



City Council Agenda

Monday, February 8, 2010

6:00 p.m.

City Council Chambers

(Times are Approximate)

- | | |
|-----------|--|
| 6:00 p.m. | 1. Roll Call
Voting & Seating Order for February: Johnson, Pust, Ihlan, Roe, Klausing |
| 6:02 p.m. | 2. Approve Agenda |
| 6:05 p.m. | 3. Public Comment |
| 6:10 p.m. | 4. Council Communications, Reports, Announcements and Housing and Redevelopment Authority Report |
| | 5. Recognitions, Donations, Communications |
| 6:15 p.m. | 6. Approve Minutes
a. Approve Minutes of January 25, 2010 Meeting |
| 6:20 p.m. | 7. Approve Consent Agenda
a. Approve Payments
b. Approve General Purchases and Sale of Surplus items in excess of \$5,000
c. Approve a 1-4 Day Temporary On-Sale Liquor License on February 19, March 5, and March 19 for Corpus Christi Church at 2131 Fairview Avenue North
d. Approve a One-Day Gambling Permit for a raffle on March 26 at Parkview Center School at 701 West County Road B
e. Approve a Fiber Services Agreement for Roseville Schools
f. Adopt a Resolution amending the Appointment and Reappointment Process Policy for the Roseville Housing and Redevelopment Authority
g. Approve Contract with Braun Intertec to Undertake |

Subsurface Testing and Complete Remedial Planning for the Twin Lakes Phase II Public Infrastructure Project

- h. Authorize Sale of 1980 Caterpillar 140G Road Grader
- i. Adopt a Resolution to Approve 2010 Apportionment of Assessments
- j. Receive Feasibility Report and Order Public Hearing for Rice Street/ TH 36 Bridge Reconstruction Project
- k. Approve an Agreement between the City of Saint Anthony and the City of Roseville for the Mill and Overlay of Highcrest Road
- l. Adopt a Resolution to Authorize Final Payment and Commence One-Year Warranty Period on Rosewood Neighborhood Drainage Improvements Project
- m. Establish a Public Hearing on February 22, 2010 for Placement of Water Ski Course and Jump on Lake Owasso

6:30 p.m. **8. Consider Items Removed from Consent**

9. General Ordinances for Adoption

10. Presentations

6:40 p.m. a. Roseville Visitors Association Annual Report

7:00 p.m. b. Parks and Recreation Master Plan Listening Session

11. Public Hearings

7:45 p.m. a. Public Hearing Regarding Unpaid Utility and Other Charges to the Property Tax Rolls

12. Business Items (Action Items)

7:50 p.m. a. Adopt a Resolution to Certify Unpaid Utility and Other Charges to the Property Tax Rolls

7:55 p.m. b. Consider Presumptive Penalty Approval for Don Pablo's Alcohol Compliance Failure

8:05 p.m. c. Consider Presumptive Penalty Approval for Fuddruckers Alcohol Compliance Failure

8:15 p.m. d. Request to Perform an Abatement for Unresolved Violations of City Code at 1423 Judith Avenue

- 8:25 p.m. e. Request to Perform an Abatement for Unresolved Violations of City Code at 1175 County Road B West

13. Business Items – Presentations/Discussions

- 8:35 p.m. a. Discussion of Noise Wall Along Highway 36 as a part of the Rice Street Interchange Project
- 8:50 p.m. b. Discuss 2011 Budgeting for Outcomes Process
- 9:00 p.m. c. Discuss Strategic Planning Meeting
- 9:05 p.m. d. Discuss Commercial Use of Public Property
- 9:20 p.m. e. Discuss an Ordinance Amending Title 5, Section 501.16 related to Vicious Animals
- 9:30 p.m. f. Discuss a Recycling Contract Extension
- 9:40 p.m. g. Discuss Recreational Vehicle and Trailer Parking
- 9:50 p.m. **14. City Manager Future Agenda Review**
- 9:55 p.m. **15. Councilmember Initiated Items for Future Meetings**
- 16. Adjourn**

Some Upcoming Public Meetings.....

Feb 15	Mon		Presidents Day – City Offices Closed
Feb 16	Tue	6:00 p.m.	Housing & Redevelopment Authority
Feb 22	Mon	6:00 p.m.	City Council Meeting
Feb 23	Tue	6:30 p.m.	Public Works, Environment & Transportation Commission
Mar 2	Tue	6:30 p.m.	Parks & Recreation Commission
Mar 3	Wed	6:00 p.m.	Planning Commission
Mar 8	Mon	6:00 p.m.	City Council Meeting
Mar 9	Tue	6:30 p.m.	Human Rights Commission

All meetings at Roseville City Hall, 2660 Civic Center Drive, Roseville, MN unless otherwise noted.

Date: 2/8/10
Item: 6.a
Minutes of 1/25/10

No Attachment

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 2/08/2010
Item No.: 7.a

Department Approval

City Manager Approval

Christopher K. Miller

W. J. Mahinen

Item Description: Approval of Payments

BACKGROUND

State Statute requires the City Council to approve all payment of claims. The following summary of claims has been submitted to the City for payment.

Check Series #	Amount
ACH Payments	\$213,988.78
57516-57649	\$435,416.15
Total	\$649,404.93

A detailed report of the claims is attached. City Staff has reviewed the claims and considers them to be appropriate for the goods and services received.

POLICY OBJECTIVE

Under Mn State Statute, all claims are required to be paid within 35 days of receipt.

FINANCIAL IMPACTS

All expenditures listed above have been funded by the current budget, from donated monies, or from cash reserves.

STAFF RECOMMENDATION

Staff recommends approval of all payment of claims.

REQUESTED COUNCIL ACTION

Motion to approve the payment of claims as submitted

Prepared by: Chris Miller, Finance Director

Attachments: A: n/a

Accounts Payable

Checks for Approval

User: mjenson

Printed: 02/02/2010 - 12:04 PM

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
0	01/20/2010	General Fund	Operating Supplies	Menards-ACH	Station Supplies	115.05
0	01/20/2010	Recreation Fund	Operating Supplies	Home Depot- ACH	Cable, Adapter	32.63
0	01/20/2010	General Fund	Contract Maintenance	Newegg.Com-ACH	Wi-Fi Adapter	31.25
0	01/20/2010	General Fund	209001 - Use Tax Payable	Newegg.Com-ACH	Sales/Use Tax	-2.01
0	01/20/2010	General Fund	Operating Supplies	Grainger-ACH	Fire Station Repair Supplies	40.55
0	01/20/2010	General Fund	Operating Supplies	Olive Garden-ACH	License Center Budget Meeting Lunch	52.00
0	01/20/2010	P & R Contract Maintenance	Operating Supplies	Home Depot- ACH	Rope Lighting	36.06
0	01/20/2010	Water Fund	Other Improvements	Suburban Ace Hardware-ACH	Supplies to Raise Curb Box	15.72
0	01/20/2010	Information Technology	Contract Maintenance	Local Link, Inc.-ACH	DNS Host Services	107.50
0	01/20/2010	Police Forfeiture Fund	Professional Services	Dunn's Sporting Goods-ACH	Magazines	757.22
0	01/20/2010	Police Forfeiture Fund	Use Tax Payable	Dunn's Sporting Goods-ACH	Sales/Use Tax	-48.71
0	01/20/2010	Golf Course	Operating Supplies	Ace Vacuum Center-ACH	Vacuum Parts	142.76
0	01/20/2010	P & R Contract Maintenance	Operating Supplies	Menards-ACH	Pick	21.33
0	01/20/2010	Information Technology	Operating Supplies	Office Depot- ACH	Name Tags and Labels	27.08
0	01/20/2010	General Fund	Vehicle Supplies	Best Buy- ACH	New Cameral for Chiefs Command Vehicle	156.91
0	01/20/2010	General Fund	Memberships & Subscriptions	NTOA-ACH	East Metro SWAT Membership Renewal	150.00
0	01/20/2010	Storm Drainage	Operating Supplies	Tom's Tailors-ACH	Repair Ripped Kevlar Chaps	51.48
0	01/20/2010	P & R Contract Maintenance	Operating Supplies	Menards-ACH	Latex Gloves	37.35
0	01/20/2010	General Fund	Vehicle Supplies	PTS Tool Supply-ACH	Tools	48.08
0	01/20/2010	General Fund	Vehicle Supplies	PTS Tool Supply-ACH	Tools	69.55
0	01/20/2010	Recreation Fund	Operating Supplies	Rainbow Foods-ACH	Sprouts Snacks	18.90
0	01/20/2010	General Fund	Operating Supplies	UPS Store-ACH	Mailing Supplies	17.56
0	01/20/2010	Water Fund	Office Supplies	Franklin Covey-ACH	Daily Planner	28.91
0	01/20/2010	Contracted Engineering Svcs	Office Supplies	Franklin Covey-ACH	Daily Planner	38.51
0	01/20/2010	License Center	Memberships & Subscriptions	Secretary of State-ACH	Notary Renewal	40.00
0	01/20/2010	Golf Course	Training	Twin Cities Golf-ACH	Golf Course Internet Marketing Seminar	99.00
0	01/20/2010	Storm Drainage	Operating Supplies	Suburban Ace Hardware-ACH	Chainsaw Blades	57.82
0	01/20/2010	Community Development	Operating Supplies	Office Depot- ACH	Office Supplies	130.69
0	01/20/2010	Recreation Fund	Operating Supplies	Target- ACH	Gymnastic Supplies	9.45

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
0	01/20/2010	General Fund	Operating Supplies	Ray Allen Mfg Co- ACH	K9 Bowl	32.54
0	01/20/2010	General Fund	209001 - Use Tax Payable	Ray Allen Mfg Co- ACH	Sales/Use Tax	-2.09
0	01/20/2010	Water Fund	Other Improvements	Kath Auto Parts-ACH	Meter Van Supplies	59.55
0	01/20/2010	General Fund	Operating Supplies	Home Depot- ACH	Compressor	170.33
0	01/20/2010	Recreation Fund	Operating Supplies	Northern Tool & Equip- ACH	Dolly, Cleaner, Gloves	72.31
0	01/20/2010	General Fund	Vehicle Supplies	Home Depot- ACH	Pvc, Adapter	13.73
0	01/20/2010	Recreation Fund	Operating Supplies	Home Depot- ACH	Drill Bit	13.36
0	01/20/2010	License Center	Memberships & Subscriptions	Secretary of State-ACH	Notary Renewal	40.00
0	01/20/2010	License Center	Memberships & Subscriptions	Secretary of State-ACH	Notary Renewal	40.00
0	01/20/2010	General Fund	Operating Supplies	Target- ACH	Batteries	5.81
0	01/20/2010	General Fund	Training	Boston Market-ACH	Lunch During Training	47.72
0	01/20/2010	General Fund	Training	Potbelly Sandwich Works - ACH	Lunch During Training	6.12
0	01/20/2010	General Fund	Training	Allied Parking-ACH	Parking Reimbursement	8.00
0	01/20/2010	Golf Course	Operating Supplies	Buy.com- ACH	Canon Scanner	63.36
0	01/20/2010	Golf Course	Use Tax Payable	Buy.com- ACH	Sales/Use Tax	-4.08
0	01/20/2010	General Fund	Professional Services	Byerly's- ACH	Bakery Items	16.99
0	01/20/2010	General Fund	Training	Olive Garden-ACH	Monthly Meeting/Training Supplies	282.81
0	01/20/2010	Recreation Fund	Operating Supplies	Cub Foods- ACH	CPE Program	53.58
0	01/20/2010	General Fund Donations	Supplies - Target Corp Grant	Target- ACH	Shop with a Cop Items	146.77
0	01/20/2010	General Fund	Operating Supplies	Target- ACH	Station Supplies	18.08
0	01/20/2010	General Fund Donations	Supplies - Target Corp Grant	Target- ACH	Shop With A Cop Items	6.56
0	01/20/2010	General Fund Donations	Supplies - Target Corp Grant	Target- ACH	Shop With A Cop Items	107.28
0	01/20/2010	General Fund Donations	Supplies - Target Corp Grant	Target- ACH	Shop with a Cop Items	161.72
0	01/20/2010	General Fund Donations	Supplies - Target Corp Grant	Target- ACH	Shop With A Cop Items	190.61
0	01/20/2010	General Fund Donations	Supplies - Target Corp Grant	Target- ACH	Shop With A Cop Items	145.13
0	01/20/2010	General Fund Donations	Supplies - Target Corp Grant	Target- ACH	Shop With A Cop Items	152.81
0	01/20/2010	General Fund Donations	Supplies - Target Corp Grant	Target- ACH	Shop With A Cop Items	152.36
0	01/20/2010	General Fund	Memberships & Subscriptions	ICMA - ACH	Membership Renewal-Malinen	1,040.83
0	01/20/2010	General Fund	Training	Rainbow Foods-ACH	Supplies for Monthly Dept. Meeting	37.68
0	01/20/2010	Recreation Fund	Operating Supplies	Goodwill-ACH	Gym Supplies	14.93
0	01/20/2010	License Center	Memberships & Subscriptions	Anoka County Treasury-ACH	Vitals Notary Registration	100.00
0	01/20/2010	General Fund Donations	Supplies - Target Corp Grant	Papa John's-ACH	Shop With a Cop Pizza	145.16
0	01/20/2010	Storm Drainage	Operating Supplies	Viking Industrial Center-ACH	Econo Sports Jacket, Chainsaw Gloves	146.07
0	01/20/2010	Recreation Fund	Operating Supplies	PayPal-ACH	Radios	172.89
Check Total:						5,941.56
0	01/21/2010	Fire Equipment	Fire Department Vehicles	MES, Inc.	Mini Leatherhead Bar	78.70
0	01/21/2010	License Center	Rental	Gaughan Properties	Motor Vehicle Rent-Feb 2010	4,452.00
0	01/21/2010	General Fund	Transportation	Jolinda Stapleton	Parking Reimbursement	20.00
0	01/21/2010	General Fund	211403 - Flex Spend Day Care		Dependent Care Reimbursement	180.00
0	01/21/2010	General Fund	Vehicle Supplies	Napa Auto Parts	Battery	69.47
0	01/21/2010	General Fund	Vehicle Supplies	Napa Auto Parts	Bulbs, Lamps	114.84
0	01/21/2010	General Fund	Vehicle Supplies	Catco Parts & Service Inc	Labor, Hydraulic Cylinder	899.30

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
0	01/21/2010	General Fund	Vehicle Supplies	Factory Motor Parts, Co.	Batteries	265.00
0	01/21/2010	Recreation Fund	Memberships & Subscriptions	MRPA	Membership Renewal-Elm	65.00
0	01/21/2010	Recreation Fund	Memberships & Subscriptions	MRPA	Membership Renewal-Dietman	65.00
0	01/21/2010	Recreation Fund	Memberships & Subscriptions	MRPA	Membership Renewal-Schultz	65.00
0	01/21/2010	Recreation Fund	Memberships & Subscriptions	MRPA	Membership Renewal-Maxey	65.00
0	01/21/2010	Recreation Fund	Memberships & Subscriptions	MRPA	Membership Renewal-Boettcher	65.00
0	01/21/2010	Recreation Fund	Memberships & Subscriptions	MRPA	Membership Renewal-Anfang	65.00
0	01/21/2010	Recreation Fund	Memberships & Subscriptions	MRPA	Membership Renewal-Brokke	65.00
0	01/21/2010	P & R Contract Maintenance	Memberships & Subscriptions	MRPA	Membership Renewal-Cash	65.00
0	01/21/2010	P & R Contract Maintenance	Memberships & Subscriptions	MRPA	Membership Renewal-Evenson	65.00
0	01/21/2010	Recreation Fund	Memberships & Subscriptions	MRPA	Membership Renewal-Tullberg	65.00
0	01/21/2010	Recreation Fund	Memberships & Subscriptions	MRPA	Agency Membership Renewal	515.00
0	01/21/2010	General Fund	Contract Maintenance	City of St. Paul	Street Light Maintenance	2,683.08
0	01/21/2010	License Center	Contract Maintenance	Electro Watchman, Inc.	Security System-License Center	192.38
0	01/21/2010	General Fund	Vehicle Supplies	Cushman Motor Co Inc	Wedge Bolt	102.09
0	01/21/2010	General Fund	Vehicle Supplies	MacQueen Equipment	Strobe Light	616.98
0	01/21/2010	P & R Contract Maintenance	Professional Services	Prowire, Inc.	Security Monitoring Feb1 Through Jan 31	256.50
0	01/21/2010	License Center	Office Supplies	Uline	Envelopes	102.43
0	01/21/2010	General Fund	Vehicle Supplies	Factory Motor Parts, Co.	Washer Pump	22.32
0	01/21/2010	General Fund	Vehicle Supplies	Factory Motor Parts, Co.	Battery	67.32
0	01/21/2010	License Center	Transportation	Quicksilver Express Courier	Courier Service	151.62
0	01/21/2010	Solid Waste Recycle	Professional Services	Eureka Recycling	Curbside Recycling	33,983.64
0	01/21/2010	General Fund	Vehicle Supplies	Grainger Inc	Gloves	10.02
0	01/21/2010	Recreation Fund	Operating Supplies	Grainger Inc	Ballast Battery Pack	74.92
Check Total:						45,507.61
0	01/21/2010	General Fund	211402 - Flex Spending Health		Flexible Benefit Reimbursement	1,062.29
0	01/21/2010	TIF District #17-Twin Lakes	Professional Services	WSB & Associates, Inc.	Project Number 01814-040	1,853.00
0	01/21/2010	General Fund	Contract Maint. - City Garage	Yale Mechanical, LLC	Repairs In Maintenance Garage	424.51
0	01/21/2010	General Fund	Contract Maint. - City Hall	Yale Mechanical, LLC	Repairs In Police Garage	973.88
0	01/21/2010	General Fund	Contract Maint. - City Garage	Yale Mechanical, LLC	Replace Sensors in Garage	1,231.60
0	01/21/2010	General Fund	Contract Maintenance	City of St. Paul	Use of Fire Dept. Training Facility	600.00
0	01/21/2010	General Fund	Transportation	Debra Bloom-Heiser	Mileage Reimbursement	290.40
0	01/21/2010	Recreation Fund	Advertising	Star Tribune	Oval Advertising	296.00
0	01/21/2010	TIF District #17-Twin Lakes	Professional Services	WSB & Associates, Inc.	Project Number 01814-030	425.00
0	01/21/2010	General Fund	Training	ATOM	Critical Incident Review Training-Rosand	40.00
0	01/21/2010	General Fund	Motor Fuel	Kath Fuel Oil Service, Inc.	2009 Blanket PO for Fuel	9,415.25
0	01/21/2010	Recreation Fund	Printing	Greenhaven Printing	Business Cards	208.41
0	01/21/2010	Recreation Fund	Use Tax Payable	Greenhaven Printing	Sales/Use Tax	-13.41
0	01/21/2010	General Fund	Op Supplies - City Hall	Eagle Clan Enterprises, Inc	Roll Towels, Toilet Tissue	490.56
0	01/21/2010	Recreation Fund	Contract Maintenance	Green View Inc.	Ice Arena Cleaning	2,278.58

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
0	01/21/2010	Recreation Fund	Use Tax Payable	Green View Inc.	Sales/Use Tax	-146.58
0	01/21/2010	General Fund	Office Supplies	Innovative Office Solutions	Office Supplies	22.37
0	01/21/2010	General Fund	Office Supplies	Innovative Office Solutions	Office Supplies	59.88
0	01/21/2010	General Fund	Office Supplies	Innovative Office Solutions	Office Supplies	60.53
0	01/21/2010	General Fund	Office Supplies	Innovative Office Solutions	Office Supplies	-5.99
0	01/21/2010	Recreation Fund	Office Supplies	Innovative Office Solutions	Office Supplies	13.33
0	01/21/2010	Community Development	Office Supplies	Innovative Office Solutions	Office Supplies	281.91
0	01/21/2010	License Center	Office Supplies	Innovative Office Solutions	Office Supplies	197.80
Check Total:						20,059.32
0	01/27/2010	General Fund	Professional Services	Ratwik, Roszak & Maloney, PA	Legal Services-Dec 2009	8,153.94
0	01/27/2010	Community Development	Professional Services	Ratwik, Roszak & Maloney, PA	Legal Services-Dec 2009	111.13
0	01/27/2010	Recreation Fund	Professional Services	Ratwik, Roszak & Maloney, PA	Legal Services-Dec 2009	31.00
0	01/27/2010	TIF District #17-Twin Lakes	Professional Services	Ratwik, Roszak & Maloney, PA	Legal Services-Dec 2009	1,568.11
0	01/27/2010	Storm Drainage	Professional Services	Ratwik, Roszak & Maloney, PA	Legal Services-Dec 2009	603.66
0	01/27/2010	Recreation Fund	Printing	Roseville Area Schools	Winter/Spring 2009 Brochure Cost	731.00
0	01/27/2010	Sanitary Sewer	Sanitary Sewer	City of Maplewood	Sewer, Storm Drainage-4th Qtr 2009	14,161.53
0	01/27/2010	Storm Drainage	Storm Drainage Fees	City of Maplewood	Sewer, Storm Drainage-4th Qtr 2009	2,698.05
0	01/27/2010	General Fund	211402 - Flex Spending Health		Flexible Benefit Reimbursement	780.00
0	01/27/2010	General Fund	211402 - Flex Spending Health		Flexible Benefit Reimbursement	886.04
0	01/27/2010	General Fund	211402 - Flex Spending Health		Flexible Benefit Reimbursement	780.00
0	01/27/2010	General Fund	Professional Services	Jensen, Bell, Converse & Erick	Legal Services Through Aug 31, 09	11,530.34
0	01/27/2010	General Fund	Professional Services	Jensen, Bell, Converse & Erick	Legal Services Through Dec 31, 09	11,537.00
0	01/27/2010	General Fund	Utilities	Xcel Energy	Civil Defense	67.22
0	01/27/2010	General Fund	Utilities	Xcel Energy	Fire #1	1,587.54
0	01/27/2010	General Fund	Utilities	Xcel Energy	Fire #3	2,416.57
0	01/27/2010	Golf Course	Utilities	Xcel Energy	Golf	586.86
0	01/27/2010	General Fund	Utilities - City Hall	Xcel Energy	City Hall Building	13,127.07
0	01/27/2010	General Fund	Utilities - City Garage	Xcel Energy	Garage/PW Building	8,040.78
0	01/27/2010	Recreation Fund	Utilities	Xcel Energy	Nature Center	828.21
0	01/27/2010	P & R Contract Maintenance	Utilities	Xcel Energy	P&R	3,402.28
0	01/27/2010	General Fund	Utilities	Xcel Energy	Fire Station #2	914.42
0	01/27/2010	Sanitary Sewer	Utilities	Xcel Energy	Sewer	958.68
0	01/27/2010	Recreation Fund	Utilities	Xcel Energy	Skating	23,573.78
0	01/27/2010	General Fund	Utilities	Xcel Energy	Street Light	359.80
0	01/27/2010	Storm Drainage	Utilities	Xcel Energy	Storm Water	16.14
0	01/27/2010	General Fund	Utilities	Xcel Energy	Traffic Signal	2,123.77
0	01/27/2010	Water Fund	Utilities	Xcel Energy	Water	709.81
0	01/27/2010	General Fund	Utilities	Xcel Energy	Street Light	13,616.26
0	01/27/2010	License Center	Utilities	Xcel Energy	Motor Vehicle	621.54
0	01/27/2010	Water Fund	Utilities	Xcel Energy	2501 Fairview/Water Tower	325.73
0	01/27/2010	General Fund	Utilities	Xcel Energy	Traffic Signal	65.18
0	01/27/2010	General Fund	Utilities	Xcel Energy	Traffic Signal	28.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
0	01/27/2010	General Fund	Utilities	Xcel Energy	Traffic Signal	18.62
0	01/27/2010	General Fund	Utilities	Xcel Energy	Traffic Signal	18.62
0	01/27/2010	General Fund	Utilities	Xcel Energy	Traffic Signal	186.68
0	01/27/2010	General Fund	Utilities	Xcel Energy	Traffic Signal	36.58
0	01/27/2010	General Fund	Utilities	Xcel Energy	Traffic Signal	35.26
0	01/27/2010	Storm Drainage	Utilities	Xcel Energy	Storm Water	100.55
0	01/27/2010	Recreation Fund	Operating Supplies	Fastenal Company Inc.	Lift Eye Nut	61.22
Check Total:						127,398.97
0	01/27/2010	Recreation Fund	Operating Supplies	R & R Specialties, Inc	Impeller, Belt	292.10
0	01/27/2010	Recreation Fund	Operating Supplies	R & R Specialties, Inc	Cloth Spreader	80.60
0	01/27/2010	Recreation Fund	Professional Services	Caitlin Bean	Assistant Dance Instructor	26.00
0	01/27/2010	Recreation Fund	Professional Services	Julie Risinger	Assistant Dance Instructor	40.00
0	01/27/2010	Recreation Fund	Professional Services	Rebecca Fandrich	Assistant Dance Instructor	28.00
0	01/27/2010	Municipal Jazz Band	Professional Services	Glen Newton	Big Band Director-Jan 2010	225.00
0	01/27/2010	General Fund	211403 - Flex Spend Day Care		Dependent Care Reimbursement	180.00
0	01/27/2010	General Fund	211000 - Deferered Comp.	ICMA Retirement Trust 457-3002	Payroll Deduction for 1/26 Payroll	5,524.18
0	01/27/2010	General Fund	210501 - PERA Life Ins. Ded.	NCPERS Life Ins#7258500	Payroll Deduction for Dec Life Insurance	80.00
0	01/27/2010	General Fund	210700 - Minnesota Benefit Ded	MN Benefit Association	Payroll Deduction for January	1,105.75
0	01/27/2010	General Fund	Vehicle Supplies	Napa Auto Parts	Vehicle Supplies	88.43
0	01/27/2010	General Fund	Contract Maintenance Vehicles	Mikes Truck & Trailer Repair,	Fuel Tank Reapair	475.65
0	01/27/2010	General Fund	Vehicle Supplies	Factory Motor Parts, Co.	Credit	-213.71
0	01/27/2010	General Fund	Vehicle Supplies	Rigid Hitch Incorporated	Pin & Cable	20.19
0	01/27/2010	Information Technology	Operating Supplies	Crescent Electric Supply Co	Duplex 2Met	47.12
0	01/27/2010	Recreation Fund	Memberships & Subscriptions	DMX Music	Skating Center Music	146.63
0	01/27/2010	Recreation Fund	Professional Services	Metro Volleyball Officials	Volleyball Officiating	1,210.00
0	01/27/2010	Recreation Fund	Professional Services	Metro Volleyball Officials	Volleyball Officiating	1,210.00
0	01/27/2010	General Fund	Vehicle Supplies	Factory Motor Parts, Co.	Battery	854.83
0	01/27/2010	Community Development	Office Supplies	SHI International Corp	Computer Supplies	202.40
0	01/27/2010	Information Technology	Operating Supplies	SHI International Corp	Computer Supplies	202.40
0	01/27/2010	Recreation Fund	Operating Supplies	Grainger Inc	Fuse	56.08
0	01/27/2010	Recreation Fund	Operating Supplies	Grainger Inc	Hand Soap	13.59
0	01/27/2010	Recreation Fund	Operating Supplies	Grainger Inc	Elbow, Ballast, Fuse	193.70
0	01/27/2010	General Fund	Telephone	NEXTEL Communications	Cell Phones	123.00
0	01/27/2010	Storm Drainage	Telephone	NEXTEL Communications	Cell Phones	178.27
0	01/27/2010	General Fund	Telephone	NEXTEL Communications	Cell Phones	11.52
0	01/27/2010	Sanitary Sewer	Telephone	NEXTEL Communications	Cell Phones	232.24
0	01/27/2010	Recreation Fund	Telephone	NEXTEL Communications	Cell Phones	92.24
0	01/27/2010	Recreation Fund	Telephone	NEXTEL Communications	Cell Phones	31.09
0	01/27/2010	P & R Contract Mantenance	Telephone	NEXTEL Communications	Cell Phones	104.52
0	01/27/2010	Golf Course	Telephone	NEXTEL Communications	Cell Phones	188.85
0	01/27/2010	Community Development	Telephone	NEXTEL Communications	Cell Phones	84.67

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
0	01/27/2010	General Fund	Telephone	NEXTEL Communications	Cell Phones	23.03
0	01/27/2010	General Fund	Telephone	NEXTEL Communications	Cell Phones	11.52
0	01/27/2010	General Fund	Telephone	NEXTEL Communications	Cell Phones	46.06
0	01/27/2010	General Fund	Telephone	NEXTEL Communications	Cell Phones	380.62
0	01/27/2010	General Fund	Telephone	NEXTEL Communications	Cell Phones	304.62
0	01/27/2010	General Fund	Telephone	NEXTEL Communications	Cell Phones	896.24
0	01/27/2010	General Fund	Vehicle Supplies	St. Joseph Equipment Inc.	Vehicle Supplies	283.89
Check Total:						15,081.32
57516	01/21/2010	Community Development	Memberships & Subscriptions	10,000 Lakes Chapter	Building Officials Membership Dues	150.00
Check Total:						150.00
57517	01/21/2010	General Fund	Memberships & Subscriptions	AMEM-Assoc. of MN Emerg. Manag	2010 Membership Dues-Arneson	100.00
Check Total:						100.00
57518	01/21/2010	General Fund	Clothing	Aspen Mills Inc.	Pants, Boots	143.45
Check Total:						143.45
57519	01/21/2010	Equipment Replacement	FunRental - Copier Machines	Banc of America Leasing	Copier Lease Payment	2,885.16
Check Total:						2,885.16
57520	01/21/2010	General Fund	Operating Supplies	Batteries Plus, Inc.	Batteries	102.45
Check Total:						102.45
57521	01/21/2010	General Fund	Vehicle Supplies	Bauer Built, Inc.	Firestone PVS BLK	445.64
Check Total:						445.64
57522	01/21/2010	Water Fund	Accounts Payable	ZIEMER CHRIS & HILARY	Refund check	3.96
Check Total:						3.96
57523	01/21/2010	General Fund	Contract Maintenance Vehicles	Cintas Corporation #470	Uniform Cleaning	39.32
57523	01/21/2010	General Fund	Contract Maintenance Vehicles	Cintas Corporation #470	Uniform Cleaning	39.32

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
Check Total:						78.64
57524	01/21/2010	Telecommunications	Professional Services	CivicPlus	Annual Fee 2010	6,180.00
Check Total:						6,180.00
57525	01/21/2010	General Fund	Operating Supplies	Coffee Mill, Inc.	Coffee Supplies	240.00
Check Total:						240.00
57526	01/21/2010	Information Technology	Telephone	Comcast Cable	High Speed Internet	55.54
57526	01/21/2010	General Fund	Contract Maintenance	Comcast Cable	Cable TV	4.69
Check Total:						60.23
57527	01/21/2010	Community Development	Plumbing Permits	Corval Constructors	Plumbing Permit Refund	55.00
Check Total:						55.00
57528	01/21/2010	Recreation Fund	Advertising	Dex Media East LLC	Advertising-Oval	40.40
57528	01/21/2010	Golf Course	Advertising	Dex Media East LLC	Advertising-Golf Course	40.40
Check Total:						80.80
57529	01/21/2010	Sanitary Sewer	Accounts Payable	EAGLE REALY	Refund check	13.70
57529	01/21/2010	Water Fund	Accounts Payable	EAGLE REALY	Refund check	6.25
Check Total:						19.95
57530	01/21/2010	General Fund	Memberships & Subscriptions	Fire Engineering	Subscription Renewal	29.95
Check Total:						29.95
57531	01/21/2010	General Fund	Miscellaneous	Sonya Flaten	Essay Contest Winner	10.00
Check Total:						10.00
57532	01/21/2010	General Fund	Contract Maintenance Vehicles	Harmon Auto Glass	Windshield Replacement	232.05

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
Check Total:						232.05
57533	01/21/2010	General Fund	Training	Greg Hayes	Staff Meeting Supplies Reimbursement	118.24
Check Total:						118.24
57534	01/21/2010	General Fund	Miscellaneous	ICLEI-Local Govt's. for Sustai	2010 Membership Dues	600.00
Check Total:						600.00
57535	01/21/2010	General Fund	211600 - PERA Employers Share	ICMA Retirement Trust 401-1099	Payroll Deduction for 01/12 Payroll	337.77
Check Total:						337.77
57536	01/21/2010	General Fund	Miscellaneous	Emmy Inwards	Essay Contest Winner	10.00
Check Total:						10.00
57537	01/21/2010	General Fund	Professional Services	ISS Facility Services-Minneapo	Facility Cleaning	4,090.88
57537	01/21/2010	Recreation Fund	Contract Maintenance	ISS Facility Services-Minneapo	Facility Cleaning	798.23
57537	01/21/2010	General Fund	Professional Services	ISS Facility Services-Minneapo	Facility Cleaning	399.11
57537	01/21/2010	Recreation Fund	Contract Maintenance	ISS Facility Services-Minneapo	Facility Cleaning	598.67
57537	01/21/2010	License Center	Professional Services	ISS Facility Services-Minneapo	Facility Cleaning	498.89
Check Total:						6,385.78
57538	01/21/2010	Water Fund	Accounts Payable	ROSALYN KUMP	Refund check	16.45
Check Total:						16.45
57539	01/21/2010	General Fund	Training	League of MN Cities	PATROL Subscription	4,165.00
Check Total:						4,165.00
57540	01/21/2010	General Fund	Miscellaneous	Margaret Lee	Essay Contest Winner	30.00
Check Total:						30.00
57541	01/21/2010	Water Fund	Accounts Payable	LITTLE FISH	Refund check	53.15

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
Check Total:						53.15
57542	01/21/2010	Sanitary Sewer	Professional Services	Lone Oak Companies, Inc.	Utility Bill Mailing	111.67
57542	01/21/2010	Water Fund	Professional Services	Lone Oak Companies, Inc.	Utility Bill Mailing	111.66
57542	01/21/2010	Storm Drainage	Professional Services	Lone Oak Companies, Inc.	Utility Bill Mailing	111.67
Check Total:						335.00
57543	01/21/2010	General Fund	Miscellaneous	Kenzie Lutz	Essay Contest Winner	50.00
Check Total:						50.00
57544	01/21/2010	Community Development	Memberships & Subscriptions	MAHCO-MN Assoc of Housing Code	2010 Membership Dues-Talbot	100.00
Check Total:						100.00
57545	01/21/2010	General Fund	Professional Services	MN Chiefs of Police Assoc	2010 Membership Dues-Mathwig	130.00
57545	01/21/2010	General Fund	Memberships & Subscriptions	MN Chiefs of Police Assoc	2010 Membership Dues-Rosand	130.00
Check Total:						260.00
57546	01/21/2010	General Fund	Training	MN Dept of Transportation	MN DOT Training-Findell	50.00
Check Total:						50.00
57547	01/21/2010	Risk Management	Memberships & Subscriptions	MN PRIMA	2010 Dues	40.00
Check Total:						40.00
57548	01/21/2010	Water Fund	Accounts Payable	HOA NGUYEN	Refund check	17.82
Check Total:						17.82
57549	01/21/2010	Water Fund	Clothing	Bob Nordby	Reimbursement for Boots	175.00
Check Total:						175.00
57550	01/21/2010	Recreation Fund	Memberships & Subscriptions	North Suburban Gravel Assn	2010 Membership Dues	15.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
Check Total:						15.00
57551	01/21/2010	General Fund	Professional Services	Northwest Youth & Family Serv.	2010 City Participant Amount	49,733.00
Check Total:						49,733.00
57552	01/21/2010	General Fund	Miscellaneous	Sydney Olson	Essay Contest Winner	10.00
Check Total:						10.00
57553	01/21/2010	Water Fund	Accounts Payable	STEVEN ONKEN	Refund check	11.87
Check Total:						11.87
57554	01/21/2010	General Fund	Miscellaneous	Kelsey Porter	Essay Contest Winner	20.00
Check Total:						20.00
57555	01/21/2010	Telephone	St. Anthony Telephone	Qwest	Telephone	301.80
57555	01/21/2010	Telephone	Telephone	Qwest	Telephone	172.11
57555	01/21/2010	Telephone	Telephone	Qwest	Telephone	641.26
57555	01/21/2010	Telephone	Telephone	Qwest	Telephone	641.26
57555	01/21/2010	Telephone	Telephone	Qwest	Telephone	641.26
57555	01/21/2010	Telephone	Telephone	Qwest	Telephone	86.06
57555	01/21/2010	Telephone	Telephone	Qwest	Telephone	641.26
57555	01/21/2010	Telephone	Telephone	Qwest	Telephone	119.49
Check Total:						3,244.50
57556	01/21/2010	General Fund	Miscellaneous	Ramsey County Public Health	Notary Public Renewal-Driscoll	100.00
57556	01/21/2010	General Fund	Memberships & Subscriptions	Ramsey County Public Health	Notary Public Renewal-Davitt	100.00
Check Total:						200.00
57557	01/21/2010	General Fund	Memberships & Subscriptions	Ramsey Cty Chief of Police Ass	Three Associate Memberships	75.00
Check Total:						75.00
57558	01/21/2010	General Fund	Contractual Maintenance	Springbrook Software, Inc.	2010 Software Maintenance	18,256.72

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
Check Total:						18,256.72
57559	01/21/2010	General Fund	Operating Supplies	Staples Business Advantage, In	Toner	142.66
57559	01/21/2010	General Fund	Operating Supplies	Staples Business Advantage, In	Toner	106.40
Check Total:						249.06
57560	01/21/2010	General Fund	Professional Services	Sheila Stowell	City Council Meeting Minutes	149.50
57560	01/21/2010	General Fund	Professional Services	Sheila Stowell	Mileage Reimbursement	8.70
57560	01/21/2010	General Fund	Professional Services	Sheila Stowell	City Council Meeting Minutes	276.00
57560	01/21/2010	General Fund	Professional Services	Sheila Stowell	Mileage Reimbursement	4.35
57560	01/21/2010	Community Development	Professional Services	Sheila Stowell	Planning Commission Meeting Minutes	310.50
57560	01/21/2010	Community Development	Professional Services	Sheila Stowell	Mileage Reimbursement	4.35
Check Total:						753.40
57561	01/21/2010	General Fund	Vehicle Supplies	Suburban Ace Hardware	Builders	1.76
Check Total:						1.76
57562	01/21/2010	General Fund	Memberships & Subscriptions	Tallen & Baertschi	MN Police Briefs Subscription Renewal	130.00
Check Total:						130.00
57563	01/21/2010	Recreation Fund	Operating Supplies	Tandem Printing Inc	Skate Tags	1,466.33
Check Total:						1,466.33
57564	01/21/2010	Sanitary Sewer	Sewer SAC Charges	Tanurb Development	SAC Charge Refund	2,000.00
Check Total:						2,000.00
57565	01/21/2010	Sanitary Sewer	Accounts Payable	AXICER TRIHUS	Refund check	13.70
57565	01/21/2010	Water Fund	Accounts Payable	AXICER TRIHUS	Refund check	19.60
Check Total:						33.30
57566	01/21/2010	General Fund	211402 - Flex Spending Health		Flexible Benefit Reimbursement	1,925.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
					Check Total:	1,925.00
57567	01/21/2010	Police - DWI Enforcement	Professional Services	Twin Cities Transport & Recove	Towing Service	160.31
					Check Total:	160.31
57568	01/21/2010	Police - DWI Enforcement	Professional Services	Uniforms Unlimited, Inc.	Digital Power Magazine	352.15
					Check Total:	352.15
57569	01/21/2010	HRA Property Abatement Pr	Payments to Contractors	Walters Recycling & Refuse, In	30 Yard Rolloff	586.82
					Check Total:	586.82
57570	01/21/2010	Workers Compensation	Insurance	WCRA	Reinsurance Premium	29,577.22
					Check Total:	29,577.22
57571	01/21/2010	Contracted Engineering Svcs	Deposits	Bald Eagle Builders	Escrow Return-794 Millwood Ave	3,000.00
					Check Total:	3,000.00
57572	01/21/2010	General Fund	Contract Maintenance Vehicles	Benco Equipment Co.	Safety Books	369.38
					Check Total:	369.38
57573	01/21/2010	General Fund	Contract Maintenance Vehicles	Clarey's Safety Equipment Inc	Fire Vehicle Maintenance	305.40
57573	01/21/2010	Risk Management	Fire Department Claims	Clarey's Safety Equipment Inc	Mobile Truck Repairs	5,974.60
57573	01/21/2010	General Fund	Contract Maintenance Vehicles	Clarey's Safety Equipment Inc	Mobile Truck Repairs	573.65
					Check Total:	6,853.65
57574	01/21/2010	Recreation Fund	Advertising	Concord Printing	Skating Center Pocket Schedules	290.31
					Check Total:	290.31
57575	01/21/2010	Charitable Gambling	Professional Services - Bingo	Cornell Kahler Shidell & Mair	Midway Speedskaing-Bingo Billing Dec 09	2,007.18
57575	01/21/2010	Charitable Gambling	Professional Services - Bingo	Cornell Kahler Shidell & Mair	Rsvl Youth Hockey-Bingo Billing Dec 09	2,007.18

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
Check Total:						4,014.36
57576	01/21/2010	Building Improvements	MN Grant Skating Center	DNR Construction Services, Inc	Final Arbitration Settlement	1,074.64
Check Total:						1,074.64
57577	01/21/2010	T.I.F. District # 15 (Allen)	TIF Payment	Fairview H A Associates LLC	2nd Half TIF Payment 2009	11,251.86
Check Total:						11,251.86
57578	01/21/2010	Community Development	Operating Supplies	General Office Products Compan	Chair	529.03
Check Total:						529.03
57579	01/21/2010	Sanitary Sewer	Operating Supplies	General Repair Service, Corp	Transducer	1,575.27
Check Total:						1,575.27
57580	01/21/2010	Pathway Maintenance Fund	Operating Supplies	Goodpointe Technology, Inc.	2010 Extra Data Set	750.00
57580	01/21/2010	General Fund	Professional Services	Goodpointe Technology, Inc.	2010 ICON Standard PMS Support Agreement	1,750.00
Check Total:						2,500.00
57581	01/21/2010	Community Development	Memberships & Subscriptions	ICC	2010 Membership	100.00
Check Total:						100.00
57582	01/21/2010	General Fund	Operating Supplies City Garage	ISS Facility Services-Minneapo	Glue, Bio Cleaner, Floor Finish	214.12
Check Total:						214.12
57583	01/21/2010	General Fund	Contract Maint. - City Hall	Jeff's S.O.S. Drain Cleaning,	High Pressure Water Jetting	343.75
57583	01/21/2010	General Fund	Contract Maint. - City Hall	Jeff's S.O.S. Drain Cleaning,	High Pressure Water Jetting	310.00
Check Total:						653.75
57584	01/21/2010	Risk Management	Police Patrol Claims	League of MN Cities Ins Trust	LMCIT Claim #: 11070800	3,657.34

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
Check Total:						3,657.34
57585	01/21/2010	Recreation Fund	Advertising	Let's Play, Inc.	December 2009 Advertising	236.32
Check Total:						236.32
57586	01/21/2010	Community Development	Advertising	Lillie Suburban Newspaper Inc	Notices	10.50
57586	01/21/2010	General Fund	Advertising	Lillie Suburban Newspaper Inc	Notices	42.00
Check Total:						52.50
57587	01/21/2010	Community Development	Memberships & Subscriptions	MBPTA	Membership Building Permit Tech. Assoc.	100.00
Check Total:						100.00
57588	01/21/2010	Community Development	Building Surcharge	MN Dept of Labor and Industry	Building Permit Surcharges	1,570.07
57588	01/21/2010	Community Development	Miscellaneous Revenue	MN Dept of Labor and Industry	Building Permit Surcharges-Retention	-31.40
Check Total:						1,538.67
57589	01/21/2010	Community Development	Professional Services	Mr. Handyman	Repairs to 2750 Snelling Ave	142.75
Check Total:						142.75
57590	01/21/2010	Recreation Fund	Contract Maintenance	Printers Service Inc	Ice Knife Sharpening	373.00
Check Total:						373.00
57591	01/21/2010	P & R Contract Maintenance	Telephone	Sprint	Cell Phones	40.36
57591	01/21/2010	Storm Drainage	Telephone	Sprint	Cell Phones	40.36
57591	01/21/2010	General Fund	Operating Supplies	Sprint	Cell Phones	40.36
57591	01/21/2010	Information Technology	Telephone	Sprint	Cell Phones	121.03
57591	01/21/2010	Recreation Fund	Professional Services	Sprint	Cell Phones	40.36
Check Total:						282.47
57592	01/21/2010	General Fund	Vehicle Supplies	Toll Gas & Welding Supply	Industrial Cyls	20.40

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
					Check Total:	20.40
57593	01/21/2010	Sanitary Sewer	Rental	United Rentals Northwest, Inc.	Mini Excavator	600.62
					Check Total:	600.62
57594	01/21/2010	General Fund	Contract Maint. - City Hall	Village Plumbing, Inc.	Sink, Restroom Repairs	346.00
					Check Total:	346.00
57597	01/27/2010	Sanitary Sewer	PaperCalmenson/Gravity Replace	Lametti & Sons, Inc.	Sanitary Sewer Reconstruction	113,693.04
57597	01/27/2010	Storm Drainage	Reservoir woods/Fulham Pond	Lametti & Sons, Inc.	Sanitary Sewer Reconstruction	11,987.53
					Check Total:	125,680.57
57598	01/27/2010	General Fund	Vehicle Supplies	Little Falls Machine, Inc	Vehicle Supplies	619.11
					Check Total:	619.11
57599	01/27/2010	Recreation Fund	Postage	Postmaster- Cashier Window #5	Winter 2010 Brochure-Acct # 2437	143.00
					Check Total:	143.00
57600	01/27/2010	Recreation Fund	Professional Services	RAHS Boys Hockey Boosters	Ticket Taker for Schwan Cup-Dec 09	300.00
					Check Total:	300.00
57601	01/27/2010	Recreation Fund	Spectator Admissions	Schwan Cup	Return Share of Tournament Gate Receipts	8,688.00
					Check Total:	8,688.00
57602	01/27/2010	General Fund	Contract Maintenance	Verizon Wireless	Cell Phones	519.65
					Check Total:	519.65
57603	01/27/2010	Recreation Fund	Professional Services	Nicole Allard	Novice Coaching	40.00
					Check Total:	40.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
57604	01/27/2010	General Fund	Clothing	Aspen Mills Inc.	Pants, Belt	108.40
57604	01/27/2010	General Fund	Clothing	Aspen Mills Inc.	Pants, Boots	189.90
57604	01/27/2010	General Fund	Clothing	Aspen Mills Inc.	Shirts	41.45
Check Total:						339.75
57605	01/27/2010	Equipment Replacement	FunRental - Copier Machines	Banc of America Leasing	Copier Lease Charges	2,885.16
Check Total:						2,885.16
57606	01/27/2010	License Center	Contract Maintenance	Brite-Way Window Cleaning Sv	Window Cleaning-License Center	20.00
Check Total:						20.00
57607	01/27/2010	Information Technology	Operating Supplies	CDW Government, Inc.	Fan Replacement Kit	162.27
Check Total:						162.27
57608	01/27/2010	Recreation Fund	Deposits - Arboretum Bricks	Central Park Foundation	Brick Reorder Reimbursement	30.00
Check Total:						30.00
57609	01/27/2010	General Fund	Vehicle Supplies	Clarey's Safety Equipment Inc	Gas Monitor, Battery Cell	727.60
Check Total:						727.60
57610	01/27/2010	Recreation Fund	Professional Services	Michelle Colbert	Novice Coaching	25.00
Check Total:						25.00
57611	01/27/2010	General Fund	210300 - State Income Tax W/H	Discover Bank	Case #: CV-09-11758	281.16
Check Total:						281.16
57612	01/27/2010	General Fund	211200 - Financial Support	Diversified Collection Service		210.24
Check Total:						210.24
57613	01/27/2010	Recreation Fund	Professional Services	Shane Donohue	Ski Instructor	75.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
Check Total:						75.00
57614	01/27/2010	Recreation Fund	Professional Services	Paul Gangl	Novice Coaching	200.00
Check Total:						200.00
57615	01/27/2010	Municipal Jazz Band	Operating Supplies	Groth Music Company	Music	299.78
Check Total:						299.78
57616	01/27/2010	Boulevard Landscaping	Operating Supplies	Harmon Inc.	Bus Shelter Glass Replacement	641.00
Check Total:						641.00
57617	01/27/2010	Recreation Fund	Professional Services	Katelin Harned	Novice Speedskating Coach	70.00
Check Total:						70.00
57618	01/27/2010	General Fund	211400 - Medical Ins Employee	Healthpartners	Health Insurance Premium- Feb 2010	81,965.91
57618	01/27/2010	General Fund	211400 - Medical Ins Employee	Healthpartners	Health Insurance Premium- Feb 2010	8,820.42
57618	01/27/2010	General Fund	211400 - Medical Ins Employee	Healthpartners	Cobra Health Insurance Premium- Feb 2010	5,465.73
Check Total:						96,252.06
57619	01/27/2010	Recreation Fund	Operating Supplies	Douglas Hefti	Cribbage League Prizes	50.00
Check Total:						50.00
57620	01/27/2010	General Fund	Operating Supplies	Hewlett-Packard Company	Laser Jet Maintenance Kit	257.57
Check Total:						257.57
57621	01/27/2010	Singles Program	Operating Supplies	Jean Hoffman	Singles Supplies Reimbursement	31.67
Check Total:						31.67
57622	01/27/2010	General Fund	211600 - PERA Employers Share	ICMA Retirement Trust 401-1099	Payroll Deduction For 1/26 Payroll	362.79

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
Check Total:						362.79
57623	01/27/2010	General Fund	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	325.00
57623	01/27/2010	General Fund	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	370.00
57623	01/27/2010	Information Technology	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	490.00
57623	01/27/2010	General Fund	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	200.00
57623	01/27/2010	General Fund	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	3,510.00
57623	01/27/2010	General Fund	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	503.00
57623	01/27/2010	General Fund	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	370.00
57623	01/27/2010	General Fund	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	400.00
57623	01/27/2010	General Fund	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	645.00
57623	01/27/2010	Telecommunications	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	253.00
57623	01/27/2010	Recreation Fund	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	495.00
57623	01/27/2010	Recreation Fund	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	200.00
57623	01/27/2010	P & R Contract Maintenance	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	370.00
57623	01/27/2010	Recreation Fund	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	483.00
57623	01/27/2010	General Fund	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	90.00
57623	01/27/2010	Community Development	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	370.00
57623	01/27/2010	Community Development	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	200.00
57623	01/27/2010	License Center	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	573.00
57623	01/27/2010	Sanitary Sewer	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	170.00
57623	01/27/2010	Water Fund	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	370.00
57623	01/27/2010	Golf Course	Employer Insurance	ING ReliaStar	High Deductable Savings Acct-Jan 10	70.00
Check Total:						10,457.00
57624	01/27/2010	Telephone	Telephone	Integra Telecom	Telephone	305.64
Check Total:						305.64
57625	01/27/2010	Recreation Fund	Operating Supplies	J Thomas Athletic Co., Inc.	Volleyballs	790.02
Check Total:						790.02
57626	01/27/2010	Recreation Fund	Professional Services	Susan Kaepfel	Novice Speedskating Coach	140.00
Check Total:						140.00
57627	01/27/2010	Recreation Fund	Professional Services	Casey Kohs	Assistant Dance Instructor	26.25

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
Check Total:						26.25
57628	01/27/2010	Risk Management	Training	League of MN Cities	Loss Control Workshops	80.00
Check Total:						80.00
57629	01/27/2010	Telecommunications	Memberships & Subscriptions	MAGC	Annual Membership-Curti	60.00
57629	01/27/2010	Telecommunications	Memberships & Subscriptions	MAGC	Annual Membership-Pratt	60.00
Check Total:						120.00
57630	01/27/2010	Recreation Fund	Professional Services	Megan Miner	Assistant Dance Instructor	24.00
Check Total:						24.00
57631	01/27/2010	General Fund	211200 - Financial Support	MN Child Support Payment Cntr	Case #: 001023511002	292.00
Check Total:						292.00
57632	01/27/2010	Recreation Fund	Contract Maintenance	MN Dept of Labor and Industry	Elevator Permit ID # 05053	100.00
Check Total:						100.00
57633	01/27/2010	General Fund	Training	MnFIAM Book Sales	Fire Officer Principles Books	336.66
Check Total:						336.66
57634	01/27/2010	P & R Contract Maintenance	Rental	On Site Sanitation, Inc.	Regular Monthly Service	40.61
57634	01/27/2010	P & R Contract Maintenance	Rental	On Site Sanitation, Inc.	Regular Monthly Service	27.56
57634	01/27/2010	P & R Contract Maintenance	Rental	On Site Sanitation, Inc.	Regular Monthly Service	40.61
Check Total:						108.78
57635	01/27/2010	License Center	Office Supplies	Pakor, Inc.	Passport Photo Paper	927.68
Check Total:						927.68
57636	01/27/2010	General Fund	211403 - Flex Spend Day Care		Dependent Care Reimbursement	140.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
Check Total:						140.00
57637	01/27/2010	General Fund	211402 - Flex Spending Health	Premier Bank	HSA	1,793.07
57637	01/27/2010	General Fund	211405 - HSA Employer	Premier Bank	HSA	3,556.15
Check Total:						5,349.22
57638	01/27/2010	Telephone	St. Anthony Telephone	Qwest	Telephone	79.91
57638	01/27/2010	Telephone	St. Anthony Telephone	Qwest	Telephone	50.64
57638	01/27/2010	Telephone	St. Anthony Telephone	Qwest	Telephone	188.25
57638	01/27/2010	Telephone	Telephone	Qwest	Telephone	56.79
57638	01/27/2010	Telephone	Telephone	Qwest	Telephone	372.60
57638	01/27/2010	Telephone	Telephone	Qwest	Telephone	101.48
Check Total:						849.67
57639	01/27/2010	License Center	Memberships & Subscriptions	Ramsey County Public Health	Notary Renewal-Senden, Maniaci	200.00
Check Total:						200.00
57640	01/27/2010	General Fund	211200 - Financial Support	Rausch Sturm Israel & Hornik	Case #: CV074555	368.03
Check Total:						368.03
57641	01/27/2010	Water Fund	Clothing	Michael Ross	Reimbursement for Boots 2010	152.15
Check Total:						152.15
57642	01/27/2010	General Fund	Contract Maintenance	Sprint	Cell Phones	39.99
Check Total:						39.99
57643	01/27/2010	General Fund	Operating Supplies	Staples Business Advantage, Inc.	Toner	205.58
Check Total:						205.58
57644	01/27/2010	General Fund	Professional Services	Sheila Stowell	City Council Meeting Minutes	316.25
57644	01/27/2010	General Fund	Professional Services	Sheila Stowell	Mileage Reimbursement	4.35

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Description	Amount
Check Total:						320.60
57645	01/27/2010	Recreation Fund	Operating Supplies	Suburban Ace Hardware	Caulk	6.03
57645	01/27/2010	Recreation Fund	Operating Supplies	Suburban Ace Hardware	Fasteners	5.90
Check Total:						11.93
57646	01/27/2010	Recreation Fund	Professional Services	Nathan Tonkinson	Novice Coaching	200.00
Check Total:						200.00
57647	01/27/2010	General Fund	Vehicle Supplies	Tousley Ford Inc	Vehicle Supplies	163.45
Check Total:						163.45
57648	01/27/2010	Golf Course	Advertising	Travelers Directory Service	Advertising	132.00
57648	01/27/2010	Recreation Fund	Advertising	Travelers Directory Service	Advertising	132.00
Check Total:						264.00
57649	01/27/2010	Information Technology	Telephone	XO Communications Inc.	Telephone	1,537.25
57649	01/27/2010	Information Technology	Telephone	XO Communications Inc.	Telephone	855.50
Check Total:						2,392.75
Report Total:						649,404.93

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 2/08/2010
Item No.: 7.b

Department Approval

City Manager Approval

Christopher K. Miller

W. J. Mahinen

Item Description: Request for Approval of General Purchases or Sale of Surplus Items
Exceeding \$5,000

BACKGROUND

City Code section 103.05 establishes the requirement that all general purchases and/or contracts in excess of \$5,000 be approved by the Council. In addition, State Statutes require that the Council authorize the sale of surplus vehicles and equipment.

General Purchases or Contracts

City Staff have submitted the following items for Council review and approval:

Department	Vendor	Description	Amount
IT	Access Communications	2010 Locate services for fiber network	7,727.66
Streets	Morton Salt	Blanket P.O. for road salt	26,726.75
Public Works	North Image Apparel Inc.	Blanket P.O. for uniforms	10,900.00

Sale of Surplus Vehicles or Equipment

City Staff have identified surplus vehicles and equipment that have been replaced and/or are no longer needed to deliver City programs and services. These surplus items will either be traded in on replacement items or will be sold in a public auction or bid process. The items include the following:

Department	Item / Description
N/A	N/A

POLICY OBJECTIVE

Required under City Code 103.05.

FINANCIAL IMPACTS

Funding for all items is provided for in the current operating or capital budget.

19 **STAFF RECOMMENDATION**

20 Staff recommends the City Council approve the submitted purchases or contracts for service and, if
21 applicable, authorize the trade-in/sale of surplus items.

22 **REQUESTED COUNCIL ACTION**

23 Motion to approve the submitted list of general purchases, contracts for services, and if applicable the
24 trade-in/sale of surplus equipment.

25

26

Prepared by: Chris Miller, Finance Director

Attachments: A: None

27

REQUEST FOR COUNCIL ACTION

Date: 02-08-10
Item No.: 7.c

Department Approval

City Manager Approval

Christopher K. Miller

W. J. Mahinen

Item Description: Approve a 1-4 Day Temporary On-Sale Liquor License on February 19, March 5, and March 19 for Corpus Christi Church at 2131 Fairview Avenue North

Background

Church of Corpus Christi has applied for a temporary on-sale liquor license at 2131 Fairview Avenue North. (Church property) for a parish community fish fry event to be held on February 19, March 5 and March 19, 2010.

Financial Implications

The revenue generated from license fees collected is used to offset the cost of police compliance checks, background investigations, enforcement of liquor laws and license administration.

Staff Recommendations

The City staff has reviewed the application and has determined that the applicant meets City requirements, and is recommending approval of the application.

Council Action

Motion approving/denying Church of Corpus Christi application for Temporary On-Sale Liquor License at 2131 Fairview Avenue North for February 19, March 5 and March 19.

Prepared by: Chris Miller, Finance Director
Attachments: A: Applications



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
444 Cedar Street Suite 133, St. Paul MN 55101-5133
(651) 201-7507 Fax (651) 297-5259 TTY (651) 282-6555
WWW.DPS.STATE.MN.US



**APPLICATION AND PERMIT
FOR A 1 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

TYPE OR PRINT INFORMATION

NAME OF ORGANIZATION Church of Corpus Christi	DATE ORGANIZED	TAX EXEMPT NUMBER MN 25499 FED 41-0705812	
STREET ADDRESS 2131 Fairview Avenue North	CITY Roseville	STATE MN	ZIP CODE 55113
NAME OF PERSON MAKING APPLICATION Mark Motzel	BUSINESS PHONE (651) 639-8888	HOME PHONE ()	
DATES LIQUOR WILL BE SOLD 3 events - feb19, mar5, mar19 2010	TYPE OF ORGANIZATION CLUB CHARITABLE RELIGIOUS ^{XX} OTHER NONPROFIT		
ORGANIZATION OFFICER'S NAME Fr. Frank Fried	ADDRESS same as above		
ORGANIZATION OFFICER'S NAME	ADDRESS		
ORGANIZATION OFFICER'S NAME	ADDRESS		

Location license will be used. If an outdoor area, describe

Parish Community Fish Fry - will be held in parish gathering space
attached to church/school building, at same address noted above.

Will the applicant contract for intoxicating liquor service? If so, give the name and address of the liquor licensee providing the service.

Beer and wine only

Will the applicant carry liquor liability insurance? If so, please provide the carrier's name and amount of coverage.
Yes. Catholic Mutual - see attached.

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL & GAMBLING ENFORCEMENT

CITY/COUNTY _____

DATE APPROVED _____

CITY FEE AMOUNT _____

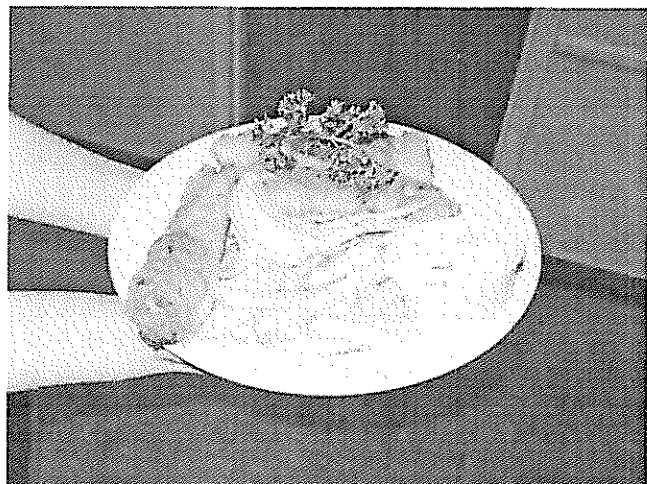
LICENSE DATES _____

DATE FEE PAID _____

SIGNATURE CITY CLERK OR COUNTY OFFICIAL _____

APPROVED DIRECTOR ALCOHOL AND GAMBLING ENFORCEMENT _____

NOTE: Submit this form to the city or county 30 days prior to event. Forward application signed by city and/or county to the address above. If the application is approved the Alcohol and Gambling Enforcement Division will return this application to be used as the License for the event



2nd Annual COMMUNITY FISH FRY (X3!)

Prepared and Served by
KNIGHTS OF COLUMBUS COUNCIL 4021
and volunteers from
ST. ROSE and CORPUS CHRISTI PARISHES

Plates include:

Crispy, beer-battered fish
Golden French Fries
Fresh Coleslaw
Dessert and a Beverage

When: Friday, February 19
Friday, March 5
Friday, March 19

Where: Corpus Christi Church
2131 Fairview Avenue North
Roseville

Come to one or all three!
Bring your friends and neighbors!

Reservations required:
Call 651.639.8888
to reserve your seats

Time: Seatings from 4:30 - 7:00 p.m.

Cost: One-piece plate \$7.00
Two-piece plate \$8.50
Three-piece plate \$10.00

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 02/08/10
Item No.: 7.d

Department Approval

City Manager Approval

Christopher K. Miller

W. J. Mahinen

Item Description:

Approve a One-Day Gambling Permit for a raffle on March 26 at Parkview Center School, 701 West County Road B

BACKGROUND

Parkview Center School has applied for an Exemption from Lawful Gambling Licensing Requirements to conduct lawful gambling activities on March 26, 2010 at the Parkview Center School located at 701 W. County Road B.

The Minnesota Charitable Gambling Regulations allow any nonprofit organization, which conducts lawful gambling for less than five (5) days per year, and total prizes do not exceed \$50,000.00 in value, to be exempt from the licensing requirements if the city approves.

COUNCIL ACTION REQUESTED

Motion approving Parkview Center School's request to conduct a raffle on March 26, 2010, at the Parkview Center School located at 701 W. County Road B.

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

Application fee	
If application postmarked or received:	
less than 30 days before the event	more than 30 days before the event ✓
\$100	\$50

ORGANIZATION INFORMATIONCheck # **2916** \$ **50.00**

Organization name **Parkview Center School** Previous gambling permit number **X-34418**

Type of nonprofit organization. Check one.

☐ Fraternal ☐ Religious ☐ Veterans ☒ Other nonprofit organization

Mailing address **701 W. County Rd B** City **Roseville** State **MN** Zip Code **55113** County **Ramsey**

Name of chief executive officer (CEO) **Kristen Smith Olson** Daytime phone number **651 487-4360** Email address **kristen.smith-olson@isd623.org**

Attach a copy of ONE of the following for proof of nonprofit status. Check one.

Do not attach a sales tax exempt status or federal ID employer numbers as they are not proof of nonprofit status.

☐ **Nonprofit Articles of Incorporation OR a current Certificate of Good Standing.**
Don't have a copy? This certificate must be obtained each year from:
Secretary of State, Business Services Div., 180 State Office Building, St. Paul, MN 55155 Phone: 651-296-2803

☐ **IRS income tax exemption [501(c)] letter in your organization's name.**
Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS at 877-829-5500.

☒ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
If your organization falls under a parent organization, attach copies of both of the following:
a. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
b. the charter or letter from your parent organization recognizing your organization as a subordinate.

☒ **IRS - proof previously submitted to Gambling Control Board**
If you previously submitted proof of nonprofit status from the IRS, no attachment is required.

GAMBLING PREMISES INFORMATION

Name of premises where gambling activity will be conducted (for raffles, list the site where the drawing will take place)
Parkview Center School

Address (do not use PO box) **701 W. County Rd B** City **Roseville** Zip Code **55113** County **Ramsey**

Date(s) of activity (for raffles, indicate the date of the drawing)

March 26, 2010

Check the box or boxes that indicate the type of gambling activity your organization will conduct:

☐ Bingo* ☒ Raffles ☐ Paddlewheels* ☐ Pull-Tabs* ☐ Tipboards*

* **Gambling equipment** for pull-tabs, bingo paper, tipboards, and paddlewheels must be obtained from a distributor licensed by the Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo.

Also complete
Page 2 of this form.

Print Form

Reset Form

To find a licensed distributor, go to www.gcb.state.mn.us and click on List of Licensed Distributors, or call 651-639-4076.

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 02/08/2010
Item No.: 7.e

Department Approval

City Manager Approval

Chris K. Miller

W. J. Mahinen

Item Description: Approve a Fiber Services Agreement for Roseville Schools

BACKGROUND

Since 2002, the City has capitalized on a number of joint opportunities to install fiber optic communication lines to connect City and Roseville School District facilities. Both parties share the costs to maintain these fiber lines.

As an educational service provider, the Roseville School District is eligible to receive rebates from the federally-sponsored Universal Service Fund for their telecommunications costs. However, because they have partnered with the City, the School District needs to have a formal services agreement in place that outlines the partnership and applicable costs that they will be seeking rebates on. The District is required to submit similar documentation for all telecommunication costs they pay to other vendors.

The attached Agreement has been reviewed by District Officials and they've concluded that it will satisfy the rebate eligibility requirements. The Agreement mirrors existing cost-sharing and service requirements that both parties are currently operating under.

POLICY OBJECTIVE

Multi-jurisdictional agreements and projects are consistent with the goals and strategies identified in the Imagine Roseville 2025 process. The joint construction of a fiber optic network serves a larger number of constituents and achieve greater economies of scale than if either party were to construct one separately.

FINANCIAL IMPACTS

Not applicable.

STAFF RECOMMENDATION

Staff recommends the Council approve the attached Fiber Services Agreement subject to final review by the City Attorney.

REQUESTED COUNCIL ACTION

Motion to approve the attached Fiber Services Agreement with the Roseville School District subject to final review by the City Attorney.

Prepared by: Chris Miller, Finance Director
Attachments: A: Fiber Services Agreement

**FIBER TRANSPORT SERVICE AGREEMENT BETWEEN
ROSEVILLE INDEPENDENT SCHOOL DISTRICT 623 AND CITY OF ROSEVILLE, MN**

THIS Service Agreement ("Agreement") subject to the laws of State of Minnesota, is between the Roseville Independent School District 623, (hereinafter "DISTRICT") 1251 County Road B2 W Roseville, MN 55113 and City Of Roseville, a local unit of government in the State of MN, 2660 Civic Center Drive, Roseville, MN 55113 (hereinafter "PROVIDER").

- I. SERVICES PROVIDED. The PROVIDER agrees to install and provide fiber based transport services to the site as identified in Attachment A to this Agreement.
- II. TERM AND RENEWAL OF AGREEMENT. The term of service is for a period of five years from the date of service acceptance. The PROVIDER agrees to complete all work and provide service to the DISTRICT no earlier than July 1, 2010. The DISTRICT may choose to renew this Agreement at the end of the term of this Agreement. The PROVIDER agrees to renew the Agreement should the District choose to do so. The rate for renewal shall be mutually agreed between the DISTRICT and the PROVIDER but shall not exceed the cost for maintaining the service.
- III. PAYMENT. In consideration for all services performed by the PROVIDER the DISTRICT shall pay the PROVIDER a one-time charge of \$70,694 and monthly payment of \$3,120 for the term of the Agreement. The District shall pay for services as they are implemented and operational.
- IV. E-RATE CERTIFICATION. The PROVIDER shall certify annually that it is registered with the Universal Service Administration Companies Schools and Libraries Division with a valid Service Provider Identification Number. Failure to do so would be cause for the DISTRICT to terminate this Agreement without any termination liabilities.
- V. SERVICE MAINTENANCE and CREDITS. The PROVIDER shall maintain the service at 99.9 percent availability calculated over a thirty day window. The PROVIDER shall respond to trouble report from the DISTRICT twenty-four hours a day, seven days a week. In the event service restoration requires an on-site visit, the PROVIDER shall be onsite within four hours of reporting a trouble and will make all commercially reasonable efforts to resolve the problem. The PROVIDER shall provide a service outage credit to the DISTRICT for one day of service for each eight hours of continuous outage. The service credit shall be provided on the subsequent invoice to the DISTRICT.
- VI. ASSIGNMENT. The PROVIDER shall neither assign nor transfer any rights or obligations under this Agreement without the prior written consent of the DISTRICT which shall not be unreasonably withheld.
- VII. AMENDMENTS. Any amendments to this Agreement shall be in writing, and shall be executed by the same parties who executed the original Agreement, or their successors in office.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed intending to be bound thereby.

1. ROSEVILLE INDEPENDENT SCHOOL DISTRICT 623

By (authorized District office signature)
Title
Date:

2. PROVIDER: CITY OF ROSEVILLE, MN

The Agreement on behalf of the PROVIDER as required by applicable articles, by-laws, resolutions, or ordinances.

By (authorized signature)
Title
Date

ATTACHMENT A
SITE LIST FOR FIBER BASED TRANSPORT SERVICES

Site	Address
Edgerton Elementary	1929 Edgerton Street Maplewood, MN 55117
Fairview	1910 County Road B West Roseville, MN 55113
Parkview Center	701 County Road B West Roseville, MN 55113
BrimHall Elementary	1744 County Road B West Roseville, MN 55113
District Center	1251 County Road B-2 West Roseville, MN 55113
ED Williams	955 W. County Road D Shoreview, MN 55126
Little Canada Elementary	400 Eli Road Little Canada, MN 55117
Falcon Heights Elementary	1393 Garden Avenue West Falcon Heights, MN 55113
Roseville Area High School (District Hub)	1240 County Road B-2 West Roseville, MN 55113
Central Park Elementary	535 County Road B-2 West Roseville, MN 55113
Roseville Area Middle School	15 County Road B-2 East Little Canada, MN 55117

Notes:

Transport services consist of the following:

1. Point-to-point Ethernet based gigabit (1000 mbps) service from the District Hub to each of the remote sites. There will be no over subscription at the District hub.
2. The Provider shall include fiber terminating devices that provide quality of service.

REQUEST FOR COUNCIL ACTION

Date: February 8, 2010
Item No.: 7.f

Department Approval

City Manager Approval



Item Description: Appointment and Reappointment Process and Term Limits Policy -
Roseville Housing and Redevelopment Authority

1 **BACKGROUND**

2 The City has established procedures to ensure that every person is given an equal opportunity to
3 be considered for appointment and reappointment to any of the six standing advisory
4 commissions and the Roseville Housing and Redevelopment Authority (RHRA). Council
5 updated the procedures for the advisory commission and has asked that staff update the
6 appointment and reappointment process for the RHRA.

7 **POLICY OBJECTIVE**

8 To clarify who takes part in the interview process and to update the appointment and
9 reappointment process that ensures fair and open notification and selection process that
10 encourages all Roseville residents who are interested to apply for appointments to the RHRA.

11 **FINANCIAL IMPACTS**

12 None

13 **STAFF RECOMMENDATION**

14 Adopt the proposed resolution that clarifies who takes part in the interview process and to update
15 the appointment and reappointment process for the Roseville Housing and Redevelopment
16 Authority.

17 **REQUESTED COUNCIL ACTION**

18 Adopt the proposed resolution that clarifies who takes part in the interview process and to update
19 the appointment and reappointment process for the Roseville Housing and Redevelopment
20 Authority.

21
Prepared by: William J. Malinen, City Manager

Attachments: A: Draft Resolution

**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 13th day of August, 2007, at 6:00 p.m.

The following members were present: Ihlan, Pust, Kough, Roe and Klausing
and the following were absent: none.

Member Roe introduced the following resolution and moved its adoption:

Resolution No. 10541

**To Define the Appointment and Reappointment Process,
for the Members of the Board of the
Housing & Redevelopment Authority In and For the City of Roseville**

WHEREAS, the Housing & Redevelopment Authority In and For the City of Roseville (HRA) was established by the City Council in 2002 to provide housing programs and promote safe, decent, and affordable housing options for the community; and

WHEREAS, the Roseville HRA Board is composed of seven resident members and is a separate entity with legal authority established under MN Statutes 469.001 to 469.047; and

WHEREAS, the governing state statutes establish that appointments to the Roseville HRA Board are made by the Mayor, subject to the approval of the City Council; and

WHEREAS, the Mayor and City Council desire to define an open and collaborative process by which appointments and reappointments to the Roseville HRA Board will be made; and

WHEREAS, the appointment and reappointment process for the Roseville HRA Board has not been specifically defined to this point;

NOW, THEREFORE, BE IT RESOLVED, by the Roseville City Council as follows:

POLICY STATEMENT:

It is the intent of this policy to establish a fair and open notification and selection process that encourages Roseville residents to apply for appointment to the Roseville HRA Board.

PROCEDURE STATEMENT:

I.

When a vacancy occurs on the HRA Board the following procedure will be used.

- A. The Mayor and City Council, at a regular meeting, will establish a deadline for receiving applications, and the date(s) of the Council Meeting(s) to interview the applicants. The time between the application deadline and the interviews will be no more than ~~thirty (30)~~ days.
- B. HRA Board vacancies will be advertised in the City's legal newspaper and, if different, the Roseville Review ~~Roseville Focus newspapers~~ at least two (2) times before the application deadline. Vacancies will also be advertised on the City of Roseville's Cable Television Channel and posted on the City Hall Bulletin Board.
- C. Applications received after the established deadline but before the established date of applicant interviews may be considered, at the discretion of the Mayor.
- D. The names and applications of applicants will be provided to the Mayor and City Council, and to the public, after the application deadline.
- E. Applicants will be interviewed at the established meeting(s) by the Mayor and the City Council. The Chair or designee of the HRA Board will be invited to attend and participate in the interviews. The interviews will be open to the public. The Mayor may elect to eliminate any applicants from consideration, with reasonable notice to such applicants and the City Council, prior to the established date of applicant interviews.
- F. The Mayor will make appointments to the HRA Board from among the qualified applicants at a subsequent City Council meeting following the meeting at which the interviews are conducted.
- G. The City Council will vote on approval of the Mayor's appointments at the same meeting at which the appointments are made.
- H. If not enough Mayoral appointments from among the qualified applicants are approved by the City Council to fill all of the associated vacancies, the remaining vacancies will be re-advertised as described in A-E above.
- I. HRA Board applications will be kept on file for one year. If during that time a vacancy occurs on the HRA Board or any standing City Advisory Commission, all applicants for the HRA Board, and all applicants for any standing City Advisory Commissions, whose applications are on file at the time of the vacancy, will be advised of the vacancy in writing.

II.

When a current HRA Board member's term is expiring, the following procedure will be used.

- | A. No later than ~~sixty~~ (60) days prior to the expiration of a term, at a regular City Council meeting, the Mayor will either reappoint HRA Board members whose terms are expiring, or declare the appropriate vacancies to exist.
- B. The City Council will vote on approval of the Mayor's reappointments at the same meeting at which the reappointments are made.
- C. If the City Council does not approve of a reappointment, that shall create a vacancy on the HRA Board.
- D. The procedure for filling vacancies declared or created by this procedure shall be as described in Section I above.

The motion for the adoption of the foregoing resolution was duly seconded by Member Pust, and upon a vote being taken thereon, the following voted in favor thereof: Ihlan, Pust, Kough, Roe and Klausing

and the following voted against the same: none.

WHEREUPON said resolution was declared duly passed and adopted.

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 02/08/2010

Item No.: 7.g

Department Approval



City Manager Approval



Item Description: Approve Contract with Braun Intertec to Undertake Subsurface Testing and Complete Remedial Planning for the Twin Lakes Phase II Public Infrastructure Project

1.0 BACKGROUND

On September 21, 2009, the City Council approved a contract with Braun Intertec to complete a Voluntary Response Action Plan (RAP) and Construction Contingency Plan (CCP) for the Phase 2 infrastructure project, which is a necessary action to move forward with the construction of the infrastructure project. A RAP is an environmental planning document that characterizes environmental contamination and details how the contamination will be remediated. The Minnesota Pollution Control Agency's Voluntary Investigation and Cleanup Program requires that an applicant submit a RAP for agency review and approval in order to receive a letter of no further action for the area.

On October 6, 2009, Braun Intertec submitted a RAP/CCP to PCA for its review. The methodologies used in this plan were the same as those prescribed in the RAP that was approved for the Phase 1 infrastructure area. On December 29, 2009, the City received a letter from the PCA requesting additional investigation is necessary within the Phase 2 area before the PCA can approve the RAP due to the proximity of known groundwater contamination. (Attachment B to review the letter.)

Staff requested that Braun Intertec develop a scope of work that would meet the request made by PCA for further assessment in order to obtain an approved RAP/CCP for the Phase 2 infrastructure area without conducting subsurface investigation on land that is not owned by the City and/or outside of the scope of this project. Attachment B is the proposal from Braun to undertake the requested soil and water sampling, testing, and analysis as well as revising the RAP/CCP.

2.0 POLICY OBJECTIVE

By undertaking the development of the RAP, the City is positioning itself to take advantage of regional and state financial resources for environmental cleanup. Policy 4.3 of the Economic Development and Redevelopment Chapter of the 2030 Comprehensive Plan supports this activity. It states: "Foster environmental remediation of polluted property through partnerships with property owners and funding agencies."

3.0 FINANCIAL IMPACTS

The City is not impacting the general fund by authorizing this \$16,260 expenditure. Environmental assessment and planning is an eligible tax increment expense. The City can use existing tax increment

28 balances to pay for this activity. In addition, when the Twin Lakes Cost Allocation Study is updated,
29 staff will be adding in environmental assessment and cleanup a project expense and the costs for these
30 activities, which are not offset by grants, will be recuperated by developers at the time of new
31 development.

32 **4.0 STAFF RECOMMENDATION**

33 Staff recommends that the City Council approve the \$16,260 expenditure for additional soil and water
34 sampling, testing, and analysis requested by the PCA as part of the RAP/CCP for the Phase 2
35 infrastructure project. A RAP/CCP will be needed prior to letting the project for construction.

36 **5.0 REQUESTED COUNCIL ACTION**

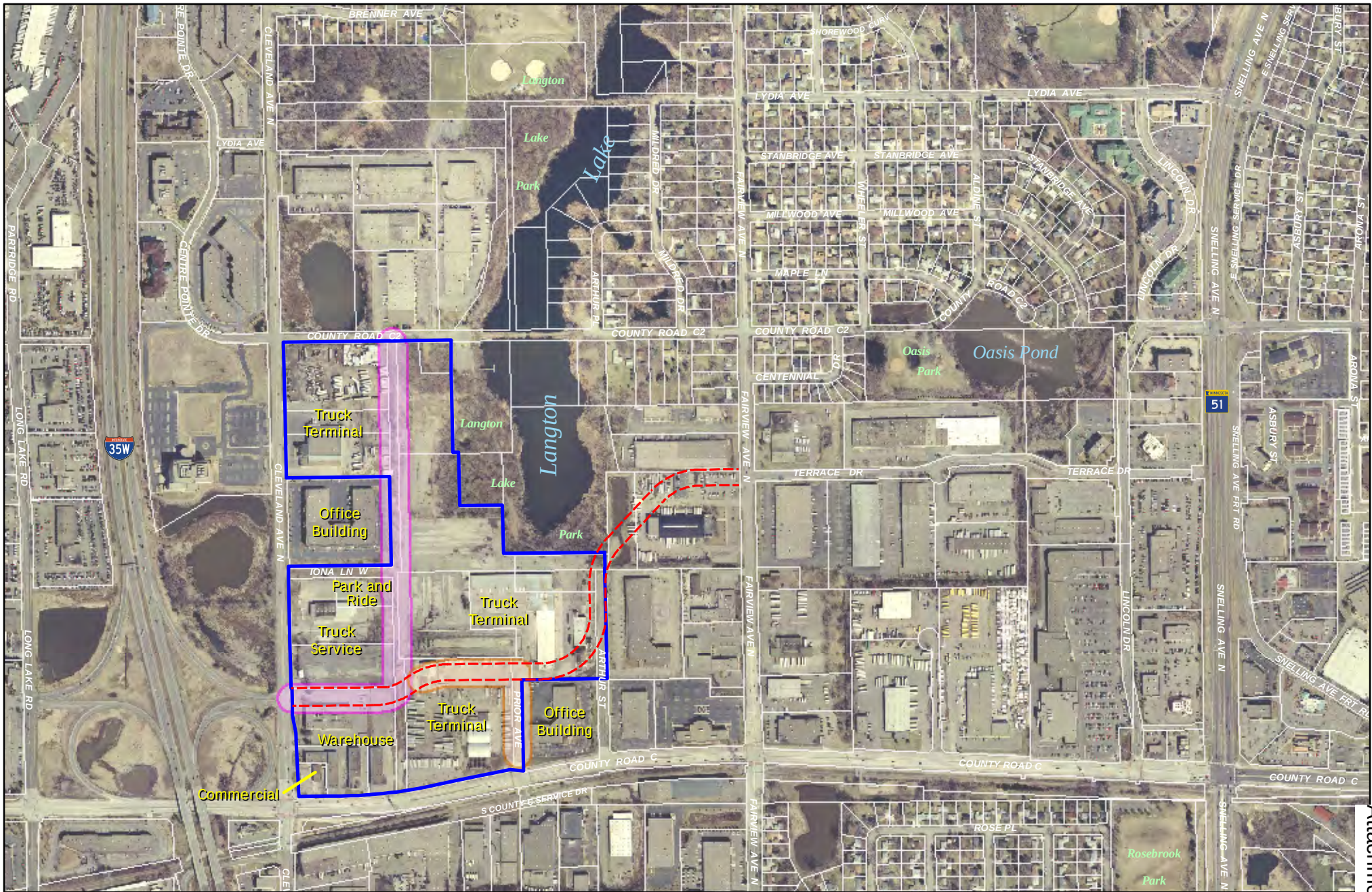
37 Approve a \$16,260 contract with Braun Intertec to undertake soil and water sampling, testing, and
38 analysis in order to gain PCA approval for the Response Action Plan and Construction Contingency
39 Plan for the Phase 2 infrastructure project.

40

41

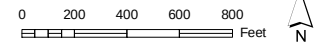
Prepared by: Jamie Radel, Economic Development Associate

Attachments: A: Map depicting proposed project
B: Braun Intertec Agreement, which includes correspondence from PCA



DEED Redevelopment Grant: Twin Lakes Location Map

- Project Area
- Redevelopment Corridor Phase 2
- Redevelopment Corridor Phase 1
- Twin Lakes Parkway





Braun Intertec Corporation
11001 Hampshire Avenue S
Minneapolis, MN 55438

Phone: 952.995.2000
Fax: 952.995.2020
Web: braunintertec.com

January 26, 2010

Proposal BL-08-02387G

Ms. Deb Bloom, City Engineer
City of Roseville
2660 Civic Center Drive
Roseville, MN 55113

Re: Proposal to Conduct a Subsurface Investigation and
Amend the Voluntary Response Action Plan
Proposed Second Phase of Twin Lakes Roadways
Twin Lakes Parkway, Located West of Arthur Avenue
Roseville, Minnesota

Dear Ms. Bloom:

Braun Intertec has prepared this proposal to further evaluate subsurface conditions at the referenced property (Site) as required by the Minnesota Pollution Control Agency (MPCA) as a condition of its approval of a redevelopment workplan.

A redevelopment workplan, titled Voluntary Response Action Plan and Construction Contingency Plan (VRAP/CCP), dated October 6, 2009, was submitted to the MPCA. However, the MPCA determined that additional investigation of the Site was required before approval of the workplan could be granted, given the incomplete investigation of the chlorinated solvent release on the neighboring PIK property to the north.

We propose to complete the follow scope of work based on direction provided by the MPCA Voluntary Investigation & Cleanup (VIC) Program in a letter dated December 29, 2009 and by the Petroleum Brownfields (PB) Program in electronic correspondence dated January 8, 2010. Copies of the referenced correspondence from the MPCA are attached.

Drilling Activities

We propose to complete the following direct-push (Geoprobe™) soil borings at the Site:

- 4 borings to a depth of 25 feet below existing grade along the proposed water main and sanitary sewer utilities within Twin Lakes Parkway.
- 2 borings to a depth of 25 feet below existing grade on the north side of the roundabout located on the north end of Prior Avenue.

The borings will be performed using continuous sampling intervals to the termination depth of the borings. The borings will be performed using a track-mounted Geoprobe™ drill rig.

We will stake the proposed water main, sanitary sewer, and boring locations. Further, we will determine ground-surface elevations at those boring locations and coordinate the clearing of public utilities. The borings will be located using Global Positioning System (GPS) technology and the State of Minnesota GPS network. The boring locations may be altered by our field crew from those proposed to facilitate accessibility or to avoid existing utilities (if any).

Minnesota Department of Health (MDH) regulations require us to grout any boring that encounters a water-bearing stratum and either penetrates a confining layer or extend deeper than 25 feet. For the purposes of this proposal, it is assumed that all 6 borings will be grouted.

Soil Screening

A Braun Intertec environmental technician will be at the Site during the soil borings to monitor and log the subsurface materials encountered at each soil boring location. Soil discoloration and odors will be documented if detected. In addition, soil samples will be screened for the presence of organic vapors with a PID using both direct readings from each sample and the headspace method of analysis recommended in "Soil Sample Collection and Analysis Procedures," Minnesota Pollution Control Agency (MPCA) Petroleum Remediation Program Guidance Document 4-04, Section 1.

Soil Sampling and Laboratory Analyses

In accordance with direction from the MPCA, three soil samples will be collected from each of the six soil borings (18 soil samples total) for laboratory chemical analyses at the Braun Intertec laboratory. The soil samples will be collected from the depth intervals displaying visual or olfactory indications of contamination, or the highest field-screened organic vapor concentration. The soil samples will be analyzed for the presence and concentrations of the following parameters:

- Diesel-range organics (DRO)
- Gasoline-range organics (GRO)
- Volatile organic compounds (VOCs)

The soil samples will be transported under refrigerated conditions and accompanied by Braun Intertec chain-of-custody records. All analyses will be performed within U.S. EPA holding times.

Groundwater Sampling and Laboratory Analysis

Temporary wells will be installed in all six of the proposed soil borings to obtain perched groundwater samples (if encountered). If present, perched groundwater samples will be collected from each of the six temporary wells and analyzed for the presence and concentrations of the same parameters as the soil samples, including DRO, GRO, and VOCs.

Subsurface Evaluation Results and Reporting

Verbal results of the subsurface evaluation will be provided to you as they become available to us. Following receipt of the analytical testing results, Braun Intertec will summarize the results of the subsurface evaluation into a report. The following items will be included in the summary report:

- Summary of the environmental field-screening results
- A sketch identifying the soil boring and sampling locations
- Soil boring logs describing stratigraphy
- A description of sampling methods and procedures used
- Discussion of the soil and groundwater analytical results
- Conclusions and recommendations regarding our findings

One original and two copies of our final summary report will be submitted to you unless we are directed to do otherwise. Further, copies of the final summary report will be submitted to the MPCA VIC and PB Programs.

Please note that if further indications of soil or groundwater impacts are encountered during the assessment, the MPCA may require additional assessment of the Site to evaluate the full extent and magnitude of the soil and/or groundwater contamination, and what type of remedial activities, if any, should be conducted. Therefore, the Scope of Services for the proposed subsurface evaluation may not adequately define the extent of contamination that may be present at the Site.

Quality Assurance/Quality Control

Braun Intertec is currently certified to conduct inorganic and organic laboratory analyses by the Minnesota Department of Health, the Wisconsin Department of Natural Resources and the North Dakota State Department of Health.

All chemical analyses will be performed according to methods published by the United States Environmental Protection Agency or other authoritative sources. The quality assurance program at Braun Intertec has been designed to generate laboratory data that are both accurate and consistent. To maintain a high level of performance, quality-control assessment is used to monitor both precision and accuracy of the instruments and analyses. The examination of routine blanks, sample duplicates, spikes and standards highlight areas of each analytical procedure where preventive and/or corrective measures will be most effective. A copy of our Quality Assurance Manual is available for your review upon request.

Utility Clearance

Braun Intertec or our subcontractor will contact Gopher State One Call and request that they make arrangements for the appropriate public utility companies to determine the locations of public underground utilities at the Site. We request that the property owner or their authorized representative immediately notify the Braun Intertec project manager of the presence and locations of any underground objects that are not the responsibility of public utility companies. Braun Intertec will take reasonable precautions to avoid damaging underground objects. In authorizing this contract, the property owner and/or their agent agrees to waive any claim against Braun Intertec and will indemnify and hold Braun Intertec harmless from any claim of liability, injury or loss allegedly arising from us damaging underground objects not called to our attention prior to beginning the work.

Amended VRAP/CCP

In addition to the subsurface evaluation summary report, Braun Intertec will provide an amended VRAP/CCP to the MPCA VIC and PB Programs for the second phase of the Twin Lakes roadways construction project (Twin Lakes Parkway) following receipt of comments from the MPCA on the adequacy of the subsurface evaluation.

One original and two copies of the amended VRAP/CCP will be submitted to you unless we are directed to do otherwise. Further, copies of the VRAP/CCP will be submitted to the MPCA VIC and PB Programs given your approval.

Schedule

Based on our current schedule, we will be able to begin the scope of services within approximately two weeks of receipt of your authorization. Approximately 2 days will be required to conduct the soil borings. Standard turnaround time on environmental laboratory analyses for this project is about 10 working days. A draft of our written subsurface evaluation summary report will follow within 8 days after receiving the analytical results. The report will remain in draft status until we are notified from you to proceed with issuance of the final report.

Costs

We will furnish the services described herein on an hourly and unit cost basis. Based on our current understanding of the Site conditions and the assumptions stated in this proposal, we project the total cost to perform the Scope of Services will be about \$16,260. Although the actual cost may be more or less than the estimated cost, the estimated cost will not be exceeded without additional authorization from you. The estimated cost breakdown by activity is listed below.

<u>Service Description</u>	<u>Cost Estimate</u>
Drilling Services	\$2,600
Staking of Borings and Proposed Utilities (using GPS)	400
Private Utility Locate Contractor	250
Field Screening and Sampling <i>(includes staff, vehicle, and field equipment)</i>	1,450
Laboratory Analyses <i>(see Scope of Services for details)</i>	
Soil Samples	3,870
Groundwater Samples	1,290
Project Coordination and Investigation Summary Report	3,400
Prepare Amended VRAP/CCP and Correspondence with MPCA	<u>3,000</u>
Estimated Project Total	\$16,260

Acceptance of Proposal

Braun Intertec appreciates the opportunity to present this proposal to you. It is being presented in duplicate so if it is acceptable, the original can be retained for your records and ***the copy can be signed and returned to us electronically, by fax, or U.S. Mail in its entirety, including the General Conditions***, as written authorization to proceed. We will begin the project upon receipt of your authorization.

The estimated cost of \$16,260 presented in this proposal is based on the scope of services described and the assumption that the proposal will be authorized within 30 days and that the project will be completed within the proposed schedule. If the project is not authorized within 30 days, we may need to modify the proposal. If the project cannot be completed within the proposed schedule due to circumstances beyond our control, revising the proposal may be required for completion of the remaining tasks. Payment for services is due upon receipt of invoice, with interest added to unpaid balances after 30 days. The attached General Conditions for the City of Roseville are a part of this proposed contract.

If you have questions concerning the contents of this proposal or the project in general, please call Jason Kunze at 952.995.2436.

Sincerely,

BRAUN INTERTEC CORPORATION



Jason J. Kunze
Senior Scientist



Daniel R. Holte, PG
Principal

Attachments: VIC Program letter, dated December 29, 2009
PB Program correspondence, dated January 8, 2010
General Conditions for City of Roseville (4-29-09)

Authorization to Proceed:

Please proceed according to the described scope of services:

Authorizer's Firm

Authorizer's Name (please print or type)

Authorizer's Signature

Authorizer's Title

Date



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, MN 55155-4194 | 651-296-6300 | 800-675-3843 | 651-282-5332 TTY | www.pca.state.mn.us

December 29, 2009

Ms. Debra Bloom
City of Roseville
2660 Civic Center Drive
Roseville, MN 55113

RE: Twin Lakes Roadways Construction – Second Phase
MPCA Project Number VP4674
Technical Assistance Letter

Dear Ms. Bloom:

The Minnesota Pollution Control Agency (MPCA) staff in the Voluntary Investigation and Cleanup (VIC) Unit has reviewed the documents submitted for the Twin Lakes Roadways Construction – Second Phase site located in Roseville (the Site). The documents reviewed (Site Documents) include the following:

1. "Subsurface Evaluation," prepared by Braun Intertec (Braun), dated May 1, 2009;
2. "Voluntary Response Action Plan and Construction Contingency Plan," prepared by Braun, dated October 6, 2009;
3. "Report of Phase II Environmental Site Assessment," prepared by American Engineering Testing, Inc. (AET), dated September 16, 2005; and
4. MPCA Site correspondence files.

Historically, the Site was used as agricultural land until development of maintenance and terminal facilities in the mid-1950's to 1960's. The Site is currently being developed with the second phase of the Twin Lakes Roadways Project, a section of Twin Lakes Parkway between Mountain Ridge Road and Prior Avenue, and the reconstruction of Prior Avenue from Twin Lakes Parkway south to county Road C. This phase of the development will include sidewalks, medians, a roundabout, and underground utilities including water mains, sanitary sewer, and storm water sewers that route back to the storm water retention system. Water conserving planting beds will also be constructed. The roadway is being developed as a precursor to future development at surrounding parcels in the area.

Several investigations that have been completed in the area indicate chlorinated solvents and petroleum VOCs are present in soil, perched groundwater, and water table aquifers, in the area of the proposed roadway. The 2005 (AET) investigation indicated very high concentrations of trichloroethene (110,000 ug/l) was present in the perched groundwater on the PIK parcel, just to the north of the proposed roadway. Because there is currently not a volunteer, the PIK parcel will be referred to the MPCA's Site Assessment Unit for possible future investigation and response action.

It is the MPCA VIC program staff opinion that additional investigation is necessary to determine if impacted perched groundwater is migrating onto the Site from the adjoining PIK parcel and impacting the soil and groundwater at the Site.

Additional information is needed in the development of the RAP/CCP to describe the proposed roadway development plans in more detail and to develop contingencies and response actions to the soil and groundwater contamination that is potentially present. Specifically, the MPCA requests the following additional investigation requirements:

- Advance several additional borings on the north side of the roadway and to the south of borings P-53 and P-28, to the east of the former Indianhead Warehouse building;
- Advance one or two borings on the north end of Prior Avenue, to the north of the roundabout;
- Advance one or two borings in the roadway at the south end of the former PIK maintenance building located near Author Avenue;
- Collect and analyze several soil samples from each boring, and analyze the samples for volatile organic compounds (VOCs). One sample shall be collected near the surface, where soils are proposed to be excavated for the roadway and a deeper sample shall be collected near the depths that the utilities will be excavated;
- In the area of the former PIK maintenance building analyze samples for VOCs, polynuclear aromatic hydrocarbons, 8 RCRA metals, and diesel range organics; and
- Collect a perched groundwater sample from each of the borings and analyze the samples for VOCs.

The MPCA also requests the following modifications to the RAP/CCP:

- Provide information in the RAP describing the anticipated depths that will be excavated for the roadway and utility installation. Cross-sections would be helpful to determine if the depths excavated for the utilities will encounter contaminated soil or groundwater;
- Provide information on the clean-up goals for the project. Discuss in regards to the Soil Reference Values (SRVs) and the Soil Leaching Values (SLVs);
- Discuss the criteria for determining if soil can be reused on the Site with regards to the SRVs and SLVs;
- Provide an estimate of the amount of impacted soil that will be encountered and require disposal;
- Taking into account the additional groundwater investigation required above, provide information on how perched groundwater will be prevented from impacting and migrating through the utility trenches; and provide more detailed information on the treatment, sampling, and disposal of impacted perched groundwater.

Ms. Debra Bloom
Page 3
December 29, 2009

Please be advised that this letter is subject to the disclaimers in Attachment A. If you have any questions about the contents of this letter, please contact Jerry Stahnke, Project Manager at 651-757-2753 or Allan Timm, Hydrogeologist at 651-757-2786.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jerry Stahnke".

Jerry Stahnke
Project Manager
Superfund, RCRA, and Voluntary Cleanup Section
Remediation Division

JS:csa

Attachment

cc: Jason Kunze, Braun Intertec
Larry Carlson, Ramsey County Department of Public Health

ATTACHMENT A
DISCLAIMERS
TWIN LAKES ROADWAYS – SECOND PHASE
MPCA PROJECT NUMBER VP4674

1. Reservation of Authorities

The Minnesota Pollution Control Agency (MPCA) Commissioner reserves the authority to take any appropriate actions with respect to any release, threatened release, or other conditions at the Site. The MPCA Commissioner also reserves the authority to take such actions if the voluntary party does not proceed in the manner described in this letter or if actions taken or omitted by the voluntary party with respect to the Site contribute to any release or threatened release, or creates an imminent and substantial danger to public health and welfare.

2. No MPCA Assumption of Liability

The MPCA, its Commissioner and staff do not assume any liability for any release, threatened release or other conditions at the Site or for any actions taken or omitted by the voluntary party with regard to the release, threatened release, or other conditions at the Site, whether the actions taken or omitted are in accordance with this letter or otherwise.

3. Letter Based on Current Information

All statements, conclusions and representations in this letter are based upon information known to the MPCA Commissioner and staff at the time this letter was issued. The MPCA Commissioner and staff reserve the authority to modify or rescind any such statement, conclusion or representation and to take any appropriate action under his authority if the MPCA Commissioner or staff acquires information after issuance of this letter that provides a basis for such modification or action.

4. Disclaimer Regarding Use or Development of the Property

The MPCA, its Commissioner and staff do not warrant that the Site is suitable or appropriate for any particular use.

5. Disclaimer Regarding Investigative or Response Action at the Property

Nothing in this letter is intended to authorize any response action under Minn. Stat. § 115B.17, subd. 12.

Kunze, Jason

From: Oulgout, Bassou (MPCA) [Bassou.Oulgout@state.mn.us]
Sent: Friday, January 08, 2010 9:38 AM
To: Kunze, Jason
Cc: Koplitz, Mark (MPCA); Timm, Allan (MPCA); Stahnke, Gerald (MPCA)
Subject: RE: Twin Lakes

Jason,

I just had a chance to go through the letter and refresh my memory with the report. I discussed the requested additional investigation with Allen and we both agreed on the location and the number of borings with the following modifications:

- 1-Move the borings on the north side of the roadway as close as possible to the roadway where the actual work will be taking place.
- 2-In addition to the requested information by PBP (See Mark's e-mail below dated October 30th 2009), Analyze for DRO and GRO in both soil and groundwater.

Bassou Oulgout

From: Kunze, Jason [mailto:JKunze@braunintertec.com]
Sent: Monday, January 04, 2010 2:52 PM
To: Koplitz, Mark (MPCA); Oulgout, Bassou (MPCA)
Subject: RE: Twin Lakes

Mark and Bassou:

Attached is the letter issued by the VIC staff for the Second Phase of the Roadways project at Twin Lakes in Roseville.

When you get the chance, please let me know if the MPCA Petroleum Brownfields folks have any requirements beyond those stated in the attached letter.

Thank you,

Jason Kunze

BRAUN INTERTEC CORP
11001 Hampshire Ave S
Bloomington, MN 55438
jkunze@braunintertec.com
direct: (952) 995-2436
mobile: (612) 360-0727

From: Koplitz, Mark [mailto:Mark.Koplitz@state.mn.us]
Sent: Friday, October 30, 2009 2:50 PM
To: Kunze, Jason
Subject: Twin Lakes

Jason, I was told VIC staff are asking for additional work. With that said, Bassou and I would like the following information included in the RAP. Thanks

The extent of soil and GW has not been defined,

The amount of soil to be excavated during the road and utility constructions. Depth of the utilities and their relation to GW,

Need for proposed barrier around the utilities,

Need for detailed management of contaminated soil, where soil will be disposed of,

Question regarding imported fill, source, need to sample?

Map does not exhibit any detail concerning contaminated soil location and GW plume and their relation to utilities.

Mark Koplitz

Petroleum Brownfields

Direct Line: 651/757-2502

Fax: 651/296-9707

Mark.Koplitz@state.mn.us

PBP Web Page: http://www.pca.state.mn.us/programs/vpic_p.html

Our agreement ("Agreement") with you consists of these General Conditions and the accompanying written proposal or authorization.

Section 1: Our Responsibilities

1.1 We will provide the services specifically described in our Agreement with you. You agree that we are not responsible for services that are not fairly included in our specific undertaking. Unless otherwise agreed in writing, our findings, opinions, and recommendations will be provided to you in writing. You agree not to rely on oral findings, opinions, or recommendations without our written approval.

1.2 In performing our professional services, we will use that degree of care and skill ordinarily exercised under similar circumstances by reputable members of our profession practicing in the same locality. If you direct us to deviate from our recommended procedures, you agree to hold us harmless from claims, damages, and expenses arising out of your direction.

1.3 We will reference our field observations and sampling to available reference points, but we will not survey, set, or check the accuracy of those points unless we accept that duty in writing. Locations of field observations or sampling described in our report or shown on our sketches are based on information provided by others or estimates made by our personnel. You agree that such dimensions, depths, or elevations are approximations unless specifically stated otherwise in the report. You accept the inherent risk that samples or observations may not be representative of things not sampled or seen and, further, that site conditions may change over time.

1.4 Our duties do not include supervising your contractors or commenting on, overseeing, or providing the means and methods of their work, unless we accept such duties in writing. We will not be responsible for the failure of your contractors to perform in accordance with their undertakings, and the providing of our services will not relieve others of their responsibilities to you or to others.

1.5 We will provide a health and safety program for our employees, but we will not be responsible for contractor, job, or site health or safety unless we accept that duty in writing.

1.6 You will provide, at no cost to us, appropriate site safety measures as to work areas to be observed or inspected by us. Our employees are authorized by you to refuse to work under conditions that may be unsafe.

1.7 Estimates of our fees or other project costs will be based on information available to us and on our experience and knowledge. Such estimates are an exercise of our professional judgment and are not guaranteed or warranted. Actual costs may vary. You should allow a contingency in addition to estimated costs.

Section 2: Your Responsibilities

2.1 You will provide us with prior geotechnical and other reports, specifications, plans, and information to which you have access about the site. You agree to provide us with all plans, changes in plans, and new information as to site conditions until we have completed our work.

2.2 You will provide access to the site. In the course of our work some site damage is normal even when due care is exercised. We will use reasonable care to minimize damage to the site. We have not included the cost of restoration of normal damage in the estimated charges.

2.3 You agree to provide us, in a timely manner, with information that you have regarding buried objects at the site. We will not be responsible for locating buried objects at the site unless we accept that duty in writing. You agree to hold us harmless from claims, damages, losses, and related expenses involving buried objects of which you had knowledge but did not timely call to our attention or correctly show on the plans you or others on your behalf furnished to us.

2.4 You will notify us of any knowledge or suspicion of the presence of hazardous or dangerous materials in a sample provided to us. You agree to provide us with information in your possession or control relating to contamination at the work site. If we observe or suspect the presence of contaminants not anticipated in our Agreement, we may terminate our work without liability to you or to others, and we will be paid for the services we have provided.

2.5 Neither this Agreement nor the providing of services will operate to make us an owner, operator, generator, transporter, treater, storer, or a disposal facility within the meaning of the Resource Conservation Recovery Act, as amended, or within the meaning of any other law governing the handling, treatment, storage, or disposal of hazardous materials. You agree to hold us harmless and indemnify us from any such claim or loss.

2.6 Monitoring wells are your property, and you are responsible for their permitting, maintenance, and abandonment unless we accept that duty in writing.

2.7 You agree to make disclosures required by law. In the event you do not own the site, you acknowledge that it is your duty to inform the owner of the discovery or release of contaminants at the site. You agree to hold us harmless and indemnify us from claims related to disclosures made by us that are required by law and from claims related to the informing or failure to inform the site owner of the discovery of contaminants.

Section 3: Reports and Records

3.1 We will furnish reports to you in duplicate. We will retain analytical data for seven years and financial data for three years.

3.2 Our reports, notes, calculations, and other documents and our computer software and data are instruments of our service to you, and they remain our property but are subject to a license to you for your use in the related project for the purposes disclosed to us. You may not transfer our reports to others or use them for a purpose for which they were not prepared without our written approval, which will not be unreasonably withheld. You agree to indemnify and hold us harmless from claims, damages, losses, and expenses, including attorney fees, arising out of such a transfer or use. At your request, we will provide endorsements of our reports or letters of reliance, but only if the recipients agree to be bound by the terms of our agreement with you and only if we are paid the administrative fee stated in our then current Schedule of Charges.

3.3 Because electronic documents may be modified intentionally or inadvertently, you agree that we will not be liable for damages resulting from change in an electronic document occurring after we transmit it to you. In case of any difference or ambiguity between an electronic and a paper document, the paper document shall govern.

3.4 If you do not pay for our services in full as agreed, we may retain work not yet delivered to you and you agree to return to us all of our work that is in your possession or under your control. You agree not to use or rely upon our work for any purpose whatsoever until it is paid for in full.

3.5 Samples remaining after tests are conducted and field and laboratory equipment that cannot be adequately cleansed of contaminants are and continue to be your

property. They will be discarded or returned to you, at our discretion, unless within 15 days of the report date you give us written direction to store or transfer the materials at your expense.

Section 4: Compensation

4.1 You will pay for services as agreed upon or according to our then current Schedule of Charges if there is no other written agreement as to price. An estimated cost is not a firm figure. You agree to pay all sales taxes and other taxes based on your payment of our compensation. Our performance is subject to credit approval and payment of any specified retainer.

4.2 You will notify us of billing disputes within 15 days. You will pay undisputed portions of invoices on receipt. You agree to pay interest on unpaid balances beginning 30 days after invoice dates at the rate of 1.5% per month, or at the maximum rate allowed by law.

4.3 If you direct us to invoice another, we will do so, but you agree to be responsible for our compensation unless you provide us with that person's written acceptance of all terms of our Agreement and we agree to extend credit to that person and to release you.

4.4 You agree to compensate us in accordance with our fee schedule if we are asked or required to respond to legal process arising out of a proceeding related to the project and as to which we are not a party.

4.5 If we are delayed by factors beyond our control, or if project conditions or the scope or amount of work change, or if changed labor union conditions result in increased costs, decreased efficiency, or delays, or if the standards or methods change, we will give you timely notice and we will receive an equitable adjustment of our compensation. If you and we do not reach agreement on such compensation within 30 days of our written application, we may terminate without liability to you or others.

4.6 If you fail to pay us within 60 days following invoice date, we may consider the default a total breach of our Agreement and, at our option, terminate our duties without liability to you or to others.

4.7 In consideration of our providing insurance to cover claims made by you, you hereby waive any right of offset as to fees otherwise due us.

Section 5: Disputes, Damage, and Risk Allocation

5.1 Each of us will exercise good faith efforts to resolve disputes without litigation. Such efforts will include, but not be limited to, a meeting(s) attended by each party's representative(s) empowered to resolve the dispute. Before either of us commences an action against the other, disputes (except collections) will be submitted to mediation.

5.2 Neither of us will be liable for special, incidental, consequential, or punitive damages, including but not limited to those arising from delay, loss of use, loss of profits or revenue, loss of financing commitments or fees, or the cost of capital.

5.3 We will not be liable for damages unless suit is commenced within two years of the date of injury or loss or within two years of the date of the completion of our services, whichever is earlier. We will not be liable unless you have notified us of the discovery of the claimed breach of contract, negligent act, or omission within 30 days of the date of discovery and unless you have given us an opportunity to investigate and to recommend ways of mitigating damages.

5.4 You agree that our aggregate liability will not exceed \$5,000,000.

5.5 If you do not pay us within 60 days of invoice date, or if you make a claim against us that is resolved in our favor, you agree to reimburse our expenses, including but not limited to attorney fees, staff time, expert witness fees, and other costs of collection or litigation.

5.6 The law of the state in which our servicing office is located will govern all disputes. Each of us waives trial by jury. No employee acting within the scope of employment shall have individual liability for his or her acts or omissions, and you agree not make a claim against individual employees.

Section 6: General Indemnification

6.1 We will indemnify and hold you harmless from and against demands, damages, and expenses to the comparative extent they are caused by our negligent acts or omissions or those negligent acts or omissions of persons for whom we are legally responsible. You will indemnify and hold us harmless from and against demands, damages, and expenses to the comparative extent they are caused by your negligent acts or omissions or those negligent acts or omissions of persons for whom you are legally responsible.

6.2 To the extent it may be necessary to indemnify either of us under Section 6.1, you and we expressly waive, in favor of the other only, any immunity or exemption from liability that exists under any worker compensation law.

6.3 You agree to indemnify us against losses and costs arising out of claims of patent or copyright infringement as to any process or system that is specified or selected by you or by others on your behalf.

Section 7: Miscellaneous Provisions

7.1 We will provide a certificate of insurance to you upon request. Any claim as an Additional Insured shall be limited to losses caused by our sole negligence.

7.2 This Agreement is our entire agreement. It supersedes prior agreements. It may be modified only in a writing, making specific reference to the provision modified.

7.3 Neither of us will assign or transfer any interest, any claim, any cause of action, or any right against the other. Neither of us will assign or otherwise transfer or encumber any proceeds or expected proceeds or compensation from the project or project claims to any third person, whether directly or as collateral or otherwise.

7.4 Our Agreement may be terminated early only in writing. We will receive an equitable adjustment of our compensation in the event of early termination.

4-29-09

REQUEST FOR COUNCIL ACTION

Date: February 8, 2010
Item No.: 7.h

Department Approval



City Manager Approval



Item Description: Authorize Sale of 1980 Caterpillar 140G Road Grader

BACKGROUND

The 1980 Caterpillar 140G Road Grader has been an integral piece of equipment for our snow plowing and street maintenance activities. The road grader is in need of significant maintenance and is no longer a cost effective tool for the maintenance fleet due to the availability of new multi- purpose equipment available today. The replacement for this piece of equipment is planned to be a 2011 purchase of a tandem truck chassis with a hook system allowing for multiple body attachments.

The revenue from this sale would be for the purchase of a tandem truck with snow plow setup and hook system in 2011. Our existing 1997 asphalt patching truck is scheduled for replacement as well. This asphalt patch truck is used exclusively for patching six months out of the year. We would purchase a patch body with hook system to utilize the same truck chassis. With this replacement plan, we would be eliminating one vehicle from the fleet.

POLICY OBJECTIVE

To maintain a full fleet of plow equipment and multi-purpose vehicles to meet the operational and safety needs of the City, in the most cost-effective manner.

FINANCIAL IMPACTS

Staff feels the repair costs for this equipment would not be a cost effective investment to the city. The market for used road graders is currently favorable. Our estimated costs for new hydraulic lines, tires, cab repair, sand blast & paint would be \$10 – \$15,000. The estimated salvage value is \$20,000 to \$30,000.

REQUESTED COUNCIL ACTION

Motion authorizing sale of the 1980 Caterpillar 140G Road Grader.

Prepared by: Steve Zweber, Street Supervisor

REQUEST FOR COUNCIL ACTION

Date: 02/08/10

Item No.: 7.i

Department Approval



City Manager Approval



Item Description: Adopt a Resolution to Approve 2010 Apportionment of Assessments

BACKGROUND

Whenever the legal description of property changes, it is necessary to reassign levied assessments remaining on the property to the proper frontage or area of the lot or lots. This is called "Reapportionment of Assessments." This typically happens when a property is subdivided or an easement is recorded on the property. The City Council must approve all reapportionments.

Until 1993, each reapportionment was done with a separate Council Action request and Resolution. The need to process separate reapportionments was very costly and time consuming. In the past, there have been as many as 30 reapportionments in a single year. By adopting one resolution authorizing the Public Works Director to reapportion the assessments, we are saving the City time and money.

POLICY OBJECTIVE

The City Council must approve the reapportionment of levied assessments. The engineering staff does the calculations to reapportion the assessments and processes all support documentation for each request.

STAFF RECOMMENDATION

This system has been used for the last ten years and has worked well. It is the staff recommendation to continue this action in 2010.

REQUESTED COUNCIL ACTION

Approval of a resolution authorizing the Public Works Director to reapportion assessments in 2010.

Prepared by: Sally Ricard, Senior Office Assistant

1 **EXTRACT OF MINUTES OF MEETING**
2 **OF CITY COUNCIL**
3 **CITY OF ROSEVILLE**
4 **RAMSEY COUNTY, MINNESOTA**

5
6 Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of
7 Roseville, County of Ramsey, Minnesota, was duly held in the City Hall at 2660 Civic Center
8 Drive, Roseville, Minnesota, on Monday, 8th day of February, 2010, at 6:30 p.m.

9
10 The following members were present: and the following members were absent:

11
12 Member introduced the following resolution and moved its adoption:
13
14

15 **RESOLUTION NO.**
16 **RESOLUTION RELATING TO APPORTIONMENT OF**
17 **ASSESSMENTS FOR THE YEAR 2010**

18
19 BE IT RESOLVED by the City Council of the City of Roseville, as follows:
20

21 WHEREAS, the assessment rolls for various improvements in the City of Roseville were
22 certified to the County Auditor of the County of Ramsey, and since the certifications, a
23 number of parcels of property contained within said assessment rolls have been divided and
24 conveyed,

25
26 AND WHEREAS, said division requires that apportionment of the original assessments be
27 made by the City Council of the City of Roseville in order that the proper assessment can be
28 extended by the County Auditor against each parcel of property thereafter,
29

30 AND WHEREAS, during the year, numerous requests to apportion the original assessments
31 on numerous parcels received by the City of Roseville,
32

33 AND WHEREAS, it would be more expedient to allow the Public Works Director or his
34 assigned staff to apportion the original assessments in as much as the City Council of the City
35 of Roseville approves all apportionment prepared by city staff when requested,
36

37 NOW, THEREFORE, the City Council of the City of Roseville does hereby authorize the
38 Public Works Director or his assigned personnel to make the apportionment of original
39 assessment against all of the requested properties for the year of 2010.
40

41 The City Manager of the City of Roseville is hereby authorized to prepare a certified copy of
42 this resolution and to certify the same to the County Auditor of Ramsey County, Minnesota.
43

44 The motion for the adoption of the foregoing resolution was duly seconded by and upon
45 vote being taken thereon, the following voted in favor thereof: and the following
46 voted against the same:
47

48 Whereupon said resolution was declared duly passed and adopted.
49

1
2 STATE OF MINNESOTA)
3) ss
4 COUNTY OF RAMSEY)
5
6
7

8 I, the undersigned, being the duly qualified City Manager of the City of Roseville,
9 County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the
10 attached and foregoing extract of minutes of a regular meeting of said City Council held on
11 the 8th day of February, 2010, with the original thereof on file in my office.
12

13 WITNESS MY HAND officially as such Manager this 8th day of February, 2010.
14
15
16
17

18 _____
19 William J. Mallinen, City Manager
20
21
22
23

21 (SEAL)
22
23

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 2/8/10
Item No.: 7.j

Department Approval



City Manager Approval



Item Description: Receive Feasibility Report and Order Public Hearing for Rice Street/ TH 36 Bridge Reconstruction Project

BACKGROUND

Ramsey County, Minnesota Department of Transportation, the City of Roseville and surrounding communities are working on a solution for improvements to the Rice Street/Highway 36 interchange to address existing and future safety and operational deficiencies. On December 21, 2009, the City Council ordered the preparation of a feasibility report for the Rice Street/ TH 36 Bridge Reconstruction Project.

We have had a number of community meetings over the last year. We have provided information to property owners regarding the City's assessment policy and the proposed design for Rice Street/ TH 36.

In accordance with City Council direction, a feasibility report has been prepared that details the proposed design, neighborhood impact, and estimated cost of the proposed Rice Street/ TH 36 Reconstruction project. Copies of the completed feasibility report are attached. The next step in the process is for the Council to accept the feasibility report and to schedule a public hearing.

POLICY OBJECTIVE

The purpose of the proposed Rice Street/Highway 36 interchange improvements is to address existing and future safety and operational deficiencies. The need for the project is driven by:

- Anticipated increase in traffic volumes on Rice Street from 20,000 vehicles per day to (existing) to 27,200 vehicles per day (2033)
- Rice Street bridge over Highway 36 no longer meets current geometric standards
- Rice Street bridge is in poor condition and eligible for federal bridge replacement funding.
- Closely spaced intersections do not comply with current Mn/DOT access management standards and cause traffic flow issues
- Non- motorized transportation facilities along Rice Street are not continuous, creating a bottleneck at TH 36.

As traffic volumes increase, safety and traffic operations will continue to deteriorate if existing deficiencies are not addressed. The feasibility report details the proposed design, neighborhood impact, estimated cost and proposed funding for the construction of these public improvements. Consistent with Ramsey County's cost sharing policy, a portion of the street reconstruction costs will be charged to the City of Roseville. It is the City's policy to assess adjacent property owners for up to 25% of the City of Roseville's cost for County Projects.

31 **FINANCIAL IMPACTS**

32 This project has major financial implications for the city including the following:

- 33 1. Assessments levied in accordance with the City's assessment policy.
- 34 2. Use of Municipal State Aid (MSA) dollars to fund the majority of Roseville's portion of the
- 35 cost for the Rice Street/ TH 36 reconstruction project.
- 36 3. Expenditure of utility fund dollars to pay for the repairs needed to the existing utility system.

37 It is proposed that the cost of the project be financed with MSA funds and special assessments. The
38 feasibility report will include a summary of the preliminary estimated costs and financing for the Rice
39 Street/ TH 36 Bridge Reconstruction Project.

40 **STAFF RECOMMENDATION**

41 Staff recommends that the City Council receives the feasibility report and orders a public improvement
42 hearing for the Rice Street/ TH 36 Bridge Reconstruction Project for March 8, 2010, at 6:00 p.m.

43 **REQUESTED COUNCIL ACTION**

44 Adoption of a resolution receiving the feasibility report and ordering a public improvement hearing for
45 the Rice Street/ TH 36 Bridge Reconstruction Project for March 8, 2010, at 6:00 p.m.

Prepared by: Debra Bloom

Attachments: A: Resolution
B: Feasibility Report

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38
- 39
- 40
- 41
- 42

The motion for the adoption of the foregoing resolution was duly seconded by Councilperson _____ and upon vote being taken thereon, the following voted in favor thereof: _____ and the following voted against the same: _____.

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 8th day of February, 2010, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 8th day of February, 2010.

William J. Malinen, City Manager

(SEAL)

*TH 36/Rice Street (CSAH 49)
Interchange Improvements
Roseville City Project 09-11
S.A.P. 62-649-27*

Feasibility Study
And Report

Prepared for:
City of Roseville

February 2010



Kimley-Horn
and Associates, Inc.



Kimley-Horn
and Associates, Inc.

February 8, 2010

Honorable Mayor and Members of the City Council
City of Roseville
2660 Civic Center Drive
Roseville, MN 55113

■
Suite 345N
2550 University Avenue West
St. Paul, Minnesota
55114

Attn: Deb Bloom, P.E.
City Engineer/Assistant Public Works Director

Re: Feasibility Study and Report
TH 36/Rice Street (CSAH 49) Interchange Improvements
Roseville City Project 09-11
S.P. 62-649-27

Honorable Mayor and Members of the City Council:

The enclosed feasibility report has been prepared for the TH 36/Rice Street (CSAH 49) Interchange Improvements, City Project 09-11. The feasibility report details the scope of the project as discussed with City and Ramsey County staff and provides estimated costs and a proposed method of financing for the project.

Information utilized in the preparation of this report included roadway and utility as-builts, information gathered through field reviews of the project area, and discussions with City and County staff. All available information was reviewed and considered to determine the feasibility of the proposed project.

We believe that the proposed project is feasible, that it will benefit the properties in the project area, and that it will benefit both the city of Roseville and Ramsey County.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Beth A Engum

Beth A. Engum, PE
Project Manager

Enclosure

FEASIBILITY STUDY AND REPORT
FOR
CITY OF ROSEVILLE

TH 36/RICE STREET (CSAH 49) INTERCHANGE IMPROVEMENTS

ROSEVILLE CITY PROJECT 09-11
S.P. 62-649-27

Kimley-Horn and Associates, Inc.
2550 University Avenue West
Suite 345N
St. Paul, MN 55114
(651) 645-4197

I hereby certify that this plan, specification
or report was prepared by me or under my
direct supervision and that I am duly
Licensed Professional Engineer under the
laws of the State of Minnesota.

Signature: Beth A. Engum
Beth A. Engum, P.E.

Date: 2/3/10 Lic. No. 44785

CITY OF ROSEVILLE
TH 36/RICE STREET (CSAH 49) INTERCHANGE IMPROVEMENTS
ROSEVILLE CITY PROJECT 09-11
S.P. 62-649-27

TABLE OF CONTENTS

	<u>Page</u>
EXECUTIVE SUMMARY	i
1. INTRODUCTION	1
2. PROPOSED PUBLIC IMPROVEMENTS	2
A. Street Improvements	2
B. Storm Sewer Improvements	4
C. Sanitary Sewer Improvements	4
D. Water Main Improvements	5
E. Private Utility Improvements	5
F. Interchange Improvements	5
3. RIGHT-OF-WAY AND EASEMENT REQUIREMENTS	5
4. ESTIMATED COSTS	7
5. METHOD OF FINANCING	7
6. ESTIMATED ASSESSMENTS	8
7. PROJECT SCHEDULE	9
8. SUMMARY AND RECOMMENDATIONS	9

APPENDIX A – EXHIBITS

Exhibit 1:	Project Location Map
Exhibit 2-3:	Proposed Improvements Layout
Exhibit 4-5:	Proposed Acquisition Map
Exhibit 6:	Proposed Assessment Map

APPENDIX B – CITY COST PARTICIPATION SUMMARY TABLE

APPENDIX C – PRELIMINARY ASSESSMENT ROLL

**CITY OF ROSEVILLE
TH 36/RICE STREET (CSAH 49) INTERCHANGE IMPROVEMENTS
ROSEVILLE CITY PROJECT 09-11
S.P. 62-649-27**

EXECUTIVE SUMMARY

This feasibility study and report has been prepared for the Trunk Highway (TH) 36/Rice Street (CSAH 49) Interchange Improvements, Roseville City Project 09-11. The project is being led by Ramsey County and includes interchange and roadway reconstruction, drainage, and utility improvements along Rice Street, County Road B West, Minnesota Avenue, and County Road B2 West in the Cities of Roseville, Maplewood, and Little Canada.

The proposed improvements include the following:

- Reconstruction of the standard diamond interchange to an offset single point interchange which will include replacement of the Rice Street bridge as well as construction of two ramp bridges over TH 36.
- Construction of a noise wall and stormwater infiltration area as a result of the new interchange.
- Reconstruction and widening of approximately 3,900 feet of Rice Street from south of County Road B West to north of County Road B2 West. Rice Street will be widened from 3-lanes to 4-lanes with shoulders, turn lanes, and concrete sidewalk along both sides of the roadway.
- Traffic signal replacement and the construction of turn lane improvements at the intersections of Rice Street and County Road B West, the TH 36 ramps, Minnesota Avenue, and County Road B2 West. This includes improvements to the roadway approaches at each of these intersections.
- Storm sewer, water main, and sanitary sewer improvements as well as private utility improvements (natural gas, telephone, electric, cable TV) along the segments of Rice Street, County Road B West, Minnesota Avenue, and County Road B2 West that are being reconstructed. Improvements to private utilities include burial of over head lines along the corridor.
- Right-of-way and easement acquisition along the segments of Rice Street, County Road B West, Minnesota Avenue, and County Road B2 West that are being reconstructed.

The estimated costs for the proposed improvements are detailed below.

<u>Proposed Improvement</u>	<u>Estimated Cost</u>
Street Improvements	\$ 11,800,000
Storm Sewer Improvements	\$ 400,000
Sanitary Sewer Improvements	\$ 50,000
Water Main Improvements	\$ 250,000
Interchange Improvements	\$ 8,500,000
Subtotal – Construction Cost	\$ 21,000,000
Right-of-Way/Easement Acquisition	\$ 3,000,000
Roseville Overhead Utility Burial Construction & Easement Acquisition	\$ 350,000

Little Canada Overhead Utility Burial Construction & Easement Acquisition	\$ 350,000
<u>Engineering & Administration</u>	<u>\$ 4,000,000</u>
Total Estimated Project Cost	\$ 28,700,000

The Ramsey County TH 36/Rice Street Interchange Improvements, Roseville City Project 09-11, are proposed to be financed through various Federal, State, County and City funding sources. The following is a summary of the current financing plan for the project.

<u>Financing Source</u>	<u>Amount</u>
Federal Surface Transportation Program (STP) Funds	\$ 7,000,000
Local Interchange Funds	\$ 5,000,000
State of Minnesota	\$ 2,000,000
Department of Employment & Economic Development (DEED) Funds	\$ 1,500,000
State Aid Turn Back Funds	\$ 2,200,000
Mn/DOT Bridge Funds	\$ 5,000,000
Mn/DOT Cooperative Agreement	\$ 590,000
City of Roseville	\$ 465,000
City of Little Canada	\$ 350,000
City of Maplewood	\$ 120,000
Roseville Community Requested Facility Surcharge (CRFS)	\$ 325,000
Little Canada Franchise Fee	\$ 350,000
<u>Other Funds</u>	<u>\$ 3,800,000</u>
Total	\$ 28,700,000

The total proposed City of Roseville funding allocated to the project is as follows:

<u>Financing Source</u>	<u>Estimated Amount</u>
Municipal State Aid (MSA)	\$ 201,380
Special Assessments	\$ 69,820
Water Utility Fund	\$ 193,800
Total	\$ 465,000

Roseville's share of the overall project cost is, therefore, approximately 2 percent.

The following is the proposed schedule for the project:

City Council Receives Feasibility Report	February 8, 2010
Public Hearing/City Council Authorize Plans & Specs, Approve Plans & Specs & Municipal Consent	March 8, 2010
Bid Opening	May 2010
Start Construction	June 2010
Construction Complete	Fall 2011

Based upon the analysis completed as a part of this report, the proposed Ramsey County TH 36/Rice Street Interchange improvements, Roseville City Project 09-11, are feasible, necessary, and cost effective.

1. INTRODUCTION

This feasibility study and report has been prepared for the Trunk Highway (TH) 36/Rice Street (CSAH 49) Interchange Improvements, Roseville City Project 09-11. The project is being led by Ramsey County and includes interchange and roadway reconstruction, drainage, and utility improvements along Rice Street, County Road B West, Minnesota Avenue, and County Road B2 West in the Cities of Roseville, Maplewood, and Little Canada.

The proposed improvements include the following:

- Reconstruction of the standard diamond interchange to an offset single point interchange which will include replacement of the Rice Street bridge as well as construction of two ramp bridges over TH 36.
- Construction of a noise wall and stormwater infiltration area as a result of the new interchange.
- Reconstruction and widening of approximately 3,900 feet of Rice Street from south of County Road B West to north of County Road B2 West. Rice Street will be widened from three-lanes to four-lanes with shoulders, turn lanes, and concrete sidewalk along both sides of the roadway.
- Traffic signal replacement and the construction of turn lane improvements at the intersections of Rice Street and County Road B West, the TH 36 ramps, Minnesota Avenue, and County Road B2 West. This includes improvements to the roadway approaches at each of these intersections.
- Storm sewer, water main, and sanitary sewer improvements as well as private utility (gas, telephone, electric, cable TV) improvements along the segments of Rice Street, County Road B West, Minnesota Avenue, and County Road B2 West that are being reconstructed. Improvements to private utilities include burial of over head lines along the corridor.
- Right-of-way and easement acquisition along the segments of Rice Street, County Road B West, Minnesota Avenue, and County Road B2 West that are being reconstructed.

Rice Street divides the Cities of Roseville, Maplewood, and Little Canada. The west side of Rice Street is Roseville along the entire length of the project. The east side of Rice Street is Maplewood and Little Canada. County Road B West divides these two cities. Maplewood is south of County Road B West and Little Canada is to the north.

The proposed improvements within the city of Roseville include roadway reconstruction and associated improvements on Rice Street, and the portions of County Road B West, Minnesota Avenue, and County Road B2 West to the west of Rice Street within the project area.

The proposed improvements are further detailed in this report along with the estimated costs, proposed funding methods, and proposed assessments to the benefiting property owners.

A project location map is provided as Exhibit 1 in Appendix A.

2. PROPOSED PUBLIC IMPROVEMENTS

The following is a summary of the proposed street, storm sewer, sanitary sewer, water main, and private utility improvements included as a part of this project. Exhibits 2 and 3 in Appendix A illustrate the proposed improvements.

A. Street Improvements

Rice Street

This project includes the reconstruction of Rice Street from approximately 700 feet south of County Road B West to 500 feet north of County Road B2 West. The total length of proposed street reconstruction is approximately 3,900 feet.

Rice Street is currently a 48-foot wide three-lane urban section roadway with bituminous pavement and concrete curb and gutter. There are numerous turn lanes throughout the corridor that widen the existing roadway to a maximum width of 71 feet. The proposed improvements include the reconstruction of Rice Street to a four-lane divided urban section with dedicated turn lanes at all major intersections. The proposed raised concrete median will consist of stamped integrally colored concrete with cut outs for planters with street trees where sufficient median width exists. The proposed pavement section includes 7-inches of bituminous pavement and 5-inches of aggregate base.

Improvements are proposed at all four major intersections within the project limits: County Road B West, the TH 36 ramps, Minnesota Avenue, and County Road B2 West. Intersection improvements are proposed to include new traffic signal systems and dedicated turn lanes.

Concrete sidewalk exists along the west side of Rice Street throughout the project area. As a part of the proposed improvements, new six-foot wide concrete sidewalk with a two-foot integrally colored and stamped concrete maintenance edge is proposed along both sides of Rice Street.

Retaining walls are proposed at numerous locations along Rice Street to protect existing property features from being disturbed. Three types of retaining walls are to be used throughout the project. A sheet pile wall will be constructed on Rice Street in front of Super America. The proximity of Super America's gas storage tanks to the proposed right-of-way does not allow a modular block wall to be constructed in this location without disturbing the storage tanks. The sheet pile wall will be approximately four feet tall. A wet-cast modular block wall will be constructed in front of the Northeast Metro Intermediate School. The wall in front of the school will be four to eight feet tall. Dry-cast modular block retaining walls will be constructed in front of McDonald's, Arby's,

the Dentist Office and Terrace Heights Mobile Home Community. These walls vary from one to three feet tall.

Generally, driveways disturbed by construction will be replaced in kind within the public right-of-way. Some existing driveways will be removed or consolidated as necessary to allow for the proposed improvements. Capitol View Avenue, a private road, will be disconnected from Rice Street. A turnaround will be constructed to accommodate large vehicle turning movements.

County Road B West

County Road B West will be reconstructed 1,000 feet to the east of Rice Street and 900 feet to the west of Rice Street to accommodate horizontal and vertical connections to the existing roadway. The total length of the proposed street reconstruction is approximately 1,900 feet.

County Road B West is currently a 44-foot wide four-lane urban section roadway with bituminous pavement and concrete curb and gutter. Existing turn lanes along County Road B widen the existing roadway to a maximum width of 62 feet.

The proposed improvements include the reconstruction of County Road B West to a four-lane divided urban section with dedicated turn lanes at the Rice Street intersection. The proposed pavement section for the roadway includes 7-inches of bituminous pavement over 7.5-inches of aggregate base. The proposed roadway width will be 65 feet at the Rice Street intersection and will taper back to 44 feet to match the existing roadway.

An eight-foot wide bituminous trail is proposed to be constructed along the south side of County Road B West from Rice Street to the existing Cub Foods entrance 1,000 feet east of Rice Street.

Two existing retaining walls along three properties on the south side of County Road B West and west of Rice Street will be replaced with wet-cast modular block retaining walls. The walls will be five to seven feet tall.

Driveways disturbed by construction will be replaced in kind within the public right-of-way. Access modifications are proposed to be made to Maplewood parcels east of Rice Street on County Road B West

Minnesota Avenue

Minnesota Avenue will be reconstructed approximately 400 feet west of Rice Street and 300 feet east of Rice Street. These distances represent the length of reconstruction necessary to connect to the existing roadway sections. The total length of the proposed street reconstruction is approximately 700 feet.

Minnesota Avenue is currently a 34-foot wide two-lane urban section roadway with bituminous pavement and concrete curb and gutter. Existing turn lanes along Minnesota

Avenue widen the existing roadway to a maximum width of 42 feet. The proposed improvements include the reconstruction of Minnesota Avenue to a two-lane urban section with dedicated turn lanes at the Rice Street intersection. The proposed pavement section for the roadway includes 7-inches of bituminous pavement over 6.5-inches of aggregate base. The proposed roadway width will be 47 feet at the Rice Street intersection and will taper back to 34 feet to match the existing roadway. Driveways disturbed by construction will be replaced in kind within the public right-of-way with the exception of the driveway to the apartment building on the southwest corner of the intersection with Rice Street, which will be closed.

County Road B2 West

County Road B2 West will be reconstructed approximately 500 feet east of Rice Street and 500 feet west of Rice Street in order to tie back into the existing roadway section. The total length of the proposed street reconstruction is approximately 1,000 feet.

County Road B2 West is currently a 34 to 42 foot wide two-lane urban section roadway with bituminous pavement and concrete curb and gutter. Existing turn lanes along Minnesota Avenue widen the existing roadway to a maximum width of 52 feet. The proposed improvements include the reconstruction of County Road B2 West to a two-lane urban section with dedicated turn lanes at the Rice Street intersection. The proposed pavement section for the roadway includes 7-inches of bituminous pavement over 10.5-inches of aggregate base. The proposed roadway width will be 54 feet at the Rice Street intersection and will taper back to 34 to 42 feet to match the existing roadway.

Driveways disturbed by construction will be replaced in kind within the public right-of-way with the exception of the driveway to the Wonder Bakery on the north side of County Road B2 which will be removed.

B. Storm Sewer Improvements

The existing storm sewer system on Rice Street primarily conveys runoff from the project area to the existing drainage basin located in the southwest quadrant of the TH 36/Rice Street interchange. The proposed storm sewer improvements will maintain the existing drainage patterns.

The proposed storm sewer improvements will include replacement of existing catch basins and storm sewer piping and the addition of a trunk storm sewer line along Rice Street. Proposed catch basins will be located based on Mn/DOT State Aid standards and storm sewer pipes will be sized for a 10-year storm event.

C. Sanitary Sewer Improvements

There are limited sanitary sewer improvements within the project area. All sanitary sewer manhole castings will be adjusted as needed along segments of Rice Street, County Road B West, Minnesota Avenue, and County Road B2 West that are being reconstructed. A

sanitary sewer service will also be added to a vacant parcel on the east side of Rice Street south of McDonald's. This new service includes 140 feet of 6" PVC and two new manholes.

D. Water Main Improvements

The water main within the project area is mostly 6-inch cast iron pipe. Segments of the existing water main along Rice Street and County Road B West are proposed to be replaced. This water main is owned by the city of Roseville. The city of Little Canada plans to extend water main from Park Street to Rice Street on County Road B2 as a part of a separate project. In areas where water main is not being replaced, improvements will be limited to relocating hydrants that will be impacted by the proposed roadway construction and adjusting gate valves as necessary. The city of Roseville water main replacement within the project area includes approximately 3,700 feet of new water main.

E. Private Utility Improvements

Various improvements to existing private utilities, including natural gas, electric, telephone, and cable TV, will be required as a part of the proposed project. Overhead utility lines exist along the west side of Rice Street for the majority of the project length. The Cities of Roseville and Little Canada have elected to have the existing overhead utilities buried in conjunction with this project. The Roseville portion of the estimated construction costs associated with the burial of overhead utilities are proposed to be paid for by a Community Requested Facility Surcharge (CRFS) to residents. Easements will need to be acquired for the burial of these utilities.

F. Interchange Improvements

Ramsey County has explored multiple design alternatives for the reconstruction of the TH 36/Rice Street interchange. In cooperation with Mn/DOT, the county has determined that an offset single point intersection is the most effective alternative to accommodate traffic volumes and address the poor intersection spacing along the Rice Street corridor.

The TH 36 and Rice Street interchange will be reconstructed from a standard diamond interchange to an offset signal point interchange to the north of TH 36. The interchange reconstruction includes replacement of the Rice Street bridge, construction of two ramp bridges, construction of an infiltration basin, and the construction of a noise wall.

3. RIGHT-OF-WAY AND EASEMENT REQUIREMENTS

The acquisition of additional right-of-way and temporary construction easements will be required from 26 parcels for the construction of this project. Two parcels, parcels 10 and 11, will be acquired in full for the proposed improvements. Parcel 8 is a Mn/DOT parcel and part of the parcel will be conveyed to the county for the construction of the Capitol View Avenue, private road, turnaround. The remaining portion of the parcel will be

purchased by the county. A summary of the required right-of-way and temporary construction easements is provided below:

PARCEL NO.	PROPERTY ID NO.	ADDRESS	CITY	PERMANENT EASEMENT (SQ. FT.)	TEMPORARY EASEMENT (SQ. FT.)
1	132923110010	2119 RICE STREET	R	-	206
2	132923110089	2129 RICE STREET	R	-	799
3	132923110007	2147 RICE STREET	R	-	575
4	132923110001	2155 RICE STREET	R	-	1,040
5	132923110002	158 COUNTY ROAD B WEST	R	-	1,180
6	132923110003	162 COUNTY ROAD B WEST	R	-	1,549
7	132923110004	170 COUNTY ROAD B WEST	R	-	1,449
8	122923440027	2231 RICE STREET	R	-	-
9	122923440036	151 CAPITOL VIEW AVENUE	R	551	8,825
10	122923440032	2257 RICE STREET	R	TOTAL	TAKE
11	122923440001	2275 RICE STREET	R	TOTAL	TAKE
12	122923410043	2295 RICE STREET	R	3,808	2,812
13	122923410046	2345 RICE STREET	R	5,829	-
14	122923410047	2353 RICE STREET	R	3,548	-
15	122923410002	2381 RICE STREET	R	2,895	762
16	122923410001	2393 RICE STREET	R	2,033	1,242
17	122923410008	162 COUNTY ROAD B2 WEST	R	-	429
18	122923140086	2425 RICE STREET	R	200	733
20	182922220012	100 COUNTY ROAD B WEST	M	2,607	14,306
21	182922220002	2158 RICE STREET	M	3,912	3,181
22	072922330033	2250 RICE STREET	LC	624	1023
23	072922330031	2260 RICE STREET	LC	3,216	1,675
24	072922320007	2300 RICE STREET	LC	-	3,293
25	072922320049	71 MINNESOTA AVENUE	LC	-	1,642
26	072922320047	2350 RICE STREET	LC	-	2,943
27	072922320050	70 COUNTY ROAD B2 WEST	LC	200	7,071
28	072922230012	93 COUNTY ROAD B2 WEST	LC	-	-
29	072922230011	2404 RICE STREET	LC	-	-
30	072911130010	2442 RICE STREET	LC	6,574	7,713

R=Roseville

M=Maplewood

LC=Little Canada

Ramsey County will be responsible for all right-of-way and easement acquisition required for the project with the exception of the easements required from the Wonder Bakery parcel and easements needed for overhead utility burial. Easements from the Wonder Bakery parcel will be dedicated to the County upon acquisition by the city of Little Canada. All offers have been made and the county expects to have acquired all of

the easement areas by April 1, 2010. The current estimate for the right-of-way and easement acquisition required for this project is \$3,000,000 which does not include the cost of easement acquisition required for overhead utility burial. The current estimate for overhead utility burial easements is \$50,000. Half of this cost is estimated for such easements within the City of Roseville.

4. ESTIMATED COSTS

The estimated costs for the Ramsey County TH36/Rice Street Interchange project, Roseville City Project 09-11, are detailed below.

<u>Proposed Improvement</u>	<u>Estimated Cost</u>
Street Improvements	\$ 11,800,000
Storm Sewer Improvements	\$ 400,000
Sanitary Sewer Improvements	\$ 50,000
Water Main Improvements	\$ 250,000
<u>Interchange Improvements</u>	<u>\$ 8,500,000</u>
Subtotal – Construction Cost	\$ 21,000,000
Right-of-Way/Easement Acquisition	\$ 3,000,000
Roseville Overhead Utility Burial Construction & Easement Acquisition	\$ 350,000
Little Canada Overhead Utility Burial Construction & Easement Acquisition	\$ 350,000
<u>Engineering & Administration</u>	<u>\$ 4,000,000</u>
Total Estimated Project Cost	\$ 28,700,000

The City cost participation for the project was determined consistent with the current Ramsey County cost participation policy for projects receiving Federal funds. The estimated project cost for the city of Roseville is \$ 465,000. The project cost/financing table in Appendix B further details the proposed Roseville cost contribution for the project.

5. METHOD OF FINANCING

The Ramsey County TH36/Rice Street Interchange Improvements, Roseville City Project 09-11, are proposed to be financed through various Federal, State, County, and City funding sources. The following is a summary of the preliminary financing plan for the overall project.

<u>Financing Source</u>	<u>Amount</u>
Federal Surface Transportation Program (STP) Funds	\$ 7,000,000
Local Interchange Funds	\$ 5,000,000
State of Minnesota	\$ 2,000,000
Department of Employment & Economic Development (DEED) Funds	\$ 1,500,000
State Aid Turn Back Funds	\$ 2,200,000

Mn/DOT Bridge Funds	\$ 5,000,000
Mn/DOT Cooperative Agreement	\$ 590,000
City of Roseville	\$ 465,000
City of Little Canada	\$ 350,000
City of Maplewood	\$ 120,000
Roseville Community Requested Facility	\$ 325,000
Surcharge (CRFS)	
Little Canada Franchise Fee	\$ 350,000
Other Funds	\$ 3,800,000
Total	\$ 28,700,000

The County is in the process of working with the Metropolitan Council to have the current Surface Transportation Improvements Plan (STIP) amended to include the project. The STIP must include the project in order for the Federal STP funds to be used. The County is also working to secure additional DEED money for the project.

The total proposed city of Roseville funding allocated to the project is as follows:

Financing Source	Estimated Amount
Municipal State Aid (MSA)	\$ 201,380
Special Assessments	\$ 69,820
Water Utility Fund	\$ 193,800
Total	\$ 465,000

Roseville's share of the overall project cost is, therefore, approximately 2 percent.

6. ESTIMATED ASSESSMENTS

A portion of the City of Roseville's cost participation for this project is proposed to be provided by special assessments to the benefiting property owners. State Statute 429 has two major points to consider when justifying assessments. First, the assessment has to treat similar properties equally. Secondly, the amount of the assessment has to be equal to or less than the resulting increase in property value.

If construction of the proposed improvements is completed by fall 2011, consistent with the current schedule, the final assessment amount would be determined following an assessment hearing in the fall of 2012 and a thorough review of the proposed assessments by the Council. To develop the preliminary assessment roll the following items were assumed:

- All properties that have frontage on Rice Street are proposed to be assessed.
- Each lot has a long side and a short side. If the property has a short side on Rice Street, 100% of the frontage is assessable. To establish assessable frontages for non-residential corner lots where the long side is on Rice Street, the frontage is calculated as follows: assess 10% of the long-side frontage for the first 150 feet; any additional assessable footage will be calculated 100%.

- No more than 25% of the city of Roseville's share of the street reconstruction project costs shall be assessed. City of Roseville costs are detailed in the city cost participation summary table included in Appendix B. The city cost participation for the project was determined in accordance with the current Ramsey County cost participation policy for projects receiving federal funds.
- Any utility replacement/repair to be funded by the appropriate utility fund and not become part of the assessable portion of the project.
- MSA funds shall pay for all remaining street reconstruction project costs.

Street Assessment Summary

City of Roseville share of cost for Street Reconstruction	\$ 199,600.00
Ramsey County Inspection (12%)	\$ 44,700.00
Roseville Engineering Cost (5%)	\$ 9,980.00
Right-of-Way Acquisition	\$ 25,000.00
Total Assessable Project Cost	\$ 279,280.00
Total Frontage (feet)	1,791.06
Recommended Street Assessment:	
100% of project cost/foot	\$ 155.93
25% of project cost/foot	\$ 38.98
Total Assessments	\$ 69,820.00

There are a total of 10 properties to be assessed for the street reconstruction. The total amount to be funded through assessments is \$69,820.00.

A preliminary assessment roll is included in Appendix C. The preliminary assessment roll details the proposed assessments by individual property.

7. PROJECT SCHEDULE

The following is the proposed schedule for the project.

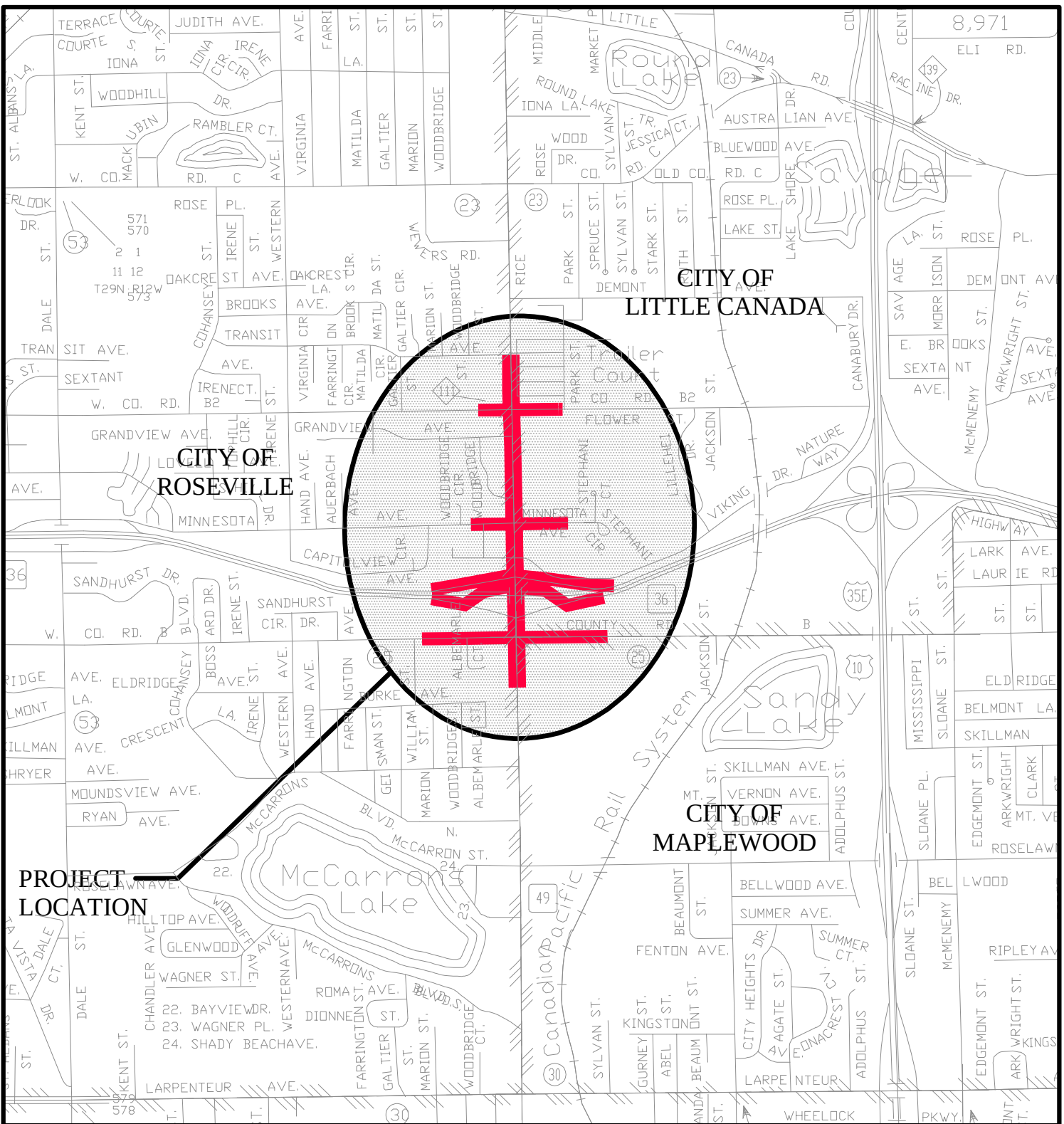
City Council Receives Feasibility Report	February 8, 2010
Public Hearing/City Council Authorize Plans & Specs, Approve Plans & Specs & Municipal Consent	March 8, 2010
Bid Opening	May 2010
Start Construction	June 2010
Construction Complete	Fall 2011

8. SUMMARY AND RECOMMENDATIONS

Based upon the analysis completed as a part of this report, the proposed Ramsey County TH 36/Rice Street Interchange improvements, Roseville City Project 09-11, are feasible, necessary, and cost effective. We recommend the following:

- A. The Roseville City Council accept this feasibility study and report on February 8, 2010 and order a public hearing for February 22, 2010.
- B. After receiving the appropriate staff reports, staff information, and public hearing input, the Council must decide on the approval or rejection of the proposed public improvements and could proceed to order the proposed improvements.

APPENDIX A
EXHIBITS



PROJECT LOCATION MAP

TH 36/RICE STREET (CSAH 49)
INTERCHANGE PROJECT

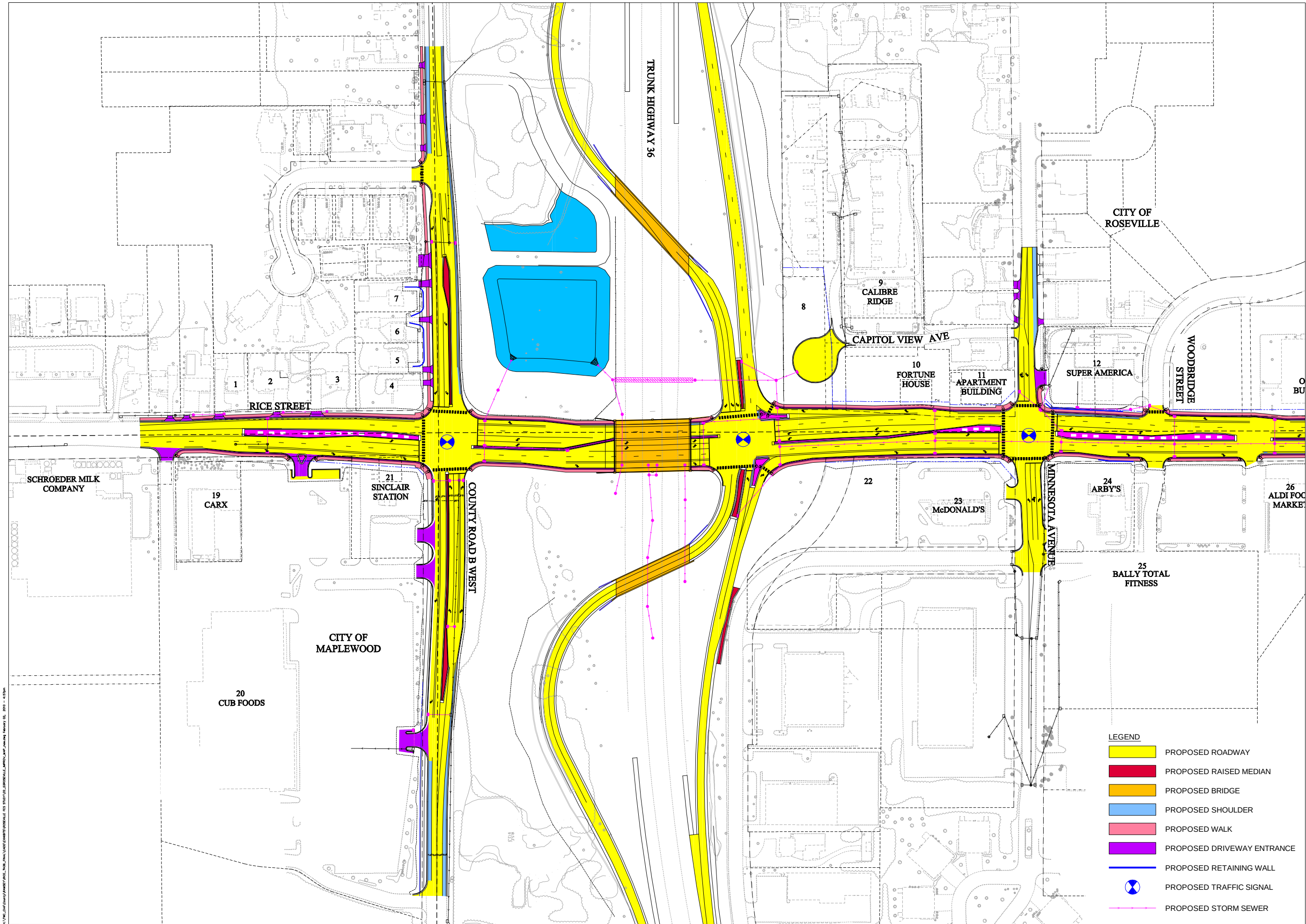
ROSEVILLE CITY PROJECT 09-11
STATE AID PROJECT NO 62-649-27



**Kimley-Horn
and Associates, Inc.**

2250 UNIVERSITY AVE. WEST, SUITE 340N
ST. PAUL, MINNESOTA 55114

TEL. NO. (651) 645-4197
FAX. NO. (651) 645-5116



PROPOSED
TH 36/RICE STREET
INTERCHANGE
IMPROVEMENTS

ROSEVILLE CITY
PROJECT 09-11
STATE PROJECT NO
62-649-27

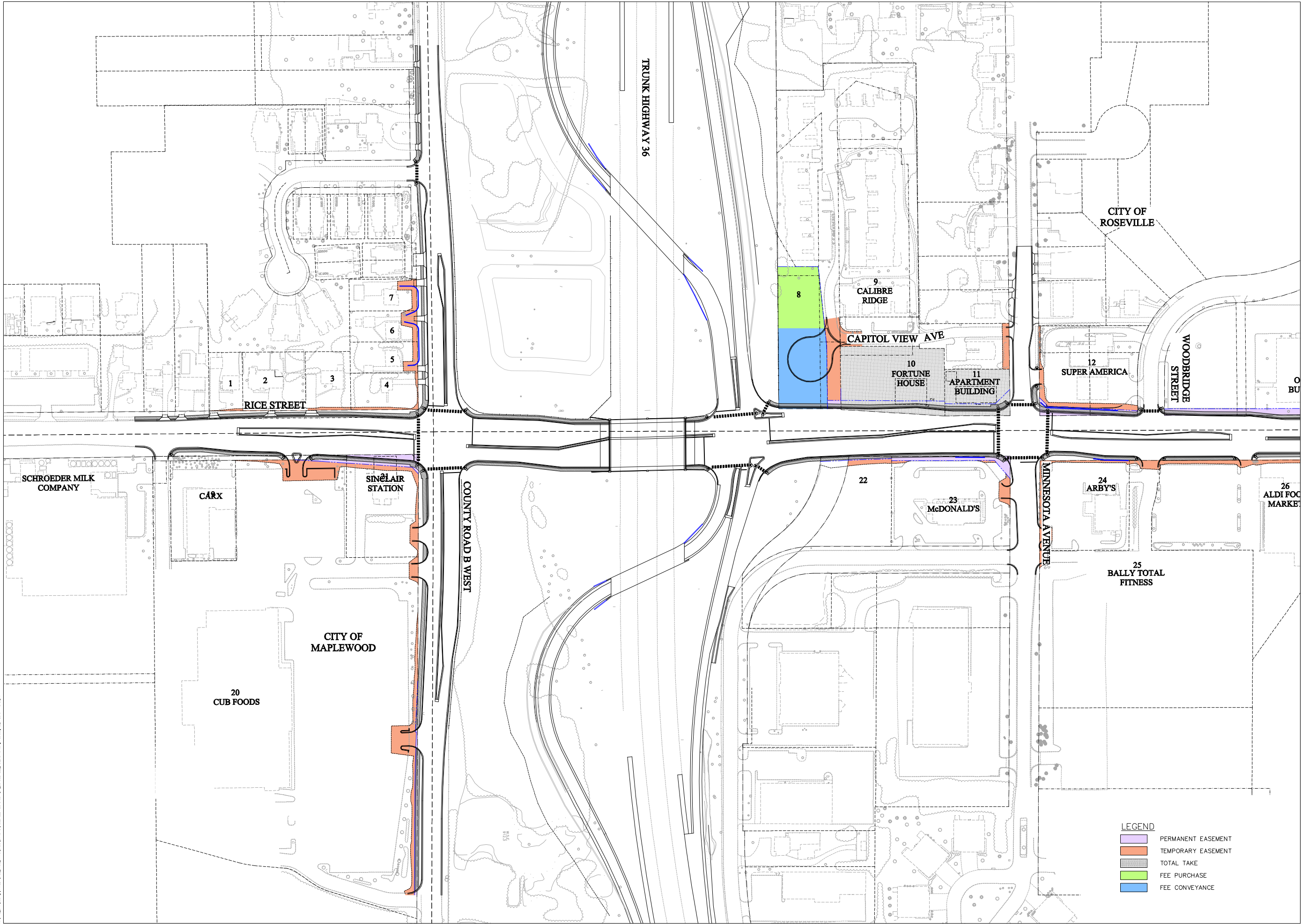
EXHIBIT 2



- LEGEND
- PROPOSED ROADWAY
 - PROPOSED RAISED MEDIAN
 - PROPOSED BRIDGE
 - PROPOSED SHOULDER
 - PROPOSED WALK
 - PROPOSED DRIVEWAY ENTRANCE
 - PROPOSED RETAINING WALL
 - PROPOSED TRAFFIC SIGNAL
 - PROPOSED STORM SEWER







PROPOSED
EASEMENT
ACQUISITION

ROSEVILLE CITY
PROJECT 09-11
STATE PROJECT NO
62-649-27

EXHIBIT 4



- LEGEND
- PERMANENT EASEMENT
 - TEMPORARY EASEMENT
 - TOTAL TAKE
 - FEE PURCHASE
 - FEE CONVEYANCE



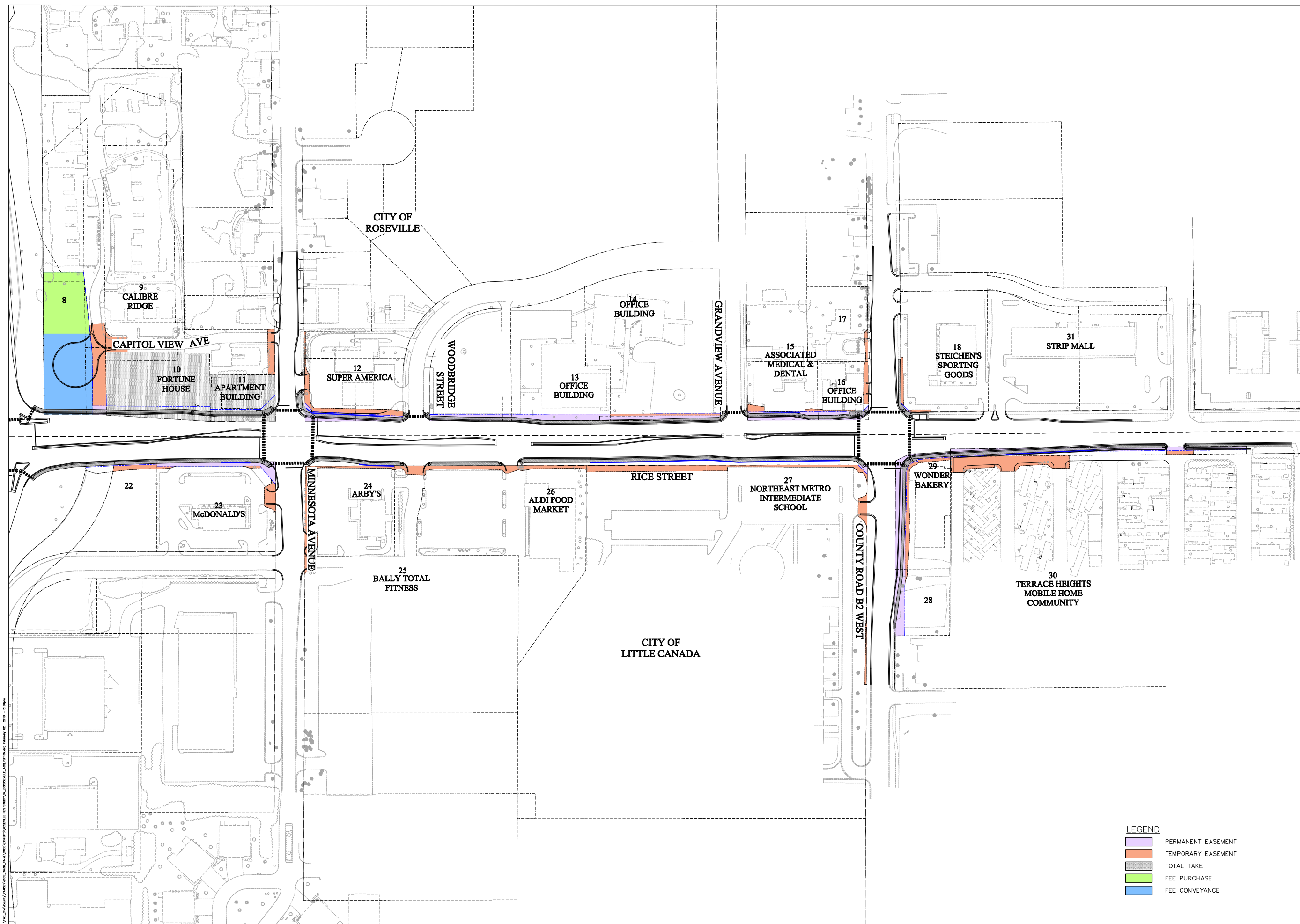


City of Maplewood, Minnesota
Department of Public Works
Engineering Division

PROPOSED
EASEMENT
ACQUISITION

ROSEVILLE CITY
PROJECT 09-11
STATE PROJECT NO
62-649-27

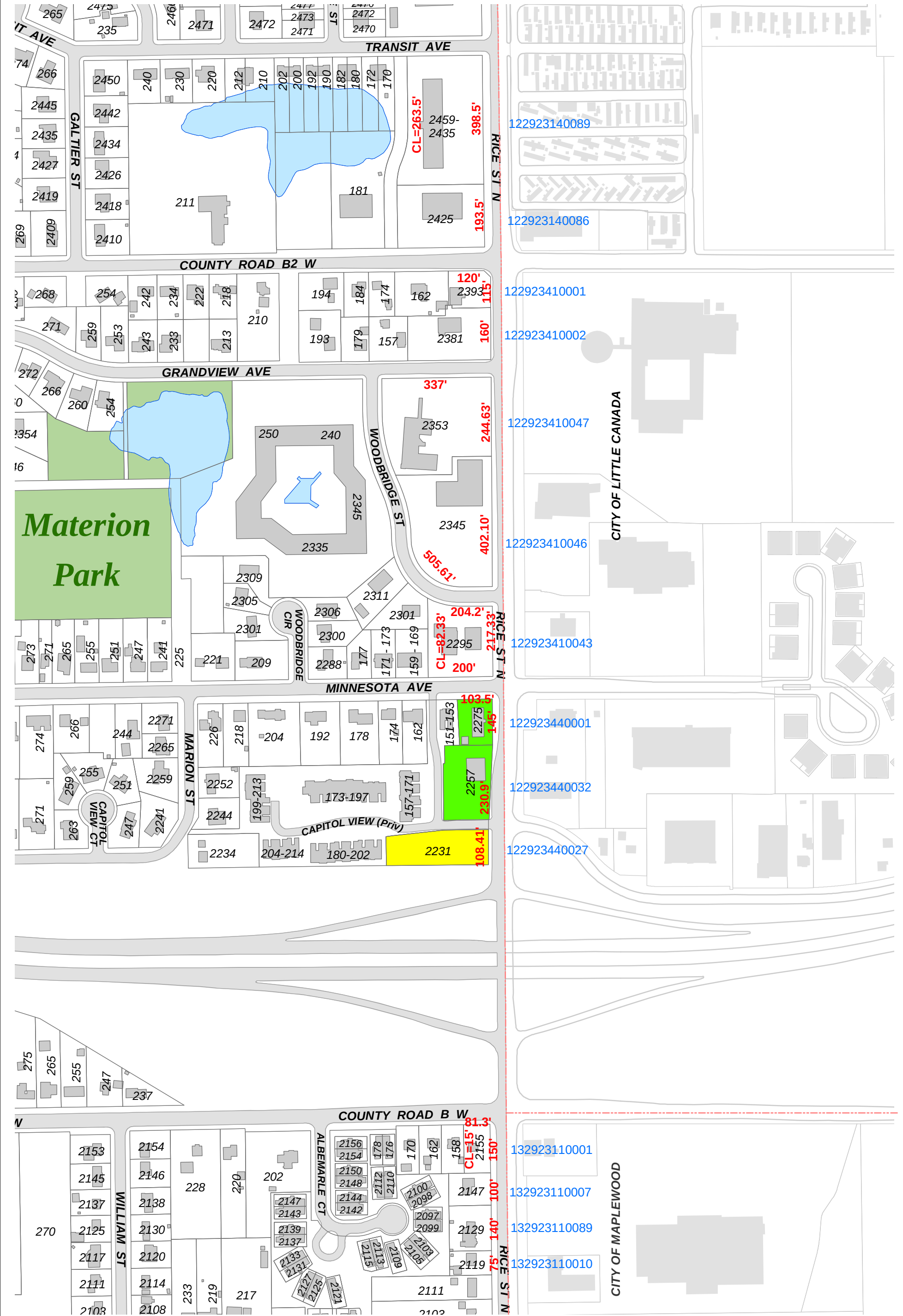
EXHIBIT 5



LEGEND

- | | |
|---|--------------------|
|  | PERMANENT EASEMENT |
|  | TEMPORARY EASEMENT |
|  | TOTAL TAKE |
|  | FEE PURCHASE |
|  | FEE CONVEYANCE |





TH 36/Rice Street Assessment Map

M-09-11



- Parcel
- Ramsley County Property
- MnDOT Property
- City Boundary

Data Sources and Contacts:
* Ramsey County GIS Base Map (11/25/09)
* City of Roseville Engineering Department
For further information regarding the contents of this map contact:
City of Roseville, Engineering Department,
2660 Civic Center Drive, Roseville MN

DISCLAIMER:
This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring existing measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-762-7075. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the use of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.

0 50 100 150 200 Feet

mapdoc: city_TITL_E_map_tableid.mxd
map: TITL_E.mxd



APPENDIX B
CITY COST PARTICIPATION SUMMARY TABLE

IMPROVEMENT	TOTAL ESTIMATED CITY COST ¹	ROSEVILLE COST ¹	LITTLE CANADA COST ¹	MAPLEWOOD COST ¹
Shoulders	\$ 64,500	\$ 32,500	\$ 15,400	\$ 16,600
Storm Sewer ²	\$ -	\$ -	\$ -	\$ -
Watermain	\$ 173,000	\$ 173,000	\$ -	\$ -
Sanitary Sewer	\$ 3,500	\$ -	\$ 3,500	\$ -
Traffic Signals	\$ 150,000	\$ 50,000	\$ 100,000	\$ -
EVP for Traffic Signals	\$ 24,000	\$ 12,000	\$ 9,000	\$ 3,000
Blvds, Medians & Median Trees ³	\$ 173,400	\$ 86,700	\$ 62,400	\$ 24,300
Sidewalk/Trail ⁴	\$ 143,500	\$ -	\$ 80,200	\$ 63,300
Retaining Wall Railing ⁵	\$ 55,800	\$ 18,400	\$ 37,400	\$ -
SUBTOTAL	\$ 787,700	\$ 372,600	\$ 307,900	\$ 107,200
PUBLIC UTILITY DESIGN (12%)	\$ 21,200	\$ 20,800	\$ 400	\$ -
INSPECTION (12%)	\$ 94,400	\$ 44,700	\$ 36,900	\$ 12,800
TOTAL	\$ 903,300	\$ 438,100	\$ 345,200	\$ 120,000

Notes:

1. If additional funding becomes available, it may be applied to reduce the local community cost of the improvements with the exception of storm sewer, sanitary sewer, and watermain improvements.
2. Upon preliminary review of proposed storm sewer features, Mn/DOT State Aid has estimated that Federal and State Aid funds can bear 100% of the eligible storm sewer costs for the project. The local communities shall be responsible for all storm sewer costs that are not State Aid or Federal Aid eligible.
3. Includes boulevard colored concrete cost, additional costs for colored concrete median, and tree costs.
4. Includes costs for additional sidewalk and trail (no sidewalk or trail reconstruction costs included).
5. Additional costs for decorative railing (above vinyl coated chain link fence).

APPENDIX C
PRELIMINARY ASSESSMENT ROLL

Roseville City Project 09-11
S.A.P. 62-649-27

Roseville Street Reconstruction Costs	\$	199,600.00
Ramsey County Inspection (12%)	\$	44,700.00
Roseville Engineering Cost (5%)	\$	9,980.00
Right-of-Way Acquisition	\$	25,000.00
Total Assessable Project Cost	\$	279,280.00
Total Frontage (feet)		1,791.06
Assessment Rate (100%)	\$	155.93
Assessment Rate (25%)	\$	38.98

PROPERTY ID NO.	ADDRESS	PARTIES OF INTEREST	LESSEE	Frontage	Preliminary Assessment	Notes
132923110010	2119 RICE STREET	JEFFERY ZIEGELMEIER & LISA CHRISTOPHERSON	-	75	\$ 2,923.69	
132923110089	2129 RICE STREET	PAMELA GONTAREK	-	140	\$ 5,457.55	
132923110007	2147 RICE STREET	WILLIAM PIERCE	-	100	\$ 3,898.25	
132923110001	2155 RICE STREET	NORTHERN STATES POWER	-	15	\$ 584.74	long side = (150 ft x 10%) + (150-150)
122923440027	2231 RICE STREET	STATE OF MINNESOTA DOT	-	0	\$ -	Lot is part of state ROW
122923440032	2257 RICE STREET	BOCK AND LAI WOO	FORTUNE HOUSE CHINESE CUISINE	0	\$ -	Entire Parcel is being purchased by Ramsey County
122923440001	2275 RICE STREET	THOMAS AND JANET THUL	-	0	\$ -	Entire Parcel is being purchased by Ramsey County
122923410043	2295 RICE STREET	SPEEDWAY SUPERAMERICA LLC	-	82.33	\$ 3,209.43	long side = (150 ft x 10%) + (217.33-150)
122923410046	2345 RICE STREET	CAVE AND ASSOCIATES LTD	OFFICE BUILDING		\$ -	Woodbridge is long side
122923410047	2353 RICE STREET	CAVE AND ASSOCIATES LTD	OFFICE BUILDING	646.73	\$ 25,211.15	Grandview is long side
122923410002	2381 RICE STREET	RICHARD AND CAROL SCHOEWE	ASSOCIATED MEDICAL & DENTAL	160	\$ 6,237.20	Rice is short side
122923410001	2393 RICE STREET	30W EXPERIENCE PROPERTIES LLC	OFFICE BUILDING	115	\$ 4,482.99	Rice is short side
122923140086	2425 RICE STREET	2425 RICE STREET LLC	STEICHEN'S SPORTING GOODS	193.5	\$ 7,543.11	Rice is short side
122923140089	2435-2459 RICE STREET	2435-2459 RICE STREET		263.5	\$ 10,271.89	long side = (150 ft x 10%) + (398.5-150)

Total Assessable frontage 1791.06

Total Assessments

\$ 69,820.00

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 2/8/10
Item No.: 7.k

Department Approval



City Manager Approval



Item Description: Approve an Agreement between the City of Saint Anthony and the City of Roseville for the Mill and Overlay of Highcrest Road

BACKGROUND

Highcrest Road between County Road D and County Road C2 is on the border of Hennepin County and Ramsey County. The ownership of this road is split at the centerline between the City of Saint Anthony and City of Roseville. It is in the best interests of the residents of each city to undertake the bituminous mill and overlay of Highcrest Road between County Road D (37th Avenue NE) and County Road C2 (33rd Avenue NE) in a cooperative fashion. The goal of the Cities is to provide for a coordinated cost effective completion of this project. Highcrest Road in Saint Anthony merges with Old Highway 8 and continues south of County Road C2. Saint Anthony is also doing construction work on Old Highway 8 this year. As a result, the City of Saint Anthony has offered to take the lead on this project providing engineering services including design, contract administration and construction management.

POLICY OBJECTIVE

City policy is to cooperate with adjacent cities for mutual benefit whenever possible. A street reconstruction agreement is necessary to detail the terms and responsibilities of this cooperative project. This agreement will essentially split the costs for the project between the two cities and allow for Saint Anthony to be reimbursed for engineering expenses by Roseville. The attached agreement delineates project and payment responsibilities related to the project. This agreement has been reviewed since the start of the year by the City Attorney.

FINANCIAL IMPACTS

Each City will pay for their own portion of the project construction within their City boundaries, which will be approximately a 50-50 split of the road work completed in the area where Highcrest is adjacent to Roseville. Saint Anthony will provide engineering services and we will reimburse them for our share. At this time, the estimated cost for this project \$274,756.78. Roseville's share of the cost is estimated at \$90,172.22. This project is proposed to be funded entirely through Municipal State Aid funds.

STAFF RECOMMENDATION

Staff recommends that the City Council approve the Street Reconstruction Agreement for the mill and overlay of Highcrest Road between County Road D (37th Ave NE) and County Road C2 (33rd Ave NE).

REQUESTED COUNCIL ACTION

Adoption of a resolution approving the Street Reconstruction Agreement for the mill and overlay of Highcrest Road between County Road D (37th Ave NE) and County Road C2 (33rd Ave NE).

Prepared by: Debra Bloom
Attachments: A: Agreement

B: Cost Estimate

STREET RECONSTRUCTION AGREEMENT
January 2010

This Agreement is made on January 25, 2010, between the City of St. Anthony, a Minnesota municipal corporation ("St. Anthony"), and the City of Roseville, a Minnesota municipal corporation ("Roseville").

1. PURPOSE

St. Anthony and Roseville (Collectively the "Cities") have determined that it is in the best interests of the residents of each city to undertake in a cooperative fashion the bituminous mill and overlay of Highcrest Road between 37th Avenue NE and 33rd Avenue NE (the "Project"). The goal of the Cities is to provide for a coordinated cost effective completion of the Project. The purpose of this agreement is to set forth the terms governing the design and construction of the Project.

2. PROJECT

2.1 The Project shall consist of the facilities identified in Exhibit A hereto, subject to modification as provided herein.

2.2 The costs of the Project will be paid by the Cities as provided in Section 5.1 hereof.

2.3 Inclusion of items not identified in Exhibit A, such as additional landscaping, or benches are at the discretion of each city. The cost of such additional items is the sole responsibility of the city that approves such additions.

3. DESIGN

3.1 St. Anthony, will prepare, or have prepared, engineering drawings, specifications and construction plans for the Project. The construction plans will include a cost estimate. The final cost estimate will include all costs associated with the Project as well as a contingency budget for unforeseeable circumstances associated with the construction. St. Anthony will comply with any requirements of Minnesota law with respect to approvals of such plans and specifications.

3.2 Final construction plans, engineering drawings, specifications and cost estimates will be submitted to each city for the approval of each city council.

4.1 CONSTRUCTION

4.1 If final construction plans and specifications are approved by each city council, St. Anthony shall proceed with construction of the Project. St. Anthony will advertise for bids in accordance with the requirements of the municipal contracting law.

4.2 Prior to awarding construction contracts St. Anthony will review the bids received with Roseville. If the contracts exceed the cost estimates contained in the construction plans

(including a contingency budget) previously approved by the Cities either party can elect not to proceed with the project. The bids must be approved by each city council or the project may not proceed.

4.3 St. Anthony will be the contracting party and will use ordinary and prudent efforts to require that the Project is constructed in compliance with approved plans and specifications and completed with reasonable promptness.

4.4 St. Anthony will notify Roseville of any change order which increases the cost of any individual construction contract for the Project by more than \$5,000 of the original amount thereof or which materially changes the scope of the Project. St. Anthony shall obtain the written authorization of Roseville prior to approving such a change order. However, prior written authorization is not necessary if the change order presents imminent health/safety issues making prior authorization impractical. In such cases, the change order shall be seasonably presented to Roseville for ratification. Roseville must not unreasonably withhold its consent to change orders resulting from unforeseen circumstances arising from the construction.

5. PAYMENT OF COSTS OF PROJECT

5.1 All costs of the Project will be shared equally by the Cities, except that the costs of utilities that are replaced will be paid by the benefited city. Costs will include, but not be limited to, the services identified in Article 6 hereof, all costs related to obtaining all necessary permits and approvals for the Project, costs incurred in agreements, and any and all other costs associated with the Project.

5.2 The City of Roseville will pay to the City of St. Anthony 90% of Roseville's share of the anticipated project costs within 30 days of the City of St. Anthony awarding the contract for construction of the proposed improvements. The remaining 10% will be paid within 30 days after completion of the proposed improvements.

5.3 All invoices or requests for payment will be approved and paid by St. Anthony. Within 10 days of the end of each calendar month, St. Anthony shall provide a statement to Roseville showing the prior month's activity, the invoices received, the full costs of services provided by St. Anthony staff, and the amount Roseville owes to St. Anthony for the Project and for items outside of the Project, such as those in sections 2.3 hereof. Within 30 days of the receipt of that statement, Roseville shall provide in writing a list and explanation of any amounts it disputes and pay the undisputed amount. Any disputes regarding payment shall be resolved through the dispute resolution process contained in Article 7 hereof.

5.4 If this Agreement is terminated under Section 8 hereof, both cities shall nevertheless be liable for the payment of their cost share which is incurred up to the date of termination of this Agreement, or as a result of termination of this Agreement.

6. SERVICES TO BE PROVIDED BY ST. ANTHONY

6.1 St. Anthony will provide qualified engineering employees to perform street and utility design and related technical services to the Project. These services include:

- 1 a) Complete design and feasibility studies;
- 2 b) Conduct public meetings, including informational meetings and meetings
- 3 with each city council if necessary;
- 4 c) Prepare plans and specifications;
- 5 d) Manage contracts made for completion of the Project and for items outside
- 6 the Project included in sections 2.3 and 2.4 hereof;
- 7 d) Supervise construction, including inspection of the work;

8 6.2 St. Anthony may, at its discretion, contract with a qualified third party to conduct

9 or complete any or all of these services. St. Anthony employees shall be billed at their direct

10 salary expenses.

11 7. DISPUTE RESOLUTION

12 7.1 If a dispute arises between the Cities regarding this agreement or the construction

13 of the Project, the City Manager and City Administrator of each city, or their designees, must

14 promptly meet and attempt in good faith to negotiate a resolution of the dispute.

15 7.2 If the Cities have not negotiated a resolution of the dispute within 30 days after

16 this meeting, the Cities may jointly select a mediator to facilitate further discussion.

17 7.3 If a mediator is not used or if the Cities are unable to resolve the dispute within 30 days

18 after the first meeting with the selected mediator, the dispute shall be adjudicated in civil court.

19

20 8. GENERAL PROVISIONS

21 8.1 All notices under this agreement must be delivered personally or sent by first

22 class mail addressed to:

23 If to St. Anthony: Mike Mornson

24 City of St. Anthony

25 3301 Silver Lake Road NE

26 St. Anthony, MN 55418

27 If to Roseville Bill Malinen

28 City of Roseville

29 2660 Civic Center Drive

30 Roseville, MN 55113

31

32

33 or addressed to such party at such other address as such party shall hereafter furnish by notice to

34 the other party.

8.2 This Agreement shall terminate if either City fails to approve the construction plans for the Project.

8.3 This Agreement may be amended only in writing, executed by the proper representatives of each city.

8.4 This Agreement must be interpreted under the laws of the State of Minnesota.

Date: _____

CITY OF ST. ANTHONY

By: _____
Its Mayor

And: _____
Its City Manager

Date: _____

CITY OF ROSEVILLE

By: _____
Its Mayor

And: _____
Its City Manager

**OPINION OF PROBABLE COSTS
HIGHCREST ROAD/OLD HIGHWAY 8 - MILL AND OVERLAY PROJECT
PROJECT NO. 1626-46
CITIES OF ST ANTHONY AND ROSEVILLE, MINNESOTA**

Mat. No.	Item	Units	Estimated Unit Price	St. Anthony Participation	St. Anthony Cost	Roseville Participation	Roseville Cost	Estimated Total Quantity	Estimated Total Price
HIGHCREST ROAD/OLD HIGHWAY 8 - MILL AND OVERLAY PROJECT									
2021.501	MOBILIZATION	LUMP SUM	\$10,000.00	0.68	\$6,759.43	0.32	\$3,240.57	1.00	\$10,000.00
2232.501	MILL BITUMINOUS SURFACE (1.75")	SQ YD	\$2.00	12995	\$25,990.00	6230	\$12,460.00	19,225	\$38,450.00
2350.501	TYPE MV 3 WEARING COURSE MIXTURE (C)	TON	\$68.00	1615	\$109,820.00	775	\$52,700.00	2,390	\$162,520.00
2357.502	BITUMINOUS MATERIAL FOR TACK COAT	GALLON	\$3.25	1300	\$4,225.00	630	\$2,047.50	1,930	\$6,272.50
2563.601	TRAFFIC CONTROL	LUMP SUM	\$5,000.00	0.68	\$3,379.71	0.32	\$1,620.29	1.00	\$5,000.00
2582.502	24" STOP LINE WHITE-POLY PREFORM	LIN FT	\$28.00	68	\$1,904.00	34	\$952.00	102	\$2,856.00
2582.502	4" SOLID LINE WHITE-EPOXY	LIN FT	\$0.80	2800	\$2,240.00	2800	\$2,240.00	5,600	\$4,480.00
2582.502	4" DOUBLE SOLID LINE YELLOW-EPOXY	LIN FT	\$1.60	3200	\$5,120.00	1400	\$2,240.00	4,600	\$7,360.00
2582.503	CROSSWALK MARKING-POLY PREFORM	SQ FT	\$12.50	342	\$4,275.00	198	\$2,475.00	540	\$6,750.00
TOTAL HIGHCREST ROAD/OLD HIGHWAY 8 - MILL AND OVERLAY PROJECT					\$163,713.14		\$79,975.36		\$243,688.50
+ 10% CONTINGENCIES					\$16,371.31		\$7,997.54		\$24,368.85
SUBTOTAL HIGHCREST ROAD/OLD HIGHWAY 8 - MILL AND OVERLAY PROJECT					\$180,084.46		\$87,972.89		\$268,057.35
+ 2.5% ADMINISTRATIVE, LEGAL, ETC.					\$4,502.11		\$2,199.32		\$6,701.43
TOTAL HIGHCREST ROAD/OLD HIGHWAY 8 - MILL AND OVERLAY PROJECT					\$184,586.57		\$90,172.22		\$274,758.78

REQUEST FOR COUNCIL ACTION

Date: 2/8/10

Item No.: 7.1

Department Approval



City Manager Approval



Item Description: Adopt a Resolution to Accept the Work Completed, Authorize Final Payment of \$44,715.70 and commence the One-Year Warranty Period on the Rosewood Neighborhood Drainage Improvements Project.

BACKGROUND

On September 14, 2009 the City Council awarded the Rosewood Neighborhood Drainage Improvements Project to TMS Construction, Inc., of Prior Lake, Minnesota. This project consisted of the construction of 16 rain gardens. The rain garden excavation and preparation was to occur prior to November 30, 2009, with plants to be delivered in the spring, 2010. As of November 30, 2009, the contractor had only completed a portion of the work required at 14 rain gardens. The contractor did not complete the work in a timely manner, was often absent from the project site, leaving work partially completed, and did not keep to the schedule he had provided the City. Staff recommends the contractor be paid for the work he has completed and the contract be closed out. Staff recommends re-bidding the remaining work to be completed this spring and awarding a new contract to a more responsive, responsible contractor.

POLICY OBJECTIVE

City policy requires that the following items be completed to finalize a construction contract:

- Certification from the City Engineer verifying that all of the work has been completed in accordance with plans and specifications.
- A resolution by the City Council accepting the contract and beginning the one-year warranty.

FINANCIAL IMPACTS

The final contract amount, \$44,715.70, is approximately 43% of the contract amount of \$103,222.40. Staff recommends the remainder of the project be re-bid and awarded this spring to another contractor. City staff will bring this recommendation to a future City Council meeting.

STAFF RECOMMENDATION

Since the work that was completed was in accordance with project plans and specifications, staff recommends the City Council approve a resolution accepting the work completed as the Rosewood Neighborhood Drainage Improvements Project and authorize final payment of \$44,715.70.

29 **REQUESTED COUNCIL ACTION**
30 Approve the resolution accepting the work completed as Rosewood Neighborhood Drainage
31 Improvements Project, starting the one-year warranty and authorizing final payment of
32 \$44,715.70.
33

Prepared by: Kristine Giga, Civil Engineer

Attachments: A: Resolution

B: Certification from City Engineer

**EXTRACT OF MINUTES OF MEETING
OF CITY COUNCIL
CITY OF ROSEVILLE
RAMSEY COUNTY, MINNESOTA**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota, was duly held in the City Hall at 2660 Civic Center Drive, Roseville, Minnesota, on Monday, 8th day of February, 2010, at 6:00 p.m.

The following members were present: and the following members were absent:

Councilmember introduced the following resolution and moved its adoption:

**RESOLUTION NO.
FINAL CONTRACT ACCEPTANCE
ROSEWOOD NEIGHBORHOOD DRAINAGE IMPROVEMENTS PROJECT**

BE IT RESOLVED by the City Council of the City of Roseville, as follows:

WHEREAS, pursuant to a written contract signed with the City on September 14, 2009 for the Rosewood Neighborhood Drainage Improvements Project, TMS Construction, Inc., of Prior Lake, Minnesota, has satisfactorily completed the improvements associated with this contract.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEVILLE, MINNESOTA, that the work completed under said contract is hereby accepted and approved; and

BE IT FURTHER RESOLVED: That the City Manager is hereby directed to issue a proper order for the final payment of such contract, taking the contractor's receipt in full; and

BE IT FURTHER RESOLVED: That the one year warranty period as specified in the contract shall commence on February 8, 2010.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember and upon vote being taken thereon, the following voted in favor thereof: and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

WITNESS MY HAND officially as such Manager this 8th day of February, 2010.

(SEAL)



February 8, 2009

TO THE CITY COUNCIL, CITY OF ROSEVILLE, MINNESOTA

RE: Rosewood Neighborhood Drainage Improvements Project
Contract Acceptance and Final Payment

Dear Council Members:

I have observed the work executed as a part of the Rosewood Neighborhood Drainage Improvements Project. I find that the work completed to date is has been completed in all respects according to the plans, specifications, and the contract. I therefore recommend that final payment be made from the improvement fund to the contractors for the balance on the contract as follows:

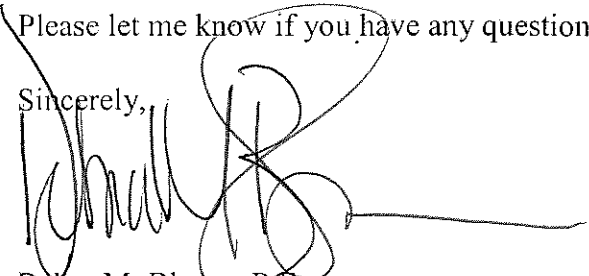
Original Contract amount (based on estimated quantities)	\$103,222.40
Final Contract Amount	\$44,715.70
Actual amount due (based on actual quantities)	\$44,715.70
Previous payments	\$0
Balance Due	\$44,715.70

The construction costs for this project have been funded as follows:

Storm Sewer Utility	\$ 44,715.70
---------------------	--------------

Please let me know if you have any questions or concerns and would like more information.

Sincerely,



Debra M. Bloom, P.E.

City Engineer

651-792-7042

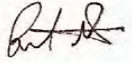
deb.bloom@ci.roseville.mn.us

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 8, 2010
Item No.: 7.m

Department Approval

City Manager Approval



Item Description:

Establish a Public Hearing on February 22, 2010 regarding the Lake Owasso Safe Boating Association's Request for Placement of Water Ski Course and Jump on Lake Owasso

BACKGROUND

In 1997 the Lake Owasso Task Force presented a series of recommendations to the City Council. The Council, in the resolution taking action on the recommendations, agreed it would be the policy of the City to provide for public comment at Council meetings regarding requests for permits on the Lake.

PROPOSED ACTION

The Lake Owasso Safe Boating Association requests approval for placement of a water ski course and jump in the same locations as in past years.

FINANCIAL IMPACTS

There are no financial impacts to the City

STAFF RECOMMENDATION

It is recommended the Council establish a public hearing for the February 22, 2010, meeting to provide for public input. Affected Roseville residents on the Lake will be notified.

REQUESTED COUNCIL ACTION

Motion establishing a public hearing for the City Council meeting of February 22, 2010, to provide for public comment regarding placement of a water ski course and jump on Lake Owasso for the 2010 season.

Prepared by: Acting Chief Rick Mathwig
Attachment: Copy of Certificate of Insurance

CERTIFICATE OF INSURANCE		DATE: 1/5/2010			
		CERTIFICATE NUMBER: 20100105005739			
AGENCY: Entertainment & Sports Insurance eXperts (ESIX) 5660 New Northside Drive, Suite 640 Atlanta, Georgia 30328 Phone: 678-324-3300 Fax: 678-324-3303					
		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.			
NAMED INSURED:		INSURERS AFFORDING COVERAGE:			
USA Water Ski 1251 Holy Cow Road Polk City, Florida 33868		Lake Owasso Safe Boating Association 460 W Horseshoe Dr Shoreview, Minnesota 55126-3001			
		INSURER A: Philadelphia Indemnity Ins. Co. INSURER B: Philadelphia Indemnity Ins. Co.			
POLICY/COVERAGE INFORMATION:					
THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.					
INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	☒ COMMERCIAL GENERAL LIABILITY	PHPK509478	1/1/2010	1/1/2011	GENERAL AGGREGATE (Applies Per Event) \$2,000,000
	☒ Occurrence				EACH OCCURRENCE \$1,000,000
	☒ Participant Legal Liability				DAMAGE TO RENTED PREMISES (Each Occ.) \$1,000,000
					MED EXP (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$1,000,000
					PRODUCTS-COMP/OP AGG \$2,000,000
B	UMBRELLA/EXCESS LIABILITY				
	☒ Occurrence	PHUB293258	1/1/2010	1/1/2011	AGGREGATE (Applies Per Event) \$4,000,000
	☒ SIR				EACH OCCURRENCE \$4,000,000
					RETENTION/DEDUCTIBLE \$10,000
DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:					
The certificate holder is an Additional Insured with respect to liability arising out of the negligence of the Named Insured as per the following endorsement: Additional Insured - Certificate Holders (Form PI-AM-002). Coverage only applies with respect to tournaments, practices, exhibitions, clinics and related activities sanctioned and approved by USA Water Ski, Inc.					
CERTIFICATE HOLDER:			NOTICE OF CANCELLATION:		
City of Roseville 2660 Civic Center Drive Roseville, Minnesota 55113			SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.		
			AUTHORIZED REPRESENTATIVE:		
					

Date: 2/08/10
Item: 10.a
Roseville Visitors Assn
Annual Report

No Attachment



Park and Recreation Master Plan

Planning the future of Roseville's parks, facilities, and recreation programs

Listening session

City Council

46 Minutes, 8 February 2010

Roseville City Hall

Agenda

- | | | |
|---|---------------------------------------|------------|
| 1 | Welcome and introduction | 2 minutes |
| 2 | Overview of listening session process | 2 minutes |
| 3 | Discussion | 30 minutes |

The discussion can move in any direction desired by the listening session participants. The following questions suggest topics that might initiate a discussion. It is not necessary to address every question.

- Neighborhood parks, facilities, and programs
 - What works well today?
 - What is needed?
- Community parks, facilities, and programs
 - What works well today?
 - What is needed?
- What challenges do the parks and recreation systems face today?
What challenges will parks and recreation face in the future?
- What kinds of parks, facilities, or programs have you seen in other communities that you would like to see in Roseville?
- What areas of policy are important for the community to address related to parks and recreation?

- | | | |
|---|---|------------|
| 4 | Summary of common themes and ideas/goals | 10 minutes |
| 5 | Questions | 5 minutes |
| 6 | Invitation to participate in other master planning events | 2 minutes |
| 7 | Adjourn | |

REQUEST FOR COUNCIL ACTION

Date: 2/08/10
Item No.: 11.a & 12.a

Department Approval

City Manager Approval

Chris K. Miller

W. J. Mahinen

Item Description: Certify Unpaid Utility and Other Charges to the Property Tax Rolls

BACKGROUND

As authorized by City Code, Sections 506, 801, 802, and 906, the City annually certifies to the County Auditor any unpaid false alarm, water, sewer, and other charges that are in excess of 90 days past due, for collection on the following year's property taxes. Affected property owners are provided a hearing to dispute any charges against their property.

Beginning in 2010, Staff is recommending that the Council approve certifications for delinquent utilities on a quarterly basis. This will ensure that any unpaid utilities are brought to the attention of new property owners in a more timely fashion. It will also allow the City to record a lien against the property in the event that a property goes into foreclosure and/or is being prepared for sale for other reasons.

Attached is the current list of delinquent charges. Payments (along with accrued interest) received in the Finance Office prior to December, 2010 will be accepted and not levied on the 2011 property taxes.

POLICY OBJECTIVE

Certifying delinquent charges are required under City Code.

FINANCIAL IMPACTS

Not applicable.

STAFF RECOMMENDATION

Staff recommends approval of the attached resolution levying unpaid utility and other charges for collection on the property taxes.

REQUESTED COUNCIL ACTION

Motion adopting the resolution approving the certification of unpaid utility and other charges to the County Auditor for collection on the property taxes.

Prepared by: Chris Miller, Finance Director
Attachments: A: List of Delinquent Accounts

25 **EXTRACT OF MINUTES OF MEETING OF THE**
26 **CITY COUNCIL OF THE CITY OF ROSEVILLE**

27 * * * * *
28 * * * * *

29
30 Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville,
31 County of Ramsey, Minnesota was duly held on the 8th day of February, 2010 at 6:00 p.m.
32

33 The following members were present:
34 and the following were absent:
35

36 Member introduced the following resolution and moved its adoption:
37

38 **RESOLUTION _____**

39
40 **RESOLUTION DIRECTING THE COUNTY AUDITOR TO**
41 **LEVY UNPAID WATER, SEWER AND OTHER CITY CHARGES FOR PAYABLE 2011 or**
42 **BEYOND**
43

44 WHEREAS, the City Code of the City of Roseville, Sections 506, 801, 802, and 906 provides that the City
45 may certify to the County Auditor the amounts of unpaid sewer, water, and other charges to be entered
46 as part of the tax levy on said premises:
47

48 NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Roseville, Minnesota, as
49 follows:
50

51
52 1. Exhibit "A" attached hereto and made a part thereof by reference is a list of parcels of real property
53 lying within the City limits which are served by the City of Roseville, and on which there are unpaid city
54 water, sewer, and other charges as shown on the attached Exhibit "A".
55

56 2. The Council hereby certifies said list and requests the Ramsey County Auditor to include in the real
57 estate taxes due the amount set forth in Schedule A.
58

59 The motion for the adoption of the foregoing resolution was duly seconded by member and upon a
60 vote being taken thereon, the following voted in favor thereof:
61

62 and the following voted against the same:
63

64 WHEREUPON, said resolution was declared duly passed and adopted.

65 State of Minnesota)
66) SS
67 County of Ramsey)
68

69 I, undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of
70 Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes
71 of a regular meeting of said City Council held on the 8th day of February, 2010 with the original thereof on
72 file in my office.
73

74 WITNESS MY HAND officially as such Manager this 8th day of February, 2010.
75
76
77

78 _____
79 William J. Malinen
80 City Manager
81
82

Seal

Delinquent Accounts for 2011 Taxes**Utility Bills****Active Accounts**

<u>Lot Address</u>	<u>PIN #</u>	<u>\$ Amount</u>
2001 W CO RD C - A	042923330010	\$80.19
1065 SHRYER AVE	142923230005	\$183.00
925 SHERREN ST	112923340010	\$232.37
926 HWY 36	112923340009	\$181.38
1491 APPLEWOOD COURT	032923320045	\$140.16
1117 LAURIE RD	102923440028	\$130.44
1401 BRENNER AVE	032923210056	\$177.26
2750 CHURCHILL ST	022923330034	\$154.70
1800 DUNLAP ST	152923440020	\$109.74
1067 DIONNE ST	142923330033	\$141.57
1244 W CO RD B	152923120002	\$135.14
2237 LEXINGTON AVE	102923440026	\$101.01
2622 FAIRVIEW AVE	092923120025	\$120.51
398 CENTENNIAL DR	012923310019	\$139.99
2856 VIRGINIA AVE	012923420090	\$124.99
2426 HAMLINE AVE	102923130044	\$113.45
755 COPE AVE	112923420091	\$214.31
2230 LEXINGTON AVE	112923330060	\$113.34
167 MINNESOTA AVE	122923410042	\$106.95
1847 LEXINGTON AVE	152923410063	\$304.30
1330 DRAPER AVE	152923130105	\$43.31
1700 OAKCREST AVE	092923120116	\$88.19
2129 HAND AVE	132923120054	\$214.79
1957 TATUM ST	162923240099	\$53.70
1699 CHATSWORTH ST	142923330046	\$93.14
1403 TALISMAN CV	032923340080	\$48.59
2788 HURON ST	032923420080	\$84.34
928 BURKE AVE	142923210022	\$222.74
1941 CHATSWORTH ST	142923230056	\$164.97
2558 FAIRVIEW AVE	092923120030	\$70.77
1260 RUGGLES ST	152923420027	\$106.49
1027 BURKE AVE	142923220024	\$122.49
2256 LEXINGTON AVE	112923330002	\$329.02
1781 SKILLMAN AVE	162923120035	\$94.35
3082 HIGHCREST RD	052923220084	\$201.34
1408 W CO RD B	152923210008	\$238.59
2199 COHANSEY BLVD	122923340049	\$241.49
2479 WOODBRIDGE ST	122923140027	\$61.98
2578 CHARLOTTE ST	092923110047	\$78.73
1072 RYAN AVE	142923230071	\$85.69
1716 HAMLINE AVE	152923430067	\$73.50
2168 OXFORD ST	112923330050	\$117.16
1533 ROSELAWN AVE	152923230043	\$140.21
335 BURKE AVE	132923120012	\$212.49
1274 SKILLMAN AVE	152923130008	\$40.70
687 SKILLMAN AVE	142923110018	\$111.60
405 HWY 36	122923340004	\$228.28

Delinquent Accounts for 2011 Taxes

<u>Lot Address</u>	<u>PIN #</u>	<u>\$ Amount</u>
896 PARKER AVE	142923210080	\$120.49
1801 CHATSWORTH ST	142923330001	\$229.95
2409 GALTIER ST	122923130040	\$119.63
1806 AGLIN ST	142923320016	\$124.84
2008 FAIRVIEW AVE	162923130016	\$102.16
2078 ALBEMARLE ST	132923110039	\$194.65
1134 ROSE PL	102923110063	\$79.59
907 W CO RD B	112923340067	\$116.29
1035 BROOKS AVE	112923230008	\$203.30
442 W CO RD B2	122923310008	\$7.55
1106 OAKCREST AVE	102923110027	\$122.35
1449 BROOKS AVE	102923240002	\$133.09
1990 FERNWOOD AVE	152923140046	\$166.09
2050 WILLIAM ST	132923110076	\$151.89
398 MINNESOTA AVE	122923340069	\$98.53
2151 DELLWOOD AVE	152923120013	\$128.49
2636 FAIRVIEW AVE	092923120118	\$101.32
1311 OAKCREST AVE	102923120051	\$73.49
2194 DALE ST	122923330011	\$765.91
601 W CO RD B	122923330014	\$1,019.11
591 W CO RD B	122923330023	\$699.29
2438 IRENE ST	122923240044	\$66.19
2747 LAKEVIEW AVE	022923330002	\$69.69
2750 SNELLING AVE	032923330011	\$209.80
1965 CHATSWORTH ST	142923230042	\$124.99
1146 SUMMER ST	152923410068	\$88.74
1970 ARONA ST	152923230051	\$105.94
2779 VIRGINIA AVE	012923420104	\$131.55
731 GRANDVIEW AVE	112923410013	\$121.69
900 HWY 36	112923340013	\$82.64
818 PARKER AVE	142923120054	\$246.11
675 CO RD C	022923440060	\$107.87
1960 ASBURY ST	152923230039	\$131.22
1051 WOODHILL DR	022923330027	\$66.49
1197 SANDHURST DR W	102923440060	\$159.07
1748 GALTIER ST	132923430022	\$237.79
838 W CO RD B2	112923420003	\$33.99
1901 LEXINGTON AVE	152923410030	\$258.29
790 W CO RD B2	112923420010	\$191.05
2438 LEXINGTON AVE	112923230067	\$55.06
459 S MCCARRONS BLVD	132923310024	\$328.51
2690 PRIOR AVE	042923340002	\$417.45
2690 PRIOR AVE	042923340002	\$350.95
2690 PRIOR AVE	042923340002	\$350.95
2221 FERRIS LN	092923330226	\$135.97
1765 CHATSWORTH ST	142923330056	\$141.24
1932 TATUM ST	162923240090	\$61.06
947 LYDIA DR.	022923210059	\$213.52
2924 PASCAL ST	032923240069	\$148.49
2835 MERRILL ST	032923420034	\$25.32
1079 LOVELL LN N	112923320088	\$136.48

Delinquent Accounts for 2011 Taxes

<u>Lot Address</u>	<u>PIN #</u>	<u>\$ Amount</u>
2246 DELLWOOD AVE	102923430057	\$107.68
2501 WOODBRIDGE ST	122923140020	\$100.39
1075 W CO RD B2	112923230114	\$66.50
2547 AVON ST	112923120057	\$181.91
2109 WILDER ST	162923220014	\$89.53
515 ROSELAWN AVE	132923230080	\$165.63
1630 RIDGEWOOD LN NO	162923140021	\$144.02
2958 FARRINGTON ST	012923130074	\$66.80
3205 OLD HWY 8	052923320124	\$92.15
2851 LAKEVIEW AVE	022923320002	\$115.91
907 LOVELL AVE	112923310051	\$173.54
2390 COHANSEY ST	122923310011	\$277.09
2788 WESTERN AVE	012923420108	\$76.54
1211 JOSEPHINE RD	032923140009	\$86.54
454 CRESCENT LN	132923210072	\$360.94
527 RYAN AVE	132923230025	\$116.99
945 ORCHARD LN	022923310016	\$61.06
1765 DALE ST	142923440059	\$364.97
1253 GARDEN AVE	152923420105	\$131.96
601 SANDHURST DR W	122923330007	\$625.18
2718 HAMLINE AVE	032923430037	\$113.14
2851 FERNWOOD ST	032923420004	\$172.31
2630 NATURE VIEW COURT	122923210082	\$59.20
937 LOVELL AVE	112923310048	\$163.84
3116 RIDGEWOOD RD	032923220072	\$126.49
3021 FAIRVIEW AVE	042923210055	\$230.87
1390 JUDITH AVE	032923340027	\$92.12
1770 HAMLINE AVE	152923430048	\$100.06
1193 BURKE AVE	152923110015	\$126.42
158 W CO RD B	132923110002	\$132.77
3012 ASBURY ST	032923220050	\$98.55
2021 WILLIAM ST	132923130012	\$76.54
1969 ASBURY ST	152923230036	\$106.66
3110 VICTORIA ST	022923120049	\$148.30
682 SHRYER AVE	142923140018	\$561.24
1440 RAMBLER RD	032923340048	\$58.12
1172 RYAN AVE	152923140074	\$246.74
330 MCCARRONS BLVD	132923420026	\$229.45
2730 MACKUBIN ST	012923340174	\$155.61
923 CO RD C2	022923240060	\$173.57
177 OWASSO BLVD	012923110020	\$162.19
562 OWASSO BLVD	012923230048	\$260.37
1953 SHARONDALE AVE	162923220022	\$85.41
1825 FERNWOOD AVE	152923420110	\$256.31
2170 BOSSARD DR	122923340034	\$204.24
523 OWASSO HILLS DR	012923230057	\$96.70
3090 ARTHUR ST	042923210011	\$160.55
415 W CO RD B	122923340021	\$195.81
2049 FERNWOOD AVE	152923120085	\$241.66
2944 W OWASSO BLVD	022923130083	\$64.34
165 MINNESOTA AVE	122923410042	\$98.85

Delinquent Accounts for 2011 Taxes

<u>Lot Address</u>	<u>PIN #</u>	<u>\$ Amount</u>
500 ROSELAWN AVE	132923320020	\$159.88
1197 AUTUMN ST	152923410018	\$144.63
3051 W OWASSO BLVD	022923120084	\$55.79
2086 SAMUEL ST. #8	162923110076	\$130.50
2583 DELLWOOD AVE	102923120045	\$65.88
933 GRANDVIEW AVE	112923310027	\$295.53
421 BROOKS AVE	122923240005	\$169.84
2429 DALE ST	112923140047	\$36.59
1086 W CO RD B2	112923320015	\$122.59
1258 ROMA AVE	152923430025	\$367.87
3087 EVELYN ST	042923220072	\$67.29
313 OWASSO BLVD	012923120001	\$132.36
2572 DELLWOOD AVE	102923120024	\$64.34
966 SHERREN ST	112923340024	\$128.04
1911 HURON AVE	152923420052	\$273.03
1201 ELDRIDGE AVE	152923110030	\$135.11
625 PINEVIEW CT	142923410044	\$510.30
363 OWASSO BLVD	012923120071	\$80.53
365 OWASSO BLVD	012923120071	\$254.58
2857 MERRILL ST	032923420031	\$126.04
2702 MACKUBIN ST	012923340188	\$94.84
1003 W CO RD B	112923330051	\$173.85
1238 SHRYER AVE	152923130052	\$54.37
1447 ELDRIDGE AVE	152923210048	\$118.24
2896 MATILDA ST	012923130022	\$129.79
2170 COHANSEY BLVD	122923340054	\$173.21
1201 SHRYER AVE	152923140017	\$127.74
3055 WILDER ST	042923220029	\$162.67
350 MINNESOTA AVE	122923430011	\$82.64
941 ROSELAWN AVE	142923240051	\$26.84
433 CO RD C	012923340150	\$98.91
546 LOVELL AVE	122923320063	\$708.48
1935 HAMLINE AVE	152923240090	\$99.66
1306 SHRYER AVE	152923130034	\$119.98
2001 ASBURY ST	152923230013	\$31.84
2315 CHATSWORTH ST	112923320041	\$41.94
3020 VICTORIA ST	022923120064	\$19.52
271 GRANDVIEW AVE	122923420002	\$30.95
1906 WAGENER PL	132923410029	\$31.58
1905 CHATSWORTH ST	142923320002	\$16.23
1185 W CO RD B	102923440088	\$26.03
1008 W CO RD B2	112923320004	\$17.63
2662 MACKUBIN ST	012923330456	\$114.08
2598 ALDINE ST	092923110020	\$98.70
450 OWASSO BLVD	012923210030	\$43.02
2809 MATILDA ST	012923420042	\$67.26
2665 GALTIER ST	012923430013	\$44.49
2403 BRENNER CT	052923210102	\$127.53
1239 SHERREN ST	102923430003	\$120.74
3007 ARONA ST	032923220048	\$104.32
1999 SNELLING AVE	162923140046	\$119.36

Delinquent Accounts for 2011 Taxes

<u>Lot Address</u>	<u>PIN #</u>	<u>\$ Amount</u>
976 MILLWOOD AVE	022923240039	\$55.79
2752 MATILDA ST	012923430032	\$31.48
301 S OWASSO BLVD	012923120024	\$71.08
1069 SHERREN ST	112923330069	\$105.93
1764 AGLEN ST	142923330060	\$98.85
2476 AGLEN ST	112923230054	\$42.16
2779 AGLEN ST	022923320039	\$163.93
1755 ALAMEDA ST	142923440027	\$296.42
2550 ALDINE ST	092923110027	\$125.60
2903 ALBERT ST	032923240061	\$98.88
2910 ALBERT ST	032923240049	\$94.59
3001 ALBERT ST	032923210082	\$118.68
1731 ALTA VISTA DR	142923440040	\$141.85
1800 ALTA VISTA DR	142923440061	\$133.04
1890 ALTA VISTA DR	142923410042	\$117.04
1947 ARONA ST	152923230047	\$134.49
2936 ARONA ST	032923230045	\$56.07
3014 ARONA ST	032923220038	\$227.84
2021 ASBURY ST	152923230011	\$126.09
2938 ASBURY ST	032923230071	\$99.61
3069 ASBURY ST	032923220088	\$172.79
2318 AUERBACH AVE	122923420060	\$199.16
2104 AVON ST	142923120043	\$232.14
3105 AVON ST	022923120044	\$157.39
2000 BEACON ST	162923130027	\$74.13
1447 BELMONT LN	152923210079	\$230.88
330 BROOKS AVE	122923130024	\$78.20
380 BROOKS AVE	122923130029	\$100.94
404 BROOKS AVE	122923240014	\$177.67
429 BROOKS AVE	122923240006	\$69.41
949 BROOKS AVE	112923240010	\$83.89
1150 BROOKS AVE	102923140020	\$44.99
1401 BROOKS AVE	102923240009	\$185.78
2482 BRENNER AVE	052923220060	\$75.49
224 BURKE AVE	132923110054	\$110.84
311 BURKE AVE	132923120016	\$252.90
1205 BURKE AVE	152923110017	\$45.69
1285 BURKE AVE	152923120025	\$19.20
1359 BURKE AVE	152923210030	\$11.09
1428 BURKE AVE	152923210042	\$176.87
1756 CHATSWORTH ST	142923340020	\$136.60
1770 CHATSWORTH ST	142923340022	\$133.48
1819 CHATSWORTH ST	142923320013	\$208.94
1849 CHATSWORTH ST	142923320010	\$216.05
2036 CHATSWORTH ST	142923240010	\$242.25
2605 CHARLOTTE ST	092923110038	\$188.89
2730 CHURCHILL ST	022923330030	\$55.35
2744 CHURCHILL ST	022923330032	\$64.99
2821 CHURCHILL ST	022923320091	\$100.15
2846 CHURCHILL ST	022923320080	\$99.29
1980 CLEVELAND AVE	162923230031	\$81.89

Delinquent Accounts for 2011 Taxes

<u>Lot Address</u>	<u>PIN #</u>	<u>\$ Amount</u>
2255 CLEVELAND AVE	082923440028	\$152.55
2550 CLEVELAND AVE	092923220008	\$408.17
2984 CLEVELAND AVE	042923230020	\$6.43
320 W CO RD B	132923120084	\$566.09
351 W CO RD B	122923430044	\$165.14
750 W CO RD B	142923120035	\$143.23
811 W CO RD B	112923430055	\$129.34
990 W CO RD B	142923220002	\$154.02
1371 W CO RD B	102923340030	\$91.79
1378 W CO RD B	152923210004	\$226.63
1415 W CO RD B	102923340006	\$3,688.33
1624 W CO RD B	162923110027	\$64.56
2215 W CO RD B	082923430043	\$12.01
2233 W CO RD B	082923430045	\$102.39
181 W CO RD B2-IRRIGATI	122923140084	\$1.59
325 W CO RD B2	122923130094	\$140.17
328 W CO RD B2	122923420009	\$91.80
599 W CO RD B2	122923230024	\$98.02
651 W CO RD B2	112923140055	\$49.95
701 W CO RD B2	112923140033	\$197.13
772 W CO RD B2	112923420012	\$91.79
939 W CO RD B2	112923240048	\$74.43
2000 W CO RD B2	092923230024	\$522.78
422 CO RD C	122923210031	\$248.03
445 CO RD C	012923340156	\$130.19
685 CO RD C	022923440059	\$76.19
716 CO RD C	112923110004	\$58.36
349 CO RD C2	012923130047	\$66.34
885 CO RD C2	022923240056	\$83.89
1410 W CO RD C2	032923310003	\$72.96
1889 W CO RD C2	042923240023	\$156.89
2415 COHANSEY ST	122923240075	\$123.99
2006 COHANSEY BLVD	132923240005	\$201.36
2050 COHANSEY BLVD	132923210077	\$158.84
311 CAPITOL VIEW ST	122923430022	\$134.24
1785 CENTENNIAL DR	042923420005	\$102.22
2099 DALE ST	142923110052	\$273.04
2237 DALE ST	112923440009	\$189.71
2415 DALE ST	112923140059	\$71.90
2721 DALE ST	022923440072	\$120.84
2743 DALE ST	022923440075	\$24.42
2835 DELLWOOD ST	032923420062	\$182.98
2858 DELLWOOD ST	032923420038	\$8.73
2234 DELLWOOD AVE	102923430055	\$121.39
284 DIONNE ST	132923430029	\$121.40
1224 DRAPER AVE	152923130115	\$56.02
1236 DRAPER AVE	152923130139	\$306.95
2125 DRAPER AVE	172923140042	\$149.91
2145 DRAPER AVE	172923140044	\$208.94
2211 DRAPER AVE	172923130032	\$85.31
2231 DRAPER AVE	172923130035	\$148.79

Delinquent Accounts for 2011 Taxes

<u>Lot Address</u>	<u>PIN #</u>	<u>\$ Amount</u>
1841 DRAPER DR	162923240068	\$92.33
1760 DUNLAP ST	152923440025	\$153.36
1768 DUNLAP ST	152923440024	\$71.12
2450 DUNLAP ST	102923140036	\$194.49
630 ELDRIDGE AVE	142923110053	\$206.96
648 ELDRIDGE AVE	142923110055	\$9.60
679 ELDRIDGE AVE	142923110074	\$96.03
1368 ELDRIDGE AVE	152923210065	\$205.49
1958 ELDRIDGE AVE	162923220042	\$87.20
2001 ELDRIDGE AVE	162923220032	\$46.95
2012 ELDRIDGE AVE	162923220049	\$77.20
249 ELMER ST	132923140007	\$295.00
313 ELMER ST	132923130005	\$142.26
2224 EUSTIS ST	082923340043	\$37.01
3099 EVELYN ST	042923220100	\$150.75
2737 FARRINGTON ST	012923430066	\$76.13
2780 FARRINGTON ST	012923420050	\$68.30
2795 FARRINGTON ST	012923420075	\$53.25
2824 FARRINGTON ST	012923420057	\$131.19
2833 FARRINGTON ST	012923420070	\$51.75
2724 FERNWOOD ST	032923440016	\$101.52
2835 FERNWOOD ST	032923420006	\$144.85
2063 FRY ST	162923110056	\$14.98
2064 FRY ST	162923110013	\$65.25
2545 FISK ST	112923120040	\$119.88
2614 FISK ST	112923120013	\$67.62
2030 FAIRVIEW AVE	162923130014	\$110.76
2903 FAIRVIEW AVE	042923240044	\$180.20
2096 FAIRWAYS LN	172923210008	\$271.04
2101 FAIRWAYS LN	172923210026	\$62.35
266 GRANDVIEW AVE	122923420026	\$206.93
817 GRANDVIEW AVE	112923420020	\$7.20
916 GRANDVIEW AVE	112923310035	\$116.36
999 GRANDVIEW AVE	112923320030	\$242.84
476 GLENWOOD AVE	132923310113	\$221.09
491 GLENWOOD AVE	132923310089	\$283.91
1200 GARDEN AVE	152923440040	\$174.97
1331 GARDEN AVE	152923420092	\$281.78
2761 GRIGGS ST	032923410046	\$105.24
2777 GRIGGS ST	032923410048	\$114.12
2827 GRIGGS ST	032923410035	\$139.72
2828 GRIGGS ST	032923410008	\$115.62
2570 GROTTO ST	112923120072	\$165.81
2065 GIESMAN ST	132923120037	\$189.99
2080 GIESMAN ST	132923120032	\$76.69
1746 HAMLINE AVE	152923430045	\$20.55
1840 HAMLINE AVE	152923420038	\$110.21
1844 HAMLINE AVE	152923420125	\$219.89
2471 HAMLINE AVE	102923240021	\$56.94
2585 HAMLINE AVE-STE D	102923210086	\$83.25
2585 HAMLINE AVE-STE C	102923210087	\$83.25

Delinquent Accounts for 2011 Taxes

<u>Lot Address</u>	<u>PIN #</u>	<u>\$ Amount</u>
2589 HAMLINE AVE STE A	102923210062	\$94.85
2697 HAMLINE AVE	032923340009	\$53.74
2886 HAMLINE AVE	032923130067	\$127.81
3061 HAMLINE AVE	032923210047	\$160.72
2059 HAND AVE	132923120064	\$216.78
2081 HAND AVE	132923120061	\$135.34
640 HEINEL DR	022923140016	\$200.49
2598 HERSCHEL AVE	092923120078	\$148.59
2613 HERSCHEL AVE	092923120073	\$58.51
475 HILLSCOURTE NORTH	012923240081	\$91.79
462 HILLTOP AVE	132923310098	\$224.48
2474 HOLTON ST	102923240066	\$78.56
2866 HURON ST	032923420067	\$65.29
1890 HURON AVE	152923420057	\$138.47
1934 HYTHE ST	172923140061	\$63.02
590 HWY 36	122923330003	\$199.51
920 HWY 36	112923340011	\$94.34
936 HWY 36	112923340007	\$398.03
1881 W HWY 36	092923310013	\$389.32
2176 W HWY 36	082923440022	\$6.70
528 IONA LN	012923330003	\$200.72
636 IONA LN	022923440078	\$93.44
648 IONA LN	022923440081	\$235.11
702 IONA LN	022923440039	\$223.04
2211 IRENE ST	122923340028	\$107.58
1201 JOSEPHINE RD	032923140008	\$49.79
468 JUDITH AVE	012923310078	\$79.32
1423 JUDITH AVE	032923310022	\$147.00
2753 KENT ST	012923330026	\$148.54
2757 KENT ST	012923330025	\$63.51
2069 LEXINGTON AVE	152923110060	\$126.09
2734 LAKEVIEW AVE	022923340014	\$125.59
2767 LONG LK RD	052923420007	\$447.72
3075 LONG LK RD	052923120009	\$1,408.80
404 LOVELL AVE	122923310032	\$256.81
464 LOVELL AVE	122923310037	\$226.13
475 LOVELL AVE	122923310015	\$72.71
777 LOVELL AVE	112923420058	\$200.38
1132 LAURIE RD	102923440045	\$33.22
601 LARPENTEUR AVE	132923330004	\$56.48
2346 MATILDA ST	122923420031	\$107.69
2679 MATILDA ST	012923430043	\$96.40
2450 MATILDA CR	122923130048	\$191.98
182 MCCARRONS BLVD S	132923440005	\$115.69
192 MCCARRONS BLVD	132923440003	\$298.39
326 S MCCARRONS BLVD	132923420027	\$268.72
352 SO MCCARRONS BLVD	132923420022	\$120.75
428 MCCARRONS BLVD	132923310059	\$37.00
453 S MCCARRONS BLVD	132923310026	\$105.13
483 S MCCARRONS BLVD	132923310029	\$246.10
493 S MCCARRONS BLVD	132923310030	\$247.48

Delinquent Accounts for 2011 Taxes

<u>Lot Address</u>	<u>PIN #</u>	<u>\$ Amount</u>
269 MCCARRONS BLVD	132923130016	\$208.41
1840 MERRILL ST	152923420024	\$253.29
2766 MERRILL ST	032923420021	\$111.80
2774 MERRILL ST	032923420022	\$124.34
2925 MERRILL ST	032923130021	\$149.16
2650 MACKUBIN ST	012923330462	\$136.90
2658 MACKUBIN ST	012923330458	\$91.79
2744 MACKUBIN ST	012923340022	\$55.25
2926 MILDRED DR	042923240039	\$50.84
2954 MILDRED DR	042923240034	\$79.53
2210 MILTON ST	112923340089	\$259.58
2214 MILTON ST	112923340085	\$271.95
819 MILLWOOD AVE	022923130040	\$235.57
822 MILLWOOD AVE	022923130030	\$70.67
922 MILLWOOD AVE	022923240045	\$206.48
1650 MILLWOOD AVE	042923140060	\$37.08
1651 MILLWOOD AVE	042923140030	\$223.82
1771 MILLWOOD AVE	042923130040	\$151.02
204 MINNESOTA AVE	122923440007	\$252.03
218 MINNESOTA AVE	122923440008	\$98.54
226 MINNESOTA AVE	122923440009	\$344.72
265 MINNESOTA AVE	122923420049	\$120.56
208 MAPLE LN	012923140081	\$191.78
216 MAPLE LN	012923140082	\$97.31
2486 MARION ST	122923140033	\$114.43
2795 MARION ST	012923410042	\$204.54
2207 NANCY PL	112923340054	\$289.56
2360 NANCY PL	112923310031	\$246.94
1149 OAKCREST AVE	102923110012	\$141.47
1206 OAKCREST AVE	102923110041	\$107.37
1268 OAKCREST AVE	102923120033	\$180.59
531 OWASSO HILLS DR	012923320025	\$135.47
2896 OLD HWY 8	052923230072	\$47.90
2960 OLD HWY 8	052923230045	\$137.87
3006 OLD HWY 8	052923210073	\$70.60
303 OWASSO BLVD	012923120026	\$122.62
472 OWASSO BLVD	012923240132	\$85.93
609 OWASSO BLVD	012923230034	\$211.13
3160 W OWASSO BLVD	022923110006	\$75.05
2854 OXFORD ST	022923320053	\$122.95
3021 PASCAL ST	032923210093	\$122.95
645 PINEVIEW CT	142923410046	\$379.78
2931 PARTRIDGE RD	052923130005	\$169.47
1392 RAMBLER RD	032923340059	\$82.14
1681 RIDGEWOOD LN NO	162923140013	\$51.27
1598 RIDGEWOOD LN SO	162923140045	\$10.70
2020 RICE ST	182922230016	\$496.39
2941 RICE ST	012923140006	\$109.21
1272 ROMA AVE	152923430027	\$288.53
1221 ROSE PL	102923110046	\$49.74
2421 ROSEGATE	082923140008	\$45.10

Delinquent Accounts for 2011 Taxes

<u>Lot Address</u>	<u>PIN #</u>	<u>\$ Amount</u>
2421 ROSEGATE-IRRIGATION	082923140008	\$238.01
523 ROSELAWN AVE	132923230037	\$168.21
1140 ROSELAWN AVE	152923410005	\$97.35
1154 ROSELAWN AVE	152923410007	\$96.69
1233 ROSELAWN AVE	152923130128	\$220.93
1725 ROSELAWN AVE	162923130081	\$18.49
1745 ROSELAWN AVE	162923130078	\$185.07
2339 ROSELAWN AVE	172923240069	\$11.90
2141 SO ROSEWOOD LN	172923140030	\$94.90
2175 SO ROSEWOOD LN	172923140034	\$127.94
2221 SO ROSEWOOD LN	172923130018	\$68.12
2222 SO ROSEWOOD LN	172923130023	\$182.85
554 RYAN AVE	132923230034	\$353.08
1010 RYAN AVE	142923230038	\$107.14
1018 RYAN AVE	142923230037	\$266.85
1055 RYAN AVE	142923230078	\$88.74
1065 RYAN AVE	142923230079	\$1,249.57
1193 RYAN AVE	152923140049	\$147.64
1226 RYAN AVE	152923130066	\$215.33
1264 RYAN AVE	152923130072	\$127.94
1742 RYAN AVE	162923130058	\$9.79
3010 SANDY HOOK DR	012923220029	\$78.19
3065 SANDY HOOK DR	012923220011	\$70.77
3135 SANDY HOOK DR	012923220004	\$145.04
444 SEXTANT AVE	122923240056	\$128.15
715 SEXTANT AVE	112923140011	\$99.44
1150 SEXTANT AVE	102923140051	\$127.58
1999 SHARONDALE AVE	162923220017	\$10.70
558 SHRYER AVE	132923230077	\$261.12
629 SHRYER AVE	142923140001	\$149.90
1030 SHRYER AVE	142923230020	\$107.22
1115 SHRYER AVE	152923140030	\$83.89
1317 SHRYER AVE	152923130026	\$156.77
1803 SHRYER AVE	162923130013	\$106.79
651 SKILLMAN AVE	142923110023	\$98.54
1140 SKILLMAN AVE	152923140004	\$98.54
1308 SKILLMAN AVE	152923130137	\$166.30
1390 SKILLMAN AVE	152923240006	\$130.19
2750 SHELDON ST	032923340025	\$126.36
404 SANDHURST CIR	122923340015	\$240.45
807 SANDHURST DR W	112923430009	\$261.18
1392 SANDHURST DR W	102923340024	\$141.70
1397 SANDHURST DR	102923340017	\$175.20
2030 SNELLING AVE	152923230023	\$135.11
2599 SNELLING CV	102923220026	\$4.00
2609 SNELLING CV	102923220022	\$95.05
2306 SOUTHHILL DR	122923310046	\$124.11
2951 SIMPSON ST	032923230028	\$146.44
974 SHERREN ST	112923340023	\$123.45
2266 ST CROIX ST	082923340019	\$111.37
1427 TALISMAN CV	032923340076	\$53.56

Delinquent Accounts for 2011 Taxes

<u>Lot Address</u>	<u>PIN #</u>	<u>\$ Amount</u>
1945 TATUM ST	162923240101	\$159.07
1973 TATUM ST	162923240097	\$84.83
494 TERRACE DR	012923310053	\$65.97
443 TERRACE DR	012923310032	\$68.91
476 TERRACE DR	012923310051	\$265.90
638 TERRACE DR	022923410054	\$136.96
1016 TRANSIT AVE	112923230081	\$104.75
1829 VICTORIA ST	142923310010	\$134.52
2057 VICTORIA ST	142923210064	\$117.04
2165 VICTORIA ST	112923340077	\$5.00
2674 VICTORIA ST	022923340006	\$3.05
2926 VICTORIA ST	022923130026	\$103.99
2992 VICTORIA ST	022923130047	\$312.10
2049 WOODBRIDGE ST	132923110061	\$110.86
2482 WOODBRIDGE ST	122923140007	\$71.87
2496 WOODBRIDGE ST	122923140012	\$78.33
2779 WOODBRIDGE ST	012923410016	\$106.58
2857 WOODBRIDGE ST	012923410006	\$152.06
387 WOODHILL DR	012923340036	\$50.23
1818 WOODRUFF AVE	132923310042	\$112.83
2610 WEWERS RD	122923110049	\$48.10
497 WAGNER ST	132923310109	\$103.72
3069 WILDER ST	042923220013	\$130.28
2058 WILLIAM ST	132923110077	\$7.20
2077 WILLIAM ST	132923120021	\$91.39
1988 WHEELER ST	162923130039	\$154.78
2036 WESTERN AVE	132923130011	\$221.75
2417 WESTERN AVE	122923240038	\$113.24
2657 WESTERN AVE	012923340113	\$222.02
738 WHEATON AVE	022923440052	\$161.84
750 CO RD C	112923120025	\$63.46
2066 WILLIAM ST	132923110079	\$109.92
2096 MIDLOTHIAN RD	162923110051	\$265.29
170 W CO RD B	132923110004	\$159.18
1185 AUTUMN ST	152923410020	\$94.84
2322 W CO RD B	172923210001	\$143.09
1735 CHATSWORTH ST	142923330051	\$37.74
3079 CHURCHILL ST	022923220032	\$103.99
770 LOVELL AVE	112923420074	\$6.00
2203 VICTORIA ST	112923340080	\$299.14
711 GRANDVIEW AVE	112923410015	\$85.68
2120 WILLIAM ST	132923110088	\$184.46
777 COPE AVE	112923420088	\$205.43
2225 DELLWOOD AVE	102923430102	\$60.22
3043 LITTLE BAY RD	012923220021	\$66.74
991 PARKER AVE.	142923220069	\$115.19
703 COPE AVE	112923410067	\$5.58
2397 MATILDA ST	122923420005	\$159.54
484 GRANDVIEW AVE	122923310076	\$435.71
435 IONA LN	012923340004	\$113.41
2713 WOODBRIDGE ST	012923440009	\$85.11

Delinquent Accounts for 2011 Taxes

<u>Lot Address</u>	<u>PIN #</u>	<u>\$ Amount</u>
2809 MARION ST	012923410040	\$110.30
1300 SKILLMAN AVE	152923130136	\$126.80
3020 OLD HWY 8	052923210071	\$913.86
3215 OLD HWY 8	052923320129	\$142.38
1060 LOVELL AVE	112923320062	\$82.97
3077 FAIRVIEW AVE	042923210031	\$76.22
1239 RYAN AVE	152923130063	\$132.19
1083 SHRYER AVE	142923230009	\$147.07
335 SANDHURST DR W	122923430034	\$128.84
814 CO RD D	022923120068	\$197.11
254 N MCCARRONS BLVD	132923140034	\$134.59
2103 RICE ST	132923110012	\$154.10
228 W CO RD B	132923110019	\$121.71
2740 CHURCHILL ST	022923330031	\$141.44
185 MCCARRONS BLVD	132923140052	\$186.57
1446 SHRYER AVE	152923240043	\$245.83
2355 WESTERN AVE	122923310028	\$98.54
3261 OLD HWY 8	052923320001	\$70.77
757 SHERREN ST	112923430013	\$63.48
1164 W CO RD B	152923110010	\$260.41
1716 STANBRIDGE AVE	042923130042	\$57.34
2871 WOODBRIDGE ST	012923410004	\$76.37
2223 W CO RD B	082923430044	\$97.39
421 ROSE PL	122923210029	\$70.77
557 OWASSO BLVD	012923230027	\$131.70
2866 GRIGGS ST	032923410003	\$69.81
2645 MATILDA ST	012923430125	\$118.89
701 CO RD C	022923440057	\$186.11
320 N MCCARRONS BLVD	132923130052	\$142.11
2133 PASCAL ST	152923220001	\$820.24
1891 FERNWOOD AVE	152923420004	\$137.74
998 W CO RD B	142923220080	\$174.03
346 W CO RD B2	122923420011	\$123.12
2089 IRENE ST	132923210067	\$110.84
950 CO RD C2	022923310009	\$121.96
2755 GRIGGS ST	032923440024	\$131.64
1379 ROSELAWN AVE	152923240086	\$128.48
1075 SHERREN ST	112923330004	\$98.88
2806 DELLWOOD ST	032923420054	\$99.44
2807 GALTIER ST	012923420010	\$50.56
2211 EUSTIS ST	082923330001	\$134.75
203 SKILLMAN AVE	132923110064	\$147.66
2687 GALTIER ST	012923430010	\$121.40
540 SHRYER AVE	132923230021	\$236.40
887 PARKER AVE	142923210032	\$79.61
3047 WILDER ST	042923220028	\$158.67
2944 ASBURY ST	032923230072	\$152.53
700 HEINEL DR	022923410029	\$138.18
240 MAPLE LN	012923140085	\$65.78
1276 OAKCREST AVE	102923120073	\$100.11
2071 LINDY AVE	152923110041	\$152.45

Delinquent Accounts for 2011 Taxes

<u>Lot Address</u>	<u>PIN #</u>	<u>\$ Amount</u>
2436 ALBERT ST	102923240044	\$53.39
1770 STANBRIDGE AVE	042923130028	\$258.96
2663 MARION ST	012923440044	\$108.65
2240 ST STEPHEN ST	082923340005	\$77.20
2422 W CO RD D #4	052923210091	\$54.54
1255 LARPENTEUR AVE	152923430035	\$380.62
949 W CO RD B	112923340060	\$108.17
2681 FARRINGTON ST	012923430073	\$152.78
1030 W CO RD B2	112923320007	\$249.03
851 PARKER AVE	142923120017	\$85.69
3033 VICTORIA ST	022923210068	\$98.22
2810 GALTIER ST	012923410054	\$89.29
2900 HAMLINE AVE	032923130069	\$136.49
1293 DRAPER AVE	152923130096	\$194.89
2990 CLEVELAND AVE	042923230020	\$110.76
2705 DALE ST	022923440070	\$68.76
3008 W OWASSO BLVD	022923140002	\$196.51
1432 ELDRIDGE AVE	152923210074	\$364.40
331 BURKE AVE	132923120090	\$23.24
2499 SHELDON ST	102923240035	\$76.87
410 S MCCARRONS BLVD	132923310120	\$181.23
1354 JUDITH AVE	032923340002	\$70.77
2265 ACORN RD	082923440034	\$40.66
2193 MIDLAND VIEW COURT N	082923430097	\$99.58
1805 STANBRIDGE AVE	042923130022	\$103.06
2545 PASCAL ST	102923220017	\$124.52
795 TERRACE DR	022923430033	\$87.55
1424 JUDITH AVE	032923340032	\$125.07
2233 BOSSARD DR	122923340043	\$144.26
2432 LEXINGTON AVE	112923230068	\$52.22
475 HILLTOP AVE	132923310118	\$107.14
993 RYAN AVE	142923230029	\$109.67
795 COPE AVE	112923420086	\$88.23
467 CO RD C	012923340165	\$117.96
1194 SUMMER ST	152923410075	\$199.77
		\$98,359.19

Delinquent Accounts for 2011 Taxes

Lot Address PIN # \$ Amount
Utility Bills

Deleted Accounts

<u>Lot Address</u>	<u>PIN #</u>	<u>\$ Amount</u>
2613 ALDINE ST	092923120097	\$118.19
2915 ASBURY ST	032923230085	\$115.09
2936 OLD HWY 8	052923230056	\$121.82
1306 SHRYER AVE	152923130034	\$95.79
2943 ARONA ST	032923230055	\$94.79
2087 SAMUEL ST. #2	162923110076	\$95.60
2595 RICE ST	122923110054	\$74.46
2400 HAMLINE AVE	102923130038	\$250.37
2060 CHATSWORTH COURT	142923210088	\$5.08
1080 W CO RD C2	022923320084	\$105.90
2968 CHATSWORTH ST	022923240073	\$18.10
2435 VIRGINIA CR	122923130077	\$213.24
1935 HAMLINE AVE	152923240090	\$75.39
3091 WHEELER ST	042923120076	\$116.49
1927 ROSDALE DR	172923130050	\$142.44
3061 PATTON RD	052923220087	\$107.73
2422 BRENNER CT	052923220125	\$191.90
2030 LEXINGTON AVE	142923230011	\$142.57
397 BROOKS AVE	122923240090	\$331.98
2731 OXFORD ST	022923330025	\$70.77
1357 ROSELAWN AVE	152923240089	\$35.46
2119 AVON ST.	142923120031	\$263.64
1224 SANDHURST DR.	102923430027	\$246.39
		\$3,033.19
	Grand Total	\$101,392.38

Date: 2/08/10

Item: 12.a

Delinquent Utilities

See 11.a



Request for Council Action

Date: 02/08/2010

Item Number: 12.b

Department Approval

A handwritten signature in black ink, appearing to be "Ant" followed by a stylized flourish.

Manager Approval

A handwritten signature in black ink, appearing to be "W. J. Mahinen".

Item Description:

Consider Presumptive Penalty Approval – Don Pablo's Alcohol Compliance Failure

Background

On April 9th, 2009, all businesses with a liquor license in the City of Roseville were mailed a letter from the Roseville Police Department announcing two alcohol compliance checks would be conducted before the end of the year. Also in the letter were materials for an optional manager server training program and a list of City of Roseville approved training programs. Proof of the completed training by all employees selling or serving alcohol had to be submitted to the Roseville Police Department by or on May 9, 2009.

Compliance Failure

On December 28th, 2009, a Roseville Police Officer, along with an underage buyer, entered Don Pablo's to conduct an alcohol compliance check. The underage buyer approached the cashier and ordered a bottle of Corona Light Beer. The cashier asked the underage buyer for ID and the underage buyer provided the cashier with her real MN Driver License with the words "Under 21" stamped on the license directly over the photo. The cashier took the license, looked at it, and gave it back to the underage purchaser. The cashier then sold the underage buyer a bottle of Corona Light. The cashier was cited for the violation and released. Don Pablo's did not participate in an optional manager and server training program for 2009. This is Don Pablo's second documented violation with the previous violation occurring in December of 2007.

Staff Recommendation

Issue and administer the presumptive penalty pursuant to City Code Section 302.15, for on-sale license holders who did not participate in optional manager and server training for a second violation in thirty-six (36) months, the mandatory minimum penalty shall be a five hundred dollar (\$500) fine and a three (3) day suspension.

Council Action Requested

Allow the Roseville Police Department to issue and administer the presumptive penalty as set forth in Section 302.15, of the Roseville City Code or other action as determined by the Roseville City Council.

Attachments: A. Reports and Correspondence
B. 2008 License

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09034485

Date and Time of Report

12/29/2009 09:01:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4102 LIQUOR - SELLING

Primary Reporting Officer: Gehrman, Jason

Name of location/business:

Primary squad: 2599

Location of incident: 2700 LINCOLN DR

Secondary reporting officer:

ROSEVILLE, MN 55113

Approver: Marshall, Matthew

District: 2581

Date & time of occurrence: 12/28/2009 14:17:00 to

Site:

12/29/2009 14:27:00

Arrest made: Yes

Secondary offense:

Secondary MOC:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS**LIQUOR LAW-FURNISHING LIQUOR TO A MINOR**

Attempt Only:

Appears to be Gang Related:

ARRESTS**Cited**

Name: Weir-Moore, Sheila Mae

Booking date: 12/28/2009

Date & time of arrest: 12/28/2009 14:17

Booking time: 14:17

Arrest made on view:

Booking #:

Arrest made on warrant or previous CN:

Warrant number:

Originating agency:

Warrant type:

Charge/Citation/Bail Amount: Selling alcohol to a minor, admin citation#

NAMES**Arrestee**

Weir-Moore, Sheila Mae

KNOWN**Nicknames or Aliases**

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09034485

Date and Time of Report

12/29/2009 09:01:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4102 LIQUOR - SELLING

Details

Sex: Female Race: DOB: Resident Status:
Hispanic: Age: from to

Phones

Home: Cell: Contact:
Work: Fax: Pager:

Employment

Occupation: Employer: DON PABLOS

Identification

SSN: License or ID#: License State: MN

Physical Description

US: Metric:
Height: to Build: Hair Length: Hair Color:
Weight: to Skin: Facial Hair: Hair Type:
Teeth: Eye Color: Blood Type:

Offender Information

Arrested: Yes Pursuit engaged: Violated Restraining Order:
DUI: Resistance encountered:
Condition: Sober Taken to health care facility: Medical release obtained:

Other**Nicknames or Aliases**

Nick Name:
Alias:
AKA First Name: AKA Last Name:

Details

Sex: Female Race: DOB: Resident Status:
Hispanic: Age: from to

Phones

Home: 000-000-0000 Cell: Contact:
Work: Fax: Pager:

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09034485

Date and Time of Report

12/29/2009 09:01:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4102 LIQUOR - SELLING

Employment

Occupation:

Employer:

Identification

SSN:

License or ID#:

License State: MN

SOLVABILITY FACTORS

Suspect can be Identified: Yes

By: Police

Photos Taken: Yes

Stolen Property Traceable:

Evidence Turned In: Yes

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

Participants:

Person Type:

Name:

Address:

Phone:

Arrestee

Weir-Moore, Sheila Mae

Other

NARRATIVE

On 12/28/2009 , (DOB:) acted as my underage alcohol buyer. had previously viewed the underage buyer instructional video. was searched, and had only one valid ID. A digital photo was taken, copied to a CDR and placed in PL# 3.

At approximately 1417 hours, entered Don Pablo's Restaurant, took a seat and ordered a Corona Light Beer. Sheila Mae Weir-Moore () served the Corona Light failing to properly check ID. I approached Moore and informed her of the violation. She stated that she thought it said "1986" and apologized for making a mistake.

Moore was given admin citation# 20928 for underage sale (\$250.00). Don Pablo's management was informed they would be receiving follow up information in the mail.

The Corona Light bottle, a sample of it's contents and sales receipt were placed in PL# 3.

Nothing further

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09034485

Date and Time of Report

12/29/2009 09:01:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4102 LIQUOR - SELLING

PUBLIC NARRATIVE

Alcohol compliance check.

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09034485

Date and Time of Report

01/05/2010 07:25:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

Primary Reporting Officer: Arneson, Joshua

Name of location/business:

Primary squad:

Location of incident: 2700 LINCOLN DR

Secondary reporting officer:

ROSEVILLE, MN 55113

Approver:

District: 2581

Date & time of occurrence: 12/28/2009 14:17:00 to

Site:

12/29/2009 14:27:00

Arrest made:

Secondary offense:

Secondary MOC:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

On 12-31-09, I mailed Don Pablo's a letter notifying them of their failure and that the City Council would meet on 02-08-10 to determine the penalty.

PUBLIC NARRATIVE

Employer



December 31, 2009

Don Pablo's
DF & R OPERATING CO. INC
Attn: General Manager
2700 Lincoln Dr
Roseville, MN 55113

Dear General Manager:

As you know, the City of Roseville has an ordinance prohibiting the sale of any alcoholic beverage to persons under the age of 21 years. A copy of the amended ordinance is enclosed for your review. Please note Section 302.15, of the local ordinance, where minimum penalties are stipulated.

On November 29, 2009, an employee of your establishment, Sheila Weir-Moore, sold an alcoholic beverage to a minor in violation of the attached ordinance. Our records indicate that your establishment did not participate in a city approved optional manager and server training program. City records also indicate your establishment one previous violations in the past thirty-six (36) months, in December of 2007. Therefore, pursuant to Section 302.15 of the Roseville City Code, the presumptive penalty for a second violation for on-sale license holders who did not participate in the optional manager and server training is a minimum penalty of a \$500.00 fine and a three (3) day suspension.

When a violation occurs, the police department provides information to the City Council, which either will assess the presumptive penalty set forth above or depart upward or downward based on extenuating or aggravating circumstances. The information set forth in this letter regarding the failed compliance check will be passed on to the City Council, as well as information regarding your participation in the optional manager and server training program, and the history of compliance checks at your establishment. The City Council will consider this information at its regular meeting on February 8th, 2010.

A representative of your establishment may appear at that time to offer any information that you deem relevant as to whether the Council should deviate from the presumptive penalties set forth in the Roseville City Code. If you fail to appear at that meeting, the City Council will act without any input from your establishment.



Finally, please be advised that if another violation should occur, further penalties will be invoked. If you have any questions, you can reach me at 651-792-7204.

Sincerely,

Sergeant Joshua Arneson

Enclosure

cc: Acting Chief Rick Mathwig
City Council
Bill Malinen, City Manager

CHAPTER 302

LIQUOR CONTROL

SECTION:

- 302.01: Adoption of State Law
- 302.02: License Required
- 302.03: Application
- 302.04: License Fees
- 302.05: Ineligibility
- 302.06: Delinquent Taxes and Charges
- 302.07: Granting of License
- 302.08: Conditions of License
- 302.09: Hours of Sale
- 302.10: Evacuation of On-sale Establishments
- 302.11: Sale Outside of Structure on Licensed Premises
- 302.12: On-sale of Intoxicating Malt Liquor
- 302.13: Off-sale License Regulations
- 302.14: Prohibited Conduct
- 302.15: Civil Penalty

302.01: ADOPTION OF STATE LAW:

Except where inconsistent with this Chapter, the provisions of Minnesota Statutes, chapter 340A, relating to the definition of terms, licensing, consumption, sales, conditions of bonds and licenses, hours of sales and all other matters pertaining to the retail sale, distribution and consumption of non-intoxicating malt liquor, wine and intoxicating liquor are adopted and made a part of this Chapter as if set out in full. (Ord. 972, 5-13-85)

302.02: LICENSE REQUIRED:

- A. General Requirement: No person, except a wholesaler or manufacturer to the extent authorized under State license, shall directly or indirectly deal in, sell or keep for sale in the City any non-intoxicating malt liquor or intoxicating liquor without a license to do so as provided in this Chapter.
- B. Types of Licenses:
 - 1. Intoxicating liquor licenses shall be of five kinds: On-sale, On-sale Wine, Club, Special Sunday and Off-sale.
 - 2. Non-intoxicating malt liquor licenses shall be of two kinds: On-sale and Off-sale.
- C. Expiration: All intoxicating liquor and non-intoxicating malt liquor licenses shall expire on December 31 of each year.
- D. On-sale Intoxicating Liquor Licenses: On-sale intoxicating liquor licenses shall be issued only to hotels and restaurants and shall permit On-sale of intoxicating liquor only, for consumption on the licensed premises only, in conjunction with the sale of food. For the purposes of this Chapter, the following definitions are adopted:
HOTEL: A hotel is any establishment having a resident proprietor or manager where,

in consideration of payment, food and lodging are regularly furnished to transients, which maintains for the use of its guests not less than 50 guest rooms with bedding and other usual, suitable and necessary furnishings in each room, which is provided at the main entrance with a suitable lobby, desk and office for the registration of its guests, which employs an adequate staff to provide suitable and usual service and which maintains, under the same management and control as the rest of the establishment and has, as an integral part of the establishment, a dining room of at least one thousand 1,800 square feet.

Such dining room shall have appropriate facilities for seating not less than one 100 guests at one time. Where the guest seating capacity is between 100 and 174, at least 50% of the gross sales of the restaurant portion of the establishment must be attributable to the service of meals. Where the seating capacity is 175 or more, at least 25% of the gross sales of the restaurant portion of the establishment must be attributable to the service of meals.

RESTAURANT: A restaurant is any establishment, other than a hotel, having appropriate facilities to serve meals, for seating not less than 100 guests at one time and where, in consideration of payment, meals are regularly served at tables to the general public and which employs an adequate staff for the usual and suitable service to its guests.

Where the seating capacity of the establishment is between 100 and 174, at least 50% of the gross sales of the establishment must be attributable to the service of meals.

Where the seating capacity is 175 or more, at least 25% of the gross sales of the establishment must be attributable to the service of meals.

- E. **On-sale Wine Licenses:** On-sale wine licenses shall be issued only to restaurants meeting the qualifications of Minnesota Statutes 340A.404, subdivision 5, and shall permit only the sale of wine not exceeding 14% alcohol by volume, for consumption on the licensed premises only, in conjunction with the sale of food. To qualify for a license under this subsection, a restaurant must have appropriate facilities for seating at least 25 guests at a time, regularly serve meals at tables to the public for a charge and employ an adequate staff. (Ord. 972, 5-13-85)
- F. **Club License:** Club licenses for the sale of intoxicating beverages to be consumed on the licensed premises may be issued to any clubs meeting the requirements of Minnesota Statute 340A.404, subdivision 1. (1995 Code)
- G. **Special License for Sunday Sales:** A special license authorizing sales on Sunday in conjunction with the serving of food may be issued to any hotel, restaurant or club which has an On-sale license. A special Sunday license is not needed for Sunday sales of wine license.
- H. **Off-sale Intoxicating Liquor Licenses:** Off-sale licenses for the sale of intoxicating liquor shall permit the licensee to sell intoxicating liquor in original packages for consumption off the premises only. Such licenses may be issued in accordance with the provisions of this Chapter.
- I. **On-sale Non-intoxicating Malt Liquor Licenses:** On-sale licenses shall permit the licensee to sell non-intoxicating malt liquor for consumption on the premises only.
- J. **Off-sale Non-intoxicating Malt Liquor Licenses:** Off-sale licenses shall permit the licensee to sell non-intoxicating malt liquor in original packages for consumption off the premises only. (Ord. 972, 5-13-1985)
- K. **Temporary On-sale Licenses:** Temporary On-sale licenses may be issued to a club or charitable, religious or nonprofit organization in existence for at least three years in connection with social events within the City, for up to three days in accordance with Minnesota Statutes section 340A.404, subdivision 10. (1995 Code)
- L. **Temporary On-sale License In Central Park:** Upon payment of the fee and submission of a completed application form, the City Manager is authorized to approve a temporary On-sale license for the sale and distribution of non-intoxicating malt liquor to a club, charitable, religious or other nonprofit organization in existence

at least three years, for such sale and distribution in Central Park only for a time not to exceed three consecutive days, provided the following conditions are met:

1. Insurance: Proof of liquor liability insurance in an amount equal to and in the form required by subsection 302.03C of this Chapter is filed with the application.
2. Security Plan: A security plan, approved by the Chief of Police, is filed along with the application.
3. Hours of Sale: In addition to the limitation on hours found elsewhere in this Code, the hours of sale shall be only during the time that Central Park is open to the public. Sales and distribution shall be located only in a shelter building or a temporary shelter, such as a tent, approved by the City Manager.

In the event the City Manager denies the application, for any reason, the applicant may appeal the decision of the City Manager to the City Council. (Ord. 1102, 9-23-1991)

- M. Intoxicating Liquors at The Roseville Skating Center Community Rooms:
Intoxicating liquor may be sold in the Roseville Skating Center Community Rooms only under the following conditions:
1. By the City-designated caterer for the Roseville Skating Center Community Rooms who shall hold retail On-sale intoxicating liquor license issued by the City or by an adjacent municipality.
 2. The caterer must be engaged to dispense intoxicating liquor at an event held by a person or organization permitted to use the Roseville Skating Center Community Rooms, and may dispense intoxicating liquor only to persons attending the event.
 3. The caterer delivers to the City a certificate of insurance providing "off premises" or "catered event" liquor liability coverage naming the City of Roseville, to the full extent of statutory coverage, as an additional named insured.
 4. All other rules and regulations established by the City relating to the sale or dispensing of intoxicating liquor in the Roseville Skating Center Community Rooms are complied with. (Ord. 1217, 12-14-1998)

302.03: APPLICATION:

- A. Requirements: The requirements set forth in this Section shall apply to applications for those licenses named in Section 302.02 of this Chapter.
- B. Form:
1. Information Required: Every application for a license under this Chapter shall state the name of applicant, applicant's age, presentations as to applicant's character, with such references as the City Council may require, applicant's citizenship, the type of license applied for, the business in connection with which the proposed license will operate and its location, whether the applicant is owner and operator of the business, how long applicant has been in that business at that place and such other information as the City Council may require from time to time.
 2. Verification: In addition to containing such information, the application shall be in the form prescribed by the State Liquor Control Director and shall be verified and filed with the City Manager. No person shall make a false statement in an application.
 3. Subsequent Data: From time to time, at the request of the City Manager, a licensee will provide data to the City concerning that portion of its revenue attributable to the sale of food and the sale of liquor and/or wine. (Ord. 972, 5-13-1985)
- C. Liability Insurance:
1. Policy Limits: Prior to the issuance or renewal of a license under this Chapter, the applicant shall file with the City Manager a certificate of insurance in a form to be provided by the City covering liquor liability, loss of means of support and pecuniary loss in the amount of (\$500,000.00 of coverage because of bodily injury to any one person in any one occurrence; \$1,000,000.00 because of bodily injury to two or more

persons in any one occurrence; \$100,000.00 because of injury to or destruction of property of others in any one occurrence; \$200,000.00 for loss of means of support or pecuniary loss to any one person in any one occurrence; and \$500,000.00 for loss of means of support or pecuniary loss for two or more persons in any one occurrence.

2. Annual Aggregate Limits: Annual aggregate limits as provided by Minnesota Statutes section 340A.409 shall not be less than \$1,000,000.00.

In the event such policy provides for (\$1,000,000.00 annual aggregate limits, said policy shall further require that in the event that the policy limits are reduced in any given year because of the \$1,000,000.00 annual aggregate policy limit, the insurance carrier shall provide the City with written notice of said reduction in policy limits within 30 days of said reduction becoming effective. (Ord. 1175, 10-28-1996)

3. Further Requirements: After the reduction becomes effective, the City Council may require the licensee to take further action with regard to liability insurance in order to protect citizens of the City during the period of the reduced aggregate policy limit.

4. Applicability: The requirements of this Section shall be applicable to new licenses issued after the effective date of this subsection and for renewals applied for after the effective date of this subsection. (Ord. 1046, 9-12-1988)

D. Approval of Insurance: Liability insurance policies shall be approved as to form by the City Attorney. Operation of a licensed business without having on file with the City, at all times, a certificate of insurance as required in subsection C of this Section is a cause for revocation of the license. All insurance policies shall state that the City will be given ten days' notice, in writing, of cancellation. (Ord. 972, 5-13-1985)

E. Insurance Not Required: Subsection C of this Section does not apply to licensees who by affidavit establish that they are not engaged in selling any intoxicating or non-intoxicating malt liquor in Central Park and that:

1. They are On-sale 3.2 percent malt liquor licensees with sales of less than \$10,000.00 of 3.2 percent malt liquor for the preceding year;

2. They are Off-sale 3.2 percent malt liquor licensees with sales of less than \$20,000.00 of 3.2 percent malt liquor for the preceding year;

3. They are holders of On-sale wine licenses with sales of less than \$10,000.00 for wine for the preceding year; or

4. They are holders of temporary wine licenses issued under law. (Ord. 1175, 10-28-1996)

302.04: LICENSE FEES:

A. Annually: Annual license fee shall be as established by the City Fee Schedule in Section 314.05. (Ord. 1379A, 11-17-2008)

B. Fee:

1. Payment: \$500.00 of the On-sale intoxicating liquor and wine licenses and the entire license fee for all other licenses shall be paid at the time of application. The remaining balance, if any, shall be paid prior to the time of issuance of the license.

2. Refund: All fees shall be paid into the General Fund of the City. Upon rejection of any application for a license or upon the withdrawal of the application before approval of the issuance by the City Council, the license fee shall be refunded to the applicant except where the rejection is for willful misstatement on the license application.

3. Proration: The fee for On-sale intoxicating liquor and On-sale wine licenses granted after the commencement of the license year shall be prorated on a monthly basis. The fee for On-sale non-intoxicating malt liquor licenses granted after the commencement of the license year shall be prorated on a quarterly basis.

4. Investigation: At the time of each original application for a license, except special

club, On-sale non-intoxicating malt liquor and Off-sale non-intoxicating malt liquor licenses, the applicant shall pay, in full, an investigation fee. The investigation fee shall be \$300.00. No investigation fee shall be refunded. (Ord. 972, 5-13-1985; amd. 1995 Code)

302.05: INELIGIBILITY:

No license shall be granted to any person made ineligible for such a license by state law¹. (Ord. 972, 5-13-1985)

302.06: DELINQUENT TAXES AND CHARGES:

No license shall be granted for operation on any premises on which taxes, assessments or other financial claims of the city are delinquent and unpaid. (Ord. 972, 5-13-1985)

302.07: GRANTING OF LICENSE:

- A. Investigation and Issuance: The City Council shall investigate all facts set out in the application. Opportunity shall be given to any person to be heard for or against the granting of the license. After the investigation and hearing, the City Council shall, in its discretion, grant or refuse the application. At least ten days published notice of the hearing shall be given, setting forth the name of the applicant and the address of the premises to be licensed.
- B. Person and Premises Licensed; Transfer: Each license shall be issued only to the applicant and for the premises described in the application. No license may be transferred to another person or place without City Council approval. Before a transfer is approved, the transferee shall comply with the requirements for a new application. Any transfer of 50% or more of the stock of a corporate licensee is deemed a transfer of the license and a transfer of stock without prior City Council approval is a ground for revocation of the license. (Ord. 972, 5-13-1985)

302.08: CONDITIONS OF LICENSE:

Every license is subject to the conditions in the following subsections and all other provisions of this chapter and any other applicable ordinance, state law or regulation:

- A. Licensee's Responsibility: Every licensee is responsible for the conduct of licensee's place of business and the conditions of sobriety and order in it. The act of any employee on the licensed premises, authorized to sell intoxicating liquor there, is deemed the act of the licensee as well and the licensee shall be liable to all penalties provided by this chapter and the law equally with the employee.
- B. Inspections: Every licensee shall allow any peace officer, health officer or properly designated officer or employee of the city to enter, inspect and search the premises of the licensee during business hours without a warrant.
- C. Optional Manager and Server Training: Proven participation in this program will reduce licensee holder penalties for failure of an alcohol sales compliance check. If this option is chosen, all licensees and their managers, and all employees or agents employed by the licensee that sell or serve alcohol, shall attend and satisfactorily complete a city approved or provided liquor licensee training program. The required training shall be completed:
 - 1. Prior to licensure or renewal for licensees and managers, or
 - 2. Prior to serving or selling for any employee or agent, and
 - 3. Every year thereafter unless probationary extension is granted for hardship

¹ M.S.A. §340A.402.

reasons. (Ord. 1243, 11-27-2000)

302.09: HOURS OF SALE:

The hours for the sale of intoxicating or non-intoxicating liquor for consumption on the premises shall be those allowed under Minnesota Statute §340A.504. (Ord. 1290, 8-11-2003)

302.10: EVACUATION OF ON-SALE ESTABLISHMENTS:

- A. Thirty Minute Restriction: All patrons of an on-sale establishment selling intoxicating liquor or non-intoxicating malt liquor must vacate the premises within 30 minutes of the termination of sales by Minnesota Statute §340A.504. Any patron who remains on the licensed premises or any licensee or licensee's employee who allows a patron to remain on the licensed premises beyond the 30 minute limit is in violation of this subsection. (Ord. 1056, 3-16-1989) (Ord. 1290, 8-11-2003)
- B. Extension of Restriction for Sale of Food: If an on-sale establishment remains open for the sale of food beyond the 30 minute evacuation limit, all intoxicating liquor and non-intoxicating malt liquor must be secured within the 30 minute limit in such a manner as to prevent consumption. Any patron who consumes intoxicating liquor or non-intoxicating malt liquor on the licensed premises or any licensee or employee of licensee who allows such consumption or allows intoxicating liquor or non-intoxicating malt liquor to remain unsecured on the licensed premises beyond the 30 minute limit is in violation of this subsection. (Ord. 1056, 3-16-1989)

302.11: SALE OUTSIDE OF STRUCTURE ON LICENSED PREMISES:

The sale of wine and intoxicating liquors, pursuant to any of the licenses issued in accordance with this chapter, shall be limited to sale and consumption inside of a structure on the licensed premises, unless the licensee applies for and receives permission from the City Council for sale and consumption outside of a structure on the licensed premises by an endorsement to the license. Issuance of an outside sale and consumption endorsement shall be accomplished as follows:

- A. Application: The licensee shall make written application using forms provided by the city and there shall be a nonrefundable application fee of twenty five dollars (\$25.00) at the time of making application.
- B. Notice: The owners of all property adjacent to the licensed premises will be given written notice of the fact that such an application has been made and of the date and time of the City Council meeting at which the application will be considered by the City Council.
- C. Endorsement: The City Council may, in its discretion, issue such an endorsement or refrain from issuing such an endorsement and may impose conditions to the endorsement such as, but not limited to, screening, time of day limitations and noise limitations. (Ord. 972, 5-13-1985)

302.12: ON-SALE OF INTOXICATING MALT LIQUOR:

The holder of an on-sale wine license who is also licensed to sell non-intoxicating malt liquor and whose gross receipts are at least 60% attributable to the sale of food may sell intoxicating malt liquor at on-sale without an additional license. (Ord. 1021, 9-28-1987)

302.13: OFF-SALE LICENSE REGULATIONS:

In addition to the other requirements of state law or this chapter, the following regulations are applicable to off-sale intoxicating liquor licenses:

- A. Number of Licenses: The number of licenses which may be issued is ten.
- B. Use of License: If a license is not used within one year, the license shall automatically terminate.
- C. Size of Premises: A licensed premises shall have at least 1,600 square feet of sales floor space including sales coolers and excluding walk-in storage coolers.
- D. Considerations: In addition to the other requirements of this chapter and applicable state law in determining whether or not to issue an off-sale license for a particular premises, the City Council shall consider all relevant factors relating to the health, safety and welfare of the citizens of the city such as, but not limited to, effect on market value of neighboring properties, proximity to churches and schools and effect on traffic and parking.
- E. Delivery of Alcoholic Beverages; Identification Required: A person authorized to serve, sell, or deliver alcoholic beverages must determine through legitimate proof of identification that all deliveries of wine, beer, and alcoholic beverages are accepted only by eligible persons who are 21 years of age or older.
- F. Delivery Records: Upon any delivery of alcoholic beverages off the licensed premises, the seller, purchaser, and delivery recipient (if other than the purchaser) must sign an itemized purchase invoice. The invoice shall detail the time, date, and place of delivery. The licensee must retain the delivery records for a period of one year. The records shall be open to inspection by any police officer or other designated officer or employee of the city at any time. (Ord. 1243, 11-27-2000)

302.14: PROHIBITED CONDUCT:

- A. Policy: Certain acts or conduct on premises licensed pursuant to this chapter or licensed pursuant to Minnesota statutes, chapter 340A, are deemed contrary to public welfare and are prohibited and no license issued pursuant to this chapter or licensed pursuant to Minnesota statutes, chapter 340A, may be held or maintained where such acts or conduct is permitted. (Ord. 808, 11-21-1977)
- B. Prohibited Conduct: The prohibited acts or conduct referred to in subsection A of this section are:
 - 1. The employing or use of any person in the sale or service of beverages in or upon the licensed premises where such person is unclothed or in such attire, costume or clothing as to expose to view any portion of the female breast below the top of the areola or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals.
 - 2. The employing or use of the services of any host or hostess while such host or hostess is unclothed or in such attire, costume or clothing as described in subsection B1 of this section.
 - 3. The encouraging or permitting of any person on the licensed premises to touch, caress or fondle the breasts, buttocks, anus or genitals of any other person.
 - 4. The permitting of any employee or person to wear or use any device or covering exposed to view which simulates the breast, genitals, anus, pubic hair or any portion thereof.
 - 5. The permitting of any person to perform acts of or acts which simulate:
 - a. With or upon another person, sexual intercourse, sodomy, oral copulation, flagellation or any sexual acts which are prohibited by law.
 - b. Masturbation or bestiality.
 - c. With or upon another person the touching, caressing or fondling of the buttocks, anus, genitals or female breast.
 - d. The displaying of the pubic hair, anus, vulva, genitals or female breasts below the top of the areola.
 - 6. The permitting of any person to use artificial devices or inanimate objects to depict any of the prohibited activities described in subsections B5a through B5d of this section.

7. The permitting of any person to remain in or upon the licensed premises who exposes to public view any portion of his or her genitals or anus.
8. The permitting or showing of film, still pictures, electronic reproductions or other reproductions depicting:
 - a. Acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.
 - b. Any person being touched, caressed or fondled on the breast, buttocks, anus or genitals.
 - c. Scenes wherein a person displays the vulva, or the anus or the genitals.
 - d. Scenes wherein artificial devices or inanimate objects are employed to depict, or drawings are employed to portray, any of the activities described in subsections B1 through B7 of this section.
- C. Revocation of License: Any license issued pursuant to this chapter, licensed pursuant to Minnesota statutes, chapter 340A, shall be revoked if any of the acts of conduct described in this section occur on the licensed premises. (Ord. 808, 11-21-1977; amd. 1995 Code)

302.15: CIVIL PENALTY:

- A. Penalty For Noncompliance: In addition to any criminal penalties which may be imposed by a court of law, the City Council may suspend a license for up to 60 days, may revoke a license and/or may impose a civil fine on a licensee not to exceed \$2,000.00 for each violation on a finding that the license holder or its employee has failed to comply with a statute, rule or ordinance relating to alcoholic beverages, non-intoxicating malt liquor or wine.
- B. Minimum Penalty: The purpose of this section is to establish a standard by which the City Council determines the civil fine, the length of license suspensions and the propriety of revocations, and shall apply to all premises licensed under this chapter. These penalties are presumed to be appropriate for every case; however, the council may deviate in an individual case where the council finds that there exist certain extenuating or aggravating circumstances, making it more appropriate to deviate, such as, but not limited to, a licensee's efforts in combination with the state or city to prevent the sale of alcohol to minors or, in the converse, when a licensee has a history of repeated violations of state or local liquor laws. When deviating from these standards, the council will provide written findings that support the penalty selected. When a violation occurs, the staff shall provide information to the City Council to either assess the presumptive penalty or depart upward or downward based on extenuating or aggravating circumstances. The staff shall notify the licensee of the information being considered and acted upon by the City Council.

The following violations are presumed to require revocation of the license on the first violation:

- Commission of a felony related to the licensed activity.
- Sale of alcoholic beverages while license is under suspension.
- Sale of intoxicating liquor where only license is for 3.2 percent malt liquor.

Other violations, including the following shall have a presumed penalty as indicated below:

- Sale of alcoholic beverages to underage persons.
- Sale of alcoholic beverages to obviously intoxicated person.
- After hours sale/display/consumption of alcoholic beverage.
- Illegal gambling on premises.
- Failure to take reasonable steps to stop person from leaving premises with alcoholic beverages (on-sale allowing off-sale).

1. For on-sale license holders who participate in optional manager and server training and prove the person who sold or served alcohol had received city approved alcohol beverage server training within the previous year:

- a. For a first violation, the license holder will be given a warning letter.
- b. For a second violation in 36 months, the mandatory minimum penalty shall be a \$500.00 fine and a one day suspension.
- c. For a third violation in 36 months, the mandatory minimum penalty shall be a \$500.00 fine and a three day suspension.
- d. For a fourth violation in 36 months, the mandatory minimum penalty shall be a \$1,000.00 fine and a five day suspension.
- e. For a fifth violation in 36 months, the license shall be revoked, or in alternative, the license shall not be renewed.

2. For on-sale license holders who do not participate in optional manager and server training:

- a. For a first violation, the mandatory minimum penalty shall be a \$500.00 fine and a one day suspension.
- b. For a second violation in thirty-six (36 months, the mandatory minimum penalty shall be a (\$500.00 fine and a three day suspension.
- c. For a third violation in 36 months, the mandatory minimum penalty shall be a \$1,000.00 fine and a five day suspension.
- d. For a fourth violation in 36 months, the license shall be revoked, or in alternative, the license shall not be renewed.

3. For off-sale license holders who participate in optional manager and server training and prove the person who sold or served alcohol had received city approved alcohol beverage server training within the previous year:

- a. For a first violation, the license holder will be given a warning letter.
- b. For a second violation in 36 months, the mandatory minimum penalty shall be a \$500.00 fine.
- c. For a third violation in 36 months, the mandatory minimum penalty shall be a \$500.00 fine and a three day suspension.
- d. For a fourth violation in 36 months, the mandatory minimum penalty shall be a one thousand dollar (\$1,000.00 fine and a five day suspension.
- e. For a fifth violation in 36 months, the license shall be revoked, or in alternative, the license shall not be renewed.

4. For off-sale license holders who do not participate in optional manager and server training:

- a. For a first violation, the mandatory minimum penalty shall be a \$500.00 fine.
- b. For a second violation in 36 months, the mandatory minimum penalty shall be a \$500.00 fine and a three day suspension.
- c. For a third violation in 36 months, the mandatory minimum penalty shall be a \$1,000.00) fine and a five day suspension.
- d. For a fourth violation in 36 months, the license shall be revoked, or in alternative, the license shall not be renewed. (Ord. 1280, 03-31-03)

C. Hearing and Notice: If, after considering the staff's information, the City Council proposes to suspend or revoke a license, the licensee shall be provided written notice of the City Council's proposed action and shall be given the opportunity to request a hearing on the proposed penalty by providing the City a written notice requesting a hearing within ten days of the mailing of the notice of the City Council's proposed action. The notice of the proposed action of the City Council shall state the nature of the charges against the licensee and the action the City Council proposes to take, shall inform the licensee of the right to request a hearing prior to the action being final, and shall inform the licensee of the date the City Council's proposed action will be considered a final decision if a hearing is not requested. Any hearing, if

requested, will be conducted in accordance with Minnesota statutes section 340A.415 and sections 14.57 to 14.69 of the Administrative Procedures Act (“APA”). If a hearing is requested, the licensee shall be provided a hearing notice at least ten days prior to the hearing, which shall state the date, time and place of the hearing and the issues involved in the hearing. An independent hearing officer shall be selected by the City Council to conduct the hearing and shall make a report and recommendation to the City Council pursuant to the provisions of the APA. The City Council shall consider the independent hearing examiner’s recommendation and issue its final decision on the suspension or revocation. (Ord. 1243, 11-27-2000; Ord. 1280, 3-31-03) (Ord, 1336, 5-08-2006)

Don Pablos

facsimile transmittal

To: Sgt. Joshua Arneson

Fax: 651-792-7200

Roseville Police

From: Meschele Clark

Date: 1/19/2010

Re: Sale To Minor Violation

Pages: 3

CC:

☒ Urgent

☐ For Review

☐ Please Comment

☐ Please Reply

☐ Please
Recycle

URGENT – PLEASE REVIEW IMMEDIATELY



706-342-4552

800-765-7894

150 Hancock St.
Madison, GA 30650

Restaurant Corp.

January 19, 2010

Sergeant Joshua Arneson
City of Roseville
2660 Civic Center Drive
Roseville, MN 55113

Re: Don Pablo's – Sale to a Minor Violation

Dear Sergeant Arneson:

I am in receipt of your letter dated December 31, 2009 concerning the sale to a minor violation that occurred at our Don Pablo's located at 2700 Lincoln Drive in Roseville Minnesota.

Your records show that this is our second violation within the past thirty-six (36) months with the first one occurring December of 2007. Our company, Don Pablo's Operating, LLC who is the current licensee did not own this location in December of 2007. Our ownership was not effective until February 27, 2008 and all permits were transferred accordingly. The ownership history for this location is set forth below:

Previous Structure

Prior to February 27, 2008, Don Pablo's Operating Corp. (EIN 75-2594685) was the owner/licensee

Current Structure

Effective February 27, 2008, Don Pablo's Operating, LLC (EIN 61-1551986) became owner/licensee

We believe that the violation that occurred on November 29, 2009 should be considered the first violation under the current owner/licensee. Also, we were not aware of our option to participate in a city approved server and training program. We would have made it mandatory that our team to attend.

At Don Pablo's we hold the responsible sale and service of alcohol in the highest regard. We truly understand the importance of complying with regulations concerning the privilege to sale alcohol in our establishment. It is the stated policy of Don Pablo's to never serve a minor and to card anyone that looks under the age of thirty years of age. Furthermore, it is our stated policy that we never serve alcohol to any person without proper identification. We have taken disciplinary measures and have reviewed our policies with our employees in an effort to avoid this occurrence in the future.



Page 2
City of Roseville
January 19, 2010

I would appreciate if you would contact me at 706-343-2405 or MClark@dp-h.com to discuss this matter further prior to the hearing scheduled on February 8, 2009.

Best regards,



Meschele Clark
Director of Legal Affairs

cc: Acting Chief Rick Mathwig
City Council
Bill Malinen, City Manager

MEMORANDUM



DATE: January 21, 2010
TO: Acting Chief Mathwig
FROM: Sergeant Arneson
SUBJECT: Don Pablos Violation of 12/28/2009

After careful review, it is the opinion of the Police Department to continue with the proposed penalty to Don Pablos. Attached is documentation that will be forwarded to the City Manager's office for inclusion in the packets for the January 25, 2010 Council meeting.

I will also be forwarding this information to the City Attorney for their review.

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

07037357

12/15/2007 21:18:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4113 LIQUOR-MS-MINOR PURCHASE OR ATTEMPT TO PURCHASE

Primary Reporting Officer: Jennings, Brooke

Name of location/business:

Primary squad: 2599

Location of incident: 2700 LINCOLN DR

Secondary reporting officer:

ROSEVILLE, MN 55113

Approver: Williams, Scott

District: 2581

Date & time of occurrence: 12/14/2007 13:00:00 to

Site:

12/14/2007 20:00:00

Arrest made: Yes

Secondary offense:

Secondary MOC:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS**LIQUOR LAW-FURNISHING LIQUOR TO A MINOR**

Attempt Only:

Appears to be Gang Related:

Crime Scene**Method & Point of Entry**

Type: Office/commercial

Force used:

Hid Inside:

Description: Restaurant

Point of entry:

Method:

ARRESTS**Cited**

Name: Springer, Jill Agnus

Booking date: 12/14/2007

Date & time of arrest: 12/14/2007 16:00

Booking time: 16:00

Arrest made on view:

Booking #:

Arrest made on warrant or previous CN:

Warrant number:

Originating agency: RPD

Warrant type:

Charge/Citation/Bail Amount: Admin Citation #17958, \$250 fine

NAMES**Arrestee**

Springer, Jill Agnus

KNOWN

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

07037357

12/15/2007 21:18:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4113 LIQUOR-MS-MINOR PURCHASE OR ATTEMPT TO PURCHASE

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex: Female

Race: |

DOB: |

Resident Status:

Hispanic:

Age: |

from

to

Phones

Home:

Cell:

Contact: |

Work: 651-639-3916

Fax:

Pager:

Employment

Occupation:

Employer:

Identification

SSN:

License or ID#: W023294493305

License State: MN

Physical Description

US:

Metric:

Height: to

Build:

Hair Length:

Hair Color:

Weight: to

Skin:

Facial Hair:

Hair Type:

Teeth:

Eye Color:

Blood Type:

Offender Information

Arrested: Yes

Pursuit engaged:

Violated Restraining Order:

DUI:

Resistance encountered:

Condition:

Taken to health care facility:

Medical release obtained:

Other

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

07037357

Date and Time of Report

12/15/2007 21:18:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4113 LIQUOR-MS-MINOR PURCHASE OR ATTEMPT TO PURCHASE

Details

Sex: Male Race: DOB: Resident Status:
Hispanic: Age: 18 from to

Phones

Home: Cell: Contact:
Work: Fax: Pager:

Employment

Occupation: STUDENT Employer:

Identification

SSN: License or ID#: N904195907813 License State: MN

Other

Elicerio, Kim Marie
2700 LINCOLN DR
ROSEVILLE, MN 55113

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex: Female Race: DOB: Resident Status:
Hispanic: Age: from to

Phones

Home: Cell: Contact:
Work: 651-639-3916 Fax: Pager:

Employment

Occupation: MANAGER Employer:

Identification

SSN: License or ID#: License State:

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

07037357

12/15/2007 21:18:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4113 LIQUOR-MS-MINOR PURCHASE OR ATTEMPT TO PURCHASE

SOLVABILITY FACTORS

Suspect can be Identified: Yes

By: Police

Photos Taken:

Stolen Property Traceable:

Evidence Turned In:

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

Participants:

Person Type:	Name:	Address:	Phone:
--------------	-------	----------	--------

Arrestee	Springer, Jill Agnus		
----------	----------------------	--	--

Other

Other	Elicerio, Kim Marie	2700 LINCOLN DR ROSEVILLE, MN 55113	
-------	---------------------	--	--

NARRATIVE

On 12/14/2007 at approx 1600hrs, while performing alcohol compliance checks, the bartender at Don Pablo's served to my underage buyer.

(09/18/1989) was the underage buyer. I searched confirming he had only one valid MN DL. A digital photo was taken to document the clothing and identity of the underage buyer. watched the RPD Underage Buyer Educational Video prior to performing the buys. A CDR of the digital photo was placed into PL#9.

At approx 1600hrs, entered Don Pablo's, he walked upstairs and sat at the bar. I waited in the car due to a low number patrons at the restaurant. The following is a brief synopsis of underage purchase at Don Pablo's. The bartender later identified as Jill Agnus Springer approached and asked for his order. ordered a bottle of Miller Lite Beer. Springer did not ask for ID, or ask his age. Springer opened a bottle of Miller Lite, and gave it to.

placed his coat on the bar stool, came to the main entrance, and motioned me to come in. informed me the Springer had sold an alcoholic beverage to him. We re entered the restaurant, and informed me who sold the alcoholic beverage to him. I approached Springer and informed her she had failed the alcohol compliance check. I also informed Don Pablo's manager Kim Marie Elicerio, of the failure. Please note Springer started a "tab" for, so no buy money was exchanged.

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number

Reference CN

Date and Time of Report

07037357

12/15/2007 21:18:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4113 LIQUOR-MS-MINOR PURCHASE OR ATTMPT TO PURCHASE

Springer was given Administrative Citation #17958 for underage sale, with a fine of \$250.00. Elicerio was told she would be receiving a follow up letter from us in the mail.

The Miller Lite Bottle/contents and a receipt of the sale was placed into PL#9.

Nothing Further.

PUBLIC NARRATIVE

Alcohol Compliance Check, Fail.

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

07037357

Date and Time of Report

02/11/2008 12:25:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

Primary Reporting Officer: Marshall, Matthew

Name of location/business:

Primary squad:

Location of incident: 2700 LINCOLN DR

Secondary reporting officer:

ROSEVILLE, MN 55113

Approver:

District: 2581

Date & time of occurrence: 12/14/2007 13:00:00 to

Site:

12/14/2007 20:00:00

Arrest made:

Secondary offense:

Secondary MOC:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

On 01/29/2008, the Roseville City Council meet to hear the facts of the case and after hearing all the evidence presented proposed to impose the presumptive penalty for a first offense for an establishment that does not participate in Roseville's optional manager and server training program of a one day suspension and a \$500.00 fine. The Police Chief has determined the suspension of Don Pablo's liquor license shall occur on Friday February 29, 2008. City of Roseville Administrative Offense Citation #17079, along with a letter of Council's action and appeal process was mailed to Don Pablo's.

PUBLIC NARRATIVE



Request for Council Action

Date: 02/08/2010

Item Number: 12/c

Department Approval

Manager Approval

Item Description:

Consider Presumptive Penalty Approval – Fuddruckers Alcohol Compliance Failure

Background

On April 9th, 2009, all businesses with a liquor license in the City of Roseville were mailed a letter from the Roseville Police Department announcing two alcohol compliance checks would be conducted before the end of the year. Also in the letter were materials for an optional manager server training program and a list of City of Roseville approved training programs. Proof of the completed training by all employees selling or serving alcohol had to be submitted to the Roseville Police Department by or on May 9, 2009.

Compliance Failure

On December 28th, 2009, a Roseville Police Officer, along with an underage buyer, entered Fuddruckers to conduct an alcohol compliance check. The underage buyer approached the cashier and ordered a bottle of Corona Beer. The cashier asked the underage buyer for ID and the underage buyer provided the cashier with her real MN Driver License with the words “Under 21” stamped on the license directly over the photo. The cashier took the license, looked at it, and gave it back to the underage purchaser. The cashier then sold the underage buyer a bottle of Corona. The cashier was cited for the violation and released. Fuddruckers did not participate in an optional manager and server training program for 2009. This is Fuddruckers sixth documented failure with previous failures in 1998, 1999, 2001, 2005, 2007, and 2008.

Staff Recommendation

Issue and administer the presumptive penalty pursuant to City Code Section 302.15, for on-sale license holders who did not participate in optional manager and server training for a third violation in thirty-six (36) months, the mandatory minimum penalty shall be a one thousand dollar (\$1,000.00) fine and a five (5) day suspension.

Council Action Requested

Allow the Roseville Police Department to issue and administer the presumptive penalty as set forth in Section 302.15, of the Roseville City Code or other action as determined by the Roseville City Council.

Attachment: A. Reports and Correspondence



December 31, 2009

Fuddruckers
Roseville Foods LLC
Attn: General Manager
2740 Snelling Avenue North
Roseville, MN 55113

Dear General Manager:

As you know, the City of Roseville has an ordinance prohibiting the sale of any alcoholic beverage to persons under the age of 21 years. A copy of the amended ordinance is enclosed for your review. Please note Section 302.15, of the local ordinance, where minimum penalties are stipulated.

On November 29, 2009, an employee of your establishment, Danika Romano, sold an alcoholic beverage to a minor in violation of the attached ordinance. Our records indicate that your establishment did not participate in a city approved optional manager and server training program. City records also indicate your establishment had two previous violations in the past thirty-six (36) months, in August 2007 and October 2008. Therefore, pursuant to Section 302.15 of the Roseville City Code, the presumptive penalty for a third violation for on-sale license holders who did not participate in the optional manager and server training is a minimum penalty of a \$1,000.00 fine and a five (5) day suspension.

When a violation occurs, the police department provides information to the City Council, which either will assess the presumptive penalty set forth above or depart upward or downward based on extenuating or aggravating circumstances. The information set forth in this letter regarding the failed compliance check will be passed on to the City Council, as well as information regarding your participation in the optional manager and server training program, and the history of compliance checks at your establishment. The City Council will consider this information at its regular meeting on February 8th, 2010.

A representative of your establishment may appear at that time to offer any information that you deem relevant as to whether the Council should deviate from the presumptive



penalties set forth in the Roseville City Code. If you fail to appear at that meeting, the City Council will act without any input from your establishment.

Finally, please be advised that if another violation should occur, further penalties will be invoked. If you have any questions, you can reach me at 651-792-7204.

Sincerely,

Sergeant Joshua Arneson

Enclosure

cc: Acting Chief Rick Mathwig
City Council
Bill Malinen, City Manager

CHAPTER 302

LIQUOR CONTROL

SECTION:

- 302.01: Adoption of State Law
- 302.02: License Required
- 302.03: Application
- 302.04: License Fees
- 302.05: Ineligibility
- 302.06: Delinquent Taxes and Charges
- 302.07: Granting of License
- 302.08: Conditions of License
- 302.09: Hours of Sale
- 302.10: Evacuation of On-sale Establishments
- 302.11: Sale Outside of Structure on Licensed Premises
- 302.12: On-sale of Intoxicating Malt Liquor
- 302.13: Off-sale License Regulations
- 302.14: Prohibited Conduct
- 302.15: Civil Penalty

302.01: ADOPTION OF STATE LAW:

Except where inconsistent with this Chapter, the provisions of Minnesota Statutes, chapter 340A, relating to the definition of terms, licensing, consumption, sales, conditions of bonds and licenses, hours of sales and all other matters pertaining to the retail sale, distribution and consumption of non-intoxicating malt liquor, wine and intoxicating liquor are adopted and made a part of this Chapter as if set out in full. (Ord. 972, 5-13-85)

302.02: LICENSE REQUIRED:

- A. General Requirement: No person, except a wholesaler or manufacturer to the extent authorized under State license, shall directly or indirectly deal in, sell or keep for sale in the City any non-intoxicating malt liquor or intoxicating liquor without a license to do so as provided in this Chapter.
- B. Types of Licenses:
 - 1. Intoxicating liquor licenses shall be of five kinds: On-sale, On-sale Wine, Club, Special Sunday and Off-sale.
 - 2. Non-intoxicating malt liquor licenses shall be of two kinds: On-sale and Off-sale.
- C. Expiration: All intoxicating liquor and non-intoxicating malt liquor licenses shall expire on December 31 of each year.
- D. On-sale Intoxicating Liquor Licenses: On-sale intoxicating liquor licenses shall be issued only to hotels and restaurants and shall permit On-sale of intoxicating liquor only, for consumption on the licensed premises only, in conjunction with the sale of food. For the purposes of this Chapter, the following definitions are adopted:
HOTEL: A hotel is any establishment having a resident proprietor or manager where,

in consideration of payment, food and lodging are regularly furnished to transients, which maintains for the use of its guests not less than 50 guest rooms with bedding and other usual, suitable and necessary furnishings in each room, which is provided at the main entrance with a suitable lobby, desk and office for the registration of its guests, which employs an adequate staff to provide suitable and usual service and which maintains, under the same management and control as the rest of the establishment and has, as an integral part of the establishment, a dining room of at least one thousand 1,800 square feet.

Such dining room shall have appropriate facilities for seating not less than one 100 guests at one time. Where the guest seating capacity is between 100 and 174, at least 50% of the gross sales of the restaurant portion of the establishment must be attributable to the service of meals. Where the seating capacity is 175 or more, at least 25% of the gross sales of the restaurant portion of the establishment must be attributable to the service of meals.

RESTAURANT: A restaurant is any establishment, other than a hotel, having appropriate facilities to serve meals, for seating not less than 100 guests at one time and where, in consideration of payment, meals are regularly served at tables to the general public and which employs an adequate staff for the usual and suitable service to its guests.

Where the seating capacity of the establishment is between 100 and 174, at least 50% of the gross sales of the establishment must be attributable to the service of meals.

Where the seating capacity is 175 or more, at least 25% of the gross sales of the establishment must be attributable to the service of meals.

- E. On-sale Wine Licenses: On-sale wine licenses shall be issued only to restaurants meeting the qualifications of Minnesota Statutes 340A.404, subdivision 5, and shall permit only the sale of wine not exceeding 14% alcohol by volume, for consumption on the licensed premises only, in conjunction with the sale of food. To qualify for a license under this subsection, a restaurant must have appropriate facilities for seating at least 25 guests at a time, regularly serve meals at tables to the public for a charge and employ an adequate staff. (Ord. 972, 5-13-85)
- F. Club License: Club licenses for the sale of intoxicating beverages to be consumed on the licensed premises may be issued to any clubs meeting the requirements of Minnesota Statute 340A.404, subdivision 1. (1995 Code)
- G. Special License for Sunday Sales: A special license authorizing sales on Sunday in conjunction with the serving of food may be issued to any hotel, restaurant or club which has an On-sale license. A special Sunday license is not needed for Sunday sales of wine license.
- H. Off-sale Intoxicating Liquor Licenses: Off-sale licenses for the sale of intoxicating liquor shall permit the licensee to sell intoxicating liquor in original packages for consumption off the premises only. Such licenses may be issued in accordance with the provisions of this Chapter.
- I. On-sale Non-intoxicating Malt Liquor Licenses: On-sale licenses shall permit the licensee to sell non-intoxicating malt liquor for consumption on the premises only.
- J. Off-sale Non-intoxicating Malt Liquor Licenses: Off-sale licenses shall permit the licensee to sell non-intoxicating malt liquor in original packages for consumption off the premises only. (Ord. 972, 5-13-1985)
- K. Temporary On-sale Licenses: Temporary On-sale licenses may be issued to a club or charitable, religious or nonprofit organization in existence for at least three years in connection with social events within the City, for up to three days in accordance with Minnesota Statutes section 340A.404, subdivision 10. (1995 Code)
- L. Temporary On-sale License In Central Park: Upon payment of the fee and submission of a completed application form, the City Manager is authorized to approve a temporary On-sale license for the sale and distribution of non-intoxicating malt liquor to a club, charitable, religious or other nonprofit organization in existence

at least three years, for such sale and distribution in Central Park only for a time not to exceed three consecutive days, provided the following conditions are met:

1. Insurance: Proof of liquor liability insurance in an amount equal to and in the form required by subsection 302.03C of this Chapter is filed with the application.
2. Security Plan: A security plan, approved by the Chief of Police, is filed along with the application.
3. Hours of Sale: In addition to the limitation on hours found elsewhere in this Code, the hours of sale shall be only during the time that Central Park is open to the public. Sales and distribution shall be located only in a shelter building or a temporary shelter, such as a tent, approved by the City Manager.

In the event the City Manager denies the application, for any reason, the applicant may appeal the decision of the City Manager to the City Council. (Ord. 1102, 9-23-1991)

- M. Intoxicating Liquors at The Roseville Skating Center Community Rooms:
Intoxicating liquor may be sold in the Roseville Skating Center Community Rooms only under the following conditions:
1. By the City-designated caterer for the Roseville Skating Center Community Rooms who shall hold retail On-sale intoxicating liquor license issued by the City or by an adjacent municipality.
 2. The caterer must be engaged to dispense intoxicating liquor at an event held by a person or organization permitted to use the Roseville Skating Center Community Rooms, and may dispense intoxicating liquor only to persons attending the event.
 3. The caterer delivers to the City a certificate of insurance providing "off premises" or "catered event" liquor liability coverage naming the City of Roseville, to the full extent of statutory coverage, as an additional named insured.
 4. All other rules and regulations established by the City relating to the sale or dispensing of intoxicating liquor in the Roseville Skating Center Community Rooms are complied with. (Ord. 1217, 12-14-1998)

302.03: APPLICATION:

- A. Requirements: The requirements set forth in this Section shall apply to applications for those licenses named in Section 302.02 of this Chapter.
- B. Form:
1. Information Required: Every application for a license under this Chapter shall state the name of applicant, applicant's age, presentations as to applicant's character, with such references as the City Council may require, applicant's citizenship, the type of license applied for, the business in connection with which the proposed license will operate and its location, whether the applicant is owner and operator of the business, how long applicant has been in that business at that place and such other information as the City Council may require from time to time.
 2. Verification: In addition to containing such information, the application shall be in the form prescribed by the State Liquor Control Director and shall be verified and filed with the City Manager. No person shall make a false statement in an application.
 3. Subsequent Data: From time to time, at the request of the City Manager, a licensee will provide data to the City concerning that portion of its revenue attributable to the sale of food and the sale of liquor and/or wine. (Ord. 972, 5-13-1985)
- C. Liability Insurance:
1. Policy Limits: Prior to the issuance or renewal of a license under this Chapter, the applicant shall file with the City Manager a certificate of insurance in a form to be provided by the City covering liquor liability, loss of means of support and pecuniary loss in the amount of (\$500,000.00 of coverage because of bodily injury to any one person in any one occurrence; \$1,000,000.00 because of bodily injury to two or more

persons in any one occurrence; \$100,000.00 because of injury to or destruction of property of others in any one occurrence; \$200,000.00 for loss of means of support or pecuniary loss to any one person in any one occurrence; and \$500,000.00 for loss of means of support or pecuniary loss for two or more persons in any one occurrence.

2. Annual Aggregate Limits: Annual aggregate limits as provided by Minnesota Statutes section 340A.409 shall not be less than \$1,000,000.00.

In the event such policy provides for (\$1,000,000.00 annual aggregate limits, said policy shall further require that in the event that the policy limits are reduced in any given year because of the \$1,000,000.00 annual aggregate policy limit, the insurance carrier shall provide the City with written notice of said reduction in policy limits within 30 days of said reduction becoming effective. (Ord. 1175, 10-28-1996)

3. Further Requirements: After the reduction becomes effective, the City Council may require the licensee to take further action with regard to liability insurance in order to protect citizens of the City during the period of the reduced aggregate policy limit.

4. Applicability: The requirements of this Section shall be applicable to new licenses issued after the effective date of this subsection and for renewals applied for after the effective date of this subsection. (Ord. 1046, 9-12-1988)

D. Approval of Insurance: Liability insurance policies shall be approved as to form by the City Attorney. Operation of a licensed business without having on file with the City, at all times, a certificate of insurance as required in subsection C of this Section is a cause for revocation of the license. All insurance policies shall state that the City will be given ten days' notice, in writing, of cancellation. (Ord. 972, 5-13-1985)

E. Insurance Not Required: Subsection C of this Section does not apply to licensees who by affidavit establish that they are not engaged in selling any intoxicating or non-intoxicating malt liquor in Central Park and that:

1. They are On-sale 3.2 percent malt liquor licensees with sales of less than \$10,000.00 of 3.2 percent malt liquor for the preceding year;

2. They are Off-sale 3.2 percent malt liquor licensees with sales of less than \$20,000.00 of 3.2 percent malt liquor for the preceding year;

3. They are holders of On-sale wine licenses with sales of less than \$10,000.00 for wine for the preceding year; or

4. They are holders of temporary wine licenses issued under law. (Ord. 1175, 10-28-1996)

302.04: LICENSE FEES:

A. Annually: Annual license fee shall be as established by the City Fee Schedule in Section 314.05. (Ord. 1379A, 11-17-2008)

B. Fee:

1. Payment: \$500.00 of the On-sale intoxicating liquor and wine licenses and the entire license fee for all other licenses shall be paid at the time of application. The remaining balance, if any, shall be paid prior to the time of issuance of the license.

2. Refund: All fees shall be paid into the General Fund of the City. Upon rejection of any application for a license or upon the withdrawal of the application before approval of the issuance by the City Council, the license fee shall be refunded to the applicant except where the rejection is for willful misstatement on the license application.

3. Proration: The fee for On-sale intoxicating liquor and On-sale wine licenses granted after the commencement of the license year shall be prorated on a monthly basis. The fee for On-sale non-intoxicating malt liquor licenses granted after the commencement of the license year shall be prorated on a quarterly basis.

4. Investigation: At the time of each original application for a license, except special

club, On-sale non-intoxicating malt liquor and Off-sale non-intoxicating malt liquor licenses, the applicant shall pay, in full, an investigation fee. The investigation fee shall be \$300.00. No investigation fee shall be refunded. (Ord. 972, 5-13-1985; amd. 1995 Code)

302.05: INELIGIBILITY:

No license shall be granted to any person made ineligible for such a license by state law¹. (Ord. 972, 5-13-1985)

302.06: DELINQUENT TAXES AND CHARGES:

No license shall be granted for operation on any premises on which taxes, assessments or other financial claims of the city are delinquent and unpaid. (Ord. 972, 5-13-1985)

302.07: GRANTING OF LICENSE:

- A. Investigation and Issuance: The City Council shall investigate all facts set out in the application. Opportunity shall be given to any person to be heard for or against the granting of the license. After the investigation and hearing, the City Council shall, in its discretion, grant or refuse the application. At least ten days published notice of the hearing shall be given, setting forth the name of the applicant and the address of the premises to be licensed.
- B. Person and Premises Licensed; Transfer: Each license shall be issued only to the applicant and for the premises described in the application. No license may be transferred to another person or place without City Council approval. Before a transfer is approved, the transferee shall comply with the requirements for a new application. Any transfer of 50% or more of the stock of a corporate licensee is deemed a transfer of the license and a transfer of stock without prior City Council approval is a ground for revocation of the license. (Ord. 972, 5-13-1985)

302.08: CONDITIONS OF LICENSE:

Every license is subject to the conditions in the following subsections and all other provisions of this chapter and any other applicable ordinance, state law or regulation:

- A. Licensee's Responsibility: Every licensee is responsible for the conduct of licensee's place of business and the conditions of sobriety and order in it. The act of any employee on the licensed premises, authorized to sell intoxicating liquor there, is deemed the act of the licensee as well and the licensee shall be liable to all penalties provided by this chapter and the law equally with the employee.
- B. Inspections: Every licensee shall allow any peace officer, health officer or properly designated officer or employee of the city to enter, inspect and search the premises of the licensee during business hours without a warrant.
- C. Optional Manager and Server Training: Proven participation in this program will reduce licensee holder penalties for failure of an alcohol sales compliance check. If this option is chosen, all licensees and their managers, and all employees or agents employed by the licensee that sell or serve alcohol, shall attend and satisfactorily complete a city approved or provided liquor licensee training program. The required training shall be completed:
 - 1. Prior to licensure or renewal for licensees and managers, or
 - 2. Prior to serving or selling for any employee or agent, and
 - 3. Every year thereafter unless probationary extension is granted for hardship

¹ M.S.A. §340A.402.

reasons. (Ord. 1243, 11-27-2000)

302.09: HOURS OF SALE:

The hours for the sale of intoxicating or non-intoxicating liquor for consumption on the premises shall be those allowed under Minnesota Statute §340A.504. (Ord. 1290, 8-11-2003)

302.10: EVACUATION OF ON-SALE ESTABLISHMENTS:

- A. Thirty Minute Restriction: All patrons of an on-sale establishment selling intoxicating liquor or non-intoxicating malt liquor must vacate the premises within 30 minutes of the termination of sales by Minnesota Statute §340A.504. Any patron who remains on the licensed premises or any licensee or licensee's employee who allows a patron to remain on the licensed premises beyond the 30 minute limit is in violation of this subsection. (Ord. 1056, 3-16-1989) (Ord. 1290, 8-11-2003)
- B. Extension of Restriction for Sale of Food: If an on-sale establishment remains open for the sale of food beyond the 30 minute evacuation limit, all intoxicating liquor and non-intoxicating malt liquor must be secured within the 30 minute limit in such a manner as to prevent consumption. Any patron who consumes intoxicating liquor or non-intoxicating malt liquor on the licensed premises or any licensee or employee of licensee who allows such consumption or allows intoxicating liquor or non-intoxicating malt liquor to remain unsecured on the licensed premises beyond the 30 minute limit is in violation of this subsection. (Ord. 1056, 3-16-1989)

302.11: SALE OUTSIDE OF STRUCTURE ON LICENSED PREMISES:

The sale of wine and intoxicating liquors, pursuant to any of the licenses issued in accordance with this chapter, shall be limited to sale and consumption inside of a structure on the licensed premises, unless the licensee applies for and receives permission from the City Council for sale and consumption outside of a structure on the licensed premises by an endorsement to the license. Issuance of an outside sale and consumption endorsement shall be accomplished as follows:

- A. Application: The licensee shall make written application using forms provided by the city and there shall be a nonrefundable application fee of twenty five dollars (\$25.00) at the time of making application.
- B. Notice: The owners of all property adjacent to the licensed premises will be given written notice of the fact that such an application has been made and of the date and time of the City Council meeting at which the application will be considered by the City Council.
- C. Endorsement: The City Council may, in its discretion, issue such an endorsement or refrain from issuing such an endorsement and may impose conditions to the endorsement such as, but not limited to, screening, time of day limitations and noise limitations. (Ord. 972, 5-13-1985)

302.12: ON-SALE OF INTOXICATING MALT LIQUOR:

The holder of an on-sale wine license who is also licensed to sell non-intoxicating malt liquor and whose gross receipts are at least 60% attributable to the sale of food may sell intoxicating malt liquor at on-sale without an additional license. (Ord. 1021, 9-28-1987)

302.13: OFF-SALE LICENSE REGULATIONS:

In addition to the other requirements of state law or this chapter, the following regulations are applicable to off-sale intoxicating liquor licenses:

- A. Number of Licenses: The number of licenses which may be issued is ten.
- B. Use of License: If a license is not used within one year, the license shall automatically terminate.
- C. Size of Premises: A licensed premises shall have at least 1,600 square feet of sales floor space including sales coolers and excluding walk-in storage coolers.
- D. Considerations: In addition to the other requirements of this chapter and applicable state law in determining whether or not to issue an off-sale license for a particular premises, the City Council shall consider all relevant factors relating to the health, safety and welfare of the citizens of the city such as, but not limited to, effect on market value of neighboring properties, proximity to churches and schools and effect on traffic and parking.
- E. Delivery of Alcoholic Beverages; Identification Required: A person authorized to serve, sell, or deliver alcoholic beverages must determine through legitimate proof of identification that all deliveries of wine, beer, and alcoholic beverages are accepted only by eligible persons who are 21 years of age or older.
- F. Delivery Records: Upon any delivery of alcoholic beverages off the licensed premises, the seller, purchaser, and delivery recipient (if other than the purchaser) must sign an itemized purchase invoice. The invoice shall detail the time, date, and place of delivery. The licensee must retain the delivery records for a period of one year. The records shall be open to inspection by any police officer or other designated officer or employee of the city at any time. (Ord. 1243, 11-27-2000)

302.14: PROHIBITED CONDUCT:

- A. Policy: Certain acts or conduct on premises licensed pursuant to this chapter or licensed pursuant to Minnesota statutes, chapter 340A, are deemed contrary to public welfare and are prohibited and no license issued pursuant to this chapter or licensed pursuant to Minnesota statutes, chapter 340A, may be held or maintained where such acts or conduct is permitted. (Ord. 808, 11-21-1977)
- B. Prohibited Conduct: The prohibited acts or conduct referred to in subsection A of this section are:
 - 1. The employing or use of any person in the sale or service of beverages in or upon the licensed premises where such person is unclothed or in such attire, costume or clothing as to expose to view any portion of the female breast below the top of the areola or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals.
 - 2. The employing or use of the services of any host or hostess while such host or hostess is unclothed or in such attire, costume or clothing as described in subsection B1 of this section.
 - 3. The encouraging or permitting of any person on the licensed premises to touch, caress or fondle the breasts, buttocks, anus or genitals of any other person.
 - 4. The permitting of any employee or person to wear or use any device or covering exposed to view which simulates the breast, genitals, anus, pubic hair or any portion thereof.
 - 5. The permitting of any person to perform acts of or acts which simulate:
 - a. With or upon another person, sexual intercourse, sodomy, oral copulation, flagellation or any sexual acts which are prohibited by law.
 - b. Masturbation or bestiality.
 - c. With or upon another person the touching, caressing or fondling of the buttocks, anus, genitals or female breast.
 - d. The displaying of the pubic hair, anus, vulva, genitals or female breasts below the top of the areola.
 - 6. The permitting of any person to use artificial devices or inanimate objects to depict any of the prohibited activities described in subsections B5a through B5d of this section.

7. The permitting of any person to remain in or upon the licensed premises who exposes to public view any portion of his or her genitals or anus.
8. The permitting or showing of film, still pictures, electronic reproductions or other reproductions depicting:
 - a. Acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.
 - b. Any person being touched, caressed or fondled on the breast, buttocks, anus or genitals.
 - c. Scenes wherein a person displays the vulva, or the anus or the genitals.
 - d. Scenes wherein artificial devices or inanimate objects are employed to depict, or drawings are employed to portray, any of the activities described in subsections B1 through B7 of this section.
- C. Revocation of License: Any license issued pursuant to this chapter, licensed pursuant to Minnesota statutes, chapter 340A, shall be revoked if any of the acts of conduct described in this section occur on the licensed premises. (Ord. 808, 11-21-1977; amd. 1995 Code)

302.15: CIVIL PENALTY:

- A. Penalty For Noncompliance: In addition to any criminal penalties which may be imposed by a court of law, the City Council may suspend a license for up to 60 days, may revoke a license and/or may impose a civil fine on a licensee not to exceed \$2,000.00 for each violation on a finding that the license holder or its employee has failed to comply with a statute, rule or ordinance relating to alcoholic beverages, non-intoxicating malt liquor or wine.
- B. Minimum Penalty: The purpose of this section is to establish a standard by which the City Council determines the civil fine, the length of license suspensions and the propriety of revocations, and shall apply to all premises licensed under this chapter. These penalties are presumed to be appropriate for every case; however, the council may deviate in an individual case where the council finds that there exist certain extenuating or aggravating circumstances, making it more appropriate to deviate, such as, but not limited to, a licensee's efforts in combination with the state or city to prevent the sale of alcohol to minors or, in the converse, when a licensee has a history of repeated violations of state or local liquor laws. When deviating from these standards, the council will provide written findings that support the penalty selected. When a violation occurs, the staff shall provide information to the City Council to either assess the presumptive penalty or depart upward or downward based on extenuating or aggravating circumstances. The staff shall notify the licensee of the information being considered and acted upon by the City Council.

The following violations are presumed to require revocation of the license on the first violation:

- Commission of a felony related to the licensed activity.
- Sale of alcoholic beverages while license is under suspension.
- Sale of intoxicating liquor where only license is for 3.2 percent malt liquor.

Other violations, including the following shall have a presumed penalty as indicated below:

- Sale of alcoholic beverages to underage persons.
- Sale of alcoholic beverages to obviously intoxicated person.
- After hours sale/display/consumption of alcoholic beverage.
- Illegal gambling on premises.
- Failure to take reasonable steps to stop person from leaving premises with alcoholic beverages (on-sale allowing off-sale).

1. For on-sale license holders who participate in optional manager and server training and prove the person who sold or served alcohol had received city approved alcohol beverage server training within the previous year:

- a. For a first violation, the license holder will be given a warning letter.
- b. For a second violation in 36 months, the mandatory minimum penalty shall be a \$500.00 fine and a one day suspension.
- c. For a third violation in 36 months, the mandatory minimum penalty shall be a \$500.00 fine and a three day suspension.
- d. For a fourth violation in 36 months, the mandatory minimum penalty shall be a \$1,000.00 fine and a five day suspension.
- e. For a fifth violation in 36 months, the license shall be revoked, or in alternative, the license shall not be renewed.

2. For on-sale license holders who do not participate in optional manager and server training:

- a. For a first violation, the mandatory minimum penalty shall be a \$500.00 fine and a one day suspension.
- b. For a second violation in thirty-six (36 months, the mandatory minimum penalty shall be a (\$500.00 fine and a three day suspension.
- c. For a third violation in 36 months, the mandatory minimum penalty shall be a \$1,000.00 fine and a five day suspension.
- d. For a fourth violation in 36 months, the license shall be revoked, or in alternative, the license shall not be renewed.

3. For off-sale license holders who participate in optional manager and server training and prove the person who sold or served alcohol had received city approved alcohol beverage server training within the previous year:

- a. For a first violation, the license holder will be given a warning letter.
- b. For a second violation in 36 months, the mandatory minimum penalty shall be a \$500.00 fine.
- c. For a third violation in 36 months, the mandatory minimum penalty shall be a \$500.00 fine and a three day suspension.
- d. For a fourth violation in 36 months, the mandatory minimum penalty shall be a one thousand dollar (\$1,000.00 fine and a five day suspension.
- e. For a fifth violation in 36 months, the license shall be revoked, or in alternative, the license shall not be renewed.

4. For off-sale license holders who do not participate in optional manager and server training:

- a. For a first violation, the mandatory minimum penalty shall be a \$500.00 fine.
- b. For a second violation in 36 months, the mandatory minimum penalty shall be a \$500.00 fine and a three day suspension.
- c. For a third violation in 36 months, the mandatory minimum penalty shall be a \$1,000.00) fine and a five day suspension.
- d. For a fourth violation in 36 months, the license shall be revoked, or in alternative, the license shall not be renewed. (Ord. 1280, 03-31-03)

C. Hearing and Notice: If, after considering the staff's information, the City Council proposes to suspend or revoke a license, the licensee shall be provided written notice of the City Council's proposed action and shall be given the opportunity to request a hearing on the proposed penalty by providing the City a written notice requesting a hearing within ten days of the mailing of the notice of the City Council's proposed action. The notice of the proposed action of the City Council shall state the nature of the charges against the licensee and the action the City Council proposes to take, shall inform the licensee of the right to request a hearing prior to the action being final, and shall inform the licensee of the date the City Council's proposed action will be considered a final decision if a hearing is not requested. Any hearing, if

requested, will be conducted in accordance with Minnesota statutes section 340A.415 and sections 14.57 to 14.69 of the Administrative Procedures Act (“APA”). If a hearing is requested, the licensee shall be provided a hearing notice at least ten days prior to the hearing, which shall state the date, time and place of the hearing and the issues involved in the hearing. An independent hearing officer shall be selected by the City Council to conduct the hearing and shall make a report and recommendation to the City Council pursuant to the provisions of the APA. The City Council shall consider the independent hearing examiner’s recommendation and issue its final decision on the suspension or revocation. (Ord. 1243, 11-27-2000; Ord. 1280, 3-31-03) (Ord, 1336, 5-08-2006)

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09034490 09034485

Date and Time of Report

12/29/2009 09:54:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4102 LIQUOR - SELLING

Primary Reporting Officer: Gehrman, Jason

Name of location/business:

Primary squad: 2599

Location of incident: 2740 SNELLING DR

Secondary reporting officer:

ROSEVILLE, MN 55113

Approver: Marshall, Matthew

District: 2581

Date & time of occurrence: 12/28/2009 14:43:00 to

Site:

12/29/2009 14:53:00

Arrest made: Yes

Secondary offense:

Secondary MOC:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Attempt Only:

Appears to be Gang Related:

ARRESTS**Cited**

Name: Romano, Danika Sharene Marie

Booking date: 12/28/2009

Date & time of arrest: 12/28/2009 14:43

Booking time: 14:43

Arrest made on view:

Booking #:

Arrest made on warrant or previous CN:

Warrant number:

Originating agency:

Warrant type:

Charge/Citation/Bail Amount: Sale of Alcohol to minor, admin citation#

NAMES**Arrestee**

Romano, Danika Sharene Marie

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09034490 09034485

Date and Time of Report

12/29/2009 09:54:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4102 LIQUOR - SELLING

Details

Sex: Female	Race:	DOB:	Resident Status:
	Hispanic:	Age: 18 from to	

Phones

Home:	Cell:	Contact:
Work:	Fax:	Pager:

Employment

Occupation:	Employer: FUDDRUCKERS
-------------	-----------------------

Identification

SSN:	License or ID#:	License State: MN
------	-----------------	-------------------

Physical Description

US:	Metric:		
Height: to	Build:	Hair Length:	Hair Color:
Weight: to	Skin:	Facial Hair:	Hair Type:
Teeth:	Eye Color:	Blood Type:	

Offender Information

Arrested: Yes	Pursuit engaged:	Violated Restraining Order:
DUI:	Resistance encountered:	
Condition: Sober	Taken to health care facility:	Medical release obtained:

Other**Nicknames or Aliases**

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex: Female	Race:	DOB:	Resident Status:
	Hispanic:	Age: 20 from to	

Phones

Home: 000-000-0000	Cell:	Contact:
Work:	Fax:	Pager:

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09034490 09034485

Date and Time of Report

12/29/2009 09:54:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4102 LIQUOR - SELLING

Employment

Occupation:

Employer:

Identification

SSN:

License or ID#:

License State: MN

SOLVABILITY FACTORS

Suspect can be Identified: Yes

By: Police

Photos Taken: Yes

Stolen Property Traceable:

Evidence Turned In: Yes

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

Participants:

Person Type:

Name:

Address:

Phone:

Arrestee

Romano, Danika Sharene Marie

Other

000-000-0000

NARRATIVE

On 12/28/2009 , (DOB: 08/27/1989) acted as my underage alcohol buyer. had previously viewed the underage buyer instructional video. was searched, and had only one valid ID.

It should be noted a digital photo of was taken, copied to a CDR and propertied under case number 09034485.

At approximately 1443 hours, entered Fuddruckers Restaurant and ordered a Corona Beer. Danika Sharene Marie Romano () served the Corona failing to properly check ID. I approached Romano and informed her of the violation. Romano stated "I thought she was old enough".

Romano was given admin citation# 20929 for underage sale (\$250.00). Fuddruckers management was informed they would be receiving follow up information in the mail.

The Corona bottle, a sample of it's contents and sales receipt were placed in PL# 6.

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number

Reference CN

Date and Time of Report

09034490

09034485

12/29/2009 09:54:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4102 LIQUOR - SELLING

Nothing further

PUBLIC NARRATIVE

Alcohol compliance check.

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

07020311

Date and Time of Report

07/16/2007 18:47:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4102 LIQUOR - SELLING

Primary Reporting Officer: Brake, Matthew

Name of location/business:

Primary squad: 2595

Location of incident: 2740 SNELLING AV N

Secondary reporting officer:

ROSEVILLE, MN 55113

Approver: Bauman, Timothy

District: 2581

Date & time of occurrence: 07/11/2007 19:40:00 to

Site:

07/11/2007 20:00:00

Arrest made: Yes

Secondary offense:

Secondary MOC:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS**LIQUOR LAW-FURNISHING LIQUOR TO A MINOR**

Attempt Only:

Appears to be Gang Related:

ARRESTS

Warrant number:

Originating agency:

Warrant type:

Charge/Citation/Bail Amount: Sell Alcohol To a minor

NAMES**Arrestee**

Requests non-public due to safety concerns

KNOWN**Nicknames or Aliases**

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

07020311

07/16/2007 18:47:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4102 LIQUOR - SELLING

Details

Sex: Female	Race:	DOB:	Resident Status:
	Hispanic:	Age: 16 from to	

Parent or Guardian

Parent

Phones

Home:	Cell:	Contact:
Work:	Fax:	Pager:

Employment

Occupation: SALES CLERK / REGISTER	Employer: FUDDRUCKERS
------------------------------------	-----------------------

Identification

SSN:	License or ID#:	License State:
------	-----------------	----------------

Physical Description

US:	Metric:		
Height: to	Build:	Hair Length:	Hair Color:
Weight: to	Skin:	Facial Hair:	Hair Type:
Teeth:	Eye Color:	Blood Type:	

Offender Information

Arrested: Yes	Pursuit engaged:	Violated Restraining Order:
DUI:	Resistance encountered:	
Condition:	Taken to health care facility:	Medical release obtained:

Other

Matiska, Clinton Scott

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex: Male	Race:	DOB:	Resident Status:
	Hispanic:	Age: from to	

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

07020311

07/16/2007 18:47:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4102 LIQUOR - SELLING

Phones

Home:

Cell:

Contact:

Work:

Fax:

Pager:

Employment

Occupation: MANAGER

Employer: FUDDRUCKERS

Identification

SSN:

License or ID#:

License State:

Other

Rpd

MN

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex:

Race:

DOB:

Resident Status:

Hispanic:

Age:

from

to

Phones

Home:

Cell:

Contact:

Work:

Fax:

Pager:

Employment

Occupation:

Employer:

Identification

SSN:

License or ID#:

License State:

Other

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

07020311

Date and Time of Report

07/16/2007 18:47:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4102 LIQUOR - SELLING

Details

Sex: Male	Race:	DOB:	Resident Status:
	Hispanic:	Age: 19 from to	

Phones

Home:	Cell:	Contact:
Work:	Fax:	Pager:

Employment

Occupation:	Employer:
-------------	-----------

Identification

SSN:	License or ID#:	License State:
------	-----------------	----------------

Parent/Guardian**Nicknames or Aliases**

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex: Female	Race:	DOB:	Resident Status:
	Hispanic:	Age: from to	

Phones

Home:	Cell:	Contact:
Work:	Fax:	Pager:

Employment

Occupation:	Employer:
-------------	-----------

Identification

SSN:	License or ID#:	License State:
------	-----------------	----------------

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

07020311

Date and Time of Report

07/16/2007 18:47:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4102 LIQUOR - SELLING

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken:

Stolen Property Traceable:

Evidence Turned In:

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

Participants:

Person Type:	Name:	Address:	Phone:
--------------	-------	----------	--------

Arrestee

Other	Matiska, Clinton Scott		
-------	------------------------	--	--

Other	Rpd	MN	
-------	-----	----	--

Other

Parent/Guardian

NARRATIVE

On 7/11/2007 I conducted alcohol compliance checks on multiple businesses in Roseville. At approximately 1940 hours I arrived at 2740 Snelling Avenue (Fuddruckers) with underage buyer (11/15/1987). I gave \$20.00 which was provided by RPD. and myself entered Fuddruckers.

approached the cash register and ordered a 12 oz. bottle of Corona beer. Register operator asked for his identification. provided his MN DL. took a hold of DL and looked at it for a moment. stated, "I am really bad at math." handed his DL back and charged him for a bottle of Corona. An unidentified employee handed a bottle of beer in presence.

I identified myself as a Roseville Police Officer and advised she had just sold alcohol to a minor.

Manager Clinton Mitiska was contacted on scene.

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number

Reference CN

Date and Time of Report

07020311

07/16/2007 18:47:00

Primary offense:

LIQUOR LAW-FURNISHING LIQUOR TO A MINOR

Primary MOC:

M4102 LIQUOR - SELLING

I contacted mother, , and explained to her the situation. mother stated her daughter could be released on scene and stay at Fuddruckers.

advised me she has no training in looking at driver's licenses or running a cash register.

Case forwarded to juvenile investigator.

A copy of DL and a current photo can be found in the paperwork portion of the report.

Nothing Further.

PUBLIC NARRATIVE

Juvenile female arrested and released for selling alcohol to a minor

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 2-8-10
Item No.: 12.d

Department Approval



City Manager Approval



Item Description: **Community Development Department Request to Perform an Abatement for Unresolved Violations of City Code at 1423 Judith Avenue**

BACKGROUND

- The subject property is a single-family detached home.
- The current owners are John and Mary Jane Wiatros who live at the property.
- Current violations include:
 - Junk and debris in driveway. (Violation of City Code Section 407.03.H).
- A status update, including pictures, will be provided at the public hearing.

POLICY OBJECTIVE

The City goals within the Comprehensive Plan are to protect and improve property values (Goal 3, 4, and 5; page 6 and, Section 3) and to adhere to performance standards which protect the integrity of the housing units and the neighborhood (Policy 6, page 8, Section 3).

FINANCIAL IMPACTS

City Abatement:

An abatement would encompass the following:

- Removal of junk and debris in driveway:
 - o Approximately - \$400.00

Total: Approximately - \$400.00

In the short term, costs of the abatement will be paid out of the HRA budget, which has allocated \$100,000 for abatement activities. The property owner will then be billed for actual and administrative costs. If charges are not paid, staff is to recover costs as specified in Section 407.07B. Costs will be reported to Council following the abatement.

23 **STAFF RECOMMENDATION**

24 Staff recommends that the Council direct Community Development staff to abate the above referenced
25 public nuisance violations at 1423 Judith Avenue.

26 **REQUESTED COUNCIL ACTION**

27 Direct Community Development staff to abate public nuisance violations at 1423 Judith Avenue by
28 hiring general contractors to dispose of the junk and debris.

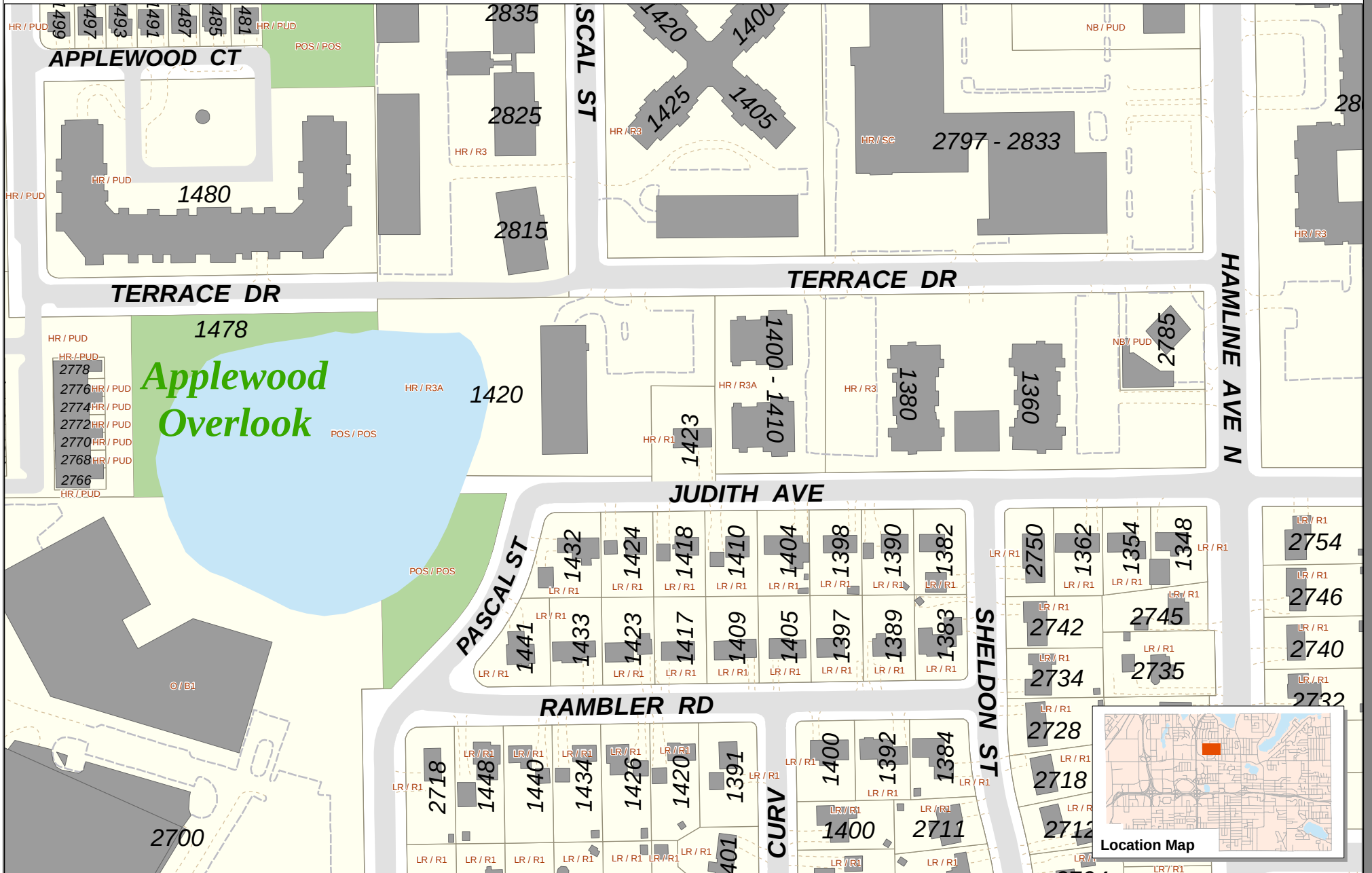
29 The property owner will then be billed for actual and administrative costs. If charges are not paid, staff
30 is to recover costs as specified in Section 407.07B.

31

Prepared by: Don Munson, Permit Coordinator

Attachments: A: Map of 1423 Judith Avenue

1423 Judith Ave W



Prepared by:
Community Development Department
Printed: January 19, 2010



Site Location

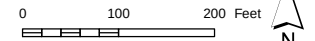
LR / R1 Comp Plan / Zoning
Designations

Data Sources

* Ramsey County GIS Base Map (1/4/2010)
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

Disclaimer

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.



mapdoc: planning_commission_location.mxd

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 2-8-10
Item No.: 12.e

Department Approval

City Manager Approval



Item Description: **Community Development Department Request to Perform an Abatement for Unresolved Violations of City Code at 1175 County Road B West**

BACKGROUND

- The subject property is a rental duplex.
- The current owners are William and Pauline Head..
- Current violations include:
 - Outside storage of household items, junk and debris. (Violation of City Code Section 407.02.D).
- A status update, including pictures, will be provided at the public hearing.

POLICY OBJECTIVE

The City goals within the Comprehensive Plan are to protect and improve property values (Goal 3, 4, and 5; page 6 and, Section 3) and to adhere to performance standards which protect the integrity of the housing units and the neighborhood (Policy 6, page 8, Section 3).

FINANCIAL IMPACTS

City Abatement:

An abatement would encompass the following:

- Removal of outside storage of household items, junk and debris:
 - o Approximately - \$400.00

Total: Approximately - \$400.00

In the short term, costs of the abatement will be paid out of the HRA budget, which has allocated \$100,000 for abatement activities. The property owner will then be billed for actual and administrative costs. If charges are not paid, staff is to recover costs as specified in Section 407.07B. Costs will be reported to Council following the abatement.

STAFF RECOMMENDATION

Staff recommends that the Council direct Community Development staff to abate the above referenced public nuisance violations at 1175 County Road B West.

27 **REQUESTED COUNCIL ACTION**

28 Direct Community Development staff to abate public nuisance violations at 1175 County Road B West
29 by hiring general contractors to dispose of the household items, junk and debris.

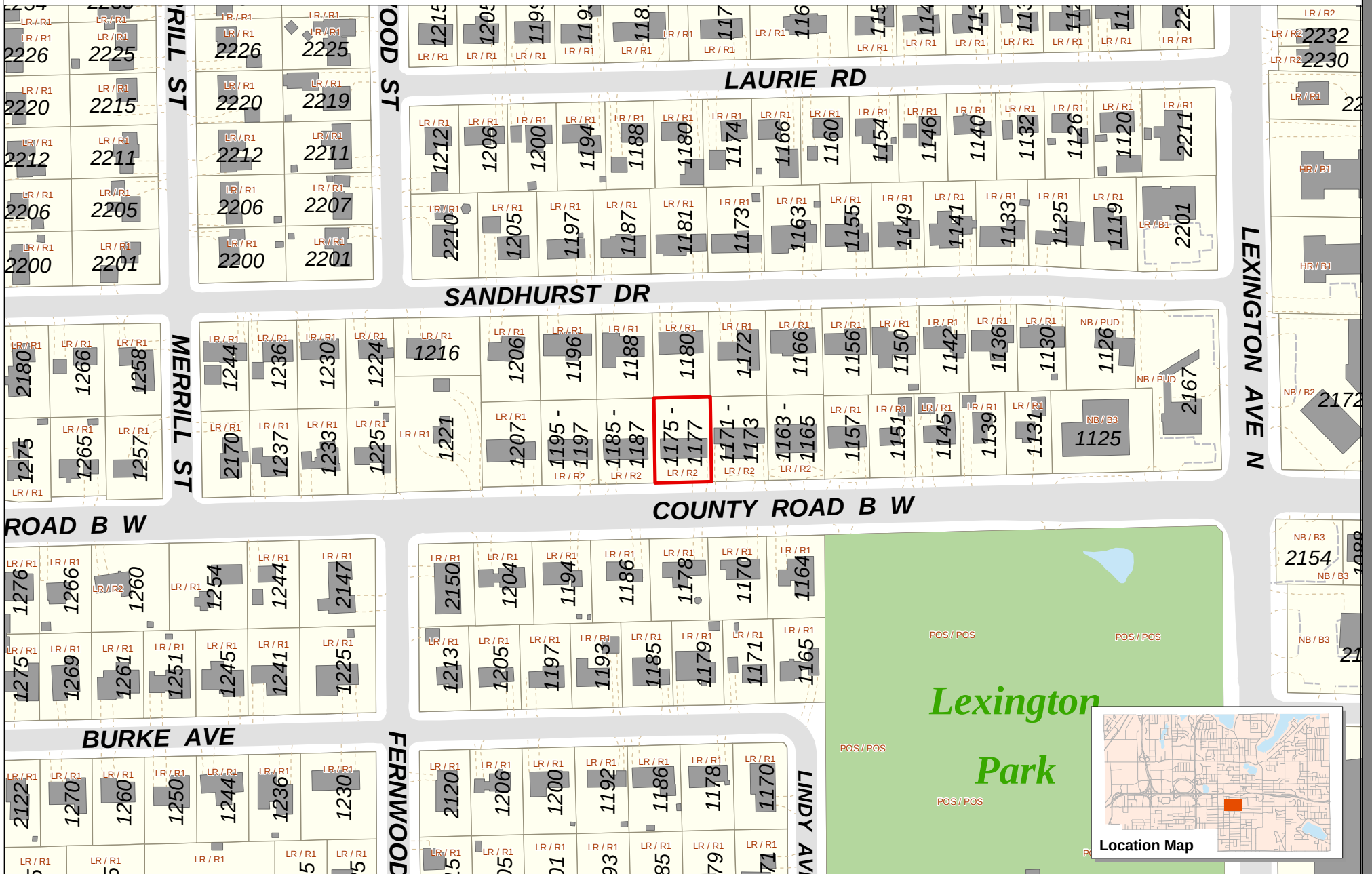
30 The property owner will then be billed for actual and administrative costs. If charges are not paid, staff
31 is to recover costs as specified in Section 407.07B.

32

Prepared by: Don Munson, Permit Coordinator

Attachments: A: Map of 1175 County Road B West

1175-1177 County Road B



Prepared by:
Community Development Department
Printed: January 19, 2010

Site Location

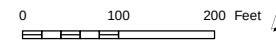
Comp Plan / Zoning
Designations

Data Sources

* Ramsey County GIS Base Map (1/4/2010)
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

Disclaimer

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.



mapdoc: planning_commission_location.mxd

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 02/08/10
Item No.: 13.a

Department Approval



City Manager Approval



Item Description: Discussion of Noise Wall Along Highway 36 as a part of the Rice Street Interchange Project

BACKGROUND

At the January 25, 2010 meeting, the City Council received a petition from some of the residents in the neighborhood directly north of Highway 36 and west of Rice Street requesting that they reconsider their support for the construction of a noise wall on the north side of Highway 36 between Rice Street and Western Avenue. Specifically, they requested that the wall be eliminated between Marion Street and Western Avenue.

The decision to support the construction of this noise wall was made on June 29, 2009 after the City Council held a Public Hearing receiving comments from the public. Attached are the minutes and approved resolution from that meeting.

The proposal to build a noise wall is a part of Ramsey County's plans to reconstruct the interchange of Highway 36 and Rice Street. As part of the process and in accordance with state and federal environmental rules, the County evaluated the impacts of highway noise on the properties adjacent to this corridor. Attached is the Noise Analysis that was completed for this project.

Sound has qualitative aspects that can be described with adjectives, and quantitative aspects that can be described with measurements. Sound can be perceived as pleasant or annoying, and as loudness, in terms of decibels. Changes in loudness are described on a logarithmic scale because the human ear can hear such a wide variety of sound levels. The human ear can usually tell the difference when sound changes by 3 dBA, and a 5 dBA change is clearly noticeable. Because of the logarithmic scale, an increase of 10 dBA sounds twice as loud. More information on Acoustical Properties, Measurement, Analysis and Regulation of Noise is available in the MPCA publication: "A Guide to Noise Control in Minnesota" at <http://www.pca.state.mn.us/publications/p-gen6-01.pdf>

With an improved interchange and background traffic growth, there will be additional traffic travelling on TH 36 and using the highway ramps. The noise analysis indicates that highway noise in the northwest quadrant of the interchange currently exceeds the state standards by as much as 5 dB. Since the noise levels exceed state and federal noise standards, a mitigation analysis was completed to determine if measures, such as a noise wall, are reasonable and effective in attenuating the noise at those locations. The analysis concluded that a noise wall would reduce the noise for many of the properties between Western and Rice Street by 5 dB or greater. A cost effectiveness analysis was been performed as part of the noise analysis for this project. This noise reduction meets MnDOT cost criteria and was recommended for design and construction as a part of this project.

POLICY OBJECTIVE

The City of Roseville participates in the planning of regional transportation projects to ensure local interests are addressed and that negative environmental impacts to the community are mitigated to the extent practicable.

Staff sent out a letter to the same mailing list that were notified for the June meeting to inform them of this item being brought the city council at the February 8th meeting for discussion. We have received two emails supporting the Council's June decision, they are attached.

Staff has met with the managers of the Calibre Ridge Apartments, they have not stated whether they are supportive of a change to the noise wall plan at this time.

Attached is a map showing the location of the noise wall, the property owners that have provided us feedback, and the existing contours of the area. Staff is developing cross sections showing the elevation of the noise wall in comparison to the homes, existing grades and trees along this corridor. These will be presented to the City Council at the meeting on Monday night.

FINANCIAL IMPACTS

If the noise wall is included with this project, the cost to construct it will be paid for by Ramsey County and MnDOT. The plan set is at 95% development, with construction anticipated to start in the Spring. It is our understanding that the plans for this project can be changed to shorten or eliminate the noise wall. Representatives from MnDOT will be attending the meeting to answer questions about a how a change in the Council recommendation will impact funding and timing for this project.

STAFF RECOMMENDATION

Staff recommends that the Council discuss the petition received by residents and provide staff direction regarding the construction of a noise wall.

REQUESTED COUNCIL ACTION

Discuss petition received by residents and provide staff direction regarding the construction of a noise wall.

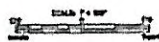
Prepared by: Debra Bloom, Assistant Public Works Director

Attachments: A. Petition received 1/25/10
B. City Council Meeting Minutes- 6/29/09
C. Resolution No. 10722
D. Carver Correspondence (email)
E. Parlow Correspondence (email)
F. Noise Analysis Report- April 2009
G: Location map
H. McDonald Correspondence

NOISE WALL TO END BEFORE MARION STREET PETITION						
ADDRESS	NAME	PHONE NUMBER	NO	???	YES	SIGNATURE
2254 Western	Grayden	651 484-2156			X	Juanita L. Grayden
357 Capital View	Grayden	651 484-2156			X	Juanita L. Grayden
345 Capital View	Stubbe	651 484-3906	X			Jean C. Wong
341 Capital View	Wong	651 484-7008			X	Jean C. Wong
333 Capital View	Madden / Hanlon	651 484-4298			X	Jean C. Madden
325 Capital View	Hockemeyer	651 484-4219			X	Jean C. Hockemeyer
319 Capital View	French	651 484-0283			X	Juan Dwyer French John R. French
311 Capital View	Davis / Cavegn	651 482-1971			X	Bonnie B. Davis Bonnie Davis
299 Capital View	Ischer	??		X		
289 Capital View	Ebert	651 484-7645			X	Robert Ebert Robert Ebert
283 Capital View	Dehaven	651 483-3412			X	Kathie DeHaven Tom DeHaven
271 Capital View	Regal Gerald + Karen	651 484-3667	X		X	Vicki Regal
263 Cap. Vw Cir.	Dzu	651-633-5787			X	THOMAS TRI DZU

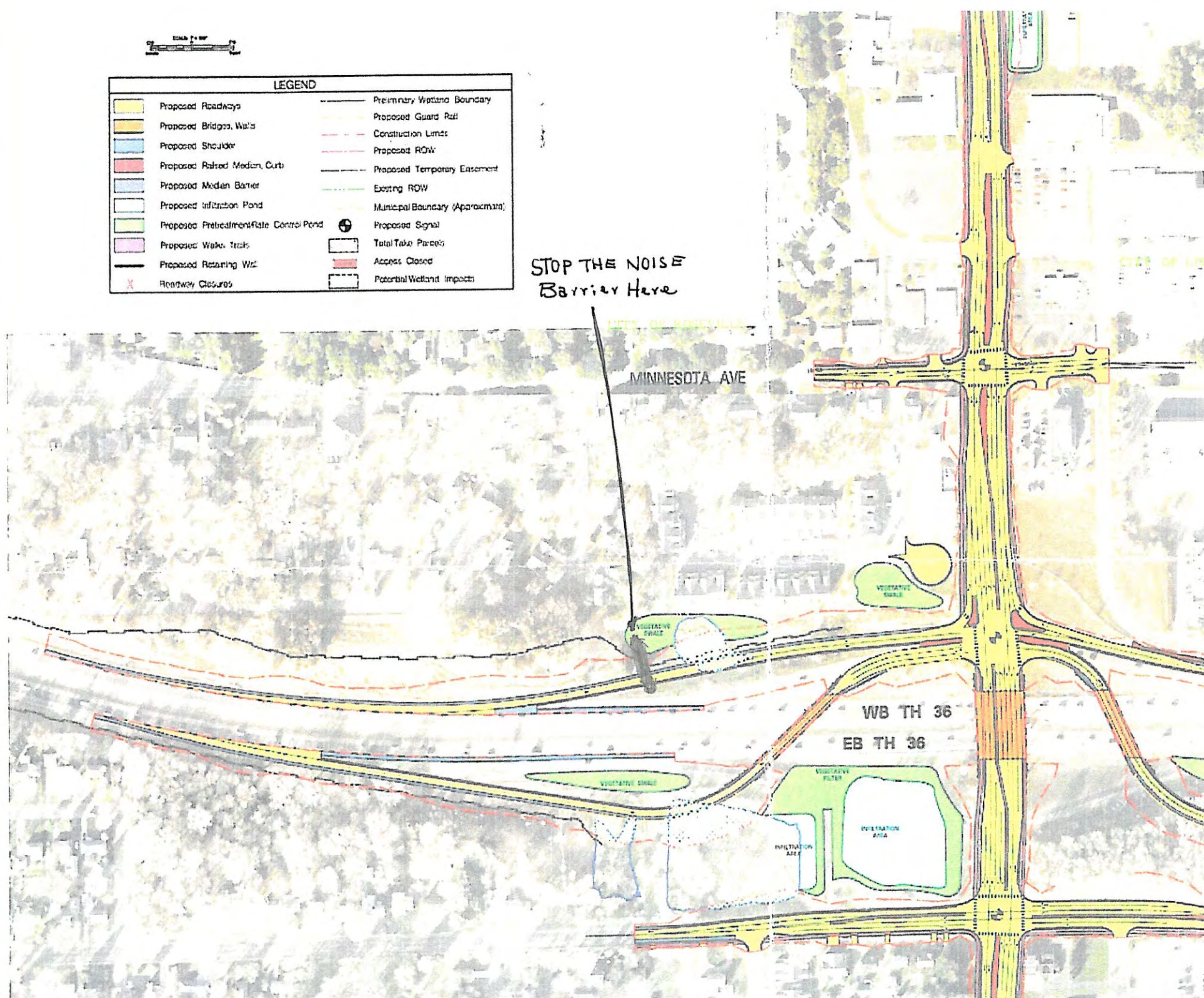
NOISE WALL TO END BEFORE MARION STREET PETITION

[illegible]



LEGEND			
	Proposed Roadways		Preliminary Wetland Boundary
	Proposed Bridges, Walls		Proposed Guard Rail
	Proposed Shoulder		Construction Limits
	Proposed Raised Median, Curb		Proposed ROW
	Proposed Median Barrier		Proposed Temporary Easement
	Proposed Infiltration Pond		Existing ROW
	Proposed Pretreatment/Filter Control Pond		Municipal Boundary (Approximate)
	Proposed Walks, Trails		Proposed Signal
	Proposed Retaining Wall		Total Take Parcels
	Roadway Closures		Access Closed
			Potential Wetland Impacts

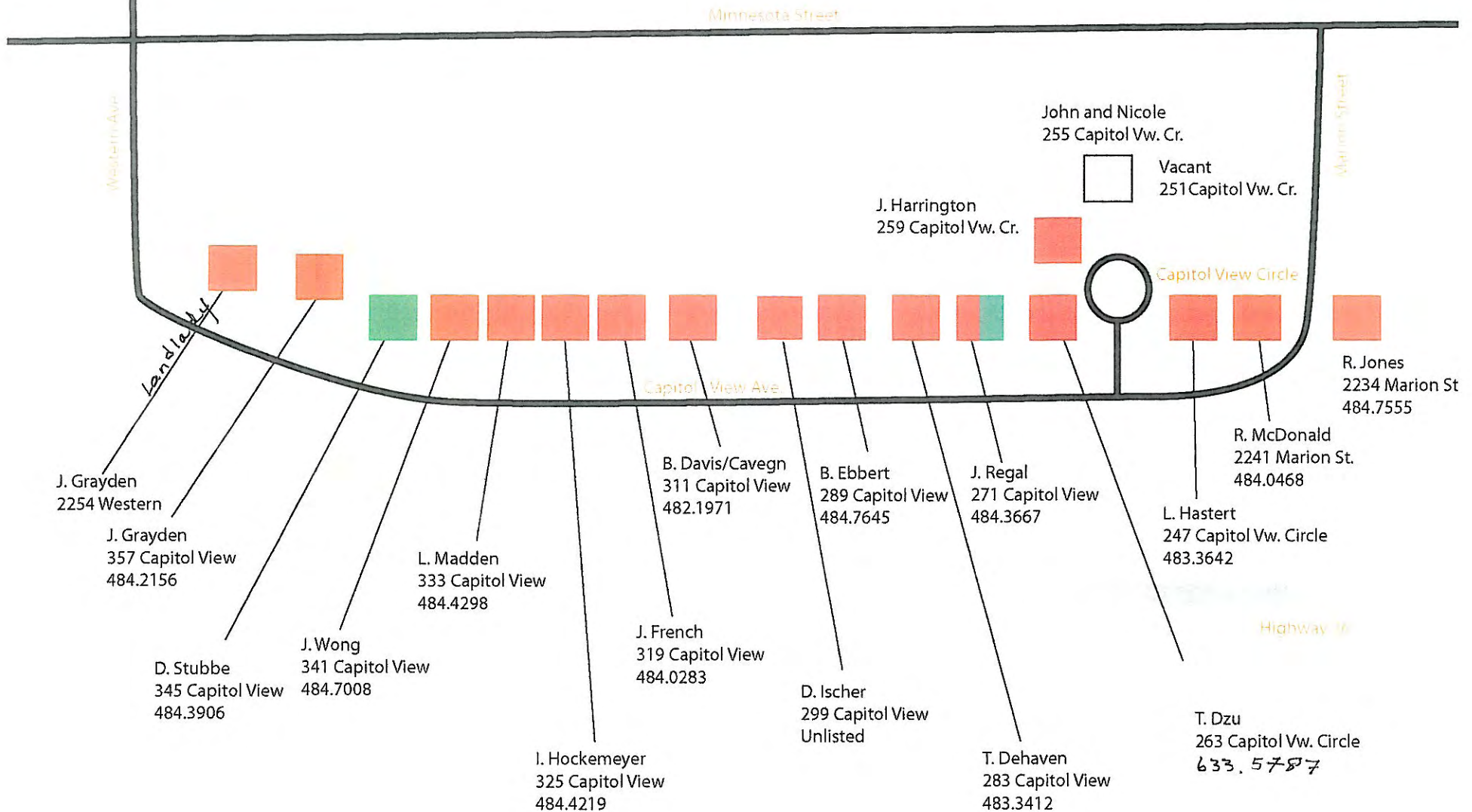
STOP THE NOISE
Barrier Here



Point of View of Capitol View Residents — Noise Wall

*"Before I built a wall, I'd ask to know
What I was walling in or walling out,
And to whom I was like to give offense."*

Robert Frost



11. Public Hearings

a. **Public Hearing for Proposed Construction of a Noise Wall along Highway 36 as a part of the Rice Street Interchange Project**

Public Works Director Duane Schwartz reviewed summarized the evaluation and design process to-date, based on state and federal environmental rules, for Ramsey County's reconstruction of the interchange of Highway 36 and Rice Street, from preliminary to final design. Mr. Schwartz noted that a noise analysis has indicated that highway noise in the northwest quadrant of the interchange would exceed state standards, creating the need to verify that a majority of the property owners adjacent to the noise wall are supportive of its construction.

Mr. Schwartz introduced agency representatives and presenters of the proposed noise wall, including Ramsey County Project Manager Jim Tolaas; Marc Goess, with the Minnesota Department of Transportation (MnDOT); and Engineering Consultants Mark Benson and Eric Tomlinson with the firm S.E.H.

Presenters provided schematics of the proposed design of Highway 36 and the intersection at Highway 36 and Rice Street, eliminating one signalized intersection on Rice, evening alignment and proposing a noise wall on the north side of Highway 36. The presentation included rationale and criteria in the noise analysis; state and federal standards based on decibel (dBA) levels and differentiations in those standards; and daytime and night-time dBA levels, with abatement required when they exceeded those standards, whenever technically feasible and reasonable. Comparison levels for typical dBA perceptions were provided; and impact assessments based on computer modeling before and after proposed construction activities; and mitigation assessment indicating barrier effectiveness, location, and municipal support for such mitigation.

Presenters provided overall observations from both sides of Highway 36 and noise levels above state standards today, and predicted in the future; inability to install a noise wall on the south side based on MnDOT cost-effectiveness criteria; proposed changes in ramp locations and ground lines that would further serve to reduce some noise levels; and recommendations, based on that analysis, of a 20 foot noise wall along the north side of Highway 36, ultimately affecting 41 residents along that side, with terrain impacts providing additional shielding affects. The proposed location of the wall would be from Western Avenue to in front of Calibre Ridge townhomes, with flexibility provided for the location of the wall based on topography and noise reduction modeling for maximum dBA reductions. Sample construction types and views were presented.

Presenters noted that local communities impacted were given an opportunity to approve or deny proposed noise wall construction; and advised of their availability to respond to questions and/or concerns of the public and City Council.

Discussion among Councilmembers and presenters included the need to remove some vegetation and mature trees for construction of the noise wall, with further consideration for retaining as many as possible; costs for noise wall construction built into the project, with no cost to the city; acoustical effectiveness versus the aesthetics of a 20 foot wall; distance variations of first row properties depending on topography and most effective location of the wall; and benefits to those properties in noise level reductions.

Further discussion included if property owners needed to be individually surveyed as a next step in the process if there was not a clear indication from tonight's Public Hearing; and measurement of the 20 feet in relation to the level of the highway depending on topography.

Mayor Klausing opened the Public Hearing at 8:04 p.m. to receive public comment on the proposed construction of a noise wall along Highway 36 as a part of the Rice Street Interchange Project.

Public Comment

For the record, City Manager Malinen noted receipt of mailed, telephone, and/or e-mailed comment for tonight's meeting, with those in favor being 5 in number and those against being 2 in number.

Mike Bowden, south side of Highway 36, 311 County Road B

Mr. Bowden asked if there would be an increase in noise on the south side of the highway if the noise wall was built on the north side.

Mr. Tomlinson responded that MnDOT had performed field studies based on that concern, and responded that there was no noticeable increase to the opposite side with construction of the noise wall; and that the frequency or type of noise could change, but wouldn't increase perceptively.

Jeff Pedro, 2252 Marion Street (behind Calibre Ridge)

Mr. Pedro expressed concern in losing trees or vegetation between the wall and their location; however, opined that the trees would continue to grow to block out the wall, and overall was supportive of the noise wall, and proposed location.

Dean Stubbe, 345 Capital View

Mr. Stubbe expressed his wholehearted support of the wall; and opined that it would help with noise and air pollution as well.

Ray McDonald, 2241 Marion Street

Mr. McDonald advised that the normal humdrum tire noise were not a problem, but expressed annoyance with big trucks and massive tire noise, including their

1 jake breaking as they slowed for the Rice Street interchange. Mr. McDonald
2 opined that when the road was first resurfaced, there was little tire noise;
3 however, as the roadway became worn, the tire noise had increased, particularly
4 during the nights, when it seemed excessive. Mr. McDonald was generally
5 supportive of the wall; but questioned if graffiti would become a problem, even
6 though the wall would be a benefit to the neighborhood.

7
8 Mr. Gess advised that MnDOT would be responsible for maintenance of the wall,
9 and applied a graffiti prevention coating on the wall that made graffiti removal, if
10 necessary, and easier process.

11
12 **Bee Hanlon, 333 Capital View** Ms. Hanlon spoke in support of the wall; but
13 questioned how far south of the freeway fence, on the western edge, the wall
14 would be located, based on the slope of the land in that area.

15
16 Mr. Benson responded that distance between the wall and fence would depend on
17 the specific location; and clarified that in some areas the fence would be removed,
18 depending on rights-of-way locations, topography.

19
20 Mr. Gess advised that MnDOT prefers locating the noise wall as close to the
21 right-of-way line as possible, while allowing for a ten foot buffer, with that
22 property available to the property owner for additional use; with maintenance of
23 that property usually up to the property owner, given the low priority given
24 beyond annual maintenance by MnDOT due to budget and staff constraints.

25
26 **Karen Regal, 271 Capital View**

27 Ms. Regal was basically supportive of the wall for noise reduction, with some
28 ambivalence based on aesthetics and no longer having a view; and sought
29 clarification as to whether the berm hill would be leveled, noting that sound
30 currently came through in several areas surrounding the berm.

31
32 Mr. Gess advised that the berm would most likely be leveled some to allow the
33 contractor to establish a working platform.

34
35 **Francine Bloecker, 2244 Marion Street**

36 Ms. Bloecker spoke in support of the wall, and thanked MnDOT and other
37 agencies for its installation; opining that the noise continued to get worse all the
38 time, and with trees between her and Calibre Ridge behind her, she still couldn't
39 have her windows open due to the noise.

40
41 **Yvonne Greilin, 357 Capital View**

42 Ms. Greilin spoke in opposition to the wall, asking that she not be fenced in. Ms.
43 Greilin opined that she had to keep her windows closed all the time; but she didn't
44 want to look at a fence; and no longer be able to have a "Capital View" any
45 longer.

For the benefit of the entire City Council, Mayor Klausing polled those members of the public present in the audience to determine those supporting the wall, those in opposition, and those ambivalent.

Mr. Pedro

Mr. Pedro noted the benefits of the wall on the environmental, based on previous comments about having to consistently run the air rather than opening windows.

Mayor Klausing closed the Public Hearing at 8:24 p.m.

12. Business Items (Action Items)

a. Approve Construction of Noise Wall along Highway 36 as a part of the Rice Street Interchange Project

Before making a decision, Councilmember Ihlan requested a more detailed survey, specifically of those closest to the wall, to determine the balance of public opinion; while recognizing that the majority of comments heard tonight were in favor of the wall's construction.

Mayor Klausing reviewed written comments received to-date on this issue, as previously reported by City Manager Malinen.

Councilmember Ihlan questioned if some of the written comments supporting the wall were premature based on their perception of the height and landscaping that were not specifically addressed in the written notice from staff.

Mayor Klausing questioned any significant changes in comparable feedback to-date with an approximate 70/30% majority split in support of the wall.

Councilmember Ihlan opined that those directly affected, and closest to the wall, could have full information, and then speak for or against.

Councilmember Johnson clarified with staff the notice provided for tonight's public hearing; with Mr. Schwartz advising that staff had mailed 120 letters to area residents most impacted by the wall, with the proposed 20 foot height and other project information provided in that notice, but not providing specific information on individual properties.

Councilmember Johnson spoke in support of municipal approval of the noise wall, based on tonight's comments and previous calls and e-mails he'd received.

Councilmember Roe clarified the area provided mailed notice, with Mr. Schwartz advising that notices within a 500 foot area of the right-of-way had been notices. Councilmember Roe spoke in support of municipal approval of the noise wall,

1 based on that notice and people's understanding of the appearance of a noise wall.
2 Councilmember Roe opined that as long as people were notified, if they were
3 opposed, they would communicate their opposition to the City Council before or
4 during the meeting; and advised that he had heard little opposition to-date.
5 Councilmember Roe noted that there were considerations to be given to the
6 payoff in noise reduction versus visibility. Councilmember Roe noted that he
7 would not have supported approval had he heard sufficient opposition.
8

9 Klausung moved, Johnson seconded, adoption of Resolution No. 10722 entitled,
10 "Resolution in Support of a Noise Wall to be Constructed on the North Side of
11 Highway 36;" as a part of the Rice Street interchange project.
12

13 Mayor Klausung spoke in support of the motion; opining that it was up to a
14 majority of impacted residents, noting that all would not be happy; but echoing
15 Councilmember Roe's comments related to majority support. Mayor Klausung
16 offered his respect to those in opposition; however, he remained confident that,
17 even if there were a few more residents heard from by delaying this action, the
18 majority would support moving forward.
19

20 Councilmember Ihlan reiterated her preference to hear from more citizens on this
21 proposal.
22

23 Councilmember Johnson opined that the City would seldom receive 100%
24 participation; however, he further opined that the City had performed their due
25 diligence in sending out the notices, and that the comments received were
26 representative of those impacted by the project, and expressed his confidence that
27 those remaining residents would be present if they were opposed to the project.
28

29 **Roll Call**

30 **Ayes:** Johnson; Ihlan; Roe; and Klausung.

31 **Nays:** None.

**EXTRACT OF MINUTES OF MEETING
OF CITY COUNCIL
OF CITY OF ROSEVILLE
RAMSEY COUNTY, MINNESOTA**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, Minnesota, was held in the City Hall in said City on Monday, June 29, 2009, at 6:00 o'clock p.m.

The following members were present: Johnson; Ihlan; Roe; and Klausing and the following were absent: Pust

Councilmember Klausing introduced the following resolution and moved its adoption:

RESOLUTION NO. 10722

**RESOLUTION IN SUPPORT OF A NOISE WALL TO BE CONSTRUCTED ON THE NORTH SIDE OF
HIGHWAY 36**

WHEREAS, pursuant to requirements established by Federal law, U.S. Department of Transportation regulations, Minnesota Pollution Control Agency, and MnDot noise analysis guidelines: and

WHEREAS, a noise analyses related to the construction of a new interchange at Rice St. and Highway 36 identifies a benefit to properties on the north side of Highway 36 from the construction of a noise wall: and

WHEREAS, the City Council has held a hearing to receive comment from benefitting properties

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEVILLE, MINNESOTA, that the City Council hereby supports the construction of a noise wall on the north side of Highway 36 as a part of the construction of a new interchange at the intersection with Rice Street as proposed

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Johnson and upon vote being taken thereon, the following voted in favor thereof: Johnson; Ihlan; Roe; and Klausing and the following voted against the same: none

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) SS
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of said City held on the 29th day of June, 2009, with the original thereof on file in my office, and the same is a full, true and complete transcript.

Adopted by the Council this 29th day of June, 2009.

(SEAL)



William J. Malinen, City Manager

Deb Bloom

From: Emily Carver
Sent: Tuesday, February 02, 2010 11:56 AM
To: Deb Bloom
Subject: Hwy.36 noise wall

Dear Ms. Bloom,

This is in regard to the letter we received from the city re: the noise barrier along Hwy 36. We are unable to attend the Feb. 8th meeting. We are both in favor of the barrier. Please do not eliminate it from the construction plans. Any solution to the noise from Highway 36 will be appreciated. Thank you for allowing us to voice our opinion.

Emily and Daniel Carver
404 Minnesota Ave.
Roseville, MN. 55113

--- [Get FREE High Speed Internet from USFamily.Net!](#) ---

Deb Bloom

From: Gretchen Carlson
Sent: Monday, February 01, 2010 7:15 AM
To: Duane Schwartz; Deb Bloom
Subject: FW: Online Form Submittal: Contact Public Works

-----Original Message-----

From: support@civicplus.com [mailto:support@civicplus.com]
Sent: Sunday, January 31, 2010 9:36 AM
To: Gretchen Carlson
Subject: Online Form Submittal: Contact Public Works

The following form was submitted via your website: Contact Public Works

Name:: Simmie Parlow

Address:: 326 Minnesota Ave

City:: Roseville

State: : MN

Zip:: 55113

How would you like to be contacted? Remember to fill out the corresponding information below.: No Need to Contact Me

Home Phone Number::

Daytime Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: Hi,

I cannot attend the Feb 8 meeting but I just wanted to say that I have been waiting for a noise wall on Highway 36 for years. Please do not eliminate this plan. I am adamantly in favor of a noise wall.

Thank you,
Simmie Parlow

Additional Information:

Form submitted on: 1/31/2010 9:35:57 AM

Submitted from IP Address:

Form Address: <http://www.cityofroseville.com/forms.aspx?FID=65>

Noise Analysis

TH 36 and Rice Street Interchange

Ramsey County, Minnesota

SEH No. RAMSP 105803

April 2009

Table of Contents

	Page
1.0 Project Scope and Description.....	1
2.0 Noise Descriptions	1
2.1 State of Minnesota Noise Regulations	2
2.2 Federal Noise Abatement Criteria.....	3
3.0 Evaluation and Process	4
3.1 Noise Model Testing Results	4
3.1.1 Methodology.....	4
3.1.2 Noise Analysis Results.....	4
4.0 Noise Wall Mitigation Analysis.....	5
4.1 Noise Wall Modeling	6
4.2 Cost-Effectiveness Analysis.....	6
4.3 Evaluation of Other Noise Abatement Measures.....	7
5.0 Noise Analysis Conclusions and Summary.....	7

List of Tables

Table 1 Minnesota State Noise Standards.....	3
Table 2 FHWA Noise Abatement Criteria (Hourly A-Weighted Sound Level in Decibels (dBA)	4

Attached Tables

Table 4 – Peak Daytime Noise Levels (7-8 AM)	
Table 5 – Peak Nighttime Noise Levels (4:30-5:30 PM)	
Table 6 – Noise Barrier Cost Effectiveness	

List of Appendices

Appendix A	MINNOISE Model Data
Appendix B	Figure 1 Receptor Locations

Noise Analysis

TH 36 and Rice Street Interchange

Prepared for Ramsey County, Minnesota

1.0 Project Scope and Description

SEH has conducted a detailed noise analysis and prepared a noise mitigation plan to address existing and future traffic levels associated with the TH36 and Rice St. modification project in Ramsey County, MN.

2.0 Noise Descriptions

Noise is defined as any unwanted sound. Sound travels in a wave motion and produces a sound pressure level. This sound pressure level is commonly measured in decibels. Decibels (dBA) represent the logarithmic increase in sound energy relative to a reference energy level. A sound increase of three dBA is barely perceptible to the human ear, a five dBA increase is clearly noticeable, and a ten dBA increase is heard as twice as loud. For example, if the sound energy is doubled (e.g., the amount of traffic doubles), there is a three dBA increase in noise, which is just barely noticeable to most people. On the other hand, if traffic increases to where there is ten times the sound energy level over a reference level, then there is a ten dBA increase and it is heard as twice as loud.

For highway traffic noise, an adjustment, or weighting, of the high- and low-pitched sounds, is made to approximate the way that an average person hears sounds. The adjusted sound levels are stated in units of "A-weighted decibels" (dBA). In Minnesota, traffic noise impacts are evaluated by measuring and/or modeling the traffic noise levels that are exceeded ten percent and 50 percent of the time during the hour of the day and/or night that has the heaviest traffic. These numbers are identified as the L_{10} and L_{50} levels. The L_{10} value is compared to FHWA noise abatement criteria.

The following chart provides a rough comparison of the noise levels of some common noise sources.

<u>Sound Pressure Level (dBA)</u>	<u>Noise Source</u>
140	----- Jet Engine (at 25 meters)
130	----- Jet Aircraft (at 100 meters)
120	----- Rock and Roll Concert
110	----- Pneumatic Chipper
100	----- Jointer/Planer
90	----- Chainsaw
80	----- Heavy Truck Traffic
70	----- Business Office
60	----- Conversational Speech
50	----- Library
40	----- Bedroom
30	----- Secluded Woods
20	----- Whisper

Source: "A Guide to Noise Control in Minnesota," Minnesota Pollution Control Agency, <http://www.pca.state.mn.us/programs/pubs/noise.pdf> and "Highway Traffic Noise," FHWA, <http://www.fhwa.dot.gov/environment/htnoise.htm>

2.1 State of Minnesota Noise Regulations

In accordance with FHWA requirements, Mn/DOT has adopted a statewide noise policy that clarifies the FHWA terminologies of noise impacts. "Mn/DOT Noise Policy for Type I and Type II Federal-aid Projects as per 23 CFR 772" includes the following descriptions:

Noise Level Approaching the NAC; Mn/DOT defines a level as "approaching" the criterion level when it is 1 dBA, or less, below the criterion level. For example, 69 dBA is considered "approaching" the FHWA NAC category B level of 70 dBA.

Substantial Increase in Noise; Mn/DOT defines a substantial increase in noise as those future predicted noise levels that exceed the FHWA NAC category B level of 70 by 5dBA or greater, or 75dBA.

Substantial Noise Reduction; Mn/DOT identifies feasibility requirements for the use of abatement procedures such as noise walls and their associated costs. These requirements require that every reasonable effort be made to obtain a substantial noise reduction. Mn/DOT defines a substantial noise reduction as 5dBA or more from a noise impact.

State noise standards are for a one-hour period and apply to outdoor areas. The standards are in terms of the L10 and L50 noise descriptors. The L10 is the sound level exceeded ten percent of the time, or six minutes out of an hour. The L50 is the sound level exceeded 50 percent of the time, or 30 minutes out of an hour.

Table 1 provides the Minnesota State Noise Standards for three Noise Area Classifications (NAC), and for daytime, nighttime, L10, and L50. The standards for NAC-1 apply to residential areas and other uses intended for overnight sleeping (hotels, motels, mobile homes, etc.). The NAC-1 standards

also apply to schools, churches, medical services, and park areas. The nighttime standards differ from the daytime standards only in areas intended for overnight sleeping. The NAC-1 daytime standards apply during nighttime hours at other NAC-1 land-use areas not intended for overnight sleeping. The NAC-2 standards are applicable to certain NAC-1 land uses if the following criteria are met:

- The building noise attenuation is at least 30 decibels (dBA);
- The building has year-round, indoor climate control;
- The building has no facilities for outdoor activities.

Table 1					
Minnesota State Noise Standards					
Noise Area Classification	General Land Use Type	Sound Level (dBA)			
		Day (0700-2200)		Night (2200-0700)	
		L10	L50	L10	L50
1	Residential	65	60	55	50
2	Commercial	70	65	70	65
3	Industrial	80	75	80	75

2.2 Federal Noise Abatement Criteria

In the Federal Noise Abatement criteria, a noise impact is defined as occurring when the predicted traffic noise levels:

- Approach or exceed the noise abatement criteria (see Table 2);
- Substantially exceed the existing noise levels.¹

The Federal Noise Abatement Criteria (23 CFR, Procedures for Abatement of Highway Traffic Noise and Construction Noise) are in terms of the Leq or L10 descriptor. In Minnesota, the L10 descriptor is used to identify impacts and has been used to identify impacts in this analysis. The criteria for activity category E (Table 2) are in terms of interior noise levels and are applied where there are no exterior activities to be affected by traffic noise. All other criteria are in terms of exterior noise levels.

The State of Minnesota has defined “approach or exceed” as being within one dBA or less of the activity category of the NAC, and “substantially exceed” as an increase of five dBA or more over existing noise levels.

¹ FHPM 7-7-3 Procedures for Abatement of Highway Traffic Noise and Construction Noise
[<http://www.fhwa.dot.gov/legisregs/directives/fapg/cfr0772.htm>]

Table 2
FHWA Noise Abatement Criteria
(Hourly A-Weighted Sound Level in Decibels (dBA))

Activity Category	L ₁₀ (h)	Description of Activity Category
A	60 dBA (Exterior)	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B	70 dBA (Exterior)	Picnic areas, recreation areas, playgrounds, active sports areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals.
C	75 dBA (Exterior)	Developed lands, properties, or activities not included in Categories A or B above.
D	No Limit	Undeveloped Lands
E	55 dBA (Interior)	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums.

3.0 Evaluation and Process

This environmental noise analysis was performed according to Federal Highway Administration (FHWA), Minnesota Department of Transportation (Mn/DOT), and Minnesota Pollution Control Agency (MPCA) guidelines with regards to noise in and around proposed neighborhoods affected by the proposed road improvements.

3.1 Noise Model Testing Results

A detailed noise analysis has been conducted, and a proposed noise mitigation plan prepared. Many residences are located adjacent to the project area, and receptor locations are chosen that are representative of the various groupings of residences.

3.1.1 Methodology

Existing (2009) and future (2033) noise levels were modeled using the Federal Highway Administration (FHWA) noise prediction model STAMINA 2.0, as modified for use by Mn/DOT (MINNOISE). Noise projections were based on adjusted 2005 traffic counts, 2033 forecasted peak-hour traffic volumes, time of day, vehicle speeds, mix of vehicles, roadway grades, and the distance from the roadway center-of-lanes to the receptor (horizontal and vertical).

3.1.2 Noise Analysis Results

The MINNOISE/STAMINA 2.0 noise model applies five scenarios for comparison of the noise levels. The scenarios are: 1) Existing conditions (2009); 2) No Build Alternative (2033); 3) Build Alternative (2033) with no new noise barriers along the corridor; 4) Build Alternative (2033) with new 10 foot high noise barriers; and 5) Build Alternative (2033) with new 20 foot high noise barriers.

The noise analysis for the daytime L10 noise levels is referred to in this discussion. For purposes of addressing the Minnesota nighttime and L50 standards, analysis results are also included in **Tables 4 and 5** for the daytime L50, nighttime L10, and nighttime L50 noise levels.

Noise modeling was conducted at 44 receptor sites. Of these 44 receptors, three are considered to be within a commercial/industrial area. Therefore, 41 receptors of the 44 represent several residences each, with similar noise characteristics at the residences. See **Tables 4 and 5** for the results of the

noise analysis, and comparison to the Minnesota State Noise Standards and the Federal Noise Abatement Criteria. Receptor locations are shown on **Figure 1** in **Appendix B**.

All receptors were entered into the MINNOISE model using Alpha factors equaling 0.5. Alpha factors within MINNOISE models are factors that control the rate at which noise is propagated, or at what rate over distance, the noise is diminished. An Alpha factor of 0.5 within MINNOISE has a noise rate of decay of 4.5dB per doubling of distance. This is an appropriate value for propagation over soft ground with an at-grade roadway and first floor receptor.

MINNOISE calculates the amount of potential noise directly related to traffic speeds, traffic mix (% cars, trucks, heavy trucks), and peak hour percentages of predicted future traffic (Design Year 2033 “Build” and Design Year 2033 “No Build”). Traffic volumes were taken from the traffic analysis completed for the EA and were available for the “Daytime” and “Nighttime” peak volume times of:

- the hour from 4:30PM to 5:30PM (Daytime) and
- the hour from 6AM to 7AM (Nighttime).

Traffic counts were available along TH36, the on and off ramps for TH36, County Rd. B, and Rice Street for the peak times of morning rush hour 7AM to 8AM and evening rush hour 4:30PM to 5:30PM. The peak “nighttime” traffic hour (between 10PM and 7AM) was the hour between 6AM and 7AM. Traffic count information was only available along TH36 during the “nighttime” hours. No traffic count information was available for the on and off ramps to and from TH36 or along Rice St. and County Rd. B for the peak “nighttime” hour of 6AM to 7AM.

The percent change was calculated for the traffic counts along TH36 between the 6AM to 7AM hour and the 7AM to 8AM hour. The percent change (66%) from the available Hwy 36 data was then applied to traffic along Rice St., Cty. B, and the entrance and exit ramps to and from TH36. These calculated traffic counts are presented as the “nighttime” counts in **Table 5**.

Speed assumptions were based on posted speeds that range from 35mph to 55mph.

When noise impacts are identified, a noise wall mitigation analysis must be performed.

4.0 Noise Wall Mitigation Analysis

With noise levels exceeding state and federal noise standards, a mitigation analysis was required and completed to determine if measures, such as a noise wall, are reasonable and effective in attenuating the noise at those locations.

To have a noise wall considered for mitigation, one of the following factors must exist:

- The noise standards are presently in excess of state noise standards.
- The predicted noise levels are expected to be in excess of the state noise standards for the design year of the project.
- The noise levels are predicted to be “substantially” above current noise levels in the project design year. “Substantial” is defined as a 5dB or greater increase in noise.
- The predicted noise level for the design year approaches or exceeds the acceptable limit. “Approaching” is defined as noise levels being within 1dB of the FHWA NAC. In this instance, levels predicted as 69dB are considered approaching the FHWA NAC of 70dB.

If one or more of the above conditions are met, noise walls need to be considered based upon cost reasonableness and noise wall feasibility.

Taking these factors into consideration, there are 22 receptors within this analysis that exceed MPCA noise standards and merit noise wall consideration (Wall 1:R1 – R11, Wall 2: R22, and Wall 3:R27-R-28 and R30-R32C). It should be noted that R36-R38 are commercial properties and meet the FHWA criteria for developed land. Also, as stipulated in Minnesota Statute 116.07, Subd. 2a, Rice Street and County Rd. B are exempt from the state noise standards. The statute states:

(2a) “No standards adopted by any state agency for limiting levels of noise in terms of sound pressure which may occur in the outdoor atmosphere shall apply to (1) segments of trunk highways constructed with federal interstate substitution money, provided that all reasonably available mitigation measures are employed to abate noise, (2) an existing or newly constructed segment of a highway, provided that all reasonably available noise mitigation measures, as approved by the commissioners of the department of transportation and pollution control agency, are employed to abate noise, (3) except for the cities of Minneapolis and St. Paul, an existing or newly constructed segment of a road, street, or highway under the jurisdiction of a road authority of a town, statutory or home rule charter city, or county, except for roadways for which full access has been acquired”

These roadway improvements are only required to only meet the FHWA noise criteria outlined above in **Table 2**.

4.1 Noise Wall Modeling

Three 20 foot noise walls (Mn/DOT maximum) and three 10 foot noise walls, were placed within the MINNOISE model separately to gauge effectiveness during “worst case” scenarios for both daytime and evening time periods (for detailed MINNOISE information for noise wall analysis, please refer to Appendix A”MINNOISE Model Data”). These noise walls were analyzed between the homes and the roadway residing on:

- the north side of Highway 36, west of Rice Street (Wall #1),
- the north side of Highway 36 and the frontage road east of Rice Street (Wall #2), and
- the south side of Highway 36, west of Rice Street (Wall #3).

Figure 1 in Appendix B shows the locations of the modeled noise walls. Multiple scenarios were run to optimize the length of the noise walls. Only the wall length scenarios that showed the most effective noise reduction are included.

Table 6 illustrates the complete noise impact survey including Design Year 2033 levels without a noise barrier, Design Year 2033 with a noise barrier, and resulting noise level differences for the Daytime and Nighttime scenarios. **Table 6** also illustrates the modeled noise reduction with 10 and 20 foot walls at each receptor used in the model. The applicable noise standard for each receptor is also included in **Table 6** as well as the number of residences with at least a 5 dB reduction.

4.2 Cost-Effectiveness Analysis

A cost-effectiveness analysis has been performed as part of the documentation for this project. For noise walls to be considered reasonable, the cost effectiveness shall not exceed \$3,250 per decibel of reduction per residence. The cost effectiveness is calculated for individual barrier segments. For barriers to be warranted, they must be acoustically effective by providing a meaningful reduction in noise, defined as a five decibel reduction or more. The noise wall cost-effectiveness calculations are included in this report (**Table 6**). Noise walls might not be cost-effective for the following reasons:

- Topography may create a situation where a noise wall cannot effectively block the line of sight from the roadway to the receptor.

-
- Existing noise mitigation may cause a situation where additional mitigation does not provide additional noise-level reduction.
 - Cross-streets may create a situation where noise mitigation cannot be constructed continuously along the noise source.
 - Residential density is low.

Cost reasonableness calculations are included in **Table 6** for each modeled noise wall. Only one of the noise walls placed within the model to maximize decibel reduction at impacted receptors meet the Mn/DOT minimum criteria of \$3,250 per decibel of reduction per residence. Wall #1 achieved a cost of \$3,054 per decibel of reduction per residence. Wall #2 and Wall #3 do not meet the cost reasonableness requirement for wall consideration. The noise reductions per receptor less than 5dB are not included within the overall per Mn/DOT policy¹.

“Feasibility” is defined as whether a noise wall may be built considering proper setback, sight lines, and location. Based upon the location of the modeled Wall #1, taking into account the proper setback, sight lines, and location, Wall #1 is a feasible noise mitigation alternative.

4.3 Evaluation of Other Noise Abatement Measures

Noise walls have been chosen as the most cost-effective noise mitigation measure available for this project. Other noise mitigation measures have been considered, as listed in 23 CFR 772.13(c). They are addressed below:

- a. Traffic management measures:
The primary purpose of the facility is to move people and goods. Restrictions of certain vehicles or speeds would be inconsistent with the purpose of the project.
- b. Alteration of horizontal and vertical alignments:
The project was realigned for practical reasons based on grade and safety.
- c. Acquisition of real property or interests therein (predominantly unimproved property) to serve as a buffer zone to preempt development that would be adversely impacted by traffic noise:
Acquisition of property for noise mitigation purposes is not a part of the project scope. However, efforts will be made through local planning authorities to regulate land development in such a way that noise-sensitive land uses are either prohibited from being located adjacent to a highway, or that the developments are planned, designed, and constructed in such a way that noise impacts are minimized.
- d. Noise insulation of public use or nonprofit institutional structures:
This is a noise abatement measure that would not affect the noise level violations of Minnesota State Noise Standards because these standards are exterior standards. FHWA guidelines and Mn/DOT policy recommend that only public buildings, such as schools and hospitals, be considered for acoustical insulation.

5.0 Noise Analysis Conclusions and Summary

Traffic noise impacts occur for TH36 when modeled traffic noise levels approach or exceed the FHWA NAC-1 (70dB) level by one decibel, when impacts are modeled exceeding state noise guidelines, or those which noise levels exceed the FHWA NAC category B criteria of a 5dB or more increase per receptor. As stipulated in Minnesota Statute 116.07, Subd. 2a, Rice Street and County Road B are exempt from the state noise standards, therefore noise impacts occur when modeled traffic noise levels approach or exceed the FHWA NAC-1 (70dB) level by one decibel or those which noise levels exceed the FHWA NAC category B criteria of a 5dB or more increase per receptor.

A mitigation analysis was performed to gauge the effectiveness of a 20-foot noise wall placed at these receptors. The mitigation analysis revealed that a 20' noise wall at the location of Wall #1 is an effective noise mitigation alternative. Wall #1 also meets the Mn/DOT cost criteria of \$3,250.00 per decibel of reduction per residence, making it economically reasonable. Based upon the location of the modeled Wall #1, taking into account the proper setback, sight lines, and location, Wall #1 is also a feasible noise mitigation alternative. Taking this into account, a noise wall should be considered in the location of Wall #1 for design and construction.

As the final design stage of this project progresses, the noise analysis may need to be refined to take into account any major design changes. The construction materials, exact location, and height of this wall will be finalized during the detail design process and/or during the development of the noise exemption request, which will include coordination and timing of the construction with the City and the affected neighborhoods.

In this project, future noise levels exceeded both the Federal Noise Abatement Criteria and the State Noise Standards at many sensitive noise receptors. Therefore, noise abatement measures are proposed and are included in this analysis. The TH36 roadway improvements must comply with both the State of Minnesota Noise Standards and the Federal Noise Abatement Criteria. However, as stipulated in Minnesota Statute 116.07, Subd. 2a, the Rice Street and County Road B improvements are exempt from the state noise standards. To do this, all reasonable and feasible noise mitigation measures are planned as a part of the project. Even with these noise mitigation measures, the Minnesota Noise Standards are exceeded at locations south of TH36. Therefore, a Noise Standards Exemption Request is required to be submitted to the Commissioners of the MPCA and Mn/DOT. This document is a means of demonstrating that all reasonably available noise mitigation measures are employed as part of the project.

¹ Mn/DOT Noise Policy for Type I and Type II Federal-aid Projects as per 23 CFR 772
Authority: 23 U.S.C. 109(h), 109(I); 42 U.S.C. 4331, 4332; and 49 CFR 1.48(b).

List of Tables

Table 4 – Peak Daytime Noise Levels (4:30-5:30 PM)

Table 5 – Peak Nighttime Noise Levels (6-7 AM)

Table 6 – Noise Barrier Cost Effectiveness

Table 4
Peak Daytime Noise Levels (4:30-5:30 PM)

MINNOISE Receiver (Number of Residences Represented)	Applicable Noise Standard	Existing Daytime	2033 Daytime L10 (dBA)	2033 Daytime L10 (dBA)	Applicable Noise Standard	Existing Daytime	2033 Daytime L50 (dBA)	2033 Daytime L50 (dBA)
	L10 (dBA)	L10 (dBA)	No Build	Build	L50 (dBA)	L50 (dBA)	No Build	Build
R1 (17)	65	66.6	67.2	67.9	60	64.5	65.2	65.5
R2	65	65.8	66.2	66.4	60	63.8	64.3	64.5
R3 (10)	65	64.8	65.2	65.4	60	63	63.5	63.6
R4	65	64.8	65.3	65.4	60	63	63.5	63.6
R5	65	65.1	65.5	65.6	60	63.2	63.8	63.8
R6	65	65.1	65.5	65.5	60	63.2	63.7	63.7
R7	65	65.6	66.0	65.9	60	63.6	64.1	64.1
R8	65	65.6	66.0	66.0	60	63.7	64.2	64.1
R9	65	66.0	66.4	66.3	60	64	64.4	64.4
R10	65	66.0	66.4	66.3	60	64	64.5	64.4
R11	65	66.4	66.8	66.6	60	64.3	64.8	64.6
R11A (4)	65	68	68.4	68.3	60	65.6	66.1	65.9
R11B (3)	65	68.3	68.7	68.5	60	65.7	66.2	66.1
R12	65	60.5	60.9	60.9	60	59.1	59.6	59.6
R13	65	59.4	59.9	59.9	60	58.1	58.7	58.7
R14	65	62.6	63.1	63.2	60	61	61.6	61.7
R15	65	60.4	60.9	61.0	60	59	59.7	59.7
R16	65	62.9	63.6	63.8	60	61.3	62.2	62.3
R16A	65	63.3	64.6	64.9	60	61.6	63	63.4
R17	65	60.4	61.5	61.7	60	59	60.3	60.5
R18	70	62.6	66.8	67.7	NA	55.9	62	62.9
R19	70	57.6	60.5	61.1	NA	54.4	57.8	58.5
R20	70	60.3	64.5	65.5	NA	53.9	60	60.9
R21	70	61.9	66.8	67.1	NA	54.4	61.4	61.9
R22	65	68.3	68.7	68.6	60	65.9	66.4	66.4
R23	65	63.4	63.8	63.8	60	61.7	62.3	62.2
R24	70	66.2	68.0	67.8	NA	61.9	64.5	64.2
R25	70	64.4	66.4	66.7	NA	60.2	62.9	63
R26	70	61.8	63.1	63.0	NA	59.9	61.4	61.2
R27	65	67.1	67.6	67.9	60	63.4	64.1	64.1
R28	65	65.3	65.9	65.7	60	61	61.7	61.7
R29	65	62.9	63.4	63.3	60	60.3	61	61
R30	65	66.5	66.9	67.0	60	63.5	64.1	64.2
R31	65	66.3	66.7	66.8	60	63.2	63.8	63.7
R32	65	65.5	65.9	65.8	60	63.2	63.7	63.6
R32A (3)	65	71	71.4	71.2	60	68.4	68.8	68.6
R32B (2)	65	67	67.3	67.2	60	64.9	65.3	65.1
R32C (3)	65	66.1	66.5	66.4	60	64.2	64.7	64.5
R33	65	64.4	65.1	64.9	60	60.1	60.8	60.7
R34	65	66.3	67.0	66.3	60	61.1	62	62.1
R35	65	60.8	61.5	61.3	60	59.2	60	59.8
R36*	70	59.7	60.4	60.4	65	58.3	59.2	59.2
R37*	70	68.7	69.1	69.1	65	66.5	66.9	66.9
R38*	70	66.4	66.9	66.9	65	64.4	65	65

 Represents those locations exceeding their applicable noise standards. Bold levels approach or exceed the FHWA Criteria of 70dB.

* Represent commercial properties residing within the MPCA NAC-2 Category.

NA: Not Applicable, Does not Apply to State Standards

Table 5
Peak Nighttime Noise Levels (6-7 AM)

MINNOISE Receiver (Number of Residences Represented)	Applicable Noise Standard	Existing Nighttime	2033 Nighttime L10 (dBA)	2033 Nighttime L10 (dBA)	Applicable Noise Standard	Existing Nighttime	2033 Nighttime L50 (dBA)	2033 Nighttime L50 (dBA)
	L10 (dBA)	L10 (dBA)	No Build	Build	L50 (dBA)	L50 (dBA)	No Build	Build
R1 (17)	55	65.5	65.7	65.8	50	62.8	63.2	63.3
R2	55	64.6	64.8	64.9	50	62	62.3	62.4
R3 (10)	55	63.6	63.8	63.9	50	61.1	61.5	61.6
R4	55	63.6	63.9	63.9	50	61.1	61.5	61.6
R5	55	63.9	64.1	64.2	50	61.4	61.8	61.9
R6	55	63.8	64.1	64.2	50	61.3	61.7	61.8
R7	55	64.3	64.6	64.7	50	61.8	62.1	62.3
R8	55	64.4	64.6	64.7	50	61.8	62.2	62.3
R9	55	64.7	65.0	65.1	50	62.1	62.5	62.6
R10	55	64.8	65.1	65.2	50	62.1	62.5	62.6
R11	55	65.1	65.4	65.5	50	62.4	62.8	62.9
R11A (4)	55	66.8	67.1	67.2	50	63.7	64.1	64.2
R11B (3)	55	67.1	67.3	67.4	50	63.9	64.2	64.4
R12	55	59.2	59.5	59.6	50	57.3	57.6	57.7
R13	55	58.1	58.4	58.5	50	56.3	56.7	56.8
R14	55	61.4	61.7	61.7	50	59.3	59.6	59.7
R15	55	59.1	59.4	59.5	50	57.3	57.6	57.7
R16	55	61.8	62.1	62.2	50	59.7	60.1	60.2
R16A	55	62.8	63.1	63.3	50	60.4	60.8	61
R17	55	59.6	59.9	60.1	50	57.7	58.1	58.3
R18	70	63.2	63.8	64.3	70	56.8	57.7	58.4
R19	70	57.6	58.0	58.4	70	54	54.6	55
R20	70	61.1	61.7	62.1	70	55	55.9	56.4
R21	70	63.1	63.7	63.9	70	56.2	57.2	57.5
R22	70	67.0	67.3	67.3	70	64	64.3	64.4
R23	55	62.1	62.3	62.4	50	59.8	60.2	60.3
R24	55	66.2	66.7	66.9	50	60.9	61.5	61.9
R25	70	64.8	65.3	65.5	70	59.4	60	60.3
R26	70	61.3	61.7	61.9	70	58.6	59	59.3
R27	55	65.2	65.7	65.9	50	61	61.6	61.7
R28	55	62.9	63.4	63.8	50	58.8	59.3	59.3
R29	55	60.9	61.3	61.6	50	58.2	58.7	58.8
R30	55	64.7	65.1	65.3	50	61.2	61.7	61.8
R31	55	64.4	64.8	65.1	50	60.8	61.3	61.5
R32	55	63.8	64.2	64.4	50	60.9	61.3	61.5
R32A (3)	55	69.7	70.0	70.1	50	65.6	66	66.2
R32B (2)	55	65.7	66.0	66.1	50	62.4	62.9	63
R32C (3)	55	64.8	65.1	65.2	50	61.8	62.3	62.4
R33	55	62.0	62.5	63.0	50	57.9	58.4	58.3
R34	55	63.8	64.4	64.9	50	59.2	59.7	59.5
R35	55	59.3	59.7	59.9	50	57.4	57.8	57.9
R36*	70	58.5	58.8	58.9	70	56.6	57	57.1
R37*	70	67.3	67.6	67.7	70	63.8	64.2	64.3
R38*	70	65.2	65.4	65.5	70	62.5	62.9	63

 Represents those locations exceeding their applicable noise standards. Bold levels approach or exceed the FHWA Criteria of 70dB.

* Represent commercial properties residing within the MPCA NAC-2 Category.

NA: Not Applicable, Does not Apply to State Standards

Table 6
Noise Barrier Cost Effectiveness

Wall	Receptor (Number of Residences Represented)	Land Use Activity	Modeled Existing	No Build 2033	Build 2033 with		Reduction	No. of Res. with 5 dBA reduction	Approx. Segment Length	Approx. Wall Height	Average dBA reduction	Cost Effectiveness	
					No Barriers	Barriers						Cost/dBA/Res	Proposed
1	R1 (17)	Res	66.6	67.2	67.9	66.5	1.4	0	Build	10	1.5	NA	No
1	R2	Res	65.8	66.2	66.4	65.3	1.1	0					
1	R3 (10)	Res	64.8	65.2	65.4	63.8	1.6	0					
1	R4	Res	64.8	65.3	65.4	64.4	1.0	0					
1	R5	Res	65.1	65.5	65.6	63.8	1.8	0					
1	R6	Res	65.1	65.5	65.5	62.8	2.7	0					
1	R7	Res	65.6	66.0	65.9	61.4	4.5	0					
1	R8	Res	65.6	66.0	66.0	61.5	4.5	0					
1	R9	Res	66.0	66.4	66.3	63.3	3.0	0					
1	R10	Res	66.0	66.4	66.3	66.1	0.2	0					
1	R11	Res	66.4	66.8	66.6	66.3	0.3	0					
1	R11A (4)	Res	68	68.4	68.3	66.3	2.0	0					
1	R11B (3)	Res	68.3	68.7	68.5	66.4	2.1	0					
1	R12	Res	60.5	60.9	60.9	60	0.9	0					
1	R13	Res	59.4	59.9	59.9	59.4	0.5	0					
1	R14	Res	62.6	63.1	63.2	62.7	0.5	0					
1	R15	Res	60.4	60.9	61.0	60.8	0.2	0					
1	R16	Res	62.9	63.6	63.8	63.6	0.2	0					
1	R16A	Res	63.3	64.6	64.9	65	-0.1	0					
2	R22	Res	68.3	68.7	68.6	67.4	1.2	0	620	10	0.8	NA	No
2	R23	Res	63.4	63.8	63.8	63.3	0.5	0					
3	R27	Res	67.1	67.6	67.9	66.4	1.5	0	1800	10	0.7	NA	No
3	R28	Res	65.3	65.9	65.7	65	0.7	0					
3	R29	Res	62.9	63.4	63.3	62.9	0.4	0					
3	R30	Res	66.5	66.9	67.0	65.8	1.2	0					
3	R31	Res	66.3	66.7	66.8	66.4	0.4	0					
3	R32	Res	65.5	65.9	65.8	65.6	0.2	0					
3	R32A (3)	Res	71	71.4	71.2	69.5	1.7	0					
3	R32B (2)	Res	67	67.3	67.2	66.7	0.5	0					
3	R33	Res	64.4	65.1	64.9	64.4	0.5	0					
3	R34	Res	66.3	67.0	66.3	65.8	0.5	0					
3	R35	Res	60.8	61.5	61.3	61.3	0.0	0					
1	R1 (17)	Res	66.6	67.2	67.9	62.6	5.3	17	2380	20	4.9	\$3,054	Yes
1	R2	Res	65.8	66.2	66.4	60.8	5.6	1					
1	R3 (10)	Res	64.8	65.2	65.4	60.2	5.2	10					
1	R4	Res	64.8	65.3	65.4	61.2	4.2	0					
1	R5	Res	65.1	65.5	65.6	59.8	5.8	1					
1	R6	Res	65.1	65.5	65.5	58.7	6.8	1					
1	R7	Res	65.6	66.0	65.9	57.3	8.6	1					
1	R8	Res	65.6	66.0	66.0	57.2	8.8	1					
1	R9	Res	66.0	66.4	66.3	58.2	8.1	1					
1	R10	Res	66.0	66.4	66.3	62.2	4.1	0					
1	R11	Res	66.4	66.8	66.6	62.2	4.4	0					
1	R11A (4)	Res	68	68.4	68.3	61.3	7.0	4					
1	R11B (3)	Res	68.3	68.7	68.5	63.5	5.0	4					
1	R12	Res	60.5	60.9	60.9	57.3	3.6	0					
1	R13	Res	59.4	59.9	59.9	57.1	2.8	0					
1	R14	Res	62.6	63.1	63.2	59.7	3.5	0					
1	R15	Res	60.4	60.9	61.0	59.5	1.5	0					
1	R16	Res	62.9	63.6	63.8	61.8	2.0	0					
1	R16A	Res	63.3	64.6	64.9	64.7	0.2	0					
2	R22	Res	68.3	68.7	68.6	63.9	4.7	0	620	20	3.5	NA	No
2	R23	Res	63.4	63.8	63.8	61.6	2.2	0					
3	R27	Res	67.1	67.6	67.9	65	2.9	0	1800	20	3.8	\$8,809	No
3	R28	Res	65.3	65.9	65.7	63.9	1.8	0					
3	R29	Res	62.9	63.4	63.3	61.6	1.7	0					
3	R30	Res	66.5	66.9	67.0	63.5	3.5	0					
3	R31	Res	66.3	66.7	66.8	63.9	2.9	0					
3	R32	Res	65.5	65.9	65.8	62.4	3.4	0					
3	R32A (3)	Res	71	71.4	71.2	62.8	8.4	3					
3	R32B (2)	Res	67	67.3	67.2	62.2	5.0	2					
3	R32C (3)	Res	66.1	66.5	66.4	59.5	6.9	3					
3	R33	Res	64.4	65.1	64.9	62.6	5.4	1					
3	R34	Res	66.3	67.0	66.3	65.7	3.7	0					
3	R35	Res	60.8	61.5	61.3	60.9	0.4	0					

 Represents those locations exceeding their applicable noise standards. Bold levels approach or exceed the FHWA Criteria of 70dB.

* Represent commercial properties residing within the MPCA NAC-2 Category.

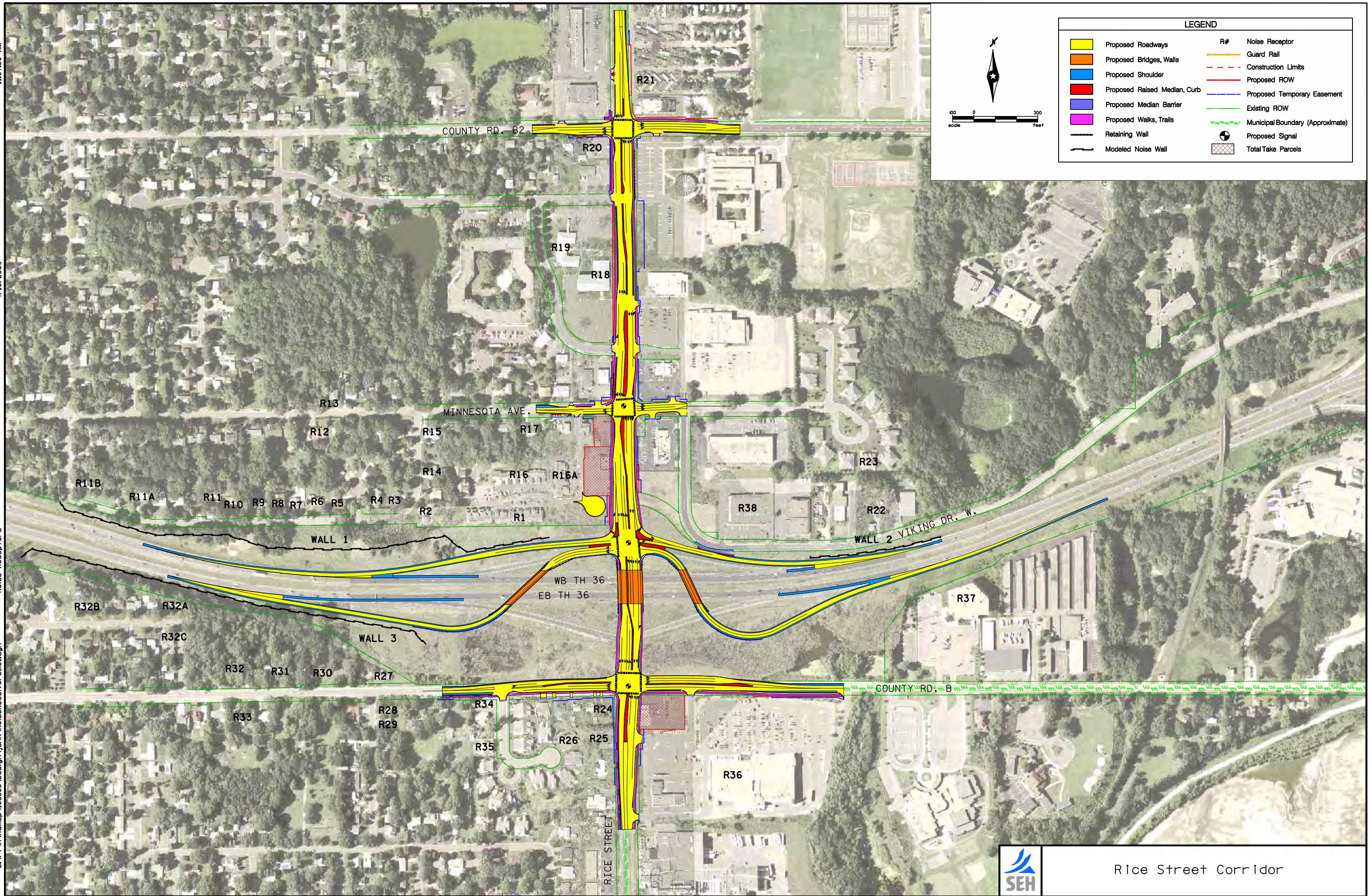
Appendix A

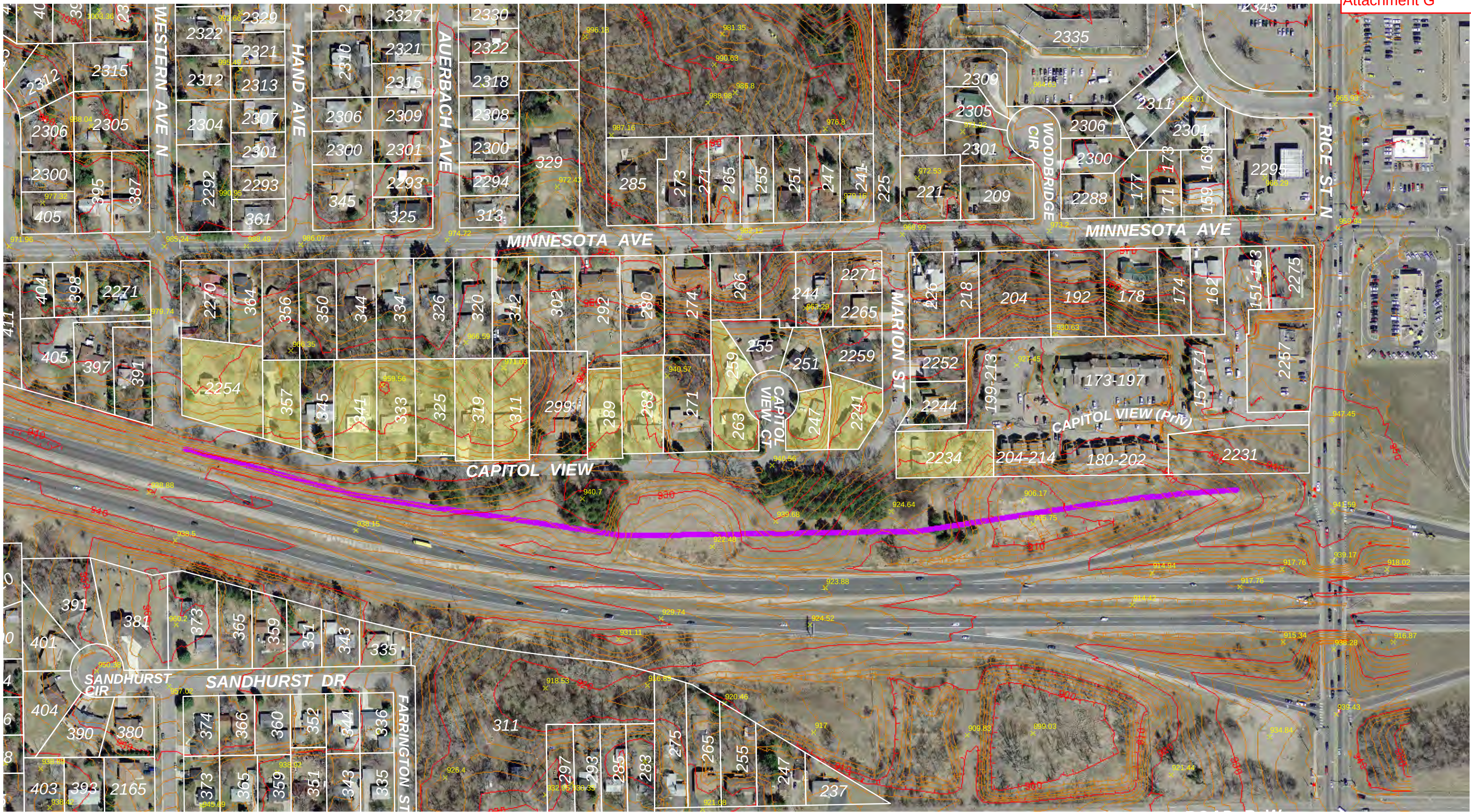
MINNOISE Model Data

(Attached CD)

Appendix B

Figure 1 Receptor Locations





Highway 36 Noise Wall



Prepared by:
Engineering Department
February 3, 2010

- Property That Does Not Support Wall Past Marion Street
- Proposed Noise Wall
- 10 foot contour
- 2 foot contour
- 10 foot depression
- 2 foot depression
- Spot Elevation

Data Sources and Contacts:
* Ramsey County GIS Base Map (1/04/10)
* City of Roseville Engineering Department
For further information regarding the contents of this map contact:
City of Roseville, Engineering Department,
2660 Civic Center Drive, Roseville MN

DISCLAIMER:
This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring existing measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7075. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.

0 50 100 150 200 Feet
mapdoc: Highway36NoiseWall.mxd
map: Highway36NoiseWall.pdf



To: Roseville City Council Members
Mayor Craig Klausing
Council Member Amy Ihlan
Council Member Jeff Johnson
Council Member Tammy Pust
Council Member Dan Roe

Date: February 3, 2010

Subject: Proposed vote on the noise wall for Rice Street / TH36 project

I (Ray McDonald) would respectfully propose the following criteria be considered when analyzing the discussion and possible vote for the noise wall at the next council meeting (February 8, 2010) or whenever the next vote is taken.

I would propose that the petition presented at the last council meeting be included as the starting point for the voting process.

I would propose that a written vote (yes / no) for the properties that would potentially benefit by noise reduction or be affected by the construction of the noise wall be considered.

At the next council meeting I would suggest that additional new votes be placed on a form that lists the address of the property, the person's name, the phone number, the vote either Yes or No, and a signature (similar to the petition) be used.

This method will help identify the votes of the beneficially affected properties and the votes of those properties that are not affected or benefited by the construction of a noise wall. I would submit that the votes of the properties that are not affected should not be considered in the voting results. I believe that only properties that will potentially gain a noise reduction benefit should be included in this vote. I do not believe that properties that will gain no benefit from the noise wall should be included in this vote.

The determination of the beneficially affected properties should follow the following criteria"

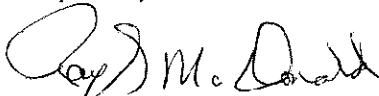
- Be within 200 (possibly 300) feet of the TH36 roadway.
- Be of an elevation that is low enough to be in the "shadow zone" of the noise barrier wall.

These parameters are taken from the Technical Information attachment from information that I got from searching various websites about traffic noise and noise barrier wall. Website links are given for all information sources.

For example, I would submit that the houses along Minnesota Avenue are at such a height or high elevation, that they would not be in the "shadow zone" of the noise wall and thus have little or no noise reduction. They also may also be too far away but that is not the point in this example.

I plan to be at the next council meeting and if I can be of any assistance in any way, please feel free to ask.

Respectfully Submitted



Ray S McDonald
2241 Marion Street.
Roseville, MN 55113

Technical Information for Noise Wall Presentation

"Highway traffic noise barriers:

- can reduce the loudness of traffic noise by as much as half;
- do not completely block all traffic noise;
- can be effective, regardless of the material used;
- must be tall and long with no openings;
- *are most effective within 61 meters (200 feet) of a highway (usually the first row of homes);*
- must be designed to be visually appealing;
- must be designed to preserve aesthetic values and scenic vistas;
- do not increase noise levels perceptibly on the opposite side of a highway; and
- substantially reduce noise levels for people living next to highways. "

<http://www.fhwa.dot.gov/environment/keepdown.htm>

"Sound reduction by distance

Sound spreading in open air and measured at a certain distance from the source is reduced by about 6 dB for each doubling of that distance. Sound is reduced less when spreading inside a room."

<http://www.barrhill.org.uk/windfarm/noise/basics/NOISE%20CONTROL.htm>

"Noise barriers are:

Most effective within 61 meters (200 feet) of a highway (usually the first row of homes)"

<http://www.virginiadot.org/projects/pr-noise-walls-about.asp>

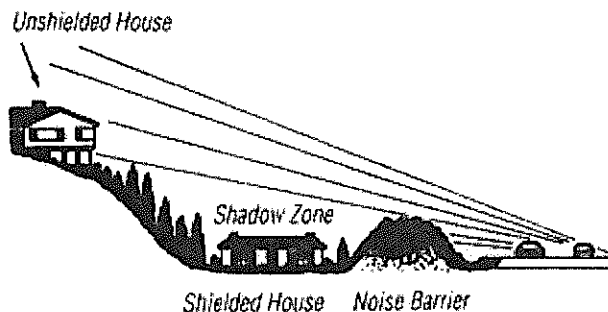
"Distance

Typically, a barrier is more effective the closer it is to the source or to the receiver. Noise barriers are generally only effective for homes within 300 ft. of the roadway."

<http://www.trafficnoise.org/>

Shadow Effect of Noise Barrier

The lower house is protected by the barrier, but the upper one is not.



www.fhwa.dot.gov/environment/htnoise.htm

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 1/25/2010

Item No.: 13. .b

Department Approval

City Manager Approval

Christopher K. Miller

W. J. Mahinen

Item Description: Discuss 2011 Budgeting-for-Outcomes Process

BACKGROUND

In 2010, the City Council committed to using a 'Budgeting for Outcomes' (BFO) process, whereby budget monies are allocated based on desired outcomes and priorities. With the initial undertaking, it was acknowledged that the City was not positioned to fully implement this process as prescribed by industry standards. In all likelihood, it would take 2-3 years of gradual phasing before the full benefits of this process are realized.

During the past year, the City took the following BFO steps for the property tax-supported programs and services:

- 1) Completed time-spent profiles
- 2) Calculated direct program costs
- 3) Identified mandatory vs. non-mandatory services
- 4) Categorized current service levels
- 5) Identified various outputs, service standards, and performance measures
- 6) Prioritized programs and services

City Staff recently met to discuss the merits of BFO. It was concluded that this new process was consistent with industry-recommended budgeting practices and was preferred over the previous one. Staff recommends the City continue using it for 2011. As part of this discussion, Staff discussed the strengths and weaknesses of last year's BFO process, and identified potential improvements for the upcoming year. A summary of Staff's assessment is included below.

Strengths

- ❖ Designed to ensure that high priority programs receive sufficient funding
- ❖ Greater transparency of program costs
- ❖ Emphasis on outcomes, not inputs
- ❖ Reject the premise that the current budget is the *right* budget

Weaknesses

- ❖ Bigger learning curve compared to traditional budgeting process
- ❖ More challenging to reflect intangible benefits of programs
- ❖ Sometimes difficult to define or identify outcomes and levels of service
- ❖ Resistance to {any} reform movements
- ❖ Program categories may not have been appropriately selected

2011 Suggested Process Improvements

- ❖ Refine program categories and sub-categories
- ❖ Establish performance measures
- ❖ Quantify varying levels of service
- ❖ Establish a uniform program ranking process
- ❖ Need to use total Program costs; i.e. we will no longer separately identify inflationary costs
- ❖ Establish links to IR2025 and Council Goals

The items noted above are not meant to represent the complete list. It is expected that the Council will hold a discussion to determine what improvements are needed. City Staff will be available to answer any Council inquiries.

POLICY OBJECTIVE

Establishing a budget process that aligns resources with desired outcomes is consistent with governmental best practices, provides greater transparency of program costs, and ensures that budget dollars are allocated in the manner that creates the greatest value.

FINANCIAL IMPACTS

Not applicable.

STAFF RECOMMENDATION

Not applicable.

REQUESTED COUNCIL ACTION

No Council action is requested. The presentation is submitted for informational and discussion purposes.

Prepared by: Chris Miller, Finance Director
Attachments: A: Examples of Changes to Program Categories

City of Roseville
2011 Budgeting for Outcomes Process
Property-Tax Supported Programs

Attachment A

<u>Department /</u> <u>Division</u>	<u>2010</u> <u>Program / Function</u>	<u>2011</u> <u>Program / Function</u>
38 Finance Finance Finance Finance	Finance - Finance Director position	Finance - Finance Director position Finance - Budgeting / Financial Planning Finance - Debt Management Finance - Economic Development
52 Finance Finance	Finance - Financial acct./reporting	Finance - Financial acct./reporting Finance - Purchasing
92 Finance	Finance - Cash receipts	Finance - Cash receipts
106 Finance	Finance - Banking / investing	Finance - Banking / investing
82 Finance	Finance - Payroll	Finance - Payroll
93 Finance	Finance - Reception Desk	Finance - Reception Desk
75 Finance	Finance - Risk Management	Finance - Risk Management
149 Finance	Finance - Business licensing	Finance - Business licensing
129 Finance	Finance - Organizational Management	Finance - Organizational Management
116 Finance	Finance - Contract administration	Finance - Contract administration
117 Finance	Finance - Software maintenance	Finance - Software maintenance
107 Finance	Finance - Other (4%)	Finance - Other (4%)
155 Police	Admin - Animal control	Admin - Animal control
138 Police	Admin - Background investigations	Admin - Background investigations
21 Police	Admin - Business licensing, compliance	Admin - Business licensing, compliance
112 Police	Admin - Criminal prosecutions	Admin - Criminal prosecutions
111 Police	Admin - Execute warrants	Admin - Execute warrants
127 Police	Admin - Fire arms permits	Admin - Fire arms permits
8 Police	Admin - Organizational Management	Admin - Organizational Management
90 Police	Admin - Pawn shop oversight	Admin - Pawn shop oversight
40 Police	Admin - Police Chief position	Admin - Police Chief position
64 Police	Admin - Police records	Admin - Responding to Public Requests
5 Police	Admin - Police reports	Admin - Police Records / Reports
84 Police	Admin - School Liaison	Admin - School Liaison
122 Police Police	Admin - Security alarm responses	Admin - Security alarm responses Admin - Community Liaison
39 Police	Comm Svcs - general	Comm Svcs - general
124 Police	Emergency Mgmt - general	Emergency Mgmt - general
91 Police	Investigations - crime scene processing	Investigations - crime scene processing
3 Police	Investigations - investigations	Investigations - crime scene processing
Police	Investigations - investigations	Investigations - Public Safety Promo / Community Interaction
Police		Investigations - Criminal prosecutions
Police		Investigations - Other
36 Police	Patrol - Case management	Patrol - Case management
2 Police	Patrol - Citizen customer service	Patrol - Public Safety Promo / Community Interaction
135 Police	Patrol - City of St. Paul Radio support	Patrol - City of St. Paul Radio support
67 Police	Patrol - Collaborate with others	Patrol - Collaborate with others
22 Police	Patrol - Community Liaison	Patrol - Community Liaison
30 Police	Patrol - Dispatch	Patrol - Dispatch
16 Police	Patrol - Patrol (state aid)	Patrol - Patrol (state aid)
4 Police	Patrol - Patrol Other	Patrol - 24x7 / First Responder
73 Police	Patrol - RMS maintenance	Patrol - RMS maintenance

City of Roseville
2011 Budgeting for Outcomes Process
Property-Tax Supported Programs

Department / <u>Division</u>		2010 <u>Program / Function</u>	2011 <u>Program / Function</u>
123 Police	Police	Patrol - Training (state aid)	Patrol - Training (state aid)
	Police		Patrol - Animal Control
	Police		Patrol - Police Reports (by officer)
33 Police		Patrol - Other	Patrol - Other

Date: 2/08/10
Item: 13.c
Strategic Planning
Meeting

No Attachment

REQUEST FOR COUNCIL ACTION

Date: 02/08/10
Item No.: 13.d

Department Approval

City Manager Approval



Item Description: Discussion Regarding Use of Public Property for Commercial Purposes

BACKGROUND

At the January 11, 2010 City Council meeting, City Council members requested that a discussion be held at a future meeting to discuss commercial uses of public property in light of the request by Clearwire to locate a telecommunications tower in Acorn Park. Per City Council request, staff has provided with this report the following chapters of the Comprehensive Plan; Land Use, Parks and Open Space, and Utilities.

For the discussion, staff attempted to take an inventory of commercial uses that currently occur on land owned by the City. It is important to note that depending on how you define a ‘commercial use’; the list of such uses can be quite large. Below is an initial summary of staff’s findings:

Right-of-way – There is extensive use of the right-of-way for commercial uses, primarily by utilities such as Xcel and Qwest. We are prohibited in charging for the use of our right-of-ways by these utilities by state statutes. (We do require utilities to get a permit from the city and are able to have them reimburse the city for staff time reviewing the permit). There are also bus benches and shelters that have advertising on them for which we charge an annual fee.

City Hall Campus – There is an existing telecommunications tower that has 4 providers on the City Hall Campus (Sprint, T-mobile, Verizon, and TTMI). On January 11, 2010, another telecommunications tower was given land use approval to be located on the City Hall campus. There are several vending machines to serve employees that are owned by private business. (In the case of the soda machine in the Police Department, a portion of the sales are donated to the Roseville Police Benevolent Association). Conference rooms within the buildings on the campus are occasionally rented out to private companies. A craft show is also held within the City Hall building annually.

Skating Center – The Oval has several events held throughout the year that may be considered ‘commercial activities’, mostly consisting of arts and craft shows. There are also vending machines and catering conducted by private businesses within the Skating Center facility. The Oval scoreboard also advertises for Coca-Cola. The Oval is also officially named the “Guidant John Rose Minnesota Oval” to reflect a donation by the Guidant Foundation.

Parks – In Reservoir Woods Park, there is an existing telecommunications tower serving 5 providers (T-Mobile, Sprint, AT&T, Clearwire, and TTMI). In addition, the actual reservoir serves the St. Paul Water Utility (although the actual land that is operated as the reservoir is still owned by the St. Paul Water Utility). In many parks, there are utility poles and lines located in

33 utility easements including the Magellan Pipeline through Acorn and Central Park. Central Park
34 has private business vendors for the 4th of July event and the summer entertainment series.

35 **Fairview Ave. Site** – The telecommunications tower on the city-owned site at Fairview Ave. has
36 6 users (Sprint, T-Mobile, TTMI, AT&T, Verizon, and Clearwire).

37 **Misc.** Allina Medical Transportation has exclusive rights to patient transportation for the City of
38 Roseville.

39 Staff has been unable to locate any official policy regarding the use of public property by
40 commercial enterprises.

41 **POLICY OBJECTIVE**

42 The purpose of this item is to discuss how public property is used by commercial interests and
43 whether the City should have a policy governing the use of public property for commercial uses.

44 **BUDGET IMPLICATIONS**

45 The large majority of revenue collected from the commercial use of public property is generated
46 from telecommunication towers. (Approximately \$250,000). There are also facility use fees for
47 the Oval. The use of the right-of-way and parks by other private utilities generates minimal
48 revenue.

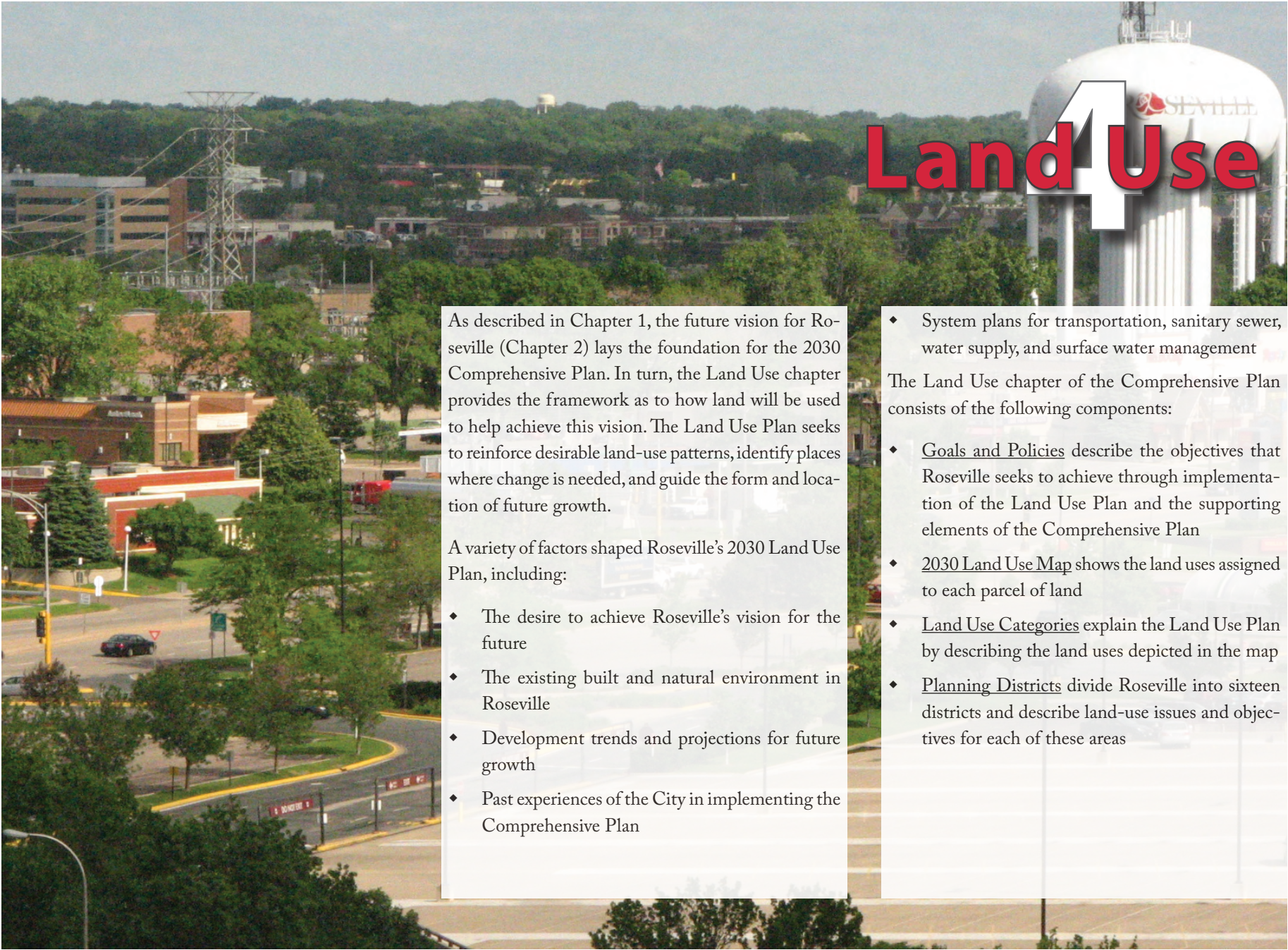
49 **STAFF RECOMMENDATION**

50 Staff suggests the City Council discuss the need for an official policy in regards to the use of
51 city-owned property by commercial enterprises for commercial use.

52 **REQUESTED COUNCIL ACTION**

53 The City Council should discuss whether the City should have a policy regarding the use of City-
54 owned property by commercial enterprises for commercial use.

Prepared by: Patrick Trudgeon, Community Development Director
Attachments: A: 2030 Comprehensive Plan – Land Use Chapter
B: 2030 Comprehensive Plan – Parks and Open Space Chapter
C: 2030 Comprehensive Plan – Utilities Chapter



Land 4 Use

As described in Chapter 1, the future vision for Roseville (Chapter 2) lays the foundation for the 2030 Comprehensive Plan. In turn, the Land Use chapter provides the framework as to how land will be used to help achieve this vision. The Land Use Plan seeks to reinforce desirable land-use patterns, identify places where change is needed, and guide the form and location of future growth.

A variety of factors shaped Roseville's 2030 Land Use Plan, including:

- ♦ The desire to achieve Roseville's vision for the future
- ♦ The existing built and natural environment in Roseville
- ♦ Development trends and projections for future growth
- ♦ Past experiences of the City in implementing the Comprehensive Plan

- ♦ System plans for transportation, sanitary sewer, water supply, and surface water management

The Land Use chapter of the Comprehensive Plan consists of the following components:

- ♦ Goals and Policies describe the objectives that Roseville seeks to achieve through implementation of the Land Use Plan and the supporting elements of the Comprehensive Plan
- ♦ 2030 Land Use Map shows the land uses assigned to each parcel of land
- ♦ Land Use Categories explain the Land Use Plan by describing the land uses depicted in the map
- ♦ Planning Districts divide Roseville into sixteen districts and describe land-use issues and objectives for each of these areas

Goals and Policies

The plans for land use in the City of Roseville are guided by the following goals and policies.

General Land Use Goals and Policies

Goal 1: Maintain and improve Roseville as an attractive place to live, work, and play by promoting sustainable land-use patterns, land-use changes, and new developments that contribute to the preservation and enhancement of the community's vitality and sense of identity.

Policy 1.1: Promote and provide for informed and meaningful citizen participation in planning and review processes.

Policy 1.2: Ensure that the City's official controls are maintained to be consistent with the 2030 Land Use Plan.

Policy 1.3: Ensure high-quality design, innovation, sustainability, and aesthetic appeal in private and public development and redevelopment, with emphasis on efficient site access, appropriately sized parking areas, and overall beautification through the adoption and utilization of year-round landscaping and site design standards, guidelines, principles, and other criteria.

Policy 1.4: Maintain orderly transitions between different land uses in accord with the general land-use guidance of the Comprehensive Plan by establishing or strengthening development design standards.

Policy 1.5: Promote well-planned and coordinated development.

Policy 1.6: Encourage improvements to the connectivity and walkability between and within the community's neighborhoods, gathering places and commercial areas through new development, redevelopment, and infrastructure projects.

Policy 1.7: Create a higher aesthetic level for the community through use of redevelopment and infrastructure improvements to reduce or eliminate visual pollutants such as overhead power, cable, and telephone lines, traffic controllers, junction boxes, and inappropriate signage.

Policy 1.8: Reduce land consumption for surface parking by encouraging construction of multilevel and underground parking facilities, shared parking facilities, and other strategies that minimize surface parking areas while providing adequate off-street parking.

Policy 1.9: Encourage and support new development, redevelopment, and infrastructure improvements that incorporate and protect alternative energy sources, such as solar access, geothermal, wind, and biomass.

Policy 1.10: Promote and support the provision of a citywide technology infrastructure that is accessible to both the public and private sectors.

Policy 1.11: Establish and maintain cooperative working relationships with other governmental bodies for mutual benefit in planning land use.

Policy 1.12: Consider opportunities for acquisition of institutional property proposed for conversion to private use and private property for sale that fills a need for parks, open space, or trail corridors.

Goal 2: Maintain and improve the mix of residential, commercial, employment, parks, and civic land uses throughout the community to promote a balanced tax base and to anticipate long-term economic and social changes.

Policy 2.1: Review the Land Use Plan regularly to ensure its usefulness as a practical guide to current and future development. Whenever practicable, coordinate the Plan with the plans of neighboring communities, the county, school districts, and the most current Metropolitan Council system plans.

Policy 2.2: Promote and support transit-oriented development and redevelopment near existing and future transit corridors.

Policy 2.3: Encourage a broad mix of commercial businesses within the community to diversify and strengthen the tax base and employment opportunities.

Goal 3: Identify underutilized, deteriorated, or blighted properties and guide them toward revitalization, reinvestment, or redevelopment consistent with community goals and good planning and development principles.

Policy 3.1: Support the use of master plans for small redevelopment areas.

Policy 3.2: Promote redevelopment that reduces blight, expands the tax base, enhances the mix of land uses in the community, and achieves other community objectives.

Policy 3.3: Apply strategies to effectively enforce City codes related to the maintenance of buildings and property.

Goal 4: Protect, improve, and expand the community's natural amenities and environmental quality.

Policy 4.1: Promote the use of energy-saving and sustainable design practices during all phases of development including land uses, site design, technologies, buildings, and construction techniques.

Policy 4.2: Seek to use environmental best practices for further protection, maintenance, and enhancement of natural ecological systems including lakes, lakeshore, wetlands, natural and man-made storm water ponding areas, aquifers, and drainage areas.

Policy 4.3: Promote preservation, replacement, and addition of trees within the community.

Policy 4.4: Existing and future development of business and industry, shopping, transportation, housing, entertainment, leisure, and recreation opportunities shall be in harmony with the commitment Roseville has made to its environment and quality of life, without compromising the ability of future generations to meet their own needs.

Goal 5: Create meaningful opportunities for community and neighborhood engagement in land-use decisions.

Policy 5.1: Utilize traditional and innovative ways to notify the public, the community, and neighborhoods about upcoming land-use decisions as early as possible in the review process.

Policy 5.2: Require meetings between the land-use applicant and affected persons and/or neighborhoods for changes in land-use designations and projects that have significant impacts, prior to submittal of the request to the City.

Policy 5.3: Provide for and promote opportunities for informed citizen participation at all levels in the planning and review processes at both the neighborhood and community level.

Policy 5.4: Ensure adequate and diverse representation of the appropriate stakeholders in land-use studies and advisory bodies.

Residential Area Goals and Policies

Goal 6: Preserve and enhance the residential character and livability of existing neighborhoods and ensure that adjacent uses are compatible with existing neighborhoods.

Policy 6.1: Promote maintenance and reinvestment in existing residential buildings and properties, residential amenities, and infrastructure to enhance the long-term desirability of existing neighborhoods and to maintain and improve property values.

Policy 6.2: Where higher intensity uses are adjacent to existing residential neighborhoods, create effective land use buffers and physical screening.

Goal 7: Achieve a broad and flexible range of housing choices within the community to provide sufficient alternatives to meet the changing housing needs of current and future residents throughout all stages of life.

Policy 7.1: Promote flexible development standards for new residential developments to allow innovative development patterns and more efficient densities that protect and enhance the character, stability, and vitality of residential neighborhoods.

Policy 7.2: Encourage high-quality, mixed residential developments that achieve the community's goals, policies, and performance standards, encourage parks and open space, and use high-quality site design features and building materials.

Policy 7.3: Consider increased densities in new residential developments to reduce housing costs, improve affordability, and attract transit-oriented development.

Policy 7.4: Promote increased housing options within the community that enable more people to live closer to community services and amenities such as commercial areas, parks, and trails.

Policy 7.5: Consider the conversion of underutilized commercial development into housing or mixed-use development.

Goal 8: Promote a sense of community by encouraging neighborhood identity efforts within the community.

Policy 8.1: Seek opportunities to plan, design, and develop inter- and intra-generational, multipurpose neighborhood gathering places.

Policy 8.2: Where feasible, provide or improve connections between residential areas and neighborhood amenities such as parks, trails, and neighborhood business areas.

Commercial Area Goals and Policies

Goal 9: Provide attractive, inviting, high-quality retail shopping and service areas that are conveniently and safely accessible by multiple travel modes including transit, walking, and bicycling.

Policy 9.1: Encourage commercial areas to make efficient use of land, provide for safe vehicular and pedestrian movements, provide adequate parking areas, provide appropriate site landscaping, and create quality and enduring aesthetic character.

Policy 9.2: Promote commercial development that is accessible by transit, automobile, walking, and bicycle.

Policy 9.3: Seek to make on-site transit stops part of commercial development and redevelopment.

Goal 10: Promote an appropriate mix of commercial development types within the community.

Policy 10.1: Use the Comprehensive Plan to guide new commercial development to locations appropriate for its scale and use.

Policy 10.2: Emphasize the development of commercial uses that meet the needs of existing and future Roseville residents.

Policy 10.3: Support neighborhood-scale commercial areas that provide convenient access to goods and services at appropriate locations within the community.

Employment Area Goals and Policies

Goal 11: Achieve a healthy balance between commercial and employment land uses to maintain a sound and diversified economic base and living-wage jobs.

Policy 11.1: Promote and support the redevelopment of physically and economically obsolete or underutilized property.

Policy 11.2: Restrict and control open storage uses in commercial and industrial areas.

Policy 11.3: Encourage the development of multistory office and light-industrial uses to use land efficiently, expand the property tax base, and create jobs.

Policy 11.4: Use official controls to ensure all office, industrial, and business park developments consist of high-quality design, efficient parking strategies, and appropriate site landscaping.

Policy 11.5: Ensure the provision of adequate parking facilities for employment uses and encourage the use of shared, multilevel, and/or underground parking structures to reduce excessive use of land area for parking.

Goal 12: Minimize the potentially negative impacts of high-intensity employment uses.

Policy 12.1: Direct the location and development of businesses generating significant large truck traffic to areas with appropriate infrastructure.

Policy 12.2: Encourage improvements that reduce nuisance characteristics of high-intensity employment uses, especially near residential uses.

Mixed-Use Area Goals and Policies

Goal 13: Improve the community's mix of land uses by encouraging mixed medium- and high-density residential uses with high-quality commercial and employment uses in designated areas.

Policy 13.1: Facilitate the improvement, environmental remediation, and redevelopment of underutilized, heavy-industrial land and trucking facilities in designated locations into a compatible mixture of residential and employment uses.

Policy 13.2: Develop and utilize master plans, as official controls, for redevelopment areas in order to achieve an appropriate mixture of uses in the mixed-use areas designated on the 2030 Future Land Use Map.

Goal 14: Promote and support the development of mixed-use areas that have a rich mix of related and mutually reinforcing uses within walking distance of each other.

Policy 14.1: Encourage a mix of two or more uses within each development project either within the same building or horizontally on the site.

Policy 14.2: Use official controls to ensure all mixed-use development is cohesive, compact, and pedestrian-oriented, consisting of high-quality design, efficient parking strategies, and appropriate site landscaping.

Policy 14.3: Promote and support the provision of a robust system of public spaces within mixed-use areas such as parks, plazas, pathways, streets, and civic uses to encourage community gathering and connections.

Policy 14.4: Discourage piecemeal development that does not achieve the goals and policies for mixed-use areas.

2030 Land Use Map

The 2030 Land Use Map (see Figure 4.1) shows the desired land use for all property in Roseville. Table 4.1 summarizes the planned land uses by category shown on the map. The planned future land uses depicted on this map reflect previous community planning efforts in Roseville as well as desired updates identified as part of the 2008 Comprehensive Plan Update process. As shown on the 2030 Land Use Map, the future land uses seek to:

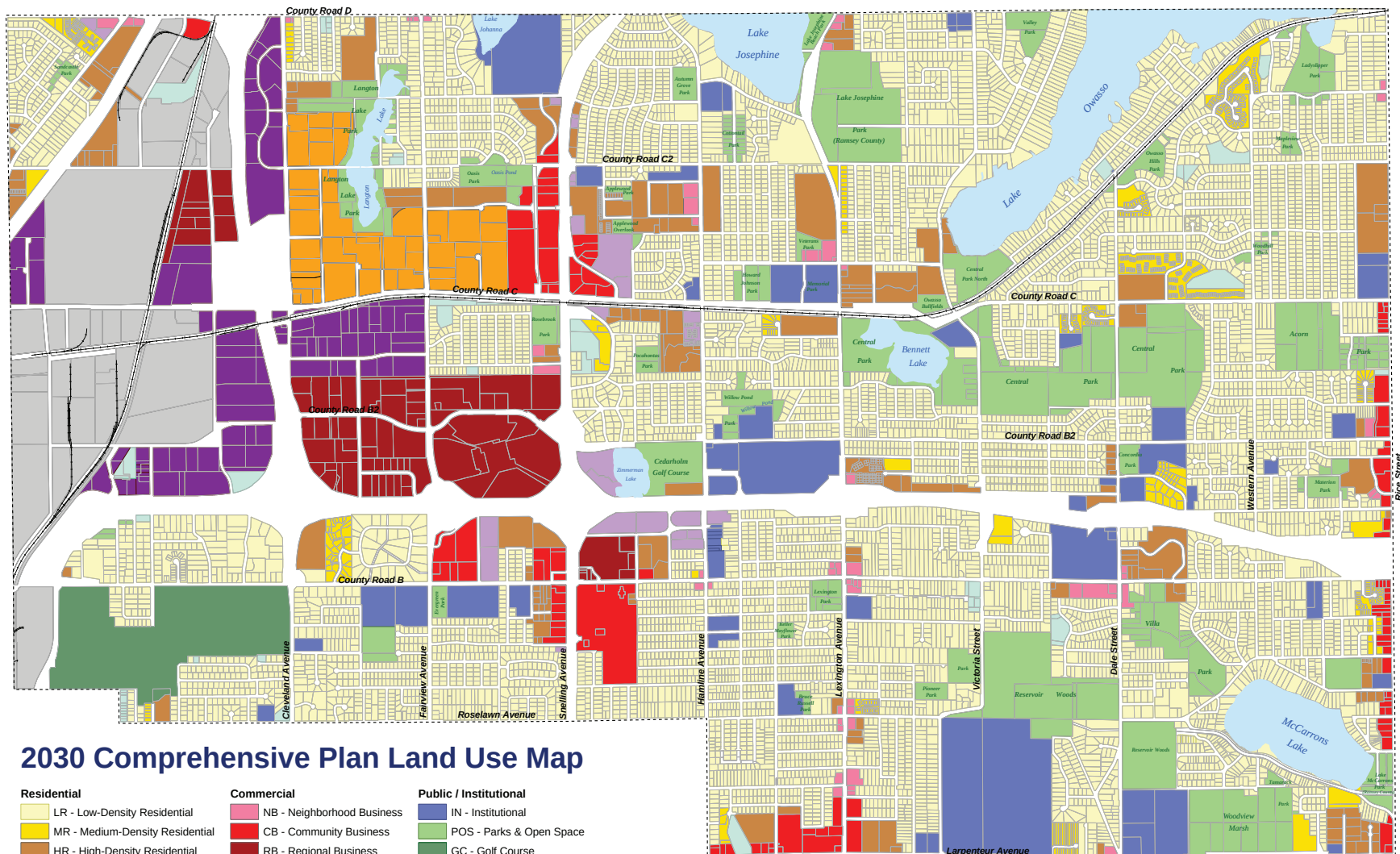
- ♦ Organize the community in a sustainable manner in order to balance households with jobs, to promote alternative mobility options, to respect the natural environment, and to result in enduring development patterns
- ♦ Make efficient use of municipal utility systems and facilitate the orderly and financially feasible expansion of these systems
- ♦ Provide the capacity for the type of growth desired by the community

The 2030 Land Use Map is only one piece of Roseville's Land Use Plan. The other components of the Land Use chapter of the Comprehensive Plan work with this map to explain the intent and objectives for future land use. Further, this map lays the foundation for land use controls that are used by the City to implement the Comprehensive Plan.

Land Use Category		Acres	% Total
LR	Low-Density Residential	3,037	34.28%
MR	Medium-Density Residential	160	1.80%
HR	High-Density Residential	422	4.76%
MU	Community Mixed Use	179	2.02%
NB	Neighborhood Business	45	0.51%
CB	Community Business	206	2.33%
RB	Regional Business	279	3.15%
O	Office	79	0.89%
BP	Business Park	282	3.18%
I	Industrial	496	5.60%
IN	Institutional	476	5.37%
POS	Park & Open Space	845	9.53%
GC	Golf Course	157	1.77%
ROW	Right of Way	1,770	19.98%
RR	Railroad	86	0.97%
W	Water Ponding	71	0.80%
LAKE	Lake	271	3.06%
Total		8,861	100.00%

2030 Land Use Percentages by Category

Table 4.1



2030 Comprehensive Plan Land Use Map

Residential	Commercial	Public / Institutional
LR - Low-Density Residential	NB - Neighborhood Business	IN - Institutional
MR - Medium-Density Residential	CB - Community Business	POS - Parks & Open Space
HR - High-Density Residential	RB - Regional Business	GC - Golf Course
Mixed Use	Employment	ROW - Right of Way
CMU - Community Mixed Use	O - Office	RR - Railroad
	BP - Business Park	W - Water Ponding
	I - Industrial	Lake

ROSEVILLE

HK
SI

DATA SOURCES & CONTACTS:
 * Ramsey County GIS Base Map (1/4/2008)
 * City of Roseville Community Development
 For further information regarding the contents of this map contact:
 City of Roseville, Community Development Department,
 2660 Civic Center Drive, Roseville MN

0 0.25 0.5
 Miles
 November 18, 2008

2030 Land Use Map

Figure 4.1



Land Use Categories

The 2030 Land Use Map depicts the overall planned land-use pattern in Roseville. This section defines the land-use categories shown on the 2030 Land Use Map.

Low-Density Residential (LR)

Low-density residential land uses include single-family detached houses generally with a density between 1.5 and four units per acre and two-family attached houses generally with a density of no more than eight units per acre.



Medium-Density Residential (MR)

Medium-density residential land uses include single-family attached housing types such as triplex, quadruplex, row houses, side-by-side townhouses, back-to-back townhouses, mansion townhouses, and small-lot detached houses, generally with a density greater than four units per acre up to 12 units per acre.



High-Density Residential (HR)

High-density residential land uses include multifamily housing types including apartments, lofts, flats, and stacked townhouses, generally with a density greater than 12 units per acre.



Community Mixed Use (CMU)

Community Mixed Use areas are intended to contain a mix of complementary uses that may include housing, office, civic, commercial, park, and open space uses. Community Mixed Use areas organize uses into a cohesive district, neighborhood, or corridor, connecting uses in common structures and with sidewalks and trails, and using density, structured parking, shared parking, and other approaches to create green space and public places within the areas. The mix of land uses may include Medium- and High-Density Residential, Office, Community Business, Institutional, and Parks and Open Space uses. Residential land uses should generally represent between 25% and 50% of the overall mixed-use area. The mix of uses may be in a common site, development area, or building. Individual developments may consist of a mix of two or more complementary uses that are compatible and connected to surrounding land-use patterns. To ensure that the desired mix of uses and connections are achieved, a more detailed small-area plan, master plan, and/or area-specific design principles is required to guide individual developments within the overall mixed-use area.



Regional Business (RB)

Regional Business uses are commercial areas with a collection of businesses that provide goods and services to a regional market area. Uses found in Regional Business areas include regional-scale malls, shopping centers of various sizes, freestanding large-format stores, freestanding smaller businesses, multistory office buildings, and groupings of automobile dealerships. Regional Business areas are located in places with visibility and access from the regional highway system (Interstate 35W and State Highway 36).



Community Business (CB)

Community Business uses are commercial areas oriented toward businesses involved with the sale of goods and services to a local market area. Community business areas include shopping centers and freestanding businesses that promote community orientation and scale. To provide access and manage traffic, community business areas are located on streets designated as A Minor Augmentor or A Minor Reliever in the Transportation Plan. Community Business areas should have a strong orientation to pedestrian and bicycle access to the area and movement within the area. Residential uses, generally with a density greater than 12 units per acre, may be located in Community Business areas only as part of mixed-use buildings with allowable business uses on the ground floor.



Neighborhood Business (NB)

Neighborhood Business uses are small-scale business areas located on or at the intersection of minor arterial and collector streets. Business uses in these areas may include retail, service, and office. Residential uses may be located in a mixed-use building in these areas. Residential uses should generally have a density between four and 12 units per acre and are subject to the other limitations for this land use. Buildings shall be scaled appropriately to the surrounding neighborhood. There should be appropriate buffers and pedestrian connections between Neighborhood Business areas and adjacent residential neighborhoods. Neighborhood Business areas should be connected to surrounding neighborhoods by sidewalks or trails.



Office (O)

Office uses include business, professional, administrative, scientific, technical, research, and development services at higher densities.



Industrial (I)

Industrial uses include manufacturing, assembly, processing, warehousing, laboratory, distribution, related office uses, and truck/transportation terminals.



Business Park (BP)

Business Park is an employment area that has a consistent architectural style with a mix of employment-oriented use types. These uses may include office, office-showroom-warehousing, research and development services, high-tech electronic manufacturing, medical, and lodging with business-park-supporting retail and services such as healthcare, fitness, child daycare, drycleaning, bank, coffee shop, restaurant, and convenience store.

Institutional (IN)

Institutional land uses include civic, school, library, church, cemetery, and correctional facilities.

Parks & Open Space (POS)

Park and open space land uses include public active and passive recreation areas such as parks, playfields, playgrounds, nature areas, and golf courses.

Golf Course (GC)

Golf course land uses include private golf courses, golf holes, practice ranges, and greens.

Road Right-of-Way (ROW)

Road right-of-way land uses include public and private road right-of-way for automobiles, transit, and non-vehicular transportation modes.

Railroad (RR)

Railway land uses include right-of-way utilized for public and private railroad related activities.

Lake (L)

Lake includes permanently flooded open water, rivers, and streams included in the Public Waters Inventory (PWI) maintained by the MN DNR and also includes the floodway areas designated by the Federal Emergency Management Agency (FEMA).

Water Ponding (WP)

Water ponding includes public or private land occupied by a constructed stormwater runoff pond.

Planning Districts

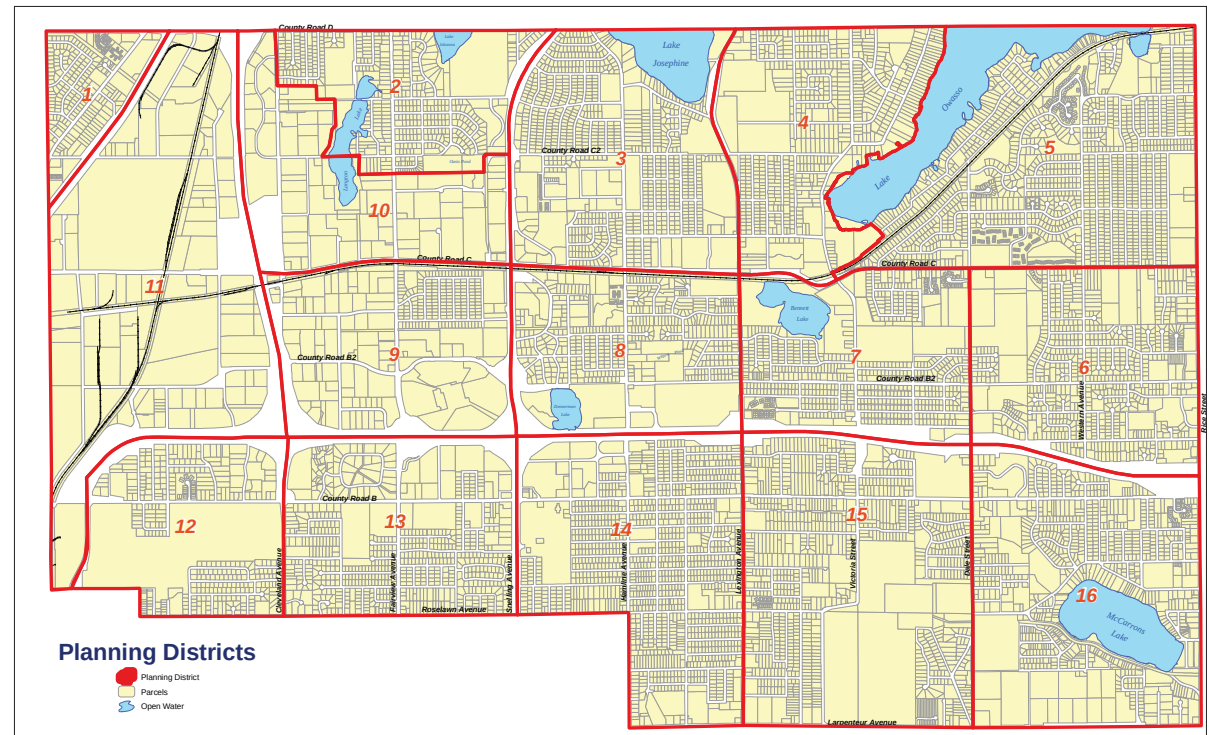
The 2030 Comprehensive Plan update continues the practice of planning land use by districts within Roseville. The 1994 Comprehensive Plan and the 2003 update evaluated land uses in each of the 15 planning districts. The 2030 Comprehensive Plan uses 16 districts as shown in Figure 4.2. The section that follows discusses current and future land use in each of these districts.

District 1

Planning District 1 is located in the northwest corner of the city bordered by County Road 88, County Road D and Highcrest Road. In Planning District 1, the primary existing land use is single-family residential with medium- and high-density residential development on the edges of the neighborhood. A neighborhood park, Sandcastle Park, is located in the center of the district. Small retail and office uses exist at the intersection of County Road D and Old Highway 8.

Land-Use Issues

This residential neighborhood is often perceived as being isolated as it is separated from the rest of Roseville's neighborhoods by major highways, a railroad, and the large industrial area west of I-35W. Bordering the southeast side of the district is County Road 88, which produces traffic and noise that can negatively impact the neighborhood. Existing land uses on the east side of County Road 88 are primarily heavy and light industrial as part of Roseville's large industrial area west of I-35W. The neighborhood would benefit from improved access to the rest of the Roseville, including on- or off-street routes for walking and biking that would better connect the neighborhood to the City's parks and recreation system.



Planning Districts

Figure 4.2

Planning District 1 contains one vacant site, which consists of two adjacent parcels totaling approximately nine acres that is located just south of County Road D between Old Highway 8 and County Road 88. Because potential soil and fill material problems on the site would challenge the economic feasibility of developing a multistory building, the site's previous future land use designation was Business. The desired development of more intensive uses will most likely require substantial soil corrections. If this land is developed with residential uses, the provision of public or private parks/open space should be considered as part of the development. This

park land could be designed to improve the district's access to park space in the neighborhood as well as the community's park system.

Future Land Use

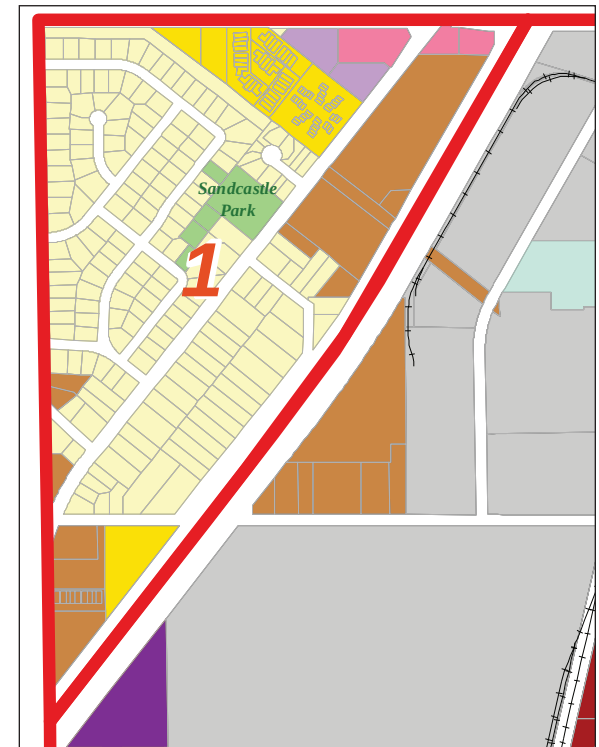
The Comprehensive Plan seeks to sustain and support the residential character of this district. The vacant land located just south of County Road D between Old Highway 8 and County Road 88 is guided for High-Density Residential. Since direct driveway access to County Road 88 would not be available and adjacent existing land uses are primarily residential, the future land-use designation was changed from Business to High-Density Residential as part of this 2008 update to the Comprehensive Plan.

The node at the intersection of County Road D and Old Highway 8, which was previously guided for Business and Limited Business, is now guided for Neighborhood Business and Office uses to reflect the new land-use categories of the 2030 Comprehensive Plan.



Existing Land Use - Planning District 1

Figure 4.3



Future Land Use - Planning District 1

Figure 4.4

Existing Land Use Map



Proposed 2030 Future Land Use Plan Map



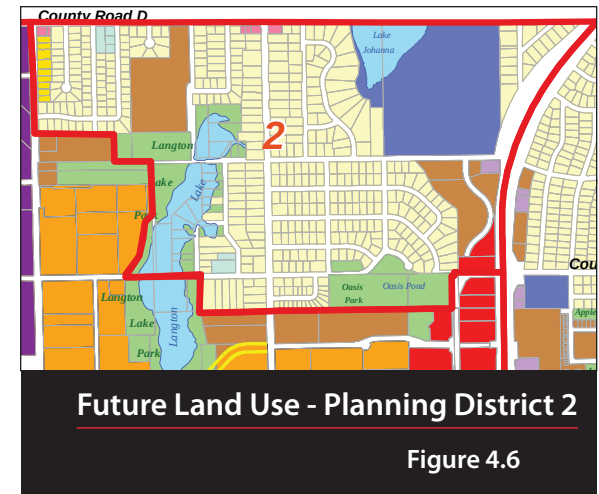
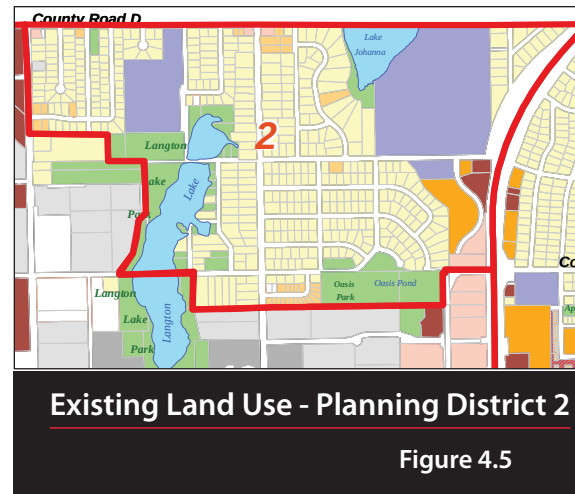
District 2

Planning District 2 runs from Cleveland Avenue on the west to Snelling Avenue on the east, and from County Road D on the north to County Road C2 on the south. In Planning District 2, the primary existing land uses are low-density residential, institutional, and parks/open space. The Northwestern College campus is partially located within Roseville adjacent to Lake Johanna in the northeast corner of the district. Langton Lake and Oasis Pond and the parks/open spaces surrounding them are located along the southern border of the district and provide separation between the residential neighborhood and the nonresidential areas to the south.

Land-Use Issues

The primary land-use issues in District 2 occur on the edges. This district's southern edge borders the Twin Lakes Redevelopment Area, currently a mix of industrial and vacant land. The Comprehensive Plan guides the Twin Lakes area for a mix of residential and nonresidential land uses. Attention should be given to establishing appropriate transition/buffer land uses between future land uses in the Twin Lakes area and the existing low-density residential uses in Planning District 2.

Similar transition issues exist with the more intensive land uses along Snelling Avenue adjacent to Northwestern College and along Cleveland Avenue. Northwestern College has continued to grow in size, which creates pressures to expand its campus. In particular, there is a growing presence of student housing, some owned by the college, east of Snelling Avenue and south of County Road C2. The Comprehensive Plan seeks to balance maintaining the integrity of the existing neighborhoods with sustaining this more intense adjacent land use.



Existing Land Use Map



Proposed 2030 Future Land Use Plan Map



Future Land Use

The 2030 Land Use plan for District 2 focuses on maintaining existing land uses. Planned uses are consistent with current development.

The Comprehensive Plan continues to guide land uses near the Northwestern College campus for the appropriate land uses rather than expanding the designation of institutional land uses east of Snelling Avenue and south of County Road C2.

District 3

Planning District 3 extends from Snelling Avenue on the west to Lexington Avenue on the east, and from County Road D on the north to County Road C on the south.

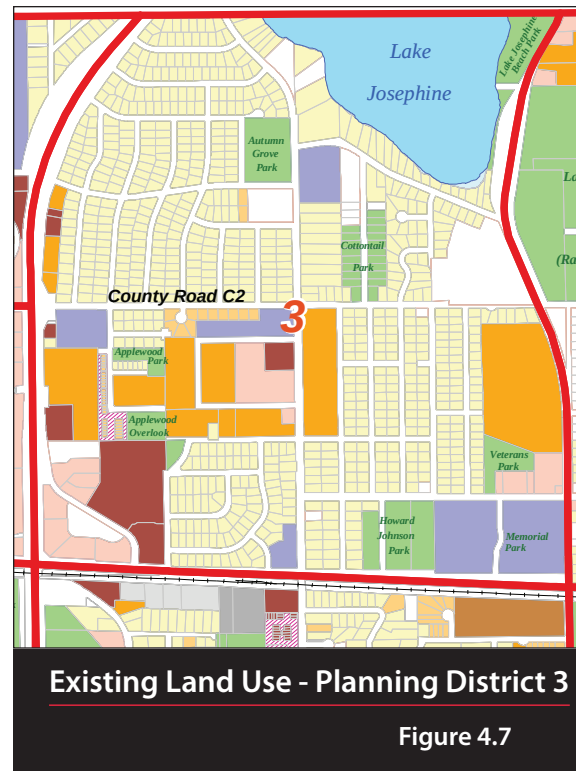
Land-Use Issues

The key land-use issue for District 3 is the future of the Hamline Shopping Center. The Comprehensive Plan anticipates the redevelopment of the existing shopping center. This redevelopment is envisioned as a mix of residential and commercial uses. The Plan shows separate land uses, but an integrated mixed-use project would also meet the objectives of the Comprehensive Plan. Retail uses at this location should be oriented to Hamline Avenue.

Future Land Use

The Comprehensive Plan seeks to reinforce existing land-use patterns:

- ♦ Commercial and office uses are oriented to Snelling Avenue and County Road C.
- ♦ Higher-density housing options extend through the middle of this district.
- ♦ The Roseville municipal campus occupies the southeast corner of the district.
- ♦ A neighborhood commercial center lies north of the municipal campus.
- ♦ The remainder of the district is dominated by low-density housing.



Existing Land Use Map



Proposed 2030 Future Land Use Plan Map



District 4

Planning District 4 begins at Lexington Avenue on the west, ends at the shoreline of Lake Owasso on the east, and is bounded by County Road D on the north and County Road C on the south.

Land-Use Issues

The park and lakefront make District 4 a desirable residential setting. The Comprehensive Plan supports the existing land-use pattern.

Future Land Use

The majority of the district continues to be guided for low-density residential. Infill and redevelopment should be compatible with the surrounding neighborhood.

Medium- and high-density housing form edges along County Road C and Lexington Avenue.



Existing Land Use Map



Proposed 2030 Future Land Use Plan Map



District 5

Planning District 5 occupies the northeast corner of Roseville. It runs from County Road D on the north to County Road C on the south. On the west is Lake Owasso and on the east is Rice Street.

Land-Use Issues

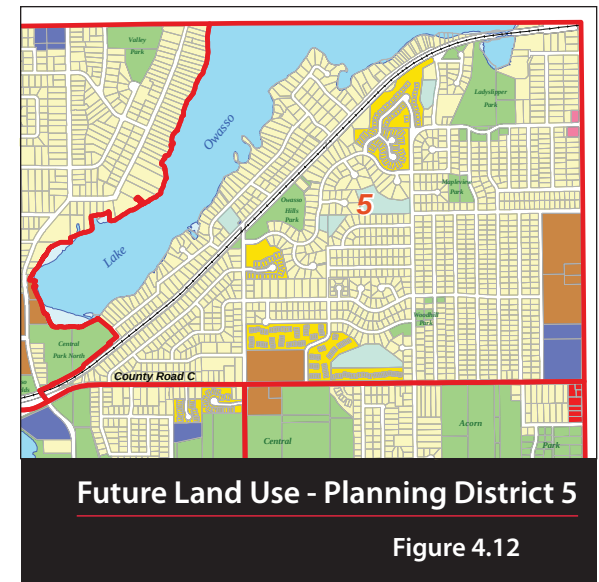
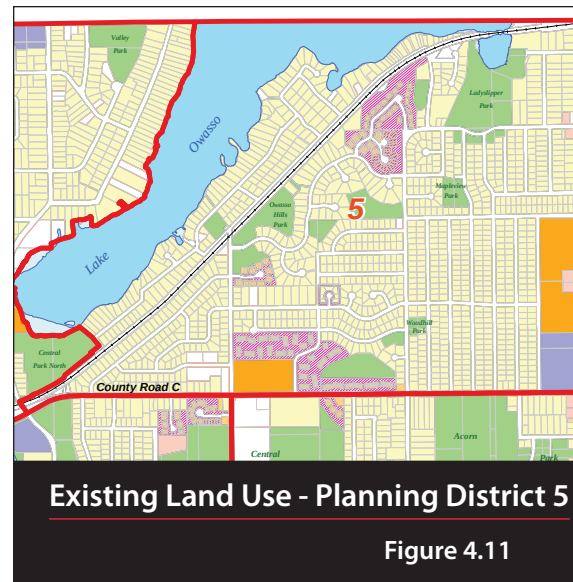
Planning District 5 is a sound residential area. The majority of the district is occupied by single-family housing. Some medium-density infill development (e.g. twin homes and townhomes) has been built. High-density housing exists along major road corridors like County Road C and Rice Street.

The condition of the housing immediately adjacent to Rice Street should be monitored. The long-term viability of this location as a setting for single-family homes will be influenced by traffic volumes on Rice Street and by land uses to the east in Little Canada.

Property in District 5 along Rice Street should be studied as part of redevelopment planning for the entire Rice Street corridor (see discussion in District 6).

Future Land Use

The Comprehensive Plan reinforces existing land-use patterns.



Existing Land Use Map



Proposed 2030 Future Land Use Plan Map



District 6

Planning District 6 stretches from County Road C on the north to Highway 36 on the south and from Dale Street on the west to Rice Street on the east.

Land-Use Issues

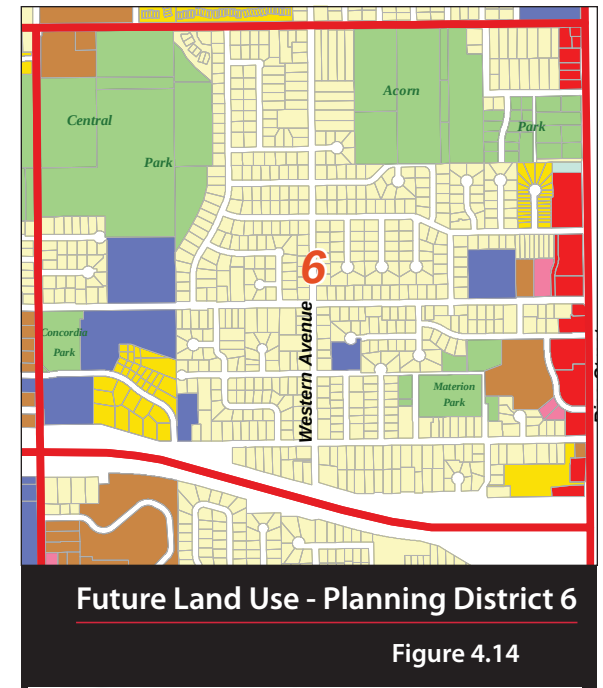
An important initiative growing out of the 2008 Comprehensive Plan update process is the need to undertake more detailed planning for the Rice Street corridor. Located in Roseville, Little Canada, and Maplewood, the corridor is a complex setting with a wide range of land uses, which creates both the opportunity and the need for redevelopment. The level of investigation conducted in preparation of the 2030 Plan did not allow for the exploration of future land-use options in conjunction with the adjacent cities.

Future Land Use

The land-use plan for District 6 is based on existing patterns. The majority of the district continues as single-family housing, parks, and institutional (e.g. schools, churches, etc.) uses.

Future land use along Rice Street primarily reflects existing use. Properties along Rice Street are planned for a mix of retail, service, and office businesses. All non-residential uses are guided as Community Business to allow flexibility in future development. Existing single-family residential properties are guided for transition to commercial use.

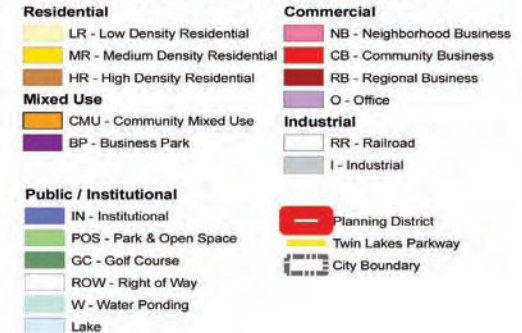
Future development along Rice Street should be oriented to the street and not allowed to encroach into adjacent single-family neighborhoods.



Existing Land Use Map



Proposed 2030 Future Land Use Plan Map



District 7

Planning District 7 is bordered on the north by County Road C and on the south by Highway 36. The border on the west is Lexington Avenue and the border on the east is Dale Street.

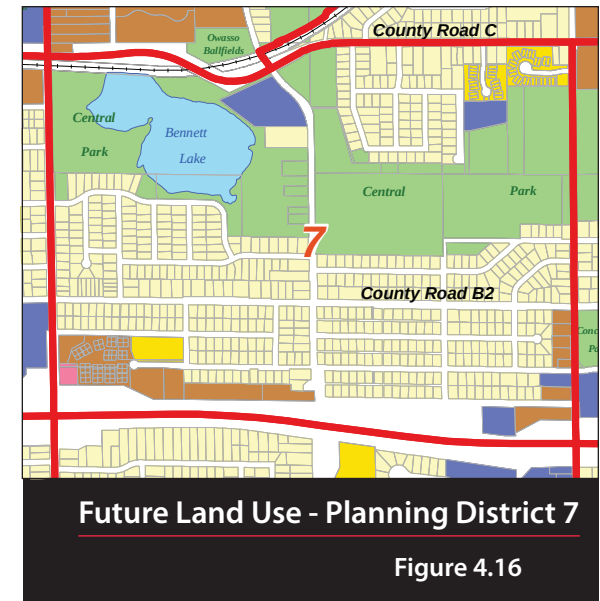
Land-Use Issues

As for many parts of eastern Roseville, the focus of the 2030 Comprehensive Plan is sustaining sound residential neighborhoods. No special land-use issues are identified in District 7.

Future Land Use

Throughout the north-central portion of this district is Central Park, a significant amenity for Roseville. Central Park serves as a foundation for the primary residential character of the district.

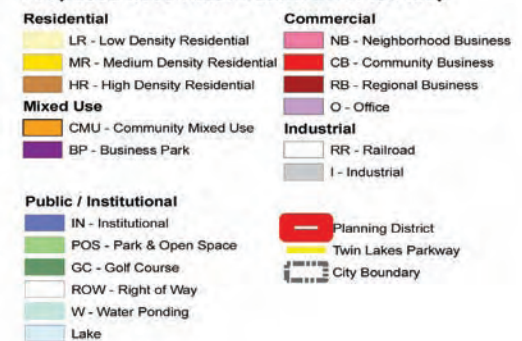
The primary land use is low-density residential (i.e., single-family). Medium- and high-density residential uses are oriented to County Road C, Dale Street, and Highway 36.



Existing Land Use Map



Proposed 2030 Future Land Use Plan Map



District 8

Planning District 8 is bordered by County Road C on the north, Highway 36 on the south, Snelling Avenue on the west and Lexington Avenue on the east.

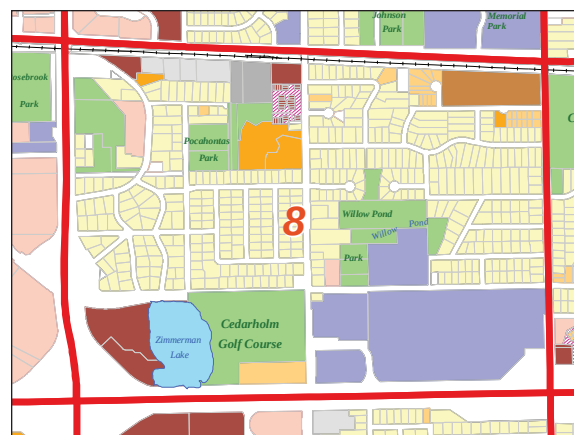
Land-Use Issues

Planning District 8 contains a mix of land uses, which is dominated by single-family residential. The southern edge is formed by public/institutional uses including the Roseville Area High School, Roseville School District 623 headquarters, and Cedarholm Golf Course.

The northern edge is a mix of industrial, office, and residential uses. The Comprehensive Plan envisions the long-term redevelopment of industrial property with higher-density residential. The industrial uses exist on smaller parcels with constrained access. Improvements in the access to these properties will be needed.

Future Land Use

With the exception of the industrial area adjacent to County Road C (see discussion above), the future land-use plan is consistent with current land use.



Existing Land Use - Planning District 8

Figure 4.17



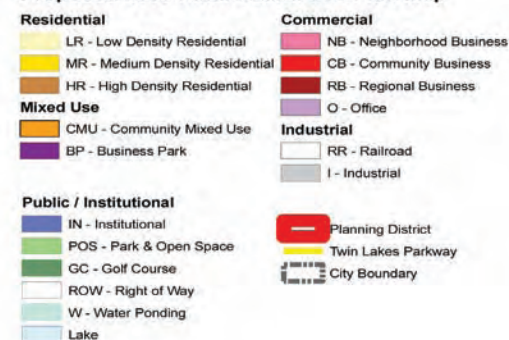
Future Land Use - Planning District 8

Figure 4.18

Existing Land Use Map



Proposed 2030 Future Land Use Plan Map



District 9

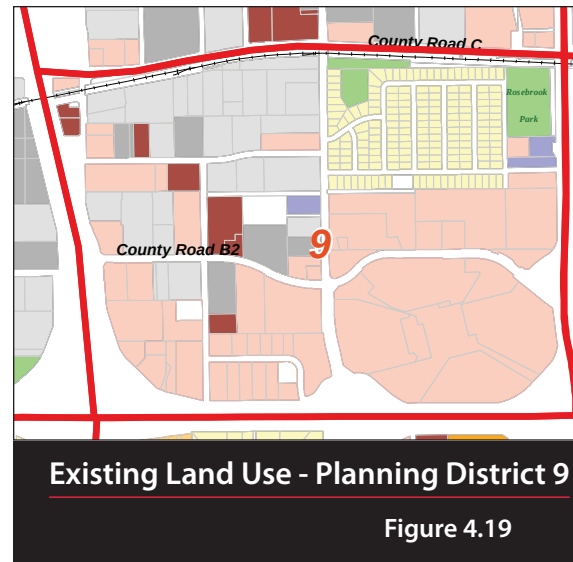
Planning District 9 is bordered by County Road C on the north, Highway 36 on the south, Interstate-35W on the west and Snelling Avenue on the east. District 9 includes four primary uses:

- ♦ Rosedale Shopping Center
- ♦ Crossroads Center, Rosedale Commons, Rosedale Marketplace, and other commercial areas around Rosedale
- ♦ James Addition single-family residential neighborhood
- ♦ Tower Place

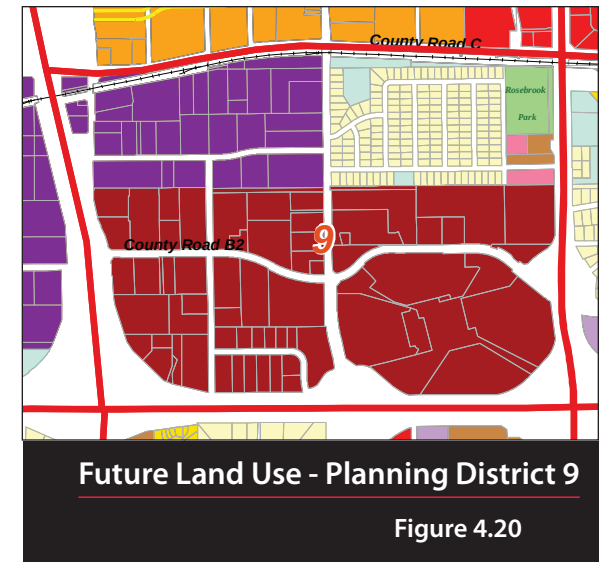
Land-Use Issues

District 9 is a focal point of Roseville's connection with the regional transportation system. Interstate 35W and Highway 36 are regional travel routes. Rosedale Shopping Center serves as a transit hub. The role of Snelling Avenue should increase as a transit connection with the Central Corridor light rail transit line. These transportation systems support the concentration of Regional Business land uses in this district.

History has shown that this access and visibility does not guarantee a successful retail environment. Shopping areas adjacent to Rosedale have realized mixed results. The Comprehensive Plan seeks to establish and sustain an excellent retail environment, allowing businesses to benefit from shared market and customers. The designation of this larger area adjacent to Rosedale as Regional Business represents an expansion of the area allowing regional scale businesses in the future. Attracting businesses with a regional customer base to this district



Existing Land Use Map



Proposed 2030 Future Land Use Plan Map



should decrease pressure to locate such businesses in other areas.

The land-use pattern to the west of Rosedale retains a retail character, but becomes more freestanding businesses. This pattern is likely to continue. While these sites have high visibility, the access is more limited than the immediate Rosedale area. This accessibility should

influence the nature of businesses locating in this part of District 9.

There are existing office, industrial, and institutional uses along County Road B2 west of Fairview Avenue. These include Caterpillar, Salvation Army, and the U.S. Post Office. The Comprehensive Plan does not seek the immediate redevelopment of these properties. Rather, the Plan is an indication of the intent to provide for

future growth of regional commercial businesses when the existing uses are no longer viable.

Access is also an issue for the northern portion of this district. The northern edge of District 9 is formed by a rail line and powerline corridor. Access comes from a single rail crossing and connection with County Road C. A grade change prevents additional street access to the south and creates relatively narrow sites. These factors limit the potential for high-traffic-volume uses.

The rail line has been discussed as a potential future transit corridor (the Northeast Diagonal). Transit service would change the nature of development opportunities in this area.

The Comprehensive Plan seeks to sustain the viability of the James Addition as a low-density residential neighborhood. Although surrounded by major transportation corridors and regional shopping areas, this neighborhood retains its integrity.

Future Land Use

Tower Place is guided with the Business Park category, new for the 2030 Comprehensive Plan. This land use designation is based on the desire to encourage the continued development of the area with office, office/warehouse, and office/showroom types of development. Commercial uses in this area should be supportive of the employment-oriented nature of the area. Lodging and restaurants are existing examples of compatible uses.

The Comprehensive Plan supports the long-term viability of Rosedale as a Regional Business. Although many of the businesses surrounding Rosedale could be found in other commercial land-use areas, the Regional Business designation reflects the influences of a regional

shopping center and two regional transportation corridors (Highway 36 and Interstate 35W).

District 10

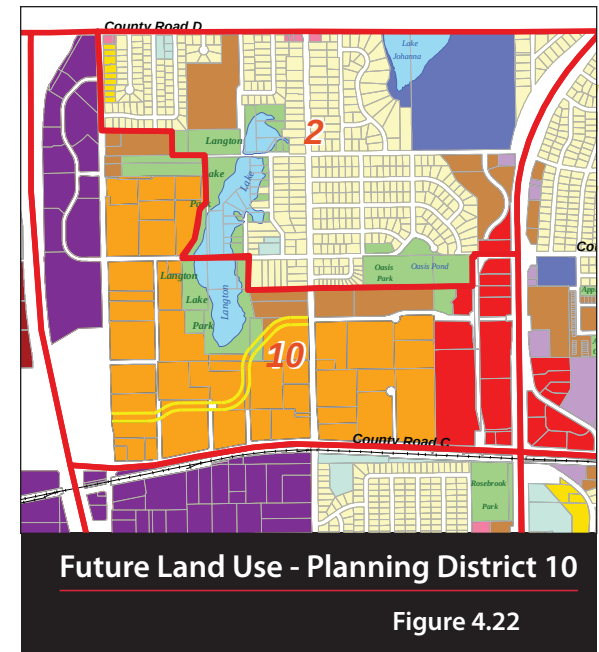
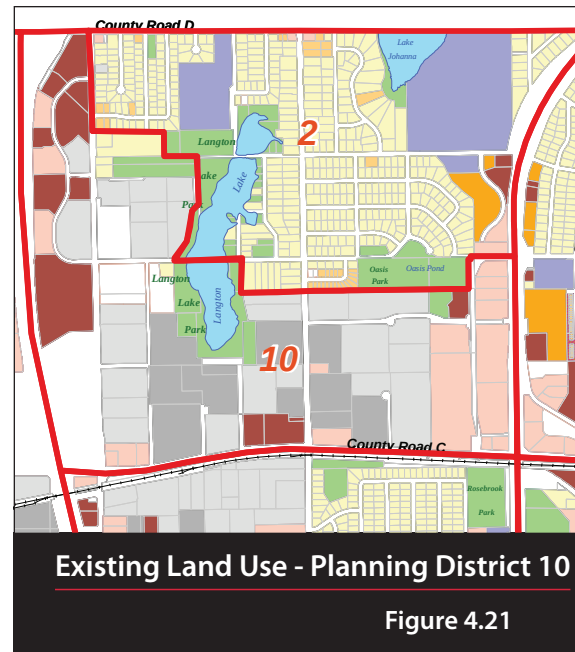
Planning District 10 extends from County Road D on the north to County Road C to the south, and from Interstate 35W on the west to a portion of Snelling Avenue on the east. This area includes the Centre Pointe Planned Unit Development and the Twin Lakes redevelopment area. The area is an evolving mix of office and other businesses with supporting commercial and housing.

The previous versions of the Comprehensive Plan for this district included industrial areas west of Interstate 35W, Tower Place, and the commercial area extending south to Highway 36. The area has been divided into new districts with more common land-use issues.

Land-Use Issues

The primary issue for District 10 will be continuing efforts to facilitate the redevelopment of the Twin Lakes area. Twin Lakes has been a long-term redevelopment focus of the City. A series of planning studies and environmental reviews have defined development issues and community desires for this area. While the location and access to the regional transportation system make District 10 a desirable development area, classic redevelopment issues (e.g. obsolete existing uses, underutilized property, poor site configuration, and site contamination) create challenges in attracting investment.

Previous planning has envisioned a master-planned approach to redevelopment. A large-scale project would allow the City to work with a single developer to guide land uses and public improvements. Such a project has not materialized. Future development will more likely



Existing Land Use Map



Proposed 2030 Future Land Use Plan Map



be a series of smaller projects. This approach places more responsibility on the City for creating an appropriate mix of uses and a sustainable development pattern.

The Rosedale Square and Roseville Crossings retail areas form the east edge of District 10. No additional commercial/retail development of this scale is planned for District 10. Midway Ford is the only auto dealership in Roseville that is not located in a Regional Business area.

Future Land Use

The Twin Lakes area is designated as Community Mixed Use, a new land-use category for the 2030 Comprehensive Plan. The mixed-use designation for this area reflects several factors:

- ♦ The need to retain flexibility in working with developers over an extended period of time to create high-quality and sustainable new development
- ♦ The recognition that the ability to correct site pollution will influence the type and location of development
- ♦ The desire to have employment as the primary orientation of future development, balanced with the recognition that commercial and residential uses help to support business development
- ♦ Twin Lakes should not be developed with shopping as the primary focus of future land use

The Comprehensive Plan lays the foundation for future development. The City intends to rely on the following official controls and environmental studies to guide land use and to evaluate specific development proposals:

- ♦ Zoning regulations

- ♦ Twin Lakes Business Park Master Plan
- ♦ Twin Lakes Business Park Alternative Urban Areawide Review (AUAR)
- ♦ Twin Lakes Redevelopment Area Design Principles

The Centre Pointe area is guided as Business Park, a new land-use category for the 2030 Comprehensive Plan. Centre Pointe is a strong example of the mix of business land uses intended for the category. The primary focus of the area is office and other service businesses. Commercial uses, such as lodging, provide support to the underlying employment objective of this area. Future land use will be a continuation of this pattern.

District 11

Planning District 11 is the area bound by the the city boundary of New Brighton to the north, Interstate 35W to the east and south, the city boundaries of Minneapolis and St. Anthony to the west, and County Road 88 to the northwest.

This district was part of District 10 in the previous Comprehensive Plan.

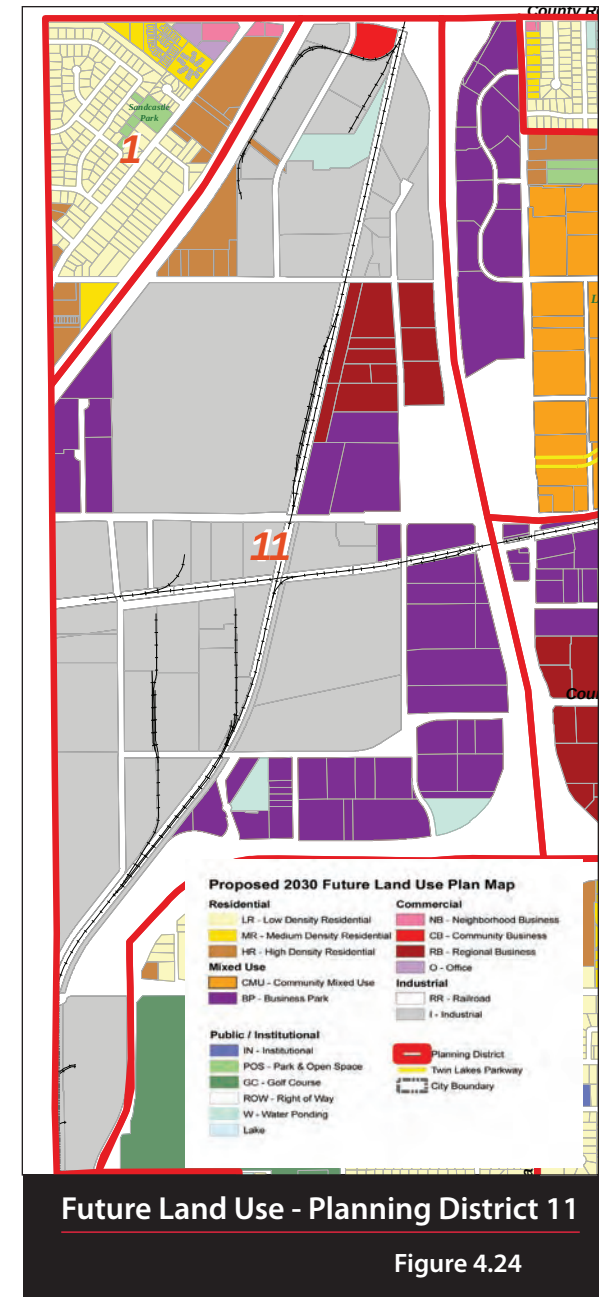
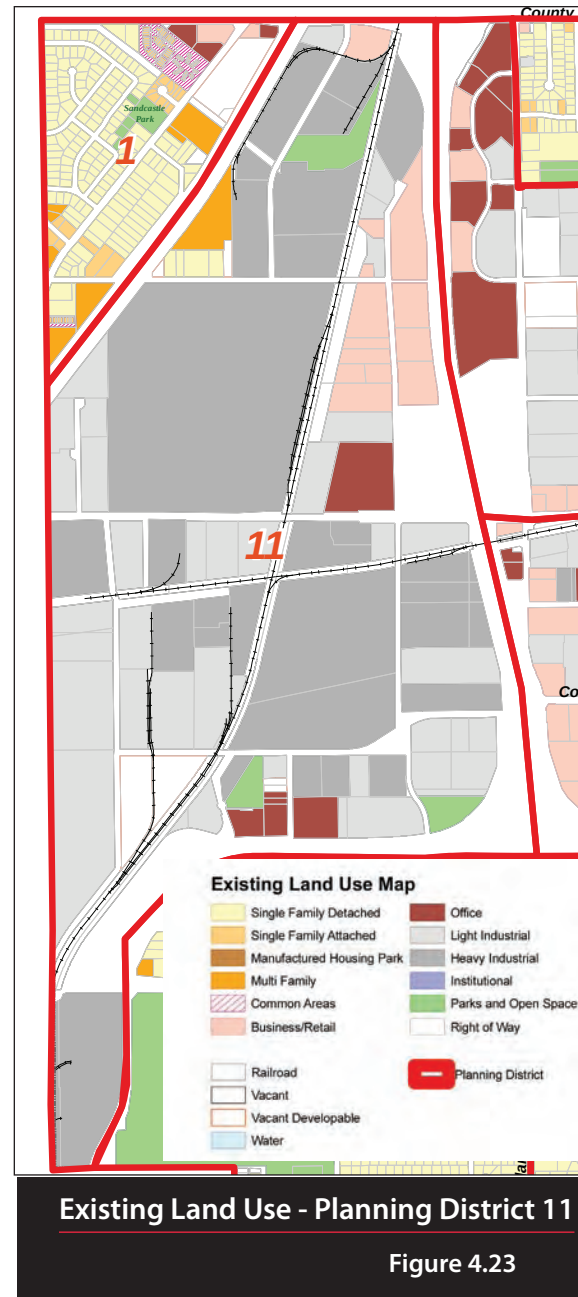
Land-Use Issues

District 11 continues as a major employment area for Roseville and the region. The area is suited to sustaining a wide range of industrial and office uses. New investment has been attracted to this district by its combination of location and accessibility.

The district is located adjacent to Gross Golf Course. The amenity of the golf course combined with the proximity to employment would provide a good location for housing if, in the future, redevelopment of existing industrial was desired.

The Paper Calmenson site is located in the southwest corner of this district. The regional highway system isolates this site from the rest of Roseville. The Plan guides the property for continued industrial use, with the recognition that future redevelopment may be needed.

Automobile dealerships are concentrated adjacent to Interstate 35W north of County Road C. Other commercial uses are limited to service businesses that support the overall office/industrial orientation of this district.



A small triangular area contains existing residential uses, both multifamily and single-family, at the corner of County Road 88 and County Road C2. This area is surrounded by industrial uses and major roads, which creates incompatibility issues and isolates these residents.

Future Land Use

The majority of the district retains an industrial land-use designation to sustain existing uses and to provide an area for similar uses to locate. It is recognized, however, that some existing industrial property is under-utilized. Non-industrial land uses may be considered if compatible with overall plans for this district.

The edges are guided as Business Park. The goal is to continue to attract the new office, office/showroom, and office/warehouse development that has come to this area in recent years.

The automobile dealerships are guided as Regional Business in recognition of the regional draw created by this concentration of businesses. The visibility, access, and location of these properties create a desirable setting for businesses with a regional trade area.

If land in this district is redeveloped with residential uses, the provision of public or private parks/open space should be considered as part of the development. This park land could be designed to improve the district's access to park space in the neighborhood as well as the community's park system. Any residential uses should also be connected with other parts of the community.

District 12

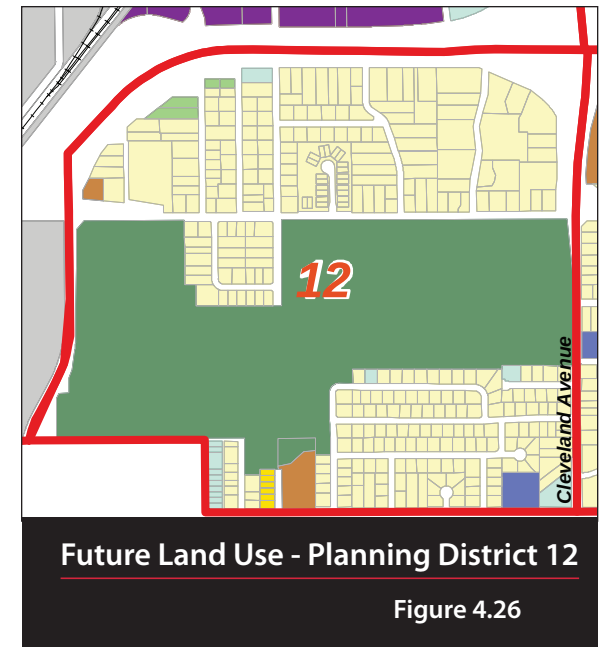
Planning District 12 is bounded on the west by Highway 280 and on the east by Cleveland Avenue. It is bounded on the north by Highway 36 and to the south by Roselawn Avenue.

Land-Use Issues

The land-use pattern in Planning District 12 is dominated by Midland Hills Golf Course, a private golf course, and surrounding residential development. The golf course consists of 160 acres, constituting approximately 40% of the planning district's land, and it physically separates the northern and southern neighborhoods. Experiences of other Twin Cities communities have demonstrated some of the issues created when private golf courses are no longer viable and seek redevelopment. The Comprehensive Plan guides Midland Hills as Golf Course to clearly signify that it is not part of the public park system. The property will be zoned in a manner that makes it consistent with the Comprehensive Plan land-use designation. If future redevelopment is proposed, then the City will address the request in the same manner as any other proposal to change land use.

This planning district currently does not contain any public park space. The closest existing public park is located to the east at Fairview Avenue and County Road B, and is athletic fields only. Because this planning district is fully developed, the potential for finding land for a future park is very limited.

The previous access between County Road B and Highway 280 has been closed. It is anticipated that the street will be turned back to the City and converted to a local



Existing Land Use Map



Proposed 2030 Future Land Use Plan Map



street. That change supports the long-term viability of this neighborhood.

Future Land Use

The Comprehensive Plan supports the existing land-use pattern in District 12. The only future land-use change desired is identification of potential sites for a future neighborhood park.

District 13

Planning District 13 is bounded on the north by Highway 36 and on the south by Roselawn Avenue and is bounded on the west by Cleveland Avenue and on the east by Snelling Avenue.

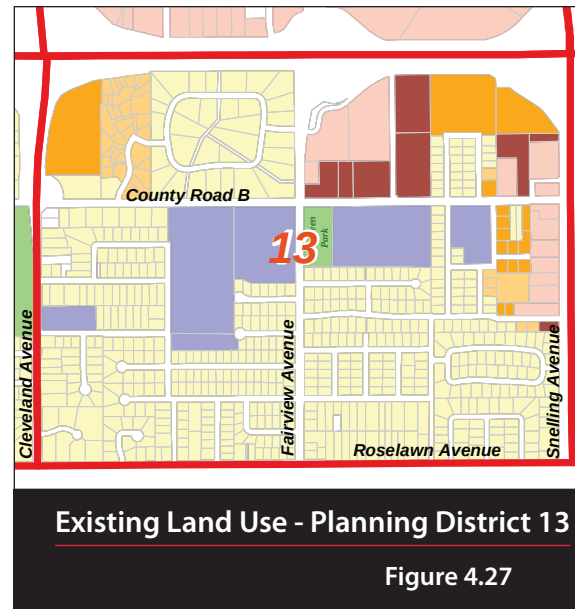
Land-Use Issues

The southeast quadrant of Fairview Avenue and Highway 36 is a commercial district that currently functions as an extension of the Rosedale Area. Site and access constraints make this area best suited for community-scale retail uses in the future. The Plan envisions this commercial area, which could be retail, service, or office uses, extending south to County Road B.

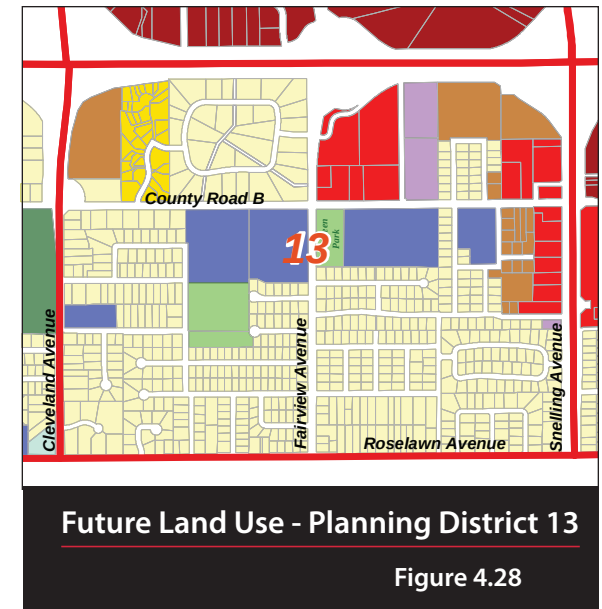
Small retail uses line the west side of Snelling Avenue. This area is a viable retail setting despite poor access and internal movement. Access and site dimensions limit alternatives for use of these properties.

The single-family neighborhood north of County Road B (Midlothian Road-Laurie Road-Haddington Road) is surrounded by land uses not typically compatible with low-density residential. The planning process for the 2030 Comprehensive Plan considered other land uses and opted to retain the existing low-density residential designation. The City should monitor the condition of this housing stock. If redevelopment becomes necessary or desirable, change should not be piecemeal. Since low-density residential land uses are anticipated to remain here long-term, adjacent non-residential land uses are guided for office uses rather than more intense business uses.

Residential areas south of County Road B are also impacted negatively by the high-intensity commercial



Existing Land Use Map



Proposed 2030 Future Land Use Plan Map



uses along Snelling Avenue, including spillover noise, traffic, and lighting.

Overall, this district is a mix of institutional uses, large-lot single-family residential, smaller-lot single-family residential, apartments, condominiums, office, and retail. This planning district is lacking adequate public parks and open spaces to support this mix of land uses. The only public park located within the district is the 4-acre Evergreen Park, which is athletic fields. The planning district does not have a neighborhood park.

Future Land Use

The Comprehensive Plan primarily guides future land uses to support the existing land-use pattern. The commercial areas along Snelling Avenue and Fairview Avenue are guided to be more community-oriented in the future, so they are designated as Community Business rather than Regional Business uses. If and when any of these commercial properties redevelop, there is a need to provide adequate buffering between the commercial uses and the adjacent residential uses.

Since this planning district lacks adequate public parks, the City should pursue identification and acquisition of land for future parks whenever opportunities emerge. The City should continue to promote a cooperative venture with School District 623 for the Fairview Community Center property. In the event that the land is for sale or is available for a land-use change, the City should consider this land for a future community center or park land.

District 14

Planning District 14 is bounded on the north by Highway 36 and on the south by Larpenteur Avenue. It is bounded on the west by Snelling Avenue and on the east by Lexington Avenue.

Land-Use Issues

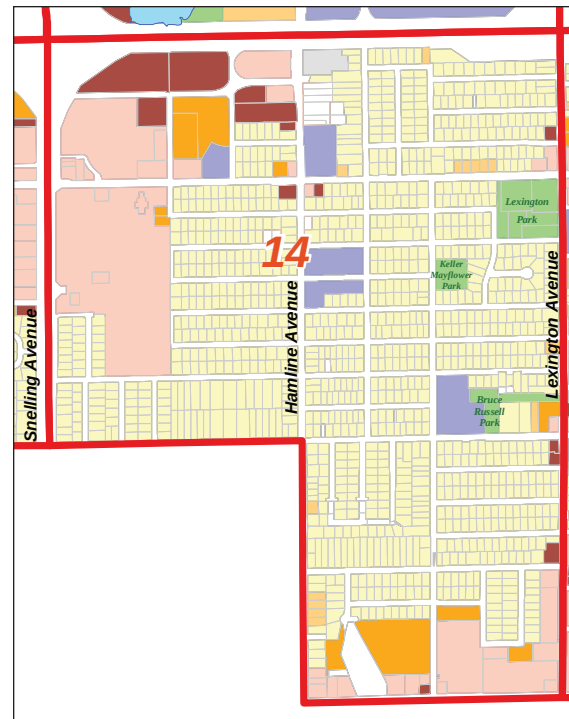
The continued evolution of the HarMar Mall shopping center will be a key factor for this area. The core facilities are changing from the original indoor shopping mall to more exterior-facing storefront and freestanding buildings. The Comprehensive Plan encourages changes toward a sustainable commercial district based on retail and service businesses.

The enhancement of transit facilities and service in this area could create an opportunity for integrating housing with these commercial uses. Additional study is needed to evaluate adequately the viability of a mixed-use development pattern at HarMar.

The single-family residential area along Sandhurst Drive west of Hamline Avenue is sound, but is surrounded by more intense land uses. The City should monitor the condition of this housing stock. If redevelopment become necessary or desirable, change should not be piecemeal.

The western portion of this planning district is underserved by public parks, similar to Districts 12 and 13. The closest neighborhood parks are to the east near Lexington Avenue.

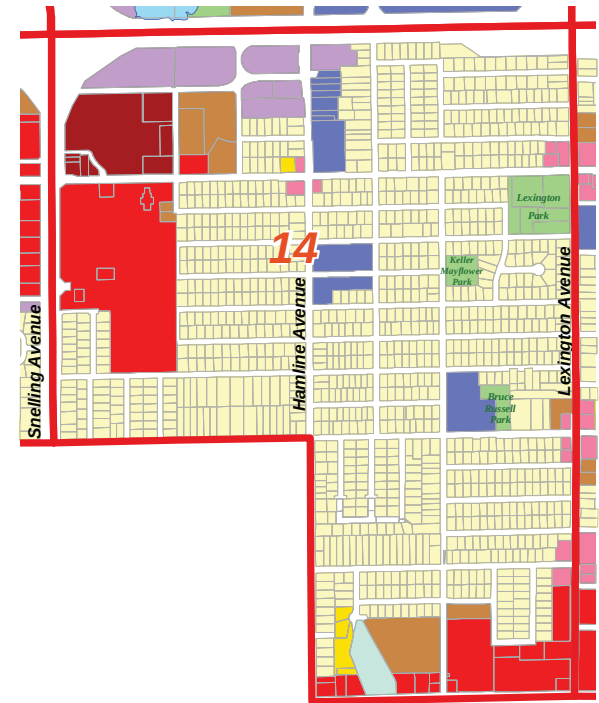
The Ramsey County Library is an attraction for District 14. The library is programmed for expansion to the north. The Comprehensive Plan supports the commercial node at County Road B and Hamline Avenue



Existing Land Use - Planning District 14

Figure 4.29

Existing Land Use Map



Future Land Use - Planning District 14

Figure 4.30

Proposed 2030 Future Land Use Plan Map



and encourages development of businesses that take advantage of the attraction created by the Library.

Future Land Use

The Comprehensive Plan seeks to:

- ♦ Promote strong commercial districts at Snelling Avenue and County Road B and at Larpenleur Avenue and Lexington Avenue
- ♦ Focus medium- and high-density residential around the commercial districts
- ♦ Sustain neighborhood commercial nodes at:
 - County Road B and Hamline Avenue
 - County Road B and Lexington Avenue
 - Lexington Avenue and Roselawn Avenue
- ♦ Maintain the integrity of existing single-family neighborhoods that constitute the majority of land use in this district
- ♦ Explore opportunities for providing a future neighborhood park in the western half of the planning district
- ♦ Pursue a more detailed study of the HarMar Mall site that explores future land-use and redevelopment alternatives for this site

District 15

Planning District 15 is bounded by Highway 36 on the north, Larpenteur Avenue on the south, Lexington Avenue on the west and Dale Street on the east.

Land-Use Issues

The keys to future land use in this district involve supporting existing commercial districts and nodes while maintaining the integrity of the predominantly single-family residential land-use pattern.

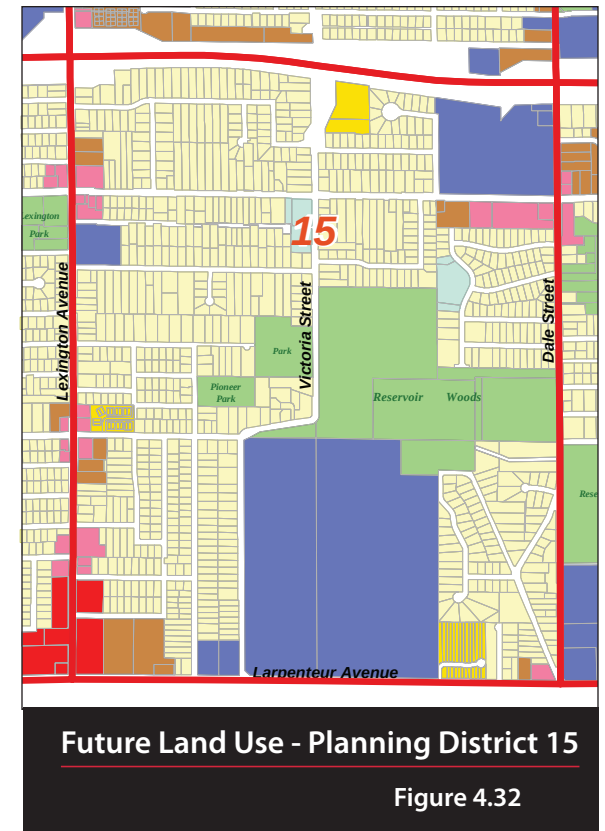
Future Land Use

The Comprehensive Plan seeks to support the existing mix of land uses by:

- ♦ Promoting a strong commercial district at Larpenteur Avenue and Lexington Avenue
- ♦ Focusing medium- and high-density residential at existing locations along major street corridors
- ♦ Sustaining neighborhood commercial nodes at:
 - County Road B and Lexington Avenue
 - Lexington Avenue and Roselawn Avenue
 - County Road B and Dale Street
- ♦ Maintaining the integrity of existing single-family neighborhoods that constitute the majority of land use in this district



Existing Land Use Map



Proposed 2030 Future Land Use Plan Map



District 16

Planning District 16 is bordered on the north by Highway 36, on the south by Larpenteur Avenue, on the west by Dale Street, and on the east by Rice Street.

Land-Use Issues

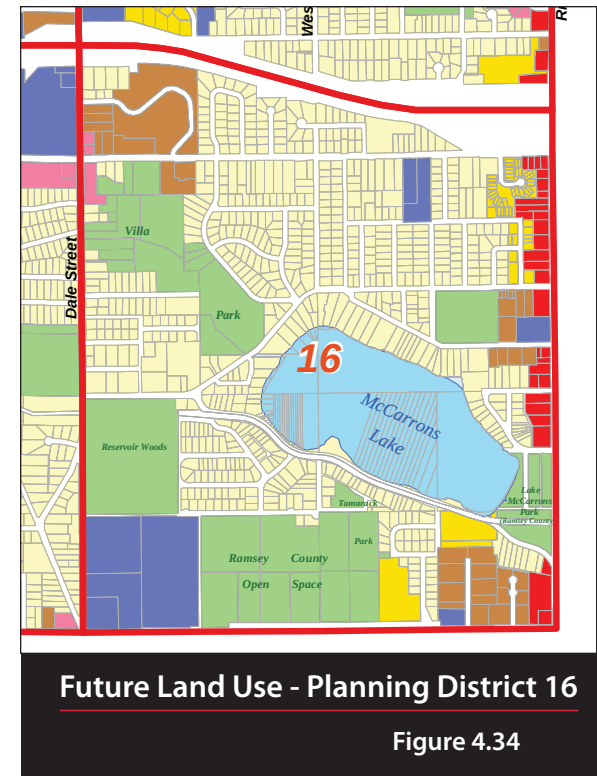
As described in District 6, an important initiative growing out of the 2008 Comprehensive Plan update process is the need to undertake more detailed planning for the Rice Street corridor. Located in Roseville, Little Canada, and Maplewood, the corridor is a complex setting with a wide range of land uses, which creates both the opportunity and the need for redevelopment. The level of investigation conducted in preparation of the 2030 Plan did not allow for the planning needed to explore future land-use options in conjunction with the adjacent cities.

There have been discussions about changes in use for Ramsey County detention facilities in this district. No changes to this land use are shown in the Comprehensive Plan.

Future Land Use

District 16 consists of numerous open spaces, including wetlands, a County park, City park systems, cemetery space, and St. Paul Water Works property. The primary focus of land-use planning for this district is to preserve open space and sustain residential areas.

The Plan seeks to strengthen the viability of Rice Street for retail, service, and office businesses.



Existing Land Use Map



Proposed 2030 Future Land Use Plan Map





Parks, Open Space, and Recreation

The Parks, Open Space, and Recreation chapter guides future development and improvements to the City's parks, open space, and recreation system. This chapter contains the following elements:

- Introduction
- Goals and policies
- Park classification system
- Designations of individual parks, open spaces, and recreation facilities
- Issues and potential improvements

Introduction

Parks, open spaces, and recreation facilities serve a number of important functions in Roseville. Parks provide citizens with attractive and convenient recreation opportunities that ultimately enhance the living environment of the City's neighborhoods and the community as a whole. Access to high-quality

recreational facilities can enhance the physical, social, and economic health of the community. Parks also serve as neighborhood and community gathering places and often provide a major focal point and sense of identity for individual neighborhoods.

Park and open space land contribute to the environmental health of the community. By properly locating and designing parks and open spaces, these areas can also help control flooding, improve the quality of surface water, replenish the ground water supply, reduce air pollution, and preserve significant natural resources.

The parks, open spaces and recreation system can also function as connection and transition areas within the community. The system of recreation areas, including the pathways system, is intended to connect neighborhoods with other neighborhoods and with major community destinations, particularly schools, civic facilities, and shopping areas. Parks and open spaces can also be used effectively to create a "buffer"

between different land uses, particularly residential and nonresidential.

The City must plan for a suitable amount of park and open space areas. These lands must be located in the proper locations and contain the appropriate recreational facilities for each area and its anticipated park users. Population and age of residents, as well as changes in such matters as attitude toward the environment, amount of leisure time available, and the type of recreational activities preferred should determine the type and location of individual park, open space, and recreation facilities that are needed.

The City's existing parks, open spaces, and recreation facilities are shown on Figure 9.1 (Existing Parks and Open Spaces) including the type and jurisdictional responsibility for each park.

The City's Parks and Recreation System Plan requires updating. The City is anticipating a major update of the System Plan in 2008-2009. The System Plan will provide more detailed guidance for the parks, open space, and recreation facilities system. The update process will most likely involve an intensive evaluation

The Parks and Recreation System Plan is primary tool for guiding the operation and maintenance of Roseville's park system. The City uses individual park and facilities master plans as tools for implementing the System Plan. The System Plan must also connect and coordinate with other municipal plans including the Comprehensive Plan, Pathways Master Plan and Transportation Plan. The Comprehensive Plan reinforces goals, policies and plans in the System Plan and seeks to guide land use in a manner consistent with the System Plan.

of the existing system, a community-needs assessment, revised vision and goals, and a revised system plan map. This major update of the System Plan will involve the community and may result in necessary amendments to the Comprehensive Plan.

This updated Plan, along with the Parks and Recreation Strategic System Plan and Park Improvement Program, will provide the basis for developing the Capital Improvements Plan (CIP) for parks and recreation expansion and improvements. The CIP is a ten-year plan that is used to set long-term and short-term (annual) budgets for development of parks and recreation facilities. The CIP is updated annually.

Goals and Policies

The following goals and policies are established to guide future development and decision-making relating to parks, open spaces, and recreation facilities:

Goal 1: Provide a high-quality, financially sound system of parks, open spaces, trails, and multigenerational recreation facilities that meets the recreation needs of all city residents and enhances the quality of life in Roseville.

Policy 1.1: Evaluate and refurbish parks, as needed, to reflect needs related to changes in population, age of nearby residents, recreational activities preferred, amount of leisure time available, and contemporary park designs and technologies.

Policy 1.2: Evaluate the maintenance implications of potential park land acquisitions and capital improvements.

Policy 1.3: Research, develop, and recommend funding programs in order to carry out the proposed park and recreation system needed within Roseville.

Policy 1.4: Partner with adjacent communities, agencies, and school districts to leverage resources available to optimize open space, fitness and recreation programming, and facility options.

Policy 1.5: Develop park and recreation facilities that minimize the maintenance demands on the City by emphasizing the development of well-planned parks, high-quality materials and labor-saving maintenance devices and practices.

Policy 1.6: Promote and support volunteerism to encourage people to actively support the City's parks and open spaces.

Goal 2: Maintain an ongoing parks and recreation planning process that provides timely guidance for maintaining the long-term, sustained viability of the City's parks, open spaces, and recreation facilities system.

Policy 2.1: Re-evaluate, update, and adopt a Park and Recreation System Plan at least every five years to reflect new and current trends, changing demographics, new development criteria, unanticipated population densities, and any other pertinent factors that affect park and recreation goals, policies, and future directions of the system.

Policy 2.2: Develop and implement park master plans.

Policy 2.3: Support involvement of the Park and Recreation Commission in the parks and recreation planning process.

Policy 2.4: Monitor progress on the Parks and Recreation System Plan on an annual basis to ensure that it provides actionable steps for maintaining, improving and expanding the system.

Policy 2.5: Annually recommend the adoption of a ten-year Capital Improvements Plan (CIP) for Parks and Recreation.

Policy 2.6: Involve a diverse group of participants in the parks and recreation planning process.

Goal 3: Add new park and recreation facilities to achieve equitable access in all neighborhoods, accommodate the needs of the City's redeveloping areas, and meet residents' desires for a broad range of recreation opportunities serving all age groups.

Policy 3.1: Determine potential locations and acquire additional park land in neighborhoods that are lacking adequate parks and recreation facilities.

Policy 3.2: Determine potential locations for new park facilities in redevelopment areas as part of the redevelopment process and use the park dedication process to acquire the appropriate land.

Policy 3.3: Make continued effective use of the Park Dedication Ordinance. Park land dedication will be required when land is developed or redeveloped for residential, commercial, and industrial purposes. The City will annually review its park dedication requirements in order to assure that dedication regulations meet statutory requirements and the needs of Roseville.

Goal 4: Create a well-connected and easily accessible system of parks, open spaces, trails, and recreation facilities that links neighborhoods and provides opportunities for citizens to gather and interact.

Policy 4.1: Connect the park system to the neighborhoods and community destinations via paths and trails.

Policy 4.2: Make the park system accessible to people with physical disabilities.

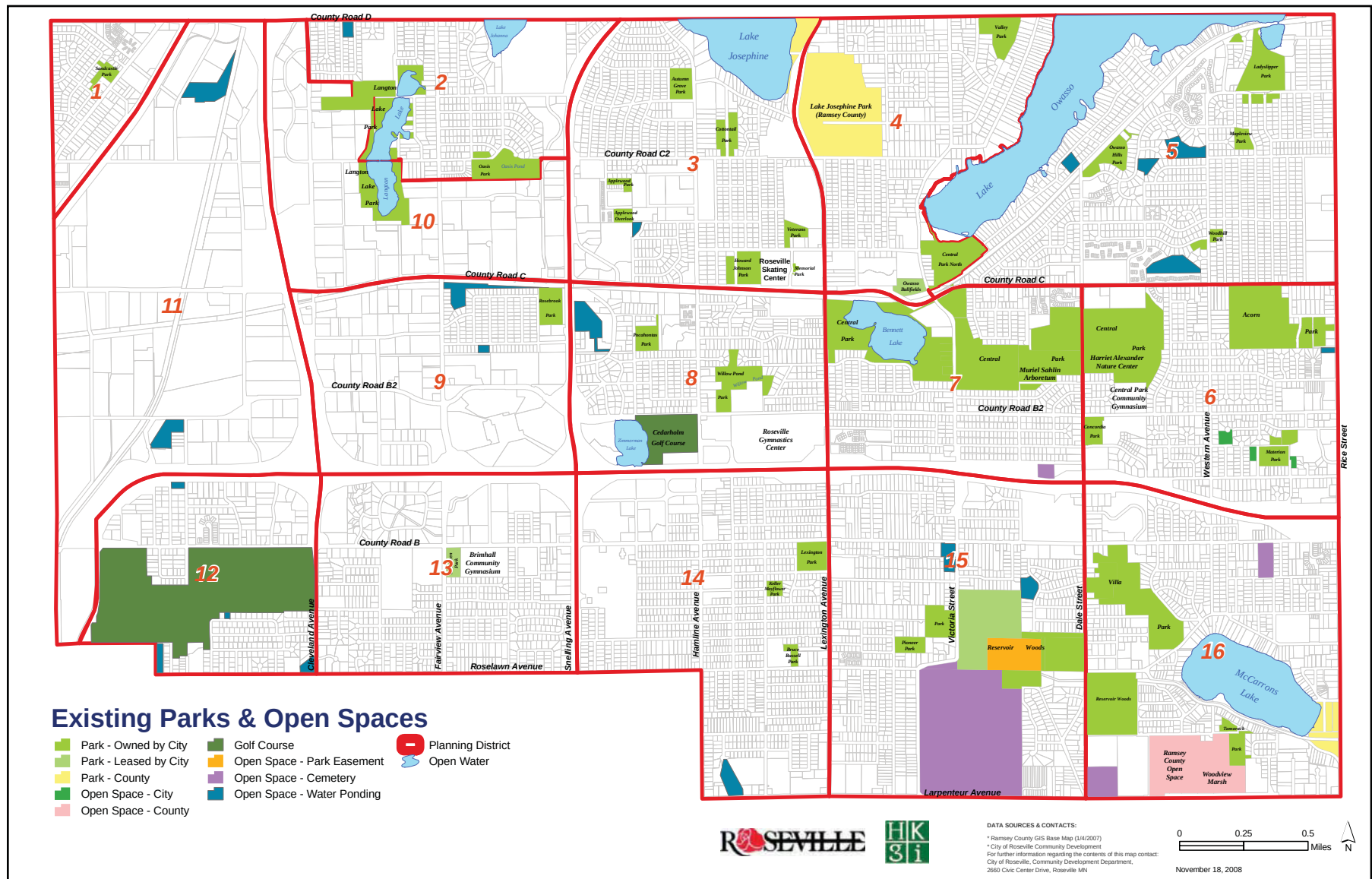
Policy 4.3: Align development and expansion of the non-motorized pathways system with the need to provide connections to and within the parks, open spaces and recreation system.

Goal 5: Preserve significant natural resources, lakes, ponds, wetlands, open spaces, wooded areas, and wildlife habitats as integral aspects of the parks system.

Policy 5.1: Encourage dedication of parks, open spaces, and trails in new development and redevelopment areas that also preserve significant natural resources on and/or adjacent to the subject site.

Policy 5.2: Utilize adopted Natural Resources Management Plans to manage and restore the significant natural resources in the park system.

Policy 5.3: Seek ways to effectively preserve wooded areas and to appropriately add trees to parks, open spaces, boulevards, and other City property.



Existing Parks and Open Spaces

Figure 9.1

Park Classification System

The City’s parks, open spaces and recreation facilities are organized into seven classifications, defined as follows:

Play Lot (PL)

Play lots are small parks intended for informal recreation, play and relaxation. There are two play lots in the existing park system.

Neighborhood Park (NP)

Neighborhood parks offer opportunities for a variety of recreational activities, both organized and informal. There are 16 neighborhood parks in the existing park system.

Community Park (CP)

Community parks are larger and offer diverse environmental features, including unique natural open space. They offer many opportunities for recreation. There are three community parks in the existing park system.

Urban Park (UP)

Urban parks offer varied natural features and include a wide range of recreational opportunities. There are two urban parks in the existing park system.

Trail Park (TP)

Trail parks offer opportunities for recreational travel, such as hiking or biking through areas of natural beauty. There are four trail parks in the existing park system.

Athletic Field (ATHP)

Athletic fields are park areas that are entirely designed for organized athletic play. There are three athletic fields in the existing park system.

Conservancy Park (CONP)

Conservancy parks are intended for the protection and preservation of the natural environment, and offer recreational opportunities. There are three conservancy parks in the existing park system.

Regional Facility (RF)

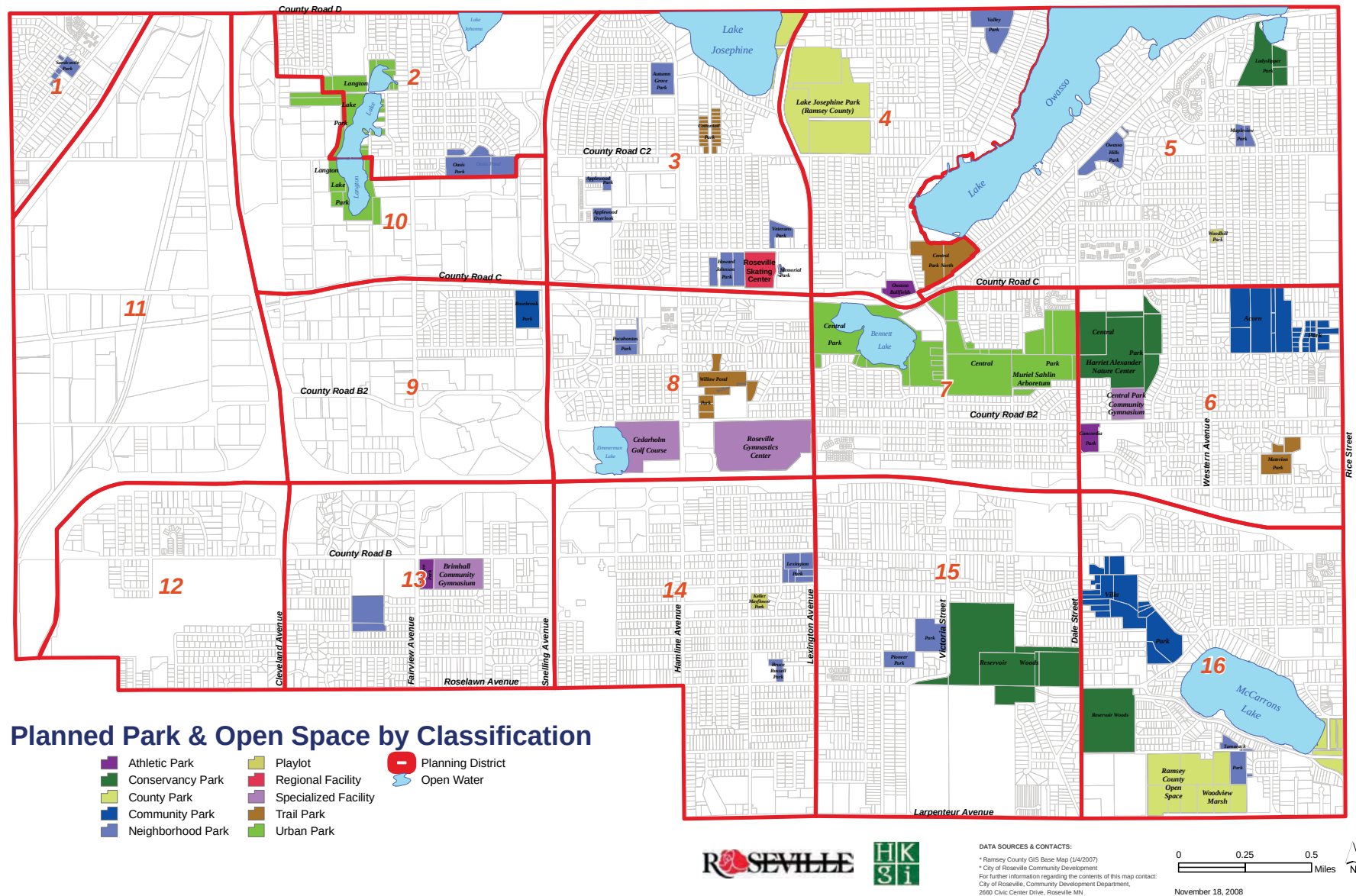
Regional facilities provide unique recreational facilities that are used by people throughout the region. The Roseville Skating Center is the only regional facility in the existing system.

Specialized Facility (SF)

Specialized facilities represent elements of the park system that should be identified for their special use and purpose. Specialized facilities in the existing system include Cedarholm Golf Course, Harriet Alexander Nature Center and Muriel Sahlin Arboretum, Roseville Gymnastics Center, Central Park Community Gymnasium, and Brimhall Community Gymnasium.

Table 9.1 Park Classifications lists the City’s existing parks, open spaces, and recreational facilities by park classification.

Figure 9.2 Planned Parks and Open Space by Classification shows the location and classification of each of the City’s parks, open spaces, and recreational facilities.



Planned Parks and Open Space by Classification

Figure 9.2

Park Classification	Park	Acres
Playlot (PL)	Keller Mayflower	2.26
	Woodhill	2.60
Neighborhood Park (NP)	Applewood Overlook	2.42
	Applewood Park	2.09
	Autumn Grove	6.54
	Bruce Russell	1.95
	Howard Johnson	9.56
	Lexington	8.18
	Mapleview	3.28
	Memorial (Civic Center Campus)	
	Oasis	15.37
	Owasso Hills	8.53
	Pioneer	13.52
	Pocahontas	5.67
	Sandcastle	3.43
	Tamarack	6.93
	Valley	10.58
	Veterans	3.59
Community Park (CP)	Acorn	44.60
	Rosebrook	8.28
	Villa	33.10
Urban Park (UP)	Central	139.25
	Langton Lake	62.72
Trail Park (TP)	Central Park North	17.47
	Cottontail	6.48
	Materion	8.51
	Willow Pond	14.88

Park Classification	Park	Acres
Conservancy Park (CONP)	Central Park - Nature Center	52.28
	Ladyslipper	17.48
	Reservoir Woods	109.42
Athletic Field (ATHP)	Concordia	4.77
	Evergreen	3.94
	Owasso Fields	4.40
Regional Facility (RF)	Roseville Skating Center	
Specialized Facility (SF)	Cedarholm Golf Course	
	Harriet Alexander Nature Center	
	Muriel Sahlin Arboretum	
	Central Park Community Gymnasium	
	Brimhall Community Gymnasium	
	Roseville Gymnastics Center	

Park Classifications

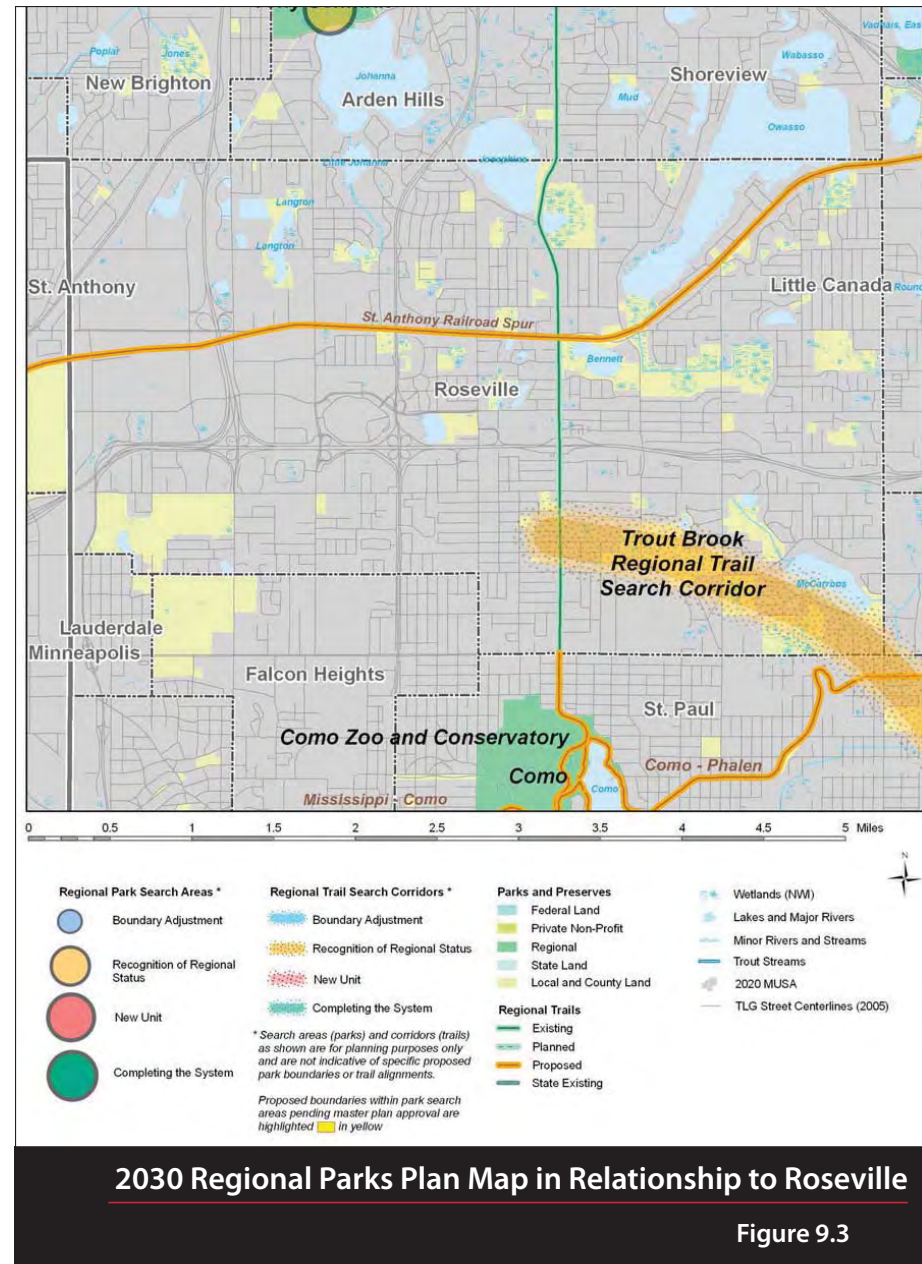
Table 9.1

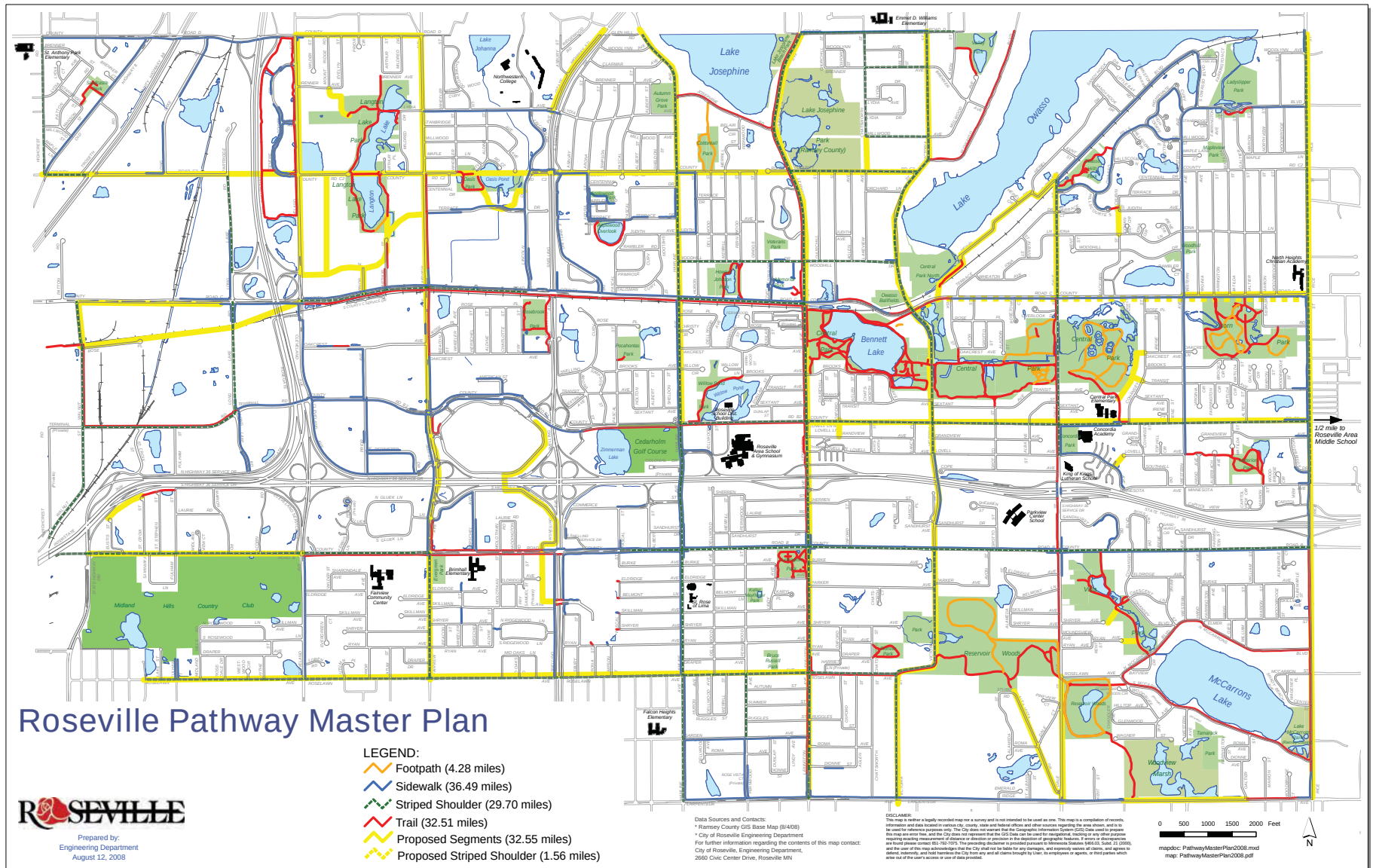
Pathways

Pathways, which include footpaths, trails, sidewalks, and bike lanes, are an important part of Roseville's park system. Pathways allow people to move within a park. Pathways provide access to parks, creating connections from neighborhoods to parks, recreation facilities, and schools. Pathways provide recreation and fitness opportunities, promoting an active and healthy lifestyle for Roseville residents.

Roseville is committed to working with the Metropolitan Council, Ramsey County, adjacent cities, and other agencies to promote regional trail projects and to coordinate local trail systems. Figure 9.3, which is the 2030 Regional Parks Plan Map for Roseville, shows the three regional trails identified in Roseville's System Statement from the Metropolitan Council, including the existing Lexington Avenue Regional Trail, proposed St. Anthony Railroad Spur Regional Trail, and the Trout Brook Regional Trail Search Corridor. The existing County trail along Lexington Avenue is a newly designated regional trail. Since the St. Anthony railroad corridor currently has an active railroad operating on the tracks, trail planning for this potential regional trail corridor would not take place until there is a change in the status of the use of the tracks. At such time that the tracks become inactive for railroad use, Ramsey County would work with the City and others to create a trail master plan. Ramsey County is planning to work with the city and others to explore the potential for an extension of the existing Trout Brook Trail in St. Paul northwest to provide a connection to the newly designated Lexington Avenue Regional Trail in Roseville.

In 2008, the City established a Pathway Advisory Committee to update the City's Pathway Master Plan. This





Pathway Master Plan

Figure 9.4

plan was first adopted by the City Council in 1997, with updates in 2001 and 2002. The purpose of the Pathway Master Plan is to provide a set of guidelines for the development of the community's pathway network. These guidelines provide policies and standards for the planning, design, construction, maintenance, promotion, and regulation of Roseville's pathway facilities.

The recommendations provided in the Pathway Master Plan focus not only on the physical facilities, but also on promoting safe pathway use through education and enforcement. The City will use the Pathway Master Plan to assist the City Council on decisions regarding pathway issues. For reference, Figure 9.4 is the Pathway Master Plan Map. This depicts the City's existing pathway system, the proposed pathway connections from the 2002 plan update, and the proposed pathway connections in the 2008 update.

Building connections and enabling people to travel without a vehicle is an objective that cannot be limited to the Parks, Open Space, and Recreation chapter. Sidewalks and trail corridors are created as land is developed. Redevelopment provides the opportunity to build pieces that are missing from the current system. The Transportation chapter (Chapter 5) is a critical tool for influencing non-vehicular movement in Roseville. Street improvements create the opportunity for related improvements to sidewalks, trails, and pedestrian crossings. Street design determines the ability to provide safe travel areas for bicycles. Coordination of all aspects of the Comprehensive Plan is essential to making Roseville a safe and convenient place to travel by foot, bicycle, and other non-vehicular means.

Issues and Potential Improvements

Due to the anticipated update of the City's Parks and Recreation System Plan, a general assessment of future issues related to parks, open spaces, and recreation facilities was conducted to provide general guidance for future initiatives. This assessment highlighted several issues and potential issues.

1. Some neighborhoods are currently lacking adequate parks and recreation facilities. Using the Planning Districts (in the Land Use Chapter) to also function as park service districts, Districts 1, 10, 11, 12, and 13 have been identified, through public comment, as lacking adequate park and recreation facilities.
2. Roseville has a history of exploring the community's needs, interests, and ideas for a future community center facility, including the City Center Master Plan. The IR2025 report established a specific strategy focused on the exploration of a future community center. Additional investigations are required to evaluate location options, facility components, and development feasibility.
3. A number of undeveloped open space properties still exist within the community that are owned by a single property owner. These properties could provide valuable opportunities to preserve natural open spaces and create connections within the parks and recreation system in the future.
4. The Northeast Diagonal transit corridor may provide future opportunities for enhancing the community's parks and recreation system. These enhancements could include construction of a recreational trail in the corridor to provide improved connections within the community as well

as more direct access to the nearby recreational facilities in Minneapolis, particularly the Grand Round system.

It is anticipated that these issues will be explored as part of the process of updating the Park and Recreation System Plan.

10 Utilities

Introduction

The City of Roseville provides a variety of public facilities and services. Utility services are essential to the health, safety, and welfare of its citizens. Sanitary sewer and water are absolutely necessary for the efficient functioning of the City. Since the physical infrastructure of Roseville is aging, the City recognizes the need to track and evaluate the condition of the City's infrastructure. The Capital Improvement Plan (CIP) is one tool that is used to plan for rehabilitation and/or replacement of facilities as appropriate.

The Utilities chapter of the Comprehensive Plan contains the following components:

- ◆ Goals and Policies
- ◆ Water Supply System
- ◆ Sanitary Sewer System
- ◆ Utilities Capital Improvement Plan (CIP)
- ◆ Other Utilities
- ◆ Implementation Strategies

Goals and Policies

The preservation and protection of the City's utilities is vital to the community's health and residents' quality of life. To accomplish this, the City of Roseville has identified the following goals and policies:

Goal 1: Provide efficient and high quality public facilities, services, and infrastructure.

Policy 1.1: Provide reliable and high-quality water and sanitary sewer facilities.

Policy 1.2: Work to provide efficient and cost-effective services through ongoing evaluation and intergovernmental coordination.

Policy 1.3: Maintain an up-to-date emergency preparedness plan.

Policy 1.4: Work to reduce inflow and infiltration into the City's sanitary sewer system.

Policy 1.5: Prepare long-term plans to identify, prioritize, and determine the costs to maintain and/or replace City water and sewer facilities.

Policy 1.6: Utilize the CIP and annual budgeting process for prioritizing major public expenditures.

Goal 2: Work with private utilities and other governmental entities to ensure that Roseville residents and businesses have high-quality and reliable electric, natural gas, telecommunications, and other services.

Policy 2.1: Encourage private utilities to replace outdated infrastructure and to provide new infrastructure that allows residents, businesses, and institutions to make effective use of current technologies.

Policy 2.2: Coordinate public improvement projects with private utilities to facilitate replacement or updating of existing utilities.

Policy 2.3: To improve aesthetics within the city, work with private utility providers to convert overhead utility lines to underground utility lines.

Policy 2.4: Communicate City land-use and development plans to private utilities to ensure that adequate services are available.

Policy 2.5: Monitor private utility maintenance and reliability statistics and consult with adjoining municipalities and other governmental entities regarding adequacy of services.

Goal 3: Coordinate the installation of communication technology infrastructure to be responsive to rapidly evolving systems.

Policy 3.1: Require installation of communication infrastructure in all development and redevelopment projects.

Policy 3.2: Require communication infrastructure installation on all street reconstruction projects.

Water Supply System

Roseville's Water Supply Plan provides the City and its residents with assurance of adequate safe water to meet their needs and procedures for water system emergencies. It also discusses measures the City is implementing to conserve this precious resource.

The Water Supply Plan consists of four parts:

- ♦ Part I: Water supply system description and evaluation
- ♦ Part II: Emergency response procedures
- ♦ Part III: Water Conservation Plan
- ♦ Part IV: Metropolitan Land Planning Act Requirements

The City of Roseville purchases treated, potable water from Saint Paul Regional Water Services. The current wholesale water contract is for a 20-year period and is in place until 2025. Saint Paul Regional Water Services provides the required treatment processes before the water is introduced into the water distribution system in Roseville; no further treatment is required by the City. The City distributes the water to its retail customers. Roseville also provides wholesale water via its system to the City of Arden Hills. To accomplish this, there are three interconnection points with the City of Arden Hills:

City	Size	Location
Little Canada	8"	County Road C and Rice Street
Little Canada	12"	South of Woodlynn on Rice Street
Shoreview	8"	County Road D and Lexington
New Brighton	6"	Old Highway 8 and County Road D
St. Anthony	12"	West of Patton Road on County Road C
Lauderdale	6"	Roselawn and Lake Street
St. Paul	8"	Galtier Street and Larpenteur Avenue

Community Cross Connections

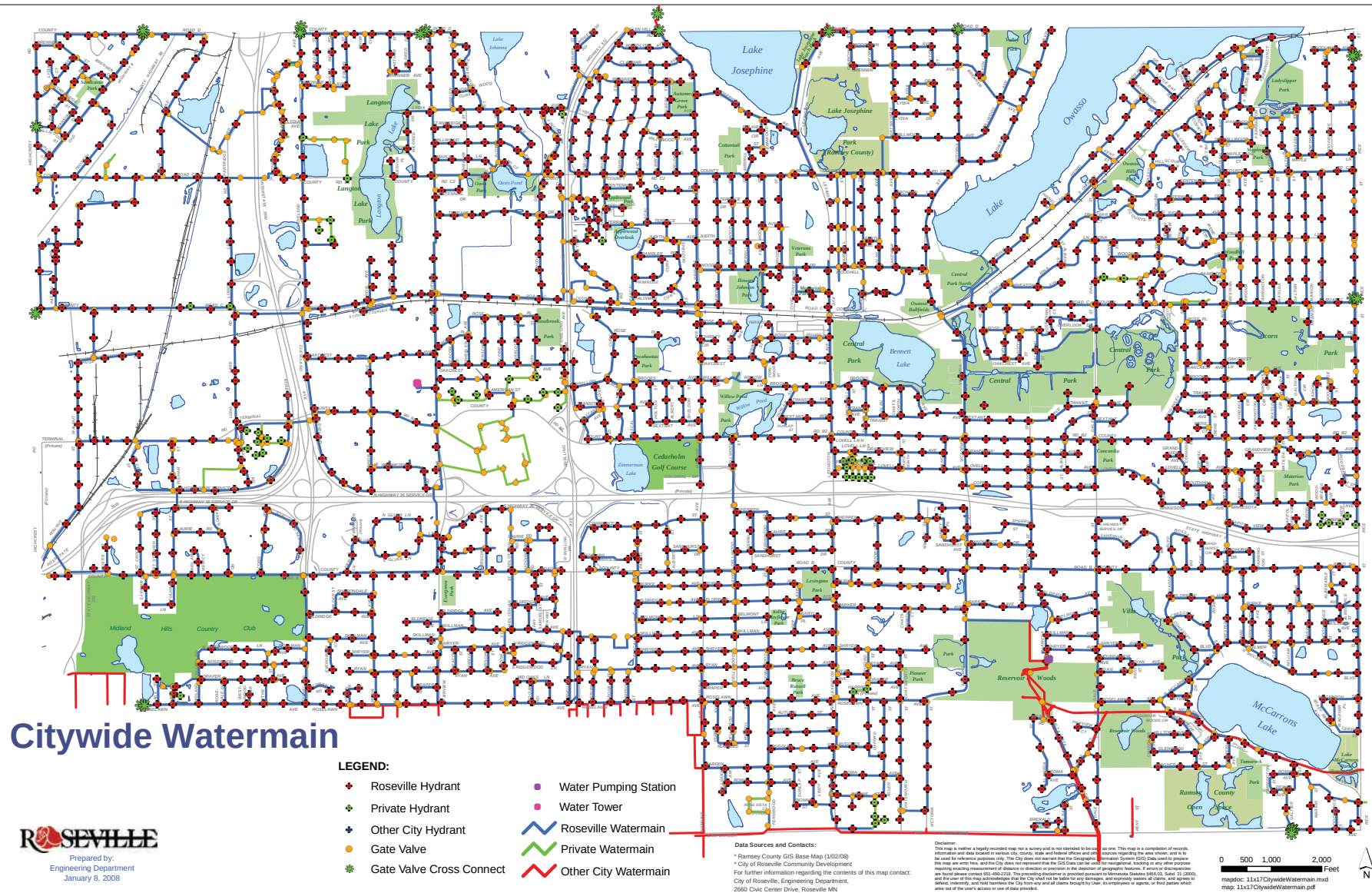
Table 10.1

1. Cleveland Avenue and County Road D
2. Fairview Avenue and County Road D
3. Glenhill Road and Hamline Avenue

Historically, the water utility has been managed to be self-supporting, with future replacement needs financed from revenue generated from the fees paid by customers. The City periodically reviews the contract with Saint Paul Regional Water Services to ensure that the City is obtaining the most cost-effective services.

The water system consists of 160 miles of mainline, one water tower, and one booster station (water pumping facility) and has seven emergency connections with adjacent communities (see Figure 10.1).

These interconnections are normally closed but can be opened to meet Roseville's emergency needs. Appropriate personnel are to be contacted before these



City Watermain

Figure 10.1

connections are opened so operational changes can be implemented in the source city, if necessary.

The interconnections with the cities of Little Canada, Lauderdale, and St. Paul are only of use in emergency situations related to the Roseville distribution system. The source water for these connections is from the City of St. Paul system and would be of little value during an emergency within the St. Paul Regional Water Services production and treatment systems.

The interconnections with Shoreview, St. Anthony, and New Brighton could be opened in a wider variety of emergencies as they produce their own water from wells within their system.

Sanitary Sewer System

The entire city of Roseville is within the Metropolitan Urban Service Area (MUSA). Therefore, sanitary sewer interceptor and treatment is provided to the City via the Metropolitan Council Environmental Services (MCES) system. Within the city, the system is under the jurisdiction of the City's sanitary sewer utility. Historically, the sanitary sewer utility has been managed to be self-supporting, with future infrastructure replacement needs financed with revenues generated from the fees paid by users.

The Roseville sanitary sewer system consists of approximately 180 miles of sanitary sewer, 3,112 manholes, and 13 lift stations. The public sanitary sewer provides service to 17,258 households and businesses. The Citywide Sanitary Sewer map (Figure 10.2) shows the locations of these facilities and direction of flow.

Residential			Non-Residential		
	Number	Percent		Number	Percent
Single Family	9,114	55.7%	Commercial	484	31.4%
*Multi-Family	205	10.0%	Institutions	69	2.9%
<i>*includes one mobile home park</i>					

Sewage Connections

Table 10.2

City	Sewer flow TO Roseville	Sewer flow FROM Roseville	Drinking Water flow TO Roseville	Drinking Water flow FROM Roseville
Arden Hills	None	48 residences (County Road D)	107 residences (County Road D)	None
Falcon Heights	None	None	None	16 residences
Maplewood	None	None	6 units	Schroeder Milk- (Rice Street)
St. Anthony	2 residences	None	None	2 residences
St. Paul	9 residences 17 unit apt bldg	None	2 Shopping Ctrs, Taco Bell (Larpenteur Ave)	None
Shoreview	None	11 units (County Road D/ Lake Owasso)	None	None
Totals	28 units	59 units	113 units	18 units 1 commercial

Source: City of Roseville Research 6/2008

Intercommunity Utility Service Connections

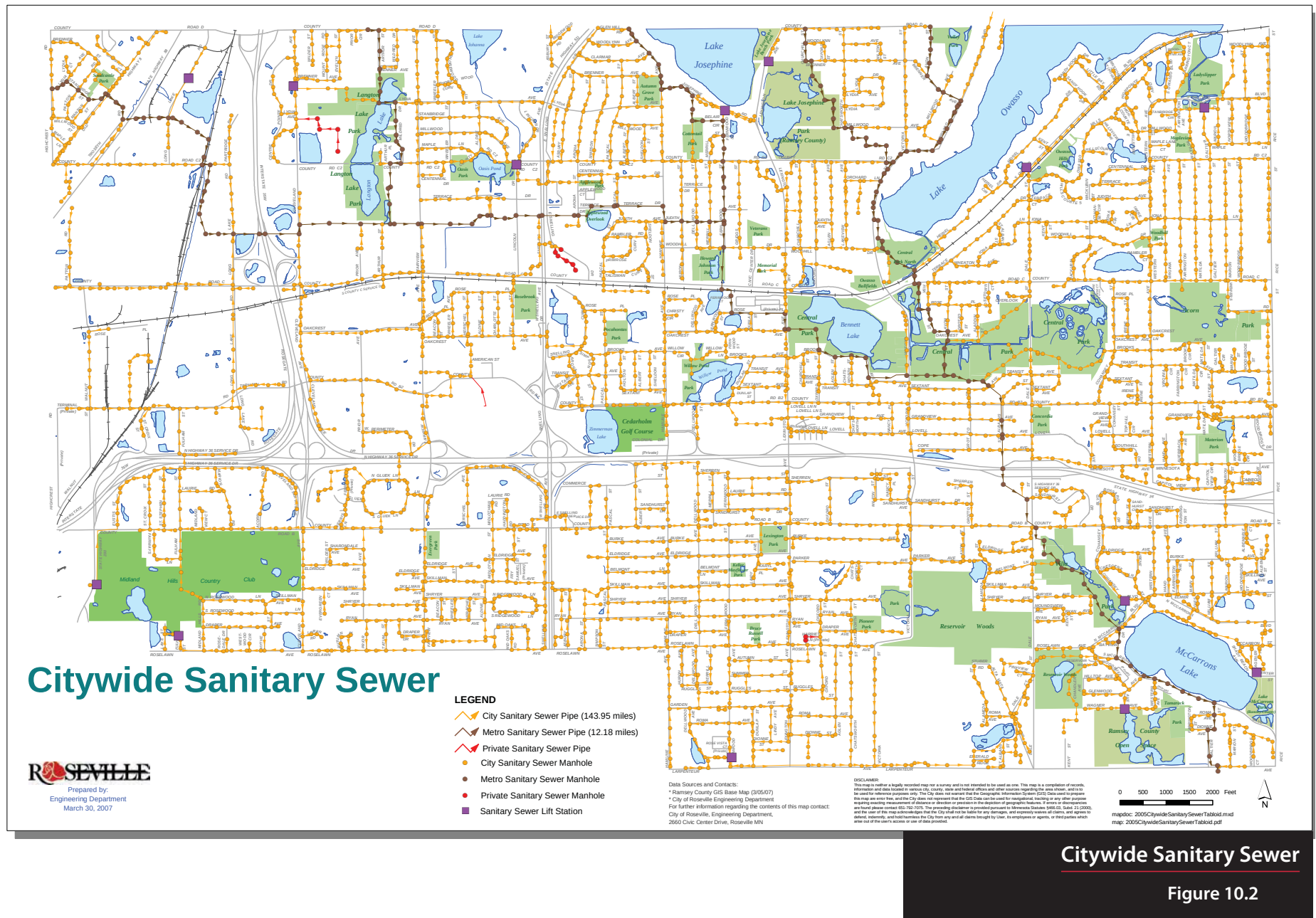
Table 10.3

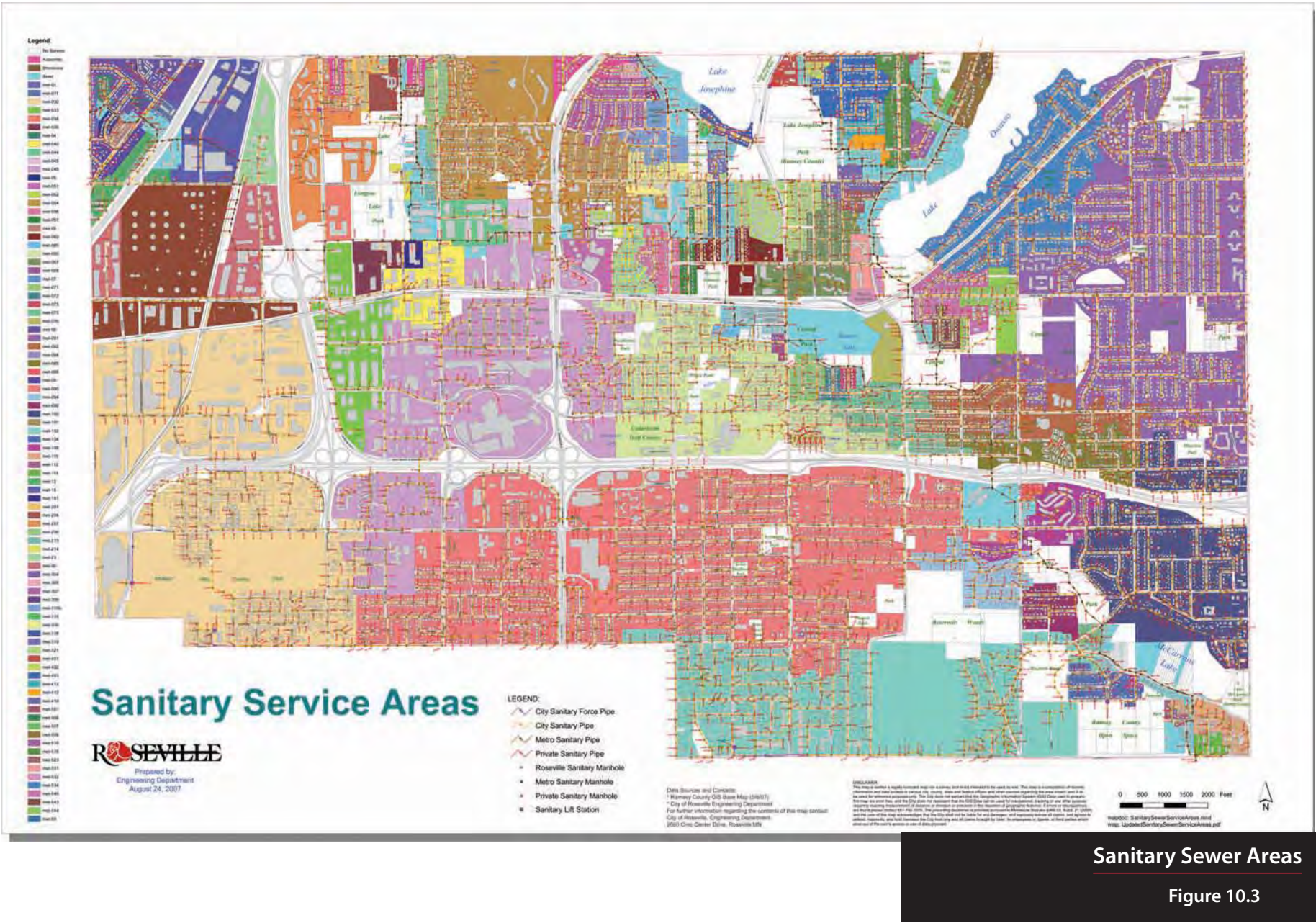
Trunk sewers and the 13 lift stations collect wastewater and deliver it to the MCES interceptor sewers. The MCES interceptors serving the city of Roseville include RV-430, RV-431, RV-432, and RV-433. For interceptor locations and service areas see Figure 10.2 - Citywide Sanitary Sewer Map. All of the interceptors flow south and eastward where they connect to RV-430, which delivers the waste to the Pigs Eye Wastewater Treatment plant in St. Paul. Operated by the MCES,

this plant accepted an estimated 1.95 billion gallons of wastewater from Roseville in 2007. See Figure 10.3 for the Sanitary Sewer Service Areas map.

MCES owns and maintains the interceptor sewers. Public sanitary sewer trunk lines are in place and serve all 10,674 parcels in Roseville.

The City's sanitary sewer lines and lift stations collect sewage from individual parcels or properties and route





Sanitary Sewer Areas

Figure 10.3

the sewage to the MCES sewer interceptors. The City's system design and condition is reviewed and updated continuously to ensure adequacy. The 13 sanitary sewer lift stations are electronically monitored 24 hours a day.

On-Site Sewage Treatment

On-site septic systems are regulated by City code. The code requires that existing structures with on-site septic systems shall connect to the municipal sanitary sewer system within one year of sewer service being made available. Current records indicate all existing structures in the city of Roseville are connected to the sanitary sewer system.

Intercommunity Services

The City of Roseville provides utility service to properties in adjacent communities. In summary, sewage from 59 dwelling units flows from Roseville to an adjoining community, and 26 units send sewage into the Roseville system. Neighboring communities have not requested additional sanitary sewer extensions, and the City is not aware of any potential new requests.

Future Demand Forecast

Municipal sewer service is available to all properties within the City. Redevelopment and/or reuse of existing sites is the largest challenge for the City in the future. Developers are responsible for extending trunk or lateral mains to provide for sewer connections in development or redevelopment projects.

Presently over 98% of the property within the city has been developed. The City of Roseville's 2030 household and employment forecasts are shown in Table 10.4 and Table 10.5 projects annual sewer flow and hourly demand in 2010, 2020, and 2030. Table 10.6 projects annual sewer flow by land use by year in five-year increments until 2030.

Year	2010	2020	2030
Sewered Population	36,000	37,000	38,300
Sewered Households	15,500	16,000	16,500
Sewered Employment	42,450	44,700	46,100
Average Annual Waste-water Flow (MGD)	4.47	4.5	4.54
Allowable Peak Hourly Flow (MGD)	10.73	10.8	10.9

Projected Sewer Flow

Table 10.4

	2010		2020		2030	
Interceptor	Ave. Annual Wastewater Flow (MGD)	Peak Hourly Flow (MGD) (1)	Ave. Annual Wastewater Flow (MGD)	Peak Hourly Flow (MGD) (1)	Ave. Annual Wastewater Flow (MGD)	Peak Hourly Flow (MGD) (1)
1-RV-430 (2)	5.02	12.04	5.61	12.9	6.15	14.15
1-RV-431	0.20	0.77	0.33	1.17	0.33	1.20
1-RV-432	0.22	0.83	0.22	0.84	0.22	0.84
1-RV-433A	0.10	0.41	0.10	0.41	0.10	0.41
1-RV-433	0.19	0.72	0.19	0.72	0.19	0.72

Notes:

(1) Calculated using MCES peak flow factors

(2) Projections for 1-RV-430 include flows from 1-RV-431, 432, 433A, and 433.

Projected Sewer Flow by Interceptor by Year

Table 10.5

Land Use and Sewer Flow by Year

Sewer Flow by Year

Land Use Category	Density (units/acre)		Estimated Sewer Flow (mgd)							Sewer Flow (mgd)		Estimated Sewer Flow (mgd)						
	Minimum	Maximum	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 1	Year 2	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7
Residential Land Use			3403	3403	3465	3487	3547	3619	216									
Low Density Residential	1.5	4	2973	2965	2987	2978	3002	3037	64	550	1.635	1.631	1.643	1.638	1.651	1.670	0.035	
Medium Density Residential	4	12	146	146	156	157	169	160	14	800	0.117	0.117	0.125	0.126	0.135	0.128	0.008	
High Density Residential	12	30	284	292	322	352	376	422	138	6000	1.704	1.752	1.932	2.112	2.256	2.532	0.076	
Commercial Land Use									0									
Est. Employees/Acre			1539	1540	1552	1534	1524	1566	27									
Neighborhood Business	32		40	40	37	42	35	45	5	800	0.032	0.032	0.030	0.034	0.028	0.036	0.004	
Community Business	32		216	217	214	220	230	206	-10	800	0.173	0.174	0.171	0.176	0.184	0.165	-0.008	
Regional Business	32		220	220	254	254	254	279	59	800	0.176	0.176	0.203	0.203	0.203	0.223	0.047	
Business Park	32		43	43	43	43	110	282	239	800	0.034	0.034	0.034	0.034	0.088	0.226	0.191	
Office	32		163	163	150	140	125	79	-84	800	0.130	0.130	0.120	0.112	0.100	0.063	-0.067	
Industrial	8.5		857	857	754	682	617	496	-361	500	0.429	0.429	0.377	0.341	0.309	0.248	-0.181	
Community Mixed Use	Residential is 25 - 50 of total mix 4.00 dwelling units - no max density		0	0	100	153	153	179	179	1900	0.000	0.000	0.190	0.291	0.291	0.340	0.340	
Public Land Use			3420	3420	3420	3417	3413	3334	-86									
Institutional			513	513	513	513	510	476	-37	600	0.308	0.308	0.308	0.308	0.306	0.286	-0.022	
Parks and Recreation			834	834	834	831	830	845	11	250	0.209	0.209	0.209	0.208	0.208	0.211	0.003	
Golf Course			181	181	181	181	181	157	-24	150	0.027	0.027	0.027	0.027	0.027	0.024	-0.004	
Roadway Rights of Way			1796	1796	1796	1796	1796	1770	-26	0	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
Railroad			96	96	96	96	96	86	-10	0	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
Stormwater Sewered										total								
Watershed																		
Watershed			171	170	95	95	48	48	-123									
Wetlands	--	--	271	271	271	271	271	271	0									
Watershed, Rivers and Streams	--	--	57	57	57	57	57	71	14									
Watershed																		

* For Mixed Use categories include information regarding the estimated minimum and maximum housing density ranges and acres/percentage of residential use.

mgd = million gallons per day

Projected Sewer Flow by Land Use by Year

Table 10.6

Infiltration and Inflow (I/I)

The MCES Water Resources Management Plan includes policies for reducing inflow and infiltration (I/I). The MCES has projected significant growth in the metropolitan area by 2030. This increase, along with current levels of I/I in the system, would require significant, costly increases to expand the existing MCES treatment facilities to meet the future wastewater flows. As a result, the MCES has implemented an I/I surcharge program. Communities with excessive I/I will need to develop plans to reduce I/I. The City of Roseville has been identified as a community with I/I challenges. The MCES has imposed a surcharge on the City as a part of its I/I reduction program. Based on current readings that the MCES has taken from several monitoring points, Roseville's surcharge is estimated at \$82,538 a year for five years, beginning in 2007. The City is working to identify areas of the sanitary sewer system that are contributing to the City's I/I problem and to take the necessary measures to reduce and/or eliminate the surcharge. The following outlines the City's objectives, policies, strategies, and implementation plan to achieve reduction in I/I.

Problem: The City of Roseville is faced with an annual surcharge from the MCES due to I/I levels that exceed the MCES allowable peak flow rate for the community

Objective: The objective of the program is to identify and remove sufficient I/I to eliminate the current I/I surcharge and reduce the annual treatment cost paid to the MCES.

Approach: The approach will include an initial "big picture" review of the current situation, followed by more detailed investigations, data evaluation, rehabilitation

and then long-term follow-up. The Implementation Plan provides a basic guideline for I/I reduction efforts. It must be flexible to allow for a change in direction in response to the actual situations or defects that are identified during the course of the work. Rehabilitation is the step that actually removes sources of I/I and is considered an ongoing task.

Existing I/I Problems

In 2007, the City began to study its I/I problem in response to the MCES imposed surcharge. In 2008, the City will complete the initial study and develop and implement an I/I reduction plan, along with an analysis of costs for remediation. The following steps explain how the City identified the extent, source, and significance of I/I throughout the City's sanitary sewer system.

1. Initial review: This was completed through the compilation of MCES flow data, city maps, city investigation records, lift station data, connection data, and building type information.
2. Analysis: The data was reviewed with respect to other system information to develop a plan for additional investigation efforts. The data allowed staff to eliminate areas where monitoring demonstrated there was not an I/I issue, and focus efforts on areas with I/I peaks.
3. Collection of additional flow data: The areas with I/I peaks were outfitted with temporary flow meters to allow us to review "flow response" and the correlation to rainfall events. Lift station pumping records analysis.
4. Identification of potential source(s): Once the analysis was complete, various types of I/I within the system could be identified. The source of I/I

affects which actions the City will implement to reduce the excessive I/I.

I/I Implementation Plan

Once the potential sources of I/I are identified, the City will take the following actions to eliminate and prevent excessive I/I.

1. Additional investigation: Conduct additional investigation to pinpoint I/I sources. Methods used:
 - a. Smoke testing to reveal direct inflow sources such as low-lying manhole covers, roof drains, catch basins, and area drains
 - b. Physical survey of manholes to identify deficient adjusting rings, manhole barrel joints, or wall leakage, and pipe penetration joint leakage
 - c. Internal televising of sewer mains to view and videotape the condition of the existing underground pipe; this will identify structural pipe problems including open and leaking joints, collapsed pipes, poor-quality service connections, and broken pipes, in addition to I/I defects such as leaking joints and leaking or running service connections
 - d. Sump pump inspections to inspect individual properties for sump pumps that may be connected to the sanitary sewer; if the pump is illegally connected, the property owner must correct the situation and have the property re-inspected periodically to ensure that it remains disconnected
 - e. Foundation drain (or leaking service line) inspection of individual properties to identify directly connected foundation drains and

leaking service lines. Since this method is on private property and connections are typically underground, it is a difficult and potentially expensive task that is left as last choice in the investigation list

2. Rehabilitation of defects: Serious defects that are identified during the course of the investigation will be rehabilitated to eliminate I/I sources. Since the majority of the defects that are identified will be smaller, they will be compiled and evaluated before developing a rehabilitation project. This list of defects will be regularly reviewed and prioritized to provide the most benefit. A database of defects and projected rehabilitation methods will be maintained to prepare a priority listing of rehabilitation required to correct the problems.

Rehabilitation methods include:

- a. Catch basin disconnection: Disconnect catch basin leads from sanitary sewer and extend connection to storm sewers for clean water flows.
- b. Roof drain disconnection: Disconnect/reroute roof drains to ground, street surface, or storm sewer.
- c. Seal manholes: Raise cover to grade and seal cover or replace with non-vented cover, grout manhole barrel joints, install cast-in-place manhole liner, or replace deteriorated manhole as needed.
- d. Fix pipe defects: Test and seal joints, install cured-in-place pipe liner (CIPP), slip lining with new carrier pipe, or perform pipe bursting to replace pipe “in place.”

- e. Eliminate private property sources: Re-route sump pumps to discharge onto ground or street surfaces, provide alternative outlets for sump pump discharge water.
- f. Follow-up inspections: Conduct regular, every two to three years, random re-inspections to assure that the outside surface discharge remains intact.
- g. Foundation drain disconnection: Disconnect direct connections to the sanitary sewer and reroute the flow from the drain tile to a new sump pump installed to lift water from the foundation level and discharge it onto the ground surface away from the foundation.
- h. Repair of leaking service lines: Either replace or install slip lining to correct the leakage.

3. Annual Report: An annual report will be prepared to summarize efforts and costs during the course of the preceding year. It will include a review of flow data, comparison of changes from previous years, and MCES allowable flow rates, and recommend work for the following year.

Utility Capital Improvement Plan

The Capital Improvement Plan (CIP) has been developed to identify needs to ensure proper, continuous operation of the water and sanitary sewer utilities. The CIP was developed to support the intent of the Imagine Roseville 2025 goals to replace infrastructure when appropriate to minimize potential for failure of these systems.

Water Utility

The City’s Water Utility provides for the operation, maintenance, and replacement of water utility infrastructure. The division also ensures compliance with a host of regulatory requirements in the operation and maintenance of this system.

The Water Utility’s long-range goals include:

- ♦ Provide for uninterrupted operation of the water system to ensure the health and welfare of Roseville residents and businesses.
- ♦ Meet the regulatory goals of Minnesota Department of Health and other regulatory agencies related to the provision of safe drinking water.
- ♦ Provide excellent customer service in the utility area.
- ♦ Plan and implement a long-term infrastructure replacement plan.

To support these goals, the existing complement of vehicles and equipment will need to be replaced when they reach the end of their useful life. Infrastructure will be evaluated for appropriate rehabilitation or replacement schedules.

The city has over 100 miles of cast iron water mains that were installed in the 1960s and early ‘70s. Cast iron is prone to breakage due to minor shifts in the ground. It is recommended the City plan for the replacement or rehabilitation of all cast iron main over the next 20 to 30 years. Total cost in today’s dollars could exceed \$30 million for these mains to be replaced or lined. Technological improvements in pipe lining will help to minimize disruption to street infrastructure and keep restoration costs reasonable on these projects.

Other regulatory agencies have an impact on operational needs due to required compliance at the local level. A long-term funding plan is necessary to meet infrastructure replacement needs. The city will see minimal growth that would affect this system. Capital needs are to support replacement of existing infrastructure and support existing operational equipment.

Sanitary Sewer

The City's Sanitary Sewer Utility provides for the operation, maintenance, and replacement of sanitary sewer infrastructure. The division also ensures compliance with many regulatory requirements in the operation and maintenance of this system.

The Sanitary Sewer Utility's long-range goals include:

- ♦ Provide for uninterrupted operation of the sanitary sewer system to ensure the health and welfare of Roseville residents and businesses.
- ♦ Meet the regulatory goals of MCES and other regulatory agencies related to I/I reduction and other regulation.
- ♦ Provide excellent customer service in the utility area.
- ♦ Plan and implement a long-term infrastructure replacement plan.

To support these goals, the existing complement of vehicles and equipment must be replaced when they reach the end of their useful life. Infrastructure will be evaluated for appropriate rehabilitation or replacement schedules.

Other regulatory agencies have an impact on operational needs due to required compliance at the local level.

A long-term funding plan is necessary to meet the infrastructure replacement needs. The city will see minimal growth that would affect this system. Capital needs are to support replacement of existing infrastructure and support existing operational equipment.

Other Utilities

In addition to water, sanitary sewer, and storm sewer service, development relies upon the availability of private utilities, notably electricity, natural gas, and communications. While local governments do not control the provision of these services, they do have limited regulatory authority over the location and design of the conveyance infrastructure. The City will continue to facilitate development of these private utilities, while minimizing associated adverse impacts.

In Roseville, electricity and natural gas are provided by Xcel Energy. Comcast provides a variety of services including cable television, telecommunication, and data services. Other companies provide communication services as well.

These private utilities use the public right-of-way for distribution of their services. The City has a right-of-way ordinance that requires any private company to get a permit for work within the public right-of-way. This ensures that the City is aware of work that may inconvenience the public and that these private utilities restore the public infrastructure, minimizing the long-term costs to the City.

Although water supply and sanitary sewer are the primary focus of this chapter, private utilities (electric, natural gas and telecommunications) are essential elements of Roseville's well-being and future vitality.

Reliable and high-quality service is required to attract and keep people and businesses in Roseville. As with municipal utilities, the ongoing replacement and upgrading of aging infrastructure is essential. In the coming years, technology infrastructure will be increasingly important. This technology connects Roseville to the global economy.

Implementation Strategies

In order to achieve the goals and policies discussed in this section, the City of Roseville should use the following strategies:

Ordinances

As a regulatory tool, ordinances can provide standards that define areas or features that need protection or preservation. They can also introduce regulations to assist in achieving a desired end.

Conservation and Education

One of the most cost-effective and efficient ways to promote water and energy conservation is through education. The City sponsors many programs and events on a local and regional level that focus on preserving and enhancing the environment. The City should focus on working with residents, businesses, and schools to identify ways that environmental awareness can promote conservation.

Power Outages

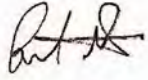
Document power outages and work with other governmental bodies and surrounding municipalities in developing appropriate responses.

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 8, 2010
Item No.: 13.e

Department Approval

City Manager Approval



Item Description: **DISCUSS AN ORDINANCE AMENDING TITLE FIVE, SECTION 501.16
OF THE ROSEVILLE CITY CODE RELATING TO VICIOUS ANIMALS**

5BACKGROUND

To better protect the community from potentially vicious or dangerous animals, proposed are revisions and amendments to City Code Title Five, Section 501.16 as reflected in the Attachment to this RCA. The proposed revisions and amendments have been reviewed and approved by the City Attorney.

The proposed revisions and amendments broaden the definition and scope of what the City considers a dangerous animal and the owner's responsibility in regulating the animal through proper adherence and regulation to City code. The following amendments have been made: Notice of Dangerous Animal Determination and Appeal of Dangerous Animal Determination.

POLICY OBJECTIVE

Approve the revisions and amendments to Title Five, Section 501.16 of the Roseville City Code as stated in the attachment.

FINANCIAL IMPACTS

No cost to the City; however, a hearing on the appeal of a dangerous animal determination before a hearing officer designated by the Animal Human Society Director of Human Investigations could cost the owner of the dangerous animal a maximum of \$1,000 based on the determination of the investigation.

STAFF RECOMMENDATION

Approve the revisions and amendments to City Code Title Five, Section 501.16.

REQUESTED COUNCIL ACTION

Discuss adoption of the ordinance and ordinance summary as proposed in the attachments (Title Five, Section 501.16 Roseville City Code) to this RCA.

Prepared by:

Attachments: A: Ordinance Amending Title five, Section 501.16
 B. Ordinance Summary

City of Roseville
ORDINANCE No.

**AN ORDINANCE AMENDING TITLE FIVE, SECTION 501.16 DANGEROUS ANIMALS
501.16 A. DEFINITIONS; 501.16 B. DANGEROUS ANIMAL REGISTRATION; 501.16 D. REGULATION
OF DANGEROUS ANIMALS; AND ADDING 501.16 F. NOTICE OF DANGEROUS ANIMAL
DETERMINATION; AND 501.16 G. APPEAL OF DANGEROUS ANIMAL DETERMINATION**

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1: Title Five, Section 501.16 of the Roseville City Code is amended to read as follows:

A. Definitions

HEARING OFFICER means an impartial employee appointed by the City, or an impartial person retained by the City, to conduct a hearing under this Ordinance.

B. Dangerous Animal Registration

2. The City will, upon application by the Owner, issue a certificate of registration to the Owner of a dangerous animal if the Owner presents evidence that:

b. ~~a warning sign, including a warning symbol for children, has been placed on the animal Owner's property informing of the presence of the dangerous animal;~~ a warning sign provided by the City, to inform children that there is a dangerous dog on the property, has been placed on the animal Owner's property. The warning symbol must be the uniform symbol provided by the commissioner of public safety. The City may charge the registrant a reasonable fee to cover its administrative costs and the cost of the warning symbol.

c. the Owner has procured a surety bond issued by a surety company authorized to do business in Minnesota, in a form acceptable to the City in at least the sum of ~~\$50,000~~ \$300,000 payable to any person injured by the animal or, alternatively, the Owner has in place a policy of insurance providing the same protection;

5. Tag. The dangerous animal registered under this section must have an ~~easily identifiable standardized~~ a tag containing the uniform dangerous dog symbol, identifying the animal as dangerous, which is affixed to the animal's collar at all times.

D. Regulation of Dangerous Animals:

3. An Owner of a dangerous animal must notify the City in writing of the animal's death or its transfer ~~outside the City~~ to a new location within 30 days of death or transfer, and must execute an affidavit of death or transfer as requested by the City.

4. ~~The City may require any dangerous animal to be~~ An Owner of a dangerous animal must have the animal sterilized at the Owner's expense. The Owner must provide proof of sterilization of the animal to the City. If the Owner does not have the animal sterilized, within 30 days of the dangerous animal determination, the animal control authority ~~may~~ shall seize the animal and have the animal sterilized ~~also~~ at the Owner's expense.

6. A person that ~~sells~~ transfers a dangerous animal must notify the ~~purchaser~~ new Owner that the animal has been identified as dangerous, and must also notify the City in writing, providing the new Owner's name, address and telephone number.

7. The City shall seize a dangerous animal if, after 14 days after the Owner has notice that the animal is dangerous, the animal is not validly registered as a dangerous animal or the Owner has not secured the required liability insurance or surety coverage. The City may seize a dangerous animal if any other of the requirements contained in this subdivision have not been met. A seized animal may be reclaimed upon payment of impounding and confinement costs and proof that the requirements of this Ordinance will be have been met. An animal not reclaimed within seven days will be destroyed, and the Owner will be liable for all costs incurred in confining and disposing of the animal. A person claiming an interest in a seized animal may prevent disposition of the animal by posting security in an amount sufficient to provide for the animal's actual cost of care and keeping. The security must be posted within 7 days of the seizure inclusive of the date of the seizure.

9. Notwithstanding anything in this ~~subdivision~~ Ordinance to the contrary, the City may seize and destroy an animal that ~~has inflicted substantial or great bodily harm on a human being on public or private property without provocation.~~ has:

- a. inflicted substantial or great bodily harm on a human on public or private property without provocation;
- b. inflicted multiple bites on a human on public or private property without provocation;
- c. bit multiple human victims on public or private property in the same attack without provocation; or
- d. bit a human on public or private property without provocation in an attack where more than one animal participated in the attack.

Destruction of the animal may occur after the animal Owner has been notified of the intended destruction and, has had a reasonable opportunity for at least 7 days to request a hearing challenging the decision to destroy the animal. ~~a hearing before a decision maker appointed by the City.~~ If a hearing is requested, the hearing shall be before a hearing officer.

F. Notice of Dangerous Animal Determination

1. The Owner of the animal and persons that have suffered injury or damage from the animal shall be given written notice of the determination of the animal as dangerous. The notice shall provide:
 - a. a description of the animal; the authority for and purpose of the dangerous animal declaration, and seizure, if applicable; the time, place, and circumstances under which the animal was declared dangerous; and the telephone number and contact person where the animal is kept;
 - b. that the Owner of the animal may request a hearing concerning the dangerous animal declaration; failure to do so within 14 days of the date of the notice will terminate the owner's right to a hearing;
 - c. that if an appeal request is made within 14 days of the notice, the Owner must immediately comply with the requirements of paragraphs D (1) and (3) of this subdivision, and until such time as the hearing officer issues an opinion;
 - d. that if the hearing officer affirms the dangerous animal declaration, the Owner will have 14 days from the date of the determination to comply with all other requirements of this subdivision;
 - e. that all actual costs of the care, keeping, and disposition of the animal are the responsibility of the person claiming an interest in the animal, except to the extent that a court or hearing officer finds that the seizure or impoundment was not substantially justified by law; and
 - f. a form for notifying the City of an appeal and requesting a hearing under this subdivision;

G. Appeal of Dangerous Animal Determination.

1. The Owner of an animal determined to be dangerous may appeal the dangerous animal determination.
2. The written notice of appeal must be received by the City within 14 days from the date of the dangerous animal determination.
3. The hearing on the appeal of a dangerous animal determination shall be before a hearing officer. The hearing officer shall be the Animal Humane Society Director of Humane Investigations, or their designee.
4. The hearing shall take place within 14 days of the receipt of the notice of appeal.
5. In the event that the dangerous animal determination is upheld by the hearing officer, actual expenses of the hearing, up to a maximum of \$1,000, will be the responsibility of the animal's owner.
6. The hearing officer shall issue a decision on the matter within ten days after the hearing. The decision must be delivered to the animal's owner by hand delivery or registered mail as soon as practical and a copy must be provided to the City.

SECTION 2: Effective date. This ordinance shall take effect upon its passage and publication.

Passed by the City Council of the City of Roseville this ____ day of _____ 2010.

(SEAL)

CITY OF ROSEVILLE

BY: _____
Craig D. Klausing, Mayor

ATTEST:

William J. Malinen, City Manager

**CITY OF ROSEVILLE
OFFICIAL SUMMARY OF ORDINANCE No.**

**AN ORDINANCE AMENDING TITLE 5, OF THE CITY CODE, AMENDING
CHAPTER 501.16, A COMPREHENSIVE SECTION ON DANGEROUS ANIMALS
WITHIN THE CITY OF ROSEVILLE**

The City Council of the City of Roseville adopted Ordinance No. on February 8th, 2010, which is summarized as follows:

The Roseville City Code is amended by re-writing Section 501.16 regarding Dangerous Animals, the Registration of Dangerous Animal, the Regulation of Dangerous Animals, the Notice of Dangerous Animal Determinations and the Appeal of Dangerous Animal Determinations. The ordinance takes effect on January 1, 2011.

A printed copy of the ordinance is available for inspection by any person during regular office hours in the office of the City Manager at the Roseville City Hall, 2660 Civic Center Drive, Roseville, Minnesota 55113. A copy of the ordinance and summary is also posted at the Reference Desk of the Roseville Branch of the Ramsey County Library, 2160 Hamline Avenue, Roseville, Mn. 55113, and on the internet web page of the City of Roseville (www.ci.roseville.mn.us).

Attest: _____
William J. Malinen, City Manager

Date: _____

REQUEST FOR COUNCIL ACTION

Date: 2/08/10

Item No.: 13.f

Department Approval

City Manager Approval



Item Description: Discuss a Recycling Contract Extension

BACKGROUND

Roseville's five-year contract with Eureka Recycling expires at the end of 2010. The contract has been very beneficial to the City both fiscally and environmentally. Eureka Recycling has offered to extend the contract for two years until the end of 2012 under substantially the same terms.

In June 2009 Eureka Recycling approached the City asking to modify the terms of the contract in order to share the burden of plummeting commodity prices. Markets for recycled materials dropped precipitously beginning in October 2008, hit their nadir in January 2009 and have been rising since. Currently prices for most commodities are about 50-65% of their pre-drop levels, some have remained constant and two have risen. However, the sky high pricing was well above long-term pricing trend lines and were clearly unsustainable. Commodity prices continue to trend upward over the past 15 years and current markets appear to be stabilizing.

Roseville reviewed Eureka Recycling's June proposal and asked for additional benefits to the City in exchange for any concessions. Eureka Recycling has offered to extend the contract to provide stability to Roseville, and to formally agree to partner with Roseville on additional environmental programs and initiatives. The current market does not appear to be a good time to be soliciting proposals for recycling service (see Attachment A and Attachment F). In 2009 four metro area cities issued RFPs for recycling services and two signed contract extensions. Prices went up – some dramatically; and the winning bidder's rate was significantly less than any other proposers.

So where do we sit? Our collection rates remain competitive and near the low end for metro area cities with weekly collection (see Attachment B). Our revenue sharing has increased substantially since it hit bottom in January 2009 (see Attachment C). Our 2% annual collection cost increase is the lowest rate of any city in the metro area.

Since June market prices have been more stable, and Eureka Recycling has worked out contract amendments with Arden Hills, Maplewood, St. Louis Park, and St. Paul. These events have provided Eureka Recycling with the fiscal stability it was seeking when it first approached Roseville. As a result Eureka Recycling has dropped most of its requests for contract modifications – modifications that have been accepted by its other contract cities.

34
35 So under Eureka Recycling's revised proposal Roseville would continue to enjoy favorable
36 financial terms and environmental benefits not provided by any other recycling service provider.
37 In return Eureka Recycling is asking for the removal of price floors from the revenue share
38 calculation formula, and to switch the indices for aluminum and steel from the Chicago market
39 to local market pricing (note that these practices have also been adopted by Waste Management
40 in its new contracts). Those changes would take place at the beginning of the month following
41 approval.

42
43 Staff calculates that those changes would cost the city about \$600 a month in decreased revenue
44 share under current market conditions. In the unlikely scenario of price collapses, the loss of the
45 price floor could mean several thousand dollars a month in lost revenue (see Attachment D).
46 However, Roseville will not have to pay out more in the case of market collapse. Staff has
47 proposed a revenue sharing bank. Under the bank proposal, up to \$20,000 in revenue would be
48 held back by Eureka Recycling. The bank would be drawn down to cover any short term losses
49 from the sale of recyclables. If we get to the end of the contract and the bank amount is negative,
50 Eureka Recycling would assume that loss (for an example see Exhibit B of Attachment E – the
51 proposed revised contract). A positive balance would be remitted to the City following the
52 expiration of the contract.

53
54 Eureka Recycling and staff concur that by 2012 the roiled recycling markets will have calmed
55 and it will be a better time to issue an RFP. The City has informed Eureka Recycling that if a
56 contract extension is agreed to, the City will issue an RFP for recycling services in 2012.

57
58 It is worth noting how Roseville's contract with Eureka Recycling has been financially
59 beneficial to the City. Staff estimated Roseville would earn \$75,000 a year in revenue sharing or
60 \$375,000 over the life of the contract. Through 2009 Roseville has made \$373,453.28 – meaning
61 we have nearly met our projection with 12 months to go. This revenue share allowed Roseville
62 to hold off on residential rate increases despite 2% annual collection cost increases and a \$.30
63 per household per month increase for weekly collection. Eureka Recycling also purchases 500
64 recycling bins that are provided to residents free of charge. This benefit is unique to Roseville.
65 Roseville's processing fees are the lowest in the metro area and would remain the same during
66 the terms of the contract extension.

67
68 Also of note are the many ways Roseville's contract with Eureka Recycling has been
69 environmentally beneficial to the City. Eureka Recycling takes more types of material than any
70 other service provider in the metro area. Eureka Recycling has provided unique educational
71 efforts including:

- 72 • An award winning Name the Trucks contest
- 73 • Public appearances
- 74 • Annual Guide to Recycling mailed to residents
- 75 • Newspaper ads
- 76 • Postcards mailed to residents
- 77 • Educational tagging
- 78 • Information hotline serviced by environmental educators
- 79 • Sponsorship of Zero Waste events
- 80 • Partner in Get Caught Recycling initiative

- 81 • Annual reports and presentations to the Public Works Environment and Transportation
82 Commission

83

84 Eureka Recycling has also worked with Roseville to expand recycling opportunities at city
85 facilities and on joint purchasing of compost bins. Eureka Recycling trucks run on a 20%
86 biodiesel blend that cuts emissions of particulate matter, hydrocarbons and carbon monoxide.

87

88 The proposed contract extension has been reviewed by the City Attorney.

89 **BUDGET IMPLICATIONS**

90 Roseville would realize less revenue share under the revised revenue sharing formula. However,
91 Roseville would not have to pay more for recycling service.

92 **STAFF RECOMMENDATION**

93 Approve two-year contract extension with Eureka Recycling.

94 **REQUESTED COUNCIL ACTION**

95 A motion to approve a two-year contract extension with Eureka Recycling.

Prepared by: Tim Pratt, Recycling Coordinator
Attachments: A: Recycling Bid Comparison
 B: Recycling Collection Charge Comparison
 C: Roseville Revenue Share
 D: Revenue Share Formula Comparison
 E: Proposed Revised Contract
 F: Results from Cities that Bid in 2009

2009-2010 Recycling Contract Price Changes

<u>Bid Cities</u>		<u>2009</u>	<u>2010</u>	<u>Change</u>	<u>Hauler</u>
Brooklyn Park	single	\$1.93	\$1.93	0%	Incumbent
	multi	\$1.20	\$1.20	0%	
	new contract includes a fuel surcharge and a revenue sharing formula in which the city could pay more				
Columbia Heights	single	\$2.11	\$2.70	28%	New
	multi	\$1.67	\$1.75	4.8%	
Edina	single	\$2.50	\$2.65	6%	Incumbent
	multi	\$2.30	\$2.65	15%	
Shorewood	single	\$2.50	\$4.95	98%	New
<u>Extension Cities</u>					
New Brighton		\$1.70	\$1.89	11%	
extension includes a fuel surcharge and a revenue sharing formula in which the city could pay more					
Spring Lake Park		\$2.45	\$2.52	3%	
extension includes a fuel surcharge and a revenue sharing formula in which the city could pay more					

Recycling Collection Charge

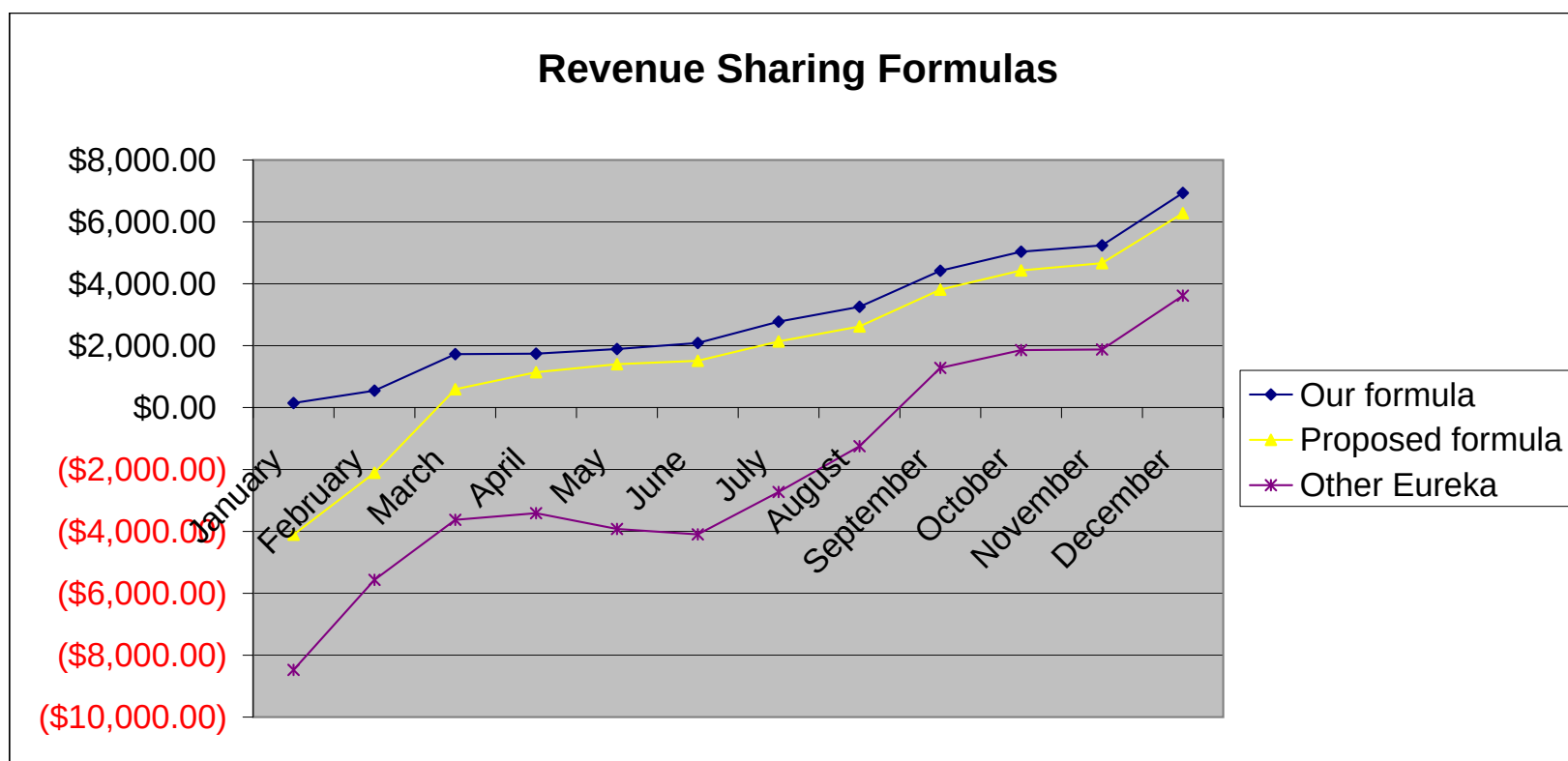
<u>City</u>	<u>Collection Frequency</u>	<u>Rate</u>	<u>Fuel Surcharge</u>
Maplewood	Weekly	\$2.10 single and multi	Yes
Lauderdale	Weekly	\$2.46 single	Yes
		\$2.60 single,	
Roseville	Weekly	\$1.64 multi	No
		\$2.60 single,	
St.Paul	Weekly	\$1.64 multi	Yes
Edina	Weekly	\$2.65 single and multi	No
		\$2.65 single,	
Fridley	Weekly	\$1.85 multi	No
St. Louis Park	Weekly	\$2.85 single	No
Champlin	Weekly	\$2.86 single	No
Minnetonka	Weekly	\$2.88 single	No
Plymouth	Weekly	\$2.88 single	No
Arden Hills	Weekly	\$3.06 single	No
White Bear Lake	Weekly	\$3.14 single	Yes
White Bear Twmsp	Weekly	\$5.00 single and multi	No
Brooklyn Park	EOW	\$1.93 single,	Yes
		\$1.20 multi	
Brooklyn Center	EOW	\$2.35 single	No
Blaine	EOW	\$2.38 single	Yes
		\$2.45 single,	
Shoreview	EOW	\$1.35 multi	No
		\$2.52 single,	
Spring Lake Park	EOW	\$1.34 multi	Yes
Circle Pines	EOW	\$2.57 single	No
Robbinsdale	EOW	\$2.57 single	Yes
		\$2.70 single,	
Columbia Heights	EOW	\$1.75 multi	No
Hopkins	EOW	\$2.85 single	No
Anoka	EOW	\$2.86 single and multi	Yes
Minneapolis	EOW	\$2.90 single	No
Corcoran	EOW	\$3.48 single and multi	Yes
Centerville	EOW	\$3.91 single	Yes
		\$4.20 single,	
Maple Grove	EOW	\$2.10 multi	No
Little Canada	EOW	\$4.30 single	Yes
Shorewood	EOW	\$4.95 single	No
Vadnais Heights	EOW	\$5.02 single	Yes

Roseville Recycling Revenue Share

	January	February	March	April	May	June	July	August	September	October	November	December	Total
2006	\$7,328.07	\$6,470.76	\$7,366.49	\$7,371.29	\$8,276.15	\$7,756.15	\$5,903.35	\$7,226.06	\$6,354.46	\$6,310.02	\$8,540.55	\$7,810.58	\$86,713.93
2007	\$7,833.53	\$6,635.21	\$9,383.84	\$9,850.45	\$9,224.59	\$8,917.43	\$10,027.22	\$10,471.46	\$9,503.32	\$11,017.46	\$12,655.98	\$10,877.64	\$116,398.13
2008	\$11,027.09	\$9,869.71	12,262.35	\$12,625.01	\$13,752.46	\$12,713.37	\$15,192.49	\$16,251.89	\$16,483.87	\$10,667.34	\$3,503.28	\$630.84	\$134,979.70
2009	\$146.65	\$546.04	\$1,727.92	\$1,740.36	\$1,893.08	\$2,087.38	\$2,777.13	\$3,258.05	\$4,421.35	\$5,035.89	\$4,792.94	\$6,934.73	\$35,361.52
2010													

\$373,453.28

	January	February	March	April	May	June	July	August	September	October	November	December	
Our formula	\$146.65	\$546.04	\$1,727.92	\$1,740.36	\$1,893.08	\$2,087.38	\$2,777.13	\$3,258.05	\$4,421.35	\$5,035.89	\$5,241.52	\$6,934.73	\$35,810.10
Proposed formula	(\$4,106.38)	(\$2,107.91)	\$592.33	\$1,140.32	\$1,402.21	\$1,510.69	\$2,136.91	\$2,619.89	\$3,813.62	\$4,431.02	\$4,665.49	\$6,281.71	\$22,379.90
Other Eureka	(\$8,475.44)	(\$5,568.33)	(\$3,628.72)	(\$3,410.99)	(\$3,920.99)	(\$4,095.78)	(\$2,724.76)	(\$1,246.57)	\$1,279.99	\$1,854.37	\$1,874.70	\$3,614.57	(\$24,447.95)



CITY OF ROSEVILLE AGREEMENT FOR RECYCLING COLLECTION

This Agreement is made and entered into by and between the City of Roseville, Minnesota, "City" and Eureka Recycling, "Contractor", a Minnesota Corporation, with its principal place of business at 2828 Kennedy Street Northeast, Minneapolis, Minnesota 55413.

WHEREAS, the City supports curbside collection of recycling materials and desires that it be made available to its residents; and

WHEREAS, the Contractor has submitted a proposal for curbside collection, processing and marketing of recycling materials to the City; and

WHEREAS, the City desires Contractor to pick up recyclables throughout the City's municipal limits, process them and market them in accordance with the terms of this Agreement;

NOW, THEREFORE, in consideration of the mutual promises set forth below, the parties agree as follows:

I. Definitions

1. Recyclables: means newsprint and inserts, unsorted glass (food and beverage containers), unsorted aluminum, steel, bi-metal, and tin cans (food and beverage containers), corrugated cardboard, magazines, telephone books, catalogs, mixed mail, boxboard, mixed plastic bottles with a neck: Poly-Ethylene Terephthalate (PET) and high-density Poly-Ethylene (HDPE) as defined in Section 4 of the City's RFP. In addition the Contractor will collect wet strength cardboard, textiles, aseptic and gable-top packaging (milk cartons and juice boxes) and any other materials mutually-agreed-upon between the City and Contractor. The City encourages the Contractor to explore markets for additional types of recyclable material. Materials may be added to this list by mutual written agreement between the City and the Contractor.
2. Wet Strength Cardboard: coated boxboard typically used for beer, pop and water container boxes, also called carrier stock. No boxboard containers used for food product storage in refrigerators or freezers are included.
3. Textiles: reusable Linens (towels, sheets, blankets, curtains and

tablecloths) and Clothes (belts, coats, hats, gloves, shoes and boots). Textiles must be dry, clean and free of mold, mildew and excessive stains.

4. Residential Dwelling Unit (RDU): means a single family home and each residential unit in a duplex, triplex, fourplex, or townhouse complex.
5. Multiple Family Dwelling Unit (MDU): means an apartment or condominium in a building with 5 or more units.
6. RFP: The terms "RFP" or "City RFP" refer to the August 26, 2005 City of Roseville Request for Proposal for Comprehensive Recycling Services, together with attachments thereto. A copy of the RFP is attached hereto and incorporated herein by reference.
7. Commodity: An individual category of recyclable material as detailed in definition 1. Recyclables.

II. Preparation

Material shall be clean and free of non-recyclable material. Items shall be placed in paper kraft bags, blue recycling bins or any other container that can reasonably be identified as containing recyclable material to be collected. Contractor shall collect recyclables that have been prepared in the following manner:

Curbside: A 3-sort collection of co-mingled containers, co-mingled fibers and textiles will be used.

Co-mingled Containers to include: Glass Food & Beverage Containers, Metal Food & Beverage Containers, ~~and~~ Mixed Plastic Bottles with a neck: Poly-Ethylene Terephthalate (PET) and high-density Poly-Ethylene (HDPE) and aseptic and gable-top packaging (milk cartons and juice boxes).

Co-mingled Fibers to include: Newspaper, Boxboard, Magazines, Mixed Mail, Catalog, Phone books, Wet Strength Cardboard and Corrugated Cardboard. Corrugated Cardboard will be broken down flat into bundles approximately 3' x 3'. No cardboard that is wax or plastic-coated or contaminated by food or grease shall be accepted.

Textiles to include reusable: Linens – towels, sheets, blankets, curtains and tablecloths; Clothes – belts, coats, hats, gloves, shoes and boots. Textiles must be dry, clean and free of mold, mildew and excessive stains. Residents shall place textiles separately in plastic garbage bags or other bags as determined by the City. Each bag or set of bags will have an identifying marker clearly identifying the materials for collection. Residents will be instructed to avoid the use of paper bags and boxes; however, materials set out in these containers are acceptable provided that the materials have not been exposed to rain or snow. If the textiles are wet the Contractor will not collect those items.

Multi-Unit: All multi-unit recycling collection containers shall be placed in recycling stations as specified in the RFP section 4.23. Containers shall be clearly marked with text and graphics detailing materials accepted and material preparation requirements. A 2-sort system of co-mingled containers, and co-mingled fibers will be used.

III. Recycling Containers

Curbside: Contractor shall annually provide a minimum of 500 blue, plastic recycling bins to the City for distribution to participants in the curbside recycling program. Bins must have a recycling logo stamped on two sides. The artwork for the stamp must be approved by the City. The City and Contractor will mutually agree on the number of bin lids and wheels kits to be ordered each year. Bin purchases will be organized by the Contractor and will include a cooperative purchase of bins made in coordination with other cities to maximize the bulk discount for the City. The City's recycling bins will be stored at the Contractors facility at no additional cost to the City. Upon request of the City a number of recycling bins agreed upon by the City and Contractor will be delivered to a location specified by the City within two weeks of the day the delivery request is made by the City. This delivery will be made at no cost to the City. Recycling containers shall not be a prerequisite to participation in the curbside recycling program. Other container types such as kraft grocery bags, boxes, and bins are acceptable to the extent that route drivers readily recognize recyclables.

Multifamily: Contractors shall provide containers for all Multifamily Dwellings as specified in RFP definition 4.20 in sufficient quantity to adequately contain the materials between collections, to be placed in recycling stations as specified in RFP definition 4.23.

The Driver is required to record and report to Contractor Dispatch the location of any cart that is damaged and that cart shall be repaired or replaced by the Contractor or designated subcontractor within one (1) week of the report of damage.

IV. Collection Requirements

1. Scheduled Collection Day: means the day or days of the week on which recycling collection by the Contractor is to occur. The City is divided into 5 zones as designated in Attachment A of the City's RFP. Collection shall occur in each zone on the day of the week indicated in Attachment A. The City will divide each zone so that collection in one portion of the zone will occur on the first week of the month and biweekly thereafter. Collection in the second portion of the zone will occur in the second week of the month and biweekly thereafter. The zones will be divided as designated in Attachment A to this contract.

The City may exercise its option to switch to every week collection by notifying the Contractor by November 1. The switch to every week collection would then occur on or about April 22 (Earth Day) of the subsequent year.

2. Collection: Curbside collection shall include all those Certified Dwelling Units referenced in the City's RFP, and shall occur as provided in Section 5 of the RFP.

Multifamily collection shall include all those Multifamily Dwelling Units referenced in the City's RFP, and shall occur as provided in Section 5 of the RFP. In January and February 2006, Contractor shall assess the frequency of collection service needed for each multifamily complex. Each building shall receive weekly collection unless the City and Contractor mutually agree that a building may receive less frequent collection service.

3. Multifamily Building Contacts: City and Contractor shall develop a list of contacts for each Multifamily Building. The contact shall be a resident, manager, owner or owner's designee. Contacts will voluntarily help distribute recycling information to building residents, monitor carts for contamination and communicate with the City and Contractor questions and concerns regarding the recycling service.

4. Compliance with Driving and Hauling Laws: collection, transportation, and marketing of all recyclables shall be accomplished in accordance with all existing laws, ordinances and specifications in Section 5 of the RFP.
5. Unacceptable Recyclables: If Contractor determines that a resident has set out unacceptable recyclables, the driver shall use the following procedures:

Curbside: Contractor shall leave the unacceptable recyclables and leave an "education tag" indicating acceptable materials and the proper method of preparation.

The driver shall record the address on forms acceptable to the City. Contractor shall report the addresses to the City Recycling Coordinator at the end of each month.

Upon request, the City Recycling Coordinator will undertake efforts to educate the resident or owner regarding proper materials preparation.

Multi Family: Contaminated carts of material will not be collected and a tag will be left indicating the reason the material is unacceptable. The Contractor shall also notify the City Recycling Coordinator by phone that the material was left and the reason that the material was unacceptable. It will be the responsibility of the Recycling Coordinator to obtain cooperation from the building owner/manager in removal of trash and separation of acceptable materials. The contractor will then be called to return to the site of contamination and collect properly sorted carts.

The Contractor shall, when applicable, work with the building's designated contact person to resolve contamination issues.

If the Contractor determines that there is an unavoidable and unacceptable level of contamination in recycling carts or vandalism to carts at a multifamily building, Contractor shall notify the City of its determination. After notifying the City of its determination, the Contractor may suspend service to a multifamily building. The Contractor shall arrange a meeting with the City and the designated contact person for the multifamily building to determine the length of the suspension and the terms under which service may be reinstated to the multifamily building.

6. Utilities: The Contractor shall be obligated to protect all public and private utilities whether occupying street or public or private property. If such utilities are damaged by reason of the Contractor's operations, under the executed contract, he/she shall repair or replace same, or failing to do so promptly, the City shall cause repairs or replacement to be made and the cost of doing so shall be deducted from payment to be made to the Contractor.
7. Street Improvements: This Contract is subject to the right of State of Minnesota, Ramsey County, or the City to improve their highways and streets. The Contractor accepts the risk that such improvements may prevent the Contractor from traveling its accustomed route for the purpose of collecting recyclables. The Contractor agrees not to make any claim for compensations against the City for such interference. The City shall, whenever possible, provide to Contractor information and instructions about how the Contractor may best provide services in the improvement area.
8. Damage to Property: The Contractor shall take all necessary precautions to protect public and private property during the performance of this Agreement. The Contractor shall repair or replace any private or public property, including, but not limited to sod, mailboxes, or recycling bins, which are damaged by the Contractor. Such property damage shall be addressed for repair or replacement, at no charge to the property owner, within forty-eight (48) hours with property of the same or equivalent value at the time of the damage.

If the Contractor fails to address the repair or replacement of damaged property within forty-eight (48), the City may, but shall not be obligated to, repair or replace such damaged property, and the Contractor shall fully reimburse the City's for any of its reasonably incurred expenses. The Contractor shall reimburse the City for any such expenses within ten (10) days of receipt of the City's invoice.

9. Personnel Requirements: Contractor shall retain sufficient personnel and equipment to fulfill the requirements and specifications of this Agreement as specified in the RFP. Contractor's personnel will be trained both in program operations and in customer service and insure that all personnel maintain a positive attitude with the public and in the work place and shall meet the standards as specified in the RFP Section 5.04.

10. Weighing of Loads and Reporting Requirements: Contractor will track the total tons collected by daily route. Collection vehicles will be weighed empty before collection to obtain a tare weight, and weighed before tipping or at the end of the day, whichever occurs first.

Weight records shall be maintained on file by Contractor for at least three years in the event of an audit by the City or County.

Once a year Contractor will do participation and set out analysis for each daily curbside route. This will involve tracking (over a four week period) how many households participate in curbside recycling at least once in that four week period and how many households set out materials on a given week. Contractor shall provide the City with a copy of this analysis.

V. Materials Processing and Marketing

1. Processing Facility: Contractor shall deliver all recyclables collected in City to the Eureka Recycling's Materials Processing Facility (MRF) at 2828 Kennedy Street NE, Minneapolis, Minnesota.

The Contractor shall insure that adequate recyclable material processing capacity will be provided at the MRF for City material collected. The Contractor shall provide written notice to the City at least 60 days in advance of any substantial change in these or subsequent plans for receiving and processing recyclables collected from the City.

Contractor shall assure that all recyclables collected in the City are not landfilled or incinerated except for process residuals as designated in RFP Section 4.29. The Contractor shall dispose of no more than 6% of material (by weight) as process residuals as part of recyclable materials processing operations. No recyclables will be landfilled or incinerated by the Contractor without written authorization from the City and the Minnesota Pollution Control Agency.

2. Lack of Adequate Market Demand: If the Contractor determines that there is no market for a particular recyclable or that the market has become economically unfeasible, the Contractor shall immediately give written notice to the City. Said notice shall include information demonstrating the effort the Contractor has made to find market

sources, and the financial information justifying the conclusion that the market is economically unfeasible. Upon receipt of said notice, the Contractor and the City shall have 30 days to attempt to find a feasible market. During this period the Contractor shall continue to pick up the particular recyclable.

If the Contractor or the City is not able to find a market within 30 days, the City has the option to:

- a) Require the Contractor to continue to collect the particular recyclable. In such case, the City would pay the Contractor, as additional compensation, the tipping fee at the Newport RDF plant or a mutually agreeable alternative site. The Contractor is required to keep accurate records of said fees and provide the City receipts of payment.
- b) Notify the Contractor to cease collection of the particular recyclable until a feasible market is located, either by the Contractor or by the City. The Contractor would then be responsible for the cost of printing and distributing educational materials explaining the market situation to residents.

If the City notifies the Contractor to cease collection of a particular recyclable, the parties shall immediately meet to renegotiate the per unit fee for service.

In the event that the parties disagree on the question of whether there is a market for a particular recyclable or on the economic feasibility of that market, the disagreement shall be submitted to binding arbitration. In this case, each party shall name an arbitrator, and the two shall select a third person to serve as chairperson of the arbitration panel. The arbitration panel shall meet and decide said question within 60 days following agreement by the arbitrators to serve on the panel. The arbitration panel shall operate in accordance with the Rules of the American Arbitration Association to the extent consistent with this section and judgment upon the award by the Arbitrator(s) may be entered in any court with jurisdiction thereof. Meanwhile, collection of said material shall continue pending outcome of arbitration.

3. Performance Monitoring: The City shall have the right, during the term of this Contract, to monitor the performance of the Contractor against goals and performance standards required within this RFP

and in the contract. Substandard performance as determined by the City will constitute non-compliance and subject Contractor to penalties as specified in the RFP Section 8.05 Liquidated Damages. If action to correct such substandard performance is not taken by the Contractor within 60 days after being notified by the City, the City will initiate the contract termination procedures.

The City shall have the right, during the term of the Contract, to have a representative on Contractor's premises to monitor the operation of the Contract. Such representative shall provide reasonable notice to the Contractor, only be allowed on Contractor's premises during normal business hours and follow all the Contractor's safety procedures.

4. Estimating Materials Composition as Collected: The Contractor shall conduct at least one materials composition analysis of the City's recyclables each year to estimate the relative amount by weight of each recyclable commodity by grade. The results of this analysis shall include: (1) percent by weight of each recyclable commodity by grade as collected from the City; (2) relative change compared to the previous year's composition; and (3) a description of the methodology used to calculate the composition, including number of samples, dates weighed, and City route(s) used for sampling. The Contractor shall provide the City with a copy of each analysis.
5. Estimating Process Residuals: The Contractor shall provide the City a written description of the means to estimate process residuals, as defined in the RFP Section 4.29, derived from the City's recyclables. This written description shall be reviewed and approved in writing by the City. This written description shall be updated by the Contractor immediately after any significant changes to the processing facilities used by the Contractor.

VI. Compensation

1. Compensation to Contractor: City agrees to pay Contractor \$2.10 per residential dwelling unit per month in 2006 for bi-weekly curbside collection, processing and marketing of recyclables. For 2006 the City certifies that there are 9,366 curbside units that will receive service. The City will notify the Contractor by December 1 of each year what the certified number of curbside units will be for the subsequent year.

The City agrees to pay Contractor \$1.55 per certified multi-unit dwelling per month in 2006. City shall determine the number of units that will receive service during a given month by the last Monday of the previous month.

The City retains the right to switch to weekly curbside collection under the timeframe delineated in Section IV. 1. Scheduled Collection Day of this contract. Once weekly service begins the City agrees to pay Contractor a weekly rate. The initial weekly rate will be the current bi-weekly rate plus \$0.30 per residential dwelling unit per month.

The City agrees that prices for service will increase each year by two percent or the Consumer Price Index for the Upper Midwest for the previous calendar year as determined by the Federal Reserve Bank of Minneapolis, whichever is less. In the event that the CPI is negative for the previous calendar year the price for service will remain the same for that subsequent year. Each March the City will notify the Contractor ~~by the last week of December~~ what the compensation rate will be for that ~~subsequent~~ calendar year.

2. Method of Payment to Contractor: Contractor shall submit itemized bills on a monthly basis. Bills submitted shall be paid in the same manner as other claims made to the City.
3. Revenue Sharing: Contractor shall, each quarter, pay the City fifty percent of the net revenue from the sale of the recyclable material that is collected and processed.

If Net Revenue is negative, that amount represents processing fees owed to the contractor or shortfall.

_____ 3.01 Formula

The Contractor shall rebate an amount to the City based on the following formula:

(a) Published industry end market "index" or verified market price (\$ per ton based on specified commodity grades) to provide the "gross end market value" by commodity for each month as specified in Section VI. 3.03;

(b) Less processing fee (\$ per ton) by commodity as specified in Section VI. 3.04;

(c) Times commodity tonnage volumes (tons per month by commodity);

- (d) Less 50 percent revenue share and;
 - (e) Equals net revenue share credit back to City as specified in Section VI. 3 and Section VI. 3.02.
- (Refer to Exhibit A for hypothetical examples to illustrate and verify this revenue sharing formula.)

3.02 Revenue Bank

The Contractor shall carry forward the calculated monthly revenue share "credit" or "shortfall" in a cumulative fashion and will be applied against the previous months' revenue share balance. This cumulative total revenue share "fund account" shall be managed according to the following requirements:

(a) The running cumulative total shall be carried forward through December 2012. A full and final report of the City's revenue share fund account shall be submitted by the Contractor by January 15, 2013. The City shall then approve this revenue share report.

(b) If the cumulative total balance shown in this final revenue share report is positive, the Contractor shall remit to the City any revenue share credit due as indicated by the cumulative total due the City.

(c) If at the end of December 2012, the cumulative total is at a negative balance, the Contractor will assume the shortfall with no amount due from the City.

(d) Whenever the amount owed the City exceeds \$20,000 the Contract shall rebate the excess over the \$20,000 to the City quarterly.

(Refer to Exhibit B for hypothetical examples to illustrate and verify this revenue sharing formula.)

Each month the Contractor shall calculate the revenue share for all commodities. Those calculations shall be included as part of the Contractor's report to the City. Contractor shall use the following indices in determining the revenue sharing formula:

A. Paper grades including newsprint and inserts, magazines, catalogs, and mixed mail shall be:

- The Official Board Markets (OBM) Yellow Sheet, Chicago region for Old Newspapers (ONP) # 8, high side of range.

B. Old Corrugated Cardboard shall be:

- The Official Board Markets (OBM) Yellow Sheet, Chicago region for OCC #11, high side of range.

C. Old Boxboard shall be:

- The Official Board Markets (OBM) Yellow Sheet, Chicago region for Mixed Paper #1, high side of range.

D. Telephone books and Wet Strength Cardboard shall be:

- Market price paid by Contractor's designated customer.

E. Aluminum shall be:

- ~~The American Metal Market (AMM), Aluminum (1st issue of the month), high side nonferrous scrap prices: scrap metals, domestic aluminum producers, buying prices for processed used aluminum cans in carload lots, f.o.b. shipping point, used beverage can scrap.~~

Market price paid by Contractor's designated customer.

F. Each: clear glass, brown glass, green/blue glass and mixed glass shall be:

- Market price paid by Anchor Glass Corporation's Shakopee, Minnesota plant. Glass composition of subgrades shall be determined during the annual composition analysis. ~~Until the initial analysis is performed the composition of subgrades is assumed to be: 41% Clear, 31% Brown, and 28% Green.~~

G. Steel shall be:

- ~~The American Metal Market (AMM) Consumer Buying Prices for Clean Used Densified Cans, Chicago Region (1st issue of the month), high side ferrous scrap prices.~~

Market price paid by Contractor's designated customer.

H. Each plastic: PET, HDPE-natural, HDPE-colored shall be:

- Market price paid by Contractor's designated customer. Plastics composition of subgrades shall be determined during the annual composition analysis. ~~Until the initial analysis is performed the composition of subgrades is assumed to be: 50% PET, 25% Natural HDPE, 25% Colored HDPE.~~

I. Aseptic and Gable-Top Packaging (milk cartons and juice boxes, etc) shall be:

•The Official Board Markets (OBM) Yellow Sheet Chicago region for Mixed Paper #1, high side of range.

J. Textiles shall be:

•Market price paid by Contractor's designated customer.

The processing fee for all paper grades, aseptic and gable top packaging and textiles shall be \$45.00 per ton.

The processing fee for Aluminum, Glass, Plastics and Steel shall be \$72.50 per ton.

For commodities where revenue is based on Market pricing the Contractor shall provide copies of Load Verification Forms detailing the amount of material sold, the vendor, and the price paid. The Load Verification Forms shall be included with the Contractor's report to the City.

~~Eureka Recycling will guarantee "floor" pricing on paper grades specified in Section VI.3.A of the contract and aluminum cans. These two commodities account for approximately 90% of the total revenue stream. The city revenue share will be based on whichever is higher, the index price minus processing fees, or the floor price minus processing fees. For aluminum cans, the floor price will be \$0.45 per pound for the term of the contract. For newspaper, the floor price will be \$50 a ton for the term of the contract.~~

4. Method of Payment to City: Contractor shall submit a check for the City's portion of the revenue share due to the city as per Section VI.3 of the contract on a quarterly basis. The Contractor shall provide, together with the rebate to the City, adequate documentation of the corresponding estimate of tons of all corresponding commodities collected from the City. Also, the Contractor shall provide copies of the referenced market indexes or Load Verification Forms with each statement.
5. Liquidated Damages: The Contractor shall agree, in addition to any other remedies available to the City, that the City may withhold payment from the Contractor in the amounts specified in the RFP

Section 8.05 as liquidated damages for failure of the Contractor to fulfill its obligations.

6. Services Not Provided For: No claim for services furnished by the Contractor not specifically provided for herein shall be honored by the City.

VII. Insurance

1. Insurance: Insurance secured by the Contractor shall be issued by insurance companies acceptable to the City and admitted in Minnesota. The insurance specified may be in a policy or policies of insurance, primary or excess. Such insurance shall be in force on the date of execution of the contract and shall remain continuously in force for the duration of the contract.

Contractor shall provide a Certificate of Insurance as proof of general liability coverage for bodily injury or death in the amount of \$1.5 million for bodily injury or death and in the amount of \$200,000 for damages to property. To cover the cost of this increased insurance requirement (compared to the RFP) both parties agreed in March 2009 that the City would pay a maximum of an additional \$14,887.04 annually.

The Certificate of Insurance shall name the City as an additional insured, and state that the Contractor's coverage shall be the primary coverage in the event of a loss.

The Contractor shall also provide a Certificate of Vehicle Liability Insurance in the amount of at least \$1,000,000.

The Contractor shall further provide a Certificate of Director's & Officers Insurance or Errors & Omissions Insurance providing coverage for 1) the claims that arise from the errors or omissions of the Contractor or its sub-contractors and 2) the negligence or failure to render a professional service by the Contractor or its sub-contractors. The insurance policy should provide coverage in the amount of \$1,000,000 each occurrence and \$1,000,000 annual aggregate. The insurance policy must provide the protection stated for two years after completion of the work. Acceptance of the insurance by the City shall not relieve, limit or decrease the liability of the Contractor. Any policy deductibles or retention shall be the responsibility of the Contractor. The Contractor shall control any

special or unusual hazards and be responsible for any damages that result from those hazards. The City does not represent that the insurance requirements are sufficient to protect the Contractor's interest or provide adequate coverage. Evidence of coverage is to be provided on a City-approved Insurance Certificate.

A thirty- (30) day written notice is required if the policy is canceled, not renewed or materially changed.

The Contractor shall require any of its subcontractors to comply with these provisions.

2. Workers' Compensation Insurance: Contractor shall provide evidence of Workers' Compensation Insurance covering all employees of Contractor engaged in the performance of this Contract in accordance with the Minnesota Workers' Compensation Law.
3. Performance and Payment Bond: Contractor shall execute and deliver to City a Performance and Payment Bond with a corporate surety in the sum of \$25,000.00 or equal ("equal" may include a Letter of Credit from a banking institution approved by City). This Contract will not become effective until such a bond, in a form acceptable to City, has been delivered to City and approved by the City Attorney.

The contract shall be subject to termination by City at any time if said bond shall be canceled or the surety thereon relieved from liability for any reason. The term of such Performance Bond shall be renewed annually during the life of the contract. Extensions or renewals shall require the execution and delivery of a Performance Bond in the above amount to cover the period of extension or renewal.

4. Indemnification: The Contractor agrees to defend, indemnify and hold harmless the City, its officers and employees, from any liabilities, claims, damages, costs, judgments, and expenses, including attorney's fees, resulting directly or indirectly from an act or omission of the Contractor, its employees, its agents, or employees of subcontractors, in the performance of the services provided by this contract or by reason of the failure of the Contractor to fully perform, in any respect, any of its obligations under this contract. If a Contractor is a self-insured agency of the State of Minnesota, the terms and conditions of Minnesota Statute 3.732 et seq. shall apply with respect to liability bonding, insurance and liability limits. The

provisions of Minnesota Statutes Chapter 466 shall apply to other political subdivisions of the State of Minnesota.

VIII. Other Requirements

1. Term: The term for providing recycling collection, processing and marketing shall be December 26, 2005 through December 31, ~~2010~~. 2012.
2. Designated Contact Person/Hotline Phone Number: Contractor designates ~~Alex Danovitch, Director of Business Development~~ Christopher Goodwin, Director of Customer Relations as its primary contact person for questions and concerns relating to the provision of services detailed in the contract, proposal and request for proposals. Contractor designates (651) 222-SORT (7678) as the number for residents to call with questions, concerns and complaints.
3. Reporting: Contractor shall file all monthly and annual reports as designated in RFP section 6. ANNUAL REPORTING AND PROMOTIONAL ACTIVITIES
4. Promotional Activities: The Contractor and the Recycling Coordinator shall work together in the preparation and distribution of educational materials to insure accurate information and program directions.

The Contractor shall produce and distribute an annual flyer to each residence in the curbside program. The Contractor will also be required to provide annually a multifamily complex recycling flyer to Multifamily Complex owners, landlords or other designated contact person in sufficient number that one copy may be distributed to each tenant. The Contractor will provide a pdf or other mutually agreed upon electronic format version of each flyer for the City.

The Contractor shall conduct its own promotions and public education to increase participation and improve compliance with City-specified resident preparation instructions. The Contractor shall submit a draft of any public education literature for approval by the City, at least one (1) month before printing and release of any such literature.

By December 31 of each year the Contractor shall provide the City with a work plan detailing the educational and promotional efforts the

Contractor shall deploy in the subsequent year to improve participation, material quality and the success of the program. These efforts shall include at a minimum, attendance by Contractor staff at one city sponsored event per year to share information on recycling program with residents, sponsorship of four City events in 2010, five in 2011 and six in 2012. Sponsorship to be defined as assisting City staff in reducing waste from the event by supplying equipment for collecting organic material for composting and accepting that compostable material and ensuring that it is composted.

5. Equal Opportunity: During the performance of the executed contract, the Contractor, in compliance with Executive Order 11246, as amended by Executive Order 11375 and Department of Labor Regulations 41CFR, Part 60, shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor shall take affirmative action to insure that applicants for employment are qualified, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin.

Such prohibition against discrimination shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training, including apprenticeship.

In the event of noncompliance with the non-discrimination clauses of this contract, this contract may be canceled, terminated, or suspended, in whole or part, in addition to other remedies as provided by law.

6. Compliance with Laws and Regulations: In providing services hereunder, Contractor shall abide by all statutes, ordinances, rules, and regulations pertaining to the provision of the services to be provided. Any violation shall constitute a material breach of the Contract.
7. Governing Law: The laws of the State of Minnesota shall govern all interpretations of this contract, and the appropriate venue and jurisdiction for any litigation which may arise hereunder will be in those courts located within the County of Ramsey, State of

Minnesota, regardless of the place of business, residence or incorporation of the Contractor.

8. Subcontractor: Contractor shall not enter into subcontracts for any of the services provided for in this Contract without the express written consent of the City.
9. Independent Contractor: Nothing contained in this agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. The Contractor shall at all times remain an independent Contractor with respect to the services to be performed under this Contract. Any and all employees of Contractor or other persons engaged in the performance of any work or services required by Contractor under this Contract shall be considered employees or sub-contractors of the Contractor only and not of the City; and any and all claims that might arise, including Worker's Compensation claims under the Worker's Compensation Act of the State of Minnesota or any other state, on behalf of said employees or other persons while so engaged in any of the work or services provided to be rendered herein, shall be the sole obligation and responsibility of Contractor.
10. Transfer of Interest: The Contractor shall not assign any interest in the contract, and shall not transfer any interest in the contract, either by assignment or novation, without the prior written approval of the City. The Contractor shall not subcontract any services under this contract without prior written approval of the City. Failure to obtain such written approval by the City prior to any such assignment or subcontract shall be grounds for immediate contract termination.
11. Inspection of Records and Disclosure: All Contractor records with respect to any matters covered by this agreement shall be made available to the City or its duly authorized agents at any time during normal business hours, as often as the City deems necessary to audit, examine and make excerpts or transcripts of all relevant data.

Any reports, information, data, etc. given to, prepared, or assembled by the Contractor under a future contract shall not be made available by the Contractor to any other person or party without the City's prior written approval. All finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and report prepared by the Contractor shall become the property of the City upon termination of the City's contract with the Contractor.

12. Conflict of Interest: Contractor agrees that no member, officer, or employee of the City shall have any interest, direct or indirect, in this Contract or the proceeds thereof. Violation of this provision shall cause this Contract to be null and void and the Contractor will forfeit any payments to be made under the Contract.
13. Entire Contract: This Contract incorporates and includes herein the RFP dated August 6, 2005. To the extent this contract conflicts with the RFP, the terms of this contract control. This Contract and the RFP incorporated supersede all verbal agreements and negotiations between the parties relating to the subject matter hereof, as well as any previous agreements presently in effect between the parties relating to the subject matter hereof. Any alterations, amendments, deletions, or waivers of the provisions of this Contract shall be valid only when expressed in writing and duly signed by the parties, unless otherwise provided herein.
14. Waiver: Any waiver by either party of a breach of any provisions of the executed contract shall not affect, in any respect, the validity of the remainder of the executed Contract.
15. Termination: The City may cancel the Contract if the Contractor fails to fulfill its obligations under the Contract in a proper and timely manner, or otherwise violates the terms of the Contract if the default has not been cured after 90 days written notice has been provided. The City shall pay Contractor all compensation earned prior to the date of termination minus any damages and costs incurred by the City as a result of the breach. If the contract is canceled or terminated, all finished or unfinished documents, data, studies, surveys, maps, models, photographs, reports or other materials prepared by the Contractor under this agreement shall, at the option of the City, become the property of the City, and the Contractor shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents or materials prior to the termination.
16. Severability: The provisions of this Contract are severable. If any portion of the contract is, for any reason, held by a court of competent jurisdiction to be contrary to law, such decision shall not affect the remaining provisions of this Contract.

17. Accounting Standards: The Contractor agrees to maintain the necessary source documentation and enforce sufficient internal controls as dictated by generally accepted accounting practices to properly account for expenses incurred under this contract.
18. Retention of Records: The Contractor shall retain all records pertinent to expenditures incurred under this contract for a period of three years after the resolution of all audit findings. Records for non-expendable property acquired with funds under this contract shall be retained for three years after final disposition of such property.
19. Data Practices: The Contractor agrees to comply with the Minnesota Government Data Practices Act and all other applicable state and federal laws relating to data privacy or confidentiality. The Contractor must immediately report to the City any requests from third parties for information relating to this Agreement. The City agrees to promptly respond to inquiries from the Contractor concerning data requests. The Contractor agrees to hold the City, its officers, and employees harmless from any claims resulting from the Contractor's unlawful disclosure or use of data protected under state and federal laws. All Proposals shall be treated as non-public information until the proposals are opened for review by the City. At that time the Proposals and their contents become public data under the provisions of the Minnesota Government Data Practices Act, Minn. Stat. C. 13.
20. Non-Assignability and Bankruptcy: The parties hereby agree that Contractor shall have no right to assign or transfer its rights and obligations under said agreement without written approval from the City. In the event Contractor, its successors or assigns files for Bankruptcy as provided by federal law, this agreement shall be immediately deemed null and void relieving all parties of their contract rights and obligations.

IN WITNESS WHEREOF, the parties have executed this agreement on the dates set forth below:

CITY OF ROSEVILLE

By _____
Its Mayor

Dated _____

and

By _____
Its City Manager

Dated _____

EUREKA RECYCLING

By _____
Its _____

Dated _____

and

By _____
Its _____

Dated _____

Exhibit A Hypothetical Examples of One Commodity's Revenue Sharing Formula

The following two hypothetical examples are for illustration purposes only as a means to verify the understanding of the actual revenue share calculation formulae as described in Section VI in this Agreement.

Hypothetical example #1 of how the specified revenue sharing works follows:

Assume:

Published industry market index for old newspaper (ONP) = \$70 per ton [from the Official Board Markets (OBM) "*Yellow Sheet*", first issue of the month, #8 News, Chicago; Freight on Board (F.O.B.) the sellers dock];

Processing fee for all paper in 2010 = \$45 per ton

Estimated amount of tons of all grades of paper for the month = 285 tons

Revenue share = 50% for all paper grades;

Therefore, the monthly credit for all paper back to the City would be = \$3,562.50

Or: $(\$70 - \$45) \times 285 \times 50\%$

Hypothetical example #2 of how the specified revenue sharing works follows:

Assume:

Published industry market index for old newspaper (ONP) = \$30 per ton [from the OBM "*Yellow Sheet*", first issue of the month, #8 News, Chicago; Freight on Board (F.O.B.) the sellers dock];

Proposed processing fee = \$45 per ton

Estimated amount of tons of all grades of paper for the month = 285 tons

Proposed revenue share = 50% for all paper grades;

Therefore, the monthly shortfall for all paper charged against the City's revenue share fund account would be = (\$2,137.50).

Or: $(\$30 - \$45) \times 285 \times 50\%$.

Exhibit B Hypothetical Example of the Cumulative Total Revenue Sharing Fund Account Statement

This is not based on any actual time periods; it is purely for demonstration purposes only.

<u>Month</u>	<u>Processing Fees</u>	<u>Revenue Share</u>	<u>Monthly Net</u>	<u>Cumulative Total</u>
January	\$25,000	\$20,000	(\$5,000)	(\$5,000)
February	\$23,000	\$21,000	(\$2,000)	(\$7,000)
March	\$25,000	\$27,000	\$2,000	(\$5,000)
April	\$26,000	\$28,000	\$2,000	(\$3,000)
May	\$27,000	\$30,000	\$3,000	\$0
June	\$28,000	\$32,000	\$4,000	\$4,000
July	\$30,000	\$34,000	\$4,000	\$8,000
August	\$32,000	\$37,000	\$5,000	\$13,000
September	\$31,000	\$39,000	\$8,000	\$21,000
October	\$29,000	\$27,000	(\$2,000)	\$19,000
November	\$27,000	\$23,000	(\$4,000)	\$15,000
December	\$23,000	\$19,000	(\$4,000)	\$11,000

Results from Cities that Bid in 2009

Brooklyn Park

<u>Company</u>	<u>Bid</u>
Waste	\$1.93
Veolia	\$2.31
Allied	\$3.79

Columbia Heights

Recycling portion of garbage and recycling bid

<u>Company</u>	<u>Bid</u>
Veolia	\$2.70
Waste	\$2.89
Allied	\$3.00
Walters	\$3.70

Edina

<u>Company</u>	<u>Bid</u>
Allied	\$2.65
Waste	\$3.61
Randy's	\$3.95

REQUEST FOR COUNCIL DISCUSSION

Date: 02/08/10

Item No.: 13.g

Department Approval

City Manager Approval

P. Trudgeon

W. Mahinen

Item Description: Recreational Vehicle Regulations Discussion

BACKGROUND

Councilmember Pust requested that the City Council have a discussion regarding the storage of recreational vehicles (RVs) within the City of Roseville at a future City Council meeting. Staff has provided a memo from Don Munson, Building Codes Coordinator, regarding Roseville's RV regulations.

POLICY OBJECTIVE

Not applicable

BUDGET IMPLICATIONS

Not applicable

STAFF RECOMMENDATION

Not applicable

REQUESTED COUNCIL ACTION

The City Council should discuss setting a meeting date for further discussion regarding regulations regarding the storage of RVs in Roseville.

Prepared by: Patrick Trudgeon, Community Development Director (651) 792-7071

Attachments: A: Memo from Don Munson regarding RVs dated April 24, 2009



Community Development Department

Memo

To: Pat Trudgeon, Community Development Director
From: Don Munson, Building Official
Date: 04-24-2009
Re: Recreational Vehicles and Trailers – Recommended City Code Revisions

Recreational Vehicles and Trailers

Roseville's City Code is in need of revisions to those sections that address both recreational vehicles and trailers. The present city code uses wording that is outdated and it references state statute criteria that no longer exists.

Revising these city code references will be complicated because they involve many different vehicle types, many different code sections and many different types of complaints. This memo identifies some of the issues and problems staff encounter. In addressing these issues and problems, overall concepts should first be discussed with Council, then specific wording changes/recommendations could be brought back later. If our first approach to Council includes specific wording changes, they will drown in details.

The first section of this memo identifies issues; the second identifies options and recommendations. This memo also breaks down the different types of recreational vehicles and trailers into 4 categories:

- **Motorized Recreational Vehicles**
- **Towed Recreational Vehicles**
- **Commercial Trailers**
- **Small Utility Trailers**

Issues: This section identifies the types of complaints the city gets and some other issues.

- **Motorized Recreational Vehicles:**

- The City receives many complaints about motorized RV's: parking on the grass on residential lots (a violation), parking on driveways blocking views (not a violation), parking in streets creating a sight/safety hazard (not a violation).



Winnebago on the grass (a violation)



RV on driveway (not a violation)



RVs in the driveway (no violation) blocking views



- **Towed Recreational Vehicles:**

- The City receives many complaints about towed RV's: stored on the grass on residential lots (a violation), parking on driveways blocking views (a violation after three days), parking in streets creating a sight/safety hazard (not a violation).



Towed RV on the grass (a violation)



RV on driveway (a violation)

- **Commercial Trailers:**

- City gets complaints about large commercial type trailers being parked on a residential driveway (after 2 hours a violation) and on grass (a violation). Large commercial trailers are being seen on residential properties more & more often as more people work from home.



Comm. trailer on street (not a violation)



Comm. trailer on driveway (a violation)

- **Small Utility Trailers:**

- These are the small single axel, single wheel trailers typically seen in residential areas. They are allowed to be stored indefinitely in side and rear yards, and, for a maximum of three days in a front yard. They rarely generate complaints (unless they are full of junk/debris).

- **City Code:**

- Roseville's City Code refers to 'Campers and Camper Busses' (Section 407.03 Q D) which is an out-dated reference that does not apply to the recreational vehicles seen today. Today we see motorized RV's, large towed RV's and the old pop-up campers.
- Roseville's City Code refers to the state classifications of Class A & B trailers with a maximum capacity of 1,500 lbs (Section 407.01A). These do not exist anymore. The smallest state license now, is up to a capacity of 3,000 lbs.
- The definition for a 'recreational vehicle' is found in Section 1002 and for a 'vehicle' is found in 407.01. These definitions are out-dated and need to be revised and coordinated (with any new code changes).

- **Miscellaneous:**

- Very strong emotions on both sides of the RV issue. Some want to keep RV's on their property, some hate seeing them outside their window, especially all year long.
- In the summer residents keep small pop-up campers on the front driveway for over the allowed 3 days (staff only pursues these in the winter). In the winter residents keep small snowmobile trailers on the front driveway for over the allowed 3 days (staff only pursues these in the summer).
- Many side/rear yards are inaccessible and owners can't get the small allowed trailers into those areas (a violation if stored in the front yard- over three days).
- Since most RV's don't really create blight on the neighborhood, they should be minimally regulated.

Options/Recommendations:

- **Motorized Recreational Vehicles:**

- Options:
 - Treat as any other motorized vehicle.
 - Enforce the 2,000lbs maximum capacity rule restricting these to 2 hours in a residential area.
 - Allow to be parked on the grass.
- Recommendation: Treat motorized RV's as any other motor vehicle; allowed on driveways and in streets indefinitely, but not allowed to be parked on grass.
 - Complaints would continue about visibility dangers and unsightliness.
 - Some residents will pave a large portion of their front yards in order to park an RV there.

- **Towed Recreational Vehicles:**

- Options:
 - Consider RV trailers the same as motorized RV's.
 - Create specific rules for the different types of RV trailers.
 - Consider RV trailers the same as commercial trailers.
 - Adhere to the old 2,000 lb distinction (to be 3,000 lbs) – this would allow some RV trailers (larger than the small utility trailers) in side/rear yards and would generate complaints.
- Recommendation: Create specific rules:
 - Allow manufactured RV trailers to be considered as motorized RV's and treat them like any motorized vehicle (allowed on a driveway indefinitely). This would generate the fewest complaints.
 - Allow pop-up campers to be treated as typical small trailers so they can be stored in side/rear yards indefinitely.

- **Commercial Trailers:**

- Options:
 - Continue to regulate them as the city code does now (not allowed in a residential zone for over 2 hours).
 - Allow larger trailers and closed type trailers on residential lots for longer periods – this would generate many complaints.

- Recommendation:
 - Restrict trailers over 3,000 lbs (considered commercial type) to a maximum of two hours in a residential area. City Code now restricts trailers over 2,000 lbs, however, state licensing has changed and now the smallest trailer license is 3,000 lbs.
 - ✓ More and more of the large open and closed type trailers (dual wheel and dual axel types) are being seen throughout the city. These are typically used for commercial purposes and they generate complaints from neighbors.
- **Small Utility Trailers:**
 - Options:
 - Keep the present code concept of allowing small utility trailers in side/rear yards but change to match the state's 3,000 lb classification.
 - Do not allow trailers to be stored indefinitely in side or rear yards – this would generate a huge number of complaints as residents mostly want these allowed.
 - Recommendation:
 - Keep the present code concept and allow open and closed utility trailers (under 3,000 lb capacity) in side or rear yards indefinitely. Continue to restrict these trailers to a maximum of three days on a front yard driveway.
 - ✓ The code needs to be changed because it references state classifications that no longer exist. City Code now has a maximum of 1,500 lbs but state licensing has changed and increased the smallest license to 3,000 lbs.
- **Miscellaneous:**
 - City Code:
 - City code addresses trailers in Sections 1002 (definitions), 407 (definitions), 407.02 L&M, 407.03 Q. All need to be reviewed, revised and re-written.
 - Boats are also intermingled in Section 407. Needs minor changes because presently you can place a boat and trailer indefinitely on the front yard on the grass, or leave a boat (not on a trailer) on the front yard grass indefinitely.
 - Recommend limiting the current practice of allowing persons to live in an RV, whether parked on a driveway or in the street. Limit this to 7 days (when people come to visit and stay in an RV, staff receives many calls from concerned neighbors – especially when the RV is parked in the street. Also, we've had 'employees' living in RV's and vans, this scares the neighbors).

EXAMPLES OF TRAILERS GERNERATING COMPLAINTS





