

MINUTES
MAPLEWOOD CITY COUNCIL
7:00 p.m., Monday, October 28, 2013
Council Chambers, City Hall
Meeting No. 19-13

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

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

D. APPROVAL OF AGENDA

- N1. School Election
- N2. Cable Franchise Brief

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 October 14, 2013 City Council Workshop Minutes

Mayor Rossbach moved to approve the October 14, 2013 City Council Workshop Minutes as submitted.

Seconded by Councilmember Koppen Ayes – All

The motion passed.

2. Approval of October 14, 2013 City Council Meeting Minutes

Councilmember Cave moved to approve the October 14, 2013 City Council Meeting Minutes as submitted.

Seconded by Councilmember Juenemann Ayes – All

The motion passed.

\$ 483,790.78 Disbursements via debits to checking account dated 10/15/13 thru 10/18/13

\$ 2,238,939.13 Total Accounts Payable

PAYROLL:

\$ 527,398.77 Payroll Checks and Direct Deposits dated 10/11/13

\$ 1,084.00 Payroll Deduction check # 9989593 thru # 9989595 dated 10/11/13

\$ 528,482.77 Total Payroll

\$ 2,767,421.90 GRAND TOTAL

Seconded by Councilmember Cave Ayes – All

The motion passed.

2. Approval of 2013 Budget Adjustment and Transfers

Councilmember Koppen moved to approve the transfer of \$17,020.65 and direct the finance director to make the budget adjustment of (\$2,480).

Seconded by Councilmember Cave Ayes – All

The motion passed.

3. Approval of a Grant Submittal to Minnesota Clean Energy Resource Teams for Educational Kiosks and Signs for the City Hall and Community Center Solar Panels

Councilmember Koppen moved to approve to submit the grant application to the Minnesota Clean Energy Resource Teams for Educational Kiosks and Signs for City Hall and Community Center Solar Panel Projects. The grant will fund the design, construction and installation costs in the amount of \$10,500.

Seconded by Councilmember Cave Ayes – All

The motion passed.

4. Approval of a Conditional Use Permit Review, Xcel Substation, 1480 County Road D

Councilmember Koppen moved to review the Conditional Use Permit for Xcel Energy's electrical substation and related electrical system operations in one year.

Seconded by Councilmember Cave Ayes – All

The motion passed.

5. Approval of a Lawful Gambling Permit for the Church of the Presentation of the Blessed Virgin Mary, 1725 Kennard Street

Councilmember Koppen moved to approve the Lawful Gambling Permit for the Church of the Blessed Virgin Mary's Turkey Bingo Night on Saturday, November 23, 2013 at 1725 Kennard Street; and acknowledge the application for Exempt Permit and waive any objection to the timeliness of said permit as governed by MN Statute 349.166.

Seconded by Councilmember Cave

Ayes – All

The motion passed.

6. Approval of Joint Powers Agreement (JPA) With Ramsey County for Election Equipment Acquisition and Operation

Councilmember Koppen moved to approve the Joint Powers Agreement with Ramsey County for Election Equipment Acquisition and Operation; authorizing the City Manager and the City Clerk to sign and execute the agreements and naming the City Clerk the project implementation liaison with the County.

Seconded by Councilmember Cave

Ayes – All

The motion passed.

7. Resolution of Support for the 2014 July 4th Event

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

Councilmember Koppen moved to approve the Resolution of Support for the 2014 July 4th Light It Up Event.

RESOLUTION 13-10-983
Support for the 2014 July 4th Light It Up Event

Whereas the City of Maplewood has established July 4th Light It Up as an annual event that is an outreach to the surrounding community;

Whereas the July 4th Light it Up Event brings the community together and gives local food and entertainment businesses the opportunity to showcase their offerings while providing families an opportunity to experience a family friendly environment;

Whereas the July 4th Light It Up Event is an annual city-wide event and each department within the city plays a part in its success;

Whereas city staff will work diligently soliciting sponsors including local businesses for the event to offset incurred costs;

Therefore Let it Be Resolved that the city council supports the 2014 July 4th Light It Up Event at Hazelwood Park.

Seconded by Councilmember Cave

Ayes – All

The motion passed.

8. Approval of Resolution Directing Modification of Existing Construction Contract, Change Order 6 with Weber, Police Department Expansion Project - Phase 2

Councilmember Koppen moved to approve the Resolution Directing Modification of Existing Construction Contract, Change Order No. 6 for the Police Department Expansion Project – Phase 2.

RESOLUTION 13-10-984
DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT
POLICE DEPARTMENT EXPANSION PROJECT - PHASE 2, CHANGE ORDER NO. 6

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered made Police Department Expansion Project – Phase 2, 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 Police Department Expansion Project – Phase 2, Change Order No. 6.

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

1. The Mayor is hereby authorized and directed to modify the existing contract by executing said Change Order No. 6 which is an increase of \$1,397.75.

The revised contract amount is \$372,020.63.

Adopted by the Maplewood City Council on this 28th day of October 2013.

Seconded by Councilmember Cave

Ayes – All

The motion passed.

9. Approval of Resolution Accepting Grant Funds from Friends of the Mississippi River for Fish Creek Acquisition

Councilmember Koppen moved to approve the Resolution to accept \$162,000 in grant funding secured by Friends of the Mississippi River to be used towards acquisition of Fish Creek property.

RESOLUTION 13-10-985
RESOLUTION TO ACCEPT GRANT FUNDING FROM FRIENDS OF THE MISSISSIPPI RIVER FOR ACQUISITION OF THE FISH CREEK PARCEL

WHEREAS the City of Maplewood city is securing funding to acquire the 70-acre Fish Creek parcel; and

WHEREAS Friends of the Mississippi River has received a \$162,000 grant from the Minnesota Environmental Trust Fund as recommended by the Legislative-Citizen Commission on Minnesota Resources to be used for acquisition of six acres of the Fish Creek property; and

WHEREAS Friends of the Mississippi River requests that the city match this grant with \$162,000; and

WHEREAS the land purchased through this grant and match will have a deed restriction ensuring it remains conservation land in perpetuity;

NOW THEREFORE BE IT RESOLVED that:

1. City of Maplewood has the financial capability to meet the match requirement and ensure adequate management and protection; and
2. The Parks and Recreation Director is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

Adopted this 28th day of October, 2013.

Seconded by Councilmember Cave

Ayes – All

The motion passed.

10. Approval of the Resolution Accepting Donation from Friends of the Mississippi River for Fish Creek Acquisition

Councilmember Koppen moved to approve the Resolution accepting the donation of up to \$13,000 from Friends of the Mississippi River to be used towards the acquisition of the Fish Creek property.

RESOLUTION 13-10-986
ACCEPTANCE OF DONATION

WHEREAS the City of Maplewood, Parks and Recreation Department, has received a donation of up to \$13,000 from Friends of the Mississippi River to be used towards acquisition of the Fish Creek property;

NOW, THEREFORE, BE IT RESOLVED that the Maplewood City Council authorizes the City of Maplewood, Parks and Recreation Department to accept this donation.

Seconded by Councilmember Cave

Ayes – All

The motion passed.

11. Approval for Great River Greening to Conduct Additional Restoration Work at Fish Creek

Councilmember Koppen moved to approve amending the contract for Great River

Greening to do an additional \$20,000 of restoration work at the Fish Creek site.

Seconded by Councilmember Cave

Ayes – All

The motion passed.

12. Approval of Resolution Adopting Assessment Roll for the Rice Street Water Services, Project 11-28

Councilmember Koppen moved to approve the Resolution for the Adoption of the Assessment Roll for the Rice Street Water Service Project, City Project 11-28.

RESOLUTION 13-10-987
ADOPTING ASSESSMENT ROLL

WHEREAS, on April 29, 2013 the City Council approved the Public Works Director to enter into a contract for the installation of water services to the properties of 1986 and 2000 Rice Street;

WHEREAS, the costs for the installation of water services have been initially paid by the City of Maplewood;

WHEREAS, the property owners of 1986 and 2000 Rice Street were given the options of paying for the water service installation after the completion of work, at the time of connection, or to sign a waiver of assessment agreement and have the amount assessed to the property over a period of 8 years.

WHEREAS, the property owners of 1986 and 2000 Rice Street have both signed and returned the waiver of assessment hearing agreement and have chosen to have to have the full amount assessed to their property over a period of 8 years.

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

- a. Such waiver of assessment agreements signed by the property owners of 1986 and 2000 Rice Street are hereby acknowledged and considered valid; such that no revision to the proposed assessment shall be considered.
- b. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named herein, and each tract of land therein is hereby found to be benefited by the final construction costs for the installation of a water service to each property in the amount of the assessment levied against it.
- c. The assessment roll for the Rice Street Water Service Installation, a copy of which is attached hereto and made a part hereof, is hereby adopted. 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 final construction costs for the installation of a water service to each property in the amount of the assessment levied against it.

- d. Such assessments shall be payable in equal annual installments extending over a period of 8 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 for the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2014. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
- e. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, but no later than November 15, 2013, pay the whole of the assessment on such property, with interest accrued to the date of the payment, to the city clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and they may, at any time after November 15, 2013, pay to the county auditor the entire amount of the assessment 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 next succeeding year.
- f. 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 28th day of October 2013.

Seconded by Councilmember Cave

Ayes – All

The motion passed.

13. Approval of Resolution Accepting Assessment Roll and Ordering Assessment Hearing for November 25, 2013, Highway 36/English Street Interchange Improvements, Project 09-08

Councilmember Koppen moved to approve the Resolution for the TH 36 / English Street Interchange Improvements, City Project 09-08, accepting assessment roll and ordering the assessment hearing for November 25, 2013 at 7:00 p.m.

RESOLUTION 13-10-988
ACCEPTING ASSESSMENT ROLL AND ORDERING ASSESSMENT HEARING

WHEREAS, the clerk and the city engineer have, at the direction of the council, prepared an assessment roll for the TH 36 / English Street Interchange Improvements, City Project 09-08, and the said assessment roll is on file in the office of the city engineer.

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

- 1. A hearing shall be held on the 25th day of November 2013, at the city hall at 7:00 p.m. to pass upon such proposed assessment and at such time and place all persons

owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.

2. The city clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published in the official newspaper, at least two weeks prior to the hearing, and to mail notices to the owners of all property affected by said assessment.

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

Adopted this 28th day of October 2013

Seconded by Councilmember Cave

Ayes – All

The motion passed.

14. Approval of Resolution Directing Modification of Existing Construction Contract, Change Order No. 4, TH 36/ English Street Interchange Improvements, City Project 09-08

Councilmember Koppen moved to approve the Resolution Directing Modification of Existing Construction Contract, Change Order No. 4, for the Highway 36/English Street Interchange Improvements, City Project 09-08.

RESOLUTION 13-10-989
DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT
PROJECT 09-08, CHANGE ORDER NO. 4

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. 4.

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

2. The mayor and city engineer are hereby authorized and directed to modify the existing contract by executing said Change Order No. 4 which is an increase of \$328,663.38.

The revised contract amount is \$17,047,166.78.

Adopted by the Maplewood City Council on this 28th day of October 2013.

Seconded by Councilmember Cave

Ayes – All

The motion passed.

Monthly and Maplewood Seasons newsletters, Residents Guide and Maplewood Parks & Recreation brochures.

Seconded by Councilmember Cave

Ayes – All

The motion passed.

18. Adoption of Proclamation to Pancreatic Cancer Action Network: Pancreatic Cancer Awareness Month

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

Councilmember Koppen moved to approve the Proclamation declaring November as Pancreatic Cancer Awareness Month.

Seconded by Councilmember Cave

Ayes – All

The motion passed.

H. PUBLIC HEARING

None

I. UNFINISHED BUSINESS

1. Authorize a Contract for Services for a City-Wide Parks Needs Assessment Survey with ETC Institute

Parks & Recreation Director Konewko gave the staff report.

Councilmember Cardinal moved to approve the Mayor and City Manager enter into a Contract for Services for a City-Wide Parks Needs Assessment Survey with ETC Institute in the amount of \$21,050.

Seconded by Councilmember Juenemann

Ayes – All

The motion passed.

J. NEW BUSINESS

- 1. Approval of a Resolution for a Comprehensive Plan Amendment, Resolution for a Conditional Use Permit, Design Review, Parking Waiver and Wetland Buffer Requirements Waiver for Maplewood Fire Station No. 1, McKnight Road**
 - a. Planning Commission Report**
 - b. Community Design Review Board Report**
 - c. Environmental and Natural Resources Commission Report**
 - d. Approval of a Resolution for a Comprehensive Plan Amendment**
 - e. Approval of a Resolution for a Conditional Use Permit**
 - f. Approval of Design Review**
 - g. Approval of a Parking Waiver**

h. Approval of a Waiver of Wetland Buffer Requirements for a Public Use

Planner Martin gave the staff report and answered questions of the council. Bill Kempe from the Planning Commission and Community Design Review Board addressed the council and gave the reports from the commission.

Councilmember Koppen moved to approve the resolution adopting a comprehensive land use plan amendment from I (industrial) to G (government) for the property located north of the 3M Company's campus along McKnight Road. Approval is based on the following reasons:

1. The property is presently vacant and is to be used by the city for a fire station which would be compatible with a land use classification of G (government).
2. Government uses and buildings are allowed in all zoning districts in the city with an approved conditional use permit.

This action is subject to the approval of a comprehensive plan amendment by the Metropolitan Council.

RESOLUTION 13-10-991 COMPREHENSIVE PLAN AMENDMENT RESOLUTION

WHEREAS, Fire Chief Steve Lukin of City of Maplewood has requested a change to the City of Maplewood's land use plan from I (Industrial) to G (government) for consistency between the plan and actual use of the land.

WHEREAS, this change applies to the property located north of the 3M Campus, on McKnight Road. The legal description is:

The west 437.85 feet of Tract B, Registered Land Survey No. 524, on file and of record in the Office of the Registrar of Titles, Ramsey County, Minnesota, and;

All that part of the Northwest Quarter of the Northwest Quarter of Section 36, Township 29 North, Range 22 West, Ramsey County, Minnesota described as follows:

Beginning at the southwest corner of Registered Land Survey No. 524, thence North 89 degrees 09 minutes 58 seconds East, bearings orientated to the Ramsey county Coordinate System NAD 83, along the south line of Tract B of said Registered Land Survey No. 524, a distance of 437.86 feet to the southeast corner of said west 437.85 feet of said Tract B; thence South 34 degrees 33 minutes 40 seconds West, a distance of 292.96 feet; thence South 89 degrees 11 minutes 41 seconds West, a distance of 270.00 feet, more or less, to its intersection with the west line of said Northwest Quarter of the Northwest Quarter of Section 36; thence North 00 degrees 23 minutes 48 seconds West, along the west line of said Northwest Quarter of the Northwest Quarter, a distance of 238.69 feet, more or less, to the point of beginning.

This parcel contains 3.23 acres, more or less, and is subject to the roadway easement of McKnight Road North and all other easements of record.

WHEREAS, the history of this change is as follows:

1. On October 1, 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 adopt the land use plan change.
2. On October 28, 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 approve the above described change for the following reasons:

1. The property is presently vacant and is to be used by the city for a fire station which would be compatible with a land use classification of G (government).
2. Government uses and buildings are allowed in all zoning districts in the city with an approved conditional use permit.

This action is subject to the approval of this land use plan amendment by the Metropolitan Council.

The Maplewood City Council approved this resolution on October 28, 2013.

Seconded by Mayor Rossbach

Ayes – All

The motion passed.

Councilmember Koppen moved to approve the resolution approving a conditional use permit for the proposed fire station. This development will be on the east side of McKnight Road, north of the 3M Company's campus. Approval is subject to the findings required by ordinance and subject to the following conditions:

1. All construction shall follow the site plan date-stamped September 11, 2013. Staff may approve minor changes.
2. The city council shall review this permit in one year.
3. The proposed construction must be substantially started within one year of council approval or the permit shall become null and void. The council may extend this deadline for one year.
4. Comply with the requirements of the city's engineering department.
5. The applicant shall work with the building official, fire marshal and environmental planner to ensure compliance with applicable codes.

RESOLUTION 13-10-992

CONDITIONAL USE PERMIT RESOLUTION

WHEREAS, Fire Chief Steve Lukin of City of Maplewood has applied for a conditional use permit to build a fire station.

WHEREAS, Section 44-1092 of the city ordinance provides that a conditional use permit must be approved for all public uses and buildings.

WHEREAS, the site will be used for a new fire station.

WHEREAS, this change applies to the property located north of the 3M Campus, on McKnight Road. The legal description is:

The west 437.85 feet of Tract B, Registered Land Survey No. 524, on file and of record in the Office of the Registrar of Titles, Ramsey County, Minnesota, and;

All that part of the Northwest Quarter of the Northwest Quarter of Section 36, Township 29 North, Range 22 West, Ramsey County, Minnesota described as follows:

Beginning at the southwest corner of Registered Land Survey No. 524, thence North 89 degrees 09 minutes 58 seconds East, bearings orientated to the Ramsey county Coordinate System NAD 83, along the south line of Tract B of said Registered Land Survey No. 524, a distance of 437.86 feet to the southeast corner of said west 437.85 feet of said Tract B; thence South 34 degrees 33 minutes 40 seconds West, a distance of 292.96 feet; thence South 89 degrees 11 minutes 41 seconds West, a distance of 270.00 feet, more or less, to its intersection with the west line of said Northwest Quarter of the Northwest Quarter of Section 36; thence North 00 degrees 23 minutes 48 seconds West, along the west line of said Northwest Quarter of the Northwest Quarter, a distance of 238.69 feet, more or less, to the point of beginning.

This parcel contains 3.23 acres, more or less, and is subject to the roadway easement of McKnight Road North and all other easements of record.

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

1. On October 1, 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 conditional use permit request.
2. On October 28, 2013 the city council discussed the conditional use permit. They considered reports and recommendations from the planning commission and city staff.

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

1. The use would be located, designed, maintained, constructed and operated

to be in conformity with the City's Comprehensive Plan and this Code.

2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.
5. The use would not exceed the design standards of any affected street.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
9. The use would cause no more than minimal adverse environmental effects.

Approval is subject to the following conditions:

1. All construction shall follow the site plan date-stamped September 11, 2013. Staff may approve minor changes.
2. The city council shall review this permit in one year.
3. The proposed construction must be substantially started within one year of council approval or the permit shall become null and void. The council may extend this deadline for one year.
4. Comply with the requirements of the city's engineering department.
5. The applicant shall work with the building official, fire marshal and environmental planner to ensure compliance with applicable codes.

The Maplewood City Council approved this resolution on October 28, 2013.

Seconded by Mayor Rossbach

Ayes – All

The motion passed.

Councilmember Koppen moved to approve the plans, date-stamped September 11,

2013 for the proposed Maplewood Fire Station No. 1, based on the findings required by the code. The property owner shall do the following:

1. Repeat this review in two years if the city has not issued a building permit for this project.
2. Submit a revised photometric plan showing compliance with code at all property lines.
3. Complete the following before occupying the building:
 - a. Install all landscaping as shown on the approved plan.
 - b. Screen any roof-top mechanical equipment that would be visible from the homes along McKnight Road. All other roof-top units that are visible from non residential areas must be painted to match the building.
 - c. Provide handicap-accessible parking spaces and signs as required by the ADA (American's with Disabilities Act).
4. All work shall follow the approved plans. The director of community development may approve minor changes.

Seconded by Mayor Rossbach

Ayes – All

The motion passed.

Councilmember Koppen moved to approve a parking waiver to allow for 23 surface parking spaces. This is a parking reduction of 43 parking spaces (66 parking spaces are required per city code).

Seconded by Mayor Rossbach

Ayes – All

The motion passed.

Councilmember Koppen moved to approve a waiver to the buffer requirements for the fire station public improvement. Approval is subject to the following conditions:

1. After grading and planting of the site the applicant must install city approved wetland signs at the edge of the approved wetland and creek buffer that specify that no building, mowing, cutting, grading, filling or dumping be allowed within the buffer. The signs must be placed every 100-feet along the edge of the buffer at a minimum. The placement of these signs must be verified with a survey to ensure proper placement.
2. City's wetland ordinance requires that native plants within the buffer be established within a three-year period.

Seconded by Mayor Rossbach

Ayes – All

The motion passed.

2. Approval of a Resolution Adopting 2014 Rates for Utilities

City Manager Ahl gave the staff report.

Councilmember Cardinal moved to approve the Resolution Authorizing 2014 Rates for Utilities.

RESOLUTION 13-10-993
ADOPTION OF THE 2014 RATES FOR UTILITIES:
ENVIRONMENTAL UTILITY (STORM WATER)
WATER SURCHARGE (ST PAUL)
RECYCLING

WHEREAS, the City of Maplewood has established utility rates, and

WHEREAS, city staff has reviewed the utility rates.

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

1. The updated Environmental Utility Fund rates with a 5% increase shall become effective beginning January 1, 2014, with quarterly rates set at \$21.78 (\$7.26 per month).
2. The updated water surcharge rates for the St. Paul Water District shall become effective beginning January 1, 2014, with fees set as follows:

7.5% of the St. Paul water charge.
3. The updated recycling fees with a 15% increase shall become effective beginning January 1, 2014, with fees set as follows:

\$2.94 per account per month for multi-family units
\$8.82 per account per quarter for single-family residents
4. The updated utility rates are approved for all related services received on or after January 1, 2014.
5. The rates shown will be reviewed by staff on an annual basis with recommendations for revisions brought to the city council for consideration.

Seconded by Councilmember Koppen

Ayes – All

The motion passed.

K. AWARD OF BIDS

1. **Approval to Receive Quotes and Award Construction Contract – Police Department Expansion Project - Phase 3**

IT Director Fowlds gave the staff report and answered questions of the council. City Manager Ahl gave additional information.

Councilmember Koppen moved to approve the low bid along with bid alternates 4 and 5 for Police Department Expansion Phase 3 in the amount of \$2,185,000 to Jorgenson Construction Inc.

Seconded by Councilmember Juenemann Ayes – All

The motion passed.

L. VISITOR PRESENTATION

1. Tim Kinley, Maplewood Resident
2. Laurie and Dave Johnson, Maplewood Residents

M. ADMINISTRATIVE PRESENTATIONS

1. Council Meeting Calendar Update

City Manager Ahl gave the staff report.

2. Change of Council Meeting Date from December 23, 2013 to December 19, 2013

Councilmember Juenemann moved to approve changing the council meeting date from Monday, December 23, 2013 to Thursday, December 19, 2013.

Seconded by Councilmember Cave Ayes – All

The motion passed.

- 3. Discussion On Request from N. St. Paul for Annexation of Property on Joy Road**
 - a. Declaration of Intent to Consider Closed Session to Discuss Litigation (§13D.05 subd. 3c)**

City Attorney Kantrud gave the staff report.

Aside from the City Council, City Manager Ahl and City Attorney Kantrud the following individuals were present: City Clerk Guilfoile, Police Chief Schnell, Fire Chief Lukin.

Councilmember Koppen moved to close the meeting pursuant to §13D.05 subd. 3c to discuss pending litigation.

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

The motion passed.

Mayor Rossbach opened the meeting at 9:21 p.m. and summarized the closed session.

- 4. TH 36 / English Interchange Improvements, Project 09-08, Cramer Parcel Property Negotiations (No Report)**
 - a. Declaration of Intent to Consider Closed Session (§13D.05 subd. 3c)**

City Attorney Kantrud gave the staff report.

Aside from the City Council, City Manager Ahl and City Attorney Kantrud the following individuals were present: City Clerk Guilfoile and City Engineer Thompson.

Councilmember Koppen moved to close the meeting pursuant to §13D.05 subd. 3c to discuss Cramer Parcel Property Negotiations.

Seconded by Councilmember Juenemann Ayes – All

The motion passed.

Mayor Rossbach opened the meeting 9:46 p.m. and summarized the closed session.

N. COUNCIL PRESENTATIONS

1. School Elections

Councilmember Juenemann reminded residents of the Municipal Election on November 5, 2013. There will also be a School Board election and Referendum Question for School Districts 623 and 624.

2. Cable Franchise Brief

Councilmember Cardinal informed resident that the Cable Franchise is up November 2014. City Manager Ahl informed the council that Kim Facile will be updating the council at the November 25, 2013 city council meeting.

O. ADJOURNMENT

Mayor Rossbach adjourned the meeting at 9:48 p.m.