

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 25, 2013
City Hall, Council Chambers
Meeting No. 04-13

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 4, 2013 City Council Workshop Meeting Minutes
2. Approval of February 11, 2013 City Council Workshop Meeting Minutes
3. Approval of February 11, 2013 City Council Meeting Minutes

F. APPOINTMENTS AND PRESENTATIONS

None

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 Temporary Gambling Permit Resolution for The Church of St. Pascal Baylon
3. Approval of Conditional Use Permit Review, CarMax, Mogren Retail Addition
4. Approval of Cost Share Agreement with Metropolitan Council for Inflow/Infiltration Improvements
5. Approval of Resolution Approving Plans and Specifications and Authorizing Advertisement for Bid, Bid Package 4, East Metro Public Safety Training Center, City Project 09-09
6. Approval of Revised Resolution for the Pride of Maplewood Program
7. Consider Authorization to Enter Into Document Scanning Contract with Mid-America Business Systems
8. 2012 Planning Commission Annual Report

H. PUBLIC HEARINGS

None

I. UNFINISHED BUSINESS

1. Hills and Dales Area Street Improvements, City Project 09-15, Resolution Adopting Revised Assessment Roll
2. Approval of Contract Extension Through 2014 for City Attorney and City Prosecution Services with H. Alan Kantrud

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
2. Approve Authorization for Improvements at 1902 E. County Road B – Police Department Expansion Phase 1 – Parks & Recreation Department Portion

K. AWARD OF BIDS

None

L. ADMINISTRATIVE PRESENTATIONS

None

M. COUNCIL PRESENTATIONS

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

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
5:00 P.M. Monday, February 4, 2013
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 5:07 p.m. by Mayor Rossbach.

B. ROLL CALL

Will Rossbach, Mayor	Present
Robert Cardinal, Councilmember	Present
Rebecca Cave, Councilmember	Absent
Kathleen Juenemann, Councilmember	Present
Marvin Koppen, Councilmember	Present – left at 6:30 p.m.

C. APPROVAL OF AGENDA

Councilmember Koppen moved to approve the agenda as submitted.

Seconded by Councilmember Juenemann Ayes – All

The motion passed.

D. UNFINISHED BUSINESS

None

E. NEW BUSINESS

1. **Commission & Board Interviews**
 - a. **Human Rights Commission**
 - b. **Parks & Recreation Commission**
 - c. **Community Design Review Board**
 - d. **Planning Commission**

The following individuals were interviewed for commissions as listed:

Rita Brenner withdrew her application and therefore was not interviewed.
Terri Mallet, Parks & Recreation Commission
Ron Cockriel, Parks & Recreation Commission
Leo Burger, Community Design Review Board
Bill Kempe, Planning Commission /or Community Design Review Board
John Donofrio, Planning Commission
Yaya Diatta, Human Rights Commission /or Planning Commission

2. Cable Commission Discussion

This item was not discussed because Councilmember Cave was absent and Councilmember Koppen had to leave at 6:30 p.m.

F. ADJOURNMENT

Mayor Rossbach adjourned the meeting at 7:00 p.m.

MINUTES
MAPLEWOOD CITY COUNCIL
MANAGER WORKSHOP
5:00 P.M. Monday, February 11, 2013
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 5:04 p.m. by Mayor Rossbach.

B. ROLL CALL

Will Rossbach, Mayor	Present
Robert Cardinal, Councilmember	Present
Rebecca Cave, Councilmember	Present
Kathleen Juenemann, Councilmember	Present
Marvin Koppen, Councilmember	Present

C. APPROVAL OF AGENDA

Councilmember Cave moved to approve the agenda as submitted.

Seconded by Councilmember Koppen Ayes – All

The motion passed.

D. UNFINISHED BUSINESS**1. Discussion on Fire Station Strategic Plan and New Fire Station (No Report)**

Chief Lukin introduced city staff that participated in the strategic plan process and gave the staff report. Dr. Peter Tanghe, Medical Director for Maplewood from St. John's HealthEast addressed the council and gave additional input. Brian Nicholson, Maplewood resident from the southern part of the City addressed the council to encourage the council to keep moving the processing along. Other city staff that participated in the process gave additional comments and answered questions of the council.

E. NEW BUSINESS

None

F. ADJOURNMENT

Mayor Rossbach adjourned the meeting at 6:15 p.m.

Councilmember Juenemann moved to approve agenda items G1-G14.

Seconded by Councilmember Koppen Ayes – All

The motion passed.

1. Approval of Claims

Councilmember Juenemann moved to approve the Approval of Claims.

ACCOUNTS PAYABLE:

\$ 385,561.52	Checks # 89069 thru # 89110 dated 01/18/13 thru 01/29/13
\$ 412,019.06	Disbursements via debits to checking account dated 01/22/13 thru 01/25/13
\$ 324,640.63	Checks # 89111 thru # 89147 dated 02/05/13
\$ 6,348,960.56	Disbursements via debits to checking account dated 01/28/13 thru 02/01/13
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\$ 7,471,181.77	Total Accounts Payable

PAYROLL

\$ 547,562.75	Payroll Checks and Direct Deposits dated 02/01/13
\$ 763.00	Payroll Deduction check # 9989114 thru # 9989115 dated 02/01/13
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\$ 548,325.75	Total Payroll
<u>\$ 8,019,507.52</u>	GRAND TOTAL

Seconded by Councilmember Koppen Ayes – All

The motion passed.

2. Approval of 2012 Budget Adjustment and Transfer for Taste of Maplewood

Councilmember Juenemann moved to authorize the transfer of \$14,685.77 for the Taste of Maplewood Fund and direct the Finance Manager to make the appropriate budget adjustment of (\$4,815).

Seconded by Councilmember Koppen Ayes – All

The motion passed.

3. Approval of 2012 Budget Carryovers

Councilmember Juenemann moved to approve the carry over requests and authorize the Finance Manager to reduce the 2013 budget as needed for any carry over amount that is not used for its specific purpose during the year.

Seconded by Councilmember Koppen Ayes – All

The motion passed.

4. Approval of Transfers from Tax Increment Funds for 2012

Councilmember Juenemann moved to authorize the appropriate 2012 budget adjustments and 2012 transfers totaling \$364,040.00 from the Tax Increment Funds to the Debt Service Funds.

Seconded by Councilmember Koppen Ayes – All

The motion passed.

5. Approval of a Temporary Gambling Permit Resolution and Waive Permit Fees for Carver Elementary School

Councilmember Juenemann moved to approve the Resolution for a temporary gambling permit for Carver Elementary School located at 2680 Upper Afton Road and waive the fees for a temporary food sales permit of \$55.00.

RESOLUTION 13-2-855

BE IT HEREBY RESOLVED, by the City Council of Maplewood, Minnesota, that the temporary premises permit for lawful gambling is approved for Carver Elementary School, 2680 Upper Afton Road, 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.

Seconded by Councilmember Koppen Ayes – All

The motion passed.

6. Approval of a Temporary Gambling Permit Resolution for MN Deer Hunters Association, Capitol Sportsmen Chapter.

Councilmember Juenemann moved to approve the lawful gambling Resolution for the MN Deer Hunters Association, Capitol Sportsmen Chapter for their event at Downtown Lav 52 Restaurant located at 3030 Southlawn Drive.

RESOLUTION 13-2-856

8. Heritage Preservation Commission 2012 Annual Report

Councilmember Juenemann moved to approve the 2012 Heritage Preservation Commission annual report.

Seconded by Councilmember Koppen Ayes – All

The motion passed.

9. Approval of Payment for Fire Station Roof Replacement

Councilmember Juenemann moved to approve the expenditure of \$27,686.50 for the complete re-roofing of the roof at Fire Station #2.

Seconded by Councilmember Koppen Ayes – All

The motion passed.

10. Approval of Resolution for Restatement of Maintenance Agreement Between MnDOT and City

Councilmember Juenemann moved to approve the Resolution for Restatement of Maintenance Agreement Between MnDot and the City of Maplewood.

RESOLUTION 13-2-859

IT IS RESOLVED that the City of Maplewood enter into MnDOT 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.

11. Approval of Resolution Directing Modification of Existing Construction Contract, Change Order No. 1, East Metro Public Safety Training Center Phase I Bid Package 1 Improvements, City Project 09-09

Councilmember Juenemann moved to approve the Resolution Directing Modification of Existing Construction Contract, Change Order No. 1, for the East Metro Public Safety Training Center Phase 1 Bid Package 1 Improvements, City Project 09-09.

RESOLUTION 13-2-860
DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT
PROJECT 09-09, CHANGE ORDER NO. 1

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered made Improvements Project 09-09, East Metro Public Safety Training Center Phase I Bid Package 1

2017 Duluth St, 1246 E. County Road B, 1237 Lealand Road, 2210 Duluth Street, 1685 Howard Street, 1866 Furness Street, and 1695 Howard Street for the Hills and Dales Area Street Improvements, City Project 09-15.

RESOLUTION 13-2-863
ADOPTING ASSESSMENT ROLL

WHEREAS, pursuant to a resolution adopted by the City Council on January 14, 2013, calling for a Public Hearing for purposes of Reassessment, the assessment roll for the Hills and Dales Area Street Improvements, City Project 09-15, was presented in a Public Hearing format, pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, the following property owners have filed objections to their assessment according to the requirements of Minnesota Statutes, Chapter 429, summarized as follows:

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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.
- f. 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.
- g. 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.
- h. 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.

- i. 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.
- j. 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.
- k. Parcel 142922440048 – Bob A. M. Serreyn and Dominic J. Chiappetta ; 1695 Howard Street. It is currently proposed that the property be assessed for \$6,300. Mr. Serreyn and Mr. Chiappetta 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.

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

1. That the City Engineer and City Clerk are hereby instructed to review the objections received and report to the City Council at the regular meeting on February 25, 2013 as to their recommendations for adjustments.
2. The assessment roll for the Hills and Dales Area Street Improvements as amended, without those property owner's assessments that have filed objections, a copy of which is attached hereto and made a part hereof, is hereby adopted. Said assessment roll shall constitute the special 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.
3. 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 11, 2013 until December 31, 2014. To each subsequent installment when due, shall be added interest for one year on all unpaid installments.
4. 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.
5. 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 City Council this 11th day of February 2013.

Seconded by Councilmember Juenemann

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

The motion passed.

I. UNFINISHED BUSINESS

1. Second Reading of the Wetland Ordinance Amendment

Environmental Planner Finwall gave the staff report and answered questions of the council.

Councilmember Cave moved to approve the second reading of the Wetland Ordinance Amendment.

ORDINANCE NO. 928 AN ORDINANCE AMENDING THE ENVIRONMENTAL PROTECTION AND CRITICAL AREA ARTICLE OF THE CITY CODE

The Maplewood City Council approves the following changes to the Maplewood Code of Ordinances:

This amendment revises portions of Chapter 18, Article V (Environmental Protection and Critical Area) dealing with wetlands. Additions are shown underlined and deletions are shown as stricken.

.Section 1. Findings.

- a. Wetlands serve a variety of beneficial functions. Wetlands help maintain water quality by filtering suspended solids and pollutants. They reduce flooding and erosion, provide open space for human interaction, and are an integral part of the city's environment. Depending upon their type, size, and location within a watershed, they represent important physical, educational, ecological, aesthetic, recreational, and economic assets of the city. Properly managed wetlands are needed to support the city's efforts to reduce flooding and to protect the public health, safety, and general welfare.
- b. Wetlands and buffers provide habitat for aquatic, semi-aquatic, and terrestrial wildlife, including rare, threatened, or endangered species. They provide breeding, nesting and feeding grounds for many forms of plant and animal life. Many species of wildlife require both wetlands and their associated upland buffers for survival. Protecting wetlands and buffers is essential for preserving the diversity of plant and animal species in the city.
- c. Streams are also significant elements of the city's hydrologic system. Streams flow into wetlands and lakes, provide food and habitat for wildlife, provide open space, and are an integral part of the city's environment. Like wetlands, streams are an important physical, educational, ecological, aesthetic, recreational, and economic asset.
- d. Various existing state and federal laws restrict activities and development within wetlands and streams. The city finds that development adjacent to and surrounding wetlands may also degrade and pollute wetlands or accelerate the aging or elimination of wetlands and that development next to streams may degrade, pollute, or damage streams and, in turn, degrade other surface waters downstream. Regulating

development and land use around wetlands and streams is therefore in the public interest.

- e. As defined and used herein, buffers are land areas adjacent to wetlands and streams that are deemed important for maintaining the health and valuable functions of such wetlands and streams. Restricting development of and land use in buffers recognizes that the surrounding upland impacts the quality and functions of wetlands and streams and, therefore, is in the public interest.
- f. Buffers planted with native or naturalized vegetation serve the following functions:
 - (1) Stabilize soil and prevent erosion.
 - (2) Preserve and enhance the quality of surface water by reducing the input of suspended solids, nutrients, and harmful chemical substances that may adversely impact public health or aquatic habitat.
 - (3) Filter suspended solids, nutrients, pollutants, and harmful substances so that they do not enter the wetland or stream.
 - (4) Moderate water level fluctuations during storms.
 - (5) Protect beneficial plant life and provide habitat for wildlife.
 - (6) Provide shade to reduce the temperature of both stormwater runoff and the wetland, thereby helping to maintain the conditions for healthy aquatic life.
 - (7) Reduce the adverse impacts of human activities on wetlands and streams and thereby preserve them in a natural state.
- g. In addition to regulating development and land use around wetlands, this ordinance is intended to educate the public (including appraisers, owners, potential buyers, and developers) about the importance of wetlands and streams and the functions of buffers and to encourage property owners who live adjacent to and/or near wetlands and streams to be responsible stewards by managing and enhancing the quality of buffers as hereinafter described.

Section 2. Definitions.

The following words, terms, and phrases when used in this ordinance shall have the meanings ascribed to them in this section, except where the context of the word, terms, and phrases clearly indicates a different meaning.

Administrator means the director of the community development department or other person or persons charged with the administration and enforcement of this ordinance.

Alteration means human action that adversely affects the vegetation, hydrology, wildlife or wildlife habitat in a wetland, stream or buffer, including grading, filling, dumping, dredging, draining, paving, construction, application of gravel, discharging pollutants (including herbicides and pesticides), and compacting or disturbing soil through vehicle or equipment use. Alteration also includes the mass removal or mass planting of vegetation by means of cutting, pruning, topping, clearing, relocating, or applying herbicides or any hazardous or toxic substance designed to kill plant life. Alteration does not include the following activities in a buffer:

- a. Walking, passive recreation, fishing, or other similar low-impact activities.

- b. The maintenance of pre-existing, nonconforming lawn area.
- c. The removal of trees or vegetation that is dead, dying, diseased, *noxious*, or hazardous in a manner that does not cause the compacting or disturbing of soil through vehicle or equipment use.
- d. The removal of *noxious* weeds by non-chemical methods, or by means of chemical treatment in accordance with application methods that prevent the introduction of toxic chemicals into wetlands and streams.
- e. The removal of non-native shrubs, such as buckthorn, if:
 - 1. there is little chance of erosion; and
 - 2. site is flat or generally has slopes less than 6 percent grade; and
 - 3. cut and treat method of removal is used on shrubs more than one-half (½) inches in diameter (not pulling).
- f. *Selective* management of vegetation as follows:
 - 1. *Selective* pruning of trees or shrubs in order to enhance their health.
 - 2. *Selective* removal of tree saplings (less than 2 inches in diameter) in order to enhance wildlife value of the buffer.
 - 3. *Selective* removal of non-native trees.
 - 4. *Selective* removal of non-native weeds.
 - 5. *Selective* seeding or planting of vegetation that is native to Minnesota.
- g. Installation of temporary fencing without footings.
- h. Projects within the buffer that are the subject of a wetland buffer management worksheet approved by the administrator.

Best management practices (BMP's) mean measures taken to minimize negative effects of stormwater runoff on the environment including, but not limited to, installation of rain gardens, infiltration basins, infiltration trenches, retention basins, filters, sediment traps, swales, reduction of impervious surfaces, planting of deep-rooted native plants, landscape and pavement maintenance.

Boathouse means a structure designed and used solely for the storage of boats or boating equipment.

Buffers are land areas adjacent to wetlands and streams in which development and land use are restricted as set forth herein and in which the growth of native and naturalized plants and trees are to be preserved and encouraged in accordance with this ordinance.

Clearing means the cutting or removal of vegetation.

Enhancement means an action that increases the functions and values of a wetland, stream, or buffer.

Erosion means the movement of soil or rock fragments, or the wearing away of the land surface by water, wind, ice, and gravity.

Incidental wetland means a wetland which did not naturally occur, but was incidentally created by humans.

Infiltration basin means a pond or basin that captures stormwater and allows it to soak into the ground. An infiltration basin will typically drain within forty-eight (48) hours of a storm event.

Lake means an area of open, relatively deep water that is large enough to produce a wave-swept shore. Lake shall also be defined as a “public water” as delineated and listed in the city’s shoreland ordinance (Article IX).

Large-scale project means a vegetation maintenance, control, removal, mitigation or restoration project that will affect more than fifty percent (50%) of a buffer located on a piece of property.

Lawn area means that area within a buffer with maintained landscape, including areas of mowed turf grass, gardens, play areas, work areas, patios, play structures, and nonpermanent structures. Lawn area does not include: (1) areas within a buffer consisting of native or naturalized vegetation; and (2) the land area that is outside of a buffer.

Minnesota Routine Assessment Method (MnRAM) is a scientific methodology to assess the quality of wetlands.

Mitigation means an action that reduces, rectifies, eliminates, or compensates for the alteration of a buffer or wetland.

Mitigation plan means a plan submitted by an applicant and approved by the city that shows strategies for reducing, rectifying, eliminating, or compensating for the alteration of a buffer or wetland.

Native area means an area where native vegetation exists.

Native vegetation means tree, shrub, grass, or other plant species that are indigenous to the Twin Cities metropolitan area and that could have been expected to naturally occur on the site. Native vegetation does not include noxious weeds.

Naturalized area means an area where naturalized vegetation exists and does not include a lawn area.

Naturalized vegetation means tree, shrub, grass, or other plant species that exists on a site naturally without having been planted or maintained as a lawn area. It may be a native or non-native species.

Nonconforming lawn area means that area within a buffer with maintained landscape (lawn area) as of the date of adoption of this ordinance. Once a nonconforming lawn area is converted to native or naturalized buffer, it loses its legal nonconforming status and may not thereafter be treated as a nonconforming lawn area.

Noxious weed means plants listed as prohibited noxious weeds in the Minnesota Noxious Weed Law. (See also weed.)

Ordinary high water mark (OHWM) means a mark delineating the highest water level maintained for enough time to leave evidence upon the landscape. The ordinary high water mark is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial.

Public waters means water basins assigned a shoreline management classification by the Minnesota Department of Natural Resources commissioner under Minnesota Statutes, sections 103F.201 to 103F.221, except wetlands less than 80 acres in size that are classified as natural environment lakes.

Rain garden means an infiltration basin that is planted as a garden that allows water to infiltrate within forty-eight (48) hours of a storm event.

Restoration means restoring a wetland, stream, or buffer in whole or in part to a condition that is similar to that before development of the surrounding area.

Selective means vegetation management done in a naturalized or native buffer, where a minimal amount of vegetation is altered, with the goal of improving ecological quality of the buffer and/or its ability to filter stormwater runoff.

Semipublic means land that is maintained by a private organization or citizen for use by a larger group of people to include employees, neighbors, or the general public.

Setback means the minimum horizontal distance between a structure and the nearest edge of the wetland, stream, or buffer.

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

Stormwater pond means a pond that has been created to capture stormwater runoff. Stormwater is often piped into stormwater ponds but may also enter through sheet runoff.

Stormwater pond edge means the normal high water level for a stormwater pond.

Straight-edge setback is a measurement to determine the allowable setback of an addition to an existing house, garage, deck or driveway which is located closer to or within the required buffer. Straight-edge setback additions are measured by using the existing edge of the house, garage, deck, or driveway located nearest to the edge of a buffer, wetland, or stream and extending that line in a parallel direction. No portion of the addition can encroach closer to the edge of a buffer, wetland, or stream than the existing structure.

Stream means those areas where surface waters produce a defined channel or bed. A defined channel or bed is land that clearly contains the constant passage of water under normal summer conditions.

Structure means anything constructed or erected that requires location on the ground or attached to something having location on the ground.

Sustainable design means a development design which minimizes impacts on the landscape.

Temporary erosion control means methods of keeping soil stable during construction or grading. Temporary erosion control measures include, but are not limited to, silt fencing, erosion control blankets, bale slope barriers, or other best management erosion control methods approved by the city.

Variance means a deviation from the standards of this ordinance that is not specifically allowed.

Vegetation means any plant life growing at, below, or above the soil surface.

Water-oriented accessory structure means a small, aboveground building or other improvement that the owner needs to locate closer to public waters than the normal structure setback. Such a setback would be because of the relationship of its use to a surface water feature. Examples of such structures and facilities include boathouses, gazebos, screen houses, fish houses, pump houses or freestanding decks. The definition of water-oriented accessory structures or facilities shall not include stairways, fences, docks or retaining walls.

Weed means a plant which causes damage in some way to native vegetation or ecosystems. (See also noxious weed.)

Wetlands means those areas of the city inundated or saturated by groundwater or surface water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas as defined. Where a person has removed or mostly changed the vegetation, one shall determine a wetland by the presence or evidence of hydric or organic soil and other documentation of the previous existence of wetland vegetation such as aerial photographs. This definition does not include lakes or stormwater ponds as herein defined.

Wetlands adjacent to lakes means those areas of land or vegetation that have been classified as wetlands by an applicable Watershed District in accordance with the Minnesota Routine Assessment Method (MnRAM) system but which are attached to or part of the edge of a lake as defined herein.

Wetland classes are defined as follows:

- a. Manage A wetlands are based on the "Preserve" wetland classification as defined in MnRAM. These wetlands are exceptional and the highest-functioning wetlands in Maplewood.
- b. Manage B wetlands are based on the "Manage 1" wetland classifications as defined in MnRAM. These wetlands are high-quality wetlands.
- c. Manage C wetlands are based on the "Manage 2" wetland classifications as defined in MnRAM. These wetlands provide moderate quality.
- d. Stormwater Pond – These are ponds created for stormwater treatment. A stormwater pond shall not include wetlands created to mitigate the loss of other wetlands.

Wetland functions mean the natural processes performed by wetlands. These include providing wildlife food and habitat, maintaining the availability of water, purifying water, acting as a recharge and discharge area for groundwater aquifers, moderating the flow of surface water and stormwater, and performing other functions including but not limited to those set out in U.S. Army Corps of Engineers regulations.

Wetland buffer management worksheet is a printed form available through the community development department which is required to be completed by a property owner who wishes to undertake certain activities in a wetland or stream buffer. The activities proposed by the property owner on the worksheet must be approved by the administrator prior to any work in the buffer.

Wetland or stream edge means the line delineating the outer edge of a wetland or stream. The wetland edge shall be established using the Federal Manual for Identifying and Delineating Jurisdictional Wetlands dated January 10, 1989, and jointly published by the U.S. Environmental

Protection Agency, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers and the U.S. Soil Conservation Service, or succeeding publication that is adopted by the Federal Government. The applicable watershed district must verify this line.

Section 3. Applicability and Effective Date.

a. Applicability.

1. This ordinance shall take effect after the city publishes it in the official newspaper.
2. Except as specified elsewhere in this ordinance, this ordinance shall apply to all real property which is located in a wetland, stream, or buffer or any person or use that would alter a wetland, stream, or buffer after adoption of this ordinance (December 14, 2009) and revisions of this ordinance (February 11, 2013).
3. The city adopts the wetland classification map dated December 14, 2009, which is based on wetland classifications from the MnRAM studies and assigned by the applicable watershed district. Other wetland classification regulations are as follows:
 - a. Any wetland not currently assigned a classification based on MnRAM studies as of the date of the adoption of this ordinance (December 14, 2009) shall carry over the city's April 24, 1995, wetland classifications and shall be assigned the following management classes:
 - 1) Class 1 wetlands are defined as Manage A wetlands.
 - 2) Class 2 wetlands are defined as Manage A wetlands.
 - 3) Class 3 wetlands are defined as Manage B wetlands.
 - 4) Class 4 wetlands are defined as Manage C wetlands.
 - 5) Class 5 wetlands are defined as stormwater ponds.
 - b. Appeals to the wetland classifications are within the jurisdiction of the applicable watershed district and shall be filed and heard pursuant to the administrative review process of that district. In the event that an appeal is granted, the city will recognize the results of that appeal for purposes of the classification of wetlands within the city.
4. The city council will adopt changes to the wetland map which are approved by watershed districts.
5. When any provision of any ordinance conflicts with this ordinance, the provision that provides more protection for buffers, wetlands, or streams shall apply unless specifically provided otherwise in this ordinance. This also applies to the applicable watershed district regulations.

b. Exemptions. This section does not apply to the following property located in the city limits of Maplewood:

1. Property which is located within a buffer, but is separated from the wetland or stream by an existing road.
2. Buildings and structures not in conformity with the regulations prescribed in this ordinance as of its effective date shall be regarded as nonconforming and may continue.
3. Lawn areas not in conformity with regulations prescribed in this ordinance as of its effective date shall be regarded as nonconforming and may continue. A nonconforming lawn area will lose its legal nonconforming status if it is converted to native or naturalized buffer and may not thereafter be treated as a lawn area.

Section 4. Buffer Widths and Requirements.

- a. Minimum buffers. The following are the minimum required buffer widths and structure setbacks:

Buffer	Wetland Classes			
	<i>Manage A & Streams</i>	<i>Manage B</i>	<i>Manage C</i>	<i>Stormwater Pond</i>
Minimum Buffer Width	100 ft.	75 ft.	50 ft.	10 ft.
Structure Setback from Edge of Buffer	0	0	0	10 ft.

- b. Buffer measurement. Buffers shall be measured from the wetland or stream edge.
- c. Buffers containing slopes. For new development or construction on slopes greater than eighteen percent (18%) that are within a buffer, the buffer width shall be increased to ten (10) feet beyond the apex of the slope. Extension of the buffer for steep slopes shall apply to all wetland classes.
- d. Buffers for wetlands adjacent to lakes. In light of the fact that lakes perform different functions than wetlands and streams and are used for different recreational purposes, wetlands adjacent to lakes and their designated buffers shall have alternative buffers as follows:

Buffer	Wetland Classes (for Wetlands Adjacent to Lakes)		
	<i>Manage A</i>	<i>Manage B</i>	<i>Manage C</i>
Minimum Buffer Width	75 ft.	50 ft.	50 ft.

- e. Average Buffers: Recognizing that there are instances where, because of the unique physical characteristics of a specific parcel of land, the averaging of buffer width for the entire parcel may be necessary to allow for the reasonable use of the land during a development or construction project. In such cases decreasing the minimum buffer width will be compensated for by increased buffer widths elsewhere in the same parcel to achieve the required average buffer width.
1. The average buffer standards set forth below may be applied based on an assessment of the following:

- a) Undue hardship would arise from not allowing the average buffer, or would otherwise not be in the public interest.
- b) Size of parcel.
- c) Configuration of existing roads and utilities.
- d) Percentage of parcel covered by wetland.
- e) Configuration of wetlands on the parcel.
- f) Averaging will not cause degradation of the wetland or stream.
- g) Averaging will ensure the protection or enhancement of portions of the buffer which are found to be the most ecologically beneficial to the wetland or stream.

2. The following are the average buffer widths for freestanding wetlands:

Buffer	Wetland Classes (for Freestanding Wetlands)		
	<i>Manage A & Streams</i>	<i>Manage B</i>	<i>Manage C</i>
Minimum Buffer Width	75 ft.	50 ft.	50 ft.
Average Buffer Width	100 ft.	75 ft.	N/A

3. The following are the average buffer widths for wetlands adjacent lakes:

Buffer	Wetland Classes (for Wetlands Adjacent to Lakes)		
	<i>Manage A</i>	<i>Manage B</i>	<i>Manage C</i>
Minimum Buffer Width	50 ft.	50 ft.	50 ft.
Average Buffer Width	75 ft.	N/A.	N/A

- 4. Average buffer measurement. Average buffer measurement shall be determined by averaging the buffer along the wetland edge situated on the subject property, not the entire wetland.
- 5. A mitigation plan is required for construction of development projects which meet the requirements described in Section 5.d. (Mitigation).
- 6. The appropriateness of using average buffers will be evaluated as part of the review of the contractor's or owner's development application. The average buffer used must be within the spirit and intent of this ordinance and must meet one or more of the requirements described in Section 7 (Best Management Practices).
- 7. The administrator must approve the average buffer.

8. If an average buffer is denied by the administrator, an applicant may appeal the denial by submitting a written appeal request to the administrator within fifteen (15) days of the administrator's written denial of the average buffer. The administrator shall send appeals of average buffers to the environmental and natural resources commission for review.
9. If an average buffer is denied by the environmental and natural resources commission, an applicant may appeal the denial by submitting a written appeal request to the administrator within fifteen (15) days of the commission's denial of the average buffer. The administrator shall send these appeals to the city council for final review.

Section 5. Development and Construction.

- a. Unless an exemption applies, the following development and construction activities are not allowed in wetlands, streams, or buffers:
 1. Alterations, including the filling of wetlands.
 2. The construction of structures.
 3. Projects which convert native or naturalized areas to lawn area.
 4. The construction of stormwater drainage facilities, sedimentation ponds, infiltration basins, and rain gardens within a buffer.
 5. Discharge of stormwater to a wetland not in compliance with the city's stormwater management ordinance (Section 44-1245, or subsequent ordinances).
- b. Exemptions. This section does not apply to the following activities in a buffer:
 1. Walking, passive recreation, fishing or other similar low-impact activities.
 2. The maintenance of pre-existing, nonconforming lawn area.
 3. The removal of trees or vegetation that is dead, dying, diseased, *noxious*, or hazardous in a manner that does not cause the compacting or disturbing of soil through vehicle or equipment use.
 4. The removal of noxious weeds by non-chemical methods, or by means of chemical treatment in accordance with application methods that prevent the introduction of toxic chemicals into wetlands and streams.
 5. The removal of non-native shrubs, such as buckthorn, if:
 - a) there is little chance of erosion; and
 - b) site is flat or generally has slopes less than 6 percent grade; and
 - c) cut and treat method of removal is used on shrubs more than one-half (½) inches in diameter (not pulling).
 6. Selective management of vegetation as follows:
 - a) Selective pruning of trees or shrubs in order to enhance their health.

- b) Selective removal of tree saplings (less than 2 inches in diameter) in order to enhance wildlife value of the buffer.
 - c) Selective removal of non-native trees.
 - d) Selective removal of non-native weeds.
 - e) Selective seeding or planting of vegetation that is native to Minnesota.
7. Installation of temporary fencing without footings.
8. Projects within the buffer that are the subject of a wetland buffer management worksheet approved by the administrator.
9. Public maintenance of wetlands and buffers. The city may waive the requirements of this ordinance for public operations required to properly maintain in and around water bodies where it determines that there is a greater public need for the project than to meet the requirement of this ordinance. In waiving these requirements the city shall apply the following standards:
- a) All necessary erosion control measures must be in place before activities begin.
 - b) The public entity performing the work shall replant all disturbed areas within the buffer with native plantings.
 - c) The city may require additional mitigation actions as specified in Section 5.d. (Mitigation).
10. Public or semi-public streets and utilities. The city council may waive the requirements of this ordinance for the construction or maintenance of public or semipublic streets and utilities through buffers where it determines that there is a greater public need for the project than to meet the requirement of this ordinance. In waiving these requirements the city council shall apply the following standards:
- a) The city may only allow the construction of public or semipublic utilities and streets through buffers where there is no other practical alternative.
 - b) Before the city council acts on the waiver the environmental and natural resources commission and the planning commission shall make a recommendation to the city council. The city shall hold a public hearing for the waiver. The city shall notify the property owners within five hundred (500) feet of the property for which the waiver is being requested at least ten (10) days before the hearing.
 - c) Utility or street corridors shall not be allowed near endangered or threatened species.
 - d) Utility or street corridors, including any allowed maintenance roads, shall be as far from the wetland as possible.
 - e) Utility or street corridor construction and maintenance shall protect the wetland and buffer and avoid large trees as much as possible.
 - f) The city shall not allow the use of pesticides or other hazardous or toxic substances in buffers or wetlands; however, in some situations the use of

herbicides may be used if prior approval is obtained from the administrator.

- g) The owner or contractor shall replant utility or street corridors with appropriate native vegetation, except trees, at preconstruction densities or greater after construction ends. Trees shall be replaced as required by city ordinance.
- h) Any additional corridor access for maintenance shall be provided as much as possible at specific points rather than to the road which is parallel to the wetland edge. If parallel roads are necessary they shall be no greater than fifteen (15) feet wide.
- i) The city council, upon recommendation of the administrator, may require additional mitigation actions as a condition of granting the waiver.

11. Public or semipublic trails. The city may waive the requirements of this ordinance for the construction or maintenance of public or semipublic trails through buffers, and boardwalks in wetlands, where it determines that there is a greater public need for the project than to meet the requirement of this ordinance. In waiving these requirements the city shall apply the following standards:

- a) Trails shall not be allowed near endangered or threatened species.
- b) Buffers shall be expanded, equal to the width of the trail corridor.
- c) The owner or contractor shall replant all disturbed areas next to the trail in a timeframe approved by the city.
- d) All necessary erosion control measures must be in place before constructing a trail. The erosion control measures must also be maintained and inspected by the city to ensure that the wetland or stream is not compromised by trail construction activities.
- e) The trail must be designed and constructed with sustainable design methods.
- f) Boardwalks are allowed within the buffer for public or semipublic use.
- g) The administrator may require additional mitigation actions as specified in Section 5.d. (Mitigation).

c. Construction Practices. Special construction practices shall be required on projects or developments adjacent to wetlands and adjacent to and in their buffers. Special construction practices shall be approved by the administrator before issuance of a grading or building permit. Such practices may include, but are not limited to, grading, sequencing, vehicle tracking platforms, additional silt fences, and additional sediment control. They may also include the following:

- 1. Wetland Buffer Sign Standards: The city may require that a property owner or developer install wetland signs before grading or starting construction. The buffer will be identified by installing wetland signs on the boundary between a buffer and adjacent land. These signs shall mark the edge of the buffer and shall state there shall be no building, mowing, cutting, filling, or dumping beyond this point.

These signs shall be installed at each lot line where it crosses a wetland or stream buffer, and where needed to indicate the contour of the buffer, with a maximum spacing of one-hundred (100) feet of wetland or stream edge.

2. Erosion Control Installation: Before grading or construction, the owner or contractor shall put into place erosion control measures around the borders of buffers. Such erosion control measures must remain in place until the owner and contractor have finished all development activities that may affect the buffer.
 3. Erosion Control Breaches: All erosion control measures must be maintained and inspected to ensure compliance and protection of wetlands, streams, and buffers. The owner or contractor shall be responsible for all erosion/sedimentation breaches within the buffer and shall restore impacted areas to conditions present prior to grading or construction activities.
 4. Erosion Control Removal: After completion of grading or construction, the contractor or owner may remove the erosion control measures only after inspection and approval by the city and the applicable watershed district to ensure the areas affected have been established per requirements.
 5. Platting: When platting or subdividing property, the plat or subdivision must show the wetland boundaries as approved by the applicable watershed district.
 6. It is the responsibility of the owner to alleviate any erosion during and after completion of grading or construction. The owner or contractor must remove erosion control measures after final approved inspection by the city and the applicable watershed district.
- d. Mitigation. For large-scale projects or new development or construction, the city requires mitigation when a property owner or contractor has altered or will alter a wetland or buffer. The property owner or contractor shall submit a mitigation plan to the administrator for approval. In reviewing the plan, the city may require one or more of the following actions:
1. Reducing or avoiding the impact by limiting the degree or amount of the action, such as by using appropriate technology.
 2. Rectifying the impact by repairing, rehabilitating, or restoring the buffer.
 3. Reducing or eliminating the impact over time by prevention and maintenance operations during the life of the actions.
 4. Compensating for the impact by replacing, enhancing, or providing substitute buffer land at a two-to-one ratio.
 5. Monitoring the impact and taking appropriate corrective measures.
 6. Where the city requires restoration or replacement of a buffer, the owner or contractor shall replant the buffer with native vegetation. A restoration plan must be approved by the city before planting.
 7. Any additional conditions required by the applicable watershed district and/or the soil and water conservation district shall apply.

8. A wetland or buffer mitigation surety, such as a cash deposit or letter of credit, of one hundred and fifty percent (150%) of estimated cost for mitigation. The surety will be required based on the size of the project as deemed necessary by the administrator. Funds will be held by the city until successful completion of restoration as determined by the city after a final inspection. Wetland or buffer mitigation surety does not include other sureties required pursuant to any other provision of city ordinance or city directive.

Section 6. Activities in Wetlands, Streams, and Buffers.

- a. Unless an exemption applies, the following activities are not allowed in wetlands, streams, or buffers:
 1. Alterations, including the filling of wetlands.
 2. The construction of structures.
 3. Projects which convert native or naturalized areas to lawn area.
 4. The construction of stormwater drainage facilities, sedimentation ponds, infiltration basins, and rain gardens within a buffer.
 5. The discharging of stormwater to a wetland must comply with the city's stormwater management ordinance (Section 44-1245, or subsequent stormwater ordinances).
- b. Wetland buffer management worksheet. A wetland buffer management worksheet is required for certain activities within a wetland and stream buffer:
 1. The administrator must approve wetland buffer management worksheets.
 2. If a wetland buffer management worksheet is denied by the administrator, an applicant may appeal the denial by submitting a written appeal request to the administrator within fifteen (15) days of the administrator's written denial of the average buffer. The administrator shall send appeals of average buffers to the environmental and natural resources commission for review.
 3. If a wetland buffer management worksheet is denied by the environmental and natural resources commission, an applicant may appeal the denial by submitting a written appeal request to the administrator within fifteen (15) days of the commission's denial of the average buffer. The administrator shall send these appeals to the city council for final review.
- c. Exemptions. This section does not apply to the following activities in a buffer:
 1. Walking, passive recreation, fishing or other similar low-impact activities.
 2. The maintenance of pre-existing, nonconforming lawn area.
 3. The removal of trees or vegetation that is dead, dying, diseased, *noxious*, or hazardous in a manner that does not cause the compacting or disturbing of soil through vehicle or equipment use.

4. The removal of noxious weeds by non-chemical methods, or by means of chemical treatment in accordance with application methods that prevent the introduction of toxic chemicals into wetlands and streams.
5. The removal of non-native shrubs, such as buckthorn, if:
 - a) there is little chance of erosion; and
 - b) site is flat or generally has slopes less than 6 percent grade; and
 - c) cut and treat method of removal is used on shrubs more than one-half (½) inches in diameter (not pulling).
6. Selective management of vegetation as follows:
 - a) Selective pruning of trees or shrubs in order to enhance their health.
 - b) Selective removal of tree saplings (less than 2 inches in diameter) in order to enhance wildlife value of the buffer.
 - c) Selective removal of non-native trees.
 - d) Selective removal of non-native weeds.
 - e) Selective seeding or planting of vegetation that is native to Minnesota.
7. Installation of temporary fencing without footings.
8. Projects within the buffer that are the subject of a wetland buffer management worksheet approved by the administrator.
9. For properties that are zoned single or double-dwelling residential or are used as a single or double-dwelling residential use:
 - a) The use, maintenance, and alteration of existing nonconforming lawn area for the purpose of outdoor enjoyment which may include gardening, nonpermanent structures (including such things as storage sheds under 120 square feet in area, swing sets and volleyball nets), impervious patios, or fire pits.
 - b) Work within a wetland, stream, or buffer which was approved by the Minnesota Department of Natural Resources water permitting process and access to those areas by a trail which is limited to the width of the permit.

Section 7. Best Management Practices.

The city encourages and in some cases requires that best management practices be implemented to minimize negative effects of stormwater runoff on the environment and the loss of wildlife habitat when a property owner or contractor has altered or will alter a wetland, stream, or buffer. Best management practices may include the following:

- a. Restore buffer with native plantings. For large-scale projects or new development or construction refer to Section 5.d. (Mitigation).
- b. Manage weeds in buffer. Pursuant to state law, all weeds listed on the Minnesota noxious weed list must be controlled by the property owner. Owners are encouraged to control other weeds that are not on the noxious weed list but can threaten the health of a wetland. Submittal of a wetland buffer management worksheet is required for management of weeds within the native and naturalized areas of buffers, except for

selective treatment. In addition, a management plan drafted by a professional experienced in wetland and stream restoration may be needed for large-scale projects or new development including:

1. Target weeds.
 2. Appropriate management techniques, including the use of chemical treatment if approved by the administrator as part of the management plan.
 3. Management schedule.
 4. Erosion control and reseeding if management will create large areas of dead vegetation.
 5. Cash escrow or letter of credit to cover 150 percent of the required work.
- c. Reduce stormwater runoff and/or improve the quality of stormwater runoff entering a wetland or stream. This may be achieved through the following strategies or other administrator approved best management practices for dealing with stormwater. These practices are to be located outside of the wetland buffer.
1. Reduce amount of pavement on site (i.e. fewer parking stalls, narrower driveways, shared parking with other businesses).
 2. Use pervious pavement such as pavers or porous asphalt.
 3. Use turf pavers or modified turf areas for overflow parking.
 4. Install rain garden or infiltration basin.
 5. Install rock trench or rock pit.
 6. Install filter strip of grass or native vegetation.
 7. Install surface sand filter or underground filter.
 8. Install native plantings on site to reduce fertilizer use and improve infiltration.
 9. Install a green roof on buildings.
 10. Install grit chambers, sediment traps, or forebays.

Section 8. Variances.

- a. Procedures. Procedures for granting variances from this ordinance are as follows:
1. The city council may approve variances to the requirements in this ordinance.
 2. Before the city council acts on a wetland ordinance variance the environmental and natural resources commission and the planning commission, will make a recommendation to the city council. The city shall hold a public hearing for the variance. The city shall notify property owners within five hundred (500) feet of the property for which the variance is being requested at least ten (10) days before the hearing.

3. The city may require the applicant to mitigate any wetland, stream, or buffer alteration impacts with the approval of a variance, including but not limited to, implementing one or more of the strategies listed in Section 5.d. (Mitigation).
 4. To approve a variance, the city council shall apply the findings for variance approval as required in Minnesota Statutes.
 5. The applicant for a variance shall submit, with the variance application and any other required materials, a statement showing how the proposal would meet the findings for variance approval.
- b. Exemptions to Variances. Variances are not needed for the following:
1. A nonconforming single or double-dwelling residential structure which loses its nonconforming status as described in Minnesota Statutes, section 462.357, subdivision 1(e) is allowed to be rebuilt on its same footprint in its entirety (including foundations and decks) in the buffer if the new single or double-dwelling family residential structure meets the following conditions:
 - a) Best management practices are implemented to help protect the wetland as described in Section 7 (Best Management Practices). The administrator approves the location and best management practices through the building permit process.
 - b) All other applicable building ordinance requirements are met.
 2. A nonconforming manufactured home which is located within a wetland buffer can be replaced with a new manufactured home without approval of a variance as long as the replacement meets with the requirements of Minnesota Statutes, section 462.357, subdivision 1(a).
 3. Additions to a nonconforming single or double-dwelling family house, garage, deck, or driveway using the existing straight-edge setbacks to a wetland or stream if the following apply:
 - a) Property that is zoned single or double-dwelling residential or is being used as a single or double-dwelling residence.
 - b) There is no other reasonable alternative than encroachment toward the wetland or stream with the addition.
 - c) The new addition of the house, garage, deck, or driveway is a minimum of twenty-five (25) feet from the wetland or stream edge.
 - d) The process of constructing the addition does not cause degradation of the wetland, stream, or the existing buffer.
 - e) Mitigation actions must be met as specified in Section 5.d. (Mitigation).
 4. Water-oriented accessory structure or boat house which is located within a wetland buffer for a wetland adjacent a lake if the structure meets the city's Shoreland ordinance requirements.
 5. Stairways, lifts and landings which are located within a wetland buffer for a wetland adjacent a lake if the stairway, lift and landing meets the city's Shoreland ordinance requirements.

Section 9. Enforcement.

The city reserves the right to inspect the site or property during regular city business hours or upon notice to the property owner or its designated representative one business day in advance if the inspection is to occur at a different time for compliance with this ordinance during development or construction or alteration pursuant to an approved wetland buffer management worksheet or plan.

The city shall be responsible for the enforcement of this ordinance. Any person who fails to comply with or violates any section of this ordinance may be charged with a misdemeanor and, upon conviction, shall be subject to punishment in accordance with misdemeanor level convictions as set by State Statute. The violator may be civilly fined and/or liable for restoration costs as well. All land use building and grading permits shall be suspended until the developer has corrected the violation. Each day that a separate violation exists shall constitute a separate offense.

The city council approved the first reading of this ordinance on January 28, 2013.

The city council approved the second reading of this ordinance on February 11, 2013

Attest: Karen E. Guilfoile, City Clerk

Seconded by Councilmember Juenemann Ayes – All

The motion passed.

J. NEW BUSINESS

1. Consideration of Authorizing the Publication of the Environmental Assessment Worksheet (EAW) for the Proposed 3M Research and Development Building

Assistant City Manager Ahl introduced the report. Sherri Buss, Senior Planner from TKDA, representing 3M addressed the council and presented the report. Roger Spinner from 3M Company addressed and answered questions of the council.

Councilmember Koppen moved to authorize the publication of the 3M Company Draft Environmental Assessment Worksheet in the EQB Monitor for public agency comments.

Seconded by Councilmember Juenemann Ayes – All

The motion passed.

Mayor Rossbach requested a member from Girl Scout Troop 5125 to address the council and give details about why they were attending the Council Meeting.

K. AWARD OF BIDS

None

L. ADMINISTRATIVE PRESENTATIONS

1. Consider Cancellation of March 4 Council – Manager Workshop

Councilmember Juenemann moved to approve the cancellation of the Council – Manager Workshop on March 4, 2013.

Seconded by Councilmember Koppen

Ayes – All

The motion passed.

M. COUNCIL PRESENTATIONS

1. Fish Creek

Councilmember Juenemann reminded residents that the Fish Creek Event-Minnesota Get Together on February 22, 2013 is at the Maplewood Community Center from 5:30 p.m. to 9:00 p.m.

2. Application for the Park Group

Councilmember Cave informed residence that applications are being accepted for four positions on the Park Group Task Force. Interested citizens should contact city hall for additional information.

N. ADJOURNMENT

Mayor Rossbach adjourned the meeting at 8:34 p.m.

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AGENDA REPORT

TO: City Council
FROM: Finance Manager
RE: APPROVAL OF CLAIMS
DATE: February 25, 2013

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:

\$ 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
<u>\$ 1,489,426.36</u>	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
<u>\$ 516,633.81</u>	Total Payroll
<u><u>\$ 2,006,060.17</u></u>	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.

as
attachments

**Check Register
City of Maplewood**

02/08/2013

<u>Check</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	
89149	02/06/2013	02464	US BANK	FUNDS FOR ATMS	10,000.00
89150	02/12/2013	02149	HEIDI CAREY	DESIGN TRASH/YARD WASTE GUIDE	350.00
89151	02/12/2013	04220	ISS FACILITY SERVICES-MN	SEALING OF RESTROOM FLOORS	2,401.48
89152	02/12/2013	00393	DEPT OF LABOR & INDUSTRY	MONTHLY SURTAX - JAN 16133123035	1,956.66
89153	02/12/2013	04265	MARIA PIRELA	ZUMBA INSTRUCTION - JAN	312.00
89154	02/12/2013	01337	RAMSEY COUNTY-PROP REC & REV	FLEET SUPPORT FEE - JAN	418.08
89155	02/12/2013	02274	SPRINT	SPRINT SRVS 12/15-01/14	7,081.25
89156	02/12/2013	04252	TOWMASTER TRUCK EQUIP. INC.	12' POLARFLEX CUTTING EDGE #535	2,627.20
89157	02/12/2013	04192	TRANS-MEDIC	EMS BILLING - JAN	4,689.98
89158	02/12/2013	01190	XCEL ENERGY	ELECTRIC UTILITY	15,539.61
	02/12/2013	01190	XCEL ENERGY	ELECTRIC UTILITY	122.56
	02/12/2013	01190	XCEL ENERGY	ELECTRIC UTILITY	14.20
89159	02/12/2013	01798	YOCUM OIL CO.	CONTRACT GASOLINE - JAN	14,981.00
89160	02/12/2013	03964	ACCESS COMMUNICATIONS INC	FIBER OPTIC LOCATE SERVICE	1,351.75
89161	02/12/2013	05186	ACCESSABILITY, INC.	TEST SCANNING PROJ	55.00
89162	02/12/2013	04401	ADMIN-IPA	LAW ENFORCEMENT DATA WORKSHOP	175.00
	02/12/2013	04401	ADMIN-IPA	LAW ENFORCEMENT DATA WORKSHOP	175.00
89163	02/12/2013	03870	BASIAGO LAW OFFICE	PROJ 12-14 O&E AND ABSTRACTING	568.00
89164	02/12/2013	03738	CHARLES E. BETHEL	ATTORNEY SRVS FEES/RENT - MARCH	6,775.00
89165	02/12/2013	05114	BOLTON & MENK, INC.	GENERAL GIS ASSISTANCE	1,176.00
89166	02/12/2013	04549	JAN ALICE CAMPBELL	ZUMBA INSTRUCTION - JAN	135.00
89167	02/12/2013	05187	WHITE BEAR AREA CHAMBER OF COMMERCE	MEETING JAN 22	35.00
89168	02/12/2013	03874	COMMERCIAL FURNITURE SERVICES	SITTING CHAIRS - CITY HALL CONFERENCE	14,827.41
89169	02/12/2013	01906	DAVE EDSON	CORRECTION 2/1/13 PAYROLL CK	30.64
89170	02/12/2013	00451	EGAN COMPANIES INC	REPAIR STATION 2 HEAT UNIT	842.44
	02/12/2013	00451	EGAN COMPANIES INC	HEATING SYSTEM REPAIR	693.36
89171	02/12/2013	00462	EMBEDDED SYSTEMS, INC.	TORNADO SIREN #7 REPAIR	100.00
89172	02/12/2013	03580	LARRY FARR	REIMB FOR SUPPLIES & MILEAGE	240.21
89173	02/12/2013	03725	FINANCE AND COMMERCE	POSTING FOR PDEP BID PHASE 1	112.69
89174	02/12/2013	04947	HARDRIVES, INC.	PROJ 11-15 MILLS/OVERLAYS PMT#5	422,873.86
89175	02/12/2013	02506	HUNT ELECTRIC CORP	WORK ON LIFT STATION #20	863.97
89176	02/12/2013	04152	ISD 622 COMMUNITY EDUCATION	FACILITY USE AGREEMENT CARVER	28,391.07
89177	02/12/2013	05183	JOSEPH MARK JANQUART	INTRO TO BASKETBALL INSTRUCTION	1,200.00
89178	02/12/2013	05030	KANSAS STATE BANK OF MANHATTAN	EQUIP LEASE - MCC - PMT#7	4,344.07
89179	02/12/2013	00891	M A M A	MEMBERSHIP FEE J ANTONEN	45.00
	02/12/2013	00891	M A M A	MEETING JAN 10	20.00
	02/12/2013	00891	M A M A	MEETING JAN 10	20.00
89180	02/12/2013	01083	M D R A	MEMBERSHIP DUES DEPUTY #149	495.00
89181	02/12/2013	00942	MARSDEN BLDG MAINTENANCE CO	JANITORIAL SERVICES - JAN	6,578.16
89182	02/12/2013	00983	METRO SALES INC	LEASE PMT 1/15 - 2/15	484.14
89183	02/12/2013	04038	METRO-CLEANING SERVICES, INC.	CLEANING MCC KITCHEN	1,603.13
89184	02/12/2013	03270	MICHAEL A. MILLER/ISN	YOUTH BASKETBALL OFFICIALS - JAN	1,000.00
89185	02/12/2013	00001	ONE TIME VENDOR	REFUND J LEE MEDICA	60.00
89186	02/12/2013	00001	ONE TIME VENDOR	REFUND J AMEY BLUE CROSS BENEFIT	40.00
89187	02/12/2013	00001	ONE TIME VENDOR	REFUND M HOLTZMAN HP BENEFIT	20.00
89188	02/12/2013	00001	ONE TIME VENDOR	REFUND J FRANZ MEDICA BENEFIT	20.00
89189	02/12/2013	01909	PARKOS CONSTRUCTION CO	RE-ROOF FIRE STATION #2	30,386.00
89190	02/12/2013	02645	PUBLIC AGENCY TRAINING COUNCIL	TRAINING FEB 13 - 15	295.00
	02/12/2013	02645	PUBLIC AGENCY TRAINING COUNCIL	TRAINING FEB 13 - 15	295.00
89191	02/12/2013	00396	MN DEPT OF PUBLIC SAFETY	TRAINING	250.00
89192	02/12/2013	00396	MN DEPT OF PUBLIC SAFETY	HAZARDOUS MATERIALS STORAGE FEE	25.00
89193	02/12/2013	01313	PUMP AND METER SERVICE INC	FUEL CARDS/HOLDERS/KEYPAD	697.57
89194	02/12/2013	01340	REGIONS HOSPITAL	2012 SUPPLY CHG	44.75
89195	02/12/2013	03446	RICK JOHNSON DEER & BEAVER INC	DEER PICK UP - JAN	345.00
89196	02/12/2013	03879	SANSIO	EMS FEES - FEB	577.08
89197	02/12/2013	04256	SHI INTERNATIONAL CORP	2 MICROSOFT PROJ LICENSES	741.72
89198	02/12/2013	00006	SILVER SNEAKERS	REFUND BENEKE - UCARE BENEFIT	60.00
89199	02/12/2013	00006	SILVER SNEAKERS	REFUND GONTAREK - UCARE BENEFIT	60.00
89200	02/12/2013	00006	SILVER SNEAKERS	REFUND HAIDER - UCARE BENEFIT	60.00
89201	02/12/2013	00006	SILVER SNEAKERS	REFUND MCKENZIE - UCARE BENEFIT	60.00

89202	02/12/2013	00006	SILVER SNEAKERS	REFUND PARNELL - UCARE BENEFIT	60.00
89203	02/12/2013	00006	SILVER SNEAKERS	REFUND SCHWIETZ - UCARE BENEFIT	60.00
89204	02/12/2013	00006	SILVER SNEAKERS	REFUND SPOCK - UCARE BENEFIT	60.00
89205	02/12/2013	00006	SILVER SNEAKERS	REFUND TAVERNA - UCARE BENEFIT	60.00
89206	02/12/2013	00006	SILVER SNEAKERS	REFUND WILLIAMS - UCARE BENEFIT	60.00
89207	02/12/2013	00006	SILVER SNEAKERS	REFUND BUSTYR - UCARE BENEFIT	30.00
89208	02/12/2013	00006	SILVER SNEAKERS	REFUND J CORAM - UCARE BENEFIT	30.00
89209	02/12/2013	00006	SILVER SNEAKERS	REFUND S DANLEY - UCARE BENEFIT	30.00
89210	02/12/2013	00006	SILVER SNEAKERS	REFUND J DISCH - UCARE BENEFIT	30.00
89211	02/12/2013	00006	SILVER SNEAKERS	REFUND B DIXON - UCARE BENEFIT	30.00
89212	02/12/2013	00006	SILVER SNEAKERS	REFUND R ELDRIDGE - UCARE BENEFIT	30.00
89213	02/12/2013	00006	SILVER SNEAKERS	REFUND ELLEFSON - UCARE BENEFIT	30.00
89214	02/12/2013	00006	SILVER SNEAKERS	REFUND K GILLEN - UCARE BENEFIT	30.00
89215	02/12/2013	00006	SILVER SNEAKERS	REFUND HOLZSCHUH - UCARE BENEFIT	30.00
89216	02/12/2013	00006	SILVER SNEAKERS	REFUND C JONES - UCARE BENEFIT	30.00
89217	02/12/2013	00006	SILVER SNEAKERS	REFUND J KAISER - UCARE BENEFIT	30.00
89218	02/12/2013	00006	SILVER SNEAKERS	REFUND A KERNTOP - UCARE BENEFIT	30.00
89219	02/12/2013	00006	SILVER SNEAKERS	REFUND H KESSLER - UCARE BENEFIT	30.00
89220	02/12/2013	00006	SILVER SNEAKERS	REFUND M LISKA - UCARE BENEFIT	30.00
89221	02/12/2013	00006	SILVER SNEAKERS	REFUND A MULVANEY - UCARE BENEFIT	30.00
89222	02/12/2013	00006	SILVER SNEAKERS	REFUND G MULVANEY - UCARE BENEFIT	30.00
89223	02/12/2013	00006	SILVER SNEAKERS	REFUND P MUND - UCARE BENEFIT	30.00
89224	02/12/2013	00006	SILVER SNEAKERS	REFUND MUSCATELLO - UCARE BENEFIT	30.00
89225	02/12/2013	00006	SILVER SNEAKERS	REFUND V PAYETTE - UCARE BENEFIT	30.00
89226	02/12/2013	00006	SILVER SNEAKERS	REFUND R REIFLER - UCARE BENEFIT	30.00
89227	02/12/2013	00006	SILVER SNEAKERS	REFUND J SCHMIDT - UCARE BENEFIT	30.00
89228	02/12/2013	00006	SILVER SNEAKERS	REFUND C SKIDMORE - UCARE BENEFIT	30.00
89229	02/12/2013	00006	SILVER SNEAKERS	REFUND STAHLLECKER - UCARE BENEFIT	30.00
89230	02/12/2013	00006	SILVER SNEAKERS	REFUND STEENBERG - UCARE BENEFIT	30.00
89231	02/12/2013	00006	SILVER SNEAKERS	REFUND L BISHOP - UCARE BENEFIT	15.00
89232	02/12/2013	00006	SILVER SNEAKERS	REFUND B DAWSON - UCARE BENEFIT	15.00
89233	02/12/2013	00006	SILVER SNEAKERS	REFUND J GALLAGHER - UCARE BENEFIT	15.00
89234	02/12/2013	00006	SILVER SNEAKERS	REFUND J MORIARITY - UCARE BENEFIT	15.00
89235	02/12/2013	00006	SILVER SNEAKERS	REFUND L PERSBY - UCARE BENEFIT	15.00
89236	02/12/2013	00006	SILVER SNEAKERS	REFUND K RINDAL - UCARE BENEFIT	15.00
89237	02/12/2013	00006	SILVER SNEAKERS	REFUND D STGERMAIN - UCARE BENEFIT	15.00
89238	02/12/2013	00006	SILVER SNEAKERS	REFUND B THOMPSON - UCARE BENEFIT	15.00
89239	02/12/2013	01836	CITY OF ST PAUL	FALL 2012 PRINTING EXPENSES	1,458.20
89240	02/12/2013	00198	ST. PAUL REGIONAL WATER SRVS	WATER UTILITY	947.14
	02/12/2013	00198	ST. PAUL REGIONAL WATER SRVS	WATER UTILITY	415.83
89241	02/12/2013	01550	SUMMIT INSPECTIONS	ELECTRICAL INSPECTIONS - JAN	7,013.20
89242	02/12/2013	01578	T R F SUPPLY CO.	ICE MELT FOR PARKS DEPT	1,042.35
89243	02/12/2013	04528	SARA M. R. THOMPSON	ZUMBA INSTRUCTION - JAN	182.50
89244	02/12/2013	00449	TYLER TECHNOLOGIES INC	EDEN SYS SUPPORT CONTRACT 2013	51,106.99
89245	02/12/2013	00529	UNION SECURITY INSURANCE CO	LTD PLAN 4043120-2 - FEB	3,108.80
	02/12/2013	00529	UNION SECURITY INSURANCE CO	STD PLAN 4043120-1 - FEB	2,383.18
89246	02/12/2013	04357	UNIVERSAL HOSPITAL SRVS, INC.	DEFIBRILLATOR SERVICE	369.00

658,909.23

98 Checks in this report.

CITY OF MAPLEWOOD
Disbursements via Debits to Checking account

Settlement			
<u>Date</u>	<u>Payee</u>	<u>Description</u>	<u>Amount</u>
2/4/2013	MN State Treasurer	Drivers License/Deputy Registrar	26,759.53
2/4/2013	U.S. Treasurer	Federal Payroll Tax	100,883.55
2/4/2013	P.E.R.A.	P.E.R.A.	89,990.48
2/4/2013	ICMA (Vantagepointe)	Retiree Health Savings	25,430.72
2/5/2013	MN State Treasurer	Drivers License/Deputy Registrar	23,684.28
2/5/2013	MidAmerica - ING	HRA Flex plan	18,722.33
2/5/2013	Labor Unions	Union Dues	2,066.35
2/6/2013	MN State Treasurer	Drivers License/Deputy Registrar	32,390.46
2/6/2013	MN State Treasurer	State Payroll Tax	20,833.88
2/7/2013	MN State Treasurer	Drivers License/Deputy Registrar	41,322.32
2/8/2013	MN State Treasurer	Drivers License/Deputy Registrar	16,652.60
2/8/2013	MN Dept of Natural Resources	DNR electronic licenses	1,229.00
2/8/2013	Optum Health	DCRP & Flex plan payments	2,119.32
	TOTAL		<u><u>402,084.82</u></u>

**Check Register
City of Maplewood**

02/15/2013

<u>Check</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	
89247	02/19/2013	00240	C.S.C. CREDIT SERVICES	APPLICANT BACKGROUND CHECKS	50.00
89248	02/19/2013	01973	ERICKSON OIL PRODUCTS INC	CAR WASHES - JAN	68.00
89249	02/19/2013	01337	RAMSEY COUNTY-PROP REC & REV	911 DISPATCH SERVICES - JAN	28,851.06
	02/19/2013	01337	RAMSEY COUNTY-PROP REC & REV	RADIO FLEET SUPPORT - JAN	455.52
89250	02/19/2013	01337	RAMSEY COUNTY-PROP REC & REV	PROJ 09-09 RECORDING FEES	56.00
89251	02/19/2013	01409	S.E.H.	ARCHITECT SRVS FOR PD EXPANSION	25,739.57
	02/19/2013	01409	S.E.H.	PROJ 09-09 CONSULTING SERVICES	13,964.12
	02/19/2013	01409	S.E.H.	PROJ 09-08 CONSULTING SERVICES	7,811.20
	02/19/2013	01409	S.E.H.	PROJ 09-08 CONSULTING SERVICES	4,815.99
	02/19/2013	01409	S.E.H.	PROJ 04-21 CONSULTING SERVICES	595.02
	02/19/2013	01409	S.E.H.	CONSULTING SERVICES	473.93
	02/19/2013	01409	S.E.H.	ARCHITECT SRVS FOR PD EXPANSION	224.75
89252	02/19/2013	01463	SISTER ROSALIND GEFRE	MCC MASSAGES - JAN 16-31	1,046.00
	02/19/2013	01463	SISTER ROSALIND GEFRE	MCC MASSAGES - JAN 1-15	559.50
89253	02/19/2013	01190	XCEL ENERGY	PROJ 09-09 OVERHEAD SRVS RELOCATE	12,507.59
89254	02/19/2013	01190	XCEL ENERGY	ELECTRIC & GAS UTILITY	7,645.29
	02/19/2013	01190	XCEL ENERGY	ELECTRIC UTILITY	1,108.90
89255	02/19/2013	03744	ANTHONY BARILLA, JR	REFS 1ST HALF VOLLEYBALL THRU 02/08	275.00
89256	02/19/2013	04419	LOUISE A. BEAMAN	REFS 1ST HALF VOLLEYBALL THRU 02/08	225.00
89257	02/19/2013	01869	DALE BOETTCHER	REFS 1ST HALF VOLLEYBALL THRU 02/08	75.00
89258	02/19/2013	02766	KATHERINE BOWMAN	REFS 1ST HALF VOLLEYBALL THRU 02/08	552.00
89259	02/19/2013	02437	DAHLEN AND DWYER INC	PROJ 12-09 APPRAISAL SERVICES	4,750.00
89260	02/19/2013	00412	DONALD SALVERDA & ASSOCIATES	TRAINING	500.00
89261	02/19/2013	05028	ENERGY ALTERNATIVES SOLAR, LLC	CITY HALL SOLAR SYSTEM LEASE - FEB	397.00
	02/19/2013	05028	ENERGY ALTERNATIVES SOLAR, LLC	MCC SOLAR SYSTEM LEASE - FEB	369.00
89262	02/19/2013	00472	MICHAEL A ERICSON	CONSULTING FEES 1/28 - 2/8	1,250.00
89263	02/19/2013	02567	EVERGREEN LAND SERVICES	PROJ 09-08 AQUISITION SERVICES	389.13
89264	02/19/2013	04440	PAT FLEMING	10% OF VEHICLE FORFEITURE	142.52
89265	02/19/2013	04421	TRACEY FREDRICK	REFS 1ST HALF VOLLEYBALL THRU 02/08	50.00
89266	02/19/2013	05189	GLOBAL RENTAL CO., INC.	BUCKET TRUCK RENTAL	3,997.13
89267	02/19/2013	04846	HEALTHEAST	MEDICAL SUPPLIES	1,582.58
89268	02/19/2013	00671	HIRSHFIELD'S	WINDOW BLINDS FOR MCC	5,966.83
89269	02/19/2013	03538	PATRICK JAMES HUBBARD	REFS 1ST HALF VOLLEYBALL THRU 02/08	450.00
89270	02/19/2013	05119	CHRISTY JOHNSON	REFS 1ST HALF VOLLEYBALL THRU 02/08	50.00
89271	02/19/2013	04950	JERRY JOHNSON	REFS 1ST HALF VOLLEYBALL THRU 02/08	50.00
89272	02/19/2013	04906	KILLMER ELECTRIC CO., INC.	PROJ 04-21 REPLACE LIGHT POLE	2,901.41
	02/19/2013	04906	KILLMER ELECTRIC CO., INC.	PROJ 04-21 REPLACE LIGHT POLE	1,886.30
89273	02/19/2013	03218	KLINE NISSAN	CVR ERROR - SYSTEM GLITCH JAN 23	1,050.68
	02/19/2013	03218	KLINE NISSAN	CVR ERROR - SYSTEM GLITCH JAN 25	1,050.68
89274	02/19/2013	00857	LEAGUE OF MINNESOTA CITIES	SAFETY & LOSS CONTROL WORKSHOPS	20.00
89275	02/19/2013	00910	M S S A	MEMBERSHIP FEE	50.00
89276	02/19/2013	00942	MARSDEN BLDG MAINTENANCE CO	SEWER BACKUP 1209 LARK AVE	452.72
89277	02/19/2013	04420	ROBIN MCNULTY	REFS 1ST HALF VOLLEYBALL THRU 02/08	300.00
89278	02/19/2013	01085	MN LIFE INSURANCE	MONTHLY PREMIUM - FEB	3,034.35
89279	02/19/2013	01089	MN UC FUND	QTR UNEMPLOYMENT - 4TH 2012 3RD-0	1,313.74
89280	02/19/2013	04537	MU PERFORMING ARTS	MCC EVENT APRIL 26	2,000.00
89281	02/19/2013	00001	ONE TIME VENDOR	REFUND GRUETT OVERPMT ASSESSMENT	2,600.00
89282	02/19/2013	00001	ONE TIME VENDOR	REFUND HARTZELL OVERPMT ASSESSMENT	1,400.00
89283	02/19/2013	00001	ONE TIME VENDOR	REFUND PHOENIX RESIDENCE OVERPMT	1,190.00
89284	02/19/2013	00001	ONE TIME VENDOR	REFUND DUFNER OVERPMT ASSESSMENT	890.00
89285	02/19/2013	00001	ONE TIME VENDOR	REFUND BORLAND - UCARE BENEFIT	390.00
89286	02/19/2013	00001	ONE TIME VENDOR	REFUND R ERHARDT BCBS BENEFIT	240.00
89287	02/19/2013	00001	ONE TIME VENDOR	REFUND V DIPPEL - UCARE BENEFIT	210.00
89288	02/19/2013	00001	ONE TIME VENDOR	REFUND C WIDERSKI - UCARE BENEFIT	120.00
89289	02/19/2013	00001	ONE TIME VENDOR	REFUND T HAMILTON TUMBLIN TOTS	42.00
89290	02/19/2013	00001	ONE TIME VENDOR	REFUND T BAYERS MEDICA BENEFIT	40.00

89291	02/19/2013	00001	ONE TIME VENDOR	REFUND K JENNINGS FACE PAINTER	35.00
89292	02/19/2013	00001	ONE TIME VENDOR	REFUND S KOPP - TEA ENROLLMENT	18.00
89293	02/19/2013	04581	ORION SYSTEMS/NETWORKS	SUBSCRIPTION FOR LETS - FEB	150.00
89294	02/19/2013	01863	ROGER PACKER	REFS 1ST HALF VOLLEYBALL THRU 02/08	600.00
89295	02/19/2013	01345	RAMSEY COUNTY	PROJ 11-09 COPIES	10.00
89296	02/19/2013	02010	RAMSEY CTY ATTORNEY'S OFFICE	20% OF VEHICLE FORFEITURE	285.04
	02/19/2013	02010	RAMSEY CTY ATTORNEY'S OFFICE	30% OF VEHICLE FORFEITURE	102.29
89297	02/19/2013	04432	EUGENE E. RICHARDSON	REFS 1ST HALF VOLLEYBALL THRU 02/08	500.00
89298	02/19/2013	02663	CARL SAARION	REFS 1ST HALF VOLLEYBALL THRU 02/08	150.00
89299	02/19/2013	05120	RICH SCHELL	REFS 1ST HALF VOLLEYBALL THRU 02/08	375.00
89300	02/19/2013	00006	SILVER SNEAKERS	REFUND RICHTER - UCARE BENEFIT	728.68
89301	02/19/2013	00006	SILVER SNEAKERS	REFUND MADDIO - UCARE BENEFIT	540.88
89302	02/19/2013	00006	SILVER SNEAKERS	REFUND PRUDEN - UCARE BENEFIT	486.12
89303	02/19/2013	00006	SILVER SNEAKERS	REFUND MORAN - UCARE BENEFIT	480.00
89304	02/19/2013	00006	SILVER SNEAKERS	REFUND RILEY - UCARE BENEFIT	468.02
89305	02/19/2013	00006	SILVER SNEAKERS	REFUND MAYERS - UCARE BENEFIT	453.52
89306	02/19/2013	00006	SILVER SNEAKERS	REFUND WERRA - UCARE BENEFIT	450.00
89307	02/19/2013	00006	SILVER SNEAKERS	REFUND BESTLAND - UCARE BENEFIT	441.06
89308	02/19/2013	00006	SILVER SNEAKERS	REFUND HARDER - UCARE BENEFIT	420.00
89309	02/19/2013	00006	SILVER SNEAKERS	REFUND PERCIVAL - UCARE BENEFIT	415.19
89310	02/19/2013	00006	SILVER SNEAKERS	REFUND N MEYERS - UCARE BENEFIT	390.78
89311	02/19/2013	00006	SILVER SNEAKERS	REFUND CARTIER - UCARE BENEFIT	390.00
89312	02/19/2013	00006	SILVER SNEAKERS	REFUND M OTTO - UCARE BENEFIT	291.57
89313	02/19/2013	00006	SILVER SNEAKERS	REFUND J HOWARD - UCARE BENEFIT	249.09
89314	02/19/2013	00006	SILVER SNEAKERS	REFUND E CURRENT - UCARE BENEFIT	240.00
89315	02/19/2013	00006	SILVER SNEAKERS	REFUND J RUPRECHT - UCARE BENEFIT	225.00
89316	02/19/2013	00006	SILVER SNEAKERS	REFUND G GIPPLE - UCARE BENEFIT	210.00
89317	02/19/2013	00006	SILVER SNEAKERS	REFUND J WILLY - UCARE BENEFIT	210.00
89318	02/19/2013	00006	SILVER SNEAKERS	REFUND K WALTON - UCARE BENEFIT	200.00
89319	02/19/2013	00006	SILVER SNEAKERS	REFUND S LUTTRELL - UCARE BENEFIT	195.00
89320	02/19/2013	00006	SILVER SNEAKERS	REFUND D MOECKEL - UCARE BENEFIT	195.00
89321	02/19/2013	00006	SILVER SNEAKERS	REFUND J MUELLER - UCARE BENEFIT	195.00
89322	02/19/2013	00006	SILVER SNEAKERS	REFUND G NEUMANN - UCARE BENEFIT	195.00
89323	02/19/2013	00006	SILVER SNEAKERS	REFUND J SMITH - UCARE BENEFIT	195.00
89324	02/19/2013	00006	SILVER SNEAKERS	REFUND M TANSEY - UCARE BENEFIT	195.00
89325	02/19/2013	00006	SILVER SNEAKERS	REFUND R MANCHESKI - UCARE BENEFIT	184.15
89326	02/19/2013	00006	SILVER SNEAKERS	REFUND V TATEOSIAN BAL MEMBERSHIP	122.52
89327	02/19/2013	00006	SILVER SNEAKERS	REFUND HUGHES - UCARE BENEFIT -	99.66
89328	02/19/2013	00006	SILVER SNEAKERS	REFUND C PFAFF - UCARE BENEFIT	50.00
89329	02/19/2013	00006	SILVER SNEAKERS	REFUND S MCNEELY - UCARE BENEFIT	30.00
89330	02/19/2013	00006	SILVER SNEAKERS	REFUND A RILEY - HP BENEFIT	20.00
89331	02/19/2013	02653	SIMPLEX GRINNELL LP	REPLACED POWER SUPPLY	2,007.85
89332	02/19/2013	05188	JENNA SOBERG	REFS 1ST HALF VOLLEYBALL THRU 02/08	50.00
89333	02/19/2013	01836	CITY OF ST PAUL	SRVS (RMS) PROVIDED TO PD - FEB	5,196.09
89334	02/19/2013	01699	UNIVERSITY OF MINNESOTA	TRAINING CUSTOMER #329587	195.00
89335	02/19/2013	04179	VISUAL IMAGE PROMOTIONS	PROGRAM DISPLAY SIGN MCC - JAN	325.00
89336	02/19/2013	01872	MARK WEBER	REFS 1ST HALF VOLLEYBALL THRU 02/08	300.00
					167,491.02

90 Checks in this report.

CITY OF MAPLEWOOD
Disbursements via Debits to Checking account

Settlement			
<u>Date</u>	<u>Payee</u>	<u>Description</u>	<u>Amount</u>
2/11/2013	MN State Treasurer	Drivers License/Deputy Registrar	27,721.70
2/12/2013	MN State Treasurer	Drivers License/Deputy Registrar	31,593.98
2/12/2013	MN Dept of Revenue	MN Care Tax	840.60
2/13/2013	MN State Treasurer	Drivers License/Deputy Registrar	28,244.12
2/14/2013	MN State Treasurer	Drivers License/Deputy Registrar	34,895.64
2/15/2013	MN State Treasurer	Drivers License/Deputy Registrar	47,883.78
2/15/2013	MN Dept of Natural Resources	DNR electronic licenses	1,068.00
2/15/2013	US Bank VISA One Card*	Purchasing card items	54,903.94
2/15/2013	VANCO	Billing fee	197.25
2/15/2013	Optum Health	DCRP & Flex plan payments	875.14
2/15/2013	ICMA (Vantagepointe)	Deferred Compensation	4,164.15
2/15/2013	ING - State Plan	Deferred Compensation	28,552.99
TOTAL			<u>260,941.29</u>

*Detailed listing of VISA purchases is attached.

Transaction Date	Posting Date	Merchant Name	Transaction Amount	Name
01/25/2013	01/28/2013	UNIFORMS UNLIMITED INC.	\$210.79	CLINT ABEL
01/30/2013	02/01/2013	CONTINENTAL SAFETY EQUIPM	\$130.80	DAVE ADAMS
02/01/2013	02/04/2013	SEARS ROEBUCK 1122	\$7.49	DAVE ADAMS
02/01/2013	02/04/2013	THE HOME DEPOT 2801	\$4.18	DAVE ADAMS
01/30/2013	01/31/2013	CPS INC-DARECATALOUGE.COM	\$17.50	LONN BAKKE
02/06/2013	02/08/2013	STREICHER'S MO	(\$95.33)	LONN BAKKE
01/28/2013	01/30/2013	GOVERNMENT FINANCE OFFIC	\$380.00	GAYLE BAUMAN
01/31/2013	02/04/2013	OFFICE DEPOT #1090	\$120.54	REGAN BEGGS
02/05/2013	02/06/2013	OFFICE DEPOT #1079	\$16.06	REGAN BEGGS
01/25/2013	01/28/2013	KEEPRS INC 2	\$64.98	MARKESE BENJAMIN
01/25/2013	01/28/2013	GOPHER STAGE LIGHTING INC	\$271.53	CHRISTINE BERNARDY
01/26/2013	01/28/2013	FACEBOOK.COM*999P422LN	\$30.88	CHRISTINE BERNARDY
01/29/2013	01/30/2013	LILLIE SUBURBAN NEWSPAPE	\$1,342.50	CHRISTINE BERNARDY
02/01/2013	02/04/2013	WEDDINGPAGES INC	\$311.16	CHRISTINE BERNARDY
02/02/2013	02/04/2013	FACEBOOK.COM*N8ZP422LN	\$22.28	CHRISTINE BERNARDY
02/05/2013	02/06/2013	SUREFIRE LLC	\$176.75	BRIAN BIERDEMAN
02/02/2013	02/04/2013	BLUE RIBBON BAIT & TACKLE	\$10.14	OAKLEY BIESANZ
02/05/2013	02/06/2013	JCPENNEY 2864	\$39.00	JOHN BOHL
01/27/2013	01/28/2013	CUB FOODS #1639	\$34.36	NEIL BRENEMAN
02/06/2013	02/07/2013	TARGET 00011858	\$16.68	NEIL BRENEMAN
02/06/2013	02/08/2013	MICHAELS #2744	\$59.45	NEIL BRENEMAN
02/07/2013	02/08/2013	OLD LOG THEATER	\$322.50	NEIL BRENEMAN
01/24/2013	01/28/2013	TRI-STATE BOBCAT	\$475.41	TROY BRINK
01/30/2013	02/01/2013	THE HOME DEPOT 2801	\$21.40	TROY BRINK
02/01/2013	02/04/2013	VIKING INDUSTRIAL CENTER	\$620.00	TROY BRINK
02/07/2013	02/08/2013	AUTO PLUS NO ST PAUL 392	(\$116.33)	TROY BRINK
02/07/2013	02/08/2013	AUTO PLUS NO ST PAUL 392	\$85.49	TROY BRINK
01/24/2013	01/28/2013	THE HOME DEPOT 2801	\$26.82	BRENT BUCKLEY
01/31/2013	02/01/2013	MENARDS 3059	\$30.68	BRENT BUCKLEY
02/01/2013	02/04/2013	THE HOME DEPOT 2801	\$26.96	BRENT BUCKLEY
01/28/2013	01/29/2013	CHILI'S-MAPLEWOOD	\$124.23	SARAH BURLINGAME
01/30/2013	01/31/2013	FIRST SHRED	\$109.50	SARAH BURLINGAME
02/01/2013	02/04/2013	PAYMENT SERVICES	\$43.92	SARAH BURLINGAME
01/27/2013	01/28/2013	GRIP FORCE ADAPTERS	\$53.90	DAN BUSACK
02/03/2013	02/04/2013	SUPERAMERICA 4022	\$43.05	DAN BUSACK
01/24/2013	01/28/2013	NAPA STORE 3279016	\$35.33	JOHN CAPISTRANT
01/30/2013	02/01/2013	NAPA STORE 3279016	\$50.67	JOHN CAPISTRANT
01/30/2013	01/31/2013	VIKING ELECTRIC - CREDIT	\$58.38	SCOTT CHRISTENSON
01/30/2013	01/31/2013	VIKING ELECTRIC - CREDIT	\$129.85	SCOTT CHRISTENSON
02/05/2013	02/07/2013	THE HOME DEPOT 2801	\$47.04	SCOTT CHRISTENSON
02/06/2013	02/07/2013	FERGUSON ENTERPRISES #525	\$142.67	SCOTT CHRISTENSON
02/04/2013	02/05/2013	FBI / LEEDA, INC	\$50.00	KERRY CROTTY
01/26/2013	01/28/2013	FRATTALLONES WOODBURY AC	\$4.27	CHARLES DEAVER
01/26/2013	01/29/2013	PENN CYCLE - WOODBURY	\$6.42	CHARLES DEAVER
01/31/2013	02/01/2013	FRATTALLONES WOODBURY AC	\$1.99	CHARLES DEAVER
01/31/2013	02/05/2013	DALCO ENTERPRISES, INC	\$188.37	CHARLES DEAVER
01/30/2013	01/31/2013	HOLLMAN INC	\$290.48	TOM DOUGLASS
01/31/2013	02/04/2013	THE HOME DEPOT 2801	\$85.23	TOM DOUGLASS
02/01/2013	02/04/2013	THE HOME DEPOT 2801	\$36.87	TOM DOUGLASS
02/01/2013	02/04/2013	WW GRAINGER	\$218.79	TOM DOUGLASS
02/04/2013	02/05/2013	FOREST PRODUCTS SUPPLY	\$942.70	TOM DOUGLASS
02/05/2013	02/06/2013	CYBEX - 01	\$53.08	TOM DOUGLASS
02/05/2013	02/07/2013	THE HOME DEPOT 2801	\$118.43	TOM DOUGLASS
02/06/2013	02/07/2013	CONTINENTAL RESEARCH COR	\$131.62	TOM DOUGLASS
02/07/2013	02/08/2013	LIFE FITNESS	\$50.28	TOM DOUGLASS
02/07/2013	02/08/2013	WW GRAINGER	\$61.43	TOM DOUGLASS

01/28/2013	01/30/2013	KEEPRS INC 2	\$517.67	MICHAEL DUGAS
02/05/2013	02/06/2013	LA POLICE GEAR INC	\$217.07	MICHAEL DUGAS
01/25/2013	01/28/2013	WALGREENS #01751	\$319.98	PAUL E EVERSON
01/25/2013	01/28/2013	CONTINENTAL RESEARCH COR	\$1,979.09	LARRY FARR
01/25/2013	01/28/2013	CINTAS #470	\$89.20	LARRY FARR
01/28/2013	01/29/2013	ELECTRO WATCHMAN INC	\$1,286.13	LARRY FARR
01/28/2013	01/30/2013	MOBILE RADIO ENGINEERI	\$202.06	LARRY FARR
01/28/2013	01/30/2013	DEPARTMENT OF LABOR AND I	\$60.00	LARRY FARR
01/30/2013	01/31/2013	TARGET 00024067	\$207.37	LARRY FARR
01/31/2013	02/01/2013	BATTERIES PLUS #31	\$122.05	LARRY FARR
02/01/2013	02/04/2013	DISPLAYS2GOCOM	\$463.68	LARRY FARR
02/01/2013	02/04/2013	CERTIFIED LABORATORIES	\$1,591.92	LARRY FARR
02/01/2013	02/04/2013	SYX*GLOBALINDUSTRIALEQ	\$713.36	LARRY FARR
02/01/2013	02/04/2013	WM EZPAY	\$491.88	LARRY FARR
02/02/2013	02/04/2013	TARGET 00024067	\$214.24	LARRY FARR
02/05/2013	02/06/2013	SCHINDLER ELEVATOR CORP	\$634.89	LARRY FARR
02/05/2013	02/06/2013	WM EZPAY	\$450.91	LARRY FARR
02/05/2013	02/06/2013	WM EZPAY	\$1,043.86	LARRY FARR
02/06/2013	02/07/2013	CERTIFIED LABORATORIES	\$651.41	LARRY FARR
02/07/2013	02/07/2013	TIERNEY BROTHERS INC	\$2,593.36	LARRY FARR
02/06/2013	02/07/2013	APA MEMBERSHIPS AND SUBS	\$455.00	SHANN FINWALL
01/25/2013	01/28/2013	GANDER MOUNTAIN	\$409.88	TIMOTHY FLOR
02/01/2013	02/04/2013	IMAGING PATH	\$4,174.63	MYCHAL FOWLDS
02/04/2013	02/05/2013	TOSHIBA BUSINESS SOLUTION	\$134.69	MYCHAL FOWLDS
02/04/2013	02/05/2013	TOSHIBA BUSINESS SOLUTION	\$551.78	MYCHAL FOWLDS
02/05/2013	02/07/2013	QQUEST ASSET MANAGEMENT	\$562.40	MYCHAL FOWLDS
02/06/2013	02/07/2013	VZWRLSS*APOCC VISN	\$528.73	MYCHAL FOWLDS
01/29/2013	01/30/2013	WWW.NEWEGG.COM	\$12.99	NICK FRANZEN
01/29/2013	01/30/2013	SHI CORP	\$79.12	NICK FRANZEN
01/31/2013	02/01/2013	HP SERVICES	\$82.27	NICK FRANZEN
01/29/2013	01/30/2013	WALGREENS #3122	\$18.48	CAROLE GERNES
01/24/2013	01/28/2013	OFFICE MAX	\$32.09	CLARENCE GERVAIS
01/25/2013	01/28/2013	DICK'S CLOTHING&SPORTING	\$128.49	JAN GREW HAYMAN
02/07/2013	02/08/2013	VZWRLSS*APOCC VISN	\$107.45	KAREN GUILFOILE
01/30/2013	01/31/2013	HENRIKSEN ACE HARDWARE	\$7.49	MILES HAMRE
01/29/2013	01/31/2013	KEEPRS INC 2	\$200.00	TIMOTHY HAWKINSON JR.
02/06/2013	02/07/2013	LA POLICE GEAR INC	\$158.78	TIMOTHY HAWKINSON JR.
01/25/2013	01/28/2013	UNIFORMS UNLIMITED INC.	\$134.99	PHENG HER
01/26/2013	01/28/2013	GANDER MOUNTAIN	\$154.99	GARY HINNENKAMP
02/07/2013	02/08/2013	FRATTALLONES WOODBURY AC	\$77.07	GARY HINNENKAMP
01/29/2013	01/30/2013	ELIFEGUARD INC.	\$331.34	RON HORWATH
02/05/2013	02/06/2013	ARC*SERVICES/TRAINING	\$38.00	RON HORWATH
02/06/2013	02/07/2013	AMERICAN RED CROSS	\$350.00	RON HORWATH
02/06/2013	02/07/2013	AMERICAN RED CROSS	\$120.00	RON HORWATH
01/30/2013	02/01/2013	DALCO ENTERPRISES, INC	(\$15.30)	DAVID JAHN
01/30/2013	02/01/2013	DALCO ENTERPRISES, INC	\$320.14	DAVID JAHN
01/30/2013	02/01/2013	GOODIN COMPANY	\$290.47	DON JONES
01/30/2013	01/31/2013	MINN EMPLOYEE RECREATION	\$450.00	DUWAYNE KONEWKO
01/28/2013	01/30/2013	OFFICE MAX	\$28.48	JASON KREGER
01/28/2013	01/30/2013	STREICHER'S MO	\$435.99	DAVID KVAM
01/30/2013	01/31/2013	EMERGENCY AUTOMOTIVE	\$717.52	DAVID KVAM
01/31/2013	02/01/2013	THE GRAFIX SHOPPE	\$810.00	DAVID KVAM
01/31/2013	02/01/2013	THE GRAFIX SHOPPE	\$670.00	DAVID KVAM
02/02/2013	02/04/2013	COMCAST CABLE COMM	\$67.45	DAVID KVAM
02/06/2013	02/07/2013	THOMSON WEST*TCD	\$294.16	DAVID KVAM
02/03/2013	02/04/2013	TARGET 00021352	\$26.72	MICHAEL LOCHEN
01/28/2013	01/29/2013	EMERGENCY APPARATUS MAINT	\$1,207.85	STEVE LUKIN

01/31/2013	02/01/2013	OVERHEAD DOOR COMP	\$526.15	STEVE LUKIN
01/31/2013	02/01/2013	OVERHEAD DOOR COMP	\$1,608.45	STEVE LUKIN
01/31/2013	02/01/2013	MENARDS 3059	\$37.44	STEVE LUKIN
02/01/2013	02/04/2013	AIRGASS NORTH	\$166.12	STEVE LUKIN
02/04/2013	02/06/2013	METRO FIRE	\$241.44	STEVE LUKIN
02/06/2013	02/06/2013	AIRGASS NORTH	\$198.23	STEVE LUKIN
01/28/2013	01/29/2013	THE UPS STORE 2171	\$13.44	JASON MARINO
01/25/2013	01/28/2013	MACY*S EAST #233	\$64.99	JERROLD MARTIN
01/25/2013	01/28/2013	BILLS GUN SHOP & RANGE NO	\$72.27	JERROLD MARTIN
02/01/2013	02/04/2013	UNIFORMS UNLIMITED INC.	\$21.38	JERROLD MARTIN
02/02/2013	02/04/2013	THE SALVATION ARMY 11	\$45.96	ALESIA METRY
01/28/2013	01/29/2013	DONATELLI'S	\$129.03	MICHAEL MONDOR
01/29/2013	01/31/2013	NORTH ST PAUL PIZZA FACTO	\$91.25	MICHAEL MONDOR
01/30/2013	02/01/2013	FIVE GUYS #MN-1390	\$95.72	MICHAEL MONDOR
01/31/2013	02/04/2013	BOUND TREE MEDICAL LLC	\$287.66	MICHAEL MONDOR
02/04/2013	02/06/2013	PRIMARY PRODUCTS COMPANY	\$348.00	MICHAEL MONDOR
02/06/2013	02/08/2013	BOUND TREE MEDICAL LLC	\$1,006.86	MICHAEL MONDOR
02/07/2013	02/08/2013	EVEREST EMERGENCY VEHICL	\$924.69	MICHAEL MONDOR
02/04/2013	02/06/2013	RED WING SHOE STORE	\$200.00	JOHN NAUGHTON
01/30/2013	02/01/2013	NAPA STORE 3279016	\$7.80	MICHAEL NYE
02/06/2013	02/08/2013	MINNESOTA KARATE SUPPLIES	\$64.28	MICHAEL NYE
02/01/2013	02/04/2013	LTG POWER EQUIPMENT	\$34.09	ERICK OSWALD
02/04/2013	02/06/2013	TOOL-SMITH	\$147.40	ERICK OSWALD
01/28/2013	01/30/2013	OFFICE DEPOT #1090	\$46.01	MARY KAY PALANK
01/29/2013	01/31/2013	OFFICE DEPOT #1090	\$61.90	MARY KAY PALANK
01/30/2013	02/01/2013	OFFICE DEPOT #1090	\$8.02	MARY KAY PALANK
02/03/2013	02/05/2013	OFFICE MAX	\$26.77	MARY KAY PALANK
02/04/2013	02/06/2013	OFFICE MAX	(\$26.77)	MARY KAY PALANK
02/06/2013	02/08/2013	OFFICE DEPOT #1090	\$136.98	MARY KAY PALANK
01/30/2013	01/31/2013	SHORTSTOP GAS - AMSTAR	\$19.11	ROBERT PETERSON
01/25/2013	01/28/2013	TOUSLEY FORD	\$844.81	STEVEN PRIEM
01/28/2013	01/29/2013	AUTO PLUS NO ST PAUL 392	\$182.18	STEVEN PRIEM
01/28/2013	01/29/2013	AUTO PLUS NO ST PAUL 392	\$10.85	STEVEN PRIEM
01/28/2013	01/29/2013	MTI	\$320.68	STEVEN PRIEM
01/29/2013	01/30/2013	ASPEN EQUIPMENT-BLOOMIN	\$59.19	STEVEN PRIEM
01/29/2013	01/30/2013	SOI*SNAP-ONEQUIPMENT	\$533.49	STEVEN PRIEM
01/29/2013	01/31/2013	CIRUS CONTROLS	\$48.61	STEVEN PRIEM
01/30/2013	01/31/2013	AUTO PLUS NO ST PAUL 392	\$120.51	STEVEN PRIEM
01/30/2013	01/31/2013	SOL*SNAP-ON INDUSTRIAL	\$350.86	STEVEN PRIEM
01/30/2013	01/31/2013	TOUSLEY FORD	\$56.53	STEVEN PRIEM
01/31/2013	02/01/2013	BAUER BUILT TIRE 18	\$694.96	STEVEN PRIEM
01/31/2013	02/01/2013	ZAHL PMC	\$343.42	STEVEN PRIEM
02/01/2013	02/04/2013	WHEELCO BRAKE &SUPPLY	\$455.28	STEVEN PRIEM
02/04/2013	02/05/2013	AUTO PLUS NO ST PAUL 392	\$74.10	STEVEN PRIEM
02/04/2013	02/05/2013	AUTO PLUS NO ST PAUL 392	\$88.77	STEVEN PRIEM
02/05/2013	02/06/2013	AUTO PLUS NO ST PAUL 392	\$26.79	STEVEN PRIEM
02/05/2013	02/07/2013	TRI-STATE BOBCAT INC.	\$60.60	STEVEN PRIEM
02/06/2013	02/07/2013	AUTO PLUS NO ST PAUL 392	\$18.96	STEVEN PRIEM
02/07/2013	02/08/2013	AUTO PLUS NO ST PAUL 392	\$5.25	STEVEN PRIEM
02/07/2013	02/08/2013	AMERICAN FASTENER AND SUP	\$52.26	STEVEN PRIEM
02/07/2013	02/08/2013	TRUCK UTILITIES INC	\$103.67	STEVEN PRIEM
01/28/2013	01/30/2013	THE HOME DEPOT 2801	\$149.81	KELLY PRINS
02/04/2013	02/05/2013	HIRSHFIELDS/MAPLEWOOD	\$149.57	KELLY PRINS
02/05/2013	02/06/2013	VIKING ELECTRIC - ST PAUL	\$355.89	KELLY PRINS
02/05/2013	02/06/2013	MENARDS 3059	\$22.43	KELLY PRINS
01/28/2013	01/31/2013	DALCO ENTERPRISES, INC	\$474.04	MICHAEL REILLY
01/30/2013	01/31/2013	HILLYARD INC MINNEAPOLIS	\$1,435.82	MICHAEL REILLY

01/29/2013	01/30/2013	LIFE FITNESS	\$1,140.00	LORI RESENDIZ
01/30/2013	02/01/2013	SUBWAY 00052159	\$120.00	LORI RESENDIZ
02/01/2013	02/04/2013	SCW FITNESS EDUCATION	\$250.00	LORI RESENDIZ
02/04/2013	02/05/2013	SUCCESS MEDIA	\$49.99	LORI RESENDIZ
02/01/2013	02/04/2013	OFFICE DEPOT #1090	\$112.47	AUDRA ROBBINS
02/01/2013	02/04/2013	OFFICE DEPOT #1079	\$24.96	AUDRA ROBBINS
02/06/2013	02/07/2013	MN RECREATION AND PARK A	\$323.00	AUDRA ROBBINS
02/06/2013	02/08/2013	OFFICE DEPOT #1090	\$7.49	AUDRA ROBBINS
02/01/2013	02/04/2013	THE HOME DEPOT 2801	(\$19.04)	ROBERT RUNNING
02/05/2013	02/06/2013	ABLE HOSE RUBBER LLC	\$47.82	ROBERT RUNNING
01/25/2013	01/28/2013	LILLIE SUBURBAN NEWSPAPE	\$90.00	DEB SCHMIDT
01/31/2013	02/01/2013	LILLIE SUBURBAN NEWSPAPE	\$138.00	DEB SCHMIDT
02/02/2013	02/04/2013	TMOBILE*FDP PAYMENT	\$31.10	DEB SCHMIDT
02/04/2013	02/06/2013	JIMMY JOHN'S # 574	\$101.66	DEB SCHMIDT
02/06/2013	02/07/2013	LILLIE SUBURBAN NEWSPAPE	\$382.50	DEB SCHMIDT
01/29/2013	01/31/2013	USA MOBILITY WIRELE	\$16.09	SCOTT SCHULTZ
02/04/2013	02/06/2013	ON SITE SANITATION INC	\$52.37	SCOTT SCHULTZ
01/28/2013	01/30/2013	PIONEER PRESS ADVERTISING	\$175.00	CAITLIN SHERRILL
01/28/2013	01/30/2013	PIONEER PRESS ADVERTISING	\$262.50	CAITLIN SHERRILL
01/28/2013	01/30/2013	PIONEER PRESS ADVERTISING	\$262.50	CAITLIN SHERRILL
01/29/2013	01/30/2013	CUB FOODS #1599	\$66.64	CAITLIN SHERRILL
01/29/2013	01/31/2013	A-1 LAUNDRY	\$63.74	CAITLIN SHERRILL
02/01/2013	02/04/2013	SEAT BELT EXTENDERS	\$26.99	MICHAEL SHORTREED
01/30/2013	02/01/2013	OFFICE DEPOT #1090	\$86.82	ANDREA SINDT
01/28/2013	01/30/2013	KEEPRS INC 2	\$200.00	JOSEPH STEINER
02/04/2013	02/05/2013	LA POLICE GEAR INC	\$217.73	JOSEPH STEINER
02/04/2013	02/06/2013	KEEPRS INC 2	\$12.92	JOSEPH STEINER
01/28/2013	01/30/2013	NORTH METRO AUTOMOTIVE	\$207.09	RONALD SVENDSEN
02/06/2013	02/07/2013	AMAZON MKTPLACE PMTS	\$13.95	WILLIAM SYPNIEWSKI
02/07/2013	02/07/2013	AMAZON.COM	\$76.46	WILLIAM SYPNIEWSKI
02/07/2013	02/07/2013	AMAZON MKTPLACE PMTS	\$129.43	WILLIAM SYPNIEWSKI
02/04/2013	02/05/2013	LA POLICE GEAR INC	\$241.77	THOMAS SZCZEPANSKI
01/24/2013	01/28/2013	NAPA STORE 3279016	\$38.44	TODD TEVLIN
01/25/2013	01/28/2013	UNIFORMS UNLIMITED INC.	\$28.86	PAUL THIENES
01/29/2013	01/31/2013	MAKE IT FIT ALTERATIONS	\$9.62	JOSEPH TRAN
01/30/2013	02/01/2013	THE HOME DEPOT 2801	\$6.40	JEFF WILBER
01/30/2013	02/01/2013	NORTHERN TOOL EQUIP-MN	\$192.81	JEFF WILBER
01/30/2013	02/01/2013	RAPID PACKAGING	\$104.82	TAMMY YOUNG
01/30/2013	02/01/2013	RAPID PACKAGING	\$83.45	TAMMY YOUNG
02/01/2013	02/04/2013	OFFICE DEPOT #1090	\$136.15	SUSAN ZWIEG

\$54,903.94

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

<u>CHECK #</u>	<u>CHECK DATE</u>	<u>EMPLOYEE E NAME</u>	<u>AMOUNT</u>
	02/15/13	CARDINAL, ROBERT	435.16
	02/15/13	CAVE, REBECCA	435.16
	02/15/13	JUENEMANN, KATHLEEN	435.16
	02/15/13	KOPPEN, MARVIN	435.16
	02/15/13	ROSSBACH, WILLIAM	494.44
	02/15/13	STRAUTMANIS, MARIS	138.00
	02/15/13	VALLE, EDWARD	50.00
	02/15/13	AHL, R. CHARLES	5,070.72
	02/15/13	ANTONEN, JAMES	5,352.58
	02/15/13	BURLINGAME, SARAH	2,074.93
	02/15/13	KANTRUD, HUGH	184.62
	02/15/13	CHRISTENSON, SCOTT	1,981.35
	02/15/13	FARR, LARRY	3,215.25
	02/15/13	JAHN, DAVID	1,860.29
	02/15/13	RAMEAUX, THERESE	3,061.19
	02/15/13	BAUMAN, GAYLE	4,186.17
	02/15/13	ANDERSON, CAROLE	2,857.39
	02/15/13	DEBILZAN, JUDY	1,327.92
	02/15/13	JACKSON, MARY	2,126.08
	02/15/13	KELSEY, CONNIE	2,594.79
	02/15/13	RUEB, JOSEPH	2,773.80
	02/15/13	SINDT, ANDREA	2,113.82
	02/15/13	ARNOLD, AJLA	1,627.69
	02/15/13	BEGGS, REGAN	1,497.35
	02/15/13	GUILFOILE, KAREN	4,207.64
	02/15/13	SCHMIDT, DEBORAH	2,884.82
	02/15/13	SPANGLER, EDNA	1,140.33
	02/15/13	CORTESI, LUANNE	1,100.66
	02/15/13	LARSON, MICHELLE	1,649.60
	02/15/13	MECHELKE, SHERRIE	1,140.33
	02/15/13	MOY, PAMELA	1,520.44
	02/15/13	OSTER, ANDREA	1,907.49
	02/15/13	RICHTER, CHARLENE	987.69
	02/15/13	SCHOENECKER, LEIGH	1,646.15
	02/15/13	WEAVER, KRISTINE	2,356.55
	02/15/13	CORCORAN, THERESA	1,900.55
	02/15/13	KVAM, DAVID	4,630.18
	02/15/13	PALANK, MARY	1,905.17
	02/15/13	POWELL, PHILIP	2,932.46
	02/15/13	SVENDSEN, JOANNE	2,101.79
	02/15/13	THOMFORDE, FAITH	1,497.35
	02/15/13	ABEL, CLINT	2,878.21
	02/15/13	ALDRIDGE, MARK	3,225.69

02/15/13	BAKKE, LONN	2,937.06
02/15/13	BARTZ, PAUL	4,053.38
02/15/13	BELDE, STANLEY	2,990.84
02/15/13	BENJAMIN, MARKESE	2,975.57
02/15/13	BIERDEMAN, BRIAN	4,192.05
02/15/13	BOHL, JOHN	3,151.33
02/15/13	BUSACK, DANIEL	3,893.66
02/15/13	CARNES, JOHN	1,980.09
02/15/13	CROTTY, KERRY	3,611.20
02/15/13	DEMULLING, JOSEPH	2,819.55
02/15/13	DOBLAR, RICHARD	4,005.46
02/15/13	DUGAS, MICHAEL	4,678.65
02/15/13	ERICKSON, VIRGINIA	3,151.33
02/15/13	FLOR, TIMOTHY	3,725.17
02/15/13	FORSYTHE, MARCUS	2,510.05
02/15/13	FRASER, JOHN	3,158.68
02/15/13	FRITZE, DEREK	2,979.75
02/15/13	GABRIEL, ANTHONY	3,409.21
02/15/13	HAWKINSON JR, TIMOTHY	2,832.73
02/15/13	HER, PHENG	2,819.55
02/15/13	HIEBERT, STEVEN	2,990.84
02/15/13	JOHNSON, KEVIN	3,808.95
02/15/13	KALKA, THOMAS	940.28
02/15/13	KONG, TOMMY	2,937.06
02/15/13	KREKELER, NICHOLAS	876.00
02/15/13	KROLL, BRETT	2,878.21
02/15/13	LANGNER, SCOTT	3,092.20
02/15/13	LANGNER, TODD	2,980.04
02/15/13	LU, JOHNNIE	2,997.86
02/15/13	LYNCH, KATHERINE	2,566.32
02/15/13	MARINO, JASON	2,904.76
02/15/13	MARTIN, JERROLD	3,156.15
02/15/13	MCCARTY, GLEN	3,092.20
02/15/13	METRY, ALESIA	3,964.60
02/15/13	NYE, MICHAEL	3,401.41
02/15/13	OLSON, JULIE	2,937.06
02/15/13	PARKER, JAMES	2,453.48
02/15/13	REZNY, BRADLEY	2,953.29
02/15/13	RHUDE, MATTHEW	2,923.56
02/15/13	SHORTREED, MICHAEL	4,091.18
02/15/13	STEINER, JOSEPH	3,209.59
02/15/13	SYPNIEWSKI, WILLIAM	3,027.57
02/15/13	SZCZEPANSKI, THOMAS	3,073.66
02/15/13	TAUZELL, BRIAN	2,859.07
02/15/13	THEISEN, PAUL	3,038.70
02/15/13	THIENES, PAUL	3,576.04
02/15/13	TRAN, JOSEPH	2,992.55
02/15/13	WENZEL, JAY	2,977.90
02/15/13	XIONG, KAO	2,878.21
02/15/13	ANDERSON, BRIAN	157.56
02/15/13	BAHL, DAVID	494.92
02/15/13	BASSETT, BRENT	581.76

02/15/13	BAUMAN, ANDREW	2,944.57
02/15/13	BOURQUIN, RON	799.92
02/15/13	CAPISTRANT, JACOB	163.62
02/15/13	CAPISTRANT, JOHN	947.40
02/15/13	CRAWFORD - JR, RAYMOND	872.64
02/15/13	CRUMMY, CHARLES	448.44
02/15/13	DAWSON, RICHARD	3,833.77
02/15/13	EATON, PAUL	157.56
02/15/13	EVERSON, PAUL	2,986.11
02/15/13	FASULO, WALTER	505.53
02/15/13	FOSSUM, ANDREW	3,806.85
02/15/13	HAGEN, MICHAEL	787.80
02/15/13	HALE, JOSEPH	339.38
02/15/13	HALWEG, JODI	3,363.25
02/15/13	HAWTHORNE, ROCHELLE	3,149.40
02/15/13	HUTCHINSON, JAMES	692.91
02/15/13	IMM, TRACY	145.44
02/15/13	JANSEN, CHAD	36.36
02/15/13	JONES, JONATHAN	218.16
02/15/13	JUREK, GREGORY	3,590.03
02/15/13	KANE, ROBERT	735.31
02/15/13	KARRAS, JAMIE	848.40
02/15/13	KERSKA, JOSEPH	690.84
02/15/13	KONDER, RONALD	278.76
02/15/13	KUBAT, ERIC	2,986.15
02/15/13	LINDER, TIMOTHY	3,532.86
02/15/13	LOCHEN, MICHAEL	929.20
02/15/13	MILLER, LADD	7.08
02/15/13	MILLER, NICHOLAS	278.76
02/15/13	MONDOR, MICHAEL	3,259.74
02/15/13	MONSON, PETER	242.40
02/15/13	MORGAN, JEFFERY	341.40
02/15/13	NIELSEN, KENNETH	278.76
02/15/13	NOVAK, JEROME	3,624.97
02/15/13	NOWICKI, PAUL	169.68
02/15/13	OLSON, JAMES	3,773.21
02/15/13	OPHEIM, JOHN	509.07
02/15/13	PACHECO, ALPHONSE	630.24
02/15/13	PETERSON, MARK	593.91
02/15/13	PETERSON, ROBERT	2,857.03
02/15/13	POWERS, KENNETH	306.03
02/15/13	RAINEY, JAMES	793.86
02/15/13	RANK, NATHAN	745.38
02/15/13	RANK, PAUL	539.34
02/15/13	RAVENWALD, CORINNE	145.44
02/15/13	REYNOSO, ANGEL	66.66
02/15/13	RICE, CHRISTOPHER	816.63
02/15/13	RODRIGUEZ, ROBERTO	739.32
02/15/13	SCHULTZ, JEROME	439.35
02/15/13	SEDLACEK, JEFFREY	3,127.75
02/15/13	STREFF, MICHAEL	3,834.27
02/15/13	SVENDSEN, RONALD	3,530.67

02/15/13	WHITE, JOEL	496.92
02/15/13	GERVAIS-JR, CLARENCE	3,985.69
02/15/13	LUKIN, STEVEN	4,616.93
02/15/13	ZWIEG, SUSAN	1,706.93
02/15/13	KNUTSON, LOIS	2,054.95
02/15/13	NIVEN, AMY	1,302.24
02/15/13	BRINK, TROY	2,850.35
02/15/13	BUCKLEY, BRENT	3,099.96
02/15/13	DEBILZAN, THOMAS	2,382.34
02/15/13	EDGE, DOUGLAS	2,320.20
02/15/13	JONES, DONALD	2,369.35
02/15/13	MEISSNER, BRENT	2,424.79
02/15/13	NAGEL, BRYAN	3,560.40
02/15/13	OSWALD, ERICK	2,678.37
02/15/13	RUIZ, RICARDO	1,789.92
02/15/13	RUNNING, ROBERT	2,849.35
02/15/13	TEVLIN, TODD	2,597.32
02/15/13	BURLINGAME, NATHAN	2,087.22
02/15/13	DUCHARME, JOHN	2,740.37
02/15/13	ENGSTROM, ANDREW	2,631.75
02/15/13	JAROSCH, JONATHAN	2,928.55
02/15/13	KREGER, JASON	2,234.61
02/15/13	LINDBLOM, RANDAL	2,740.37
02/15/13	LOVE, STEVEN	3,584.44
02/15/13	THOMPSON, MICHAEL	4,261.34
02/15/13	ZIEMAN, SCOTT	180.00
02/15/13	JANASZAK, MEGHAN	1,569.35
02/15/13	KONEWKO, DUWAYNE	4,413.24
02/15/13	HAMRE, MILES	1,731.50
02/15/13	HAYS, TAMARA	1,734.96
02/15/13	HINNENKAMP, GARY	2,525.63
02/15/13	NAUGHTON, JOHN	2,349.54
02/15/13	NORDQUIST, RICHARD	2,371.64
02/15/13	BIESANZ, OAKLEY	1,648.29
02/15/13	DEAVER, CHARLES	713.72
02/15/13	GERNES, CAROLE	637.89
02/15/13	HAYMAN, JANET	1,394.03
02/15/13	HUTCHINSON, ANN	2,649.16
02/15/13	WACHAL, KAREN	913.88
02/15/13	GAYNOR, VIRGINIA	3,244.09
02/15/13	KROLL, LISA	1,900.55
02/15/13	SWANSON, CHRIS	672.00
02/15/13	THOMPSON, DEBRA	760.22
02/15/13	YOUNG, TAMELA	2,015.75
02/15/13	EKSTRAND, THOMAS	3,829.34
02/15/13	FINWALL, SHANN	3,233.35
02/15/13	MARTIN, MICHAEL	2,762.95
02/15/13	BRASH, JASON	2,510.95
02/15/13	CARVER, NICHOLAS	3,362.20
02/15/13	FISHER, DAVID	3,807.86
02/15/13	SWAN, DAVID	2,766.15
02/15/13	WELLENS, MOLLY	1,786.15

02/15/13	ACEITUNO, FELIPE	197.00
02/15/13	BERGER, STEPHANIE	638.88
02/15/13	BJORK, BRANDON	288.75
02/15/13	BRENEMAN, NEIL	2,267.65
02/15/13	CHUHEL, KAYLA	176.00
02/15/13	DEBILZAN, JAIME	24.00
02/15/13	DRAKE, TAYLOR	128.00
02/15/13	FRANK, PETER	425.00
02/15/13	GORACKI, GERALD	291.38
02/15/13	KLEIN, AARON	126.00
02/15/13	LARSON, KATELYN	28.00
02/15/13	LUBKE, COLLEEN	108.00
02/15/13	MAIDMENT, COLIN	304.75
02/15/13	ROBBINS, AUDRA	3,019.96
02/15/13	ROBBINS, CAMDEN	315.00
02/15/13	RYAN, ANDREW	300.00
02/15/13	SHERWOOD, CHRISTIAN	484.00
02/15/13	TAYLOR, JAMES	2,876.58
02/15/13	VUKICH, CANDACE	503.00
02/15/13	ADAMS, DAVID	1,963.90
02/15/13	HAAG, MARK	2,851.68
02/15/13	ORE, JORDAN	1,582.00
02/15/13	SCHULTZ, SCOTT	3,342.97
02/15/13	WILBER, JEFFREY	1,567.77
02/15/13	ANZALDI, MANDY	517.62
02/15/13	BERNARDY, CHRISTINE	2,448.93
02/15/13	CRAWFORD - JR, RAYMOND	471.92
02/15/13	EVANS, CHRISTINE	1,443.22
02/15/13	GLASS, JEAN	2,125.10
02/15/13	HER, PETER	207.68
02/15/13	HOFMEISTER, MARY	1,124.45
02/15/13	HOFMEISTER, TIMOTHY	454.51
02/15/13	KULHANEK-DIONNE, ANN	449.50
02/15/13	PELOQUIN, PENNYE	612.07
02/15/13	SHERRILL, CAITLIN	789.16
02/15/13	VANG, TIM	642.75
02/15/13	VUE, LOR PAO	293.70
02/15/13	AICHELE, MEGAN	275.81
02/15/13	ANDERSON, JOSHUA	623.50
02/15/13	BAETZOLD, SETH	58.00
02/15/13	BAUDE, SARAH	36.50
02/15/13	BRUSOE, CRISTINA	87.75
02/15/13	BUCKLEY, BRITTANY	134.10
02/15/13	BUTLER, ANGELA	127.50
02/15/13	CRANDALL, KRISTA	285.00
02/15/13	DEMPSEY, BETH	227.25
02/15/13	DRECHSEL, SARAH	58.75
02/15/13	DUNN, RYAN	1,125.01
02/15/13	EHLE, DANIEL	84.53
02/15/13	ERICKSON-CLARK, CAROL	49.00
02/15/13	FLORES, LUIS	114.00
02/15/13	FONTAINE, KIM	565.76

02/15/13	FOX, KELLY	30.00
02/15/13	FRAMPTON, SAMANTHA	84.25
02/15/13	GIEL, NICOLE	38.00
02/15/13	GRUENHAGEN, LINDA	533.90
02/15/13	HAGSTROM, EMILY	80.40
02/15/13	HANSEN, HANNAH	208.80
02/15/13	HEINRICH, SHEILA	213.00
02/15/13	HOLMBERG, LADONNA	582.00
02/15/13	HORWATH, RONALD	2,738.98
02/15/13	JOHNSON, BARBARA	458.18
02/15/13	JOYER, ANTHONY	51.80
02/15/13	KOHLER, ROCHELLE	72.00
02/15/13	KOZDROJ, GABRIELLA	50.00
02/15/13	LAMEYER, BRENT	47.13
02/15/13	LAMSON, ELIANA	36.00
02/15/13	MCCANN, NATALIE	106.00
02/15/13	MCCOMAS, LEAH	108.50
02/15/13	NADEAU, TAYLOR	68.40
02/15/13	NITZ, CARA	124.00
02/15/13	NORTHOUSE, KATHERINE	66.83
02/15/13	PROESCH, ANDY	740.98
02/15/13	RANEY, COURTNEY	675.00
02/15/13	RESENDIZ, LORI	2,257.76
02/15/13	RICHTER, DANIEL	113.40
02/15/13	SCHMIDT, EMILY	41.44
02/15/13	SCHREIER, ROSEMARIE	520.00
02/15/13	SCHREINER, MICHELLE	43.00
02/15/13	SMITH, ANN	20.30
02/15/13	SMITH, CASEY	206.27
02/15/13	SMITLEY, SHARON	414.40
02/15/13	TAYLOR, MYLES	18.38
02/15/13	TREPANIER, TODD	352.00
02/15/13	TRUE, ANDREW	80.13
02/15/13	TUPY, HEIDE	91.60
02/15/13	TUPY, MARCUS	166.25
02/15/13	VANG, XANG	129.00
02/15/13	WARNER, CAROLYN	52.80
02/15/13	WEINHAGEN, SHELBY	259.00
02/15/13	BOSLEY, CAROL	119.04
02/15/13	DANIEL, BREANNA	231.00
02/15/13	HITE, ANDREA	158.00
02/15/13	LANGER, CHELSEA	55.25
02/15/13	LANGER, KAYLYN	116.88
02/15/13	BORCHERT, JONATHAN	119.00
02/15/13	CRAWFORD, SHAWN	507.00
02/15/13	DOUGLASS, TOM	1,852.76
02/15/13	MALONEY, SHAUNA	324.50
02/15/13	PRINS, KELLY	1,805.76
02/15/13	REILLY, MICHAEL	2,305.85
02/15/13	SINDT, DARIEN	55.25
02/15/13	THOMPSON, BENJAMIN	459.00
02/15/13	VANG, GEORGE	21.75

	02/15/13	AICHELE, CRAIG	2,200.55
	02/15/13	PRIEM, STEVEN	2,485.97
	02/15/13	WOEHRLE, MATTHEW	2,654.30
	02/15/13	BERGO, CHAD	2,628.80
	02/15/13	FOWLDS, MYCHAL	3,791.22
	02/15/13	FRANZEN, NICHOLAS	2,623.62
9989127	02/15/13	ABRAHAMSON, AMANDA	89.50
9989128	02/15/13	ANDERSON, ZACHARY	110.25
9989129	02/15/13	AYD, GWEN	30.00
9989130	02/15/13	BONKO, JACK	117.50
9989131	02/15/13	DOTAS, ANDREW	48.00
9989132	02/15/13	DOTAS, KENT	62.00
9989133	02/15/13	FERNANDEZ, JOSEPH	275.63
9989134	02/15/13	FISHER, CHANCE	61.25
9989135	02/15/13	GALBA, DANIEL	445.50
9989136	02/15/13	GREENER, DOUGLAS	120.75
9989137	02/15/13	HACKETT, ANDREW	29.00
9989138	02/15/13	HANNIGAN, RACHEL	24.50
9989139	02/15/13	KUSTERMAN, KEVIN	80.50
9989140	02/15/13	LARSON, DANIEL	110.25
9989141	02/15/13	MEISSNER, MICHAEL	64.00
9989142	02/15/13	MERRITT, JACOB	214.50
9989143	02/15/13	MERRITT, MICHAEL	445.50
9989144	02/15/13	O'BRIEN, PATRICIA	30.00
9989145	02/15/13	PETERSON, HAYLIE	72.00
9989146	02/15/13	SORENSEN, ERICA	126.00
9989147	02/15/13	TARR-JR, GUS	135.00
9989148	02/15/13	WISTL, MARK	192.00
9989149	02/15/13	WISTL, MOLLY	342.38
9989150	02/15/13	ERICSON, RACHEL	69.75
9989151	02/15/13	O'BRIEN, ELIZABETH	29.06
9989152	02/15/13	PIEPER, THEODORE	75.00
9989153	02/15/13	SCHREIER, ABIGAIL	137.60
9989154	02/15/13	SCOTT, HALEY	91.88
9989155	02/15/13	WALES, ABIGAIL	172.01
9989156	02/15/13	WHITE, DANICA	42.08
9989157	02/15/13	RANGEL, SAMANTHA	157.25
9989158	02/15/13	CUSICK, JESSICA	278.38
9989159	02/15/13	STEFFEN, MICHAEL	102.00
			515,870.81

AGENDA REPORT

TO: Jim Antonen, City Manager
FROM: Karen Guilfoile, City Clerk
DATE: February 15, 2013

SUBJECT: Temporary Gambling Permit Resolution for Church of St. Pascal Baylon

Introduction

Michael Lentz representing the Church of St. Pascal Baylon has submitted an application for a temporary gambling permit for their Family and Friends event held at the Maplewood Community Center, located at 2100 White Bear Avenue. The event will be held on Saturday, April 13, 2013 from 5:00pm to 11:00pm. It is requested the council approve the following resolutions for the temporary gambling.

RESOLUTION

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.

Recommendation

It is recommended that council approve the lawful gambling resolution application for the Church of St. Pascal Baylon for their event held at the Maplewood Community Center, located at 2100 White Bear Avenue.

MEMORANDUM

TO: James Antonen, City Manager
FROM: Michael Martin, AICP, Planner
Chuck Ahl, Assistant City Manager
SUBJECT: **Conditional Use Permit Review, CarMax, Mogren Retail Addition**
LOCATION: Highway 61 and Beam Avenue
DATE: February 19, 2013

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, February 28, 2011 and February 27, 2012: 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. In the letter, Mr. McNamara explains that the applicant has been working with city staff throughout 2012 in order to prepare for the start of development of their site in Maplewood. CarMax has made similar progress on another site in the Twin Cities which shows commitment to this regional market and Maplewood. CarMax has made a substantial investment in the Maplewood project by their site preparation and still plans to build this facility.

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.

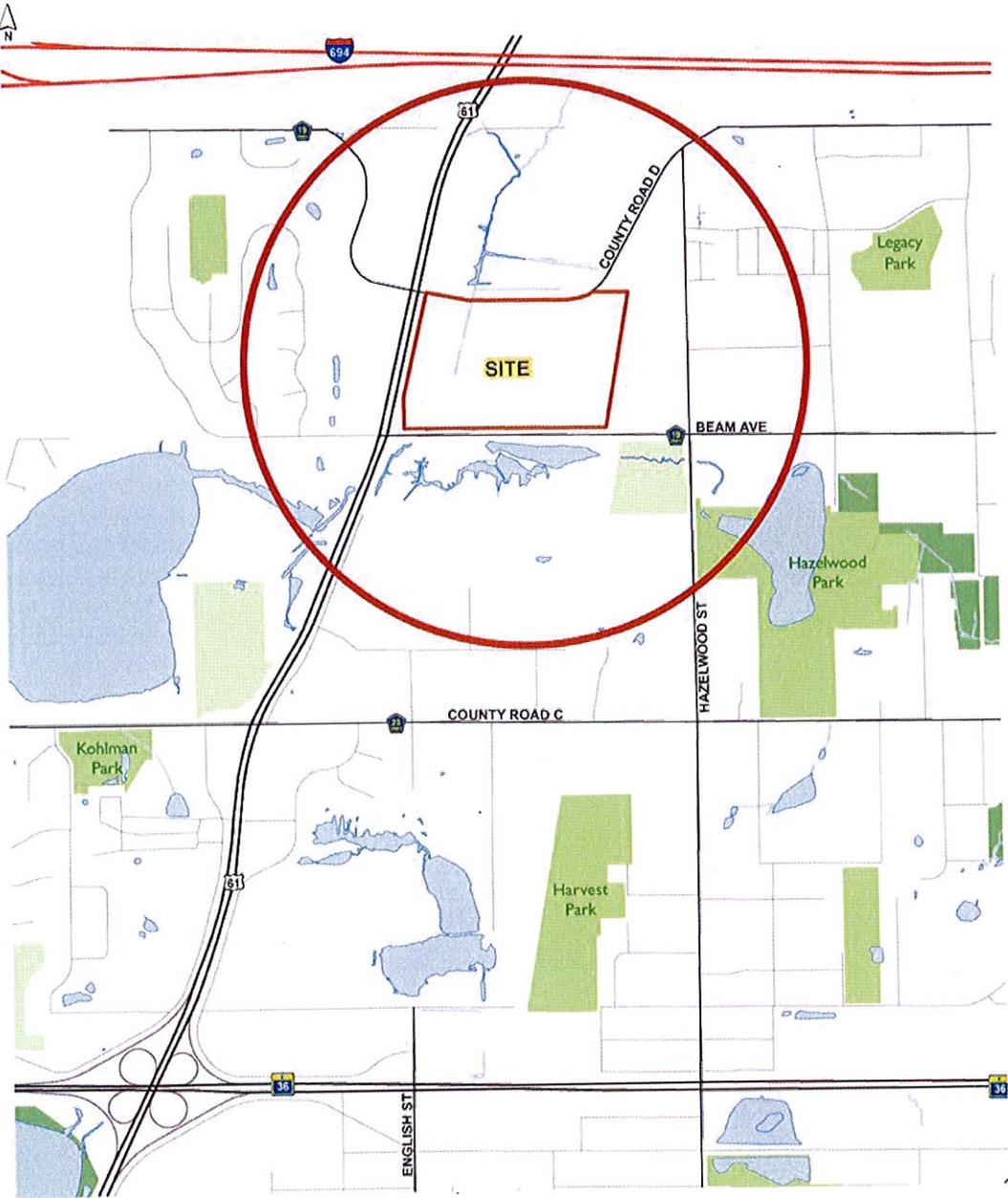
RECOMMENDATION

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_022513

Attachments:

1. Location Map
2. Project Site Plan
3. December 18, 2006 PUD Conditions
4. Letter from John J. McNamara IV dated January 23, 2013



Location Map

LANDFORM
 LANDSCAPE ARCHITECTURE
 1000 W. 10th Street, Suite 100
 Maplewood, NJ 07041
 Phone: (201) 991-1100
 Fax: (201) 991-1101
 www.landform.com

MAPLEWOOD
 TOWNSHIP
 ENGINEER

CARMAX
 STORE NO. 7833
 MAPLEWOOD, NJ

DATE: 08/14/13
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO.: 13-001

PERMIT TO CONSTRUCT
 NO. 13-001

SCALE: 1/8" = 1'-0"

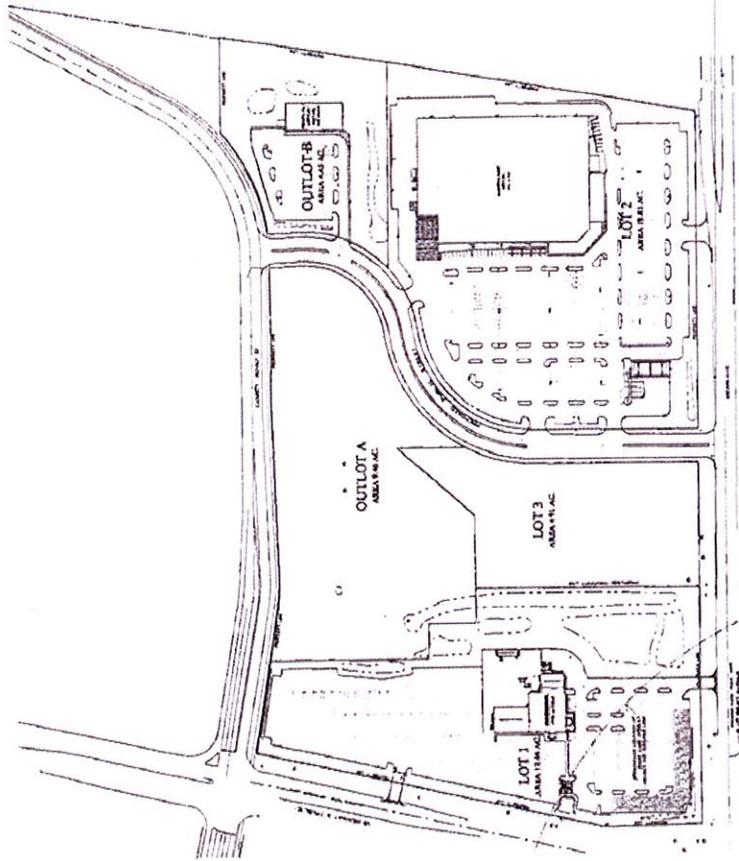
NOTES:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL JURISDICTION.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS SHOWN ON THIS PLAN.
4. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED PRIOR TO CONSTRUCTION.
5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
6. ALL EXISTING UTILITIES SHALL BE PRESERVED AND PROTECTED.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL JURISDICTION.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS SHOWN ON THIS PLAN.
9. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED PRIOR TO CONSTRUCTION.
10. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

AREA DIMENSIONS

Area	Dimensions	Area (sq. ft.)
LOT 1	100' x 100'	10,000
LOT 2	100' x 100'	10,000
LOT 3	100' x 100'	10,000
OUTLOT A	100' x 100'	10,000
OUTLOT B	100' x 100'	10,000

EXIST' PLAN



**ENTIRE PROJECT
 SITE PLAN**

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	\$ <u>211,300 (4.8%)</u>
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

January 23, 2013

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 writing to follow up on a conversation you had with CarMax's local land use counsel, Brian S. McCool, on January 22, 2013. Please let this letter serve as CarMax's request for a one-year extension of the conditional use permit for its proposed Maplewood location.

On February 28, 2012, the City Council approved a one-year extension of CarMax's conditional use permit for its proposed Maplewood location. As City Staff is aware, during calendar year 2012, CarMax and its outside professionals spent considerable time preparing to develop the Maplewood location. Unfortunately, though, because of CarMax's commitments to projects in other markets and the company's continued review of the design of the Maplewood site, CarMax was unable to commence construction at the Maplewood site during 2012. As a result, we are requesting another extension of the conditional use permit.

CarMax remains committed to the Maplewood location and the Twin Cities market in general. Indeed, during 2012, CarMax sought and obtained from the City of Brooklyn Park the approvals needed for the construction of a new CarMax Auto Superstore on the site of the former Grand Rios Hotel & Waterpark in Brooklyn Park. CarMax closed on its purchase of this real estate in November 2012.

With the acquisition of the Brooklyn Park property, CarMax has moved closer to expanding its operations into the Twin Cities market – at this point it is simply a question of when. We are hopeful that we will make substantial progress on, and potentially commence construction of, these new stores during the coming year. CarMax respectfully requests that the City Council grant a one-year extension of the conditional use permit for the Maplewood location so that CarMax may continue to move forward with its development plans.

Once Staff has determined the date that the extension of CarMax's conditional use permit will be considered by the City Council, please advise Mr. McCool and me of the same.

If you have any questions or need additional information, please do not hesitate to contact me.

Regards,

John J. McNamara IV
Real Estate Manager

cc: Michael Martin, Planner
Brian S. McCool

THE AUTO SUPERSTORE

AGENDA REPORT

TO: James Antonen, City Manager
FROM: Steven Love, Assistant Engineer
SUBJECT: **Approval of Cost Share Agreement with the Metropolitan Council for Inflow/Infiltration Improvements**
DATE: February 14, 2013

INTRODUCTION

The City Council will consider approving the attached resolution signifying the council's approval of the attached Inflow/Infiltration cost share agreement with the Metropolitan Council and directing the Assistant City Manager to enter into the cost share agreement.

BACKGROUND

The 2012 Minnesota Legislature appropriated \$4,000,000 of state bond funds for an I & I cost share grant program for metropolitan cities to mitigate inflow and infiltration into the Sanitary sewer collection systems. Over the past several years the City of Maplewood has added sanitary sewer lining, for both on and off project areas, to neighborhood reconstruction Capital Improvement Projects (CIP). Each year areas within the City of Maplewood are identified for potential Inflow/Infiltration (I & I) remediation work. Typically the identified sewer mains suffer from pipe cracks, separated joints, and root intrusion. To correct these issues and to help prevent I & I the sewer mains are lined. As part of the lining process the mains are cleaned, televised, and lined. The lining process in essence creates a new solid pipe inside the existing sanitary sewer main and thereby eliminating the above pipe issues.

To ensure the best possible lining results sewer lining is generally one of the last items done as part of a construction project. This helps ensure the newly lined pipe is not cut into for random repairs, damage due to construction, or installation of new sanitary services. The City of Maplewood requested and has been granted an extension of the spending deadline from June 30, 2014 to September 30, 2014.

For lining projects that have occurred or are anticipated to occur during the project spending deadline the estimated cost, including engineering and project management, is \$311,089.92. Of the total estimated cost \$236,568 are eligible for I & I costs. The Metropolitan Council Municipal Publicly Owned Infrastructure Inflow/Infiltration Grant Program is setup to provide matching funds for I & I projects. These funds are initially capped at \$50,000 per city. The City of Maplewood has been notified that we are eligible to take part in this program and have been approved for \$58,568 of matching grant funds. These funds are eligible for I & I projects competed between May 12, 2012 and September 30, 2014. I & I projects can be done as part of approved CIP projects or as standalone projects.

As part of the cost share agreement a resolution by the City Council approving the cost share agreement is required to be submitted along with the completed agreement.

RECOMMENDATION

Staff recommends that the City Council approve the attached Inflow/Infiltration cost share agreement with the Metropolitan Council and directing the Assistant City Manager to enter into the cost share agreement. Minor modifications approved by the City Attorney are authorized as needed for the agreement.

Attachments:

1. Resolution

RESOLUTION
APPROVAL OF COST SHARE AGREEMENT WITH THE METROPOLITAN COUNCIL FOR
INFLOW/INFILTRATION IMPROVEMENTS

WHEREAS, the City Council of Maplewood, Minnesota has heretofore approved the cost share agreement between the City of Maplewood and the Metropolitan Council for inflow/infiltration improvements.

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

1. The Assistant City Manager is hereby authorized to enter into the cost share agreement.

Adopted by the Maplewood City Council on this 25th day of February 2013.

AGENDA REPORT

TO: James Antonen, City Manager
FROM: Michael Thompson, City Engineer / Deputy Public Works Director
SUBJECT: **Approval of Resolution Approving Plans and Specifications and Authorizing Advertisement for Bid, Bid Package 4, East Metro Public Safety Training Center, City Project 09-09**
DATE: February 15, 2013

INTRODUCTION

The site preparation work authorized under Bid Package 1 (Utilities) and Bid Package 2 (Soil Corrections and Grading) is substantially complete as of December 2012. The City Council will consider approving final plans and specifications and authorizing advertising for bids for Bid Package 4 (Simulation and Training Building). The bid opening for Bid Package 4 is proposed for 10:00 a.m. March 20, 2013. The award of bid would be considered by the City Council at the March 25, 2013, regular meeting.

BACKGROUND

The project has been in the planning stages for several years and in 2012 was presented to and discussed with the City Council, Environmental and Natural Resources Commission, Community Design Review Board and Planning Commission. The project is located on Century Avenue (Trunk Highway 120) at the intersection of 34th Street North (TH 5) as shown in Exhibit A.

The project Feasibility Study was accepted by the council on May 14, 2012, with a resolution authorizing the preparation of plans and specifications for Bid Package 1, and calling for a public hearing. The council approved a Cooperative Agreement with MnDOT for the acquisition of the property on which the public safety training center is to be located. MnDOT provided the City with the quit claim deed transferring 14.31 acres of the property in December 2012. The deed was recorded with Ramsey County in January 2013. Approximately 6.2 acres of the original parcel remains in fee title with MnDOT to allow for their continued maintenance operations.

PROJECT SCHEDULE

The overall project is currently on schedule. At this February 25, 2013, council meeting all of the necessary approvals are being requested to facilitate the work associated with Bid Package 4, Simulation and Training Building. Authorizations for approving plans and advertising for bid for Bid Packages 3 and 5 are anticipated in March and April 2013.

DISCUSSION

The feasibility study anticipated three bid packages to complete the facility construction as outlined in the June 25, 2012, Council Agenda Report:

1. Bid Package 1 - Public Utility Improvements (2012)
2. Bid Package 2 - Soils and Environmental Clean-up Actions and MnDOT Site Improvements/Mass Grading (2012)
3. Bid Package 3 - Training Center Improvements, Intersection Improvements, Marshlands Site Improvements (2013)

As design work progressed it became apparent that savings in costs and schedule could be realized by dividing the planned Bid Package 3 work into three separate bid packages listed below and illustrated in Exhibit B:

- Bid Package 3 Site Civil, Utilities, Traffic Signal, Marshlands
- Bid Package 4 Simulation and Training Building
- Bid Package 5 Burn House (and bid alternate Training Tower)

Each of these three bid packages will be completed in 2013, with Bid Package 4 the first to be let, followed by Bid Package 5 and finally Bid Package 3. This will allow the simulation building and burn building construction to proceed and be substantially completed prior to the final site work and restoration. Delivering the project through these separate bid packages is also intended to focus each contract on a more specific type of construction and thus yield more competitive bids for each package.

The Simulation and Training building includes a 30-foot x 70-foot area for a training classroom, office and restrooms and a 100-foot x 65-foot shop/training area that will be used for a range of inside training activities. The shop area will also serve as an interior storage area for training equipment, props and supplies. Exterior construction materials and colors have been reviewed by City staff. A site layout is attached as Exhibit B. The floor plan for the Simulation and Training Building is attached as Exhibit C and D, and elevation views are attached as Exhibits E and F.

The Simulation and Training Building will house the heating units for all three buildings, including the two training structures that will be completed under Bid Package 5. All three buildings will include in-floor radiant heating which will be heated initially through a boiler system. The geothermal feasibility analysis completed for the site indicates that a geothermal system is feasible and the planned construction will accommodate switching the radiant floor heating system to geothermal in the future. The geothermal heating/cooling system would be evaluated further as part of the future work on the classroom building in the north east portion of the site. If budget is available at that time, the system would be designed and constructed as part of that future work.

BUDGET

The improvements are proposed to be financed through a combination of grant funds, City of Maplewood funds, funds paid by St. Paul Regional Water Services and MnDOT and special assessments to the benefiting property. For the special assessment, the City desires to have the opportunity to assess the JPA for a portion of the costs of the public utility improvements.

The City has a total estimated budget of \$4,335,000 for the Phase 1 work including a \$3,000,000 grant from the State of Minnesota to design and construct a significant portion of the proposed improvements and \$450,000 grant from the Ramsey County Environmental Response.

The following is a summary of the proposed financing plan:

FUNDING		
ITEM	FUNDING SOURCE	AMOUNT
1	STATE BONDING BILL GRANT	\$3,000,000
2	RAMSEY CO ERF GRANT	\$450,000
3	CITY EUF FUND	\$250,000
4	CITY CIP FUND	\$250,000
5	EAST METRO JPA – SPECIAL ASSESSMENT	\$175,000
6	MNDOT/MSA STREET ACCOUNT	\$55,000
7	ST PAUL REGIONAL WATER SERVICES (WATER MAIN LOOP)	\$55,000
8	SANITARY SEWER FUND	\$50,000
9	ST PAUL WAC FUND	\$50,000
TOTAL PHASE 1		\$4,335,000

The preliminary cost estimate presented in the Feasibility Report of \$797,500 for construction of the Simulation and Training Building was revised to account for inflation and to equip the building for the future geothermal heating system at an estimated cost of \$84,000. Accounting for these adjustments, the revised opinion of construction costs is \$935,000. The inflation factor of 6.74% was taken from the Minnesota Management and Budget Office guidelines and was also used in the project Pre-Design Report. The in-floor radiant heating system will initially function with a glycol/boiler system and would be connected to geothermal heating system in a future phase of the project.

An independent preliminary construction cost estimate suggests the potential for construction costs to exceed \$1,000,000. SEH staff is meeting with the project Steering Committee design team on February 21, 2013, to identify final plan revisions and refine the construction cost estimate.

RECOMMENDATION

It is recommended that the City Council approve the attached resolution for Approving Plans and Advertisement for Bids, East Metro Public Safety Training Center Bid Package 4, City Project 09-09.

Attachments:

1. Resolution Approving Plans and Advertising for Bid
2. Exhibit A - Project Location Map
3. Exhibit B - Site Layout and Bid Packages
4. Exhibit C – Simulation Building Floor Plan – First Floor
5. Exhibit D – Simulation Building Floor Plan – Mezzanine
6. Exhibit E – Simulation Building Floor Plan – South and East Elevations
7. Exhibit F – Simulation Building Floor Plan – North and West Elevations

RESOLUTION
APPROVING PLANS
ADVERTISING FOR BIDS
(BID PACKAGE 4 – Simulation and Training Building)

WHEREAS, pursuant to resolution passed by the City Council on May 14, 2012 and June 25, 2012, plans and specifications for the East Metro Public Safety Training Center Improvements, City Project 09-09, 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 for Bid Package 4, 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 Engineer.

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.



EXHIBIT A



A101

SIMULATION TRAINING BUILDING
SHEET CONTENTS
FIRST FLOOR BUILDING PLAN

SEH FILE NO. 177956
ISSUE DATE 01.01.2013
DESIGN BY CAM
DRAWN BY RS
PROJECT MGR LK
© 2011 Short Elliott Hendrickson, Inc.

EAST METRO
PUBLIC SAFETY
TRAINING CENTER
SIMULATION & TRAINING BUILDING

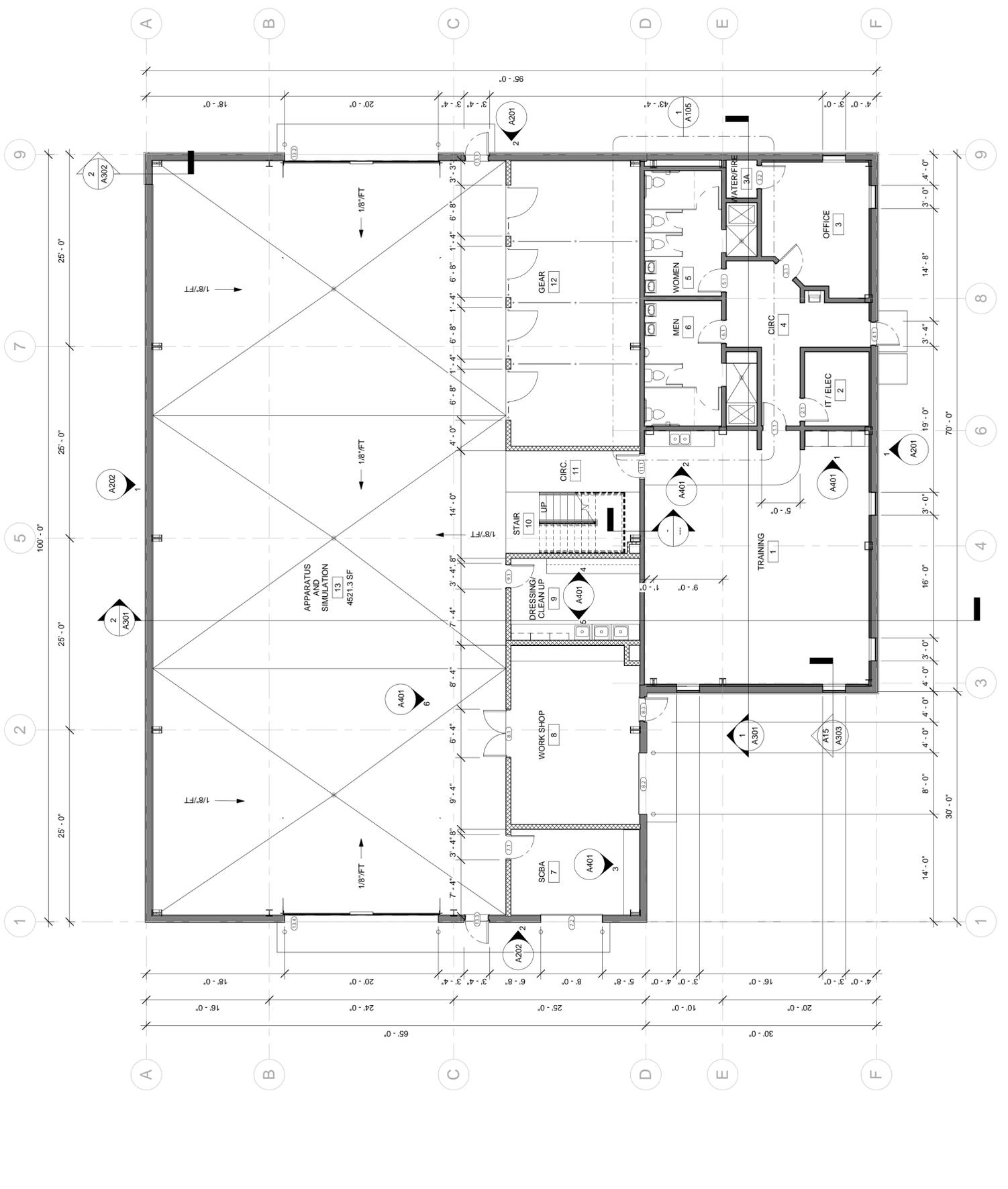
MARK	DATE	DESCRIPTION
XX/XX/XX		BID SET

NOT FOR
CONSTRUCTION

Short Elliott Hendrickson Inc.
3535 Vadnais Center Drive
St. Paul, MN 55110-5196
800.325.2055 main | 888.908.8166 fax
www.sehinc.com



EXHIBIT C



1 FIRST FLOOR BUILDING PLAN
A101 1/8" = 1'-0"

A103

SIMULATION TRAINING BUILDING
SHEET COMMENTS
UPPER FLOOR BUILDING PLAN

SEH FILE NO. 177956
ISSUE DATE 01.01.2013
DESIGN BY Designer
PROJECT MGR Author
© 2011 Short Elliott Hendrickson, Inc.

EAST METRO
PUBLIC SAFETY
TRAINING CENTER
SIMULATION & TRAINING BUILDING

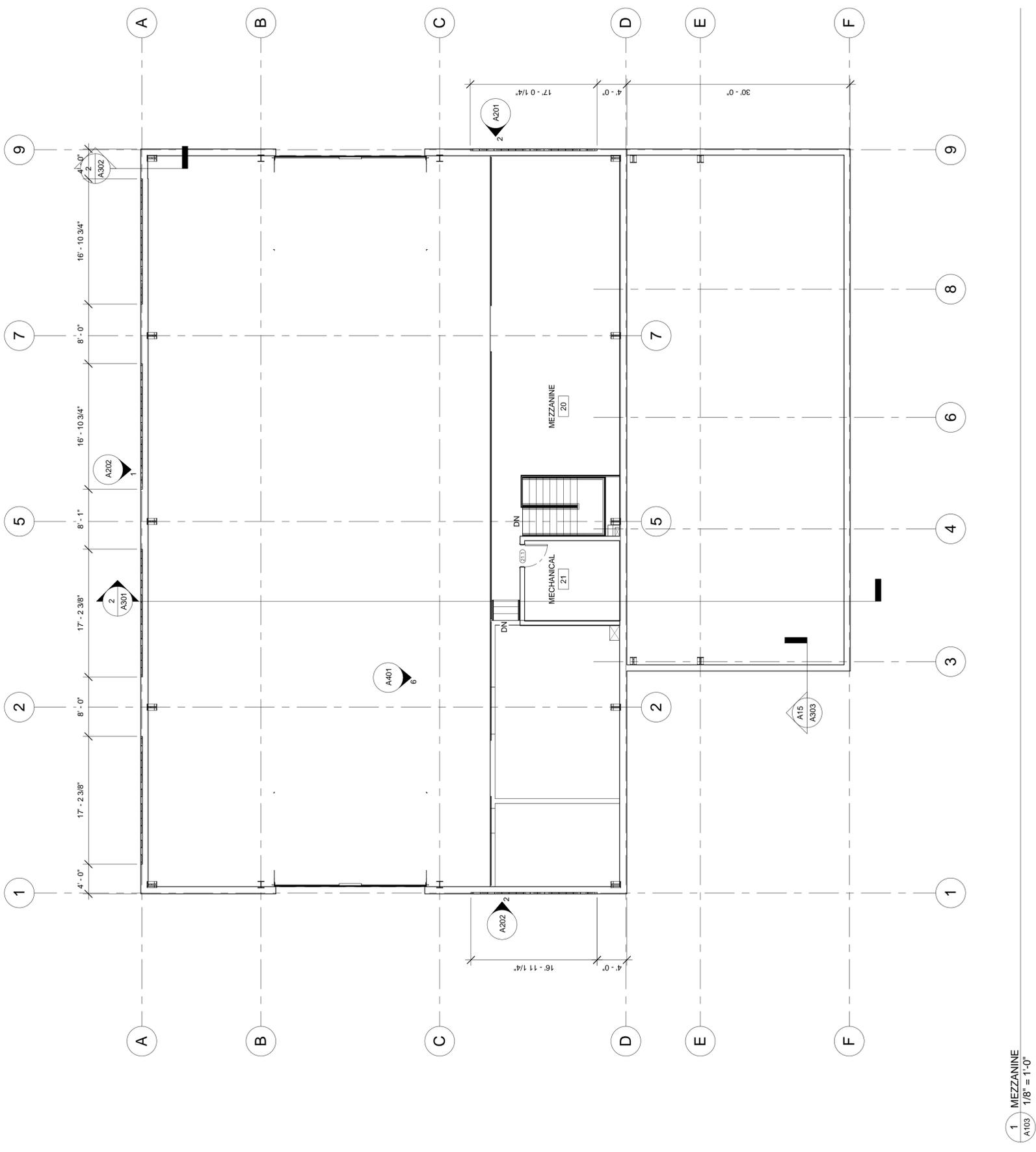
MARK	DATE	DESCRIPTION
XX/XX/XX		BID SET

NOT FOR
CONSTRUCTION

Short Elliott Hendrickson Inc.
3535 Vadnais Center Drive
St. Paul, MN 55110-5196
800.325.2055 toll free | 888.908.8166 fax
www.sehinc.com



EXHIBIT D



1 MEZZANINE
A103 1/8" = 1'-0"

MARK	DATE	DESCRIPTION
XX/XX/XX		BID SET

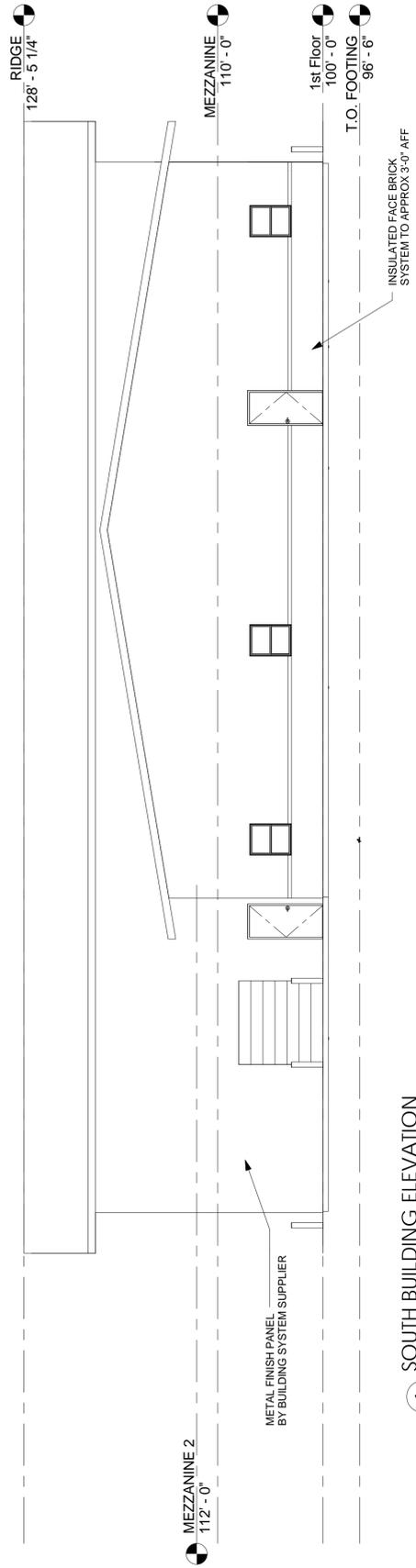
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CONSTRUCTION

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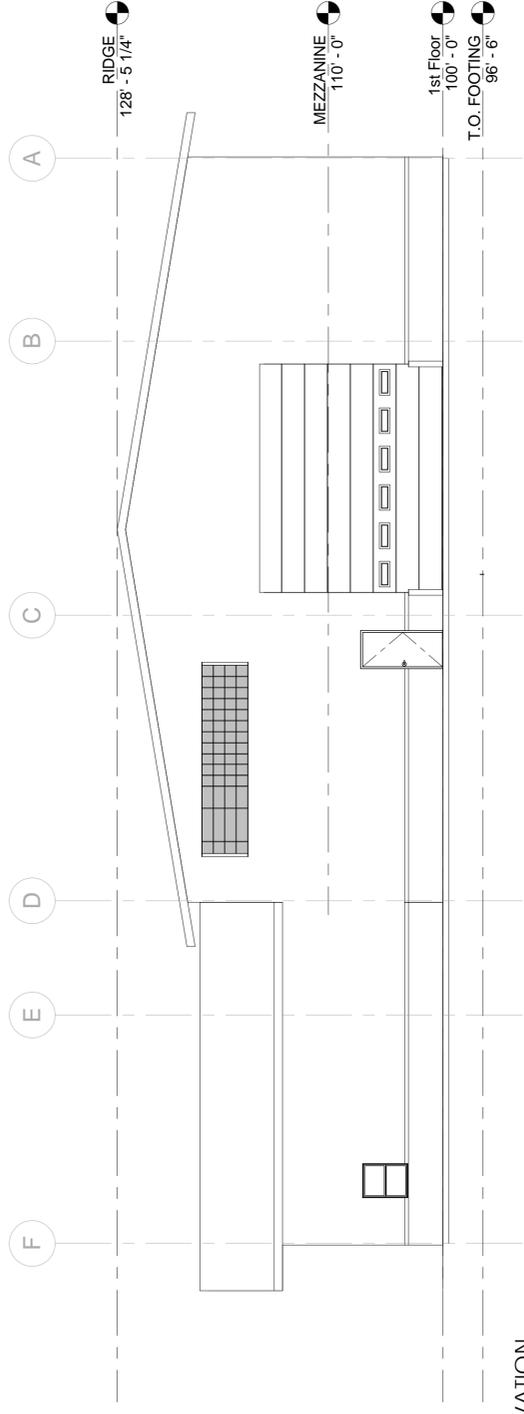


TAG #	EXTERIOR ELEVATION KEYNOTE LEGEND	DESCRIPTION

EXHIBIT E



1 SOUTH BUILDING ELEVATION
1/8" = 1'-0"



2 EAST BUILDING ELEVATION
1/8" = 1'-0"

SIMULATION TRAINING BUILDINGS
SHEET COMMENTS
N/W BUILDING ELEVATIONS

SEH FILE NO. 177956
ISSUE DATE 01.01.2013
DESIGN BY
PROJECT MGR
© 2011 Short Elliott Hendrickson, Inc.

EAST METRO
PUBLIC SAFETY
TRAINING CENTER
SIMULATION & TRAINING BUILDING

MARK	DATE	DESCRIPTION
XX/XX/XX		BID SET

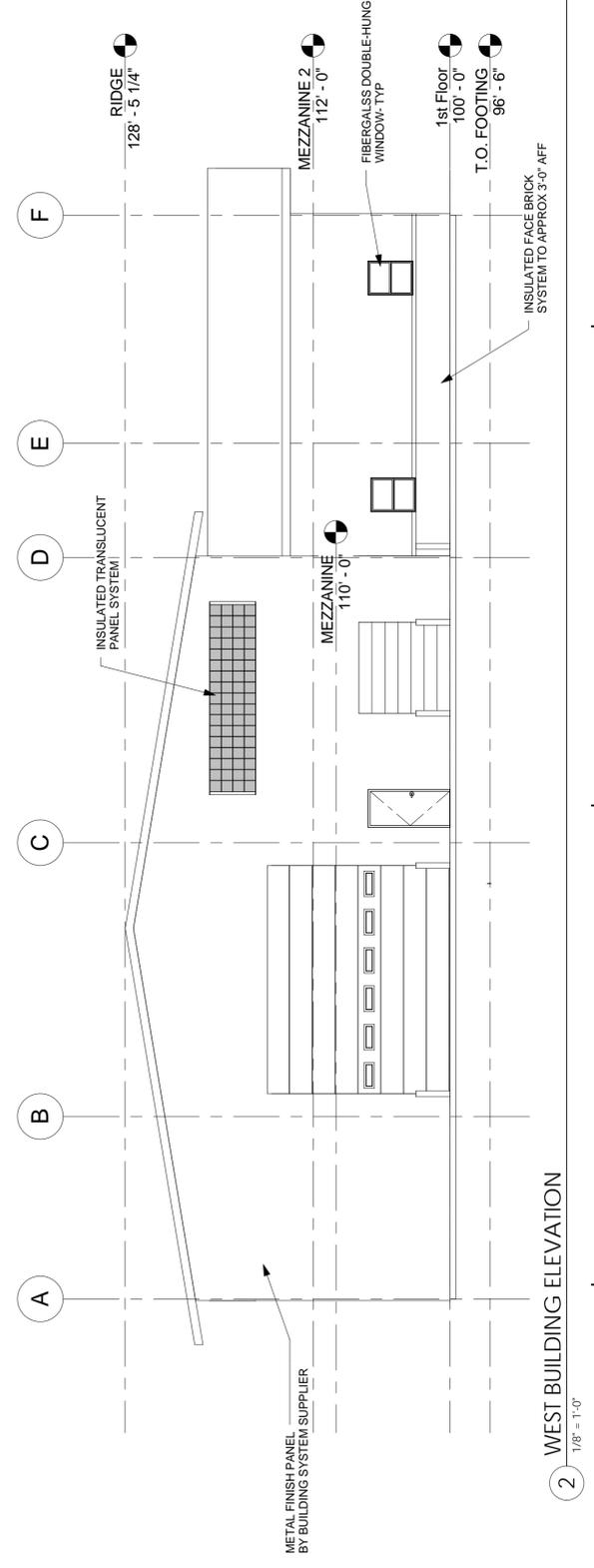
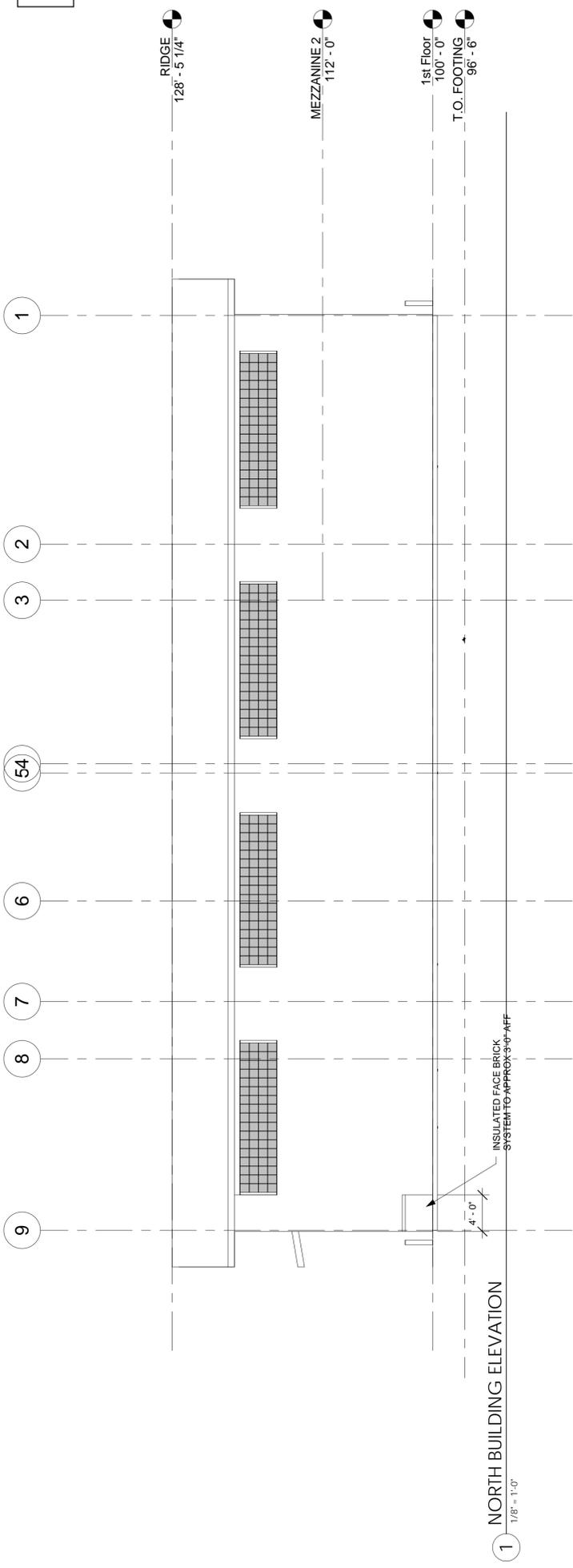
NOT FOR
CONSTRUCTION

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www.sehinc.com



EXTERIOR ELEVATION KEYNOTE LEGEND
TAG # | DESCRIPTION

EXHIBIT F



AGENDA REPORT

TO: Mayor and City Council
FROM: James W. Antonen, City Manager
SUBJECT: Approval of Revised Resolution for the Pride of Maplewood Program
DATE: February 20, 2013

INTRODUCTION/SUMMARY

The City of Maplewood has a wonderful Staff of people who have shown their dedication to the City in countless ways.

In order to recognize these people, I have proposed an employee recognition program entitled "The Pride of Maplewood."

The program will be employee driven. The basic premise is that employees will nominate fellow employees for the monthly award. An employee committee will read the nominations and recommend to the City Manager the Pride recipient. The recipient will receive a Pride of Maplewood mug and non-cash award of de minimis value. Each month the Maplewood Monthly will have a picture and brief article on the recipient. The annual cost of this program should not exceed \$1,250.

RECOMMENDATION

It is recommend the Council by formal resolution support and endorse the revised Pride of Maplewood Program.

Attachments: Resolution

RESOLUTION NO. ____ - ____

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.
2. Said program shall be administered under the direction of the City Manager and direct expenses for said program shall not exceed \$1,250 annually. Recipients will receive a non cash award of de minimis value.

This Resolution shall take effect from and after its adoption.

AGENDA REPORT

TO: City Manager, Jim Antonen
FROM: IT Director, Mychal Fowlds
SUBJECT: Consider authorization to enter into document scanning contract with Mid-America Business Systems
DATE: February 19, 2013

Introduction

As part of the Police Department Expansion Project the Community Development department and their files will be moving to 1902 County Road B East. Staff is recommending that rather than move these files we focus the funds on scanning them.

Background

Staff is focusing primarily on the files that are currently stored in a device called a Lektriever. These documents are accessed by staff on a daily if not hourly basis and consist of roughly 12,000 files. Quotes to move the Lektriever and its contents to 1902 County Road B East came in at \$20,000. As stated earlier, rather than spend those funds on moving the physical files staff is recommending that we use them instead to scan the files. Scanning the files will allow staff access to the files from anywhere inside City buildings and out into the field. Once the files are available digitally the options for new efficiencies are limitless.

Mid-America Business Systems is on the State contract for scanning services and the pricing quoted is off of that contract. Staff has provided Mid-America with a test project and has been very pleased with the quality of said project. Staff has begun an initial project with Mid-America for scanning a portion of these files. The cost of the initial project and the scanning of the rest of the Lektriever is estimated at over \$50,000, therefore we are now bringing this project to the City Council for approval per the City Purchasing Policy.

Budget Impact

This purchase has been planned for and will be funded from the Police Department Expansion Project fund. The initial estimate for the entire scanning project is estimated at just under \$51,000.

Recommendation

It is recommended that authorization be given to enter into a contract with Mid-America Business Systems for scanning services not to exceed \$60,000.

Action Required

Submit to City Council for review and approval.

Attachment

1. Mid-America quote



Statement of Work for Scanning Conversion Services 2-19-2013

City Of Maplewood House File Scanning Conversion

Mid-America Business Systems is partnering with the City Of Maplewood to convert the city's House Files into a digital format. Files to be converted reside at the city office on 1830 County Road B East in Maplewood. Converted records will be provided to the City Of Maplewood in a Windows based file structure with separation based on individual house file address.

Services to be provided:

Document Preparation:

- The City Of Maplewood (City) will remove the House Files that are set to be converted and place them in standard sized banker boxes.
- Mid-America Business Systems (MABS) will pick up the boxes from the City's offices found at: 1830 County Road B West, Maplewood, MN 55109
- MABS will assign a Cycle Number to each batch of boxes picked up for converting. The Cycle Number will be used in all correspondence between MABS and the City.
- All conversion activities will be completed at MABS Corporate offices found at: 2500 Broadway Street NE, Minneapolis, MN 55413
- MABS will complete all required prep work. Prep work includes removal of staples, paperclips, taping down small documents onto full sheets of paper, folding back "dog ears", separating of papers that are glued together and taping down torn pieces of documents
- MABS will create an excel spreadsheet which will be used in barcode generation and ultimately in file separation
- MABS will scan all documents

Barcode Creation:

- A barcode lead sheet will be created for each House File identified in a respective box
- The barcode lead sheet will be inserted before each House File prior to scanning and will be used to separate and assign the specific name for each file

Document Preparation:

- Documents to be left in the same order as they are currently in the file
- Once scanned files will be returned to file folders as they were delivered
- Folders will be returned to the original box they came in

Document Scanning:

- Documents are to be scanned in the same order as they are within the file folder. No separation will occur within an individual House File
- The barcode separator document will be scanned as the first image for each House File, followed by designated pages within the file
- Barcode separator sheets will be deleted with the electronic files provided to City for processing
- Smaller documents, defined as those not exceeding 11” x 17” in size, are to be scanned in Black & White at 300 DPI and provided in multi-page TIFF format
- Large documents are to be scanned in Color and provided in single page JPEG format
- Scanning Mode is to be set at auto duplex to adjust for single and double-sided pages with blank page delete functionality turned on
- Quality control of scanned images
 - Image quality of initial scans will be reviewed as to meet the agreed upon quality as established at beginning of project and accepted by the City
 - Image quality inspected will be completed at time of scanning
 - Quality of image depends greatly on the quality of original document
- 2nd Level QC includes verifying 10% of the original records against the quality of the scanned and converted images

Document Indexing:

- A barcode will be created to reflect the House Address found for each House File
- Additional index fields can be added if desired by the City. A Change Order will be required to accommodate any increase in costs associated with any additions

Document/Image Pickup and Drop-Off:

- All Pickups will be conducted by a MABS employee. Pickups and drop-offs will be arranged as single item runs. No additional pickups or drop-offs will be included with the City’s run
- A maximum of 20 boxes will be included with each pickup
- Each Pickup will be assigned a Cycle Number which will be used for labeling all subsequent correspondence related to a particular group of boxes
- Delivery of boxes will be to MABS’s Corporate office where all prep work, bar code generation, scanning and indexing will occur
- Boxes while at MABS office will be stored in one of two locked scanning rooms (scanning rooms) or in a locked storage area found within our warehouse.
- Boxes will be returned to the City upon completion of the conversion process for the entire Cycle. The Cycle will be returned in its entirety

File/Image Delivery:

- All images will be delivered on a Portable Hard Drive
- Images will be provided along with their corresponding paper copy at the time a Cycle of boxes is returned to the City
- A separate folder will be created for each House File.
- Small Document images will be delivered in a single multi-page TIFF document
- Large formatted documents will be delivered in single page JPEG format

Backup of Data Files:

- MABS will retain all converted images for 120 days from completion of project. If alternative time frames are desired by the City, alternative plans can be addressed. Written approval will be provided by the City prior to the deletion of converted images from MABS’s storage.

Miscellaneous items:

- Scanned documents are to be placed back in their original box in the same order as scanned
- Documents are to be put back in folder
- Smaller Documents are to be scanned as multi-page Black and White TIFF images
- Larger Documents are to be scanned as single page Colored JPEG images
- Scanned images are to at 300 dpi

Contact Personnel:

MABS:	Philip Schneider	612-378-3800 (O)
		612-490-5790 (C)
	Alice Anderson	612-378-3800
City:	Mychal Fowlde	651-249-2923
	David Fisher	651-249-2300

Conversion Pricing Section:

Pricing based on State Contract Number: 439821

- Scanning charge per image (Up to 11” x 17”) \$.05/Image
- Scanning charge Large format Documents (Up to E Size Documents) \$1.15/Image
- Document Preparation \$12.00/Hour
- Indexing Generation \$12.00/Hour
- Pickup and Delivery Charge \$40.00/Trip
- Setup Fee \$500.00
- Hard Drive \$125.00/Drive

Project Estimates:

Volume Estimates:

24 Rows of files in existing Lektriever
88 LFI per row
2112 total LFI

Cost Estimate: Based on Sample

Cost per LFI of Documents	\$18.00/LFI
2112 LFI @ \$18.00	\$38,016.00

Note:

- Pricing estimate totals are based on a sample of 18 inches of documents completed at our MABS production location.
- If project scope were to be modified from the description provided in this Statement Of Work, the creation of a Change Order will be required. In this situation both MABS and the City will need to sign off on the specified change(s) highlighted in the Change Order before production is continued.
- Charges will be based on actual image count, document preparation time, indexing time and bar code generation time required to complete the project
- Progress billings for scanning services will be billed and paid upon completion of a single Cycle.

Sample Images Quality:

Customer signature signifies that the sample images that are to be used to set project expectations meet the City’s approval. Customer signature authorizes MABS to continue with the conversion of records.

Customer Signature

Date

Sample Test System Compatibility:

Customer signature signifies that the conversion and importing of sample test images has been completed in a format acceptable to the City. Customer signature authorizes MABS to continue with the conversion of records.

Customer Signature

Date

Change Orders:

Any changes in the execution of the proposed conversion or services as laid out in the SOW will result in a Change Order. Change Orders will require authorization by both parties as well as an updated cost proposal prior to work commencing.

Mid-America Signature Date Customer Signature Date

Mid-America Business Systems Extended Liability:

MABS will provide the City up to 120 days after the completion of the entire project to review the scanned images and index data. Within the 120 days if it is determined that a mistake was made by MABS during the conversion process, MABS will resolve the matter at no additional charge to the City. MABS will not be held liable for mistakes discovered more then 120 days after the completion of entire project. We will however work with the client in resolving the matter but normal charges will apply.

Optional QC Process:

MABS goes through every effort to ensure that all images are captured during the scanning process. However, we are unable to guarantee 100% capture of every image. If requested, MABS will compare each scanned image to the hard copy page at an hourly rate of \$22.50/hour. This level of QC will ensure the highest level of accuracy available.

Please authorize if this service is requested _____
Customer Signature Date

IN WITNESS WHEREOF, each of the Parties hereto have executed this Agreement as of the date first written above.

Mid-America Business Systems

City Of Maplewood

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

MEMORANDUM

TO: James Antonen, City Manager
 FROM: Lorraine Fischer, Planning Commission Chairperson
 SUBJECT: **2012 Planning Commission Annual Report**
 DATE: February 6, 2013

INTRODUCTION

On February 5, 2013, the planning commission moved to accept the draft 2012 annual report and forward it to the city council for approval. The following is a report of the actions and activities of the planning commission in 2012.

2012 REVIEWS

In 2012, the planning commission considered the following:

	<u>2012</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	
Changes to the comprehensive plan	2	1	2	1	2	
Changes to the zoning map	2	2	19	4	0	
Preliminary plats/lot divisions	0	1	2	1	3	
Code amendments	8	8	11	7	3	
Conditional use permits and revisions	7	7	7	12	10	
Vacations	2	3	2	0	4	
Variances/code waivers	4	3	4	0	1	
<u>Miscellaneous (includes one home occ)</u>		15	18	34	24	29
<hr/>						
Total	40	43	81	49	52	

COMPREHENSIVE PLAN CHANGES

	<u>PC Action</u>	<u>Council Action</u>
<p>East Metro Public Safety Training Center Plan amendment to G (government) There was no previous classification since this land was highway right-of-way.</p>	Approved	Approved
<p>Azure Properties Senior Housing Development Plan amendment from LDR (low density residential) and P (park) to HDR (high density residential)</p>	Approved	Denied

ZONING MAP CHANGES

	<u>PC Action</u>	<u>Council Action</u>
<p>East Metro Public Safety Training Center Zoning approved to PUD (planned unit development). There was no previous zoning since this land was highway right-of-way</p>	Approved	Approved
<p>Azure Properties Senior Housing Development Rezoning from R1 (single dwelling residential) and OSP (open space and park) to PUD (planned unit Development)</p>	Approved	Denied

PRELIMINARY PLATS/LOT DIVISIONS

None

CODE AMENDMENTS

	<u>PC Action</u>	<u>Council Action</u>
1. Variance wording for cell phone antennas	Approved	Approved
2. Variance wording for metal buildings	Approved	Approved
3. Temporary reinforced turf parking lots	Approved	Approved
4. Flexibility in placement of dynamic displays	Approved	No action
5. Reinforced turf parking for single-family	Denied	No action
6. Reinforced turf parking for multi-family	Denied	No action
7. HRA and BEDC combination	Approved	Approved
8. PC and CDRB combination	Approved	Reconsider in one year

CONDITIONAL USE PERMITS AND REVISIONS

	<u>PC Action</u>	<u>Council Action</u>
<p>Kline Auto World used car sales (2610 Maplewood Drive) A CUP was required for used car sales at this location after switching from a major auto dealer that sold “new and used” cars to another operator that only sold “used” cars</p>	Approved	Approved
<p>Keller Golf Course CUP (2166 Maplewood Drive) This proposal was to allow the replacement of the old Keller Golf Course clubhouse and pro shop buildings and parking lot expansion</p>	Approved	Approved
<p>East Metro Public Safety Training Center CUP (Century Avenue, south of Holloway Avenue) This proposal was to allow this proposed public facility (public uses require a CUP)</p>	Approved	Approved
<p>RSI Metals Recycling Facility CUP (1255 Cope Avenue) This CUP was to allow a metal recycling business within 350 feet of residential property and for outdoor activities</p>	Approved	Approved
<p>Woodland Hills Church CUP (1740 Van Dyke Street) Woodland Hills Church requested a CUP revision to operate a food shelf.</p>	Approved	Approved
<p>Buffalo Wild Wings CUP (3085 White Bear Avenue) Buffalo Wild Wings requested a CUP for a PUD (planned unit development) revision to enlarge their restaurant</p>	Approved	Approved
<p>Cornerstone Church CUP (1616 Gervais Avenue) Cornerstone Church requested a CUP to move their church to the industrial center at this location</p>	Approved	Approved

VACATIONS

	<u>PC Action</u>	<u>Council Action</u>
<p>Edgemont Street for Azure Props Snr Housing (Edgemont Street north of Roselawn Avenue) This request was to vacate Edgemont Street and an alley for the proposed Azure Properties 71-unit senior housing development on Roselawn Avenue across from St. Jerome’s church</p>	Approved	None- App.Withdrawn

- Gladstone Savannah improvements—update by Ginny Gaynor
- Resolution of Appreciation for Gary Pearson
- Living Streets program—update by Michael Thompson
- Staff update of the council’s decision to not combine the planning commission and design board

2012 MEMBERSHIP REVIEW AND CURRENT ROSTER

In 2012, the planning commission had the resignation of Gary Pearson, a 22-year member and Tanya Nuss, a 2-year member. The PC is happy to welcome its newest members: Paul Arbuckle, Larry Durand and Stephen Wensman appointed mid-year in 2012. Joe Boeser submitted his resignation but is continuing to serve until the city council appoints his replacement.

The city deferred refilling commissioner vacancies when the city council was considering combining the planning commission and the community design review board. Since the council postponed this combination, the city staff has resumed seeking applicants for the remaining vacancy.

The current planning commission membership roster, with term expirations, is:

<u>Name</u>	<u>Appointed</u>	<u>Terms Expire (12/31)</u>	<u>2012 Attendance-12 Meetings</u>
Lorraine Fischer	1970	2013	12
Joseph Boeser	07-09-07	2013	7
Tushar Desai	07-22-02	2013	9
Paul Arbuckle	05-14-12	2014	7 of 7 (started mid year)
Larry Durand	05-14-12	2014	7 of 7 (started mid year)
Vacancy		2014	
Dale Trippler	06-08-98	2015	12
Al Bierbaum	02-08-10	2015	11
Stephen Wensman	06-11-12	2015	3 of 6 (started mid year)

2012 and 2013 ACTIVITIES

Last year was normal in terms of the types of reviews the planning commission considered. There were no preliminary plat applications to review in 2012, but this is indicative of the fact that Maplewood is 95 percent developed and there are not many single-family sites available for subdivision.

The planning staff is aware of a pending single-family preliminary plat soon to be submitted for a 2.46-acre parcel on County Road D east of McKnight Road. The planning commission will consider this proposal in the upcoming months. Possible development projects anticipated for 2013 may be the development of land in the Gladstone neighborhood. There are no pending or foreseen proposals, but Gladstone is one neighborhood where we expect development to continue following the recent completion of The Shores senior housing complex. Further development may be soon to follow.

SUMMARY

The planning commission looks forward to serving the City of Maplewood in 2013 and providing the city council with advice and guidance on all land use matters.

RECOMMENDATION

Approve the planning commission's 2012 annual report.

p:\planning commission pc\pc Annual Reports\pc 2012 ann report CC meeting report 2 25 13 te

AGENDA REPORT

TO: James Antonen, City Manager
FROM: Steven Love, Assistant City Engineer
 Alan Kantrud, City Attorney
SUBJECT: Hills and Dales Area Street Improvements, City Project 09-15,
 Resolution Adopting Revised Assessment Roll
DATE: February 11, 2013

INTRODUCTION

On February 11, 2013, the City Council held a reassessment hearing (public hearing) and approved a resolution adopting the assessment roll for the Hills and Dales Area Street Improvements, City Project 09-15, except for those that objected. There were a total of eleven (11) assessment objections received prior to or at the hearing. City staff recommendations for action on the eleven (11) assessment objections are provided for the council to review for adoption for the final assessment roll.

BACKGROUND

During the original assessment hearing process in 2010, eleven residential property owners objected (2002 Duluth Street, 2132 Atlantic Street, 2117 Atlantic Street, 1232 Shryer Avenue, 2017 Duluth Street, 1246 E. County Road B, 1237 Leland Road, 2210 Duluth Street, 1685 Howard Street, 1866 Furness Street, and 1695 Howard Street) and appealed to Ramsey County District Court. The order for judgment was the reassessment as provided in Minn. Stat. 429.071. The following is the specific language from the Statute:

429.071 SUPPLEMENTAL ASSESSMENTS; REASSESSMENT.

Subd. 2.Reassessment.

When an assessment is, for any reason whatever, set aside by a court of competent jurisdiction as to any parcel or parcels of land, or in event the council finds that the assessment or any part thereof is excessive or determines on advice of the municipal attorney that the assessment or proposed assessment or any part thereof is or may be invalid for any reason, the council may, upon notice and hearing as provided for the original assessment, make a reassessment or a new assessment as to such parcel or parcels.

Accordingly, the City conducted a reassessment hearing on February 11, 2013 to make reassessment against the eleven subject parcels. In advance of the reassessment hearing an independent appraiser was hired to conduct a Special Benefits Appraisal for each of the eleven residential properties. The City Attorney received the appraisal documents on December 4, 2012 from the appraiser.

The reassessment rates are based upon the Special Benefits Appraisal report. The reassessment rates conform to the City's Assessment Policy and MN Statute 429 of which one of the requirements is that the proposed assessment cannot exceed the special benefit (market value increase).

The following is a comparison between the amount originally assessed to the properties and reassessment amount based on the Special Benefits Appraisal report:

ASSESSMENT COMPARISON

PROPERTY ADDRESS	ORIGINAL ASSESSMENT	REVISED ASSESSMENT
2117 ATLANTIC ST N	\$7,690.00	\$6,800.00
2132 ATLANTIC ST N	\$7,690.00	\$6,800.00
1246 COUNTY ROAD B E	\$6,600.00	\$5,200.00
2002 DULUTH ST N	\$7,690.00	\$6,800.00
2017 DULUTH ST N	\$7,690.00	\$6,800.00
2210 DULUTH ST N	\$6,600.00	\$5,200.00
1237 LELAND RD E	\$6,600.00	\$4,000.00
1232 SHRYER AVE E	\$7,690.00	\$6,800.00
1866 FURNESS ST N	\$7,690.00	\$6,800.00
1685 HOWARD ST N	\$6,600.00	\$6,300.00
1695 HOWARD ST N	\$6,600.00	\$6,300.00

The proposed reassessments were submitted to the City Council for adoption at the February 11, 2013 council meeting. The affected property owners were provided with the required advanced notice of the City’s intent to levy the assessments. Property owners were required to file a written notice prior to the close of the public hearing if they objected to the assessment amount. Following are those property owners filing written objections to be considered for review:

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 142922440048 – Bob A. M. Serreyn and Dominic J. Chiappetta; 1695 Howard Street.
It is currently proposed that the property be assessed for \$6,300. Mr. Serreyn and Mr. Chiappetta 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.

RECOMMENDED ADJUSTMENTS

The following actions are recommended by staff for the objection requests:

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.
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5. Parcel 162922140045 – Kenneth G. and Therese A. Dufner; 2017 Duluth Street.
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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.
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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.

BUDGET IMPACT

No adjustments are proposed at this time.

RECOMMENDATION

It is recommended that the City Council approve the attached Resolution for the Adoption of the Revised Assessment Roll for the Hills and Dales Area Street Improvements, City Project 09-15.

Attachments:

1. Resolution: Adoption of the Assessment Roll
2. Assessment Roll (Reassessment)
3. Assessment Objections
4. Location Map

RESOLUTION
ADJUSTMENTS TO ASSESSMENT ROLL

WHEREAS, pursuant to a resolution adopted by the City Council on February 11th, 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.
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4. Parcel 162922140012 – Arthur Moore and Megan Nelson; 1232 Shryer Avenue.
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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.
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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.

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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.
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 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 25th day of February, 2013.

FINAL REASSESSMENT ROLL
Hills and Dales Area Street Improvements
City Project 09-15

Parcel ID	TAXPAYER	Street Number	Street	RESIDENTIAL UNITS	ASSESSMENT RATE	TOTAL ASSESSMENT
162922110099	ESTHER D. OLSON	2117	ATLANTIC ST N	1	\$6,800.00	\$6,800.00
162922110075	CONNIE JOHNSON	2132	ATLANTIC ST N	1	\$6,800.00	\$6,800.00
092922440069	PEGGY J THOMASON	1246	COUNTY ROAD B E	1	\$5,200.00	\$5,200.00
162922140017	RAYMOND RICHARD DECKER	2002	DULUTH ST N	1	\$6,800.00	\$6,800.00
162922140045	KENNETH G DUFNER	2017	DULUTH ST N	1	\$6,800.00	\$6,800.00
092922440086	REBECCA T GURROLA	2210	DULUTH ST N	1	\$5,200.00	\$5,200.00
092922440076	JAY R GRUETT	1237	LELAND RD E	1	\$4,000.00	\$4,000.00
162922140012	MEGAN NELSON	1232	SHRYER AVE E	1	\$6,800.00	\$6,800.00
142922410048	PHOENIX RESIDENCE INC	1866	FURNESS ST N	1	\$6,800.00	\$6,800.00
142922440047	PHOENIX RESIDENCE INC	1685	HOWARD ST N	1	\$6,300.00	\$6,300.00
142922440048	BOB A M SERREYN	1695	HOWARD ST N	1	\$6,300.00	\$6,300.00
TOTALS				11	TOTAL =	\$67,800.00

2009 ASSESSMENT RATES:

THE ABOVE ASSESSMENT RATES ARE BASED UPON SPECIAL BENEFIT APPRAISALS

To the City of Maplewood, on behalf of the owners of the below listed properties, as agent and attorney, objection is hereby given to the proposed special assessment against said properties because the proposed special assessment is greater than the benefit received – i.e. is greater than the increase in market value – resulting from the Hills and Dales Area Street Improvements, City Project 09-15.

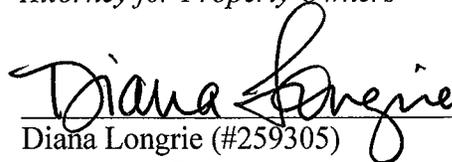
Further, these objecting owners were Plaintiffs in Ramsey County Court File No. 62-CV-10-6743 whereby the parties thereto entered into a stipulation to dismiss without prejudice. Under the terms of the agreement, the City, if it were to reassess, would reassess within a reasonable time period. The objecting owners assert that this reassessment is not within a reasonable time period. Project 09-15 has been finished for over a year, the fund account for 09-15 was de-funded and closed in December 2012 and it has been 10 months since the execution of the Stipulation. The City has not been diligent in enforcing its interests under the Stipulation and therefore should be foreclosed from now advancing such interests after inexcusable delay.

Affected properties for which objection is given this 11th day of February, 2013:

1. The property located at **2002 Duluth Street, Maplewood, MN 55109**, legally described as Lot 9, Block 8, and PT alley adj., Hills and Dales, Ramsey County, MN, PIN **162922140017** (the “Property1”). Property1 is owned by **Raymond R Decker**.
2. The property located at **2132 Atlantic Street No, Maplewood, MN 55109**, legally described as Lot 4, Block 3, Hills and Dales, subj to GL Pipe L easement, Ramsey County, MN, PIN **162922110075** (the “Property2”). Property2 is owned by **Joseph and Kerry Brabbit**.
3. The property located at **2117 Atlantic Street, Maplewood, MN 55109**, legally described as Lot 11, Block 2, Hills and Dales, Ramsey County, MN, PIN **162922110099** (the “Property3”). Property3 is owned by **Esther D. Olson**.
4. The property located at **1232 Shryer Avenue E, Maplewood, MN 55109**, legally described as Lot 4, Block 8, Hills and Dales, Ramsey County, MN, PIN **162922140012** (the “Property4”). Property4 is owned by **Arthur Moore and Megan Nelson**.
5. The property located at **2017 Duluth Street, Maplewood, MN 55109**, legally described as Lot 32, block 2, Hills and Dales, Ramsey County, MN, PIN **162922140045** (the “Property5”). Property5 is owned by **Kenneth G. Dufner and Therese A. Dufner**.

6. The property located at **1246 E. County Road B, Maplewood, MN 55109**, legally described as Lot 16 and Lot 17, Block 6 and the N ½ of vac alley adj, Clifton Addition, Ramsey County, MN, **PIN 092922440069** (the "Property6"). Property6 is owned by **Peggy J. Hartzell**.
7. The property located at **1237 Leland Road, Maplewood, MN 55109**, legally described as Lot 1 and the East 15 feet of Lot 2, Block 5, and S ½ of vac alley adj, Cliffron Addition, Ramsey County, MN, **PIN 092922440076** (the "Property7"). Property7 is owned by and **Jay R. Gruett**.
8. The property located at **2210 Duluth Street, Maplewood, MN 55109**, legally described as Lot 16 and Lot 17, Block 5, Clifton Addition, subj to road the N ½ of vac alley adj, Ramsey County, MN, **PIN 092922440086** (the "Property8"). Property8 is owned by **Rebecca Gurrola**.
9. The property located at **1685 Howard Street, Maplewood, MN 55109**, legally described as Lot 10, Block 3, Except the N 135 feet, Hillcrest Gardens, Ramsey County, MN, **PIN 142922440047** (the "Property9"). Property9 is owned by **Phoenix Residence Inc.** a Minnesota non-profit corporation.
10. The property located at **1866 Furness Street, Maplewood, MN 55109**, legally described as Lot 13, Block 4, Except the N 50 feet, Hillcrest Gardens, Ramsey County, MN, **PIN 142922410048** (the "Property10"). Property10 is owned by **Phoenix Residence Inc.** a Minnesota non-profit corporation.
11. The property located at **1695 Howard Street, Maplewood, MN 55109**, legally described as N 135 ft of Lot 10, Block 3, Hillcrest Gardens, subj to easement, Ramsey County, MN, **PIN 142922440048** (the "Property11"). Property11 is owned by **Bob A. M. Serreyn, and Dominic J. Chiappetta**.

Attorney for Property Owners


Diana Longrie (#259305)

Attorney at Law
1321 Frost Avenue East
Maplewood, Minnesota 55109
(651) 793-6248 (Tele)

Dated: February 11, 2013

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Raymond R Decker, Connie Johnson,
Esther D. Olson, Arthur Moore, Megan Nelson,
Kenneth G. Dufner, Therese A. Dufner,
Peggy J. Hartzell, Jay R. Gruett,
Rebecca Gurrola, Phoenix Residence Inc.,
Bob A. M. Serreyn, and Dominic J. Chiappetta.
Plaintiffs,

Court File No. 62-CV-10-6743
Assigned to: Judge Dale B. Lindman

**STIPULATION FOR DISMISSAL
WITHOUT PREJUDICE**

vs.

City of Maplewood,
a Minnesota Municipal Corporation.
Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and between the above named Plaintiffs and the Defendant, through their respective counsel, that Plaintiffs' claims against Defendant are dismissed without prejudice and without further costs to any of the parties hereto.

It is agreed that this Stipulation for Dismissal shall not be construed as an admission by Plaintiffs or the Defendant that valid claims or defenses exist on behalf of or against any of the Parties.

It is agreed that at this time there is no special assessment against the respective parcels of the Plaintiffs herein and that the Defendant may, at its discretion and within a reasonable time period, commence the special assessment process for the parcels, subject to this action, at a future time as related to Hills and Dales Area Street Improvements, City Project 09-15.

Plaintiffs and Defendant shall each bear their own attorneys' fees and costs.

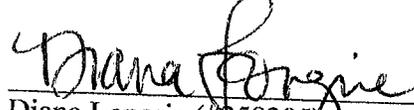
This Stipulation relates to the following parcels:

1. The property located at **2002 Duluth Street, Maplewood, MN 55109**, legally described as Lot 9, Block 8, and PT alley adj., Hills and Dales, Ramsey County, MN, PIN **162922140017** (the "Property1"). Property1 is owned by **Raymond R Decker**.

2. The property located at **2132 Atlantic Street No, Maplewood, MN 55109**, legally described as Lot 4, Block 3, Hills and Dales, subj to Gl. Pipe L easement, Ramsey County, MN, **PIN 162922110075** (the "Property2"). Property2 is owned by **Connie Johnson**.
3. The property located at **2117 Atlantic Street, Maplewood, MN 55109**, legally described as Lot 11, Block 2, Hills and Dales, Ramsey County, MN, **PIN 162922110099** (the "Property3"). Property3 is owned by **Esther D. Olson**.
4. The property located at **1232 Shryer Avenue E, Maplewood, MN 55109**, legally described as Lot 4, Block 8, Hills and Dales, Ramsey County, MN, **PIN 162922140012** (the "Property4"). Property4 is owned by **Arthur Moore and Megan Nelson**.
5. The property located at **2017 Duluth Street, Maplewood, MN 55109**, legally described as Lot 32, block 2, Hills and Dales, Ramsey County, MN, **PIN 162922140045** (the "Property5"). Property5 is owned by **Kenneth G. Dufner and Therese A. Dufner**.
6. The property located at **1246 E. County Road B, Maplewood, MN 55109**, legally described as Lot 16 and Lot 17, Block 6 and the N ½ of vac alley adj, Clifton Addition, Ramsey County, MN, **PIN 092922440069** (the "Property6"). Property6 is owned by **Peggy J. Hartzell**.
7. The property located at **1237 Leland Road, Maplewood, MN 55109**, legally described as Lot 1 and the East 15 feet of Lot 2, Block 5, and S ½ of vac alley adj, Cliftron Addition, Ramsey County, MN, **PIN 092922440076** (the "Property7"). Property7 is owned by and **Jay R. Gruett**.
8. The property located at **2210 Duluth Street, Maplewood, MN 55109**, legally described as Lot 16 and Lot 17, Block 5, Clifton Addition, subj to road the N ½ of vac alley adj, Ramsey County, MN, **PIN 092922440086** (the "Property8"). Property8 is owned by **Rebecca Gurrola**.
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10. The property located at **1866 Furness Street, Maplewood, MN 55109**, legally described as Lot 13, Block 4, Except the N 50 feet, Hillcrest Gardens, Ramsey County, MN, **PIN 142922410048** (the "Property10"). Property10 is owned by **Phoenix Residence Inc.** a Minnesota non-profit corporation.
11. The property located at **1695 Howard Street, Maplewood, MN 55109**, legally described as N 135 ft of Lot 10, Block 3, Hillcrest Gardens, subj to easement, Ramsey County, MN, **PIN 142922440048** (the "Property11"). Property11 is owned by **Bob A. M. Serreyn, and Dominic J. Chiappetta**.

Dated: April 10, 2012

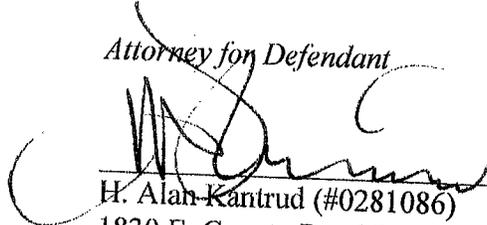
Attorney for Plaintiffs



Diana Longrie (#259305)
Diana Longrie, Attorney at Law
1321 Frost Avenue East
Maplewood, Minnesota 55109
(651) 793-6248 (Tele)

Dated: April 10, 2012

Attorney for Defendant



H. Alan Kantrud (#0281086)
1830 E. County Road B
Maplewood, MN 55109

AGENDA REPORT

TO: James Antonen, City Manager
FROM: Gayle Bauman, Finance Manager
SUBJECT: Approval of Transfers to Close Funds for Public Improvement
Projects for 2012
DATE: November 27, 2012

INTRODUCTION

Financial transfers and budget adjustments are needed to close three funds for public improvement projects that have been completed.

DISCUSSION

Project 09-07, Rice & TH 36 Interchange, has been completed. There is a surplus balance in the project fund due to excess bond proceeds. Surplus funds of \$71,924.22 need to be transferred to project 08-13 (fund 504) which was also financed with the same bond issue and currently has a deficit balance.

Project 09-13, Holloway/Stanich Area Streets, has been completed. There is a surplus balance in the project fund (due to project expenditures being under budget). Surplus funds of \$642,769.53 need to be transferred to project 08-13 (fund 504) which was also financed with the same bond issue and currently has a deficit balance.

Project 09-15, Hills & Dales, has been completed. There is a surplus balance in the project fund (due to higher than expected revenues and project expenditures being under budget). Surplus funds of \$863,108.37 need to be transferred as follows:

- \$130,000 to project 08-13 (fund 504) which was also financed with the same bond issue and currently has a deficit balance.
- \$733,108.37 to project 02-07 (fund 533) by reallocating bond funds from the 2010A bond issue to cover unforeseen expenditures.

FINANCIAL IMPACT

There is no financial impact to the city as the proposal is to transfer money between funds.

RECOMMENDATION

It is recommended that the Council authorize the following:

- (1) A transfer of \$71,924.22 from fund 508 (09-07) to fund 504 (08-13),
- (2) A transfer of \$642,769.53 from fund 509 (09-13) to fund 504 (08-13),
- (3) A transfer of \$130,000.00 from fund 510 (09-15) to fund 504 (08-13),
- (4) A transfer of \$733,108.37 from fund 510 (09-15) to fund 533 (02-07),
- (5) The appropriate budget changes.

P:\finance\council files\2012\121 – close capital funds

We Arthur Moore and Megan Nelson
at 1232 Shryer Ave E Maplewood MN 55109
object to the street assessment ~~on~~ as
part of the Hills & Dales City Project. 09/15.

This project has not improved our
house value.

Megan Nelson

Arthur Moore,

Reassessment Objection

City Project #09-15

Parcel Identification Number (PIN)

142922440048

1695 Howard St

Maplewood, MN 55109

We object to the assessment of \$6300.00
for the street and utility improvements

- Property Value has not increased as city council said it would
- we feel the reassessment did not happen in a reasonable amount of time from April 10th 2012
- City closed the account for this project in Dec, 2012 with a surplus of over \$800,000.00
- assessment is excessive
-

Domnie Chiappetta



2-11-13

Bob Serreya



2-11-13

My Name is

Raymond R. Decker
2002 Duluth St. Maplewood

I Object to the:

Street Assessment

on Duluth & Shryer

which Does Not Increase

the Value of my home

City of Meplwood

I am writing in regard to the assessment of \$6,800.00 on my home at 7017 Duluth St. I have already paid the entire assessment however I feel strongly that no assessment should have been rendered.

I think the City of Meplwood should have found some other way to pay for the work the City wanted done.

Sincerely,

Kenneth G. Dupuis

Was an effort made to secure Federal Aid, State aid, County aid or Municipal Bonds?
Was 'due diligence' used in seeking another way of paying for this project?

To whom it may concern, City of Maplewood.

We are Joseph and Kerry Brabbit

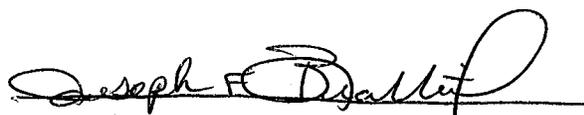
we live at 2132 Atlantic St. Maplewood, MN 55109

we purchased the property from Connie Johnson
on July 1st 2012, 3 months prior to her passing.

We are writing to object to the reassessment
of the property at 2132 Atlantic St. for excessive
reassessment period, As well as property loss due
to the sod that was replaced never took to
the ground and all dried up and died, leaving

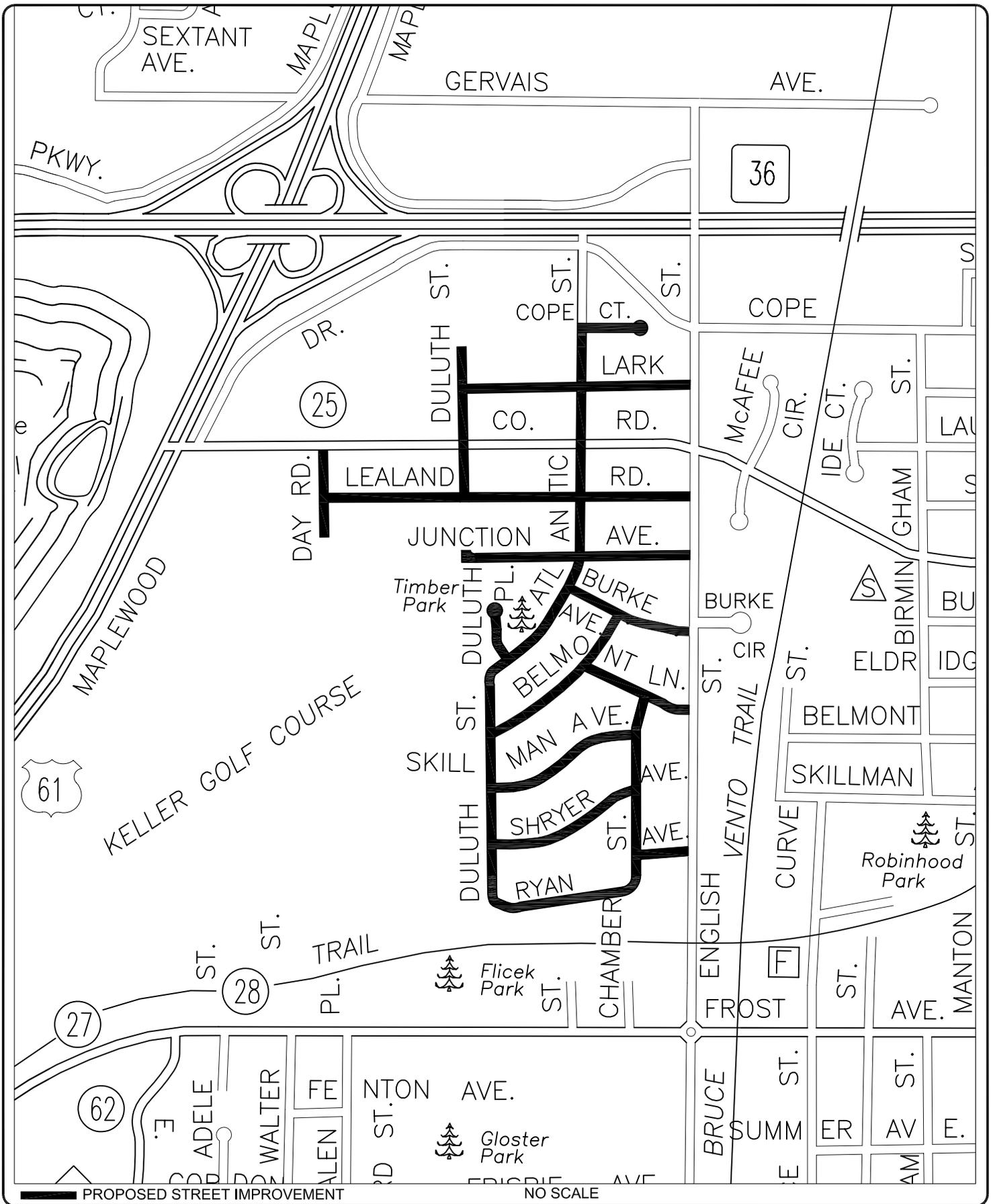
me as the homeowner to re-sod / or re-plant,
plus the assessment is more than the increase in market value.

Thank You.


Joseph F Brabbit

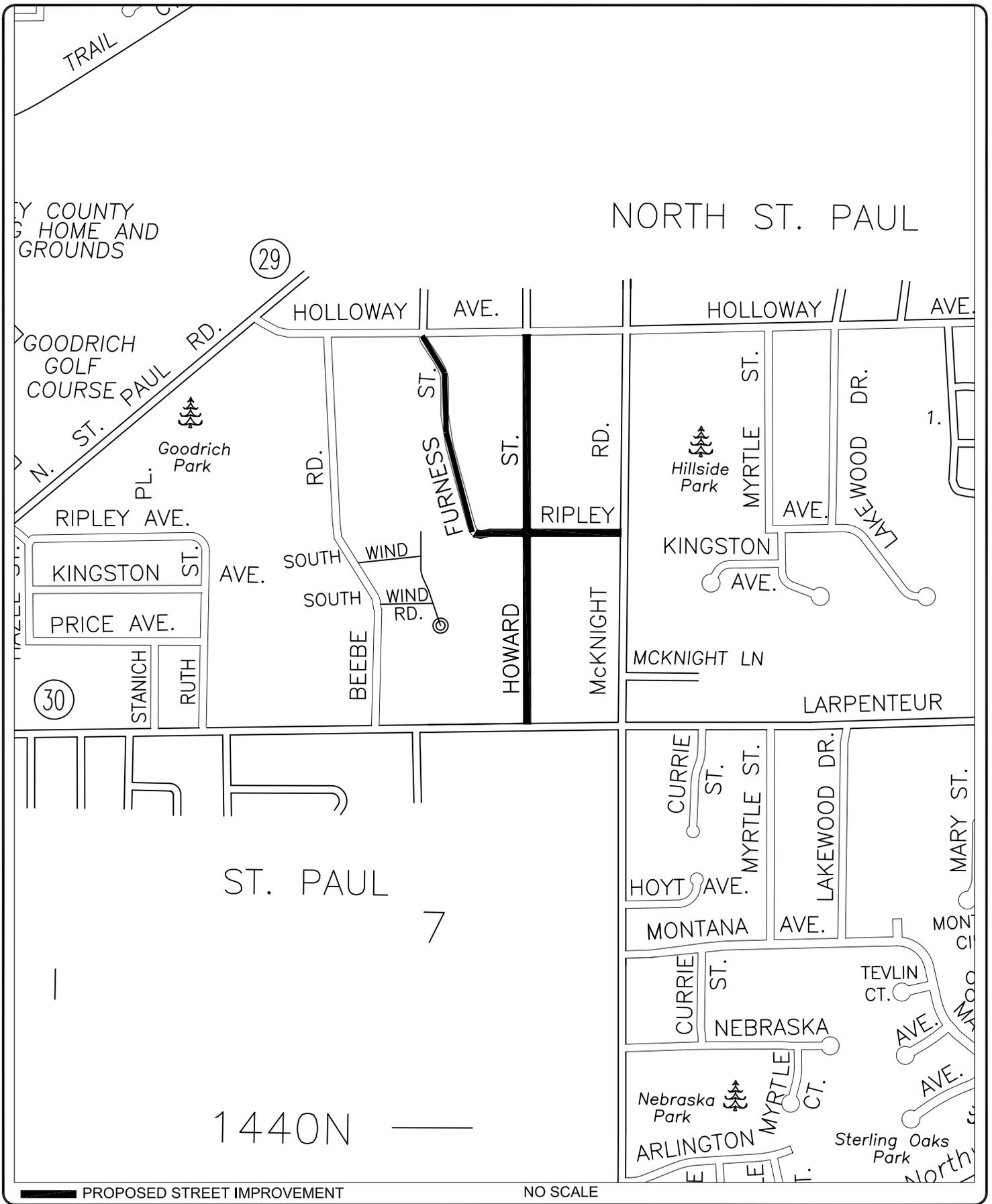

Kerry L Brabbit

2-11-2013

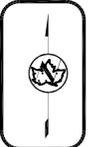


Capital Improvement Project for 2010
Hills & Dales Area Street Improvements
City Project 09-15





Capital Improvement Project for 2010
Hills & Dales Area Street Improvements
City Project 09-15 (AREA 2)



AGENDA REPORT

TO: James Antonen, City Manager
FROM: Charles Ahl, Assistant City Manager
SUBJECT: **Approval of Contract Extension Through 2014 for City Attorney and Prosecution Services with H. Alan Kantrud**
DATE: **February 20, 2013**

INTRODUCTION

At the November 26, 2012, City Council meeting, the staff recommended a 2-year contract extension to continue general civil attorney services and prosecuting attorney services with Alan Kantrud. The Council approved a 1-year contract for 2013 and requested a work session review of information on the process for conducting a request for proposals [RFP] process to review the costs of services beginning in 2014. On January 28, 2013, the Council conducted a discussion at a Work Session on the recent cost of attorney services and the proposed extension from Mr. Kantrud. After discussing the various information submitted, the Council gave direction to the staff to provide and updated contract to extend the services for Mr. Kantrud for City Attorney and City Prosecution services through the end of 2014, and directed that the staff plan an RFP process with sufficient time in 2014, such that the Council can review costs for attorney services beginning in 2015. Since Mr. Kantrud has already executed an agreement with the City for services in 2013, the recommendation is to extend that contract for an additional one year through December 31, 2014.

Background from Discussion on January 28, 2013

The following table summarizes the costs that the City has incurred for Prosecution and Civil attorney expenses since 2001:

<u>Year</u>	<u>Prosecution</u>	<u>Civil</u>	<u>Total</u>
2001	63,000.00	123,531.83	186,531.83
2002	117,900.00	172,279.54	290,179.54
2003	117,900.00	196,304.34	314,204.34
2004	117,900.00	200,533.58	318,433.58
2005	117,900.00	190,180.20	308,080.20
2006	116,512.50	162,919.87	279,432.37
2007	99,000.00	103,755.00	202,755.00
2008	99,000.00	103,105.15	202,105.15
2009	99,000.00	103,701.50	202,701.50
2010	99,000.00	104,489.50	203,489.50
2011	99,000.00	109,428.85	208,428.85
2012	102,000.00	105,320.26	207,320.26

CITY ATTORNEY CONTRACT
PAGE TWO

Services for City Attorney, both Prosecution and Civil were provided by Kelly and Fawcett through July 10, 2006. At the July 24, 2006, Alan Kantrud was introduced as the City Attorney and Prosecuting Attorney. He has been in that role since that time.

Note: Kelly and Fawcett provided limited HR Attorney services as part of their General Civil contract prior to July 2006. That is currently a separate cost to the City.

Review of Other Cities

The staff has conducted a brief review of 4 other communities with similar contractual attorney arrangements as Maplewood, including relatively similar staff size, prosecution for police functions and city size, as follows:

Richfield: have separate firms for Prosecution and Civil.
2013 Budget: \$148,000 for Prosecution and \$149,550 for Civil.
They have a retainer and bill for hours depending upon legal issue.
Civil includes HR hours needed.

Roseville: has one firm handle both Prosecution and Civil.
2012 Costs: \$160,332 for Prosecution and \$144,480 for Civil.
All work is done on retainer except litigation which is based on their hourly rate.
Civil includes HR hours as needed.

White Bear Lake: have separate firms for Prosecution and Civil.
2013 Budget: \$111,200 for Prosecution and \$54,150 for Civil.
Retainer plus pay for additional hours as needed.

Brooklyn Park: Have separate firms for Prosecution and Civil.
2012 Costs: \$365,000 for Prosecution and \$257,000 for Civil.
Retainer plus pay for additional hours.
Above amount includes \$90,000 for HR needs.
\$55,000 in 2012 were due to special litigation and project expense.

CONTRACT BACKGROUND

The proposed contract for 2014, proposes that Mr. Kantrud's compensation be increased from the current level of \$208,000 to the proposed amount of \$212,000 in 2014, which is approximately a 2.0% increase. This is partially offset in a monthly rental charge that is levied to Mr. Kantrud of \$1,500 per month [increased from \$1,450 per month in 2012]. This was increased by \$200.00 per month from 2011 to 2012 as Mr. Kantrud was provided a larger office, as well as a private office for his assistant, who was, at the time, provided a cubical. The current improvement plans call for Mr. Kantrud and his assistant to remain in private offices within City Hall, although they may be relocated to comparable space. The financial impact of this to the General Fund is the \$4,000 increase in fees, which is a 1.67% increase in net payment to Mr. Kantrud and his associates. Mr. Kantrud is also provided with High Deductible Health Insurance and Dental Insurance consistent with the contracts for Mr. Antonen and Mr. Ahl. A change in the contract from 2011 to 2012 was that Mr. Kantrud no longer be provided with a membership at Maplewood Community Center and will provide for his own cell phone plan. This provision remains in effect.

RECOMMENDATION

It is recommended that the City Council approve the attached contract extension with H. Alan Kantrud for 2014 as City Attorney/City Prosecutor and authorize the Mayor and City Manager to execute said contract.

Attachments:

1. 2014 Contract Extension for Attorney Services

City of Maplewood Contract for Attorney Services

This AGREEMENT entered into this 3rd day of DECEMBER, 2012, (the "Effective Date") by and between the City of Maplewood, Minnesota (hereinafter referred to as "City") and H Alan Kantrud P.A. (hereinafter referred to as "Kantrud" or "Attorney" or "Firm").

WHEREAS, in 2006 the City originally put forth a Request for Proposals ("RFP") to contract out its legal services for 2 years and in response to that RFP retained Attorney as its City Attorney and City Prosecutor on or about July 10, 2006; and

WHEREAS, the City has found Attorney's performance as City Attorney to be competent and professional and has continued to retain his services; and

WHEREAS, the City's original term of two years as set forth in the RFP expired, as has the extensions of the contract through 2012; and

WHEREAS, the City believes it is in the best interests of the City to maintain consistency in its legal representation; and

WHEREAS, the City now desires to enter into a contract for the continued services of Attorney as City Attorney to assure his continued performance of that position through December 31, 2013; and

WHEREAS, Attorney is agreeable to entering into a contract with the City pursuant to the understated proposed terms and conditions

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

Section 1. Duties

The City hereby agrees to retain Attorney as the City Attorney and Prosecutor to perform the functions and duties of City Attorney and Prosecutor and such other legally permissible and proper functions and duties as the City Manager, Assistant City Manager and City Council from time to time shall assign. Said duties shall be consistent with and guided by the course-of-conduct established through the previous period of representation and the parties agree that the established duties thereof are mutually satisfactory. It is further agreed that (a) Attorney shall endeavor to establish additional pro-active programs in the area of Domestic Abuse in cooperation with the Maplewood Police Chief during said term of this contract. (b) Attorney shall remain part of the management team and attend the Tuesday morning staff meetings.

Section 2. Term

It is agreed the term of services shall be January 1, 2013 through December 31, 2013.

Section 3. Salary

The City agrees to pay Firm for services rendered pursuant hereto at an annual base rate of \$208,000.00 per year payable to attorney in the same manner as it is currently paid – in equal monthly installments. The City shall provide a private office for Attorney’s assistant to enhance the efficiency of the interaction and reduce costs to the City for CSO and vehicle time. The City shall rent Attorney a corner office space including computer, printer, fax and normal office services and supplies. The Attorney shall pay a monthly rental fee of ~~\$1,450.00~~ for rental of such space and such services and supplies. The City shall provide and maintain High Deductible Health Insurance and Dental Insurance for Attorney consistent with the terms provided to City Manager and Assistant City Manager. The City shall discontinue the previously provided single membership at the Maplewood Community Center (MCC). Attorney shall provide his own cell phone plan and coverage independent of City plans and no reimbursement shall be provided by City for said plan.

[Handwritten signature]
\$1500.00
[Handwritten initials]

General Provisions

- A. The text herein shall constitute the entire Agreement between the parties hereto.
- B. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Attorney.
- C. If any provision or portion thereof contained in this Agreement shall be held unconstitutional, invalid or unenforceable, it shall be deemed severable and the remainder of this Agreement shall not be affected and shall remain in full force and effect.
- D. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the City to terminate the services of Attorney at any time, because of malfeasance, nonfeasance or gross misconduct.

IN WITNESS WHEREOF, the parties here to have signed and executed this Agreement, both in duplicate, effective on the day and year first above written.

CITY OF MAPLEWOOD

James W. Antonen
James W. Antonen, City Manager
Will Rossbach

ATTORNEY

H. Alan Kantrud
H. Alan Kantrud

Will Rossbach, Mayor

MEMORANDUM

TO: James Antonen, City Manager
FROM: Tom Ekstrand, Senior Planner
Chuck Ahl, Assistant City Manager
SUBJECT: **Land Use Plan Amendment for the Correction of a Park (P) Designation in the Gladstone Neighborhood on Privately-Owned Land**
(4/5 vote required to approve)
DATE: February 6, 2013

INTRODUCTION

Staff recently found a map inconsistency on the Gladstone Neighborhood land use plan map. The property shown on the attached map is privately owned but designated as P (Park). This property is also zoned R1 (single dwelling residential). Research of the previous four comprehensive land use plans show that this property had been designated P for Park since the city's 1982 Comprehensive Plan (attached).

Staff cannot say why this property was ever included with the Gloster Park P classification. It may have been intended as such when the city approved the first comprehensive land use plan. The city's park records show that this property has never been owned by the city as part of Gloster Park. Even if it had been, it is not currently owned by the city and labeling as P on the land use plan is inappropriate because the city should not guide private lands for public purposes.

Request

Amend the land use plan to change the P designation to LDR (low density residential) for the property lying west of Gloster Park. Refer to the attachments.

DISCUSSION

This property was never owned by the city for incorporation into Gloster Park. In early versions of the Gladstone Neighborhood land use plan, the depiction of land use boundaries was not very clear. Even if this property was once intended to be part of Gloster Park, it currently is not. Private lands should simply not be guided or planned for public use.

An LDR reclassification would match the current R1 zoning and would eliminate a zoning map/land use plan map inconsistency.

Staff has spoken to the property owner who is supportive of this reclassification of her property.

COMMISSION ACTIONS

January 16, 2013: The parks and recreation commission discussed this matter and recommended that the Park classification be removed from this lot.

February 5, 2013: The planning commission recommended approval of this land use plan amendment.

RECOMMENDATION

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. Approval is based on the following reasons:

1. The reclassification to LDR would eliminate an inconsistency between the zoning map and the land use plan.
2. Private property should not be guided for public use.

This action is subject to the Metropolitan Council approving this land use plan amendment before it is official.

REFERENCE INFORMATION

SITE DESCRIPTION

Lot Size: 1.17 acres
Existing Land Use: Undeveloped

SURROUNDING LAND USES

North: Maplewood Marine outdoor storage yard
South: Undeveloped property
East: Gloster Park
West: Single dwellings

PLANNING

Land Use Plan: existing P; proposed LDR
Zoning: R1

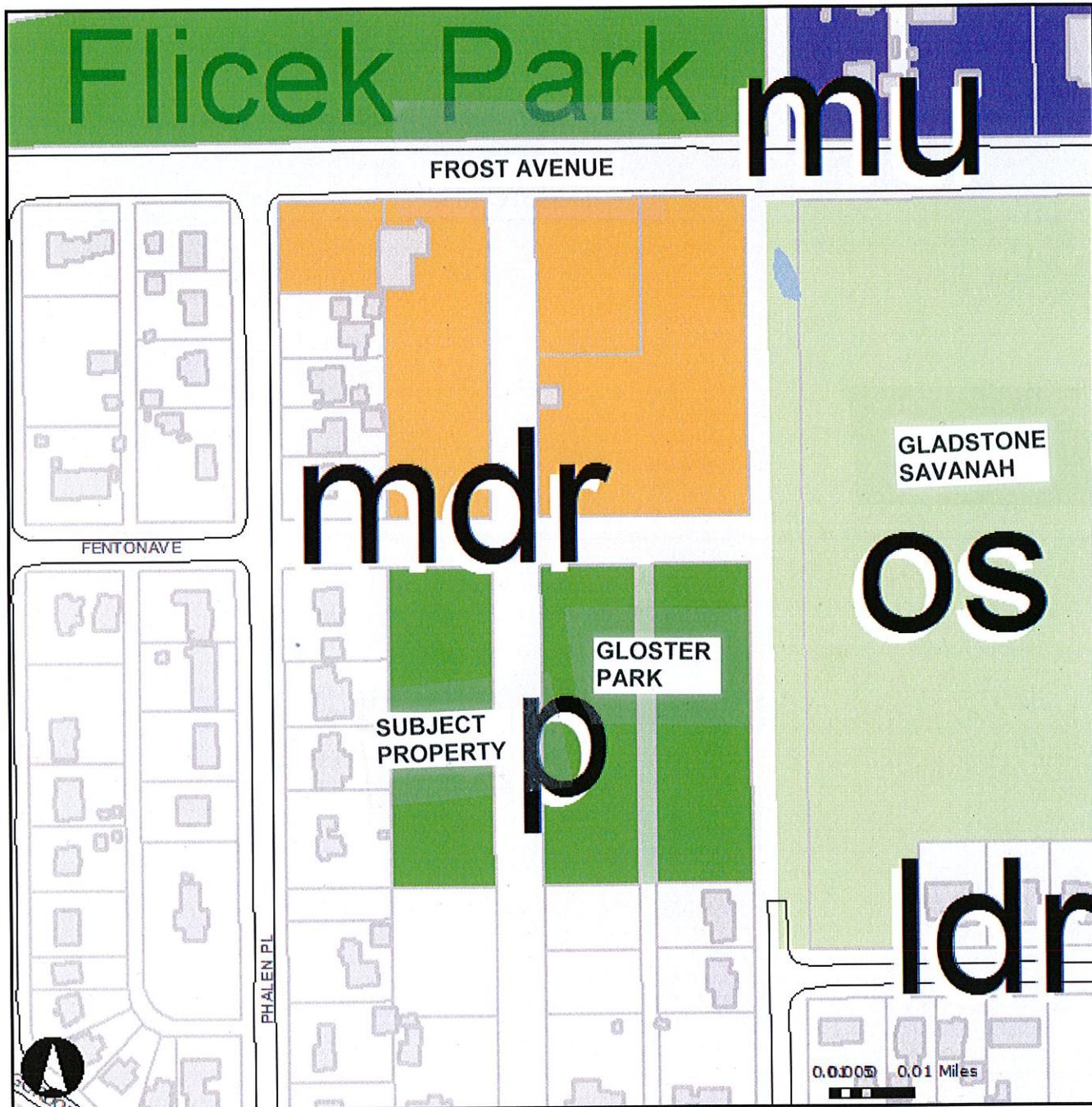
REVIEW DEADLINE

This review was generated by staff. There is no deadline for action by the city council.

P:COMPPLANLand Use Plan Map Correction Gladstone Neighborhood P Designation CC Report 2 13 te
Attachments:

1. Land Use Plan Map
2. Zoning Map
3. Ariel Photo
4. 1982 Comprehensive Land Use Plan Map
5. Plan Amendment Resolution

Land Use Plan Map



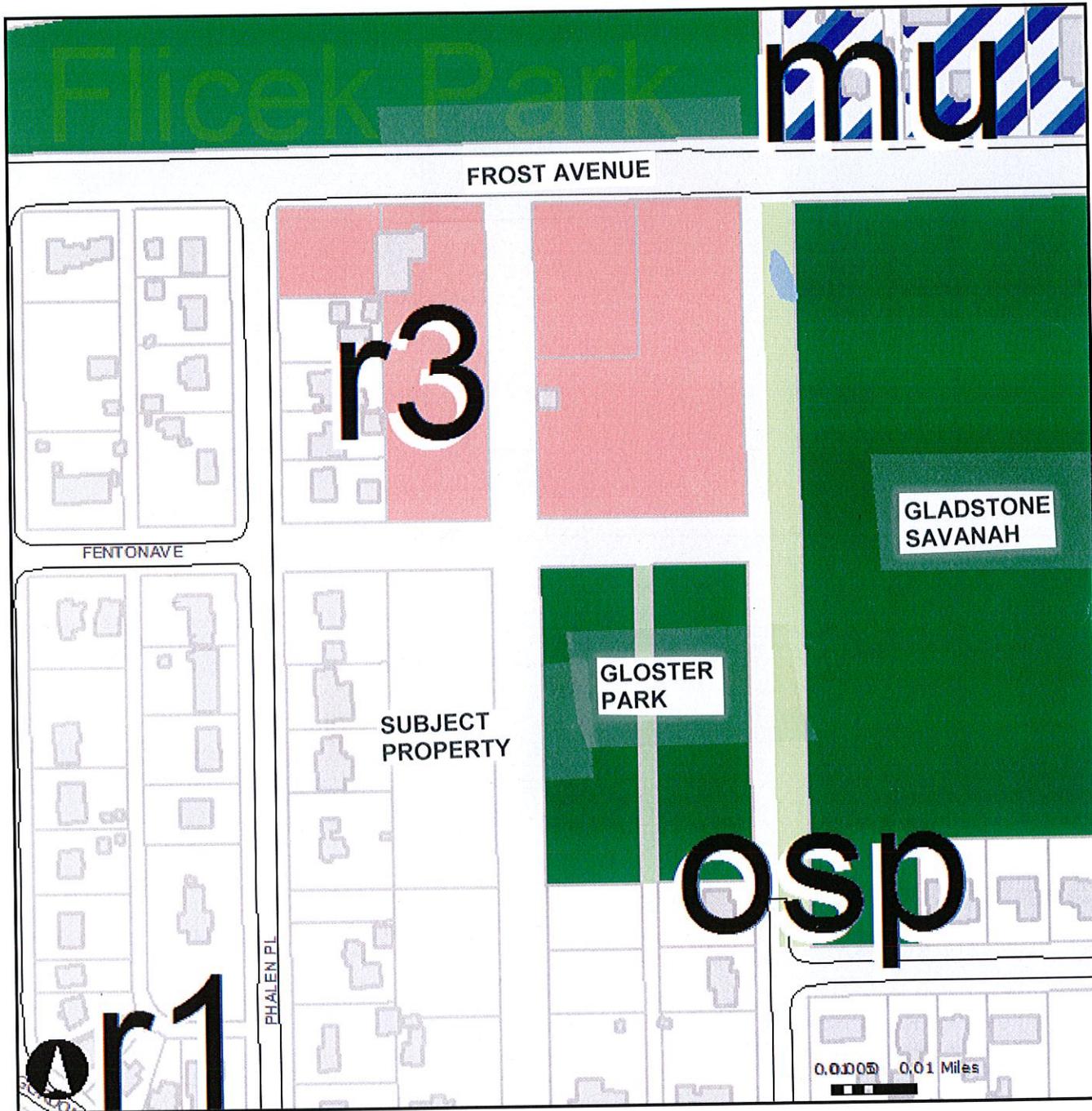
Copyright

MaplewoodBaseMap

Chad Bergo

Land Use Classifications: This data set is available to everyone. Fees and policy are published in the Ramsey County Fee Schedule. Charges are variable and are subject to change. See the Ramsey County Fee Schedule for specific information on fees and policy.

Zoning Map



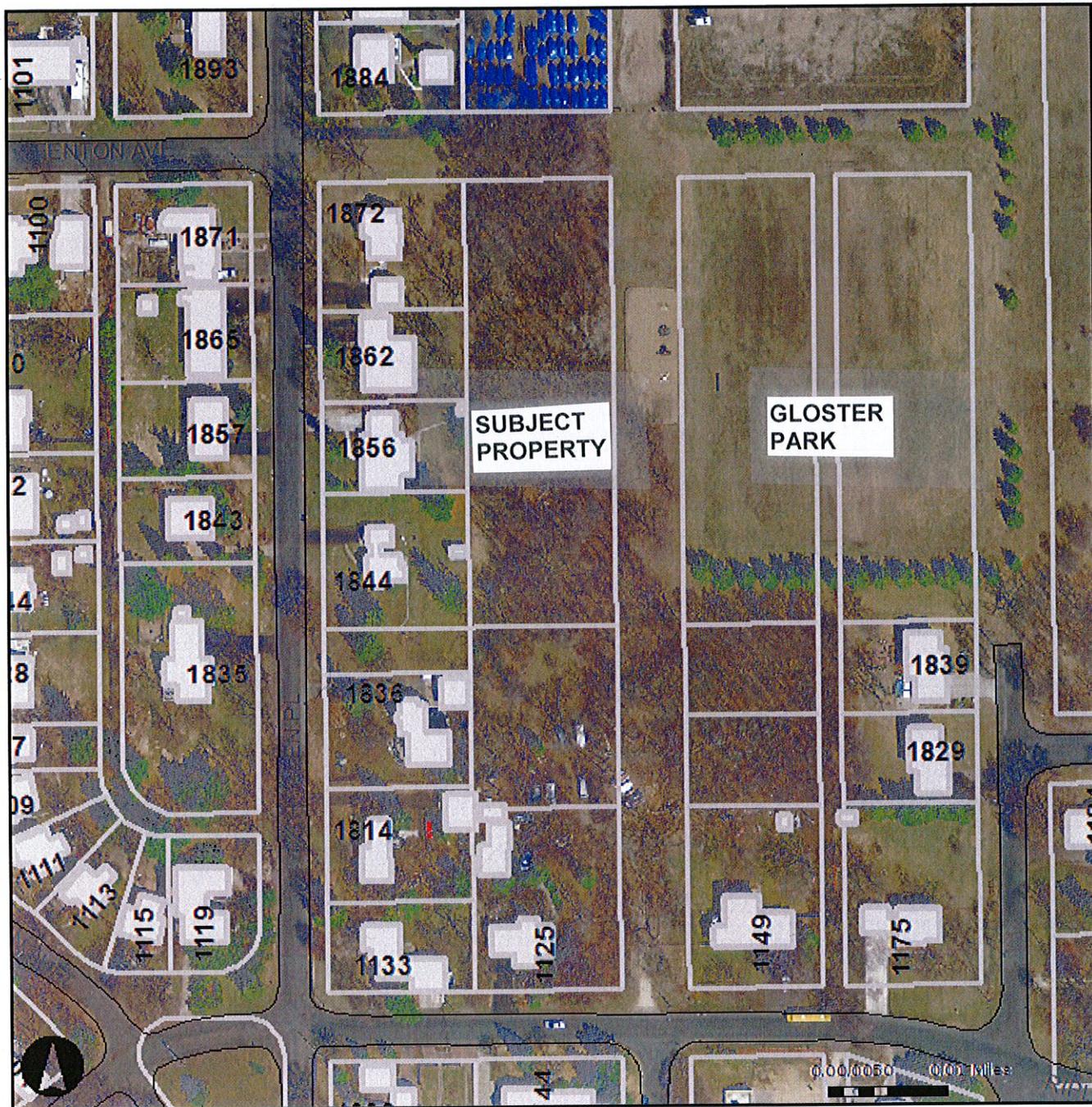
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Ariel Photo



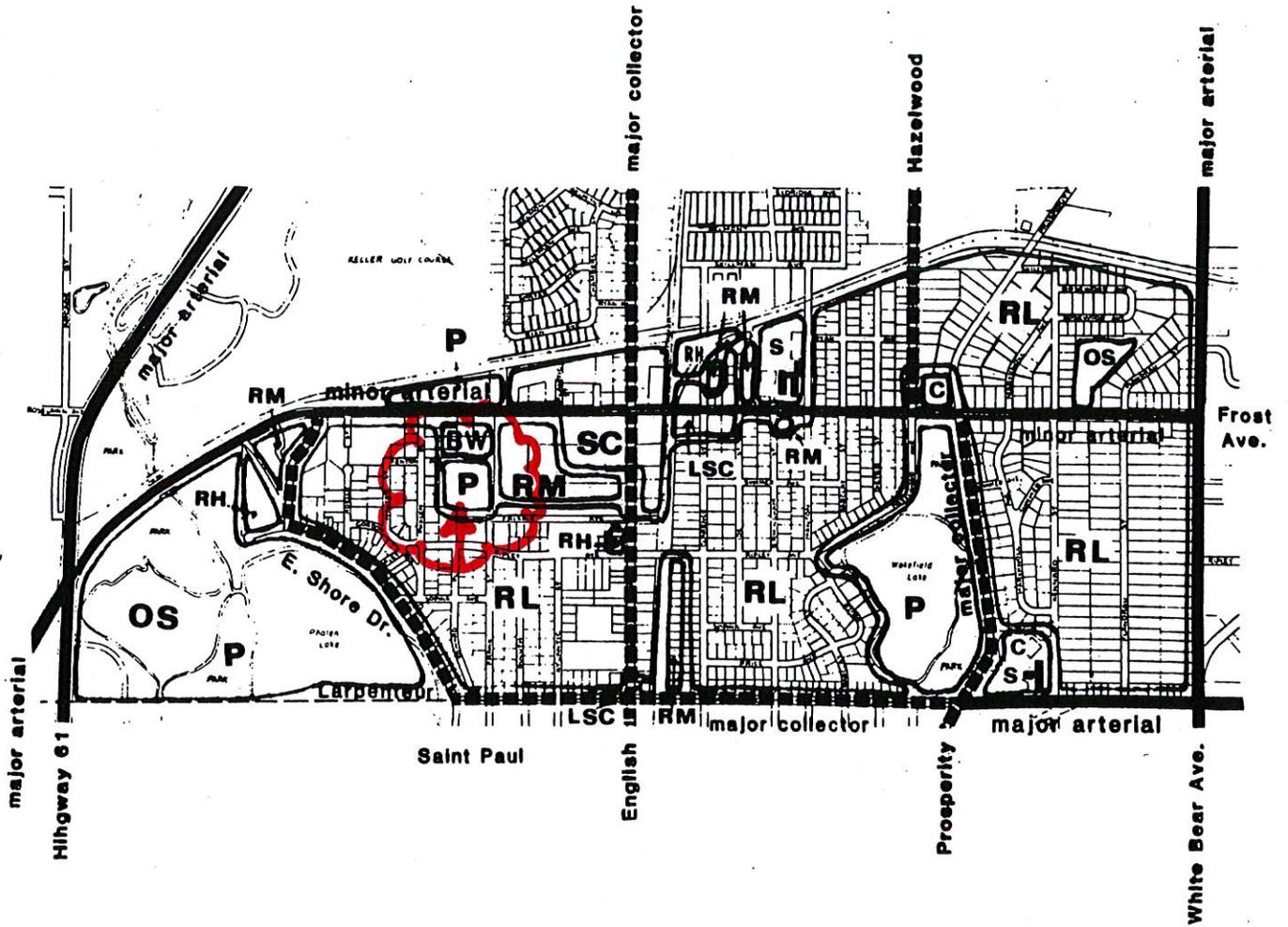
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MaplewoodBaseMap

Chad Bergo

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1982 LAND USE PLAN MAP



GLADSTONE NEIGHBORHOOD LAND USE PLAN



**LAND USE PLAN AMENDMENT
RESOLUTION**

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

WHEREAS, the history of this change is as follows:

1. On February 5, 2013, 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 the land use plan change.
2. On February 25, 2013, the city council discussed the land use plan change. They considered reports and recommendations from the planning commission and city staff.

NOW, THEREFORE, BE IT RESOLVED that the city council _____ the above described change for the following reasons:

1. The reclassification to LDR would eliminate an inconsistency between the zoning map and the land use plan.
2. Private property should not be guided for public use.

This action is subject to the Metropolitan Council approving this land use plan amendment before it is official.

The Maplewood City Council _____ this resolution on February 25, 2013.

AGENDA REPORT

TO: City Manager, Jim Antonen
FROM: IT Director, Mychal Fowlds
SUBJECT: **Consider Authorization for Improvements at 1902 E. County Road B – Police Department Expansion Phase 1 – Parks & Recreation Department Portion**
DATE: February 19, 2013

Introduction

On March 2, 2012, the City Council adopted as their Number One Goal for 2012 – 2013:

PUBLIC SAFETY

Develop and commit to a plan for meeting the space needs of the police department.

At the June 25th Work Session discussion on this item, the Council directed staff to begin planning for implementation of this goal beginning later in 2012, including the possibility of a sale of CIP Bonds in 2013. On July 9th, the Council approved the preparation of architectural drawings for the Police Expansion and relocation of departments at City Hall as the first steps in the process. The first phase of the improvements is the construction of new offices for Public Works personnel and the relocation of the Community Development staff to 1902 E. County Road B, the Public Works Building. This work is currently underway. We are now prepared to bring forward a new development that moves the Parks & Recreation Department to 1902 E. County Road B as well.

Background

During 2011, the City Council authorized preparation of a study of space needs within the Police Department. The architect performing the study, Larry Koch, of SEH, Inc. provided a summary of the findings and options for expanding the Police Department. That report was finalized and approved by the Council. On February 6, 2012, the City Council reviewed the various options for expansion, including a full project expansion that was the preferred plan of the Police Department and then Chief of Police David Thomalla, but was estimated to cost in excess of \$8.5 million. After much discussion, the Council directed staff to proceed with a plan for using existing City Hall space and relocating some of the City departments to other City Campus facilities that reduced the project cost to approximately \$4.3 million.

On March 2, 2012, the City Council continued the discussion of the City facility needs and directed staff to proceed with implementation by making Public Safety facilities one of their top goals for staff to implement during 2012 – 2014. A CIP Bond for both the 3M Fire Station and the Police Department Expansion was proposed, but not approved for final sale of the bonds. As noted, on June 25, 2012, the Council gave direction to staff to proceed with a CIP Bond proposal that would include \$4.3 million for the Police Department Expansion. A Public Hearing on the Capital Improvement Plan revision and the CIP Bond sale was held on November 26, 2012 with both being approved by the City Council.

A move of our Parks and Recreation staff is required to allow for the move of the Investigations division. Originally staff had looked at building out a portion of the Park Maintenance building for this purpose. Staff was given a rough estimate of \$600,000 for this construction. Upon looking at space needs for the Park

Attachment

1. Parks & Recreation office plan

and Recreation Department, staff found that the area currently used as storage at 1902 E County Road B would successfully accommodate their needs. Staff is estimating that the decision to build out existing space at 1902 E County Road B rather than build new space at the Park Maintenance building will cost substantially less than the original estimate which will allow for the reallocation of additional funds to the Police Department portion of the project which is the primary goal.

Budget Impact

This project has been planned for and will be funded from the Police Department Expansion Project fund.

Recommendation

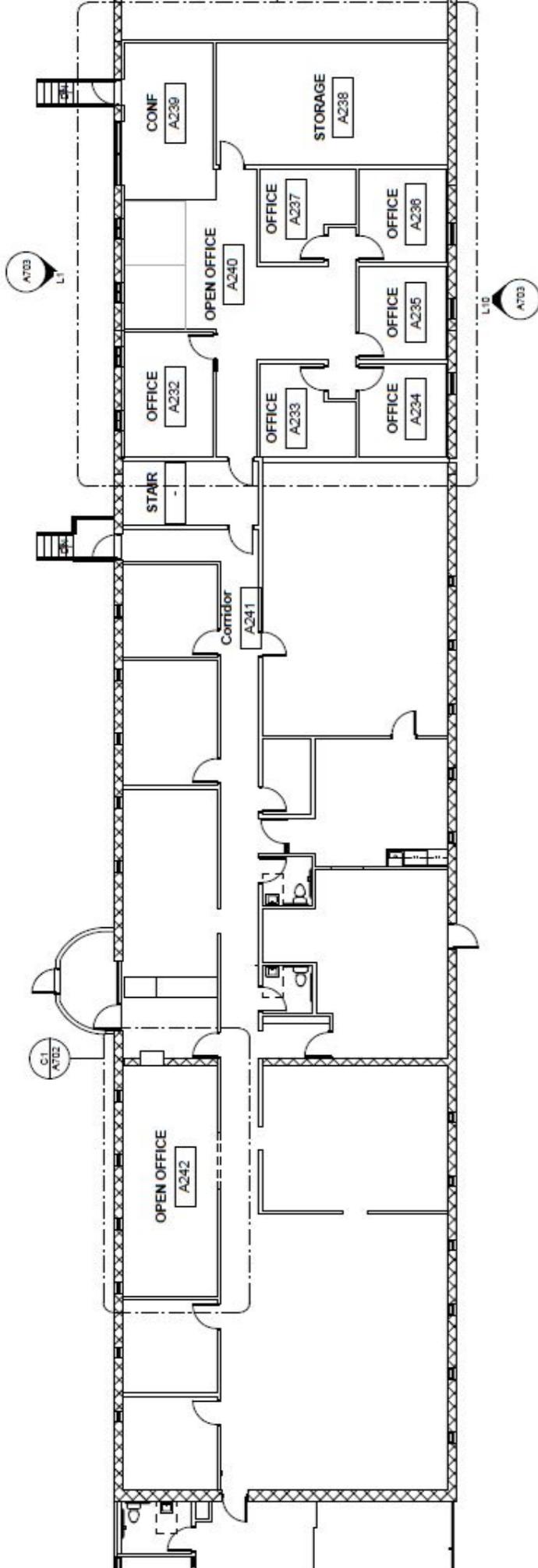
It is recommended that the City Council approve a project as “Improvements at 1902 E. County Road B – Police Department Expansion Phase 1 – Parks & Recreation Department Portion” which will be located at 1902 E. County Road B; approve the plans for the construction work at the Public Works Building as prepared by the Project Architect from SEH, Inc. and authorize the receipt of project bids for said construction work on March 20, 2013 at 3:00 pm according to standard city practice for bid openings.

Action Required

Submit to City Council for review and approval.

Attachment

1. Parks & Recreation office plan



(E1) UPPER LEVEL FLOOR PLAN
 A701 1" = 10'-0"

AGENDA REPORT

TO: James Antonen, City Manager
FROM: Charles Ahl, Assistant City Manager
SUBJECT: **Council Member Cardinal: Request to Place Discussion of Annexation of Property to N. St. Paul on Future Agenda**
DATE: February 20, 2013

INTRODUCTION

City Council Member Cardinal has requested that an item be placed on the agenda for the City Council to determine if the Council wishes to continue the discussion on considering a request from Dave Johnson to allow his property, as well as a neighboring property to be annexed from Maplewood to the City of North St. Paul.

This item is placed on the agenda, not for the actual discussion of the annexation, but to determine if there is support on the Council to place the discussion on a future agenda. This item was reviewed in April 2012 by the City Council and staff was given direction for no further action. Attached to this report are the reports from City Attorney Kantrud, as well as the slides from the Power Point presentation from April 2012.

Recommended Action

It is recommended that the City Council give direction on whether the Annexation of Property Issue be placed on a future agenda for either Work Session Discussion or on a future regular meeting for Council consideration of action.

Attachments:

1. April 2012 Report from City Attorney
2. April 2012 Slides from Power Point Presentation

MEMORANDUM

TO: City Council
FROM: H. Alan Kantrud, General Counsel
SUBJECT: **Annexation Presentation**
DATE: April 17, 2012

INTRODUCTION

The City Council has been presented with the issue of annexation/detachment several times over the past several years, owing primarily to the mix of responsibilities shared between Maplewood and North Saint Paul. Ms. Christine Scotillo has a small presentation on the issue and comes to the Council with a wealth of knowledge on the subject.

BACKGROUND

Historically annexation and/or detachment proceedings involve Townships and incorporated cities. The struggle is as cities grow they tend to need 'space' to expand into and invariably the land has to be taken from a County or Township through annexation proceedings. Detachment is the flip-side of that and involves the removal from one jurisdiction and movement to another. Boundary adjustments are commonplace when Cities agree that an area is better suited, geographically, to be part of a different jurisdiction.

DISCUSSION

The issue of annexation has been brought to the fore by residents of the City who have opined that they would like the City to consider 'letting them go' or supporting their residences' detachment from Maplewood and/or annexation by North Saint Paul. Minnesota guides these issues by way of Statute, Minn. Stat. 414, and unless fully supported by the parties (detaching and annexing) the process includes a petition and hearing in front of the municipal boundary adjustment board.

To inform the Council regarding the process, Ms. Christine Scotillo, an attorney with 30 year's experience, the last 16 years of which was spent as executive director of boundary adjustments for the Office of administrative Hearings, is going to provide a short presentation. Her resume and bio are attached by way of introduction. She is well-respected within the legal community and brings a wealth of knowledge to the Council regarding the issue(s) of annexation and detachment. She will provide a general primer as well as focus on the Maplewood Heights area as it has a mix of services being provided to it. She will also touch on the recently-passed legislation that primarily affects Townships, but may be a harbinger of future legislation.

RECOMMENDATION

The presentation is for informational purposes and does not require any action be taken.

CHRISTINE M. SCOTILLO
ATTORNEY
cmscotillo@gmail.com
www.linkedin.com/in/christinescotillojd

After receiving her law degree, Ms. Scotillo worked with public school districts, educational cooperatives, suburban municipalities and counties throughout the state, as well as private sector employers. Ms. Scotillo has represented these entities before state and federal courts and state and federal agencies, and has extensive administrative hearing experience.

Ms. Scotillo served as the executive director for the state Municipal Boundary Adjustment program for the past 16 years. In that capacity, Ms. Scotillo worked extensively with cities, townships, property owners, county personnel and planning boards and their legal representatives throughout the state. She has drafted legislation, testified at the state legislature and served on legislative task forces and work groups on matters relating to municipal boundaries.

Currently, Ms. Scotillo serves as a consultant and project attorney on issues arising from municipal boundary changes.

CHRISTINE M. SCOTILLO

cmscotillo@gmail.com

612 – 865 - 8108

www.linkedin.com/in/christinescotillojd

Self-directed professional with strong communication and presentation skills; experienced advocate litigating education and municipal issues in administrative, state and federal courts; accomplished leader, excellent collaborator, resourceful problem-solver.

Executive Director Boundary Adjustments - Minnesota Office of Administrative Hearings (2005-2011)

Minnesota Department of Administration (2003-2005)

Minnesota Office of Strategic and Long Range Planning (1999-2003)

Executive Director Minnesota Municipal Board (1995-1999)

Provide legal direction in the management and administration of statewide municipal boundary adjustments under Minn. Stat. Ch. 414 and other related statutes. Subject matter expert responsible for providing legal, policy and technical advice. Under delegation of authority, issue orders and otherwise discharge statutory responsibilities relating to adjudication and disposition of pending proceedings including: conducting prehearing conferences, motion and evidentiary hearings. Swear in or affirm witnesses. Take and receive testimony and demonstrative evidence as needed to develop an adequate hearing record. Draft and execute all legal orders and other directives. Mediate and/or advise on pending proceedings and other related disputes. Maintain order, decorum, and civility in hearings and in all communications with hearing participants. Direct and control development of documents for proceedings in state and federal courts including petitions for injunctive relief, motions, declaratory judgments and appeals.

Manage and conduct the administrative functions of the boundary adjustment unit: staff supervision, prioritization of assigned substantive work, time management, and evaluation of performance goals. Manage and evaluate budgetary needs and allocation of resources, including development and management of unit web site; drafting web content and managing the input procedures to maximize accessibility of information to the public. Direct docket development and file entry process for case management system. Execute and administer professional contracts with service providers to maintain and support boundary adjustment website and case management system.

- Prevented legislative limits on authority to adjust municipal boundaries earning positive feedback from legislators, lobbyists and stakeholders.
- Reduced turnover of boundary adjustments decisions on appeal to less than 1% by implementing consistent technical review and editing.
- Convened policy seminar for chairs of municipal consolidation commissions to share experiences and techniques of facilitation and management of study commissions resulting in recommended legislative reforms to the process.
- Entered joint venture with Iowa State University resulting in professional contract for the University to establish a searchable database for Minnesota's joint boundary agreements.
- Facilitated meetings with boundary adjustment professionals in other states to study Wisconsin's model for resolving boundary disputes in order to develop best practices model.

Attorney Severson, Sheldon, Dougherty & Molenda (1989-1990)

Attorney Ratwik, Roszak & Maloney (1984-1989)

Attorney Knutson, Flynn, Hetland & Deans (1982-1984)

Provide staff attorney services for law firms representing public school districts, educational cooperatives, counties, municipalities, and private sector employers on issues of scope of authority, labor and employment, administration, curriculum and program requirements.

Conduct legal research on issues of organization and authority of school board members and public officials; disability and accessibility; data privacy; interpretation and application of state and federal legislation; gender discrimination and harassment; special education; student discipline; employee compensation and benefits; employee transfer and reassignment; employee discipline and termination; drug testing procedures; teacher contract rights; veterans preference and workers compensation issues. Investigate cases of employee and student misconduct, gender and racial discrimination, harassment and special education issues; analyze facts and make determinations and recommendations on disposition.

Draft legal opinion letters, litigation documents, appellate briefs, contracts, employment handbooks, personnel and administrative policies, drug testing procedures, collective bargaining documents, findings of fact and orders. Litigate school and municipal issues in state and federal courts; conduct administrative hearings and appeals. Conduct in-seminars on topical issues for administrators, educators and student and employee groups regarding issues of legal liability.

- Reviewed employment policies and drafted legal opinion letters highlighting potential legal liabilities.
- Investigated employee misconduct cases resulting in out of court settlements and significant savings of potential litigation costs for all parties.
- Successfully argued special education case in federal district court and on appeal at the Eighth Circuit Court of Appeals. See Digre v. ISD No. 623, 841 F2d 245 (8th Cir. 1988).
- Served as second chair in state court trials on employee misconduct and special education cases.

COURT ADMISSIONS

State of Minnesota

United States District Court-District of Minnesota

United States Eighth Circuit Court of Appeals

EDUCATION

Management Mastery Certification

Jurist Doctor

Master of Science

Bachelor of Science

University of Minnesota – College of Continuing Education

William Mitchell College of Law

University of Wisconsin-Madison

Illinois State University

**Shrinking Municipal Boundaries
A Tale of Two Laws®**

Christine M. Scotillo
Attorney
April 23, 2012

**Detachment of Property from
a City into a Township**

**Detachment of Property from
one City and the Concurrent
Annexation of the same
property to another City**

**Detachment of Property from a
Municipality**
Minn. Stat. 414.06
Session Laws 2012 c 135

Eligibility and Requirements
Within and Abutting the city boundary
"Rural" in character
NOT developed for urban residential,
commercial or industrial uses

Initiating the Proceedings

1. 'Home' City Resolution, or
2. Property Owner(s) petition
 - a. Less than 40 a. – all property owners must sign
 - b. Over 40 a. – 75% of property owners must sign
3. Submit to Chief Administrative Law Judge along with a map, legal description and filing fee

Requirements of the Resolution or Petition

1. Boundaries and area
2. Number and character of buildings
3. Resident population
4. Municipal Improvements if any
5. Statement of reasons for detachment
6. Summarization of efforts to resolve issues prior to filing

Copies of the Petition

1. Copy to the City if Property Owner petition without a city resolution
2. Property owners who are subject to the petition but who have not signed
3. Mailed Copies
 - a. Clerk of Town to which property may be attached
 - b. Clerk of any other abutting Town or City
 - c. County Recorder for county where the land subject to detachment is located

Town Options

1. *May* submit resolution: support, opposes or neutral
2. Town is a party and liable for costs unless a Town resolution of neutrality is filed before any required hearing

Hearing Procedures

1. No hearing IF:
 - a. City supports and town doesn't oppose **AND all** property owners petition; or
 - b. **Both City and Town oppose**

2. Hearing in all other instances
3. Notice of Hearing
 - a. 'Home' City
 - b. Any Town or City abutting the area
 - c. Each planning agency with jurisdiction over the area
4. Two weeks published notice
5. No local discussions available
 - a. mandatory mediation order by OAH
 - b. Mediator from OAH list or parties stipulate

Judicial Discretion and Decision

Judge *may* order on finding:

1. Required number of owners signed the petition
2. Rural in character and not developed for urban residential, commercial or industrial uses
3. Within the city and abuts the city boundary
4. Detachment will not *unreasonably* affect the symmetry of the city
5. Area not needed for *reasonably anticipated* future development

Judge May Deny on finding:

1. City can't continue government functions without undue hardship
2. Judge may decrease area
3. If area abuts more than one Town, area becomes part of each Town, if detachment granted

Judge shall consider:

1. comprehensive plans
2. land use regulations
3. land use maps of affected Town, City and County

Existing Tax Burdens

Detached area may be relieved of city tax burden may be assigned town tax burden

1. Judge determines proportions balanced against:
 - a. amount of taxes due and delinquent
 - b. indebtedness of each the city and the affected Town
 - c. For what purpose the indebtedness incurred

Costs of Proceedings

The Chief Administrative Law Judge *shall* apportion the costs of the mediation and hearing in an equitable manner

Petitioning landowners are responsible for at least 50% of the costs, UNLESS specific findings as to why a party should be responsible for a greater share

Concurrent Detachment and
Annexation
Minn. Stat. 414.061
Session Laws 2011 c 115

Property of one city which abuts another
city may be concurrently detached from
the 'home' city and annexed to the
abutting city

Initiating the Process

Submitting to the chief administrative law
judge:

1. Resolution of both cities, describing
the land, and stating their desire to
detach and annex the land
2. A petition signed by property
owners and the resolution of **at least
one** of the affected municipality
describing the land and stating its
desire to detach and annex.

3. The chief administrative law judge may
 - a. initiate proceedings for concurrent
detachment and annexation of
portions of a one municipality
completely surrounded by another
municipality
 - b. may act on the petition of all the
property owners in the completely
surrounded area
4. Property owners may initiate
 - a. Petition signed by **all** owners and
resolution of **at least one** of the affected
municipalities

Hearing Procedures

No Hearing required if resolutions of both cities are in order

Hearing Required in all other instances

1. Property owner petition
2. Judge initiated
3. Hearing factors to be considered:
 - a. past, present and projected population

- b. Characteristics and amount of land
- c. Pattern of physical development and intended uses
- d. Transportation issues
- e. Land controls and planning issues
- f. Existing levels of government services
- g. Environmental issues
- h. Fiscal impacts
- i. Relationship to school districts
- j. Adequate and economical delivery of service
- k. Ability to provide required services
- l. Degree of contiguity of boundaries and state building code

Judicial Discretion

“Shall” order on finding it would be in the best interests of the municipalities and the property owners

Timing of Tax Levies

If annexation is effective on or before August 1st of a levy year, city acquiring the detached area may levy that same levy year.

If annexation is effective after August 1st of a levy year, the city losing the detached area may continue to levy on the area for that levy year and city acquiring detached area may not levy until following levy year.

Costs of the Proceedings

Minn. Stat. 414.12 subd. 3

1. If parties do not agree to a division of the costs before mediation, arbitration or hearing, costs are allocated on equitable basis by mediator, arbitrator or chief administrative law judge
2. chief administrative law judge shall assess the cost of services rendered by the Office of Administrative Hearings as provided by Minn. Stat. 14.53.
