

**MINUTES**  
**MAPLEWOOD CITY COUNCIL**  
7:00 p.m., Monday, April 29, 2013  
Council Chambers, City Hall  
Meeting No. 08-13

**A. CALL TO ORDER**

A meeting of the City Council was held in the City Hall Council Chambers and was called to order at 7:07 p.m. by Mayor Rossbach.

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL**

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

**D. APPROVAL OF AGENDA**

Mayor Rossbach requested the following items be moved on the agenda: F5 before item F4 and J4 after M1.

The following items were added to the agenda.

N2	Government Cable Channels
N3	Maplewood Community Center Memberships
N4	Maplewood Police Retirement
N5	Maplewood Mall
N6	Senior Wellness Expo
N7	Remembrance of Sgt. Joe Bergeron

Councilmember Juenemann moved to approve the agenda as amended.

Seconded by Councilmember Koppen                      Ayes – All

The motion passed.

**E. APPROVAL OF MINUTES**

**1. Approval of April 08, 2013 City Council Workshop Minutes**

Councilmember Juenemann moved to approve the April 08, 2013 City Council Workshop Minutes as submitted.

Seconded by Councilmember Koppen                      Ayes – All

The motion passed.

**2. Approval of April 08, 2013 City Council Meeting Minutes**

Councilmember Juenemann moved to approve the April 08, 2013 City Council Workshop Minutes as submitted.

Seconded by Councilmember Koppen                      Ayes – all

The motion passed.

**F. APPOINTMENTS AND PRESENTATIONS**

**1. Presentation by Metropolitan Council Representative – Sandy Rummel**

Representative Sandy Rummel was present to speak about current projects the Met Council is currently involved in.

**2. Parks System Task Force Appointments**

Assistant City Manager Ahl gave the staff report.

Councilmember Koppen moved to approve the Resolution to appoint candidates to the Parks System Task Force.

RESOLUTION 13-4-893

BE IT RESOLVED THAT THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA:

Hereby appoints the following individuals, who have interviewed with the Maplewood City Council, to serve on the Parks System Task Force:

- Nicole Villavicencio
- Margaret Behrens
- Don Christianson

Seconded by Mayor Rossbach                      Ayes – All

The motion passed.

- 3. Commission Appointments**
- a. Community Design Review Board**
  - b. Heritage Preservation Commission**
  - c. Human Rights Commission**
  - d. Parks & Recreation Commission**
  - e. Planning Commission**

Assistant City Manager Ahl presented the staff report.

Councilmember Juenemann moved to approve the Resolution to appoint candidates to the commissions indicated.

RESOLUTION 13-4-894

BE IT RESOLVED THAT THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA:



Parks and Recreation Commissioner Don Christianson was present and addressed the council. Mayor Rossbach read and presented Commission Christianson with a resolution of appreciation.

Councilmember Juenemann moved to approve the Resolution of Appreciation for Parks and Recreation Commissioner Don Christianson.

RESOLUTION 13-4-896  
RESOLUTION OF APPRECIATION

WHEREAS, Don Christianson has been a member of the Maplewood Parks and Recreation Commission since January 1, 1977 and has served faithfully in that capacity; and

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

WHEREAS, the membership of the commission has appreciated the experience, insights and good judgment Don has provided over these many years; and

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

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

Passed by the Maplewood  
City Council on April 29, 2013

Seconded by Councilmember Cardinal                      Ayes – All

The motion passed.

**G. CONSENT AGENDA**

Councilmember Juenemann requested agenda item G6 and G13 be highlighted.

Councilmember Juenemann moved to approve agenda items G1 – G13.

Seconded by Councilmember Koppen                      Ayes – All

The motion passed.

**1. Approval of Claims**

Councilmember Juenemann moved to approve the Approval of Claims.

ACCOUNTS PAYABLE:

\$ 876,762.93	Checks # 89653 thru # 89685 dated 04/04/13 thru 04/09/13
\$ 1,695,851.64	Disbursements via debits to checking account





**7. Resolution Adoption Retiree Health Savings Plan for LELS Police Officer Employees**

Councilmember Juenemann moved to approve the Resolution for Adoption of the VantageCare Retirement Health Savings Plan Adoption Agreement and RHS Plan for the LELS Police Officers employee group.

RESOLUTION 13-4-898  
RESOLUTION FOR ADOPTION OF THE  
VANTAGECARE RETIREMENT HEALTH SEAVINGS (RHS) PLAN

Plan Number: 803411

Name of Employer: City of Maplewood

State: Minnesota

Resolution of the above-named Employer (the "Employer"):

WHEREAS, the employer has employees rendering valuable services; and

WHEREAS, the establishment of a retiree health savings plan for such employees serves the interests of the Employer by enabling it to provide reasonable security regarding such employees' health needs during retirement, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer has determined that the establishment of the retiree health Savings plan (the "Plan") serves the above objectives; and

WHEREAS, the Employer desires that its retiree health savings plan (the "Plan") be administered by ICMA Retirement Corporation and/or its affiliates;

NOW, THEREFORE BE IT RESOLVED, that the Employer hereby adopts the Plan in the form of the ICMA Retirement Corporation's VantageCare Retirement Health Savings program.

BE IT FURTHER RESOLVED that the assets of the Plan shall be held in trust, with the Employer serving as the trustee ("Trustee") for the exclusive benefit of Plan participants and their beneficiaries, and the assets of the Plan shall not be diverted to any other purpose.

BE IT FURTHER RESOLVED that the Human Resource Coordinator shall be the coordinator and contact for the Plan and shall receive necessary reports, notices, etc.

I, Karen Guilfoile, Clerk of the City of Maplewood, do hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting thereof assembled this 29th day of April, 2013, by the Maplewood City Council.

Seconded by Councilmember Koppen

Ayes – All

The motion passed.

**8. Resolution Approving State of Minnesota Joint Powers Agreements with the City of Maplewood on Behalf of its City Attorney and Police Department**

Councilmember Juenemann moved to approve the Resolution approving the JPA's involved in access to the CJDN and appointing the City's representative thereto.



The motion passed.

**10. Approval of Resolution Reducing Retainage on Existing Construction Contract, Western Hills Area Street Improvements, City Project 10-14**

Councilmember Juenemann moved to approve the Resolution directing the City Engineer to reduce retainage on the existing construction contract for City Project 10-14 to 0.1%.

RESOLUTION 13-4-900  
DIRECTING REDUCTION OF RETAINAGE ON EXISTING CONSTRUCTION CONTRACT  
PROJECT 10-14

WHEREAS, the City Council of Maplewood, Minnesota has previously ordered Improvement Project 10-14, Western Hills Area Street Improvements, and has let a construction contract pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, the contractor, T.A. Schifsky and Sons, Inc., has requested, by written notice, a reduction in contract retainage,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA that the retainage within the construction contract is hereby authorized to be reduced, at the discretion of the City Engineer, from 1% to 0.1%.

Adopted by the council on this 29<sup>th</sup> day of April, 2013

Seconded by Councilmember Koppen                      Ayes – All

The motion passed.

**11. Approval of Resolution Directing Modification of Existing Construction Contract, Change Order 1, TH 36/English Street Interchange Improvements, City Project 09-08**

Councilmember Juenemann moved to approve the Resolution Directing Modification of Existing Construction Contract, Change Order No. 1, for the Highway 36/English Street Interchange Improvements, City Project 09-08.

RESOLUTION 13-4-901  
DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT  
PROJECT 09-08, CHANGE ORDER NO. 1

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered made Improvements Project 09-08, Highway 36/English Street Interchange Improvements, and has let a construction contract pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, it is now necessary and expedient that said contract be modified and designated as Improvement Project 09-08, Change Order No. 1.

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

1. The Mayor and City Engineer are hereby authorized and directed to modify the existing contract by executing said Change Order No. 1 which is an increase of \$47,338.37.

The revised contract amount is \$16,624,523.79.

Adopted by the Maplewood City Council on this 29th day of April 2013.

Seconded by Councilmember Koppen                      Ayes – All

The motion passed.

**12. Approval to Enter into Contract for the Installation of Water Services, Rice Street Improvements, Project 11-28**

Councilmember Juenemann moved to authorize the Public Works Director to enter into a contract for the installation of three water services to the properties of 1986, 2000, and 2020 Rice Street. Further, authorize the Public Works Director to reimburse the City of Roseville for costs association with the extension of a water service to the property at 1820 Rice Street. The total estimated cost for these four connections is \$80,000 which will eventually be reimbursed by the property owners.

Seconded by Councilmember Koppen                      Ayes – All

The motion passed.

**13. Resolution Accepting Donation to the Human Relations Commission from the Wells Fargo Foundation**

Citizen Services Director/City Clerk Guilfoile gave the staff report.

Councilmember Juenemann moved to approve the Resolution accepting the donation of \$285 from Wells Fargo Foundation to be allocated to the Human Rights Commission for prizes to be awarded for the Student Art Contest.

RESOLUTION 13-4-902  
ACCEPTANCE OF DONATION

WHEREAS the City of Maplewood and the Human Rights Commission has received a donation of \$285.00 for the purposes of awarding prize amounts to winning participants for their Student Art Contest.

NOW, THEREFORE, BE IT RESOLVED that the Maplewood City Council authorizes the City of Maplewood Human Rights Commission to accept this donation.

Seconded by Councilmember Koppen                      Ayes – All

The motion passed.

**H. PUBLIC HEARING**

None

**I. UNFINISHED BUSINESS**

**1. Approve Purchase Agreement with Ramsey County Regional Rail Authority for Sale of Bruce Vento Railroad Right of Way from Bean Avenue to North of Interstate 694.**

City Attorney Kantrud gave the staff report. Assistant City Manager Ahl answered questions of the council.

Councilmember Cardinal moved to approve the Purchase Agreement for the sale of the property contemplated to the Ramsey County Regional Rail Authority.

Seconded by Councilmember Juenemann                      Ayes – All

The motion passed.

## **J. NEW BUSINESS**

### **1. Approval of New On-Sale Intoxicating Liquor Manager for Champps of Maplewood**

Citizen Services Director/City Clerk Guilfoile gave the staff report. Wesley Kenton Isaacs addressed and answered questions of the council. Acting Chief Kvam answered additional questions of the council.

Councilmember Koppen moved to approve Wesley Kenton Isaacs as the on-sale intoxicating liquor license manager for Champps of Maplewood.

Seconded by Councilmember Juenemann                      Ayes – All

The motion passed.

### **2. 3M Company Environmental Assessment Worksheet – Consideration of a Finding of No Negative Environmental Impact for a Proposed Research and Development Building at 3M Center**

Sherri Buss, Senior Planner with TKDA gave the report. Roger Spinner, Project Engineer with 3M Company addressed and answered questions of the council.

Councilmember Cardinal moved to approve the Resolution Approving the Findings of Fact, Conclusions and Record of Decision for the 3M Company Research and Development Building Environmental Assessments Worksheet. This approval makes the determination that there is no significant environmental impact and no need for 3M Company to conduct an environmental impact statement for this building construction project.

#### RESOLUTION 13-4-903

Resolution Approving the Findings of Fact, Conclusions and Record of Decision for the 3M Research and Development Building Environmental Assessment Worksheet (EAW)

WHEREAS, 3M Company, located at 3M Center in the City of Maplewood, is proposing to construct a new Research and Development Building on its corporate campus, and

WHEREAS, the proposed project required completion of an Environmental Assessment Worksheet (EAW) that meets the requirement of Minnesota Rules Chapter 4410, Sections 4410.1000 through 4410.1700; and

WHEREAS, Minnesota Rules 4410.4300, Subpart 14 specifies that the local governmental unit shall serve as the Responsible Governmental Unit (RGU) for construction of new industrial and



Councilmember Juenemann moved to approve the Joint Powers Agreement with the City of Lake Elmo for shared services and authorize the Mayor and City Manager to execute said agreement. Furthermore, minor adjustments to the agreement, if needed prior to obtaining signatures, are hereby authorized to be made by the City Attorney.

Seconded by Councilmember Koppen                      Ayes – All

The motion passed.

**4. Meeting of Economic Development Authority**

Moved to agenda section M Council Presentations.

**K. AWARD OF BIDS**

**1. Approval to Receive Quotes and Award Construction Contract – Police Department Expansion Phase 2**

Assistant City Manager gave the staff report.

Councilmember Koppen moved to award the low bid of \$359,000 for Police Department Expansion Phase 2 to Weber, Inc.

Seconded by Councilmember Juenemann                      Ayes – All

The motion passed.

- 2. East Metro Public Safety Training Center, City Project 09-09**
  - a. Resolution Receiving Bids and Awarding of Contract for Burn Equipment Supplier**
  - b. Resolution Authorizing Payment to the City of Oakdale for Purchasing Reclaimed Base Material**

Public Works Director/City Engineer Thompson gave the staff report.

Councilmember Juenemann moved to approve the Resolutions for the East Metro Public Safety Training Center, City Project 09-09, Receiving Bids and Awarding the Contract to Kidde Fire Trainers for Supplying the Gas Fired Burn Equipment in the amount of \$531,587.

RESOLUTION 13-4-904  
RECEIVING BIDS AND AWARDING CONTRACT

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the bid of Kidde Fire Trainers in the amount of \$531,587.00, is the lowest responsible bid for supplying and delivering the gas-fired burn equipment for the East Metro Public Safety Training Center: Bid Package 5 – City Project 09-09, and the mayor and clerk are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the city.

The finance director is hereby authorized to make the financial transfers necessary to implement the financing plan for the project as previously approved by council.

Adopted by the council on this 29th day of April, 2013.

Seconded by Councilmember Koppen

Ayes – All

The motion passed.

Councilmember Koppen moved to approve the Resolution Authorizing Payment to the City of Oakdale for Purchasing Reclaimed Base Material in the amount of up to \$25,120.

RESOLUTION 13-4-905  
AUTHORIZATION FOR PAYMENT TO THE CITY OF OAKDALE FOR  
RECLAIMED BASE MATERIAL

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the City of Maplewood will reimburse the City of Oakdale for the costs of delivering reclaimed base material to the East Metro Public Safety Training Center in the amount of up to \$25,120.00, and the Mayor and Clerk are hereby authorized and directed to make payments as necessary to the City of Oakdale on behalf of the city.

The Finance Director is hereby authorized to make the financial transfers necessary to implement the financing plan for the project as previously approved by council.

Adopted by the council on this 29th day of April, 2013.

Seconded by Councilmember Juenemann

Ayes – All

The motion passed.

**L. VISITOR PRESENTATIONS**

**M. ADMINISTRATIVE PRESENTATIONS**

None

**N. COUNCIL PRESENTATIONS**

Mayor Rossbach recessed the City Council Meeting and called to order the Economic Development Authority Meeting.

Mayor Rossbach called the meeting of the City Council back to order.

**1. Annual Performance Evaluation of City Manager James Antonen**  
**a. Declaration of Intent to Close Meeting (Minn. Stat. §13D.05)**

Councilmember Cardinal moved to close the meeting and use the review forms provided to review Mr. Antonen's performance, and then summarize conclusions at the next open meeting.

Seconded by Councilmember Koppen

Ayes – All

The motion passed.

Mayor Rossbach reopened the meeting of the City Council.

Mayor Rossbach gave a brief overview of the discussion held.

## **2. Government Cable Channels**

Councilmember Cardinal informed residents that when subscribing to the free Government Channel through Comcast, there is a scrambler fee the subscriber will need to pay for.

## **3. Maplewood Community Center Membership**

Councilmember Cardinal received a call from an individual regarding recipients of public assistance getting free membership to the Maplewood Community Center possible through Ramsey County; and he wanted to know why they would get free membership when he has to pay for his membership. City Manager Antonen will look into this and report back to the council.

## **4. Maplewood Police Retirement**

Councilmember Cardinal informed residents that Police Officer John Frazer retired today from the Maplewood Police Department. Officer Frazer served from January 9, 1989 through Monday, April 29, 2013.

## **5. Maplewood Mall**

Councilmember Cardinal wanted to make the public aware of the rain gardens at Maplewood Mall and how significant they are. He also informed them of the 7x8 foot wall mural that tracks how rain water is absorbed through the lakes that is posted in the mall.

## **6. Senior Wellness Expo**

Councilmember Juenemann informed residents that the Senior Wellness Expo at the Maplewood Community Center will be held on Thursday, May 16<sup>th</sup> from 10:00 a.m. to 2:00 p.m.

## **7. Remembrance of Sgt. Joe Bergeron**

Councilmember Juenemann reminded residents that May 1<sup>st</sup> is the third anniversary of the very unfortunate murder of Sergeant Joe Bergeron from the Maplewood Police Department. She asked that everyone take a moment to remember Sergeant Bergeron for his service to the City and his family for making the ultimate sacrifice by allowing him to be with us for the 26 years he was as a Maplewood Police Officer.

## **O. ADJOURNMENT**

Mayor Rossbach adjourned the meeting at 10:21 p.m.