIENTIFIC INC	\$118.84	PHILIP F POWELL
02/01/2012	02/02/2012	US PLASTICS/USP HOME	\$95.44	PHILIP F POWELL
02/02/2012	02/03/2012	AMAZON.COM	\$94.23	PHILIP F POWELL
01/26/2012	01/30/2012	TOUSLEY FORD I27228006	\$77.95	STEVEN PRIEM
01/26/2012	01/30/2012	MILLS FLEET FARM #2,700	\$59.04	STEVEN PRIEM
01/27/2012	01/30/2012	TRUCK UTILITIES	\$33.20	STEVEN PRIEM
01/27/2012	01/30/2012	BAUER BUILT TIRE 18	\$198.27	STEVEN PRIEM
01/28/2012	01/30/2012	GOODYEAR AUTO SRV CT 6920	\$52.00	STEVEN PRIEM
01/30/2012	01/31/2012	AUTO PLUS NO ST PAUL	\$137.27	STEVEN PRIEM
01/31/2012	02/01/2012	AGGRESSIVE HYDRAULICS	\$342.24	STEVEN PRIEM
01/31/2012	02/01/2012	AUTO PLUS NO ST PAUL	\$17.90	STEVEN PRIEM
01/31/2012	02/02/2012	CIRUS CONTROLS	\$227.01	STEVEN PRIEM
02/01/2012	02/03/2012	BARNETT CHRYJEEPkia	\$23.44	STEVEN PRIEM
02/02/2012	02/03/2012	FACTORY MTR PTS #1	\$272.76	STEVEN PRIEM
02/02/2012	02/03/2012	FACTORY MTR PTS #1	\$272.76	STEVEN PRIEM
02/02/2012	02/03/2012	FORCE AMERICA DISTRIB LLC	\$152.83	STEVEN PRIEM
02/02/2012	02/06/2012	A-1 HYDRAULIC SALES & SER	\$45.90	STEVEN PRIEM
02/02/2012	02/06/2012	HYDRAULIC SPECIALTY COMPA	\$39.02	STEVEN PRIEM
02/02/2012	02/06/2012	DELEGARD TOOL COMPANY	\$384.65	STEVEN PRIEM
02/03/2012	02/06/2012	TOUSLEY FORD I27228006	\$53.89	STEVEN PRIEM
02/03/2012	02/06/2012	AUTO PLUS NO ST PAUL	\$52.23	STEVEN PRIEM
02/06/2012	02/07/2012	AUTO PLUS NO ST PAUL	\$14.72	STEVEN PRIEM
02/06/2012	02/07/2012	AUTO PLUS NO ST PAUL	\$372.99	STEVEN PRIEM
02/06/2012	02/07/2012	BAUER BUILT TIRE 18	\$198.27	STEVEN PRIEM
02/06/2012	02/07/2012	SS DIESEL SUPPLY	\$378.63	STEVEN PRIEM
02/07/2012	02/08/2012	AUTO PLUS NO ST PAUL	\$12.44	STEVEN PRIEM
02/07/2012	02/08/2012	BOYER TRUCK PARTS	\$262.90	STEVEN PRIEM
02/07/2012	02/08/2012	PIONEER RIM & WHEEL	\$79.89	STEVEN PRIEM
02/07/2012	02/08/2012	OXYGEN SERVICE COMPANY	\$220.10	STEVEN PRIEM
02/07/2012	02/09/2012	TOUSLEY FORD I27228006	\$28.08	STEVEN PRIEM

02/07/2012	02/09/2012	RUFFRIDGE - JOHNSON EQUIP	\$151.67	STEVEN PRIEM
02/08/2012	02/09/2012	AUTO PLUS NO ST PAUL	\$130.18	STEVEN PRIEM
02/08/2012	02/10/2012	THE HOME DEPOT 2801	\$21.35	STEVEN PRIEM
02/09/2012	02/10/2012	BOYER TRUCK PARTS	\$189.09	STEVEN PRIEM
02/09/2012	02/10/2012	CATCO PARTS&SERVICE	\$37.59	STEVEN PRIEM
01/31/2012	02/02/2012	GYMWORKS, INC.	\$1,214.24	KELLY PRINS
02/07/2012	02/08/2012	GYMWORKS, INC.	\$200.00	KELLY PRINS
02/08/2012	02/09/2012	MINNESOTA OCCUPATIONAL HE	\$1,098.00	TERRIE RAMEAUX
01/24/2012	02/06/2012	DALCO ENTERPRISES, INC	\$95.19	MICHAEL REILLY
02/03/2012	02/09/2012	DALCO ENTERPRISES, INC	\$47.60	MICHAEL REILLY
02/07/2012	02/08/2012	HILLYARD INC MINNEAPOLIS	\$1,043.25	MICHAEL REILLY
02/09/2012	02/09/2012	STAYWELL - KRAMES	\$399.13	AUDRA ROBBINS
01/26/2012	01/30/2012	THE HOME DEPOT 2801	\$107.06	ROBERT RUNNING
01/30/2012	01/31/2012	UNITED RENTALS	\$10.28	ROBERT RUNNING
01/30/2012	01/31/2012	HAR MAR LOCK AND KEY	\$36.00	ROBERT RUNNING
01/30/2012	02/01/2012	TRI-STATE BOBCAT INC.	\$41.31	ROBERT RUNNING
01/30/2012	02/01/2012	THE HOME DEPOT 2801	\$21.38	ROBERT RUNNING
01/30/2012	02/01/2012	RED WING SHOE STORE	\$182.74	ROBERT RUNNING
01/30/2012	02/01/2012	MILLS FLEET FARM #2,700	\$89.99	ROBERT RUNNING
01/30/2012	02/01/2012	LTG POWER EQUIPMENT	\$34.09	ROBERT RUNNING
02/01/2012	02/02/2012	TIGER OAK	\$15.00	DEB SCHMIDT
02/03/2012	02/06/2012	OFFICE DEPOT #1090	\$63.20	DEB SCHMIDT
02/03/2012	02/06/2012	T-MOBILE.COM*PAYMENT	\$38.89	DEB SCHMIDT
02/08/2012	02/09/2012	GOVTTRNGSVC	\$210.00	DEB SCHMIDT
01/31/2012	02/02/2012	USA MOBILITY WIRELE	\$16.12	SCOTT SCHULTZ
02/03/2012	02/06/2012	WM EZPAY	\$415.99	SCOTT SCHULTZ
02/02/2012	02/03/2012	BATTERIES PLUS #31	\$26.02	MICHAEL SHORTREED
02/01/2012	02/03/2012	STREICHER'S MPLS	\$242.01	JOSEPH STEINER
02/09/2012	02/10/2012	ST PAUL STAMP WORKS INC	\$13.63	JOANNE SVENDSEN
02/04/2012	02/06/2012	KOHL'S #0052	\$49.49	PAUL THIENES
01/28/2012	01/30/2012	PAYPAL *PASSIONATEP	\$44.35	DAVID THOMALLA
01/27/2012	01/30/2012	HOLIDAY INNS	\$244.89	JOE TRAN
01/31/2012	02/01/2012	H&M 205 MAPLEWOOD MALL	\$42.85	JOSEPH TRAN
02/02/2012	02/03/2012	USPS 26833800033400730	\$27.00	KAREN WACHAL
02/09/2012	02/10/2012	AMAZON.COM	\$23.64	KAREN WACHAL
01/27/2012	01/30/2012	AE SIGN SYSTEMS	\$14.86	SUSAN ZWIEG
02/02/2012	02/03/2012	USPS POSTAL ST66100207	\$48.25	SUSAN ZWIEG
02/07/2012	02/08/2012	PAYPAL *AMEMASSOCIA	\$100.00	SUSAN ZWIEG

\$54,005.25

**CITY OF MAPLEWOOD  
EMPLOYEE GROSS EARNINGS REPORT  
FOR THE CURRENT PAY PERIOD**

<u>CHECK #</u>	<u>CHECK DATE</u>	<u>EMPLOYEE NAME</u>	<u>AMOUNT</u>
	02/17/12	CARDINAL, ROBERT	435.16
	02/17/12	JUENEMANN, KATHLEEN	435.16
	02/17/12	KOPPEN, MARVIN	435.16
	02/17/12	LLANAS, JAMES	435.16
	02/17/12	ROSSBACH, WILLIAM	494.44
	02/17/12	STRAUTMANIS, MARIS	48.00
	02/17/12	VALLE, EDWARD	50.00
	02/17/12	AHL, R. CHARLES	5,056.76
	02/17/12	ANTONEN, JAMES	5,300.00
	02/17/12	BURLINGAME, SARAH	1,986.12
	02/17/12	KANTRUD, HUGH	184.62
	02/17/12	CHRISTENSON, SCOTT	2,093.45
	02/17/12	FARR, LARRY	3,061.16
	02/17/12	JAHN, DAVID	2,083.90
	02/17/12	RAMEAUX, THERESE	3,061.18
	02/17/12	BAUMAN, GAYLE	4,044.92
	02/17/12	ANDERSON, CAROLE	2,467.99
	02/17/12	DEBILZAN, JUDY	1,283.07
	02/17/12	JACKSON, MARY	2,177.09
	02/17/12	KELSEY, CONNIE	2,594.80
	02/17/12	RUEB, JOSEPH	2,642.60
	02/17/12	ARNOLD, AJLA	1,550.89
	02/17/12	GUILFOILE, KAREN	4,207.64
	02/17/12	NEPHEW, MICHELLE	1,705.15
	02/17/12	SCHMIDT, DEBORAH	2,746.39
	02/17/12	SPANGLER, EDNA	1,118.73
	02/17/12	THOMFORDE, FAITH	729.00
	02/17/12	CORTESI, LUANNE	1,092.82
	02/17/12	LARSON, MICHELLE	1,774.95
	02/17/12	MECHELKE, SHERRIE	1,140.33
	02/17/12	MOY, PAMELA	1,511.21
	02/17/12	OSTER, ANDREA	1,907.48
	02/17/12	RICHTER, CHARLENE	941.61
	02/17/12	SCHOENECKER, LEIGH	1,569.35
	02/17/12	WEAVER, KRISTINE	2,310.96
	02/17/12	CORCORAN, THERESA	1,900.55
	02/17/12	KVAM, DAVID	4,209.55
	02/17/12	PALANK, MARY	1,905.17
	02/17/12	POWELL, PHILIP	2,932.46
	02/17/12	SVENDSEN, JOANNE	2,101.79
	02/17/12	THOMALLA, DAVID	4,961.38

02/17/12	YOUNG, TAMELA	1,900.55
02/17/12	ABEL, CLINT	2,944.76
02/17/12	ALDRIDGE, MARK	3,225.69
02/17/12	BAKKE, LONN	2,937.06
02/17/12	BARTZ, PAUL	3,151.05
02/17/12	BELDE, STANLEY	2,990.84
02/17/12	BENJAMIN, MARKESE	2,819.55
02/17/12	BIERDEMAN, BRIAN	3,768.04
02/17/12	BOHL, JOHN	3,282.54
02/17/12	BUSACK, DANIEL	3,653.32
02/17/12	COFFEY, KEVIN	2,904.76
02/17/12	CROTTY, KERRY	3,611.20
02/17/12	DEMULLING, JOSEPH	2,819.55
02/17/12	DOBLAR, RICHARD	3,925.54
02/17/12	DUGAS, MICHAEL	4,067.99
02/17/12	ERICKSON, VIRGINIA	3,180.45
02/17/12	FLOR, TIMOTHY	3,609.69
02/17/12	FORSYTHE, MARCUS	2,415.50
02/17/12	FRASER, JOHN	3,382.49
02/17/12	FRITZE, DEREK	3,313.60
02/17/12	GABRIEL, ANTHONY	3,157.58
02/17/12	HAWKINSON JR, TIMOTHY	2,845.55
02/17/12	HER, PHENG	2,720.96
02/17/12	HIEBERT, STEVEN	3,128.88
02/17/12	JOHNSON, KEVIN	3,931.59
02/17/12	KALKA, THOMAS	921.88
02/17/12	KONG, TOMMY	2,878.21
02/17/12	KREKELER, NICHOLAS	850.81
02/17/12	KROLL, BRETT	2,997.86
02/17/12	LANGNER, SCOTT	3,092.20
02/17/12	LANGNER, TODD	2,980.04
02/17/12	LU, JOHNNIE	2,931.31
02/17/12	LYNCH, KATHERINE	2,186.00
02/17/12	MARINO, JASON	3,050.96
02/17/12	MARTIN, JERROLD	3,485.62
02/17/12	MCCARTY, GLEN	3,289.98
02/17/12	METRY, ALESIA	3,038.70
02/17/12	NYE, MICHAEL	3,345.88
02/17/12	OLSON, JULIE	2,937.06
02/17/12	PARKER, JAMES	2,186.00
02/17/12	REZNY, BRADLEY	2,960.03
02/17/12	RHUDE, MATTHEW	2,975.57
02/17/12	SHORTREED, MICHAEL	4,091.18
02/17/12	STEINER, JOSEPH	3,261.59
02/17/12	SYPNIEWSKI, WILLIAM	2,819.55
02/17/12	SZCZEPANSKI, THOMAS	2,990.84
02/17/12	TAUZELL, BRIAN	2,588.89
02/17/12	THEISEN, PAUL	3,712.08
02/17/12	THIENES, PAUL	3,515.15
02/17/12	TRAN, JOSEPH	3,038.70
02/17/12	WENZEL, JAY	3,235.22
02/17/12	XIONG, KAO	2,878.21

02/17/12	ANDERSON, BRIAN	480.00
02/17/12	BAHL, DAVID	287.00
02/17/12	BASSETT, BRENT	348.00
02/17/12	BAUMAN, ANDREW	3,143.01
02/17/12	BECK, YANCEY	144.00
02/17/12	BIGELBACH, ANTHONY	360.00
02/17/12	BOURQUIN, RON	776.00
02/17/12	BRADBURY, RYAN	168.00
02/17/12	BRESIN, ROBERT	324.00
02/17/12	CAPISTRANT, JACOB	543.00
02/17/12	CAPISTRANT, JOHN	490.00
02/17/12	CRAWFORD, RAYMOND	618.00
02/17/12	CRUMMY, CHARLES	372.00
02/17/12	DAWSON, RICHARD	2,866.07
02/17/12	EATON, PAUL	216.00
02/17/12	EVERSON, PAUL	3,064.23
02/17/12	FOSSUM, ANDREW	2,600.61
02/17/12	HAGEN, MICHAEL	36.00
02/17/12	HALE, JOSEPH	469.00
02/17/12	HALWEG, JODI	2,674.17
02/17/12	HAWTHORNE, ROCHELLE	168.00
02/17/12	HENDRICKSON, NICHOLAS	2,534.13
02/17/12	HUTCHINSON, JAMES	598.50
02/17/12	IMM, TRACY	180.00
02/17/12	JANSEN, CHAD	393.00
02/17/12	JOHNSON, JAMES	546.00
02/17/12	JONES, JONATHAN	384.00
02/17/12	KANE, ROBERT	742.00
02/17/12	KARRAS, JAMIE	288.00
02/17/12	KERSKA, JOSEPH	528.00
02/17/12	KONDER, RONALD	390.00
02/17/12	KUBAT, ERIC	2,799.26
02/17/12	LINDER, TIMOTHY	3,126.07
02/17/12	LOCHEN, MICHAEL	140.00
02/17/12	MELLEN, CHRISTOPHER	153.00
02/17/12	MELLEN, RICHARD	216.00
02/17/12	MILLER, LADD	270.00
02/17/12	MILLER, NICHOLAS	498.00
02/17/12	MONDOR, MICHAEL	3,119.66
02/17/12	MONSON, PETER	372.00
02/17/12	MORGAN, JEFFERY	377.00
02/17/12	NIELSEN, KENNETH	201.00
02/17/12	NOVAK, JEROME	3,023.07
02/17/12	NOWICKI, PAUL	522.00
02/17/12	OLSON, JAMES	2,668.41
02/17/12	OPHEIM, JOHN	322.00
02/17/12	PACHECO, ALPHONSE	528.00
02/17/12	PETERSON, MARK	808.50
02/17/12	PETERSON, ROBERT	2,973.40
02/17/12	PLACE, ANDREA	2,696.25
02/17/12	POWERS, KENNETH	321.00
02/17/12	RAINEY, JAMES	480.00

02/17/12	RANK, NATHAN	576.00
02/17/12	RANK, PAUL	69.00
02/17/12	RAVENWALD, CORINNE	354.00
02/17/12	REYNOSO, ANGEL	288.00
02/17/12	RICE, CHRISTOPHER	924.00
02/17/12	RODRIGUEZ, ROBERTO	204.00
02/17/12	SCHULTZ, JEROME	192.00
02/17/12	SEDLACEK, JEFFREY	3,302.19
02/17/12	STREFF, MICHAEL	2,804.01
02/17/12	SVENDSEN, RONALD	3,191.73
02/17/12	WESSELS, TIMOTHY	60.00
02/17/12	WHITE, JOEL	537.00
02/17/12	GERVAIS-JR, CLARENCE	3,906.58
02/17/12	LUKIN, STEVEN	4,498.52
02/17/12	ZWIEG, SUSAN	1,123.46
02/17/12	KNUTSON, LOIS	2,054.96
02/17/12	NIVEN, AMY	1,425.42
02/17/12	BRINK, TROY	2,356.55
02/17/12	BUCKLEY, BRENT	2,197.86
02/17/12	DEBILZAN, THOMAS	2,119.12
02/17/12	EDGE, DOUGLAS	2,623.78
02/17/12	JONES, DONALD	2,149.15
02/17/12	MEISSNER, BRENT	2,074.27
02/17/12	NAGEL, BRYAN	3,442.00
02/17/12	OSWALD, ERICK	2,337.97
02/17/12	RUIZ, RICARDO	1,539.75
02/17/12	RUNNING, ROBERT	2,356.55
02/17/12	TEVLIN, TODD	2,146.15
02/17/12	BURLINGAME, NATHAN	2,026.42
02/17/12	DUCHARME, JOHN	2,740.37
02/17/12	ENGSTROM, ANDREW	2,555.76
02/17/12	JACOBSON, SCOTT	2,555.75
02/17/12	JAROSCH, JONATHAN	2,942.39
02/17/12	KUMMER, STEVEN	3,493.97
02/17/12	LINDBLOM, RANDAL	2,740.37
02/17/12	LOVE, STEVEN	3,446.88
02/17/12	THOMPSON, MICHAEL	4,058.96
02/17/12	ZIEMAN, SCOTT	106.50
02/17/12	JANASZAK, MEGHAN	1,497.35
02/17/12	KONEWKO, DUWAYNE	4,413.24
02/17/12	EDSON, DAVID	2,191.39
02/17/12	HAMRE, MILES	1,513.60
02/17/12	HAYS, TAMARA	1,390.39
02/17/12	HINNENKAMP, GARY	2,393.35
02/17/12	NAUGHTON, JOHN	2,163.43
02/17/12	NORDQUIST, RICHARD	2,148.46
02/17/12	BIESANZ, OAKLEY	1,591.59
02/17/12	DEAVER, CHARLES	572.07
02/17/12	GERNES, CAROLE	283.50
02/17/12	HAYMAN, JANET	1,394.04
02/17/12	HUTCHINSON, ANN	2,649.16
02/17/12	SOUTTER, CHRISTINE	421.31

02/17/12	WACHAL, KAREN	887.48
02/17/12	GAYNOR, VIRGINIA	3,244.09
02/17/12	KROLL, LISA	1,900.55
02/17/12	SINDT, ANDREA	2,033.80
02/17/12	SWANSON, CHRIS	1,100.00
02/17/12	THOMPSON, DEBRA	760.22
02/17/12	EKSTRAND, THOMAS	3,829.34
02/17/12	FINWALL, SHANN	3,233.35
02/17/12	MARTIN, MICHAEL	2,709.35
02/17/12	BRASH, JASON	2,393.35
02/17/12	CARVER, NICHOLAS	3,244.09
02/17/12	FISHER, DAVID	3,807.86
02/17/12	SWAN, DAVID	2,766.15
02/17/12	WELLENS, MOLLY	1,626.82
02/17/12	ANDERSON, ABIGAIL	128.00
02/17/12	BERGER, STEPHANIE	648.38
02/17/12	BETHEL III, CHARLES	110.50
02/17/12	BJORK, BRANDON	203.50
02/17/12	BRENEMAN, NEIL	2,159.70
02/17/12	DRAKE, TAYLOR	32.00
02/17/12	FRANK, PETER	250.00
02/17/12	GERMAIN, BRADY	72.00
02/17/12	GORACKI, GERALD	108.00
02/17/12	HEITZ, ALEXANDRA	64.00
02/17/12	KHOURY, SARAH	665.00
02/17/12	KLEIN, AARON	126.00
02/17/12	KLEIN, TIM	140.00
02/17/12	KOHLMAN, JENNIFER	190.00
02/17/12	LARSON, KATELYN	161.00
02/17/12	LUBKE, COLLEEN	120.00
02/17/12	ROBBINS, AUDRA	2,876.58
02/17/12	ROBBINS, CAMDEN	224.00
02/17/12	SCHALLER, SCOTT	137.06
02/17/12	SCHALLER, TYLER	194.75
02/17/12	SCHRANKLER, SAM	14.50
02/17/12	ST MARTIN, ANDREW	32.00
02/17/12	TAYLOR, JAMES	2,738.98
02/17/12	VUKICH, CANDACE	157.50
02/17/12	ADAMS, DAVID	2,101.93
02/17/12	GERMAIN, DAVID	2,155.39
02/17/12	HAAG, MARK	2,356.55
02/17/12	ORE, JORDAN	643.59
02/17/12	SCHULTZ, SCOTT	3,090.82
02/17/12	ANZALDI, MANDY	1,467.38
02/17/12	CRAWFORD - JR, RAYMOND	495.46
02/17/12	EVANS, CHRISTINE	1,433.86
02/17/12	GLASS, JEAN	2,125.10
02/17/12	HER, PETER	424.00
02/17/12	HOFMEISTER, MARY	1,119.37
02/17/12	HOFMEISTER, TIMOTHY	529.63
02/17/12	KULHANEK-DIONNE, ANN	263.13
02/17/12	PELOQUIN, PENNYE	618.48

02/17/12	PENN, CHRISTINE	2,332.74
02/17/12	SHERRILL, CAITLIN	629.00
02/17/12	VUE, LOR PAO	324.01
02/17/12	ANDERSON, ALYSSA	23.25
02/17/12	ANDERSON, MAXWELL	523.20
02/17/12	BAETZOLD, SETH	65.25
02/17/12	BAUDE, SARAH	109.50
02/17/12	BEITLER, JULIE	37.10
02/17/12	BIGGS, ANNETTE	131.58
02/17/12	BRUSOE, CRISTINA	90.40
02/17/12	BUCKLEY, BRITTANY	239.30
02/17/12	BUTLER, ANGELA	68.00
02/17/12	CRANDALL, KRISTA	148.13
02/17/12	DEMPSEY, BETH	227.25
02/17/12	DIONNE, DANIELLE	139.05
02/17/12	DUNN, RYAN	1,047.21
02/17/12	EKSTRAND, DANIEL	49.53
02/17/12	ERICKSON-CLARK, CAROL	49.00
02/17/12	FLUEGEL, LARISSA	37.75
02/17/12	FONTAINE, KIM	704.88
02/17/12	FOX, KELLY	120.00
02/17/12	GIEL, NICOLE	76.00
02/17/12	GRAY, MEGAN	130.61
02/17/12	GRUENHAGEN, LINDA	406.90
02/17/12	HAGSTROM, EMILY	90.45
02/17/12	HANSEN, HANNAH	244.35
02/17/12	HEINRICH, SHEILA	806.50
02/17/12	HOLMBERG, LADONNA	762.00
02/17/12	HORWATH, RONALD	2,614.55
02/17/12	IVES, RANDY	115.00
02/17/12	JANSON, ANGELA	12.00
02/17/12	JOHNSON, BARBARA	234.50
02/17/12	JOHNSON, KAITLYN	23.55
02/17/12	JOYER, ANTHONY	37.00
02/17/12	KOHLER, ROCHELLE	108.00
02/17/12	KOLLER, NINA	171.63
02/17/12	KRONHOLM, KATHRYN	916.92
02/17/12	LAMSON, ELIANA	72.00
02/17/12	MCCANN, NATALIE	168.00
02/17/12	MUSA, OLUTOYIN	28.75
02/17/12	NADEAU, KELLY	225.08
02/17/12	NADEAU, TAYLOR	21.90
02/17/12	NORTHOUSE, KATHERINE	144.50
02/17/12	PEHOSKI, JOEL	78.00
02/17/12	POVLITZKI, MARINA	38.00
02/17/12	PROESCH, ANDY	574.89
02/17/12	RANEY, COURTNEY	442.00
02/17/12	RESENDIZ, LORI	2,150.64
02/17/12	RICHTER, DANIEL	18.90
02/17/12	RONNING, ZACCEUS	38.33
02/17/12	SCHMIDT, EMILY	88.40
02/17/12	SCHREIER, ROSEMARIE	236.50

	02/17/12	SCHREINER, MARK	43.80
	02/17/12	SCHREINER, MICHELLE	161.25
	02/17/12	SMITH, ANN	203.00
	02/17/12	SMITH, CASEY	88.20
	02/17/12	TAYLOR, JASON	95.55
	02/17/12	THORWICK, MEGAN	110.25
	02/17/12	TREPANIER, TODD	242.00
	02/17/12	TRUE, ANDREW	100.66
	02/17/12	TUPY, HEIDE	91.60
	02/17/12	TUPY, MARCUS	237.50
	02/17/12	WARNER, CAROLYN	580.80
	02/17/12	WOLFGRAM, MARY	117.00
	02/17/12	BOSLEY, CAROL	62.50
	02/17/12	DANIEL, BREANNA	77.00
	02/17/12	BORCHERT, JONATHAN	137.75
	02/17/12	COLEMAN, PATRICK	150.01
	02/17/12	DOUGLASS, TOM	1,333.70
	02/17/12	LONETTI, JAMES	420.00
	02/17/12	MALONEY, SHAUNA	217.50
	02/17/12	PRINS, KELLY	1,720.98
	02/17/12	REILLY, MICHAEL	1,960.70
	02/17/12	SCHULZE, KEVIN	480.00
	02/17/12	THOMPSON, BENJAMIN	388.50
	02/17/12	AICHELE, CRAIG	2,305.55
	02/17/12	PRIEM, STEVEN	2,415.66
	02/17/12	WOEHRLE, MATTHEW	2,200.55
	02/17/12	BERGO, CHAD	2,678.00
	02/17/12	FOWLDS, MYCHAL	3,662.68
	02/17/12	FRANZEN, NICHOLAS	2,534.62
	02/17/12	KREGER, JASON	2,087.20
9985797	02/17/12	ABRAHAMSON, AMANDA	43.75
9985798	02/17/12	ANDERSON, ZACHARY	72.00
9985799	02/17/12	AYD, GWEN	43.50
9985800	02/17/12	BACHMEIER, JORDAN	48.00
9985801	02/17/12	BONKO, JACK	86.75
9985802	02/17/12	BRISENO, EMILIO	176.00
9985803	02/17/12	BURNS, ERIC	22.50
9985804	02/17/12	ECONOMY, JOHN	65.00
9985805	02/17/12	FISHER, CHANCE	24.00
9985806	02/17/12	GREENER, DOUGLAS	120.75
9985807	02/17/12	KUSTERMAN, KEVIN	43.75
9985808	02/17/12	LARSON, DANIEL	24.00
9985809	02/17/12	MASON, KYLE	54.00
9985810	02/17/12	MASON, LAURA	36.00
9985811	02/17/12	MEISSNER, MICHAEL	112.00
9985812	02/17/12	MERRITT, JACOB	112.00
9985813	02/17/12	MERRITT, MICHAEL	208.00
9985814	02/17/12	O'BRIEN, ELIZABETH	14.50
9985815	02/17/12	O'BRIEN, REBECCA	14.50
9985816	02/17/12	SHAW, AMY	77.00
9985817	02/17/12	SVOBODA, NICHOLAS	65.00
9985818	02/17/12	TARR-JR, GUS	45.00

9985819	02/17/12	THIELMAN, DANIEL	32.00
9985820	02/17/12	THIELMAN, RICHARD	60.00
9985821	02/17/12	THIETS, CONNOR	24.00
9985822	02/17/12	THIETS, TAYLOR	21.75
9985823	02/17/12	WISTL, MOLLY	80.00
9985824	02/17/12	YANG, CHINU	152.00
9985825	02/17/12	YORKOVICH, BENJAMIN	54.00
9985826	02/17/12	VANG, TIM	431.00
9985827	02/17/12	COSTA, JOSEPH	140.00
9985828	02/17/12	ERICSON, RACHEL	46.80
9985829	02/17/12	LEKO, LINDSAY	75.00
9985830	02/17/12	MCPAHON, MICHAEL	90.30
9985831	02/17/12	WALES, ABIGAIL	157.88
9985832	02/17/12	WEINHAGEN, SHELBY	155.00
9985833	02/17/12	RANGEL, SAMANTHA	44.00
9985834	02/17/12	BELMARES, GABRIEL	145.00
9985835	02/17/12	REMNYAKOVA, ANZHELIKA	83.38
9985836	02/17/12	STEFFEN, MICHAEL	87.00
			507,484.20

**AGENDA REPORT**

**TO:** Jim Antonen, City Manager  
**FROM:** Karen Guilfoile, Citizen Services Director  
**DATE:** February 23, 2012  
**SUBJECT: Minnesota Waterfowl Association Temporary Gambling Permit Resolution**

**Introduction**

An application has been submitted for temporary gambling by John Molkenbur on behalf of the Minnesota Waterfowl Association, 901 1<sup>st</sup> St, Hopkins, MN. This is for their Waterfowl Banquet

The event will be held on April 12, 2012 from 5:30 p.m.to 10:30 p.m.at the Moose Lodge, 1946 English Ave. Funds raised will be used promote Conservation and Habitat Restoration. In order for the State of Minnesota to issue a temporary license, approval of the following resolution from the City is required:

**RESOLUTION**

BE IT HEREBY RESOLVED, by the City Council of Maplewood, Minnesota, that the temporary premises permit for lawful gambling on April 12, 2012 is approved for the Minnesota Waterfowl Association, 901 1<sup>st</sup> St, Hopkins, MN at Moose Lodge, 1946 English Street, Maplewood.

FURTHERMORE, that the Maplewood City Council waives any objection to the timeliness of application for said permit as governed by Minnesota Statute §349.213.

FURTHERMORE, that the Maplewood City Council requests that the Gambling Control Division of the Minnesota Department of Gaming approve said permit application as being in compliance with Minnesota Statute §349.213.

NOW, THEREFORE, be it further resolved that this Resolution by the City Council of Maplewood, Minnesota, be forwarded to the Gambling Control Division for their approval.

**Recommendation**

It is recommended that the City Council approve the above resolution for a temporary gambling for the Minnesota Waterfowl Association, 901 1<sup>st</sup> St, Hopkins, MN.

## AGENDA REPORT

**TO:** James Antonen, City Manager  
**FROM:** Michael Thompson, City Engineer/ Dep. Public Works Director  
 Steven Love, Assistant City Engineer  
 Jon Jarosch, Civil Engineer I  
**SUBJECT:** **Approval of Resolution Accepting Assessment Roll and Ordering Assessment Hearing for April 9, 2012, 2012 Mill and Overlays, City Project 11-15**  
**DATE:** February 14, 2012

### INTRODUCTION

Final plans and specifications for the above referenced project have been completed and are being advertised for bids. The bid opening for this project is currently scheduled for 10:00 a.m., Tuesday, March 27, 2012 at City Hall. The council would then consider awarding the construction contract on April 9, 2012 after conducting the assessment hearing. At this time, the Council will consider accepting the assessment roll and calling for an assessment hearing for April 9, 2012.

### BACKGROUND

Assessment rates are not directly dependent on the actual amount of the bid, but rather on an assessment rate established in the city's pavement management and assessment policies. The amount assessed must provide a special benefit to the property that is equal to or greater than the assessed amount. An independent appraisal firm was hired to ascertain an opinion of special benefit received by properties along the project streets. This information was used to adjust the proposed special benefit assessment amounts for the project area.

There are 177 assessable residential parcels and 29 assessable commercial parcels within the project area. Based on the city of Maplewood's Assessment Policy, parcels will be assessed on an equal "unit" basis. The project assessment "unit" rates have been set based on the special benefit appraisal as follows:

- Residential
  - Mill & Overlay Rate = \$2,000/unit (based on special benefit appraisals)
- Commercial
  - Commercial Special Benefit Assessment Rates = Per Linear Foot Basis
 Commercial properties assessment rates per linear foot basis based upon special benefit appraisals

The proposed assessments for the 2012 Mill and Overlays total \$1,131,924.78. A copy of the pending assessment roll is provided as a supplement to this report.

### DISCUSSION

The main focus of the proposed project is the rehabilitation of the pavement surface. Staff is proposing to remove and replace the top 2 inches of existing bituminous by milling (i.e. grinding) and thereby removing the damaged surface. Following the milling operation the milled pavement surface will be inspected for sub-grade failures and additional corrective measures will be applied as necessary. The final steps of the project will be the placement of a new 2-inch bituminous overlay and the restriping of the road way. The project street widths range from 30 to 44 feet wide and are

proposed to remain the same.

With the goal of the project being pavement rehabilitation there are no major utility upgrades proposed as part of this project. Minor upgrades associated with this project include the replacement of outdated sanitary sewer castings with castings meeting current city standards and replacement of damaged storm sewer castings.

For those streets with existing concrete curb and gutter it is proposed to remove and replace damaged or broken panels prior to the placement of the new bituminous overlay. Existing bituminous curb will be removed and replaced on all streets as part of the proposed project. The majority of the pedestrian curb ramps are proposed to be removed and replaced to ensure they meet current ADA guidelines. Dynamic speed display signs are also proposed to be installed in select locations on Highwood Avenue, Linwood Avenue, and Roselawn Avenue to address speeding concerns raised by residents during neighborhood meetings.

**PROJECT BUDGET**

The project costs and funding sources, as outlined in the feasibility study, are still in order. Minor adjustments have been made to the assessment roll. Staff has included Conway Avenue and Southlawn Drive as Bid Alternates to the project to have the ability to reduce the project scope if necessary. Prior to the awarding of bid, staff will review the results of the Bid Alternates and make a recommendation if a project budget adjustment is required.

<b>PROPOSED IMPROVEMENTS</b>	<b>TOTAL AMOUNT</b>	<b>% OF TOTAL PROJECT</b>
STREET IMPROVEMENTS	\$ 3,062,400.00	95.9%
DRAINAGE IMPROVEMENTS	\$ 46,200.00	1.4%
SANITARY SEWER IMPROVEMENTS	\$ 59,900.00	1.9%
WATER SYSTEM IMPROVEMENTS	\$ 26,300.00	0.8%
<b>TOTAL ESTIMATE OF PROJECT COSTS</b>	<b>\$3,194,800</b>	<b>100%</b>

<b>ESTIMATED PROJECT COST RECOVERY</b>		
<b>FUNDING SOURCE</b>	<b>TOTAL AMOUNT</b>	<b>% OF TOTAL PROJECT</b>
M.S.A. BONDS	\$1,266,400	40%
SANITARY SEWER FUND	\$59,900	2%
ENVIRONMENTAL UTILITY FUND	\$46,200	1%
SPECIAL BENEFIT ASSESSMENT	\$1,146,000	36%
W.A.C. FUND	\$26,300	1%
3M TAX INCREMENT FINANCING	\$650,000	20%
<b>TOTAL FUNDING</b>	<b>\$3,194,800</b>	<b>100%</b>

**RECOMMENDATION**

It is recommended that the city council approve the attached resolution for the 2012 Mill and Overlays, City Project 11-15, Accepting the Assessment Roll and Ordering the Assessment Hearing.

Attachments

1. Resolution Accepting Assessment Roll and Ordering Assessment Hearing
2. Location Map
3. Pending Assessment Roll

RESOLUTION  
ACCEPTING ASSESSMENT ROLL AND ORDERING ASSESSMENT HEARING

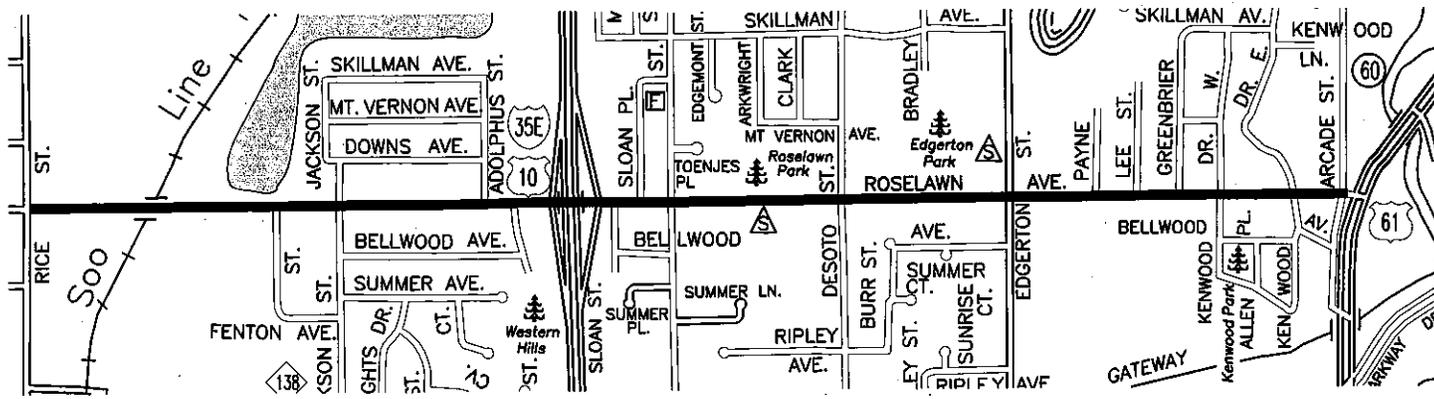
WHEREAS, the clerk and the city engineer have, at the direction of the council, prepared an assessment roll for the 2012 Mill and Overlays, City Project 11-15, and the said assessment roll is on file in the office of the city engineer.

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

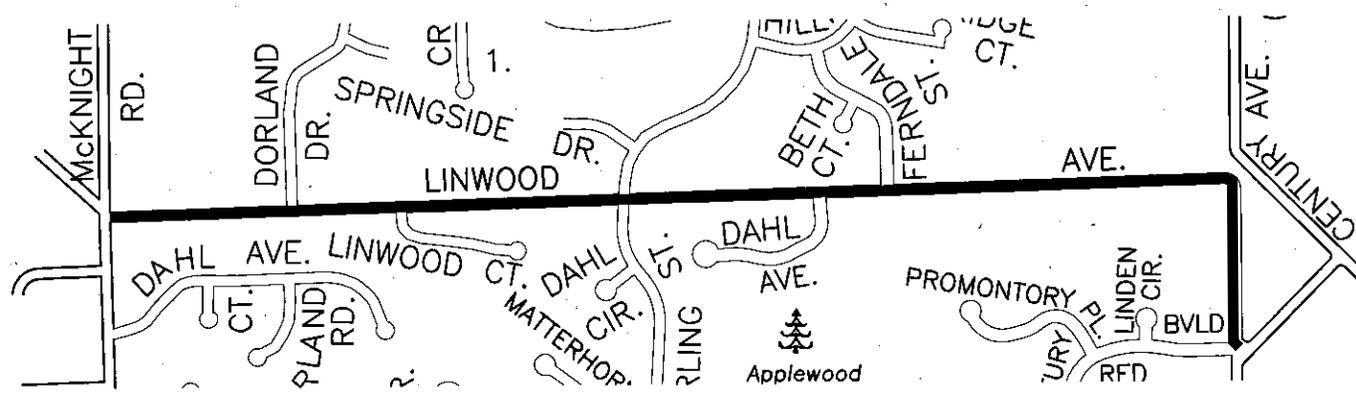
1. A hearing shall be held on the 9th day of April 2012, at the city hall at 7:00 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The city clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published in the official newspaper, at least two weeks prior to the hearing, and to mail notices to the owners of all property affected by said assessment.

The notice of hearing shall state the date, time and place of hearing, the general nature of the improvement the area to be assessed, that the proposed assessment roll is on file with the clerk and city engineer and that written or oral objections will be considered.

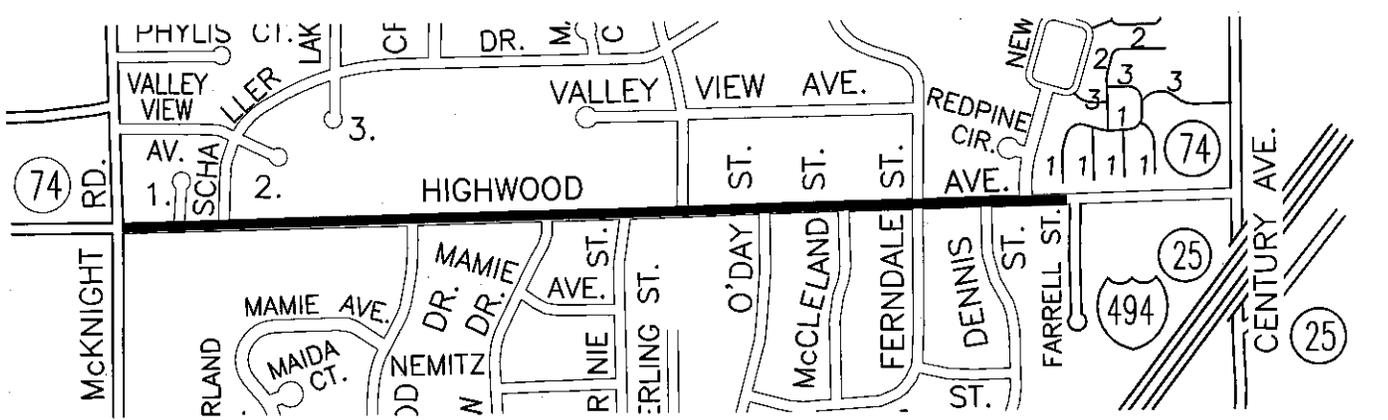
# ROSELAWN AVENUE



# LINWOOD AVENUE



# HIGHWOOD AVENUE

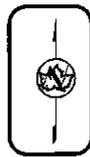


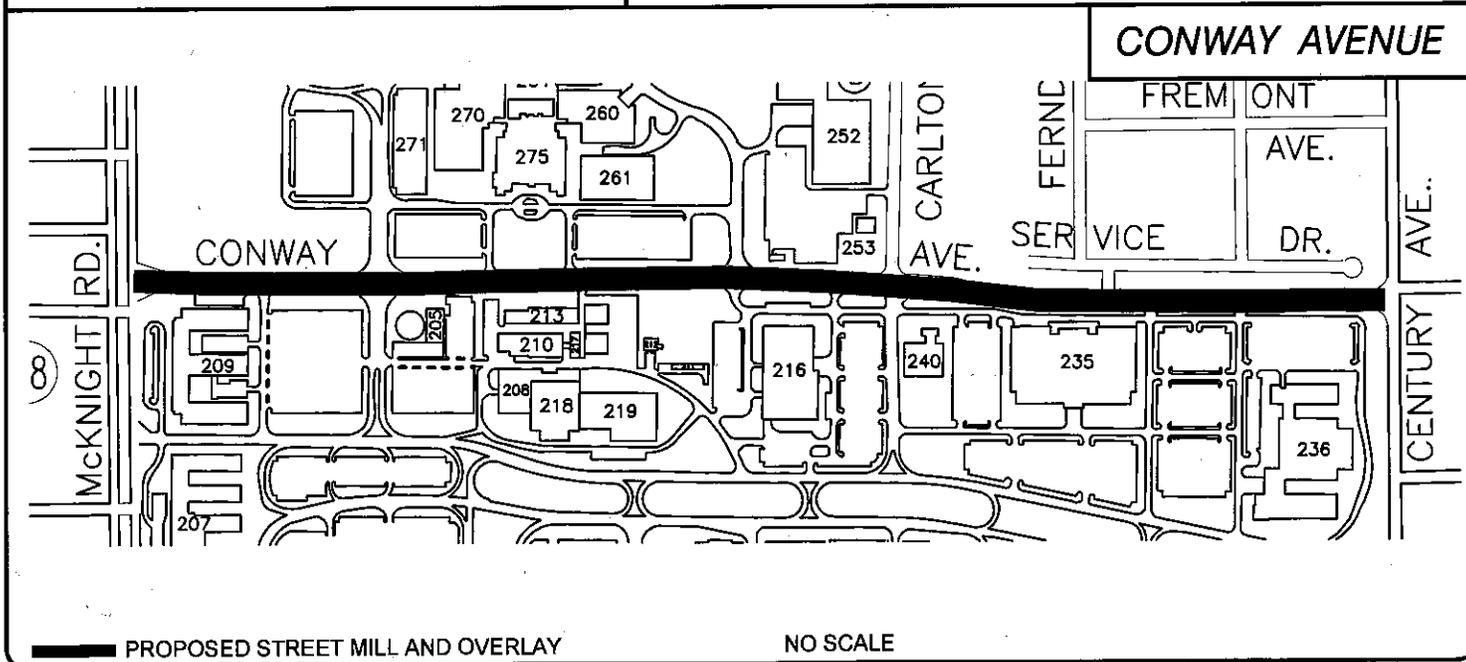
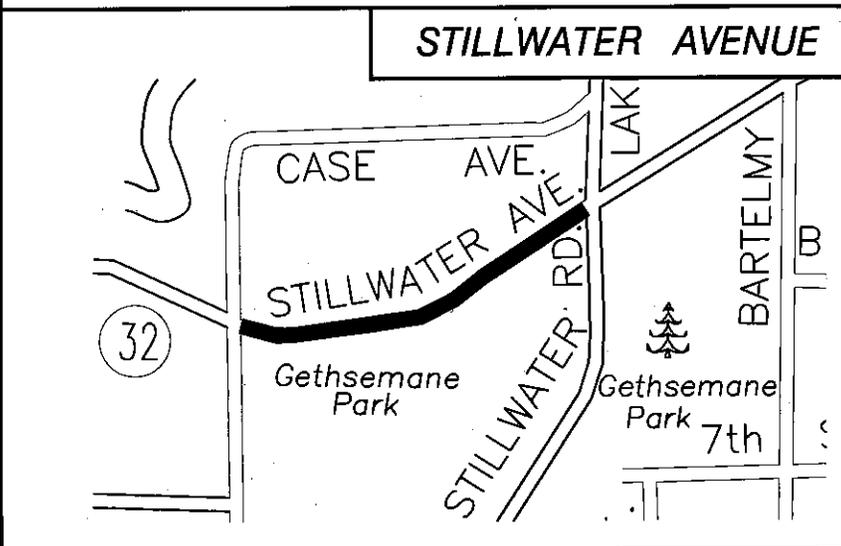
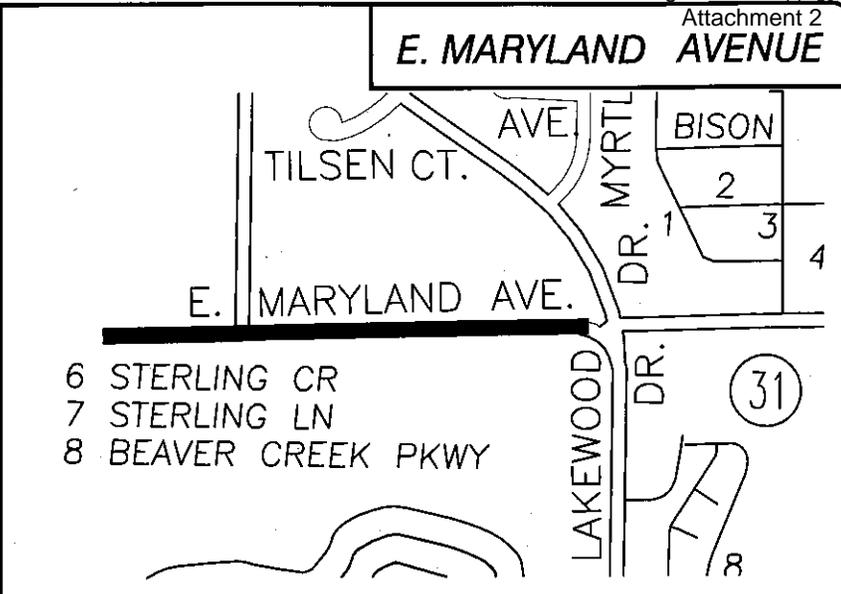
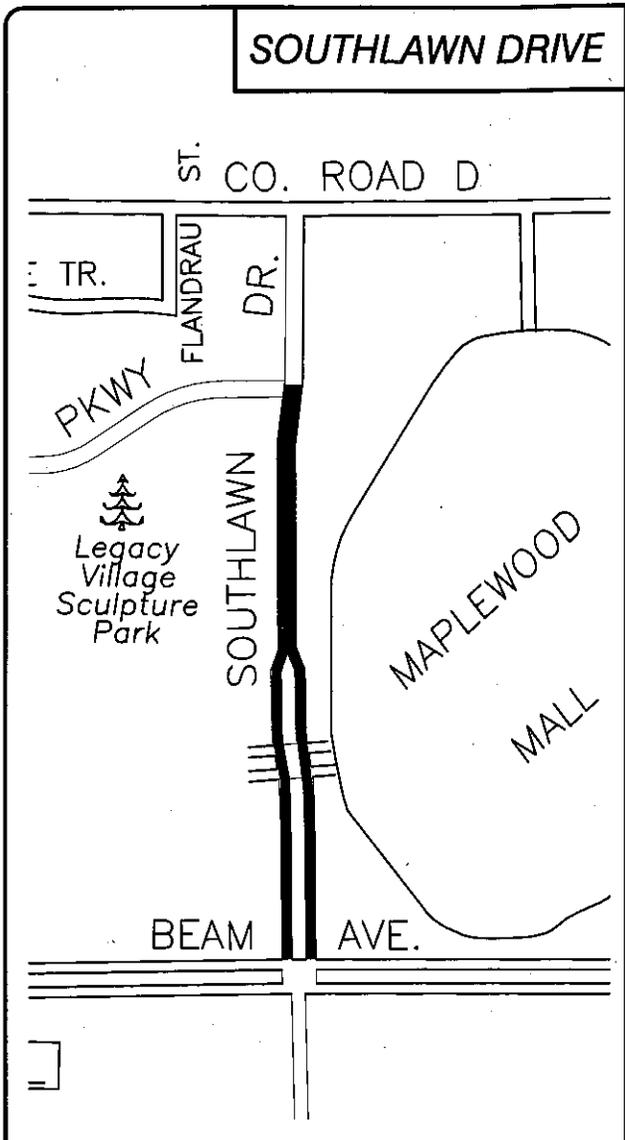
PROPOSED STREET MILL AND OVERLAY

NO SCALE

## Capital Improvement Project for 2012

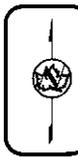
2012 Mill and Overlays  
City Project 11-15





PROPOSED STREET MILL AND OVERLAY NO SCALE

**Capital Improvement Project for 2012**  
 2012 Mill and Overlays  
 City Project 11-15



PENDING ASSESSMENT ROLL  
2012 MILL AND OVERLAYS - CITY PROJECT 11-15

Notes	Parcel ID	Tax Payer	Street Number	Street	Commercial L.F.	Units	Mill & Overlay Assessment	Total Assessment
<b>HIGHWOOD AVENUE</b>								
	132822230053	ALAN C SARGENT	2339	HIGHWOOD AVE		1	\$2,000.00	\$2,000.00
	132822240005	IND SCHOOL DIST NO 622	0	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822320010	DANIEL J ENGA	2270	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822230009	MAGDALYN CUNNINGHAM	2275	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822320009	SCOTT A NELSON	2280	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822320008	CHARLES M FADER	2292	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822320073	MICHAEL P STREFF	2296	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822320074	FUE VUE	2300	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822230050	KENNETH MAHONEY	2315	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822230051	ANGELA N IKERI	2321	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822230060	LEE PAO XIONG	2322	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822230052	ROGER T NELSON	2329	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822320075	MARK L STAPLETON	2336	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822320076	SCOTT HUSNICK	2344	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822230005	KEVIN W MOORE	2345	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822320003	PAUL KAUFENBERG	2348	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822320002	MICHAEL B BRAZIL	2350	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822230004	ANN E SYVERSON	2355	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822230003	TOM MOOSBRUGGER	2361	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822230002	RICHARD A ORSELLO	2371	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822320077	EUGENE P HUSNICK	2374	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822240002	CHARLES H PLUMMER	2385	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822240099	RUSSEL SPERMBAUER	2401	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822310080	JAMES A FISCHER	2406	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822240098	WILLIAM C POPPERT	2433	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822310016	GREGORY J WALKER	2446	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822310015	SANDRA R LEWIS	2450	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822240023	BEE THAO	2465	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822240006	JEFFREY E NIELSEN	2475	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822310067	DOUA LEE	2492	HIGHWOOD AVE E		5	\$2,000.00	\$10,000.00
	132822240007	JOHN R ROEDLER	2495	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822240008	SARKIS DJERDJIAN	2501	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822130005	DAVID A BJORK	2511	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822130004	FEDERAL NATIONAL MORTGAGE ASSO	2519	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822130003	MARGARET G ENGSTROM	2525	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822130031	KIMBERLY L KNIPPENBERG	2539	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822130030	LEE R FOSTER	2549	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822130002	C RICHARD KASTNER	2585	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822130089	WILLIAM E BRUHN	2611	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822410012	EARL R CHAPMAN	2660	HIGHWOOD AVE E		1	\$2,000.00	\$2,000.00
<b>LINWOOD AVENUE</b>								
	132822210081	CRAIG D RHODE	2442	LINWOOD AVE		1	\$2,000.00	\$2,000.00
	132822210082	STEVEN E ALBRECHT	2454	LINWOOD AVE		1	\$2,000.00	\$2,000.00
	132822220010	MAUREEN M WEISMAN	2262	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822220009	LEIF C MADSON	2278	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822220008	TCHENG YANG	2294	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822220007	THOMAS J PERZICHILLI	2300	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822330077	V GEORGE OXFORD	2305	LINWOOD AVE E		3	\$2,000.00	\$6,000.00
	132822220039	TONY J JOHNSON	2308	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822330078	STEFAN IFKEWITSCH	2313	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822220040	DOUGLAS J LASKA	2314	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822220005	JANICE L AURELIUS	2324	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822330079	CHRIS MASON	2325	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822220004	JERRY A HARRIGAN	2336	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822220003	ROBERT E HANSON	2342	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822330090	LESTER W LANGE	2349	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822220002	STEVEN A KRUEGER	2350	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822220073	XIA LOR VANG	2358	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822330091	XIA L VANG	2359	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822330092	DOMINADOR J ALOJADO	2369	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822330184	DANIEL TSEGAI	2371	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822330185	JUDITH M GERVAIS	2373	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822340069	CHERYL R STAHNKE	2383	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822340070	THOMAS LEE VAN HEEL	2401	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822340077	GABRIEL CLENDENEN	2413	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822340006	FREDERICK E NAZARIAN	2425	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822340071	KIRK A HUGO	2437	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822340054	HUE MOUA	2445	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822340055	KENNETH G HAIDER	2453	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822210084	MATTHEW G MCCOLLOU	2460	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	122822340056	CAROL H BATTEY	2461	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822210086	KRISTEN M SYRDAL	2480	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822120001	BARBARA M DEMPSEY	2616	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822110018	JOHN E GREGERSON	2622	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822110024	DARROYL R HANSON	2632	LINWOOD AVE E		1	\$2,000.00	\$2,000.00

Notes	Parcel ID	Tax Payer	Street Number	Street	Commercial L.F.	Units	Mill & Overlay Assessment	Total Assessment
	132822110020	JOHN C EATON	2660	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822110021	GEORGE M ANDERSON	2670	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822110007	BRIAN D HERIAN	2680	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822110006	FEDERAL HOME LOAN MTG ASSN	2688	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822110005	ALIX M THEISSEN	2698	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
	132822110004	THEODORE SELBITSCHKA	2710	LINWOOD AVE E		1	\$2,000.00	\$2,000.00
<b>CONWAY AVENUE</b>								
	362922130019	DENCO AUTOMOTIVE INC	2545	CONWAY AVE E	168.84	0	\$40.00	\$6,753.60
***	362922240002	3M COMPANY	2301	MCKNIGHT RD N	8106.17	0	SEE NOTE BELOW	\$371,164.52
<b>STILLWATER AVENUE</b>								
	252922320015	WILLIAM B ROBBINS	2277	STILLWATER AVE E		1	\$2,000.00	\$2,000.00
	252922320030	BEAVER LK EVANG LUTH CHURCH	2280	STILLWATER AVE E	617.89	0	\$32.50	\$20,081.43
	252922320016	LOUIS W HOPKINS JR	2293	STILLWATER AVE E		1	\$2,000.00	\$2,000.00
	252922320017	DENNIS M DANICH	2307	STILLWATER AVE E		1	\$2,000.00	\$2,000.00
	252922320029	BIGOS SILVER RIDGE LLC	2330	STILLWATER AVE E	723.75	0	\$40.00	\$28,950.00
	252922320026	MICHAEL T DELANEY	2351	STILLWATER AVE E		1	\$2,000.00	\$2,000.00
	252922320028	JAMES D FARRELL	2361	STILLWATER AVE E		1	\$2,000.00	\$2,000.00
	252922320027	WILLIAM J RUTHERFORD	2341	STILLWATER RD E		1	\$2,000.00	\$2,000.00
<b>MARYLAND AVENUE</b>								
	242922330017	GARY J SALKOWICZ	2299	MARYLAND AVE E		1	\$2,000.00	\$2,000.00
	242922330019	MARVIN M WOLF	2307	MARYLAND AVE E		1	\$2,000.00	\$2,000.00
	242922330022	RUSSELL A NIEZGOCKI	2313	MARYLAND AVE E		1	\$2,000.00	\$2,000.00
	242922330021	WALTER R JENSEN	2319	MARYLAND AVE E		1	\$2,000.00	\$2,000.00
	242922330009	TIMOTHY J OKEEFE	2325	MARYLAND AVE E		1	\$2,000.00	\$2,000.00
	242922330010	JASON L JUETTEN	2335	MARYLAND AVE E		1	\$2,000.00	\$2,000.00
	242922330011	JOHN G WYKOFF	2345	MARYLAND AVE E		1	\$2,000.00	\$2,000.00
	242922330052	DAKOTA COMMUNITIES	2355	MARYLAND AVE E		1	\$2,000.00	\$2,000.00
	242922330053	PATRICK H WALTERS	2365	MARYLAND AVE E		1	\$2,000.00	\$2,000.00
<b>ROSELAWN AVENUE</b>								
	182922130001	ALVIN C LINDNER	1928	ADOLPHUS ST N		1	\$2,000.00	\$2,000.00
	172922410001	KELLER LAKE APARTMENTS LLC	1915	ARCADE ST	139	0	\$25.00	\$3,475.00
	172922140081	KELLER LAKE AUTO REPAIR INC	1925	ARCADE ST	52.29	0	\$49.00	\$2,562.21
	172922140080	FRANKLIN P MICHAEL	1933	ARCADE ST		1	\$2,000.00	\$2,000.00
	172922320001	ROSOTO LLP	1901	DESOTO ST N	293.23	0	\$25.00	\$7,330.75
	172922420001	FOREST LAWN MEMORIAL PK ASN	1800	EDGERTON ST N	1470.15	0	\$40.00	\$58,806.00
	172922310001	GARRETT S KRAMER	1855	EDGERTON ST N		1	\$2,000.00	\$2,000.00
	172922420026	IND SCHOOL DIST NO 623	1929	EDGERTON ST N	435.6	0	\$40.00	\$17,424.00
	172922130059	DONALD V KORTUS	1930	EDGERTON ST N		1	\$2,000.00	\$2,000.00
	172922140082	JAMES R WARREN	1931	KENWOOD DR E		1	\$2,000.00	\$2,000.00
	172922320005	ANDREW N D PIONTEK	1912	MCMENEMY ST N		0.5	\$2,000.00	\$1,000.00
	182922320025	337 GROUP COMPANY LLC	1870	RICE ST	507.39	0	\$49.00	\$24,862.11
	182922320028	P & B INVESTMENTS LLC	1908	RICE ST	138.47	0	\$40.00	\$5,538.80
	182922320018	ALICE M ZITTEL	1958	RICE ST	700.28	0	\$40.00	\$28,011.20
	172922320056	KATHLEEN R DELANEY	0	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922310025	NATASHA N CARDINAL	42	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922310004	GARY T TIERNEY	70	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922310003	LINDA L DEHAVEN VANPATTEN	78	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420019	KEVIN D MORSE	81	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922310002	DOUGLAS J MEWHORTER	86	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420018	JOSEPH W JUNEAU	87	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420015	JOHN P STRANTZ	112	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922130100	KERRY L KAPAUN	113	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420014	DEBORAH I HUDOBA	120	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922130101	ANGELA B DWYER	121	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420013	DEUTSCHE BANK NATIONAL TRUST C	128	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922130102	DENISE L ANDERSON	129	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420012	WAYNE WELDON	134	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922130103	ALBERT B NIETERS	135	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420011	RAYMOND L MILLER	142	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922130104	DEBORAH A SAMAC	143	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420010	VICKI M KENNEDY	150	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922130105	JACQUELINE ROSE AMLLOTTE	151	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420009	NEIL A PETERSEN	156	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922130106	JOHN W WROBLESKI	157	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420008	ROSE MARIE SCHWAGEL	162	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922130107	TIFFANY A CORK	163	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420007	BERNARD CRAIG	170	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922130108	MICHELLE L SWENSON	171	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420006	EUGENE E VANNESS	176	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922130109	VALERIE L JENNINGS	177	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420005	RICHARD J CONRAD	184	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922130110	WILLIAM C ROSS	185	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420004	MIKE D NAGAN	192	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922130111	MOLLY FEE	193	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420003	DANIEL LOUIS LIEDER	200	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420002	HELIODORO SARINANA	206	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922420001	WANGMENG T XIONG	216	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922140014	ST PAUL BUSINESS CENTER INVST	225	ROSELAWN AVE E	48	0	\$49.00	\$2,352.00

Notes	Parcel ID	Tax Payer	Street Number	Street	Commercial L.F.	Units	Mill & Overlay Assessment	Total Assessment
	182922140008	UPPER MIDWEST HOSPITALITY INC	305	ROSELAWN AVE E	234.8	0	\$25.00	\$5,870.00
	182922410005	BAO K YANG	306	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922410004	JAMES HILL	314	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922410003	NAPOLEON H BRUNEAU	320	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922140007	ST PAUL AREA BOARD REALTORS	325	ROSELAWN AVE E	190	0	\$25.00	\$4,750.00
	182922410002	JOHN C THOMAS	328	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	182922410001	DONALD L ZETTEL	334	ROSELAWN AVE E		0.5	\$2,000.00	\$1,000.00
	172922230057	DESOTO ASSOCIATES LP	375	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922320004	CHURCH OF ST JEROME	380	ROSELAWN AVE E	812.45	0	\$32.50	\$26,404.63
	172922320060	MAURICE P SCHNEIDER	443	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922240025	KATE H EDREY	471	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922310009	CAROL DUPRE	474	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922240012	W M STADLER	477	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922240013	ELIZABETH A WAGNER	487	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922240014	RICK D ERLANDSON	495	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922310008	PAUL WILLIAM NOLAN	498	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922310007	ROBERT L ALLEN	500	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922240015	CHRISTINE LOCKE	501	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922240016	ROGER S LARSON	509	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922310006	DANIEL J POWERS	510	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922240017	KENNETH F CONWAY	515	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922310005	DAVID R QUARLES	520	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922240018	RICHARD M JANKE	521	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922240019	NORA L THIGPEN	527	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922240020	JULEE M DWE	535	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922310094	EVANGELICAL LUTHERAN GOOD	550	ROSELAWN AVE E	475	0	\$49.00	\$23,275.00
	172922130060	NATHAN L AASNESS	605	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922130061	THOMAS M LUNDBERG	615	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922130036	PAUL A THOLE	659	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922130014	ROGER F CREWS	687	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922140038	RICHARD D PIERRE	707	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922140039	ADAN IBARRA RAMOS	715	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922410039	RICHARD C PERSON	722	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922410011	LINNEA KOLESAR	740	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922140051	TIMOTHY JENSEN	741	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922410010	SANDRA S SHEARER	748	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922410009	GREGORY A MCCREARY	750	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922140052	RONALD J NELSON	751	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922140053	REBECCA L NILSESTUEN	755	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922410008	KENNETH P CRIPPEN	762	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922140054	GREGORY A REESE	763	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922140055	NOEL L DUNN	767	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922410007	STEPHEN M MARKERT	768	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922410006	MARK KINSTLER	774	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922140079	LAURA M SWENSON	795	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
	172922410003	ANNETTE M GARBERS	800	ROSELAWN AVE E		1	\$2,000.00	\$2,000.00
<b>SOUTHLAWN DRIVE</b>								
**	032922140015	CW BIRCH RUN LLC	1715	BEAM AVE E	<b>892.33</b>	0	\$49.00	\$43,724.17
**	032922140006	CW BIRCH RUN LLC	1719	BEAM AVE E	<b>52.55</b>	0	\$49.00	\$2,574.95
**	032922140013	JACOB BROTHERS MOUNDSVIEW LLC	1745	BEAM AVE E	<b>63.89</b>	0	\$49.00	\$3,130.61
**	032922140016	PARK SHORE INCORPORATED	1747	BEAM AVE E	<b>93.77</b>	0	\$49.00	\$4,594.73
**	032922140008	GENERAL MILLS INC	1749	BEAM AVE E	<b>84.84</b>	0	\$49.00	\$4,157.16
**	032922140011	MCDONALDS REAL ESTATE CO	2935	SOUTHLAWN DR N	<b>37.09</b>	0	\$49.00	\$1,817.41
**	022922220007	MAY DEPT STORES CO	3001	WHITE BEAR AVE N	<b>202.66</b>	0	\$49.00	\$9,930.34
**	022922220008	MAINSTREET RETAIL STORES INC	3001	WHITE BEAR AVE N	<b>89.16</b>	0	\$49.00	\$4,368.84
**	022922230003	SEARS ROEBUCK AND CO	3001	WHITE BEAR AVE N	<b>266.16</b>	0	\$49.00	\$13,041.84
**	022922230007	JCPENNEY PROPERTIES INC	3001	WHITE BEAR AVE N	<b>100</b>	0	\$49.00	\$4,900.00
**	022922230010	MAPLEWOOD MALL ASSOC LP	3001	WHITE BEAR AVE N	<b>649.63</b>	0	\$49.00	\$31,831.87
**	022922220010	PERCY POONIWALA	3030	SOUTHLAWN DR N	<b>127.38</b>	0	\$49.00	\$6,241.62
TOTALS =					17772.77	182	<b>TOTAL =</b>	<b>\$1,131,924.78</b>

ASSESSMENT RATES:

RESIDENTIAL - MILL & OVERLAY RATE = \$2,000.00 PER UNIT

COMMERCIAL L.F. - MILL & OVERLAY RATE = VARIES

NOTE: THE ABOVE ASSESSMENT RATE IS PER THE CITY OF MAPLEWOOD SPECIAL ASSESSMENT POLICY

**\*\*BOLD = MALL LOTS USING PRORATED METHOD**

**PRORATED METHOD = [(FRONTAGE OF SOUTHLAWN DRIVE) x (LOT AREA / TOTAL MALL AREA)**

**\*\*\* FORMULA FOR ASSESSMENT OF 3M PROPERTY - PID NUMBER 362922240002**

SOUTH SIDE OF CONWAY AVENUE = 5,213.08 L.F. X \$49.00 PER L.F. = \$255,440.92

NORTH SIDE OF CONWAY AVENUE = 2,893.09 L.F. X \$40.00 PER L.F. = \$115,723.60

**TOTAL PROPOSED ASSESSMENT AMOUNT = \$371,164.52**

## AGENDA REPORT

**TO:** James Antonen, City Manager  
**FROM:** Michael Thompson, Dep. Public Works Director/ City Engineer  
**SUBJECT:** **TH 120 / Innovation Blvd Signal Improvement, City Project 12-01, Consider Approval of Cooperative Agreement with Mn/DOT**  
**DATE:** February 16, 2012

### INTRODUCTION

The council will consider approving a cooperative agreement with Mn/DOT for the Mn/DOT led improvements slated for TH 120 generally between Innovation Blvd and I-94, City Project 12-01.

### BACKGROUND

Over the past decade various improvements have been explored to address the high number of crashes that occur at the intersection of Highway 120 and Hudson Boulevard. The majority of crashes are the right-angle type with those most susceptible being vehicles exiting Hudson Boulevard frontage road making a through or left turn movement.

Because this intersection has been consistently on Mn/DOT's statewide top 200 list for intersections with high crash rates the problem must be addressed.

### DISCUSSION

The proposed improvements include:

- Changes to the Highway 120/ Hudson Blvd intersection from full access to a three quarter access (There would be no change entering Hudson Blvd from Highway 120, however all vehicles exiting Hudson Blvd on to Highway 120 would be required to make a right out).
- Addition of an auxiliary lane from Innovation Blvd onto southbound Highway 120 to the freeway ramp.
- Mill and overlay of Highway 120 from just north of Innovation Blvd down to Brookview Drive.
- Replacement and revision of traffic signals within project limits.

While the project has many benefits, the city of Landfall has conveyed concerns to Mn/DOT about the loss of full access to Highway 120. If a motorist from Landfall wants to access the freeway or head southbound on Highway 120 a U-turn movement would be required at Innovation Blvd. Drivers would need to drive a short distance to the north to then head southbound. This is a much safer movement than currently exists.

Mn/DOT has stated its intent to improve the turning radius for that U-turn movement and also to make it a protected movement (green arrow).

### PROJECT BUDGET

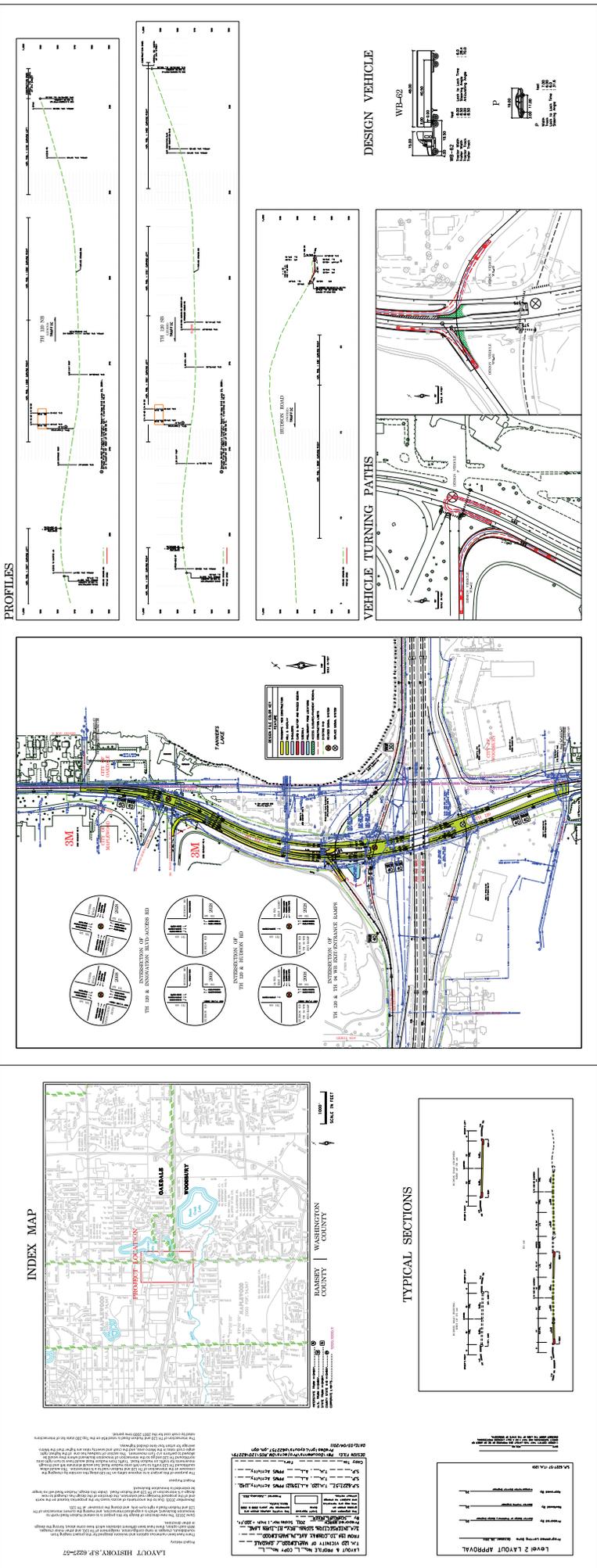
The project budget is \$1.7 million with a city municipal state aid share of just under \$24,000.

## **RECOMMENDATION**

It is recommended that the city council adopt the attached resolution ratifying the approval of Cooperative Agreement 00708R with Mn/DOT for funding purposes of the Highway 120 / Innovation Blvd signal improvement project. Changes are authorized if made or approved by the City Attorney.

Attachments:

1. Project Map
2. Resolution
3. Cooperative Agreement 00708



**CITY OF MAPLEWOOD**

**RESOLUTION**

IT IS RESOLVED that the City of Maplewood enter into Mn/DOT Agreement No. 00708R with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the City to the State of the City 's share of the costs of the Traffic Control Signal construction and other associated construction to be performed on Trunk Highway No. 120 (Century Avenue) at Innovation Boulevard (3M Road)(formerly Hastings Avenue); and for installation of Interconnect on Trunk Highway No. 120 from Trunk Highway No. 94, South Ramps, to Trunk Highway No. 94, North Ramps, and from Trunk Highway No. 94, North Ramps, to Innovation Boulevard (3M Road) ) (formerly Hastings Avenue)within the corporate City limits of Maplewood under State Project No. 6227-57, State Aid Project No. 138-010-020, and City Project No. 12-01 (T.H. 120=117)

IT IS FURTHER RESOLVED that the \_\_\_\_\_ and the \_\_\_\_\_  
(Title) are authorized to execute the Agreement and any amendments to the Agreement.  
(Title)

**CERTIFICATION**

I certify that the above Resolution is an accurate copy of the Resolution adopted by the Council of the City of Maplewood at an authorized meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2012, as shown by the minutes of the meeting in my possession.

Subscribed and sworn to before me this _____ day of _____, 2012
Notary Public _____
My Commission Expires _____
NOTARY STAMP

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
(Title)

**STATE OF MINNESOTA  
DEPARTMENT OF TRANSPORTATION  
And  
CITY OF MAPLEWOOD  
TRAFFIC CONTROL SIGNAL AGREEMENT**

<b>State Project Number (SP):</b> <u>6227-57</u> <b>Trunk Highway Number (TH):</b> <u>120=117</u> <b>State Project Number (SP):</b> <u>138-010-020</u> <b>City Project:</b> <u>12-01</u> <b>Signal System ID</b> <u>21432</u>	<b>Total City Obligation</b> <u>\$118,419.30</u>  <b>Anticipated Federal Aid</b> <u>\$94,735.44</u>  <b>City Non-Federal Aid</b> <u>\$23,683.86</u>
---	--

This Agreement is between the State of Minnesota, acting through its Commissioner of Transportation ("State") and the City of Maplewood acting through its City Council ("City").

**Recitals**

1. The State will remove the existing Traffic Control Signal and install a new Traffic Control Signal with Street Lights and Signing ("Signal System"), on Trunk Highway No. 120 (Century Avenue) at Innovation Boulevard (3M Road)(formerly Hastings Avenue); and install Interconnect on Trunk Highway No. 120 from Trunk Highway No. 94, South Ramps, to Trunk Highway No. 94, North Ramps, and from Trunk Highway No. 94, North Ramps, to Innovation Boulevard (3M Road ) (formerly Hastings Avenue) in the City of Maplewood, Ramsey County, Minnesota, according to State-prepared plans, specifications and special provisions designated by the State as State Project No. 6227-57, State Aid Project No. 138-010-020, and City Project No. 12-01 (T.H. 120=117) ("Project"); and
2. The State will install an Emergency Vehicle Pre-emption System ("EVP System") and Accessible Pedestrian Signals ("APS") as part of the new Signal System; and
3. The State will furnish the following items: one (1) traffic control signal cabinet and controller, one (1) Malfunction Management Unit (MMU), one (1) Ethernet Switch (Ruggedcom RS900G-HI-P-2SFF), one (1) PTZ IP Camera (Infinoa v-1492N-M) with adaptor plate, one (1) SFP Module, one (1) Camera Mount (Pelco PM2010), one (1) Camera Power Supply (Pelco WCS1-4), one (1) power cord, patch cable, and Ethernet jumper, and two (2) 5-section cluster signal indications, ("State Furnished Materials"), according to the Project Plans, to operate the Signal System covered under this Agreement; and
4. The City wishes to participate in the costs of the Signal System, APS, EVP System and Interconnect construction, State Furnished Materials lump sum amounts and associated construction engineering; and
5. The federally eligible City participation construction and associated construction engineering will be reduced by the amount of Federal aid funding received for said construction; and
6. The City and the State will participate in the operation and maintenance of the new Signal System, APS, EVP System and Interconnect.
7. Minnesota Statutes § 161.20, subdivision 2 authorizes the Commissioner of Transportation to make arrangements with and cooperate with any governmental authority for the purposes of constructing, maintaining and improving the trunk highway system.

## Agreement

### 1. Term of Agreement; Survival of Terms; Plans

- 1.1. *Effective date.* This Agreement will be effective on the date the State obtains all signatures required by Minnesota Statutes § 16C.05, subdivision 2.
- 1.2. *Expiration date.* This Agreement will expire when all obligations have been satisfactorily fulfilled.
- 1.3. *Survival of terms.* All clauses which impose obligations continuing in their nature and which must survive in order to give effect to their meaning will survive the expiration or termination of this Agreement, including, without limitation, the following clauses: 8. Liability; Worker Compensation Claims; 10. State Audits; 11. Government Data Practices; 12. Governing Law; Jurisdiction; Venue; and 14. Force Majeure. The terms and conditions set forth in Article 3. Signal System and EVP System Operation and Maintenance will survive the expiration of this Agreement, but may be terminated by another Agreement between the parties.
- 1.4. *Plans, Specifications, Special Provisions.* Plans, specifications and special provisions designated by the State as State Project No. 6227-57, State Aid Project No. 138-010-020, and City Project No. 12-01 (T.H. 120=117) are on file in the office of the Commissioner of Transportation at St. Paul, Minnesota, and incorporated into this Agreement by reference. ("Project Plans")
- 1.5. *Exhibits.* Preliminary Schedule "I" is on file in the office of the City Engineer and incorporated into this Agreement by reference.

### 2. Construction by the State

- 2.1. *Contract Award.* The State will advertise for bids and award a construction contract to the lowest responsible bidder according to the Project Plans.
- 2.2. *Direction, Supervision and Inspection of Construction.* The State will direct and supervise all construction activities performed under the construction contract, and perform all construction engineering and inspection functions in connection with the contract construction. All contract construction will be performed according to the Project Plans.
- 2.3. *Plan Changes, Additional Construction, Etc.*
  - A. The State will make changes in the Project Plans and contract construction, which may include the City participation construction covered under this Agreement, and will enter into any necessary addenda, change orders and supplemental agreements with the State's contractor that are necessary to cause the contract construction to be performed and completed in a satisfactory manner. The State District Engineer's authorized representative will inform the appropriate City official of any proposed addenda, change orders and supplemental agreements to the construction contract that will affect the City participation construction covered under this Agreement.
  - B. The City may request additional work or changes to the work in the plans as part of the construction contract. Such request will be made by an exchange of letter(s) with the State. If the State determines that the requested additional work or plan changes are necessary or desirable and can be accommodated without undue disruption to the Project, the State will cause the additional work or plan changes to be made.
- 2.4. *Satisfactory Completion of Contract.* The State will perform all other acts and functions necessary to cause the construction contract to be completed in a satisfactory manner.

### 3. Signal System and EVP System Operation and Maintenance

All operation and maintenance terms, including timing and power provisions, in Traffic Control Signal Agreement No. 62399, dated February 1, 1985, for the existing traffic control signal on T.H. 120 (Century Avenue) at Innovation Boulevard (3M Road)(formerly Hastings Avenue) will remain in full force and effect.

3.1. *Right of Way Access.* Each party authorizes the other party to enter upon their respective public right of way to perform the maintenance activities described in this Agreement.

#### 4. Basis of City Cost

4.1. *SCHEDULE "I".* The Preliminary SCHEDULE "I" includes all anticipated City participation construction items, State Furnished Materials lump sum amounts and the construction engineering cost share covered under this Agreement, and is based on engineer's estimated unit prices.

4.2. *City Participation Construction.* The City will participate in the following at the percentages indicated. It is anticipated that Federal aid funding will be available to the City as defined below. The City will be billed for the match of their cost participation as shown in the Schedule "I". City costs will include an amount equal to all anticipated Federal aid funding not applied to the federally eligible City participation construction, State Furnished Materials and associated construction engineering.

A. 50 Percent will be the City's rate of cost participation for the Signal System, APS, EVP System and State Furnished Materials on T.H. 120 (Century Avenue) at Innovation Boulevard (3M Road)(formerly Hastings Avenue). Federal aid funds will be applied at a rate of 80 Percent.

B. 50 Percent will be the City's rate of cost participation for State Furnished Materials on T.H. 120 (Century Avenue) at Innovation Boulevard (3M Road) (formerly Hastings Avenue). Federal aid funds will be applied at a rate of 80 Percent.

C. 12.50 Percent will be the City's rate of cost participation for Interconnect on Trunk Highway No. 120 from Trunk Highway No. 94, South Ramps, to Trunk Highway No. 94, North Ramps, to Innovation Boulevard (3M Road). Federal aid funds will be applied at a rate of 80 Percent.

4.3. *Construction Engineering Costs.* The City will pay a construction engineering charge equal to 8 percent of the total City participation construction covered under this Agreement.

4.4. *Plan Changes, Additional Construction, Etc.* The City will share in the costs of construction contract addenda, change orders and supplemental agreements that are necessary to complete the City participation construction covered under this Agreement, including any City requested additional work and plan changes.

The State reserves the right to invoice the City for the cost of any additional City requested work and plan changes, construction contract addenda, change orders and supplemental agreements, and associated construction engineering before the completion of the contract construction.

#### 5. City Cost and Payment by the City

5.1. *City Cost.* ~~\$23,683,86~~ is the City's estimated share of the costs of the contract construction and State Furnished Materials, including Federal aid, and the 8 percent construction engineering cost share as shown in the Preliminary SCHEDULE "I". The Preliminary SCHEDULE "I" was prepared using estimated quantities and unit prices, and may include any credits or lump sum costs. Upon award of the construction contract, the State will prepare a Revised SCHEDULE "I" based on construction contract unit prices.

5.2. *Conditions of Payment.* The City will pay the State the full and complete lump sum amount, minus anticipated City Federal aid, as shown in the Revised SCHEDULE "I", after the following conditions have been met:

A. Execution of this Agreement and transmittal to the City, including a copy of the Revised SCHEDULE "I".

B. The City's receipt of a written request from the State for the advancement of funds.

5.3. *Acceptance of the City's Cost and Completed Construction.* The computation by the State of the amount due from the City will be final, binding and conclusive. Acceptance by the State of the completed contract construction will be final, binding and conclusive upon the City as to the satisfactory completion of the contract construction.

**5.4. Final Payment, Additional City Requested Work**

Upon completion of all contract construction and upon computation of the final amount due the State's contractor and determination by the Federal Highway Administration of the amount of its reimbursement to the State, and only if additional work has been requested under Article 2.3.B of this Agreement, the State will prepare a Final SCHEDULE "I" and submit a copy to the City. The Final SCHEDULE "I" will be based on final quantities of any additional City requested participation construction items and the construction engineering cost share due to additional requested work. The Final SCHEDULE "I" will also include City/County costs in an amount equal to all Federal aid funding not applied to the federally eligible City/County participation construction, State Furnished Materials, and associated construction engineering. The computation by the State of the amount due from the City will be final, binding and conclusive.

**6. Authorized Representatives**

Each party's Authorized Representative is responsible for administering this Agreement and is authorized to give and receive any notice or demand required or permitted by this Agreement.

**6.1. The State's Authorized Representative will be:**

Name/Title: Allan Espinoza, Mn/DOT Metropolitan District Traffic Engineering, (or successor)  
Address: 1500 County Road B2 West, Roseville, MN 55113  
Telephone: (651) 234-7812  
Fax: (651) 234-7850  
E-Mail: allan.espinoza@state.mn.us

**6.2. The City's Authorized Representative will be:**

Name/Title: Michael Thompson, Maplewood City Engineer / Dep. Director of Public Works  
(or successor)  
Address: 1902 County Rd B East, Maplewood, MN 55109  
Telephone: (651) 249-2403  
Fax: (651) 249-2409  
E-Mail: michael.thompson@ci.maplewood.mn.us

**7. Assignment; Amendments; Waiver; Contract Complete**

- 7.1. **Assignment.** Neither party may assign or transfer any rights or obligations under this Agreement without the prior consent of the other party and a written assignment agreement, executed and approved by the same parties who executed and approved this Agreement, or their successors in office.
- 7.2. **Amendments.** Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Agreement, or their successors in office.
- 7.3. **Waiver.** If a party fails to enforce any provision of this Agreement, that failure does not waive the provision or the party's right to subsequently enforce it.
- 7.4. **Contract Complete.** This Agreement contains all prior negotiations and agreements between the State and the City. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

**8. Liability; Worker Compensation Claims**

- 8.1. Each party is responsible for its own acts, omissions and the results thereof to the extent authorized by law and will not be responsible for the acts and omissions of others and the results thereof. Minnesota Statutes § 3.736 and other applicable law govern liability of the State. Minnesota Statutes Chapter 466 and other applicable law govern liability of the City.

8.2. Each party is responsible for its own employees for any claims arising under the Workers Compensation Act.

**9. Nondiscrimination**

Provisions of Minnesota Statutes § 181.59 and of any applicable law relating to civil rights and discrimination are considered part of this Agreement.

**10. State Audits**

Under Minnesota Statutes § 16C.05, subdivision 5, the City's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the State and the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this Agreement.

**11. Government Data Practices**

The City and State must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided under this Agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the City under this Agreement. The civil remedies of Minnesota Statutes §13.08 apply to the release of the data referred to in this clause by either the City or the State.

**12. Governing Law; Jurisdiction; Venue**

Minnesota law governs the validity, interpretation and enforcement of this Agreement. Venue for all legal proceedings arising out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

**13. Termination.**

**13.1. *By Mutual Agreement.*** This Agreement may be terminated by mutual agreement of the parties.

**13.2. *Termination for Insufficient Funding.*** The State may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, or other funding source; or if funding cannot be continued at a level sufficient to allow for the performance of contract construction under the Project. Termination must be by written or fax notice to the City.

**14. Force Majeure**

Neither party will be responsible to the other for a failure to perform under this Agreement (or a delay in performance), if such failure or delay is due to a force majeure event. A force majeure event is an event beyond a party's reasonable control, including but not limited to, unusually severe weather, fire, floods, other acts of God, labor disputes, acts of war or terrorism, or public health emergencies.

[The remainder of this page has been intentionally left blank]

**CITY OF MAPLEWOOD**

The undersigned certify that they have lawfully executed this contract on behalf of the Governmental Unit as required by applicable charter provisions, resolutions or ordinances.

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**DEPARTMENT OF TRANSPORTATION**

Recommended for Approval:

By: \_\_\_\_\_  
(District Engineer)

Date: \_\_\_\_\_

Approved: \_\_\_\_\_

By: \_\_\_\_\_  
(State Design Engineer)

Date: \_\_\_\_\_

**COMMISSIONER OF ADMINISTRATION**

By: \_\_\_\_\_  
(With delegated authority)

Date: \_\_\_\_\_

**PRELIMINARY SCHEDULE "I"**  
**Agreement No. 00708**  
**City of Maplewood**

Preliminary: February 9, 2012

S.P. 6227-57 (T.H. 120)

S.P. 138-010-020

City Project 12-01

Federal Funds

Traffic control signal construction to start approximately June 1, 2012 under

State Contract No. \_\_\_\_\_ with \_\_\_\_\_

located on TH 120 (Century Ave) @ Innovation Blvd (3M Road) (formerly Hastings Avenue) in Maplewood

**CITY OF MAPLEWOOD TRAFFIC SIGNAL COST PARTICIPATION**

	Participating Costs	City Cost Participation Rates	Total City Obligation	Anticipated	
				Federal Aid	City Cost
2565.511 Traffic Control Signal System	\$164,000.00	50.0%	\$82,000.00	\$65,600.00	\$16,400.00
2565.601 Emergency Vehicle Pre-emption System	6,600.00	50.0%	3,300.00	2,640.00	660.00
State Furnished Materials - Signal System	41,695.00	50.0%	20,847.50	16,678.00	4,169.50
2565.601 Traffic Control Interconnection	28,000.00	12.5%	3,500.00	2,800.00	700.00
<b>Construction and State-Furnished Materials Subtotals</b>			<b>\$109,647.50</b>	<b>\$87,718.00</b>	<b>\$21,929.50</b>
Construction Engineering (8%)			8,771.80	7,017.44	1,754.36
<b>Totals (Construction, Lump sum State Furnished Materials + Construction Engineering)</b>			<b>(1) \$118,419.30</b>	<b>\$94,735.44</b>	<b>(2) \$23,683.86</b>

(1) Amount of total City obligation as described in Article 5 of the Agreement (Estimated amount)

(2) Amount of advance payment as described in Article 5 of the Agreement (Estimated amount)

## MEMORANDUM

**TO:** James Antonen, City Manager  
**FROM:** Steve Love, Assistant City Engineer  
**SUBJECT:** Authorize Waiver to Maplewood Purchasing Procedures to Allow for Contract Negotiation for Gethsemane Park Improvements, Bartelmy Meyer Improvements, City Project 11-14  
**DATE:** February 17, 2012

### INTRODUCTION

City Council will consider the authorization of a one-time waiver to the City of Maplewood purchasing procedure to allow the city to follow Minnesota Statutes for Contracts exceeding \$25,000 but not \$100,000 for the Gethsemane Park improvements. City staff will then negotiate final park improvements pricing and contract specifics and present that information to the City Council for final approval and financing options.

### BACKGROUND

On February 13, 2012, the City Council ordered the improvements for the Bartelmy Meyer Area Street Improvements, City Project 11-14. The Gethsemane Park playground equipment, installed in 1985, is outdated and is in need of replacement. The January 2012 feasibility study and report, prepared by the City's consultant, Kimley-Horn and Associates, Inc., estimates the proposed park improvements at \$100,000. The feasibility report also states that the park improvements will be bid as an alternate to the project and awarded based on the bid results and funding availability. City staff has reviewed the best methods for obtaining the most competitive quotations and quality park designs for the proposed playground improvements to ensure the best value for the City of Maplewood and its residents.

### DISCUSSION

#### State Uniform Municipal Contracting Law

Minnesota Statutes, section 471.345, subd. 4 (Uniform Municipal Contracting Law, Contracts exceeding \$25,000 but not \$100,000). If the amount of the contract is estimated to exceed \$25,000 but not to exceed \$100,000, the contract may be made either upon sealed bids or by direct negotiation, by obtaining two or more quotations for the purchase of sale when possible, and without advertising for bids or otherwise complying with the requirements of competitive bidding. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof.

#### City Purchasing Procedure

The city's current purchasing procedures require that the city utilize the sealed bid process for purchases over \$50,000, unless the purchase is through State Contract. The city's purchasing procedures currently allow for direct negotiation, by obtaining two or more quotations, for purchases over \$10,000 up to \$50,000.

The City's consultant and staff reviewed how to bid these improvements to best achieve the goals of best quality product, best product within a set budget, allow resident input, and allow Parks Commission input. Based on past park projects and the above goals the process must allow for the

solicitation of quotations from multiple qualified park contractors to be able to submit their best possible plan within a set budget. Staff will then be able to review the plans and negotiate the contract to ensure the above goals are met. This process will also allow staff to work with the residents and the Park Commission for input into the park design. Once a contractor and a park design have been chosen this item along with the rest of the Bartelmy Meyer Area Street Improvements, City Project 11-14 will be brought back before the City Council for approval.

In order for the City to proceed with the solicitation of quotations process the City Council must authorize a waiver to the city's purchasing policy. The one-time waiver would allow the city to solicit quotations and negotiate a contract pricing for the proposed park improvements. The pricing and contract would then come before the City Council for consideration of final approval as part of the award of contract agenda item for the Bartelmy Meyer Area Street Improvements, City Project 11-14. The city's consultant is currently preparing plans in preparation for bidding of this project. It is anticipated that the agenda item for the award of contract will be scheduled for a City Council meeting in May.

## **RECOMMENDATION**

Staff recommends that the City Council consider the authorization of a one-time waiver to the City of Maplewood purchasing procedure to allow the city to follow Minnesota Statutes for Contracts exceeding \$25,000 but not \$100,000 for the Gethsemane Park improvements. City staff will then negotiate final park improvements pricing and contract specifics and present that information to the City Council for final approval and financing options.

## MEMORANDUM

TO: James Antonen, City Manager  
FROM: Tom Ekstrand, Senior Planner  
Chuck Ahl, Assistant City Manager  
SUBJECT: **CarMax and Mogren Retail Addition – Annual Conditional Use Permit Review**  
LOCATION: Highway 61 and Beam Avenue  
DATE: February 9, 2012

### INTRODUCTION

The conditional use permit (CUP) review for the CarMax Automobile Dealership and the Mogren Retail Addition planned unit development (PUD) at the northeast corner of Highway 61 and Beam Avenue are due for their annual review. This PUD allows the commercial development of four sites that are the Mogren Retail Addition. The CarMax dealership consists of used auto sales and auto repair which required a CUP by city ordinance. Of the other three sites, Costco has been built, but the city has not received any development proposals for the remaining two sites.

### BACKGROUND

#### Project Background

December 12, 2006: The community design review board (CDRB) recommended approval of the CarMax plans.

December 18, 2006: The city council approved a CUP for this PUD, the preliminary plat and approved the design plans. The council also adopted a resolution ordering the public improvements for the Mogren Retail Addition, which was then called the CarMax/Mogren Addition.

January 9, 2007: The CDRB reviewed revisions to the building elevations and approved those changes.

February 12, 2007: The city council approved the final plat.

January 14, 2008, March 9, 2009, March 8, 2010 and February 28, 2011: The city council reviewed the CUP for this PUD and moved to review this permit again in one year.

#### Code Requirement

Section 44-1100 (a) of the city ordinances requires the periodic review of CUPs. This ordinance allows the council to specify a specific term or an indefinite term for subsequent reviews. Annual reviews are typical.

## **DISCUSSION**

John J. McNamara IV, representing CarMax, has written informing the city staff that CarMax still plans on building their facility. Refer to the attached letter. Mr. McNamara explains that, "as was the case with last year's permit extension, the overall economy and the disarray of the automobile industry have impacted our growth plans, however, we continue to retain an interest in developing this site for our business operations and we continue to have interest in the Twin Cities market for additional stores." CarMax has made a substantial investment in the Maplewood project by their site preparation and still plans to build this facility once the economy improves.

The city should continue to review the CUP for CarMax and the PUD for the Mogren Retail Addition each year to monitor them for progress and condition compliance.

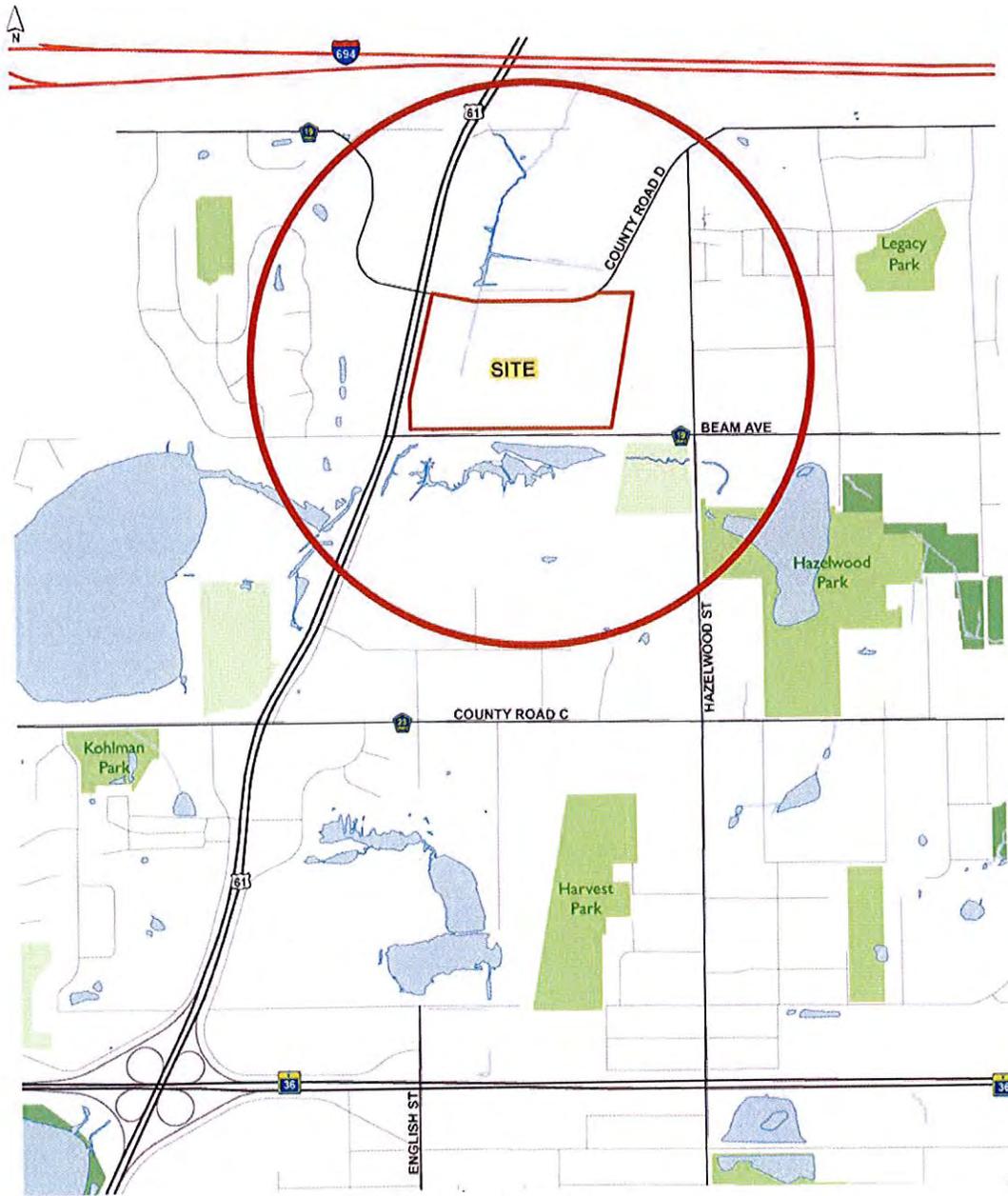
## **RECOMMENDATION**

Review the conditional use permit for the CarMax conditional use permit and the Mogren Retail Addition planned unit development again in one year.

p:\sec 3\CarMax\CarMax CUP Rev 2 12 te

Attachments:

1. Location Map
2. Project Site Plan
3. December 18, 2006 PUD Conditions
4. Letter from John J. McNamara IV dated February 2, 2012



Location Map



**MINUTES**  
**MAPLEWOOD CITY COUNCIL**  
7:00 P.M. Monday, December 18, 2006  
Council Chambers, City Hall  
Meeting No. 06-34

**CONDITIONAL USE PERMIT RESOLUTION 06-12-156**  
**FOR A PLANNED UNIT DEVELOPMENT**

WHEREAS, CarMax and Bruce Mogren applied for a conditional use permit for a planned unit development to develop a CarMax used-car dealership on the former Country View Golf Course property;

WHEREAS, this permit applies to the northeast corner of Beam Avenue and Highway 61. The legal description is:

Lot 1, CarMax/Mogren Addition

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

1. On December 5, 2006, the planning commission held a public hearing. The city staff published a hearing notice in the Maplewood Review and sent notices to the surrounding property owners. The planning commission gave everyone at the hearing a chance to speak and present written statements. The planning commission recommended that the city council approve this conditional use permit.
2. The city council reviewed this request on December 18, 2006. The council considered the reports and recommendations of the city staff and planning commission.

NOW, THEREFORE, BE IT RESOLVED that the city council approved the above-described conditional use permit revision because:

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.
2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.

5. The use would generate only minimal vehicular traffic on local streets and would not create traffic congestion or unsafe access on existing or proposed streets.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
9. The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions:

1. The development shall follow the plans date-stamped October 20, 2006, except where the city requires changes. The director of community development may approve minor changes.
2. The proposed construction must be substantially started within one year of council approval or the permit shall end. The council may extend this deadline for one year.
3. The city council shall review this permit in one year.
4. This approval permits the development of the CarMax site subject to the conditions of the city council. The future development sites are not approved at this time. The developers of these sites must submit all necessary applications and materials for evaluation of those plans as required by the city ordinance.
5. If the watershed district allows their twin drainage pipes to be relocated above grade as an open channel, the PUD shall also require that all developments within the CarMax/Mogren Addition actively and regularly pick up all litter from their parking lots to keep debris from entering this open channel.
6. The applicants shall comply with the requirements in the Engineering Plan Review dated November 21, 2006, by Erin Laberee and Michael Thompson.
7. The applicants shall also comply with the requirements listed in these plan-review reports as follows:
  - The Drainage and Wetland Report by DuWayne Konewko dated November 22, 2006.
  - The wetland and rainwater garden landscaping comments by Ginny Gaynor dated November 22, 2006.

- The watershed district comments by Tina Carstens dated November 21, 2006.
8. The outdoor vehicle storage area is allowed. The outward-facing façade of the screening wall shall be brick to match the building.
  9. The pervious paving method proposed within the shoreland boundary area shall meet the requirements of the shoreland ordinance. This shall be subject to the approval of the city engineer.
  10. Vehicle transports shall not use public right-of-way for loading or unloading.
  11. The site plan shall be revised for the city engineer's approval relocating the Highway 61 driveway to the north at County Road D. This driveway shall be located as far east as possible. This driveway shall remain gated at all times except when needed for vehicle test drives which is its proposed and permitted use.
  12. The dealership shall not store any materials or supplies on the outside of the building, except for what they store in the dumpster enclosure.
  13. The dealership shall only park vehicles on designated paved surfaces.
  14. The applicants shall obtain any required permits from the Ramsey Washington Metro Watershed District, Ramsey County and the State of Minnesota and meet the requirements of those agencies.
  15. The site plan shall be revised to move the driveway on Beam Avenue as far to the east as possible. This revision shall be subject to the approval of the city engineer.
  16. The city engineer shall get the necessary approvals for wetland mitigation from the watershed district as part of the public improvements needed for this subdivision and development as stated in the report by DuWayne Konewko, Environmental Management Specialist.
  17. All buildings, paving, unneeded utilities, etc. within the proposed subdivision shall be demolished and removed from the site by the applicants.
  18. The applicants shall provide all development agreements, maintenance agreements and escrows required by the city. These agreements shall be executed and escrows paid before the issuance of building permits.

Seconded by Councilmember Cave

Ayes-All

Councilmember Hjelle moved to approve the preliminary plat for the CarMax/Mogren Addition, subject to the following conditions:

1. Signing of the following agreements with the city:

- A maintenance agreement, prepared by the city, for the rainwater gardens, ponds and sumps. The project plans shall clearly point out the maintenance access route to each garden, pond and basin. The developer/owner of the property will be responsible for all such maintenance.
  - A development agreement with the city for the construction of the public road within the development site that will connect Beam Avenue to County Road D.
2. Revising the plat to rename all Outlot B with a lot and block number.
  3. The applicants shall dedicate any easements that the city may require for drainage and utility purposes.
  4. The name of the street shall be subject to the approval of the city's public safety staff and city engineer.
  5. The applicants shall pay the city escrow for any documents, easements and agreements that the city engineer may require that may not be ready by the time of plat signing.
  6. The applicants shall comply with the requirements in the Engineering Plan Review dated November 21, 2006, by Erin Laberee and Michael Thompson.
  7. The applicants shall also comply with the requirements listed in these plan-review reports as follows:
    - The Drainage and Wetland Report by DuWayne Konewko dated November 22, 2006.
    - The wetland and rainwater garden landscaping comments by Ginny Gaynor dated November 22, 2006.
    - The watershed district comments by Tina Carstens dated November 21, 2006.

Seconded by Councilmember Cave

Ayes-All

Councilmember Rossbach moved to direct the applicant provide a three dimensional cad drawing of the building elevations for submission to the Design Review Board for their approval based upon previous suggestions by the board and city staff.

Seconded by Councilmember Cave

Ayes-All

Councilmember Hjelle moved to adopt the following resolution ordering improvement after a public hearing for the proposed public improvements for the CarMax/Mogren Addition Improvements:

**RESOLUTION 06-12-157  
ORDERING IMPROVEMENT AFTER PUBLIC HEARING**

WHEREAS, a resolution of the city council adopted the 27th day of November, 2006, fixed a date for a council hearing on the proposed public improvements for the CarMax/Mogren Addition Improvements, City Project 06-17.

AND WHEREAS, ten days mailed notice and two weeks published notice of the hearing was given, and the hearing was duly held on December 18, 2006, and the council has heard all persons desiring to be heard on the matter and has fully considered the same;

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

1. That it is necessary, cost-effective and feasible, as detailed in the feasibility report, that the City of Maplewood make public improvements to the proposed CarMax/Mogren Addition Improvements, City Project 06-17.

2. Such improvement is hereby ordered as proposed in this council resolution adopted the 18th day of December 2006.

3. The city engineer is designated engineer for this improvement and is hereby directed to prepare final plans and specifications for the making of said improvement.

4. The finance director is hereby authorized to make the financial transfers necessary to implement the financing plan for the project. A project budget of \$4,416,000 shall be established. The proposed financing plan is as follows:

Developer Assessments	\$ 3,394,600 (76.9%)
City of Maplewood – MSAS Bond Funds	\$ 517,550 (11.7%)
Ramsey County	\$ 292,550 (6.6%)
MnDOT	\$ 211,300 (4.8%)
Total	\$ 4,416,000

Seconded by Councilmember Cave

Ayes-All

A Comment from Councilmember Rossbach for the record:

Although the Landform letter states otherwise, Councilmember Rossbach clarified that this site does and will generate traffic onto local streets.



12800 Tuckahoe Creek Parkway • Richmond, VA 23238  
(804) 747-0422



February 2, 2012

Mr. Tom Ekstrand, Senior Planner  
Office of Community Development  
City of Maplewood  
1830 County Road B East  
Maplewood, MN 55109

Re: CarMax Auto Superstores, Inc. ("CarMax")/Mogren Addition, Northeast Corner of  
Highway 61 and Beam Avenue: Annual Conditional Use Permit Review

Dear Mr. Ekstrand:

I am following up on a conversation you had with our local land use counsel, David Sellergren on January 29, 2012.

On February 28, 2011, the City Council approved a one year extension of the CarMax conditional use permit; the expiration date is fast approaching. CarMax respectfully requests another one year extension of the conditional use permit. As was the case with last year's permit extension, the overall economy and the disarray of the automobile industry have impacted our growth plans. However we continue to retain an interest in developing this site for our business operations, and we continue to have interest in the Twin Cities market for additional stores. CarMax has opened five new superstores in our current fiscal year (March 2011 – February 2012) and intends to open ten new stores in the coming fiscal year (March 2012 – February 2013). The Twin Cities market is part of CarMax's overall growth plan; it is simply the question of timing that is still in flux.

Accordingly, I request on behalf of CarMax a one year extension of the conditional use permit. If you have any questions or wish further information, please contact me.

Please advise Mr. Sellergren and me of the date when the extension will be considered by the City Council.

Sincerely yours,

  
John J. McNamara IV  
Real Estate Manager

cc: David C. Sellergren

THE AUTO SUPERSTORE

## MEMORANDUM

**TO:** James Antonen, City Manager  
**FROM:** Michael Martin, AICP, Planner  
 Charles Ahl, Assistant City Manager  
**SUBJECT:** **Conditional Use Permit Review –  
 3M Leadership Development Institute**  
**LOCATION:** 2350 Minnehaha Avenue  
**DATE:** February 21, 2012

### INTRODUCTION

The conditional use permit (CUP) for 3M's Leadership Development Institute (LDI) building located at 2350 Minnehaha Avenue is due for review. The CUP was required in order to construct the building closer than 350 feet to a residential zoning district.

### BACKGROUND

On May 9, 2005, the city council approved the construction of the 3M LDI building (Attachment 4). Approvals included a CUP to construct a building closer than 350 feet to a residential zoning district (350-foot setback to residential required for all buildings within the light manufacturing zoning district – the 3M LDI building is located 325 feet to residential), street vacations to vacate two unused street right-of-ways located within the 3M campus property, a utility easement vacation to vacate a portion of the existing utility easement located within the 3M campus property, and design review.

On January 28, 2008, the city council approved an extension to the 3M LDI CUP. The city council requested review again to ensure that the native plantings are established, rainwater gardens are functioning properly, and that all other required exterior improvements are maintained.

On January 26, 2009, the city council approved an extension to the 3M LDI CUP, which included the modified landscape plan for the berm dated August 27, 2008. The city council requested review of the CUP for the 3M Leadership Development Institute at 2350 Minnehaha Avenue again in one year to ensure that the native plantings are established, rainwater gardens function properly, and that all other required exterior improvements are maintained.

On February 22, 2010, the city council approved an extension to the 3M LDI CUP. The city council requested review again to ensure that the native plantings are established, rainwater gardens are functioning properly, and that all other required exterior improvements are maintained.

On February 28, 2011, the city council approved an extension to the 3M LDI CUP. The city council requested review again to ensure that the native plantings are established, rainwater gardens are functioning properly, and that all other required exterior improvements are maintained.

### DISCUSSION

The 3M LDI building opened in the fall of 2006. The building is attractively designed and constructed. All exterior improvements were complete in 2006 including the construction of

rainwater gardens and seeding native grasses and flowers on the berm along Minnehaha Avenue and around the parking lot.

The original native grass seeding around the parking lot did not take, so in 2007 3M reseeded these areas and have been managing them through mowing in the fall in order to kill off the nonnative plants and allow establishment of the natives. Native seeding can take three years to become fully established. As such, city staff will continue to work with 3M to ensure successful native plantings in this area as required by the original site plan.

3M proposed, and the city council approved, native trees and flowers on the berm in front of the parking lot (Attachment 2). The native flower seed mix never established and the weeds have overtaken the native flowers. In an effort to improve the aesthetics of the landscaping along Minnehaha Avenue, 3M replanted the berm with a more manicured looking landscape including 31 trees (spruce, maple, and birch), 10 shrubs, and perennials planted in a bark mulch and turf grass (Attachment 3). This landscaping required 3M add irrigation to the berm.

In addition to difficulties with the native grasses on the west side of the parking lot, 3M has also experienced difficulty maintaining the native plantings within three of the four rainwater gardens located in the center of the parking lot. Many of the original plantings have died off due to standing water. 3M has yet to make progress on getting the rainwater gardens reestablished and planted.

The city holds a letter of credit and maintenance agreements to ensure all of the above-mentioned work is complete. Staff intends to continue to work with 3M to ensure the plantings are established through the 2012 growing season. Considering the issues 3M has had with some of its plantings, staff is recommending the city council review this CUP again in six months to ensure 3M reestablishes the rainwater gardens.

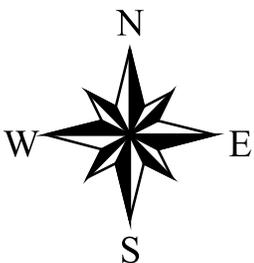
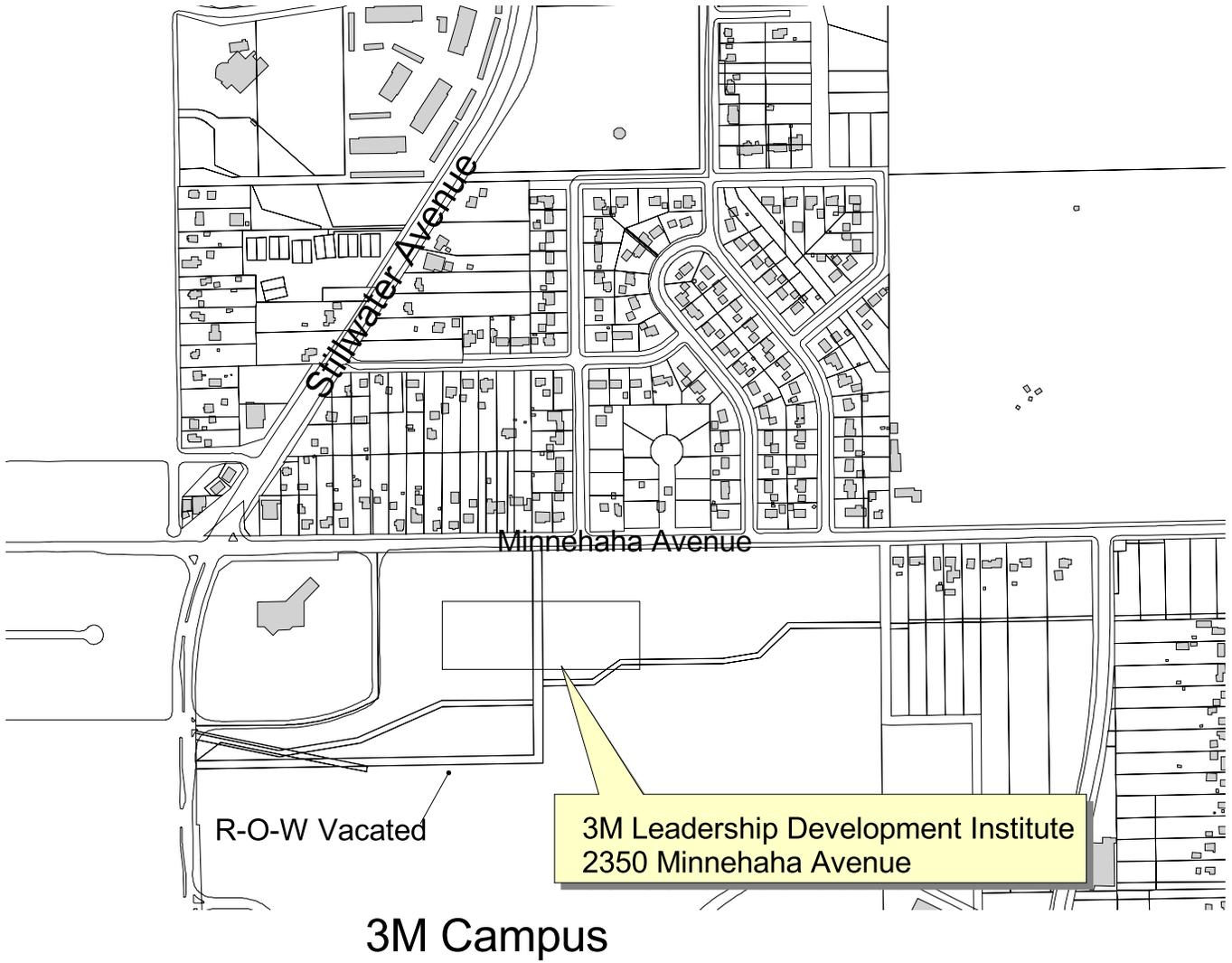
## **RECOMMENDATION**

Review the conditional use permit for the 3M Leadership Development Institute at 2350 Minnehaha Avenue again in six months to ensure that the native plantings are established, rainwater gardens function properly, and that all other required exterior improvements are maintained.

p:sec36/LDI CUP Review\_022712

Attachments:

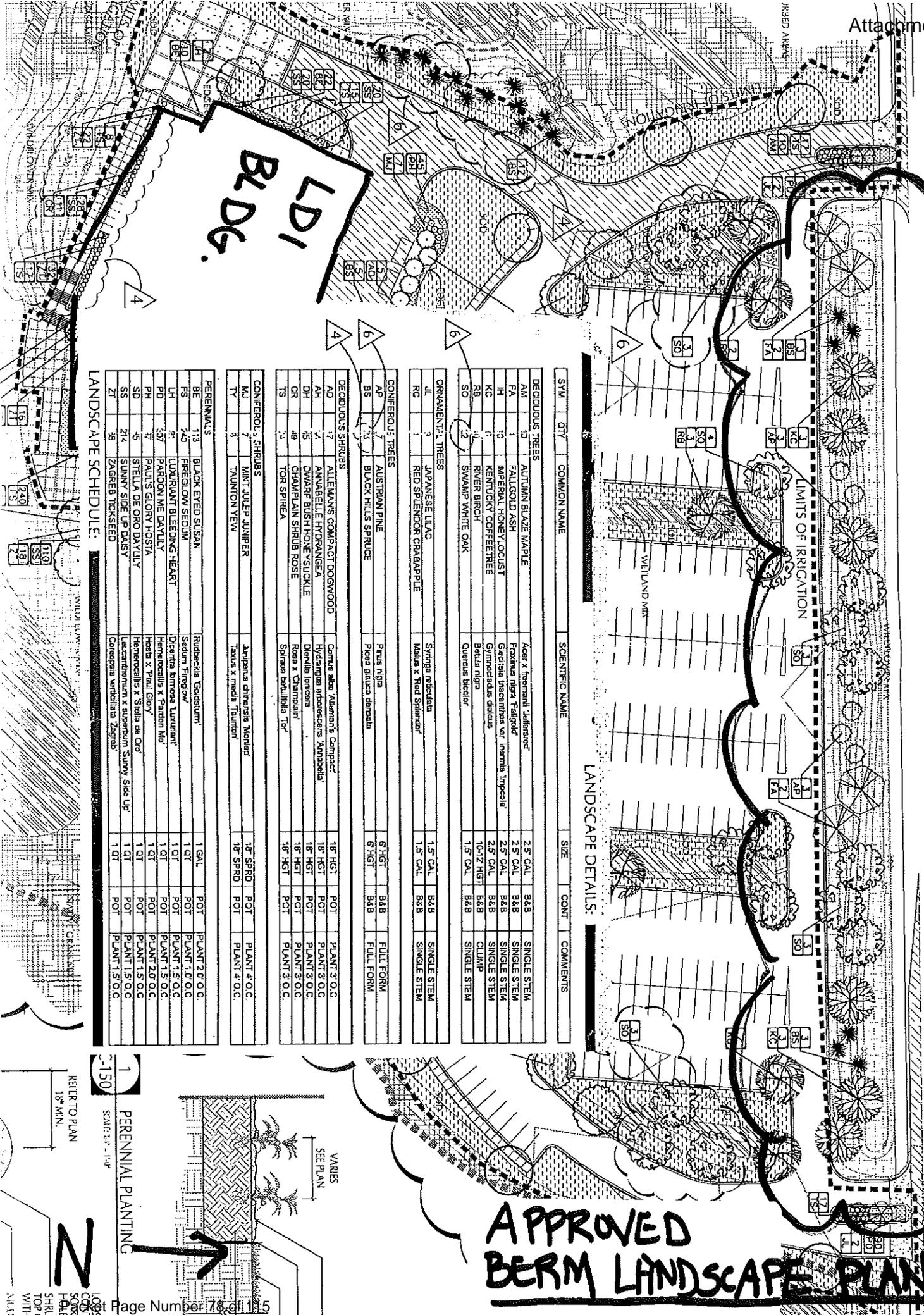
1. Location Map
2. Original Berm Landscaping
3. August 27, 2008, Berm Landscaping
4. May 9, 2005, City Council Minutes



# Location Map

MINNEHaha AVE.

APPROVED BERM LANDSCAPING 7



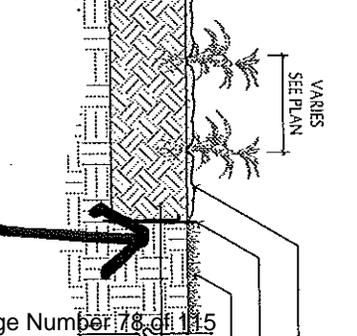
LANDSCAPE DETAILS:

SYM	QTY	COMMON NAME	SCIENTIFIC NAME	SIZE	CONT.	COMMENTS
<b>DECIDUOUS TREES</b>						
AM	1	AUTUMN BLAZE MAPLE	Acer x Freemanii 'Lalibert'	2 1/2" CAL.	B&B	SINGLE STEM
FA	1	FALGOLD ASH	Fraxinus nigra 'Falgold'	2 1/2" CAL.	B&B	SINGLE STEM
IH	1	IMPERIAL HONEY LOCUST	Gleditsia thurcotteana var. 'Imperial'	2 1/2" CAL.	B&B	SINGLE STEM
KC	1	KENTUCKY COFFEE TREE	Gymnocladia dioica	2 1/2" CAL.	B&B	SINGLE STEM
RB	1	RIVER BIRCH	Betula nigra	10-12" HGT.	B&B	CLUMP
SO	2	SWAMP WHITE OAK	Quercus bicolor	1 1/2" CAL.	B&B	SINGLE STEM
<b>ORNAMENTAL TREES</b>						
JL	3	JAPANESE LIAC	Syringa reticulata	1 1/2" CAL.	B&B	SINGLE STEM
RC	1	RED SPLENDOR CRABAPPLE	Malus x 'Red Splendor'	1 1/2" CAL.	B&B	SINGLE STEM
<b>CONIFEROUS TREES</b>						
AP	1	AUSTRIAN PINE	Pinus nigra	6" HGT.	B&B	FULL FORM
BS	1	BLACK HILLS SPRUCE	Picea glauca densata	6" HGT.	B&B	FULL FORM
<b>DECIDUOUS SHRUBS</b>						
AO	1	ALLEYWAYS COMPACT DOGWOOD	Cornus alba 'Yulman's Compact'	18" HGT.	POT	PLANT 3" O.C.
AH	4	ANNABELLE HYDRANGEA	Hydrangea arborescens 'Annabelle'	18" HGT.	POT	PLANT 3" O.C.
DH	5	DWARF BUSH HONEYSUCKLE	Dicentra iononens	18" HGT.	POT	PLANT 3" O.C.
CR	48	CRAMPLEAIN SHRUB ROSE	Rosa x 'Champlain'	18" HGT.	POT	PLANT 3" O.C.
TS	1	TOR SPIREA	Spiraea betulifolia 'Tor'	18" HGT.	POT	PLANT 3" O.C.
<b>CONIFEROUS SHRUBS</b>						
MJ	7	MINT JULEP JUNIPER	Juniperus chinensis 'Moupin'	18" SPRD.	POT	PLANT 4" O.C.
TY	3	TAUNTON YEW	Taxus x media 'Taunton'	18" SPRD.	POT	PLANT 4" O.C.
<b>PERENNIALS</b>						
BE	113	BLACK EYED SUSAN	Rudbeckia hirtellum	1 GAL.	POT	PLANT 2" O.C.
FS	140	FIREGLOW SEDUM	Sedum Fireglow	1 QT.	POT	PLANT 18" O.C.
LH	30	LUNDBRANT BLEEDING HEART	Dianthus barbatus 'Lundbrant'	1 QT.	POT	PLANT 15" O.C.
PD	37	PANDORA ME DAYLILY	Hemerocallis x Pandora 'Me'	1 QT.	POT	PLANT 15" O.C.
PH	37	PAUL'S GLORY HOSTA	Hosta x Paul Gray	1 QT.	POT	PLANT 24" O.C.
SD	45	STELLA DE ORO DAYLILY	Hemerocallis x Stella de Oro	1 QT.	POT	PLANT 15" O.C.
SS	214	SUNNY SIDE UP DAISY	Leucanthemum x superbum 'Sunny Side Up'	1 QT.	POT	PLANT 15" O.C.
ZI	38	ZAGREB TICKSEED	Centaurea verticillata 'Zagreb'	1 QT.	POT	PLANT 15" O.C.

LANDSCAPE SCHEDULE:

SYM	QTY	COMMON NAME	SCIENTIFIC NAME	SIZE	CONT.	COMMENTS
<b>DECIDUOUS TREES</b>						
AM	1	AUTUMN BLAZE MAPLE	Acer x Freemanii 'Lalibert'	2 1/2" CAL.	B&B	SINGLE STEM
FA	1	FALGOLD ASH	Fraxinus nigra 'Falgold'	2 1/2" CAL.	B&B	SINGLE STEM
IH	1	IMPERIAL HONEY LOCUST	Gleditsia thurcotteana var. 'Imperial'	2 1/2" CAL.	B&B	SINGLE STEM
KC	1	KENTUCKY COFFEE TREE	Gymnocladia dioica	2 1/2" CAL.	B&B	SINGLE STEM
RB	1	RIVER BIRCH	Betula nigra	10-12" HGT.	B&B	CLUMP
SO	2	SWAMP WHITE OAK	Quercus bicolor	1 1/2" CAL.	B&B	SINGLE STEM
<b>ORNAMENTAL TREES</b>						
JL	3	JAPANESE LIAC	Syringa reticulata	1 1/2" CAL.	B&B	SINGLE STEM
RC	1	RED SPLENDOR CRABAPPLE	Malus x 'Red Splendor'	1 1/2" CAL.	B&B	SINGLE STEM
<b>CONIFEROUS TREES</b>						
AP	1	AUSTRIAN PINE	Pinus nigra	6" HGT.	B&B	FULL FORM
BS	1	BLACK HILLS SPRUCE	Picea glauca densata	6" HGT.	B&B	FULL FORM
<b>DECIDUOUS SHRUBS</b>						
AO	1	ALLEYWAYS COMPACT DOGWOOD	Cornus alba 'Yulman's Compact'	18" HGT.	POT	PLANT 3" O.C.
AH	4	ANNABELLE HYDRANGEA	Hydrangea arborescens 'Annabelle'	18" HGT.	POT	PLANT 3" O.C.
DH	5	DWARF BUSH HONEYSUCKLE	Dicentra iononens	18" HGT.	POT	PLANT 3" O.C.
CR	48	CRAMPLEAIN SHRUB ROSE	Rosa x 'Champlain'	18" HGT.	POT	PLANT 3" O.C.
TS	1	TOR SPIREA	Spiraea betulifolia 'Tor'	18" HGT.	POT	PLANT 3" O.C.
<b>CONIFEROUS SHRUBS</b>						
MJ	7	MINT JULEP JUNIPER	Juniperus chinensis 'Moupin'	18" SPRD.	POT	PLANT 4" O.C.
TY	3	TAUNTON YEW	Taxus x media 'Taunton'	18" SPRD.	POT	PLANT 4" O.C.
<b>PERENNIALS</b>						
BE	113	BLACK EYED SUSAN	Rudbeckia hirtellum	1 GAL.	POT	PLANT 2" O.C.
FS	140	FIREGLOW SEDUM	Sedum Fireglow	1 QT.	POT	PLANT 18" O.C.
LH	30	LUNDBRANT BLEEDING HEART	Dianthus barbatus 'Lundbrant'	1 QT.	POT	PLANT 15" O.C.
PD	37	PANDORA ME DAYLILY	Hemerocallis x Pandora 'Me'	1 QT.	POT	PLANT 15" O.C.
PH	37	PAUL'S GLORY HOSTA	Hosta x Paul Gray	1 QT.	POT	PLANT 24" O.C.
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SS	214	SUNNY SIDE UP DAISY	Leucanthemum x superbum 'Sunny Side Up'	1 QT.	POT	PLANT 15" O.C.
ZI	38	ZAGREB TICKSEED	Centaurea verticillata 'Zagreb'	1 QT.	POT	PLANT 15" O.C.

PERENNIAL PLANTING



APPROVED BERM LANDSCAPE PLAN



**MINUTES**  
**MAPLEWOOD CITY COUNCIL**  
7:19 P.M. Monday, May 09, 2005  
Council Chambers, City Hall  
Meeting No. 05-09

Attachment 4

2. 3M Building #278
  - a. City Manager Fursman presented the staff report.
  - b. Planner Finwall presented specifics from the report.
  - c. Commissioner Tripler presented the Planning Commission report.
  - d. Dean Hedlund, Project Manager for 3M was present for council questions.
  - e. Brandon Bourdon, Kimley-Horn Engineers provided further specifics from the project.

Councilmember Monahan-Junek moved to adopt the following resolution approving a conditional use permit for 3M to build their new leadership development institute/customer center building closer than 350 feet to a residential zoning district within a light manufacturing zoning district. The building will be constructed within 325 feet of a residential zoning district on vacant 3M Campus property (2350 Minnehaha Avenue):

**CONDITIONAL USE PERMIT RESOLUTION 05-05-074**

WHEREAS, Dean Hedlund representing Minnesota Mining and Manufacturing (3M), applied for a conditional use permit to construct a building closer than 350 feet to a residential zoning district.

WHEREAS, this permit applies to 2350 Minnehaha Avenue. The legal description is Tract B, Registered Land Survey No. 524, Ramsey County Minnesota; and the Northeast Quarter of the Northwest Quarter of Section 36, Township 29, Range 22, Ramsey County Minnesota.

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

1. On April 18, 2005, the planning commission held a public hearing and recommended approval of this permit. City staff published a notice in the paper and sent notices to the surrounding property owners. The planning commission gave everyone at the hearing a chance to speak and present written statements.
2. On May 9, 2005, the city council approved this permit. The city council also considered reports and recommendations from the city staff and planning commission.

NOW, THEREFORE, BE IT RESOLVED that the city council approve the above-described conditional use permit, because:

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the city's comprehensive plan and code of ordinances.
2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution,

drainage, water runoff, vibration, general unsightliness, electrical interference or other nuisances.

5. The use would generate only minimal vehicular traffic on local streets and would not create traffic congestion or unsafe access on existing or proposed streets.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
9. The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions:

1. The city engineer shall approve final construction and engineering plans prior to issuance of a grading permit. These plans shall comply with all requirements as specified in the city engineering report dated April 12, 2005, which requires, among other items, a traffic study to analyze trip generation for future and proposed development and the installation of two right-turn lanes. Consideration should be given to install a sidewalk or a trail along Minnehaha Avenue for the safety of pedestrians.
2. All construction shall follow the plans date-stamped March 18, 2005, with the revisions as required and approved by the city. The director of community development may approve minor changes.
3. The proposed development must be started within one year after city council approval or the permit shall end. The city council may extend this deadline for one year.
4. The proposed development must meet the requirements of the city building official, the city fire marshal and the Ramsey/Washington Metro Watershed District.
5. No deliveries are allowed during the hours of 10 p.m. to 6 a.m.
6. The city council shall review this permit in one year.

Seconded by Councilmember Koppen

Ayes-All

Councilmember Juenemann moved to adopt the following resolution approving the vacation of two unused street right-of-ways located within the 3M Campus property (Meyer Avenue [north/south street right-of-way] and Margaret Street [east/west street right-of-way]):

### **STREET VACATION RESOLUTION 05-05-075**

WHEREAS, Dean Hedlund representing Minnesota Mining and Manufacturing (3M) applied for the vacation of an unused street right-of-way in order to develop a leadership development institute and customer center building;

WHEREAS, the legal description of the street right-of-way to be vacated is as follows: Those parts of Meyer Street (formerly known as Meyer Avenue) and Margaret Avenue (formerly known as Margaret Street) lying within the North 900.00 feet of the West 1400.00 feet of the Northwest Quarter of Section 36, Township 29, Range 22, Ramsey County, Minnesota, as dedicated by the plat of Ascension Cemetery, said Ramsey County Minnesota, and lying southerly of the north 33.00 feet of said Northwest Quarter and easterly of the west 76.50 feet of said Northwest Quarter.

WHEREAS, the history of this vacation is as follows:

1. On April 18, 2005, the planning commission held a public hearing and recommended that the city council approve the public vacation. The city staff published a notice in the Maplewood Review and sent a notice to the abutting property owners. The planning commission gave everyone at the hearing a chance to speak and present written statements.
2. On May 9, 2005, the city council approved the public vacation. The city council considered reports and recommendations from the city staff and planning commission.

WHEREAS, after the city approves this vacation, public interest in the property will go to Minnesota Mining and Manufacturing (3M) for the above-mentioned property.

NOW, THEREFORE, BE IT RESOLVED that the city council approve the above-described vacation for the following reasons:

1. It is in the public interest.
2. The street right-of-way is unused.
3. The street right-of-way is not needed for the proposed leadership development institute and customer center building development.

Seconded by Councilmember Koppen      Ayes-All

Councilmember Monahan-Junek moved to adopt the following resolution approving the vacation of a portion of the existing utility easement located within the 3M Campus property:

#### **UTILITY EASEMENT VACATION RESOLUTION 05-05-076**

WHEREAS, Dean Hedlund representing Minnesota Mining and Manufacturing (3M) applied for the vacation of a portion of a sewer easement in order to develop a leadership development institute and customer center building;

WHEREAS, the legal description of the utility easement to be vacated is as follows:

Commencing on the east property line of the Ascension Cemetery at a point 321.0 feet south of the centerline of Minnehaha Avenue, which centerline is also the north section line of Section 36, Township 29 North, Range 22 West; thence westerly on an azimuth of 270 degrees, a distance of 332.0 feet; thence bearing southwesterly 226 degrees 38 feet, a distance of 154.88 feet; thence bearing southwesterly 246 degrees 49 feet, a distance of 19 3.96 feet; thence bearing southwesterly 260 degrees 55 feet, a distance of 132.8 feet; thence bearing southwesterly 269 degrees 35 feet, a distance of 371.60 feet; thence bearing southwesterly 238 degrees 14 feet, a distance of 121.85 feet; thence bearing southwesterly 269 degrees 34 feet, a distance of approximately 174.18 feet to the west property line of the Ascension Cemetery and there terminating, all in the Northwest Quarter of Section 36, Township 29 North, Range 22 West, Ramsey County, according to the U.S. Government Survey thereof on file and of record in the office of the Register of Deeds in and for said county.

WHEREAS, the history of this vacation is as follows:

1. On April 18, 2005, the planning commission held a public hearing and recommended that the city council approve the public vacation. The city staff published a notice in the Maplewood Review and sent a notice to the abutting property owners. The planning commission gave everyone at the hearing a chance to speak and present written statements.
2. On May 9, 2005, the city council approved the public vacation. The city council considered reports and recommendations from the city staff and planning commission.

WHEREAS, after the city approves this vacation, public interest in the property will go to Minnesota Mining and Manufacturing (3M) for the above-mentioned property.

NOW, THEREFORE, BE IT RESOLVED that the city council approve the above-described vacation for the following reasons:

1. It is in the public interest.
2. The utility easement is unused.
3. The utility easement is not needed for the proposed leadership development institute and customer center building development.

Approval is subject to the following condition:

1. The applicant must dedicate a new utility easement to the City of Maplewood. The new easement must be 20 feet in width and describe the existing sanitary sewer alignment. The easement must be recorded with the county prior to issuance of a building permit.

Seconded by Councilmember Koppen

Ayes-All

Councilmember Koppen moved to approve a parking reduction authorization for the proposed 3M Leadership Development Institute/Customer Center building located on vacant 3M Campus property (2350 Minnehaha Avenue). This reduction will allow the property owner to have 286 parking spaces (147 fewer than the city code requires) for the following reasons:

- a. The parking requirements for office buildings such as this are generally excessive.
- b. Fewer parking spaces would preserve green space and lessen storm runoff.
- c. The applicant has reserved space to add 147 parking spaces should the need arise.

Seconded by Councilmember Monahan-Junek

Ayes-All

Councilmember Koppen moved to approve the plans date-stamped March 18, 2005, for the 3M Leadership Development Institute/Customer Center building located on vacant 3M Campus property (2350 Minnehaha Avenue). Approval is subject to the following conditions:

- a. Repeat this review in two years if the city has not issued a building permit for this project.
- b. Prior to issuance of a grading or building permit, the applicant must submit to staff for approval the following items:
  - 1) Revised engineering and grading plans. These plans shall comply with all requirements as specified in the city engineering report dated April 12, 2005, which requires, among other items, a traffic study to analyze trip generation for future and proposed development and the potential installation of right-turn lanes. The traffic analysis shall determine the need for turn lanes and/or the need for a one way in or one way out. In addition, the applicant shall include an 8-foot-wide bituminous trail along Minnehaha Avenue, extending from the western property line to the eastern edge of the development as determined by the engineering department. The grading plan must also reflect measures taken to ensure the protection of all large trees on the site where possible.
  - 2) Revised landscape plan. The plan should include additional plantings (to include evergreen trees at least 6 feet in height, deciduous trees at least 2 ½ caliper inches in size, and shrubs) on top of the berm in front of the parking lot to ensure the parking lot is screened from view of the residential properties across the

street. The plan should also include a row of evergreen trees to be planted along the west side of the loading dock driveway to ensure the dock is screened from view of the residential properties across the street. The plan should also specify the wildflower mix to meet MnDOT standards and ensure no thistle within the mix.

- c. Obtain a permit from Ramsey County for construction on county right-of-way for the driveway access, utility work, and sidewalk.
- d. Watershed district approval.
- e. To ensure the building does not straddle a property line, the applicant must submit documentation that 3M has initiated the process with the Ramsey County Property Tax office to combine the two lots for tax and identification purposes.
- f. A cash escrow or an irrevocable letter of credit for all required exterior improvements. The amount shall be 150 percent of the cost of the work.
- g. Review the lighting plan with city staff for the light standards, height, and luminary fixtures to ensure the plan meets the city's lighting requirements and does not pose a nuisance to the surrounding residential properties.
- h. The applicant shall complete the following before occupying the building:
  - 1) Replace any property irons removed because of this construction.
  - 2) Provide continuous concrete curb and gutter around the parking lot and driveways.
  - 3) Install all required landscaping and an in-ground lawn irrigation system for all landscaped areas except the rainwater gardens and native planting areas.
  - 4) Install all required outdoor lighting.
  - 5) Install the required sidewalk or trail along Minnehaha Avenue.
- i. If any required work is not done, the city may allow temporary occupancy if:
  - 1) The city determines that the work is not essential to the public health, safety or welfare.
  - 2) The above-required letter of credit or cash escrow is held by the City of Maplewood for all required exterior improvements. The owner or contractor shall complete any unfinished exterior improvements by June 1 if occupancy of the building is in the fall or winter, or within six weeks of occupancy of the building if occupancy is in the spring or summer.
- j. All work shall follow the approved plans. The director of community development may approve minor changes.

Seconded by Councilmember Monahan-Junek

Ayes-All

**MAPLEWOOD CITY COUNCIL**  
7:00 P.M. Monday, February 27, 2012  
City Hall, Council Chambers  
Meeting No. 04-12

**CONSENT AGENDA ITEM G8 THAT  
WAS NOT INCLUDED IN THE PACKET**

G. CONSENT AGENDA

8. Approval of a Resolution for a Lawful Gambling License for Little Canada Days Inc. to operate at Huey's Saloon, 2425 Maplewood Drive N. (This Report Will be Provided at the Meeting)

## AGENDA REPORT

**TO:** Jim Antonen, City Manager  
**FROM:** Karen Guilfoile, City Clerk  
**DATE:** February 23, 2012  
**RE:** Approval of Lawful Gambling Premise License for Little Canada Canadian Days, Inc. at Huey's Saloon

**Introduction**

Dorothy (Dotty) Dee Norgard on behalf of Little Canada Canadian Days, Inc. has submitted an application and is requesting approval of a premise license for lawful gambling at Huey's Saloon located at 2425 Maplewood Drive.

The Little Canada Canadian Days, Inc. provides the city festival for Little Canada community, friendship with sister city Thunder Bay, Canada, and makes contributions for youth activities.

A background check has been conducted on Ms. Norgard and nothing has been identified in the background check that would prohibit Little Canada Canadian Days, Inc. from holding this license. According to the MN Gambling Control Board there have been no complaints filed against the organization.

In order for the State of Minnesota to issue an annual premise license, approval of the following resolution from the City is required:

**RESOLUTION**

BE IT HEREBY RESOLVED, by the City Council of Maplewood, Minnesota, that the premise license for lawful gambling is approved for Little Canada Canadian Days, Inc. to operate at Huey's Saloon, located at 2425 Maplewood Drive, Maplewood, Minnesota.

FURTHERMORE, that the Maplewood City Council waives any objection to the timeliness of application for said permit as governed by Minnesota Statute §349.213.

FURTHERMORE, that the Maplewood City Council requests that the Gambling Control Division of the Minnesota Department of Gaming approve said license application as being in compliance with Minnesota Statute §349.213.

NOW, THEREFORE, be it further resolved that this Resolution by the City Council of Maplewood, Minnesota, be forwarded to the Gambling Control Division for their approval.

**Recommendation**

It is recommended that council approve the lawful gambling premise license and resolution for Little Canada Canadian Days, Inc. to operate at Huey's Saloon.

## AGENDA REPORT

**TO:** James Antonen, City Manager  
**FROM:** Michael Thompson, City Engineer / Dep. Director of Public Works  
**SUBJECT:** Environmental Assessment Public Hearing, TH 36 / English Street Interchange Improvements, City Project 09-08  
**DATE:** February 16, 2012

### INTRODUCTION

The council will consider holding a public hearing and receiving comments regarding the Environmental Assessment (EA) component of the Highway 36 and English Street Interchange project.

### BACKGROUND

On August 23, 2010 the council authorized staff to proceed with tasks generally described as feasibility study, pursuing additional project funding, public involvement, design surveys, preliminary layouts and approvals, environmental assessment documentation, and other associated tasks to move this project forward in coordination with project stakeholders.

Since that time a number of public open-houses, one-on-one meetings, and citizen design committee meetings have been held to shape this into a successful project that balances impacts yet accomplishes the goals of the project such as improved safety and mobility along Highway 36, and providing access to local businesses and residents. A public hearing for the environmental assessment portion of the project is proposed.

The official project Public Hearing is tentatively scheduled for April 9, 2012. That Public Hearing would serve as the official vote by the City Council in moving the project into final design and construction.

Layout approvals and environmental work is finalized. The detailed survey and soil testing is complete and the preliminary roadway, drainage and bridge plan designs are nearing completion. Final design services would likely be started in the March 2012 timeframe upon completion of the 30% set of plans which was authorized by the council at the October 24, 2011 council meeting.

A right-of-way acquisition firm was selected and approved at the January 23, 2012 council meeting.

### DISCUSSION

The notice for this EA Public Hearing was published in the Environmental Quality Board Monitor which is a biweekly publication, the Maplewood Review (Lillie News) which is the designated local newspaper, and the project website <http://www.sehinc.com/online/English36>. Mailed notice was also sent to one thousand one hundred and thirty nine (1,139) property owners in the vicinity of the project generally bounded by Highway 61, County Rd C, White Bear Avenue, and Frost Avenue.

Copies of the Environmental Assessment (EA)/Environmental Assessment Work Sheet (EAW) have been available for public review on the project website and at the following locations:

- City of Maplewood Office of the City Engineer: 1902 County Road B East, Maplewood, MN 55109
- Ramsey County Library – Maplewood Branch: 3025 Southlawn Drive, Maplewood, MN 55109
- Mn/DOT Central Office Library, Transportation Building, 395 John Ireland Blvd, St Paul, MN 55155

The project will include an English Street bridge over Highway 36, entrance/exit ramps, a new Bruce Vento Regional Trail bridge over Highway 36, and improvements to the local street system including the reconstruction of the Highway 61/County Road B intersection and local road connection. The City plans to begin the project construction in 2013. The Minnesota Department of Transportation and Federal Highway Administration completed review and approval of the Environmental Assessment and Environmental Assessment Worksheet (EA/EAW) in January, 2012.

The combined EA/EAW and Draft Section 4(f) documents describe the proposed project, impacts, and mitigation. Any comments received during the public comment period regarding the project and potential effects will be taken into consideration by the City of Maplewood, MnDOT, and Federal Highway Administration in making final determinations.

This hearing is strictly to receive comments on the environmental document for the project. This is not the official public hearing in which the city council will vote to approve the project. The public hearing to approve/order the project as part of the 429 process is tentatively scheduled for April 9, 2012. A notice for that public hearing will be sent to the affected property owners at a future date.

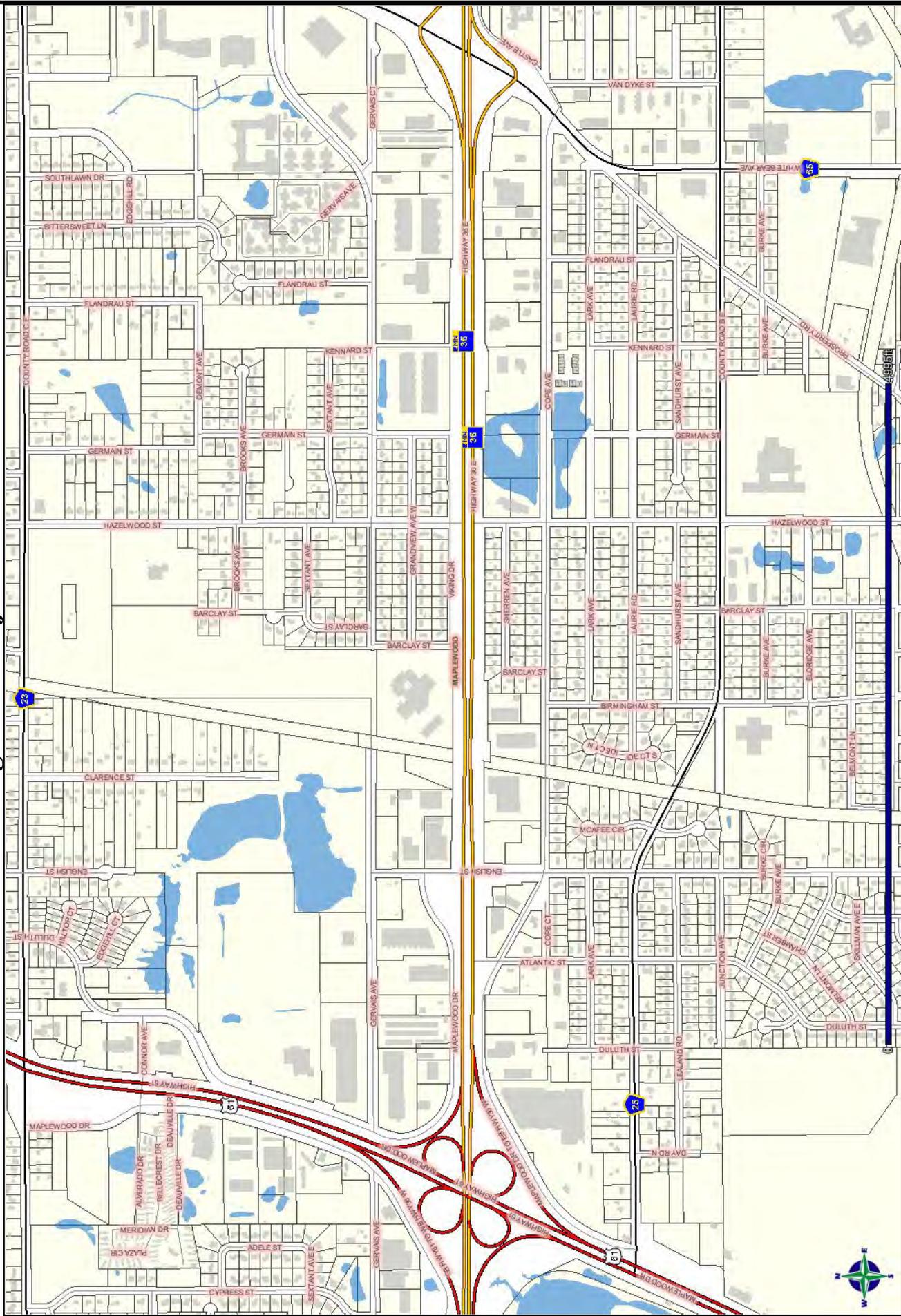
At the EA/EAW public hearing the staff will provide an overview of the environmental impact of the proposed project, and the public hearing will afford the public an opportunity to submit verbal comments that will become part of the official public hearing record.

## **RECOMMENDATION**

It is recommended that the city council conduct a public hearing for purposes of receiving official comments regarding the Environmental Assessment component of the TH 36/English Street Interchange Improvement, City Project 09-08.

Attachments:  
1. Project Map

# English 36 Project Area



DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only.

SOURCES: Ramsey County (January 31, 2012), The Lawrence Group (January 31, 2012) for County parcel and property records data; January 2012 for commercial and residential data; April 2009 for color aerial imagery.

## MEMORANDUM

TO: James Antonen  
FROM: Karen Guilfoile, Director Citizen Services  
DATE: February 22, 2012  
SUBJECT: Approval of First Reading Changing Municipal Elections from Odd to Even Year

**Background**

At the January 23, 2011 city council meeting, staff was directed to bring a first reading of an ordinance changing the city's municipal election from odd to even year.

Upon adoption, the ordinance extends existing terms of office ending January 2014 to January 2015 and those ending January 2016 to January 2017.

State Statute 205.07 Subd. 3 states that within 180 days after passage and publication of the ordinance, a petition requesting a referendum on the ordinance may be filed with the city clerk. The petition must be signed by eligible voters equal to ten percent of the total number of votes cast in the last municipal general election. There were 5,969 voters casting votes which would be 596 voters signing the petition. If an eligible petition is filed within the time period prescribed, the ordinance shall not become effective until is approved by a majority of the voters voting on the question at the November 6, 2012 election. At the time that a petition is filed, the city council may reconsider adopting the ordinance.

**Recommendation**

Consider approval of first reading of the ordinance changing municipal elections from odd to even years.

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE AMENDMENT CHANGING THE CITY ELECTION FROM ODD TO EVEN YEAR**

The Maplewood City Council approves the following revision to the Maplewood Code of Ordinances. (Deletions are struck through additions are underlined.)

ARTICLE II. CITY COUNCIL

Sec. 2-36. Terms of office; biennial elections in ~~oddeven~~-numbered years.

(a) Pursuant to Minn. Stats. § 412.022, the terms of office of the mayor and each of the four councilmembers shall be four years.

(b) The regular election of city officers shall be held on the first Tuesday after the first Monday of November in each ~~oddeven~~-numbered year. The first such election in Maplewood shall be held in November, ~~1969~~2014. ~~All terms of office ending in January 1970, under laws in force at the time of the adoption of this section (July 25, 1968) shall be filled by candidates elected at the first biennial election in November, 1969. All terms of office ending in January of 1971, under laws in force at the time of adoption of this section (July 25, 1968) shall end in January, 1972. All persons elected to the offices enumerated in subsection (a) of this section shall be elected for a term of four years commencing with the election of November of 1969.~~

~~(Code 1982, § 2-21)~~

~~Editor's note Pursuant to Minn. Stats. § 412.022, the council adopted Ordinance No. 242 on July 25, 1968, subject to the approval of the electors at the general election of November 5, 1968. The ordinance was approved at that election.~~

~~Under Minn. Stats. § 205.07, subd. 1, and Minn. Stats. § 412.023, subd. 1, the city's biennial elections in odd-numbered years shall continue to be held until changed pursuant to Minn. Stats. § 205.07.~~

~~State law references Municipal elections, Minn. Stats. ch. 205; terms of office of mayor and councilmen, Minn. Stats. § 412.02, subds. 1, 2, § 412.022, subd. 1.~~

All terms of office ending in January 2014 at the time of the adoption of this section shall be extended to January 2015. All terms of office ending in January 2016 at the time of the adoption of this section shall be extended to January 2017.

Sec. 2-37. Primary elections.

The Tuesday following the second Monday in ~~September~~August in each ~~oddeven~~-numbered year in which a municipal general election is to be held for the purpose of electing officers is hereby designated as the primary election day for the city.

(Code 1982, § 2-22)

State law reference Municipal primary elections, Minn. Stats. § 205.065.

First Reading: February 13, 2012

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

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**MEMORANDUM**

**TO:** James Antonen, City Manager  
**FROM:** Shann Finwall, AICP, Environmental Planner  
**SUBJECT:** Authorize Purchase of Trash Carts for the Maplewood Trash Plan  
**DATE:** February 22, 2012 for the February 27 City Council Meeting

**INTRODUCTION**

On November 28, 2011, the City Council authorized the execution of a Contract between the City of Maplewood and Allied Waste Services. The Contract is for city-wide residential trash collection. The Contract requires that the City purchase and own the trash carts, with the Contractor responsible for assembly, distribution, maintenance, and inventory.

On February 13, 2012, the City Council authorized a one-time waiver to the City of Maplewood Purchasing Procedure to allow the City to purchase trash carts through a cooperative purchasing company which meets the requirements of State statute.

**DISCUSSION**

Since the City Council's authorization to purchase trash carts through a cooperative purchasing company, City staff has received quotes from four of the major cart manufacturers. The quotes were based on pricing through two different cooperative purchasing companies including the Houston-Galveston Area Council (HGAC) and the National Intergovernmental Purchasing Alliance Company.

Otto Environmental Systems N.A., Inc., has submitted a quote which will offer Maplewood the best price and value based on an analysis of all four quotes received (Exhibit 2 of Attachment 1). The Otto quote includes the purchase of 10,330 trash carts in sizes specified in the Contract (20, 32, 65, and 95 gallon). The quote estimates total cost, depending on final cart sizes and counts, to be \$426,022.50. These trash carts come in a variety of colors. Otto is also offering all black trash carts at a reduced cost of \$422,019.80. The reduction in the cost of the black carts is due to the use of up to 50 percent post consumer product (recycled trash carts). The quote includes freight, delivery, and a ten-year warranty.

**RECOMMENDATION**

Adopt the attached memorandum of understanding which authorizes the purchase of trash carts through Otto Environmental Systems N.A., Inc. (Attachment 1).

Attachment:

1. Memorandum of Understanding to Purchase Trash Carts

**Memorandum of Understanding  
Between the  
City of Maplewood and Otto Environmental Systems N.A., Inc.  
for the  
Purchase of Trash Carts**

WHEREAS, on November 28, 2011, the City Council authorized the execution of a contract between the City of Maplewood and Allied Waste Services (hereinafter "Contractor") for city-wide residential trash collection (hereinafter "Contract").

WHEREAS, the Contract requires that the City purchase and own the trash carts, with the Contractor responsible for assembly, distribution, maintenance, and inventory.

WHEREAS, on February 13, 2012, the City Council authorized a one-time waiver to the City of Maplewood Purchasing Procedure to allow the City to purchase trash carts through a cooperative purchasing company which meets the requirements of State statute.

WHEREAS, City staff has received quotes from four of the major cart manufacturers based on pricing through cooperative purchasing companies.

WHEREAS, Otto Environmental Systems N.A., Inc., has submitted a quote based on the Houston-Galveston Area Council cooperative purchase pricing which will offer Maplewood the best price and value based on an analysis of all four quotes received.

NOW, THEREFORE, it is hereby agreed by and between the City of Maplewood and Otto Environmental Systems N.A., Inc. (hereinafter "Otto"), as follows:

1. The City of Maplewood will submit a Purchase Order for the purchase of trash carts with Otto (Exhibit 1).
2. Otto will manufacture, transport, and deliver a minimum of 10,330 trash carts to the City of Maplewood (preliminary cart count estimate).
3. Otto will supply four to five different size trash carts as follows:
  - a. True 20 Gallon
  - b. False Bottom 20 Gallon (32 Gallon with Insert)
  - c. 32 Gallon
  - d. 65 Gallon
  - e. 95 Gallon
4. Pricing will be based on the February 22, 2012, Otto PO, Otto quotes, and Otto Price Adjustment Clause (Exhibits 1, 2, and 3).
5. Warranty will be based on the February 22, 2012, Otto warranty (Exhibit 4).
6. Trash carts supplied will be based on the February 22, 2012, Maplewood Trash Cart specifications (Exhibit 5).
7. Final cart count by cart size and delivery schedule will be specified by the City at a later date (tentatively scheduled for May 2012).

We, the undersigned have read and agree with this Memorandum of Understanding.

City of Maplewood:

Mayor

City Manager

By \_\_\_\_\_

By \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

City Clerk

City Attorney

By \_\_\_\_\_

By \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Otto Environmental Systems N.A., Inc.:

Director of Sales

By \_\_\_\_\_

Date: \_\_\_\_\_

Exhibits

1. Trash Cart Purchase Order
  - a. Variable Color PO
  - b. Black Color PO
2. Otto Environmental Systems N.A., Inc., Trash Cart Quote
  - a. Variable Color Quote
  - b. Black Color Quote
3. Otto Environmental Systems N.A., Inc., Price Adjustment Clause
4. Otto Environmental Systems N.A., Inc., Trash Cart Warranty
5. Trash Cart Specifications


**CONTRACT PRICING WORKSHEET**  
 For Catalog & Price Sheet Type Purchases

**Contract No.:** GC01-11

**Date Prepared:** 2/23/2012

*This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents **MUST** be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.*

<b>Buying Agency:</b>	City of Maplewood	<b>Contractor:</b>	Otto Environmental Systems
<b>Contact Person:</b>	Shann Finwall	<b>Prepared By:</b>	Ken Madsen
<b>Phone:</b>	651-249-2304	<b>Phone:</b>	704-488-0662
<b>Fax:</b>		<b>Fax:</b>	
<b>Email:</b>	shann.finwall@ci.maplewood.mn.us	<b>Email:</b>	kmadsen@otto-usa.com

<b>Catalog / Price Sheet Name:</b>	AO-9 MSD various size solid waste roll carts
<b>General Description of Product:</b>	OTTO MSD solid waste roll carts

**A. Catalog / Price Sheet Items being purchased - Itemize Below - Attach Additional Sheet If Necessary**

Quan	Description	Unit Pr	Total
4982	95 gallon roll cart	42.5	211735
4419	65 gallon roll cart	35	154665
620	32 gallon roll cart	30	18600
310	32/20 roll cart	55	17050
310	20 gallon roll cart	31.75	9842.5
			0
			0
			0
			0
			0
			0
			0
<b>Total From Other Sheets, If Any:</b>			
<b>Subtotal A:</b>			411892.5

**B. Unpublished Options, Accessory or Service items - Itemize Below - Attach Additional Sheet If Necessary**

(Note: Unpublished Items are any which were not submitted and priced in contractor's bid.)

Quan	Description	Unit Pr	Total
10331	Hot Stamps	0	0
10331	RFID	0	0
			0
			0
<b>Total From Other Sheets, If Any:</b>			
<b>Subtotal B:</b>			0
<b>Check:</b> Total cost of Unpublished Options (B) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).		<b>For this transaction the percentage is:</b>	0%

**C. Other Allowances, Discounts, Trade-Ins, Freight, Make Ready or Miscellaneous Charges**

<b>Freight</b>	14,130
	0
<b>1.5% admin fee</b>	
<b>Subtotal C:</b>	14130

<b>Delivery Date:</b>	9/1/2012	<b>D. Total Purchase Price (A+B+C):</b>	426022.5
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**CONTRACT PRICING WORKSHEET**  
For Catalog & Price Sheet Type Purchases

**Contract No.:** GC01-11

**Date Prepared:** 2/23/2012

*This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents **MUST** be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.*

<b>Buying Agency:</b>	City of Maplewood	<b>Contractor:</b>	Otto Environmental Systems
<b>Contact Person:</b>	Shann Finwall	<b>Prepared By:</b>	Ken Madsen
<b>Phone:</b>	651-249-2304	<b>Phone:</b>	704-488-0662
<b>Fax:</b>		<b>Fax:</b>	
<b>Email:</b>	shann.finwall@ci.maplewood.mn.us	<b>Email:</b>	kmadsen@otto-usa.com

<b>Catalog / Price Sheet Name:</b>	AO-9 MSD various size solid waste roll carts Black Recycle PCR
<b>General Description of Product:</b>	OTTO MSD solid waste roll carts

**A. Catalog / Price Sheet Items being purchased - Itemize Below - Attach Additional Sheet If Necessary**

Quan	Description	Unit Pr	Total
4982	95 gallon roll cart	42	209244
4419	65 gallon roll cart	34.7	153339.3
620	32 gallon roll cart	29.8	18476
310	32/20 roll cart	54.8	16988
310	20 gallon roll cart	31.75	9842.5
			0
			0
			0
			0
			0
			0
			0
<b>Total From Other Sheets, If Any:</b>			
<b>Subtotal A:</b>			407889.8

**B. Unpublished Options, Accessory or Service items - Itemize Below - Attach Additional Sheet If Necessary**

(Note: Unpublished Items are any which were not submitted and priced in contractor's bid.)

Quan	Description	Unit Pr	Total
10331	Hot Stamps	0	0
10331	RFID	0	0
			0
			0
<b>Total From Other Sheets, If Any:</b>			
<b>Subtotal B:</b>			0

**Check:** Total cost of Unpublished Options (B) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).

**For this transaction the percentage is:**

0%

**C. Other Allowances, Discounts, Trade-Ins, Freight, Make Ready or Miscellaneous Charges**

<b>Freight</b>	14,130
	0
<b>1.5% admin fee</b>	
<b>Subtotal C:</b>	14130

**Delivery Date:** 9/1/2012

**D. Total Purchase Price (A+B+C):**

422019.8



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**DATE:** 02-22-12

**TO:** Shann Finwall  
**COMPANY:** **City of Maplewood**  
Maplewood, Minnesota

**FROM:** **Ken Madsen**  
OTTO-USA.  
12700 General Dr.  
Charlotte, N.C. 28273

**PHONE:** (651) 249-2304

**PHONE:** **704-488-0662**

**EMAIL:** [Shann.Finwall@ci.maplewood.mn.us](mailto:Shann.Finwall@ci.maplewood.mn.us)

**kmadsen@otto-usa.com**

**Total number of pages:** one page

Ms, Finwall,

We are pleased to respond to your request to supply residential waste carts for the city of Maplewood, Minnesota solid waste collection plan. Otto's injection-molded MSD-95/65/32/20 gallon rollout carts are widely recognized as being the leader in the industry for quality and ease of use. The standard 10" wheels and injection-molded design give the Otto carts a non prorated 10 year warranty.

(4982) Otto MSD-95 gallon Trash carts @ \$42.50 each	\$211,735
(4419) Otto MSD-65 gallon Trash carts @ \$35.00 each	\$154,665
(620) Otto MSD - 32 gallon Trash carts @ \$30.00 each	\$18,600.00
(310) Otto MSD- 32/20 gallon Trash carts @ \$55.00 each	\$17,050.00
(310) Otto MSD 20 gallon Trash carts @ \$31.75 each	\$ 9,842.50
Freight to Maplewood 18 truck loads @ \$785.00 per load*	\$14,130.00
<b>TOTAL</b>	<b>\$426,022.50</b>

**\*Estimated 18 trucks loads for product above with 2% spare factor on all carts**

*All quotes are good for 90 days.*

Thank you for your consideration of Otto Environmental System North America, Inc. as your residential cart Provider. Please feel free to contact me with any inquires and questions that you may have.

Thank you,

*Ken Madsen*

Ken Madsen  
Otto Environmental System North America, Inc.  
Director of Sales – Municipal and key Accounts

704-488-0662(mobile)



---

**DATE:** 02-22-12

**TO:** Shann Finwall  
**COMPANY:** **City of Maplewood**  
Maplewood, Minnesota

**FROM:** **Ken Madsen**  
OTTO-USA.  
12700 General Dr.  
Charlotte, N.C. 28273

**PHONE:** (651) 249-2304

**PHONE:** **704-488-0662**

**EMAIL:** [Shann.Finwall@ci.maplewood.mn.us](mailto:Shann.Finwall@ci.maplewood.mn.us)

**EMAIL:** [kmadsen@otto-usa.com](mailto:kmadsen@otto-usa.com)

**Total number of pages:** one page

Ms. Finwall,

We are pleased to respond to your request to supply residential waste carts for the city of Maplewood, Minnesota solid waste collection plan. Otto's injection-molded Black Recycled MSD-95/65/32/20 gallon rollout carts are widely recognized as being the leader in the industry for quality and ease of use. The standard 10" wheels and injection-molded design give the Otto carts a non prorated 10 year warranty.

(4982) Otto MSD-95 gallon Trash carts @ \$42.00 each	\$209,244
(4419) Otto MSD-65 gallon Trash carts @ \$34.70 each	\$153,339.30
(620) Otto MSD - 32 gallon Trash carts @ \$29.80 each	\$18,476.00
(310) Otto MSD- 32/20 gallon Trash carts @ \$54.80 each	\$16,988.00
(310) Otto MSD 20 gallon Trash carts @ \$31.75 each	\$9,842.50
<u>Freight to Maplewood 18 truck loads @ \$785.00 per load*</u>	<u>\$14,130.00</u>
	<b>\$422,019.80</b>

**\*Estimated 18 trucks loads for product above with 2% spare factor on all carts**

***All quotes are good for 90 days.***

Thank you for your consideration of Otto Environmental System North America, Inc. as your residential cart Provider. Please feel free to contact me with any inquires and questions that you may have.

Thank you,

***Ken Madsen***

Ken Madsen  
Otto Environmental System North America, Inc.  
Director of Sales – Municipal and key Accounts

704-488-0662(mobile)

**City Of Maplewood, MN.  
Request for Quote for Residential Curbside Collection Containers**

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Price Adjustment Clause

Prices quoted to the City of Maplewood, MN. shall be firm for carts shipped from the date of the initial order through December 31, 2012. After January 1, 2013 through December 31, 2014, base cart price prices are subject to revision if the manufacturer's cost of resin/raw materials has changed from the benchmark submitted with this proposal.

Either party to the supply contract may request an adjustment, which may be an increase or decrease. There will be no more than one (1) price adjustment per quarter. Request for price changes will be documented in writing at least twenty (30) days prior to the effective date and are subject to written acceptance by both parties before becoming effective. Validation of a request for the revision shall be the responsibility of the requesting party.

Any request for resin price adjustment will be calculated based on the total weight of resin used in the body and the lid (only) of each size container and the change in the cost of resin per pound on which the bid is based, as documented in Chem Data.

As a benchmark for future possible resin price adjustment, the attached copy of the most current issue of Chem Data documents the current average industry price of high-density polyethylene as \$0.715 per pound.

The resin weights of the Otto products offered in response to this bid are as follows:

- MSD-95 – total resin weight is 36.3 lbs.
- MSD-65 – total resin weight is 27.5 lbs.
- MSD-35 – total resin weight is 17.6 lbs.
- MSD -35/20 total resin weight is 27.2 lbs
- MSD-20 - total resin weight is 14.1 lbs

HDPE LARGE BUYER CONTRACT PRICES (\$/LB., FRT. ALLD.)				
PERIOD	MED. QUAL.		HIC	HMW FILM
	INJ. MLDG.	BLOW MLDG.		
Jul 11	.715	.705		.725
Aug 11	.715	.705		.725
Sep 11	.715	.705		.725
Oct 11	.665	.655		.675
Nov 11	.665	.655		.675
Dec 11	.715	.705		.725
Jan 12	.715e	.705e		.725e

# **OTTO ENVIRONMENTAL SYSTEMS, LLC** **TEN YEAR, NON-PRORATED WARRANTY**

## **1. Otto Roll Out Waste Container Warranty**

Otto warrants the Waste Containers for a period of ten years from the date of delivery. Otto warrants that its Waste Containers purchased new will meet applicable specifications and be free from defects in material and workmanship. Otto extends this warranty only to the first purchaser of the Waste Container, except in cases when the purchase is made through an authorized Otto distributor, when the warranty will extend to the first purchaser from the distributor and not to the distributor. Otto will cover all freight cost to supply warranty cart replacement during its 10 year non-prorated period.

## **2. Exclusions From Warranty Coverage**

Any component parts that fail due to defects in material or workmanship will be repaired or replaced by Otto Environmental Systems, LLC within a reasonable period of time at no cost to the Buyer. Otto shall not be liable for incidental or consequential damages of any nature whatsoever, including lost profits. In no event shall Otto's liability ever exceed the purchase price of the allegedly defective Waste Container.

### This warranty does not cover:

- Use under circumstances exceeding specifications.
- Unauthorized repair or alteration.
- Abuse, including vandalism and damage from wildlife.
- Damage from incompatible, improperly installed, operated, or damaged lifting mechanisms.
- Damage caused by natural calamities such as fire, storm, or high winds.

## **3. Warranty Administration**

- (1) Buyer representative shall notify Otto in writing before the end of the warranty period for the allegedly defective container. Please see the contact information below.
- (2) Buyer agrees that Otto or its designated representative shall have the right to inspect and test the allegedly defective container.
- (3) Determination of liability will be based on inspection and test results of failed product.

**Otto Environmental Systems, LLC, 12700 General Drive, P.O. Box 410251  
Charlotte, NC 28241  
Attn: Warranty Dept. Phone: 1(800)-227-5885**

Revised February. 2012

## Maplewood Trash Cart Specifications

### **BACKGROUND:**

On November 28, 2011, the City Council authorized the execution of a Contract between the City of Maplewood (“City”) and Allied Waste Services (“Contractor”). The Contract is for city-wide residential trash collection. The Contract requires that the City purchase and own the trash carts, with the Contractor responsible for assembly, distribution, maintenance and inventory. The City intends to use these trash cart specifications (“Specifications”) to describe the technical standards for the design and purchase of its trash carts from a selected cart manufacturer (“Manufacturer”).

Trash collection under the new Contract is currently scheduled to begin on October 1, 2012. Carts will be delivered to all eligible Maplewood households from approximately September 10 through September 28, 2012. The Contractor will arrange for cart roll-out under the City’s supervision.

### **GENERAL:**

- 1) The cart Manufacturer shall supply four different size trash carts. The size of trash carts must be in the following ranges:
  - A) 18 to 25 Gallons (e.g., 20 gallon) \*
  - B) 30 to 48 Gallons (e.g., 32 gallon)
  - C) 60 to 65 Gallons (e.g., 65 gallon)
  - D) 90 to 96 Gallons (e.g., 95 gallon)

This cart size is sometimes referred to as a “true 20 gallon cart” so as to imply the smaller weight shape, size and capacity of this model. The City is considering a “false-bottom” 20 gallon cart (made using an insert into a regular 32 gallon cart) as an alternative to the true 20 gallon cart.

- 2) The City intends to purchase an estimated total of 10,330 carts for the trash collection program. This is the current, draft estimate of cart counts. The actual cart count numbers for the purchase order is schedule to be finalized by the City at approximately the end of April 2012.

The City reserves the right to contract for additional recycling carts from the selected Manufacturer.

Residents will be able to choose the size cart that best meets their needs. Therefore, the exact number of carts for each size is not yet known at this time.

The current estimate of cart counts by size is itemized below in Table 1.

**Table 1**  
**Current Estimate of Cart County by Size**

Cart Size	SFD Count		Assumed Cart Counts by Size	Cart Count	+2% Spares <sup>(b)</sup>	TOTAL (incl spares)
32/20			3%	304	6	310
32			6%	608	12	620
65			43%	4,332	87	4,419
95			48%	4,884	98	4,982
<b>TOTAL</b>	<b>10,126</b>	<sup>(a)</sup>	<b>100%</b>	<b>10,128</b>	<b>203</b>	<b>10,330</b>
Notes:						
(a) As per the City's RFP / Addendum #1 August 2, 2011.						
(b) Assumed number of "spare" carts on hand for switches, etc.						<b>2.0%</b>

- 3) The trash cart shall be designed for the collection of solid waste and/or recyclable materials. The trash cart shall meet ANSI Z245.60-1999 and ANSI Z245.30-1999 Type Bar/Grabber specifications. The Manufacture must supply the City with a copy of the trash cart performance test results to verify compliance with this requirement.
- 4) The trash cart shall be provided with adequate wheels and handle so that it can be pushed or pulled with little effort.
- 5) The trash cart must be designed to be emptied by a lift unit so that its contents are deposited in the hopper of a standard rear load garbage truck, semi automated side loader, front load garbage truck, or a fully automated refuse/recycling vehicle.
- 6) The trash carts shall be designed to be dumped by both semi-automated and fully automated systems.
- 7) The trash carts when empty must not overturn when the lid is thrown fully open.
- 8) It is the responsibility of the Manufacturer to acquaint themselves with the dumping and lifting systems that the City's Contractor intends to use.
- 9) Manufacturers shall supply complete working samples of the carts with the proposal by March 15, 2012.

10) Manufacturer should supply any performance test results associated with ANSI standards that they may have.

**MATERIALS:**

1) The body and the lid of the trash cart shall be formed from recyclable, first quality polyethylene. Polyethylene resin may be up to 50% recycled material. "Off-Spec" or "Wide-Spec" resin material is not acceptable. The Manufacturer must submit manufacturer's material specification prior to execution of this Contract.

2) All material must be hot compounded and is the only acceptable procedure. Dry blending of material is unacceptable.

3) Material must be ultra violet (UV) stabilized for maximum protection. Manufacturer must supply manufacturer's sheet detailing UV stabilization. The ultraviolet inhibitor must be uniformly distributed throughout the finished trash cart.

4) Material shall be suitable for trash cart use in temperatures of +120 degrees F to -35 degrees F.

5) The carts must be made using either the rotational molding or injection molding process.

6) The material and cart manufacture must be resistant to graffiti or other unauthorized markings. Any such graffiti or unauthorized markings placed on the cart should be able to be wiped off with water with mild detergent.

**TRASH CART BODY DESIGN:**

1) The size of each trash cart shall be specified in gallons, excluding the lid. The trash cart must have a reinforced wall thickness on the front wall of the trash cart as well as additional internal support from the top of the lower bar to the bottom of the trash cart.

2) The body walls shall have a slight taper so that the top of the body is slightly larger than the bottom to provide for cart nesting during shipment and to insure complete emptying of the cart.

3) The 90-96 gallon trash cart shall be capable of accommodating a maximum of three hundred thirty (330) pounds, excluding the weight of the trash cart. The 60-65 gallon trash cart shall be capable of accommodating a maximum of two hundred twenty (220) pounds. The 30-48 gallon trash cart shall be capable of accommodating a maximum of one hundred sixty five (165) pounds. The 18-25 gallon trash cart shall be capable of accommodating a maximum of one hundred (100) pounds.

4) Minimum wall thickness of the body shall be no less than 0.156 inches.

5) Interior and exterior surfaces shall be smooth, non-porous, uniform in appearance, and free of foreign substances, shrink holes, cracks, blowholes, webs, and other superficial or structural defects that could adversely affect the appearance and performance of the trash cart. It shall not support combustion or bacterial growth.

6) The interior of the cart shall be smooth, free of crevices, protrusions and/or recesses where waste material could become entrapped.

7) The bottom of the trash cart must have a molded-in wear strip to protect against damage from dragging. Screw-on, bolt- on, or pop-on wear guards are unacceptable.

**LID, HINGES, HANDLES:**

1) Each trash cart shall be equipped with a lid designed to continuously overlap the body. It shall be designed to prevent rainwater and rodents from entering the trash cart.

2) The lid shall be rigid so as not to unduly flex in any dimension (e.g., with a load of approximately 10 p.s.i.).

3) The lid must have a molded handle so that the lid can be raised by hand. Bolted on handles are unacceptable.

4) The lid hinge shall be attached to the body with a rustproof plastic fastener system. Bolted or screwed on lid hinges are unacceptable. The fastener system must allow change-out of lids without damage to the cart or the fastener system.

5) The lid should open to a position 270 degrees from the closed (horizontal) position and hang open without stressing the lid or trash cart body.

6) The lid shall have an in-molded rim on the underside circumference to serve as a vector barrier and condensation collector.

7) The lid shall be designed to enable the free and complete flow of trash from the trash cart during the dumping cycle.

8) No lid latches will be accepted. The lid will be held closed by its weight only.

**WHEELS AND AXLES:**

1) Each trash cart shall be fitted with a minimum 3/4" diameter, corrosion resistant steel axle which shall be mounted in the cart body through axle fittings integrally molded as part of the cart body and providing permanently lubricated bearing surfaces.

2) Each trash cart shall be equipped with two (2) plastic molded wheels, rated for 200 lbs. load per wheel. Wheel diameter shall be a minimum of ten (10") inches for 90 to 96 and the 60 to 65 gallon carts and eight (8") inches for the 36 to 48 gallon cart.

3) Wheels can be either snap on or attached with pal nuts. Wheels must be able to be changed without damage to the cart, the axle mountings, the end caps, and/or pal nuts.

**STABILITY:**

1) The trash carts, when empty, shall be designed to remain upright in winds of up to 50 mph in any direction.

2) The trash cart (whether empty or full) shall remain in the upright position when the lid is thrown open.

3) Trash carts must be easy for a citizen to tilt to the roll position when fully loaded.

**SAFETY & RECYCLABILITY:**

1) The trash cart shall be free from sharp corners, edges, points, or other structures that could represent a hazardous nuisance.

2) The trash cart body and lids shall be manufactured from materials that may be recycled at the end of the useful life.

**COLOR:**

1) The color of the trash carts will be selected by the City from the manufacturer's standard line at a later date.

2) The color pigment must be uniformly distributed throughout the finished trash cart.

3) The plastic color pigment must not fade in outdoor weather conditions for 10 years.

**MARKINGS:**

1) The carts shall be marked with a unique serial number for identification purposes, imprinted in white. The beginning "prefix" of the serial number shall be specified by the City.

2) The carts shall be imprinted with the City of Maplewood logo. Artwork will be supplied to the Manufacturer by the City of Maplewood.

3) The cart lid shall have trash instructions for residents on the inside, the outside, or both places. These instructions must include information on what to put in the cart and a brief preparation

guide. They may also include pictures/photos. The Manufacturer must specify if this instructional information is to be embossed, a decal/sticker, or applied using a heat transfer. All instructional information must be durable for the life of the cart.

**RFID TAG INSTALLED:**

The Manufacturer shall pre-install radio frequency identification (RFID) tags within the carts at the time of manufacture.

The specifications for these RFID tags shall include:

- 1) Must be passive design (no battery required).
- 2) Must be “Read Only” with no programming required.
- 3) Must be 100% weatherproof.
- 4) Must permanently attach to the trash cart.
- 5) Must be compatible with standard Handheld and Truck Mounted RFID Scanners.
- 6) Must be uniquely coded at the factory.
- 7) Must have a service life of 15 to 20 years.
- 8) Must be impact resistant.
- 9) Must have a minimum factory warranty of 10 years.
- 10) Tag specifications:
  - 0.007” clear polyester face material, permanent acrylic adhesive
  - Inlay Specification: Raflatac Short Dipole Monza3 IC, 860 to 960 MHz, Class 1 Gen2, EPC compliant, 96 bit memory.
  - Tag Construction: Both sides of the inlay are laminated with the 0.007” clear polyester, acrylic adhesive material.
  - Inlay Placement Specification: The inlay will be centered in the tag, +/- 1/16” in web and cross web direction.
  - Tag Dimensions: 4.25” wide x 1” long, with a tear perforation between each tag along the tag’s 4.25” side. There is no spacing between the tags.
  - Tag Encoding: 10 digit, non-repeating, sequential, decimal number starting at 1000000027 and incrementing by 1 for each tag, data is locked, no password,

missing numbers are allowed, all 24 characters can be filled with the 14 digits on the left side of the number set at 0 (zero)

- Finished Rolls: 6" core, maximum 2,500 tags per roll, placed in ESD protective bags.
- Defective Inlays: Marked and left in the rolls

**WARRANTY:**

The Manufacturer shall warrant that the goods sold hereunder will be of merchantable quality, will conform to applicable specifications, drawings, designs, samples and descriptions, will be free from defects in material and workmanship and will be fit for the particular purpose intended by the buyer.

- A) The cart base, lid including latch, handle(s), wheels, axle, RFID tags and all other hardware shall be warranted for a period of ten (10) years against premature failure/wear during normal use. Under this provision, the successful Manufacturer shall assume all costs related to part replacement/repair including applicable freight, labor, and equipment.
- B) The only exception to the above warranty shall be component part failure resulting from City Contractor or owner abuse and vandalism which determination shall be made solely in the judgment of the City. Under this provision the City shall be responsible for all repair costs including freight, labor, and equipment. Snow-related failures shall not constitute owner abuse or vandalism.
- C) Warranty disagreements, if any, will be settled by a third party, mutually chosen by the successful Manufacturer and the City. The Manufacturer and the City shall share all third party expenses equally.

**Warranty Statement:** All Manufacturers must attach to their proposal a copy of their complete warranty statement, which will not only confirm the requirements stated above but also any other information applicable to their warranty.

**SHIPMENT / DELIVERY:**

- 1) The partially assembled carts shall be delivered, F.O.B. the City of Maplewood to staging or storage areas specified by the City of Maplewood prior to shipment. The shipment shall be scheduled to be delivered between 8 a.m. and 2 p.m. on a regular City work day.
- 2) The Manufacturer shall provide a written inventory of all carts delivered with serial numbers and corresponding RFID tags. This inventory shall also be provided to the City and its Contractor in MS Excel electronic, database readable format (or a suitable alternative approved by the City).

**OLD CART AND CAN RECYCLING:**

1) The Manufacturer shall indicate if they could arrange a program that will allow the City of Maplewood to recycle the old trash cans.

**ADDITIONAL INFORMATION:**

The Manufacturer shall supply, with the purchase order, complete technical data on the particular cart model(s) being proposed by their company. The information shall include construction specifications.

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## MEMORANDUM

**TO:** Jim Antonen, City Manager  
**FROM:** Karen Guilfoile, Director of Citizen Services  
**SUBJECT:** First Reading of the Ordinance Adopting the Republication  
of the City Code of Ordinances  
**DATE:** February 22, 2012

### INTRODUCTION

The city code of ordinances was originally codified by Municipal Code in 1965. Throughout the years supplements have been made to the code and in 2003 there was a recodification which included a legal review updating State law citations in the footnotes of the code.

For several years updating the code to include new and amended ordinances was cut from the budget. At the April 11, 2011 city council meeting, council authorized an agreement with Municipal Code to proceed with the republication of the city code that included 98 revisions to ordinances that were not included in the 2003 codification.

### BACKGROUND AND DISCUSSION

One of the most exciting and beneficial services of our agreement with Municipal Code is that the code will be accessible on-line and readily available to both staff and citizens for researching purposes. A link on the city website will direct the viewer directly to the Municipal Code website where the Maplewood City Code will be digitally housed.

The code will be updated quarterly as needed with the option of addressing any time-sensitive revisions within a two to five day period for a nominal fee.

To ensure that the city council and staff are always working with the most current code only three "hard copies" of the code have been printed. They will be distributed to the city manager, city clerk, and one housed in the city council office. Citizen Services staff will ensure that these three hard copies are kept up to date with assistance from Municipal Code.

In addition to the full code being published, Chapter 44, the Zoning Code, has been published as its own stand alone document. At a cost, these can be provided to contractors and developers which will be an asset to them when working within the city.

Staff worked diligently to review the current code of ordinances in preparation for the republication and codification. It was an arduous process. During review staff found numerous typographical and editorial misprints originating from the previous version of the Code published in 2003. Following are corrections. Additions are underlined and deletions are stricken.

**Section 1. Chapter 2, Administration, Sections 2-283(b)(1) and 2-288(1)(h) are amended to read as follows:**

**Sec. 2-283. Membership.**

(b) Council- appointed members shall be as follows:

(1) ~~Two~~ One architects shall be appointed, if available to serve.

**Sec. 2-288. Applications for review; required documents and information.**

(1) A design development plan of the entire project showing the following:

(h) ~~The locations of all exterior lighting standards.~~ A detailed photometric plan shall be submitted as required by the outdoor lighting requirements in section 44-20.

**Section 2. Chapter 6, Alcoholic Beverages, Section 6-166(c) is amended to read as follows:**

**Sec. 6-166. Surrender of on-sale 3.2 percent malt beverage license before issuance of off-sale intoxicating liquor license; state approval of bonds.**

**Delete subsection (c)**

~~(c) If an on-sale license is granted under this division, the resolution of the city council must direct the clerk to issue the license whenever the bond required by this division has been approved by the council.~~

**Section 3. Chapter 12, Buildings and Building Regulations, Section 12-69(b) is amended to read as follows:**

**Sec. 12-69. Submittal evaluation.**

(b) The following conditions shall apply to all building relocations in the city; the city may waive any of these requirements that do not apply to a specific situation, and the city may add additional conditions:

(1) Lot lines shall be verified by the applicant by survey pins.

~~(1)~~(2) An irrevocable letter of credit or cash escrow shall be submitted to the city. This surety shall be for 1 ½ times the estimated cost of all yard work or exterior remodeling required by the city. The city shall not release this surety until this work is completed. This work shall be completed within 90 days of the permit date. The director of community

development may extend this deadline for 60 days if there has been a reasonable construction delay. The city council may approve additional time extensions.

~~(2) The petitioner shall furnish an irrevocable letter of credit or cash escrow 1 ½ times the estimated cost of remodeling, refinishing, or otherwise constructing or reconstructing such building in accordance with the plans and specifications. With this surety, it shall be further conditioned that the work will be completed within 90 days of the issuance of the permit.~~

**Section 4. Chapter 14, Businesses and Licensing, Sections 14-260(c), 14-260(d) and Article XVIII should be amended to read as follows:**

**Sec. 14-260. Restrictions.**

(c) Number of benches at one location. There shall be no more than one courtesy bench located at each approved site or within one city block.

(d) Name on benches. Each bench shall contain the name of the licensee and date of installation.

**Section 5. Chapter 34, Subdivision, Sections 34-8(d)(1), 34-8(d)(2), 34-8(e)(1), 34-8(f)(1) should be amended to read as follows:**

**Sec. 34-8. Minimum subdivision design standards.**

(d) Trails and pedestrianways. Design standards for trails and pedestrianways shall be as follows:

(1) Trails. Trails shall be a minimum of eight feet wide. Trails between property lines shall be centered within a right-of-way that is at least two-ten feet wider than the trail pavement. If the trail is in an easement, the trail shall be centered in an easement that is at least 30 feet wider than the trail pavement. ~~A trail easement must be submitted for review and approval to the director of community development before final plat approval.~~

**Sec. 34-8. Minimum subdivision design standards.**

(d) Trails and pedestrian ways. Design standards for trails and pedestrianways shall be as follows:

(2) Pedestrianways. Pedestrianways, where permitted, shall be at least 48 15 feet wide.

(e) Easements. Design standards for easements shall be as follows:

(1) Utility easements. Easements at least 20 12 feet wide, centered on rear lot lines, shall be provided for utilities, where necessary. They shall have continuity of alignment from block, and at deflection points easements for pole line anchors shall be provided.

**Sec. 34-8. Minimum subdivision design standards.**

(f) Lots. Design standards for lots shall be as follows:

- (1) Lot dimensions in F and R-1 zones. The minimum lot dimension to subdivide in an F or R-1 zone shall be as follows:

**Delete subsection (c)**

~~(c) Interior lots-double dwellings. Interior lots for double dwellings shall be:~~

~~\_\_\_\_\_ (1) Eighty-five feet wide at the established building setback line.~~

~~\_\_\_\_\_ (2) Not less than 12,000 square feet in lot area.~~

(3) Rear lot lines. The minimum dimensions at the rear lot line of any lot shall be thirty (30) feet.

~~(3)~~ (4) Location. All lots shall abut on a publicly dedicated and maintained street.

~~(4)~~ (5) Side lot lines. Sidelines of lots shall be substantially at right angles or radial to the street line.

~~(5)~~ (6) Double-frontage lots. Double-frontage ....

~~(6)~~ (7) Lot areas. Minimum lot areas...

~~(7)~~ (8) Natural or historic resources. In the subdividing of any land...

~~(8)~~ (9) Double dwellings. The minimum lot...

(10) Reserved.

~~(9)~~ (11) Outlots. No building permit...

~~(10)~~ (12) Pipelines. The city may require...

~~(11)~~ (13) Individual sewage treatment systems. Where the city engineer...

**Section 6. Chapter 44, Zoning, Sections 44-6, 44-511(1), 44-558(3), 44-559(1), 44-560, 44-596(12), 44-1092(7) and 44-1278 should be amended to read as follows:**

**Sec. 44-6. Definitions.**

Livestock means horses, cattle, mules, asses, goats, sheep, swine, buffalo, ~~rabbits~~, llamas, ostriches...

**Sec. 44-511. Permitted uses.**

The city shall only permit the following uses by right in a BC business commercial district:

- (1) A dwelling unit for one family ~~is permitted in combination~~ with a business use. The dwelling unit and the principal business use must be in the same structure.

**Sec. 44-558. Conditional uses.**

In the BC(M) business commercial district (modified), the following uses must have a conditional use permit:

- (3) Restaurant, where there are no drive-up food or beverage ~~order~~ windows or outdoor menu or ordering boards ~~serving of food to patrons in their automobiles~~. All cooking odors must be controlled so as not to be noticeable to adjacent residences.

**Sec. 44-559. Prohibited uses.**

Prohibited uses in the BC(M) business commercial district (modified) are as follows:

- (1) Drive-in theaters ~~or drive-in restaurants~~.

**Sec. 44-560. Definition.**

**Delete the definition of drive-in restaurant.**

~~Drive-in restaurant means a restaurant with a drive-up order window or serving of food to patrons in their automobiles.~~

**Sec. 44-596. Permitted uses.**

(12) Adult use accessory subject to the requirements in chapter 14, article III. ~~The city may issue adult use accessory licenses to businesses or establishments located in the SC (shopping center) zoning district subject to the requirements in chapter 14, article III, and the following requirements:~~

~~—a.—The adult use accessory shall comprise no more than 20 percent of the floor area of the establishment or building in which it is located.~~

~~—b.—Display areas for adult movie or videotape rentals or other similar products shall be restricted from general view and shall be located within a separate room, the access of which is in clear view and under the control of the person responsible for the operation.~~

~~—c.—Magazines and publications or other similar products classified or qualified as adult uses shall not be accessible to minors and shall be covered with a wrapper or other means to prevent display of any materials other than the publication title.~~

~~—d.—Adult use accessory shall be prohibited from both internal and external advertising and signing of adult materials and products.~~

**Sec. 44- 1278. Definitions.**

**Delete the definition of mining.**

~~Mining and extraction mean the removal and processing of materials.~~

**Sec. 44-1328. Construction requirements, setback and height restrictions in zoning districts or locations other than residential.**

No person, firm or corporation shall erect a tower in a location other than residential without first obtaining a conditional use permit from the city council...

**Section 7. The following historical references contained in the index notes as they refer to the sections below should be amended to reflect the correct adoption dates:**

Sec. 4-101; 4-102; 4-103 – Ordinance 821 was adopted on 12.17.2001

Sec.6-117- Ordinance 797B was adopted on 07.26.1999

Sec. 12-307 – Ordinance 811 was adopted on 04.09.2001

Sec. 14-730; 14-801; 14-826 through 14-832 – Ordinance 824 was adopted on 04.08.2002

Sec. 44-17 – Ordinance 795 was adopted on 03.08.1999

Sec. 44-536 – Ordinance 802 was adopted on 07.10.2010

In order to adopt the republication the following Ordinance is submitted for council approval.

ORDINANCE NO \_\_\_\_\_

An Ordinance Adopting and Enacting the Republication of the City Code of Ordinances for the City of Maplewood, Providing for the Repeal of Certain Ordinances Not Included Therein: Providing a Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code: and Providing When Such Code and This Ordinance Shall Become Effective

BE IT ORDAINED BY THE CITY OF MAPLEWOOD:

Section 1. The Code entitled "The Maplewood City Code," published by Municipal Code Corporation, consisting of Chapters 1 through 44, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before July 11, 2011, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine of not more than \$1,000.00 or imprisonment for not more than 90 days or by both fine and imprisonment. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the City of Maplewood may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the City of Maplewood to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after July 11, 2011 that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall become effective upon the second reading and subsequent publication of the same.

1<sup>st</sup> Reading February 27, 2012  
2<sup>nd</sup> Reading March 7, 2012  
Publication March 21, 2012

## **BUDGET IMPACT**

At the April 11, 2011 city council meeting council approved a budget of \$16,000 for the republication of the code; the project is within budget.

## **RECOMMENDATION**

It is recommended the City Council approve the first reading of the Ordinance Adopting the Republication of the City Code of Ordinances which will also adopt corrections to 2003 recodification as outlined above in the staff report.