



Councilmember Juenemann moved to approve the February 11, 2013 City Council Workshop Minutes as submitted.

Seconded by Mayor Rossbach

Ayes – All

The motion passed.

**3. Approval of February 11, 2013 City Council Meeting Minutes**

Change residence in item M1 to read residents.

Councilmember Koppen moved to approve the February 11, 2013 City Council Workshop Minutes amended.

Seconded by Councilmember Juenemann

Ayes – All

The motion passed.

**F. APPOINTMENTS AND PRESENTATIONS**

None

**G. CONSENT AGENDA**

Councilmember Juenemann requested agenda items G8 be highlighted. Councilmember Cave had a question for agenda item G3.

Councilmember Juenemann moved to approve agenda items G1-G8.

Seconded by Councilmember Koppen

Ayes – All

The motion passed.

**1. Approval of Claims**

Councilmember Juenemann moved to approve the Approval of Claims.

ACCOUNTS PAYABLE:

\$ 658,909.23	Checks # 89149 thru # 89246 dated 02/06/13 thru 02/12/13
\$ 402,084.82	Disbursements via debits to checking account dated 02/04/13 thru 02/08/13
\$ 167,491.02	Checks # 89247 thru # 89366 dated 02/19/13
\$ 260,941.29	Disbursements via debits to checking account dated 02/11/13 thru 02/15/13
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\$ 1,489,426.36	Total Accounts Payable

PAYROLL:

\$ 515,870.81 Payroll Checks and Direct Deposits dated 02/15/13

\$ 763.00 Payroll Deduction check # 9989160 thru # 9989161  
dated 02/15/13

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\$ 516,633.81 Total Payroll

\$ 2,006,060.17 GRAND TOTAL

Seconded by Councilmember Koppen Ayes – All

The motion passed.

**2. Approval of a Temporary Gambling Permit Resolution for The Church of St. Pascal Baylon**

Councilmember Juenemann moved to approve the Lawful Gambling Resolution for the Church of St. Pascal Baylon.

RESOLUTION 13-2-864

BE IT HEREBY RESOLVED, by the City Council of Maplewood, Minnesota, that the premises permit for lawful gambling is approved for the Church of St. Pascal Baylon.

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.

Seconded by Councilmember Koppen Ayes – all

The motion passed.

**3. Approval of a Conditional Use Permit Review, CarMax, Mogren Retail Addition**

Assistant City Manager Ahl answered questions of the council.

Councilmember Juenemann moved to approve to Review the Conditional Use Permit for the CarMax Conditional Use Permit and the Mogren Retail Addition planned unit development again in one year.

Seconded by Councilmember Koppen Ayes – All

The motion passed.



2. The City Clerk or office of the City Engineer 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 20th day of March, 2013, 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 March 25, 2013.

Seconded by Councilmember Koppen

Ayes – All

The motion passed.

## **6. Approval of Revised Resolution for the Pride of Maplewood Program**

Councilmember Juenemann moved to approve the Resolution for the revised Pride of Maplewood Program.

### RESOLUTION 13-2-867

A RESOLUTION OF THE MAPLEWOOD CITY COUNCIL ESTABLISHING AN EMPLOYEE RECOGNITION PROGRAM AND DECLARING THAT SUCH PROGRAMS BENEFIT THE PUBLIC BY PROMOTING EFFICIENCY, INITIATIVE, WELLNESS AND MORALE AMONG PUBLIC EMPLOYEES.

WHEREAS, employees throughout the City of Maplewood work diligently and effectively on behalf of the public everyday; and

WHEREAS, City employees should be recognized for the exceptional work that they perform; and

WHEREAS, rewarding City employees enhances productivity, efficiency, wellness and morale in the performance of their duties; and

WHEREAS, it is in the public good to recognize City employees for outstanding performance and/or noteworthy contributions to the accomplishment of the overall objectives of the City; and

WHEREAS, the Maplewood City Council supports the issuance of rewards for City employees to encourage superior performance in their duties;

NOW THEREFORE BE IT RESOLVED by the Council of the City of Maplewood that:

1. In recognition of superior performance and noteworthy contributions to the accomplishment of the overall objectives of the City, it is for the good of the public that the City of Maplewood establish a formal Employee Recognition Program to promote efficiency, initiative and morale among employees of the City of Maplewood.



WHEREAS, pursuant to a resolution adopted by the City Council on February 11<sup>th</sup>, 2013, the assessment roll for the Hills and Dales Area Street Improvements, City Project 09-15, was presented in a Public Hearing format (Reassessment), pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, three property owners filed an objection to their assessment according to the requirements of Minnesota Statutes, Chapter 429, summarized as follows:

1. Parcel 162922140017 – Raymond R. Decker; 2002 Duluth Street.  
It is currently proposed that the property be assessed for \$6,800. Mr. Decker is requesting that the assessment be cancelled due to the assessment amount being greater than the benefit to the property and the reassessment not occurring in a reasonable amount of time.
2. Parcel 162922110075 – Joseph and Kerry Brabbit; 2132 Atlantic Street.  
It is currently proposed that the property be assessed for \$6,800. Mr. and Mrs. Brabbit are that the assessment be cancelled due to the assessment amount being greater than the benefit to the property and the reassessment not occurring in a reasonable amount of time.
3. Parcel 162922110099 – Esther D. Olson; 2117 Atlantic Street.  
It is currently proposed that the property be assessed for \$6,800. Ms. Olson is requesting that the assessment be cancelled due to the assessment amount being greater than the benefit to the property and the reassessment not occurring in a reasonable amount of time.
4. Parcel 162922140012 – Arthur Moore and Megan Nelson; 1232 Shryer Avenue.  
It is currently proposed that the property be assessed for \$6,800. Mr. Moore and Ms. Nelson are requesting that the assessment be cancelled due to the assessment amount being greater than the benefit to the property and the reassessment not occurring in a reasonable amount of time.
5. Parcel 162922140045 – Kenneth G. and Therese A. Dufner; 2017 Duluth Street.  
It is currently proposed that the property be assessed for \$6,800. Mr. and Mrs. Dufner are requesting that the assessment be cancelled due to the assessment amount being greater than the benefit to the property and the reassessment not occurring in a reasonable amount of time.
6. Parcel 092922440069 – Peggy J. Hartzell; 1246 County Road B East.  
It is currently proposed that the property be assessed for \$5,200. Ms. Hartzell is requesting that the assessment be cancelled due to the assessment amount being greater than the benefit to the property and the reassessment not occurring in a reasonable amount of time.
7. Parcel 092922440076 – Jay R. Gruett; 1237 Leland Road.  
It is currently proposed that the property be assessed for \$4,000. Mr. Gruett is requesting that the assessment be cancelled due to the assessment amount being greater than the benefit to the property and the reassessment not occurring in a reasonable amount of time.
8. Parcel 092922440086 – Rebecca Gurrola; 2210 Duluth Street.

It is currently proposed that the property be assessed for \$5,200. Ms. Gurrola is requesting that the assessment be cancelled due to the assessment amount being greater than the benefit to the property and the reassessment not occurring in a reasonable amount of time.

9. Parcel 142922440047 – Phoenix Residence, Inc.; 1685 Howard Street.  
It is currently proposed that the property be assessed for \$6,300. Phoenix Residence, Inc. is requesting that the assessment be cancelled due to the assessment amount being greater than the benefit to the property and the reassessment not occurring in a reasonable amount of time.
10. Parcel 142922410048 – Phoenix Residence, Inc.; 1866 Furness Street.  
It is currently proposed that the property be assessed for \$6,800. Phoenix Residence, Inc. is requesting that the assessment be cancelled due to the assessment amount being greater than the benefit to the property and the reassessment not occurring in a reasonable amount of time.
11. Parcel 142922440047 – Phoenix Residence, Inc.; 1685 Howard Street.  
It is currently proposed that the property be assessed for \$6,300. Phoenix Residence, Inc. is requesting that the assessment be cancelled due to the assessment amount being greater than the benefit to the property and the reassessment not occurring in a reasonable amount of time.

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

- A. That the City Engineer and City Clerk are hereby instructed to make the following adjustments to the assessment roll for the Hills and Dales Area Street Improvements, City Project 09-15:
  1. Parcel 162922140017 – Raymond R. Decker; 2002 Duluth Street.  
It is recommended to **deny cancellation** of the reassessment as the property received direct benefit (per appraisal) from the street reconstruction and utility improvements and the reassessment occurred in a reasonable amount of time.
  2. Parcel 162922110075 – Joseph and Kerry Brabbit; 2132 Atlantic Street.  
It is recommended to **deny cancellation** of the reassessment as the property received direct benefit (per appraisal) from the street reconstruction and utility improvements and the reassessment occurred in a reasonable amount of time.
  3. Parcel 162922110099 – Esther D. Olson; 2117 Atlantic Street.  
It is recommended to **deny cancellation** of the reassessment as the property received direct benefit (per appraisal) from the street reconstruction and utility improvements and the reassessment occurred in a reasonable amount of time.
  4. Parcel 162922140012 – Arthur Moore and Megan Nelson; 1232 Shryer Avenue.  
It is recommended to **deny cancellation** of the reassessment as the property received direct benefit (per appraisal) from the street reconstruction and utility improvements and the reassessment occurred in a reasonable amount of time.
  5. Parcel 162922140045 – Kenneth G. and Therese A. Dufner; 2017 Duluth Street.

It is recommended to **deny cancellation** of the reassessment as the property received direct benefit (per appraisal) from the street reconstruction and utility improvements and the reassessment occurred in a reasonable amount of time.

6. Parcel 092922440069 – Peggy J. Hartzell; 1246 County Road B East.  
It is recommended to **deny cancellation** of the reassessment as the property received direct benefit (per appraisal) from the street reconstruction and utility improvements and the reassessment occurred in a reasonable amount of time.
  7. Parcel 092922440076 – Jay R. Gruett; 1237 Leland Road.  
It is recommended to **deny cancellation** of the reassessment as the property received direct benefit (per appraisal) from the street reconstruction and utility improvements and the reassessment occurred in a reasonable amount of time.
  8. Parcel 092922440086 – Rebecca Gurrola; 2210 Duluth Street.  
It is recommended to **deny cancellation** of the reassessment as the property received direct benefit (per appraisal) from the street reconstruction and utility improvements and the reassessment occurred in a reasonable amount of time.
  9. Parcel 142922440047 – Phoenix Residence, Inc.; 1685 Howard Street.  
It is recommended to **deny cancellation** of the reassessment as the property received direct benefit (per appraisal) from the street reconstruction and utility improvements and the reassessment occurred in a reasonable amount of time.
  10. Parcel 142922410048 – Phoenix Residence, Inc.; 1866 Furness Street.  
It is recommended to **deny cancellation** of the reassessment as the property received direct benefit (per appraisal) from the street reconstruction and utility improvements and the reassessment occurred in a reasonable amount of time.
  11. Parcel 142922440048 – Bob A. M. Serreyn and Dominic J. Chiappetta; 1695 Howard Street.  
It is recommended to **deny cancellation** of the reassessment as the property received direct benefit (per appraisal) from the street reconstruction and utility improvements and the reassessment occurred in a reasonable amount of time.
- B. The assessment roll for the Hills and Dales Area Street Improvements, City Project 09-15, is hereby accepted, a copy of which is attached hereto and made a part hereof. Said assessment roll shall constitute the assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
- C. Such assessments shall be payable in equal annual installments extending over a period of 15 years, the first installments to be payable on or before the first Monday in January 2014 and shall bear interest at the rate of 5.0 percent per annum. To the first installment shall be added interest on the entire assessment from February 25, 2013 until December 31, 2014. To each subsequent installment when due, shall be added interest for one year on all unpaid installments.
- D. The owner of any property so assessed may, at any time prior to certification of the reassessment to the county auditor, pay the whole of the reassessment on such property, with interest accrued to the date of payment, to the City of Maplewood, except that no interest shall be charged if the entire reassessment is paid within 30 days from the adoption of the reassessment. Owner may at any time thereafter, pay to the

Ramsey County the entire amount of the reassessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

- E. The City Engineer and City Clerk shall forthwith after November 15, 2013 but no later than November 16, 2013 transmit a certified duplicate of this assessment to the county auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over the same manner as other municipal taxes.

Adopted by the council on this 25<sup>th</sup> day of February, 2013.

Seconded by Councilmember Koppen

Ayes – Mayor Rossbach, Council Members Cardinal, Juenemann and Koppen

Nays – Councilmember Cave

The motion passed.

**2. Approval of Contract Extension through 2014 for City Attorney and City Prosecution Services with H. Alan Kantrud**

Assistant City Manager Ahl presented the staff report and answered questions of the council.

Councilmember Cave moved to approve the contract extension with H. Alan Kantrud for 2014 as City Attorney/City Prosecutor and authorize the Mayor and City Manager to execute said contract. The staff will send via email a copy of the updated contract to the council members for their records.

Seconded by Councilmember Juenemann

Ayes – All

The motion passed.

**J. NEW BUSINESS**

**1. Approval of a Comprehensive Plan Amendment from P (Park) to LDR (Low Density Residential) for Privately-Owned Property in the Gladstone Neighborhood**

Senior Planner Ekstrand gave the staff report and answered questions of the council.

Councilmember Juenemann moved to adopt the Resolution approving a Comprehensive Land Use Plan Amendment from P (Park) to LDR (Low Density Residential) for the property located west of Gloster Park.

RESOLUTION 13-2-869  
LAND USE PLAN AMENDMENT

WHEREAS, the City of Maplewood Planning Staff has requested a change to the City of Maplewood's land use plan from P (park) to LDR (low density residential).

WHEREAS, this change applies to the property located west of Gloster Park. The property identification number is:

16 29 22 42 0057



**1. Council Member Cardinal – Request to Place Discussion of Annexation of Property to N. St Paul on Future Agenda**

Councilmember Cardinal gave the report.

Mayor Rossbach moved to not continue discussion about this item by placing it on a future meeting agenda.

Seconded by Councilmember Juenemann

Ayes – Mayor Rossbach, Council Member Juenemann and Koppen

Nays – Council Members Cardinal and Cave

The motion passed.

**2. Fish Creek**

Councilmember Juenemann gave an update on the Fish Creek Event Get Together that was held at the MCC on February 22, 2013 indicating that it was a successful event.

**3. Snow Shoveling**

Councilmember Juenemann encouraged residents that have fire hydrants on their property to assist the City with shoveling around them if they are able.

**4. Listening Forum**

Councilmember Koppen suggested that the city council not conduct the Listening Forum that is held at 6:30 p.m. before council meetings until a better way is decided on how to conduct it. It was agreed that the council would look for other opportunities and discuss the issue at the upcoming council retreat or a future council workshop.

**5. Charitable Gambling Funds**

Mayor Rossbach inquired if there were some funds left in the charitable gambling fund. He further asked if the council could request some of the money be spent on something. Assistant City Manager Ahl answered questions related to charitable gambling requests. Mayor Rossbach further explained that he had been contacted by a representative of Redeeming Love Church for funding for a Dental Bus that travels around to help the homeless with dental work.

**6. Death of Cable Commission Member**

Councilmember Cardinal informed residents that Cable Commissioner George Rouse of White Bear Township passed away last Saturday and offered condolences to his family and friends.

**Further Council Comments**

Mayor Rossbach informed residents that the City Council will have a joint workshop with the City of Oakdale on Tuesday, February 26, 2013 at Oakdale City Hall at 5:00 p.m.

City Manager Antonen reminded council that the March 4<sup>th</sup> City Council Workshop has been cancelled due to the council retreat on March 6<sup>th</sup>.

**N. ADJOURNMENT**

Mayor Rossbach adjourned the meeting at 8:21 p.m.

**City of Maplewood**  
**City Council Meeting Sign-Up Sheet**

*By putting your name and address on this sheet,  
you are indicating which agenda item you would  
like to discuss with the City Council*

Date: February 25, 2013

	<u>Name - First &amp; Last</u> <i>(please print clearly)</i>	<u>Address</u>	<u>Agenda Item</u>
1.	Diana Longrie	1321 Frost Ave 55109	I-1
2.	Raymond Decker	8002 Duluth St.	I-1
3.			
4.			
5.			
6.			
7.			
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12.			
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14.			