

MINUTES
MAPLEWOOD CITY COUNCIL
7:00 p.m., Monday, December 9, 2013
Council Chambers, City Hall
Meeting No. 22-13

A. CALL TO ORDER

A meeting of the City Council was held in the City Hall Council Chambers and was called to order at 7:05 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

F2 Ramsey County League Presentation
N1 Commercial Recycling
N2 Neighborhood Watch

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 November 25, 2013 City Council Workshop Minutes

Councilmember Juenemann moved to approve the November 25, 2013 City Council Workshop Minutes as submitted.

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

The motion passed.

2. Approval of November 25, 2013 City Council Meeting Minutes

Councilmember Cardinal moved to approve the November 25, 2013 City Council Meeting Minutes as submitted.

Seconded by Councilmember Juenemann

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

The motion passed.

F. APPOINTMENTS AND PRESENTATIONS

1. Approval of a Resolution in Honor of Planning Commissioner Lorraine Fischer

Mayor Rossbach moved to table the resolution in honor of Planning Commissioner Lorraine Fischer until the next council meeting.

Seconded by Councilmember Juenemann

Ayes – All

The motion passed.

2. Ramsey County League Presentation

Mayor Rossbach gave the report and presented Councilmember Cave with a Certificate of Appreciation from the Ramsey County League.

G. CONSENT AGENDA

Councilmember Juenemann requested agenda item G8 be highlighted and had a question about G14.

Councilmember Juenemann moved to approve agenda items G1-G14.

Seconded by Councilmember Cardinal

Ayes – All

The motion passed.

1. Approval of Claims

Councilmember Juenemann moved to approve the Approval of Claims.

ACCOUNTS PAYABLE:

\$ 1,409,491.78 Checks # 91277 thru # 91318
dated 11/19/13

\$ 307,546.29 Disbursements via debits to checking account
dated 11/18/13 thru 11/22/13

\$ 675,079.32 Checks # 91319 thru # 91415
dated 11/20/13 thru 12/03/13

\$ 359,266.08 Disbursements via debits to checking account dated 11/25/13 thru 11/29/13

\$ 2,751,383.47 Total Accounts Payable

PAYROLL

\$ 513,321.50 Payroll Checks and Direct Deposits dated 11/22/13

\$ 1,698.50 Payroll Deduction check # 9989668 thru # 9989670 dated 11/22/13

\$ 515,020.00 Total Payroll

\$ 3,266,403.47 GRAND TOTAL

Seconded by Councilmember Cardinal Ayes – All

The motion passed.

2. Approval of Transfers

Councilmember Juenemann moved to approve the transfers and direct the Finance Director to make the entries necessary to complete the transactions.

Seconded by Councilmember Cardinal Ayes – All

The motion passed.

3. Authorization to Enter Into Contract with Allied Waste for Waste Hauling Services at City Facilities

Councilmember Juenemann moved to approve a one-year contract with Allied Waste/Republic Services for waste hauling services at City facilities.

Seconded by Councilmember Cardinal Ayes – All

The motion passed.

4. Approval of Additional Office Furniture for Police Department Expansion Project

Councilmember Juenemann moved to approve the purchase and installation of office furniture for section 1 (predominantly offices on the south side of the building) of Phase 3 from Commercial Furniture Services (CFS) not to exceed \$36,000 utilizing US Communities pricing.

Seconded by Councilmember Cardinal Ayes – All

The motion passed.

5. Authorization to Request Funding from Ramsey/Washington Suburban Cable Commission for Council Chambers Improvements

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

1. The following amounts of taxes be levied for 2013, payable in 2014, upon the net tax capacity in said City of Maplewood, for the following purposes:

General Fund	\$12,330,530
Ambulance Service	450,000
Community Center	525,000
Recreation Programs	175,000
Capital Improvement Projects	180,000
Fire Truck Replacement	50,000
Park Development	30,000
Redevelopment	40,000
Debt Service	4,042,840
TOTAL LEVY	\$17,823,370

2. In addition, there is a \$615,760 market value based referendum levy for 2013 payable in 2014 to finance the debt service on the 2002 Open Space Refunding Bonds and the 2004 Fire Safety Refunding Bonds. **This results in a total certified City levy of \$18,439,130.** There is also a proposal for an EDA levy of \$89,270. This would bring the total levy up to \$18,528,400 (no change from 2013).
3. The net tax capacity based levy of \$4,042,840 for Debt Service and the market value based referendum levy of \$615,760 total \$4,658,600. This is a net decrease of \$1,911,378.91 in the scheduled levy of \$6,569,978.91. The breakdown by Debt Service Fund is attached.

City of MAPLEWOOD BOND ISSUES	Debt Service Fund breakdown			ADDITIONS OR	CERTIFIED
	ORIGINAL PRINCIPAL	DATE ISSUED	PAYABLE 2014 DEBT LEVY	REDUCTIONS BY RESOLUTION	DEBT LEVY
GO O SPACE REFUND 2002D	3,425,000	1-Nov-02	398,580.00	-53,880.00	344,700.00
GO REF 2004A	2,940,000	1-Apr-04	316,411.09	-29,111.09	287,300.00
GO IMP 2004B	13,010,000	1-Aug-04	289,650.88	299,449.12	589,100.00
GO TAX ABMT 2004C	5,025,000	1-Aug-04	122,941.00	342,059.00	465,000.00
GO IMP 2004D	700,000	1-Aug-04	0.00	57,400.00	57,400.00
GO IMP 2005A	2,115,000	1-Aug-05	56,370.00	-56,370.00	0.00
GO IMP 2006A	6,085,000	1-Apr-06	368,292.44	48,707.56	417,000.00
GO IMP 2007A	10,060,000	1-Jul-07	323,570.44	-121,770.44	201,800.00
GO IMP 2007B	5,090,000	15-Oct-07	332,026.47	-73,626.47	258,400.00
GO IMP 2008A	9,970,000	1-Jul-08	627,234.00	-459,534.00	167,700.00
GO IMP REFUNDING 2008B	1,070,000	1-Jul-08	148,215.38	-148,215.38	0.00
GO IMP REFUNDING 2009A	4,680,000	1-Apr-09	431,366.36	-11,766.36	419,600.00
GO IMP REFUNDING 2009B	2,690,000	1-Dec-09	335,910.78	-50,910.78	285,000.00
GO 2010A	11,790,000	10-May-10	648,240.12	-323,540.12	324,700.00

TAX INCREMENT HOUSING DISTRICT #1-3	2,060
TAX INCREMENT HOUSING DISTRICT #1-4	620
TAX INCREMENT HOUSING DISTRICT #1-5	620
TAX INCREMENT HOUSING DISTRICT #1-6	650
TAX INCREMENT HOUSING DISTRICT #1-7	22,850
TAX INCREMENT HOUSING DISTRICT #1-8	61,000
TAX INCREMENT HOUSING DISTRICT #1-10	116,540
WATER AVAILABILITY CHARGE – N. ST. PAUL	1,550
WATER AVAILABILITY CHARGE – ST. PAUL	7,300
TOTAL CAPITAL IMPROVEMENTS	
BUDGET APPROPRIATIONS	<u>\$9,484,510</u>

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

BE IT FURTHER RESOLVED that the following appropriations are hereby approved for the 2014 Debt Service Budget:

\$9,674,670	Principal
2,789,310	Interest
9,030	Paying Agent Fees
14,350	Fees for Service
29,440	Investment Management Fees
<u>\$12,516,800</u>	TOTAL DEBT SERVICE BUDGET APPROPRIATIONS

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

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

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

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

Seconded by Councilmember Juenemann Ayes – All

The motion passed.

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

Mayor Rossbach recessed the council meeting at 7:39 p.m. so that the EDA meeting could be

The motion passed.

J. NEW BUSINESS

- 1. Approval of Transfer of City-Owned Real Property Between City and EDA, Castle Avenue and Van Dyke Street**
 - a. Approval of Transfer**

Assistant City Manager Coleman gave the staff report.

Councilmember Juenemann moved to approve the transfer of city-owned real property located on the southeast corner of Castle Avenue and Van Dyke Street from the city of Maplewood to the Maplewood Area Economic Development Authority; this approval authorizes the city manager and city attorney to legally transfer ownership of the property.

Seconded by Councilmember Koppen

Ayes – All

The motion passed.

- 2. Approval of a Conditional Use Permit Revision and Design Plans for Agropur, 2080 Rice Street**

Senior Planner Ekstrand gave the staff report. Planning Commissioner Tripler was present and addressed the council to give the report from the Planning Commission.

Councilmember Juenemann moved to:

- A. Adopt the resolution amending the conditional use permit for Agropur (formerly the Schroeder Milk site), located at 2080 Rice Street for their proposed 3,540-square-foot building addition. Approval is based on the findings required by city ordinance and subject to the following conditions (additions are underlined):
 1. All construction shall follow the site plan approved by the city date-stamped October 31, 2013. 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 become null and void. The council may extend this deadline for one year.
 3. The city council shall review this permit in one year.
 4. If the city council determines there is not enough on-site parking, the council may require that the property owner provide additional parking.
- B. Approve the plans date-stamped October 31, 2013 for the proposed tank room addition to Agropur, located at 2080 Rice Street. Approval is subject to the following conditions:
 1. The materials and color of the proposed tank room addition shall match the exterior materials and color of the contiguous part of the existing building.

2. The applicant shall comply with all requirements of the assistant fire chief and building official.
3. The applicant shall comply with all requirements of the city's engineering department.

Resolution 13-12-1016
CONDITIONAL USE PERMIT
REVISION RESOLUTION

WHEREAS, Agropur, Inc. has applied for a conditional use permit revision to construct a 3,540-square-foot tank room addition at their facility.

WHEREAS, Section 44-512(2) of the city ordinances requires a conditional use permit for processing and distributing stations for beverages.

WHEREAS, this permit applies to the property located at 2080 Rice Street. The property identification numbers for these properties are:

182922220016 and 182922220017

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

1. On November 19, 2013, the planning commission held a public hearing. The city staff published a notice in the paper and sent notices to the surrounding property owners. The planning commission gave everyone at the hearing a chance to speak and present written statements. The planning commission also considered the reports and recommendation of city staff. The planning commission recommended that the city council approve this permit.
2. On December 9, 2013, the city council considered reports and recommendations of the city staff and planning commission.

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 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. All construction shall follow the site plan approved by the city date-stamped October 31, 2013. 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 become null and void. The council may extend this deadline for one year.
3. The city council shall review this permit in one year.
4. If the city council determines there is not enough on-site parking, the council, may require that the property owner provide additional parking.

The Maplewood City Council approved this resolution on December 9, 2013.

Seconded by Councilmember Cardinal

Ayes – All

The motion passed.

3. Approval of a Parking Reduction for Maplebrook Pet Care Center, 2811 White Bear Avenue

Senior Planner Ekstrand gave the staff report.

Councilmember Juenemann moved to approve:

Approve the parking reduction to allow 15 parking spaces at the Maplebrook Pet Care Center, located at 2811 White Bear Avenue. This parking reduction is based on the following reasons:

1. The pet care center does not need more than the proposed 15 parking spaces for their staff and customers.
2. By reducing the number of parking spaces to 15, the property owner can resolve an erosion problem by installing a rain water garden in the parking lot.

If a parking shortage develops, the property owner shall restore parking to the area planned for the new rain water garden or seek to use parking from an adjacent or nearby parking lot.

3. The property owner shall construct a trash enclosure to contain and conceal their two dumpsters as required by city code. The property owner shall work with staff for approval of the design which must be compatible with the building and must have a closeable gate which also conceals the dumpsters. The trash enclosure shall be constructed even if the

rain water garden project does not take place. The trash enclosure shall be constructed by May 30, 2014.

Seconded by Councilmember Cardinal

Ayes – All

The motion passed.

4. Approval of an Off-Sale Intoxicating Liquor License for 61 Liquors, 2700 Maplewood Drive

City Clerk Guilfoile gave the staff report and answered questions of the council. Eric Atzmilller, owner of 61 Liquors was present and answered questions of the council.

Councilmember Cave moved to approve an off-sale intoxicating liquor license for The Front Crew, LLC, doing business as 61 Liquors, 2700 Maplewood Drive.

Seconded by Councilmember Cardinal

Ayes – All

The motion passed.

K. AWARD OF BIDS

1. Approval of Bid for Printing Services for the Maplewood Monthly and Additional City Publications

Citizen Services/Communications Director Guilfoile gave the staff report.

Councilmember Cardinal moved to award the bid to Nystrom Printing Company, Inc. in the amount of \$350,388.30 for publishing, printing and postage beginning January 1, 2014 through December 31, 2015 for the Maplewood Monthly, Maplewood Season, Residents Guide and Maplewood Parks & Recreation brochures.

Seconded by Councilmember Juenemann

Ayes – All

The motion passed.

L. VISITOR PRESENTATION

1. Bob Zick, North St. Paul Resident

M. ADMINISTRATIVE PRESENTATIONS

1. Council Calendar Update

City Manager Ahl gave the update to the council calendar.

2. Report on Swearing in Ceremony on January 6, 2014

City Clerk Guilfoile gave the staff report.

3. 2013 Sustainability Report

Environmental Planner Finwall gave the staff report.

N. COUNCIL PRESENTATIONS

1. Commercial Recycling

Councilmember Koppen would like the City to look into a commercial recycling program to take advantage of more recycling opportunities.

2. Neighborhood Watch Group

Councilmember Juenemann reported on the importance of the Neighborhood Watch Group where neighbors help watch out for each other.

O. ADJOURNMENT

Mayor Rossbach adjourned the meeting at 9:27 p.m.