

**MINUTES**  
**MAPLEWOOD CITY COUNCIL**  
7:00 p.m., Monday, December 10, 2012  
Council Chambers, City Hall  
Meeting No. 22-12

**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
Rebecca Cave, Councilmember	Present
Kathleen Juenemann, Councilmember	Present
Marvin Koppen, Councilmember	Present

**D. APPROVAL OF AGENDA**

The following items were added to the agenda:

M1	Crime Alert
M2	Cable Service
M3	City Attorney Information
M4	Bruentrup Farm
M5	Joint Meeting with North St. Paul
M6	Cable Commission Discussion

The following item on the agenda was table until January 14, 2013:

L2 Update on Labor Negotiations

Councilmember Koppen moved to approve the agenda as amended.

Seconded by Councilmember Juenemann                      Ayes – All

The motion passed.

**E. APPROVAL OF MINUTES**

**1. Approval of November 26, 2012 City Council Workshop Minutes**

Councilmember Juenemann moved to approve the November 26, 2012 City Council Workshop Minutes as submitted.

Seconded by Councilmember Koppen                      Ayes – All

The motion passed.









**THEREFORE BE IT RESOLVED** that the City Council and the Business and Economic Development Commission of the City of Maplewood does hereby proclaim its admiration for;

**Paul R. Yocum,**

on this 10<sup>th</sup> day of December, 2012

Seconded by Councilmember Koppen

Ayes – All

The motion passed.

**7. Ordinance Amendment—Including the Housing and Redevelopment Authority Duties With Those of the Business and Economic Development Commission (Second Reading)**

Mayor Rossbach moved to approve the amendments to Division 9, the Business and Economic Development Commission ordinance, to include the duties and responsibilities of the Housing and Redevelopment Authority – Second Reading.

ORDINANCE 927  
**AN ORDINANCE AMENDING DIVISION 9—THE MAPLEWOOD BUSINESS AND ECONOMIC DEVELOPMENT ORDINANCE TO INCLUDE THE DUTIES OF THE HOUSING AND REDEVELOPMENT AUTHORITY**

The Maplewood City Council approves the following revision to the Maplewood Code of Ordinances. (Additions are underlined and deletions are crossed out.)

**Section 1. DIVISION 9. THE MAPLEWOOD HOUSING BUSINESS AND ECONOMIC DEVELOPMENT COMMISSION (HEDC) (BEDC)**

**Sec. 2-335. Definitions.**

*Common terms:* As used in this division, the terms defined have the meanings given them.

*Commission* means the Housing Business and Economic Development Commission or HEDC.

*City* means the City of Maplewood, Minnesota.

*City Council* means the duly elected governing body of the City of Maplewood, Minnesota.

*Enabling Resolution* means the ordinance from which this division derives.

*Small Business* means a business whose principal place of operation is in the City of Maplewood and employs thirty people or less and is not a subsidiary of a larger entity or a corporate-owned franchise location.

**Sec. 2-336. Establishment.**

The Commission Business and Economic Development Commission is established which shall have all of the powers, duties and responsibilities of a commission pursuant to Minnesota Statutes § 13.01, subd. 1(c)(5) and formed pursuant to Minnesota Statute § 412.21, subd. 1. The Commission shall also have all of the powers, duties and responsibilities of Minnesota Statutes pursuant to the function of a housing and redevelopment authority.

**Sec. 337. Purpose.**

It shall be the role and responsibility of the Commission to discuss and make recommendations to the Maplewood Economic Development Authority regarding economic and industrial development and redevelopment within the City of Maplewood pursuant to Bylaws as may be adopted by the Commission. It shall confer with other City departments, the Maplewood Economic Development Authority, the local Chamber of Commerce, the Maplewood Parks Commission, and other public and private groups on matters relating to business and industrial development and periodically survey the area's industrial and commercial climate and report regularly to the Maplewood Economic Development Authority, the Maplewood City Council, or both as directed.

It shall also be the purpose of the Commission to advise and make recommendations to the Maplewood City Council on housing matters regarding policy issues, development, redevelopment and housing maintenance. The Commission's purpose is to also promote and guide the city council and city staff to develop, improve and retain housing stock in Maplewood that is safe, healthy, meets the housing needs of the residents and maintains value of quality housing throughout the city.

**Sec. 2-338. Name.**

The entity created by the Enabling Resolution shall be known as the Maplewood Housing Business and Economic Development Commission or HEDC or BEDC.

**Sec. 2-339. Members.**

The Commission shall initially consist of seven (7) members, three (3) of which shall be representative of, "small business," if available to serve, in Maplewood. The Members shall be appointed by the Mayor and City Council, upon approval by majority vote of the same. Those initially appointed shall be appointed for staggered terms consisting of two members appointed to one (1) year terms; two members appointed to two (2) year terms; and three members appointed to three (3) year terms, respectively, with a "small business" representative appointed in each of the initial term timeframes. Thereafter, Members are appointed to three (3)-year terms. Members may be reimbursed for expenses pursuant to City reimbursement policies. The city council shall also appoint persons to the Commission with backgrounds in housing, with knowledge in securing and maintaining quality housing stock in the city.

**Sec. 2-340. Administration.**

*Bylaws.* The Commission shall adopt bylaws and rules of procedure for administration of its affairs.

*Chair.* The Commission shall elect a Chair, and a Vice Chair on an annual basis.

*Meetings.* The Commission shall meet quarterly and at such other times as necessary.

*Rules.* The Commission shall adopt such rules and guidelines as they deem appropriate, but shall operate in accordance with Maplewood's Commission Handbook as adopted and amended from time to time. No rules shall be adopted by the Commission that are in conflict with the City's Official Commission Handbook and in the event of any conflict or question, the Handbook shall prevail.

**Sec. 2-341. Modification.** All modifications to the Enabling Resolution must be by Ordinance and must be adopted by the City Council by majority vote.







2. Diana Longrie, Maplewood Resident
3. John Wykoff, Maplewood Resident

Mayor Rossbach closed the public hearing.

Councilmember Cave moved to set the tax levy at 2% for 2013.

Seconded by Councilmember Cardinal

Ayes – Council Members Cardinal and Cave

Nays - Mayor Rossbach, Council Members Juenemann and Koppen

The motion failed.

Mayor Rossbach moved to approve the Resolution Certifying Taxes Payable in 2013.

RESOLUTION 12-12-829  
CERTIFYING TAXES PAYABLE IN 2013

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

1. The following amounts of taxes be levied for 2012, payable in 2013, upon the net tax capacity in said City of Maplewood, for the following purposes:

General Fund	\$12,500,600
Ambulance Service	450,000
Community Center	460,000
Recreation Programs	175,000
Capital Improvement Projects	180,000
Fire Truck Replacement	50,000
Park Development	30,000
Public Safety Expansion	260,000
Redevelopment	20,000
Debt Service	<u>3,620,770</u>
<b>TOTAL LEVY</b>	<b>\$17,746,370</b>

2. In addition, there is a \$692,760 market value based referendum levy for 2012 payable in 2013 to finance the debt service on the 2002 Open Space Refunding Bonds and the 2004 Fire Safety Refunding Bonds. **This results in a total certified City levy of \$18,439,130.** There is also a proposal for an EDA levy of \$89,270. This would bring the total levy up to \$18,528,400 (a 3.78% increase over 2012).
3. The net tax capacity based levy of \$3,620,770 for Debt Service and the market value based referendum levy of \$692,760 total \$4,313,530. This is a net decrease of \$1,996,035.34 in the scheduled levy of \$6,309,565.34. The breakdown by Debt Service Fund is attached.

Seconded by Councilmember Juenemann

Ayes – Mayor Rossbach, Council Members Juenemann and Koppen

Nays - Council Members Cardinal and Cave

The motion passed.

Mayor Rossbach moved to approve the Resolution Adopting the Budget for 2013.

RESOLUTION 12-12-830  
ADOPTING A BUDGET FOR 2013

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MINNESOTA** that a budget for 2013 is hereby adopted as outlined in the following summary:

	OPERATING BUDGET	CAPITAL IMPROVEMENTS BUDGET	DEBT SERVICE BUDGET	TOTAL
Revenues	\$33,761,650	\$2,037,910	\$6,936,840	\$42,736,400
Net other increases (decreases)	(2,057,360)	4,014,380	1,497,180	\$3,454,200
Expenditures	(32,579,340)	(2,472,370)	(10,599,980)	(\$45,651,690)
Net change in fund balance	(\$875,050)	\$3,579,920	(\$2,165,960)	\$538,910

**BE IT FURTHER RESOLVED** that the department appropriations totaling \$32,579,340 as listed in the budget booklet are hereby approved for the 2013 Operating Budget.

**BE IT FURTHER RESOLVED** that the following appropriations are hereby approved for the 2013 Capital Improvements Budget:

CAPITAL IMPROVEMENT PROJECTS	\$225,050
FIRE TRAINING FACILITY	604,330
FIRE TRUCK REPLACEMENT FUND	260
LEGACY VILLAGE TAX ABATEMENT DISTRICT	770
PARK DEVELOPMENT	205,050
PUBLIC SAFETY EXPANSION	1,042,290
REDEVELOPMENT	50
RIGHT-OF-WAY	40
SEWER LIFT STATION #14	250,000
STORM CLEANUP	40,000
TAX INCREMENT HOUSING DISTRICT #1-1	4,470
TAX INCREMENT HOUSING DISTRICT #1-2	5,710
TAX INCREMENT HOUSING DISTRICT #1-3	2,040
TAX INCREMENT HOUSING DISTRICT #1-4	600
TAX INCREMENT HOUSING DISTRICT #1-5	600
TAX INCREMENT HOUSING DISTRICT #1-6	710
TAX INCREMENT HOUSING DISTRICT #1-7	22,850
TAX INCREMENT HOUSING DISTRICT #1-8	60,700
WATER AVAILABILITY CHARGE – N. ST. PAUL	1,550
WATER AVAILABILITY CHARGE – ST. PAUL	5,300
<b>TOTAL CAPITAL IMPROVEMENTS BUDGET APPROPRIATIONS</b>	<b>\$2,472,370</b>

**BE IT FURTHER RESOLVED** that the Finance Manager shall establish a budget for each public improvement project when the Council orders the project and that the budget amounts shall be recorded at amounts specified in the feasibility study for the project.

**BE IT FURTHER RESOLVED** that the following appropriations are hereby approved for the 2013 Debt Service Budget:

\$7,552,460	Principal
2,997,070	Interest
8,170	Paying Agent Fees
12,850	Fees for Service
29,430	Investment Management Fees
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\$10,599,980	TOTAL DEBT SERVICE BUDGET APPROPRIATIONS

**BE IT FURTHER RESOLVED** that the above budgets for Governmental Funds are hereby adopted for financial reporting and management control.

**BE IT FURTHER RESOLVED** that the above budgets for all other funds are hereby adopted for management purposes only.

**BE IT FURTHER RESOLVED** that the transfer of appropriations among the various accounts, within a fund, shall only require the approval of the Manager or his designee. However, City Council approval is required for transfers from contingency accounts.

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

Seconded by Councilmember Koppen

Ayes – Mayor Rossbach, Council Members Juenemann and Koppen  
Nays - Council Members Cardinal and Cave

The motion passed.

Councilmember Cardinal requested that the following be included into the minutes as the reason that he voted not to approve the levy increase.

Comments on proposed Levy increase from five Maplewood Residents:

1) Listen to the people 2) Who wants taxes to go up? 3) What is needed now, to justify increasing taxes? 4) Some Senior Citizens could be losing their homes; some have heating assistance 5) What's the difference, taxes are going to go up. 6) Why more taxes are needed? What am I getting that I am not getting now? What direct benefit? 7) Outsourcing – what you need to do for business now. 8) Police Department is all on its own – untouchable. 9) There should be a direct relationship for what I am getting that I am not getting now. 10) Taxes to high – do not raise at this time; many people are still under water (20-30%) with mortgages more than property is worth. 11) How can they do that, raise taxes? 12) This would defeat the whole purpose; some people are just hanging on. Increasing taxes is not going to help. Some people will just walk out and leave there home to foreclosure. 13) Poverty rate in Maplewood is at an all time high.

The Council took a 10 minute break.

Mayor Rossbach moved to close the council meeting to convene the Economic Development Authority meeting.

**2. Economic Development Authority Meeting (The City Council Serves as the EDA)**

**A. CALL TO ORDER**

A meeting of the City Council serving as the Economic Development Authority, (EDA), was held in the City Hall Council Chambers and was called to order at 9:00 p.m. by EDA Vice-Chair Rossbach.

**B. ROLL CALL**

Will Rossbach, Vice Chair	Present
Rebecca Cave, Member	Present
Robert Cardinal, Member	Present
Kathleen Juenemann, Member	Present
Marvin Koppen, Member	Present

**C. APPROVAL OF AGENDA**

Member Juenemann moved to approve the Agenda as submitted.

Seconded by Member Koppen      Ayes – All

The motion passed

**D. APPROVAL OF MINUTES**

**1. Approval of October 8, 2012 Economic Development Authority Meeting Minutes**

Member Koppen moved to approve the October 8, 2012 Economic Development Authority Meeting Minutes as submitted.

Seconded by Chair Rossbach      Ayes – Chair Rossbach, Members Cardinal, Juenemann and Koppen  
Abstain – Member Cave

The motion passed.

**E. PUBLIC HEARING**

**1. Public Hearing on 2013 Tax Levy**  
**a. Resolution Certifying Taxes Payable in 2013**

Finance Manager Bauman gave the staff report and answered questions of the Economic Development Authority.

Vice Chair Rossbach opened the public hearing. The following people spoke:

1. Diana Longrie
2. Mark Bradley

Vice Chair Rossbach closed the public hearing.

Vice Chair Rossbach moved to approve the Resolution Certifying Taxes Payable in 2013.

RESOLUTION 12-12-831

CERTIFYING TAXES PAYABLE IN 2013

**BE IT RESOLVED** BY THE MAPLEWOOD AREA ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF MAPLEWOOD, MINNESOTA that:

1. The following amounts of taxes be levied for 2012, payable in 2013, upon the net tax capacity in said City of Maplewood, for the following purposes:

EDA	\$89,270
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2. The 2013 Budget for the Maplewood Area Economic Development Authority is included in the City Budget document and will be adopted along with all the other funds of the City. A summary of the budget is as follows:

Revenues	\$92,400
Expenditures	65,500
Net change in fund balance	<u>26,900</u>

Seconded by Member Koppen      Ayes – Vice Chair Rossbach, Members Juenemann and Koppen  
Nays – Members Cardinal and Cave

The motion passed.

**F. ADJOURNMENT**

EDA Vice Chair Rossbach adjourned the meeting at 9:30 p.m.

Mayor Rossbach reopened the City Council Meeting.

**3. MnDOT I-35E MnPASS Improvements, Project 11-02, Public Hearing and Resolution Approving Final Layout (Municipal Consent)**

Public Works Director/City Engineer Thompson gave the staff report and answered questions of the council. Jenny Reed representing MnDOT gave the specifics of the report.

Mayor Rossbach opened the public hearing. The following people spoke:

1. John Schmahl, Maplewood Resident

Mayor Rossbach closed the public hearing.

Mayor Rossbach moved to approve the resolution for layout approval after conducting the public hearing in order to provide municipal consent for the I-35E MnPASS Improvements, State Project 6280-367 (Maplewood City Project 11-02).

RESOLUTION 12-12-832  
RESOLUTION FOR LAYOUT APPROVAL  
MUNICIPAL CONSENT  
I-35E MNPASS



Councilmember Cardinal moved to Deny the request by Azure Properties to amend the Maplewood Comprehensive Land Use Plan classifications from LDR (low density residential) and P (park) to HDR (high density residential) for property on the north side of Roselawn Avenue east of Edgemont Street. This property consists of land owned by the applicant, the easterly 10 feet of Edgemont Street, an undeveloped alley right-of-way and .9 acres of city-owned land and vacated Arkwright Street. Denial is based on the following reasons:

1. A goal of the Maplewood Comprehensive Land Use Plan is to strive for a variety of housing types for people of all stages of the life cycle. It was demonstrated at the November 26, 2012 city council meeting that this neighborhood currently has a variety of housing types which include senior housing, town homes, apartments, single family homes and long-term nursing home care. This neighborhood, therefore, is already meeting the goals of the comprehensive plan by serving people of all stages of the life cycle.
  2. It was further stated at the November 26, 2012 city council meeting that the existing senior's housing complex in this neighborhood, Rosoto Villa on Roselawn, is not currently fully occupied. The concern was raised whether the neighborhood could sustain another 71 units of senior housing when the existing senior housing facility is not at full occupancy.
  3. Similarly, The Shores Senior Housing complex has recently been completed on Frost Avenue and East Shore Drive only a few miles away that has 105 available senior units and vacant land with the potential for an additional 62 plus units. Thus, this area has 105 newly available senior's units, with the potential for 167, without having to make any amendments to the Comprehensive Plan or to the City's existing zoning controls/map.
  4. Approval of a land use plan amendment to provide for 71-units of senior housing would not, therefore, be necessary to meet the goals and objectives of the land use plan since these goals and objectives are currently being met.
- A. Deny the proposed rezoning from R1 (single dwelling residential) and OSP (open space and park) to R3 (multiple dwelling residential). Denial is because, without a comprehensive land use plan amendment to HDR (high density residential), rezoning to multiple-dwelling residential would be an inappropriate zone change that would conflict with the comprehensive plan's guide for land use.
- B. Deny a conditional use permit for a planned unit development to allow the construction of a 71-unit senior housing complex on the proposed site. Denial is because the proposed use would not be located, designed, maintained, constructed and operated to be in conformity with the city's comprehensive plan and the zoning code, since the land use plan and zoning classifications have not been changed to support multi-family development.
- C. Deny the vacations of the easterly 10 feet of Edgemont Street and the alley east of Edgemont Street on the north side of Roselawn Avenue. Denial is because, without the approval of a land use plan amendment to HDR (high density residential), the other zoning requests are not appropriate and the proposed senior housing development would not be in harmony with the city's land use plan. Since the vacation of these rights-of-way were for the purpose of providing additional density for the proposed project, vacating them at this time would serve no purpose and is, therefore, not in the public's interest to do so at this time.

Seconded by Councilmember Cave

Ayes – All

The motion passed.

Councilmember Cardinal requested a short break.

**3. Approval to Direct Discontinuation of Investigation Into the Combination of the Planning Commission with the Community Design Review Board**

City Planner Ekstrand gave the staff report.

Councilmember Cave moved to table action and further the discussion to the second meeting of November 2013 to reconsider the combination of the planning commission and the community design review board into one commission.

Seconded by Councilmember Juenemann                      Ayes – All

The motion passed.

**4. Approval of Month-to-Month Extension for Contractual Police and Fire Services for the City of Landfall**

City Manager Antonen gave the staff report.

Councilmember Cardinal moved to approve the City Manager to enter into a month-to-month contract for the extension of service for Police and Fire Protection services in the City of Landfall according to existing terms for up to 6 months; at which time, the contract shall be terminated with Landfall for Police Protection and Fire Protection Services in the best interest for the City of Maplewood.

Seconded by Councilmember Cave                              Ayes – All

City of Landfall Councilmember Ron Sanoski addressed the council to give additional input and answer questions.

The motion passed

**5. Approval of Resolution Authorizing Maintenance Agreement with MnDOT [Agmt. No. 02472] for the Former BNSF Bridge Number 62822 Over T.H. 694 Between White Bear Avenue and T.H. 61**

Assistant City Manager Ahl gave the staff report.

Councilmember Juenemann moved to approve the resolution authorizing the Maintenance Agreement with MnDOT [Agmt.No. 02472] for the former BNSF Bridge Number 62822 over T.H. 694 between White Bear Avenue and T.H. 61; subject to minor revisions that shall be approved by the Assistant City Manager and City Attorney.

RESOLUTION 12-12-833

IT IS RESOLVED that the City of Maplewood enter into Mn/DOT Agreement No. 02472 with the State of Minnesota, Department of Transportation for the following purposes:

To clarify the maintenance responsibilities of the former BNSF Railroad Bridge number 62822 over T.H. 694 between White Bear Ave. and T.H. 61 between the State of Minnesota, Department of Transportation and the City.

IT IS FURTHER RESOLVED that the Mayor and the City Manager are authorized to execute the Agreement and any amendments to the Agreement.

Seconded by Councilmember Koppen

Ayes – All

The motion passed.

**J. NEW BUSINESS**

- 1. Conditional Use Permit Revision for a Planned Unit Development for Buffalo Wild Wings to Expand at 3085 White Bear Avenue**
  - a. Planning Commission Report**
  - b. Community Design Review Board Report**
  - c. PUD Consideration**
  - d. Design Review Consideration**

Senior City Planner Ekstrand gave the staff report.

Mayor Rossbach moved to approve the resolution for an amendment to the conditional use permit for a planned unit development for the development of four restaurant/retail buildings at 3085 White Bear Avenue (Chesapeake Retail Center).

RESOLUTION 12-12-834  
CONDITIONAL USE PERMIT

WHEREAS, Buffalo Wild Wings applied for a conditional use permit revision for a planned unit development to construct a building and patio expansion at the shopping center known as Chesapeake Retail Center.

WHEREAS, this permit applies to the property at 3085 White Bear Avenue. The legal description is Lot 1, Block 1, Maplewood Mall Addition.

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

1. On November 20, 2012, the planning commission held a public hearing. 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. The planning commission recommended approval of the conditional use permit request.
2. On December 10, 2012, the city council considered this request. The 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 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 not exceed the design standards of any affected street.
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 no more than minimal adverse environmental effects.

Approval is subject to the following conditions:

- a. Have the city engineer approve final construction and engineering plans. These plans shall comply with all requirements as specified in the city engineering department's April 26, 2004, engineering plan review as well as the following:
  - 1) A westward extension of the retaining wall south of Building D (Jared Jewelers). The retaining wall height must be sufficient to create a prevailing ground slope away from Building D, thereby deflecting a potential flow from a pipeline leak.
- b. Prior to issuance of a grading or building permit, the developer must complete the following:
  - 1) Obtain a demolition permit for the removal of the existing Maplewood Movie I Theater building.
  - 2) Submit a revised site plan showing Building C (TGI Fridays) and Building D (Jared Jewelers) shifted approximately ten feet to the south in order to accommodate a future driveway located to the north of Building C which may be installed onto White Bear Avenue.
  - 3) Pending continued cooperation with the adjacent property owner, submit a revised site plan showing the location of a driveway and pedestrian cross-access on the south side of the property, to accommodate entrance and egress to and from the southerly property (3065 White Bear Avenue).
  - 4) Submit a revised site plan showing the extension of the sidewalk in front of Building A (future retail/restaurant) onto the County Road D trail.
  - 5) Submit a revised site plan showing a pedestrian access extending from the White Bear Avenue sidewalk.
  - 6) Obtain the required Ramsey/Washington Metro Watershed District permits.
  - 7) Submit payment for all required Park Access Charges (PAC fees) as specified in the Park Director's April 14, 2004, correspondence to Chesapeake Companies.
  - 8) Submit an easement agreement that governs and provides for legal cross easements for parking, access, and utilities between all lots within the project.

- 9) Submit an easement agreement for the installation and maintenance of a freestanding sign on Lot 1 to benefit Lot 2.
  - 10) Submit an owners association agreement specifying responsibilities for insurance, taxes and maintenance of all commonly owned property and facilities (including snow plowing).
- c. All 8-foot-wide parking spaces must be signed as either “employee” or “compact” car parking only.
  - d. Pending the community design review board recommendation and city council approval, each building is allowed one freestanding sign, 25 feet in height and 100 square feet in area, except for the multi-tenant building which would be allowed a freestanding sign up to 150 square feet in area. All freestanding signs must maintain a 10-foot setback to a right-of-way. Each building is allowed three wall signs to be attached to separate elevations, except for the multi-tenant building which could have two wall signs for each tenant. Wall sign size is limited to 20 percent of the gross wall area on which the sign is attached.
  - e. All construction shall follow the plans date stamped March 30, 2004, with revisions as noted in this approval. All construction shall also follow the plans for the remodeled Buffalo Wild Wings, date stamped November 2, 2012. The city council may approve major changes to the plans. The Director of Community Development may approve minor changes to the plans, including a change to the site plan for the proposed future driveway access onto White Bear Avenue, pending Ramsey County engineer and city engineer approval.
  - f. The proposed construction must be substantially started within one year of city council approval or the permit shall end. The city council may extend this deadline for one year.
  - g. The city council shall review this permit in one year.

The Maplewood City Council approved this resolution on December 10, 2012.

Approve the design plans for Buffalo Wild Wings to revise its exterior facades, build a new building entrance, build a new takeout entrance and expand its outdoor patio at its location at 3085 White Bear Avenue. Approval is subject to the following conditions:

1. Repeat this review in two years if the city has not issued a building permit for the approved work.
2. Applicant shall maintain previously approved landscape plan, in addition the applicant shall be required to:
  - 1) Replace any trees displaced by the expanded patio, location of new trees to be approved by staff.
  - 2) Replace any damaged or killed foundation plantings due to the exterior building work.
3. Revised building elevations showing the following:
  - 1) A 6-foot-high fence around the proposed, expanded outdoor patio, similar in style and materials as the existing fence.
4. Submit a cash escrow or an irrevocable letter of credit prior to receiving a building permit for all required exterior improvements. The amount shall be 150 percent of the cost of the work.





Councilmember Cardinal clarified that he and Councilmember Koppen do not receive free cable service for serving on the Cable Commission as indicated by some individuals.

### **3. City Attorney Information**

Councilmember Cardinal requested that the information he received from the League of Minnesota Cities regarding city attorneys be put on a workshop meeting in January.

### **4. Bruentrup Farm**

Councilmember Cardinal talked about the "Winter at the Farm" event held at the Bruentrup Farm on Saturday, December 8th and the great services and outreach they are providing to the community.

### **5. Joint Meeting with North St. Paul**

Councilmember Koppen would like to have follow-up meetings with the City of North St. Paul and City of Oakdale similar to the meetings that were held in 2011.

### **6. Cable Commission Discussion**

Mayor Rossbach would like staff to bring some ideas in the early part of next year to weigh the pros and cons of being a member of the cable franchise.

Council wished the staff and residents a happy holiday.

## **N. ADJOURNMENT**

Mayor Rossbach adjourned the meeting at 11:03 p.m.

For The Permanent Record  
Meeting Date: 12.10.2012  
Agenda Item #: F.1

**CITY OF LANDFALL VILLAGE  
WASHINGTON COUNTY, MINNESOTA**

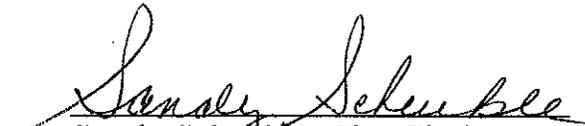
**RESOLUTION NO 2012-006**

WE THE CITY COUNCIL OF THE CITY OF LANDFALL VILLAGE, be it resolved that at the Council Meeting on November 14, 2012, with the support of the Mayor Elect hereby express our support, confidence, and sincere hope to continue our relationship with the City of Maplewood Emergency Services: (Police and Fire).

ON BEHALF OF THE CITY, we sincerely regret the escalation of a few disparaging remarks by a few individuals to the point of which it has strained our relationship. Those comments do not reflect the opinion or attitude of the citizens of the City of Landfall Village.

ADOPTED by the City Council of the City of Landfall Village, this 14<sup>th</sup> day of November, 2012.

  
\_\_\_\_\_  
Acting Mayor  
Katie McManus

  
\_\_\_\_\_  
Sandy Scheuble, City Clerk

**City of Maplewood  
Public Hearing Sign-Up Sheet**

*By putting your name and address on this sheet, you are requesting to address  
the Maplewood City Council on the following topic for up to five minutes.*

**Public Hearing:** H1 Public Hearing on 2013 Tax Levy and Budget

A.) Resolution Certifying Taxes Payable in 2013

B.) Resolution Adopting a Budget for 2013

**Date:** December 10, 2012

**Time:** 07:00 PM

Name - First & Last  
*(please print clearly)*

Address

- |     | <u>Name - First &amp; Last</u><br><i>(please print clearly)</i> | <u>Address</u>       |
|-----|---|----------------------|
| 1.  | Neil Bremer   | 2325 Brentwood Curve |
| 2.  | Diana Longue  | 1771 Burr St.        |
| 3.  |   |                      |
| 4.  |   |                      |
| 5.  |   |                      |
| 6.  |   |                      |
| 7.  |   |                      |
| 8.  |   |                      |
| 9.  |   |                      |
| 10. |   |                      |
| 11. |   |                      |
| 12. |   |                      |
| 13. |   |                      |
| 14. |   |                      |

# City of Maplewood Public Hearing Sign-Up Sheet

By putting your name and address on this sheet, you are requesting to address the Maplewood City Council on the following topic for up to five minutes.

Public Hearing: H2 – Economic Development Authority Meeting

Date: December 10, 2012

Time: 07:00 PM

Name - First & Last

*(please print clearly)*

Address

- | <u>Name - First &amp; Last</u> | <u>Address</u>       |
|--------------------------------|----------------------|
| 1. <i>Diana Longue</i>         | <i>1771 Burr St.</i> |
| 2. _____                       | _____                |
| 3. _____                       | _____                |
| 4. _____                       | _____                |
| 5. _____                       | _____                |
| 6. _____                       | _____                |
| 7. _____                       | _____                |
| 8. _____                       | _____                |
| 9. _____                       | _____                |
| 10. _____                      | _____                |
| 11. _____                      | _____                |
| 12. _____                      | _____                |
| 13. _____                      | _____                |
| 14. _____                      | _____                |
| 15. _____                      | _____                |