



City Council Agenda

Monday, July 9, 2012

6:00 p.m.

City Council Chambers

(Times are Approximate)

- 6:00 p.m. **1. Roll Call**
Voting & Seating Order for July: Johnson, Pust, Roe, McGehee, Willmus
- 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**
- 6:15 p.m. **5. Recognitions, Donations, Communications**
 - a. Proclaim July Parks & Recreation Month
 - b. Proclaim August 7, 2012 Night to Unite
- 6:20 p.m. **6. Approve Minutes**
 - a. Approve Minutes of June 18, 2012 Meeting
- 6:25 p.m. **7. Approve Consent Agenda**
 - a. Approve Payments
 - b. Approve Business & Other Licenses
 - c. Approve General Purchases and Sale of Surplus items in excess of \$5000
 - d. Approve 2012-2013 Law Enforcement Legal Services (LELS) Contract Terms
 - e. Approve Construction Agreement between the University of Minnesota and the City of Roseville for the Fairview Pathway Project (aka Northeast Suburban Campus Connector Bike/ Pedestrian Project)
 - f. Set Public Hearing to Consider Approving a 3.2% On-Sale, Sunday Liquor, and Wine license for Kyoto Sushi at 2100 N. Snelling Ave., Suite 80
- 8. Consider Items Removed from Consent**

9. General Ordinances for Adoption

- 6:35 p.m. a. Request by Lincoln Drive Properties, LLC, for approval of a zoning text amendment which would allow academic instruction as a use in commercial zoning districts

10. Presentations

11. Public Hearings

- 7:00 p.m. **Recess Regular Meeting**

Convene as Board of Adjustments and Appeals

Receive Appeal regarding City Staff's decision that Wal-Mart is a permitted use under the zoning code for the property located along County Road C between Prior Ave. and Cleveland Ave. and refer the appeal to the Planning Commission.

Adjourn Board of Adjustments and Appeals

Reconvene Regular Meeting

12. Business Items (Action Items)

- 7:15 p.m. a. Request by Wal-Mart Stores, Inc. for approval of a preliminary plat of the land area bounded by County Road C, Cleveland Avenue, Twin Lakes Parkway, and Prior Avenue

13. Business Items – Presentations/Discussions

- 8:10 p.m. a. Discuss Neighborhood Traffic Management Program
8:25 p.m. b. Discuss Draft Overhead Electric Undergrounding Policy

14. City Manager Future Agenda Review

15. Councilmember Initiated Items for Future Meetings

16. Adjourn

Some Upcoming Public Meetings.....

Wednesday	Jul 11	6:30 p.m.	Planning Commission
Monday	Jul 16	6:00 p.m.	City Council Meeting
Monday	Jul 23	6:00 p.m.	City Council Meeting
Tuesday	Jul 24	6:30 p.m.	Public Works, Environment & Transportation Commission
August			
Wednesday	Aug 1	6:30 p.m.	Planning Commission
Tuesday	Aug 7	8:00 p.m.	Parks & Recreation Commission (Natl Night Out til 8)
Wednesday	Aug 8	6:30 p.m.	Ethics Commission
Monday	Aug 13	6:00 p.m.	City Council Meeting

REQUEST FOR COUNCIL ACTION

Date: 7-9-12
Item No.: 5 . a

Department Approval



City Manager Approval



Item Description: Proclaim July, 2012 as Parks and Recreation Month

BACKGROUND

The City of Roseville has historically recognized the importance of Parks and Recreation and has identified it as an essential service in the Parks and Recreation System Master Plan that was adopted in November of 2010.

In 2012, the U.S. House of Representatives designated July as Parks and Recreation Month and encourages communities around the country to do the same.

POLICY OBJECTIVE

This is consistent with the policies outlined in the Parks and Recreation System Master Plan adopted in November 2010.

FINANCIAL IMPACTS

None

STAFF RECOMMENDATION

Staff recommends that the month of July, 2012 be proclaimed Parks and Recreation Month in Roseville.

REQUESTED COUNCIL ACTION

Motion adopting the proclamation

Prepared by: Lonnie Brokke, Director of Parks and Recreation

Attachments: A. Proclamation

PROCLAMATION

JULY AS PARKS AND RECREATION MONTH

JULY 2012

WHEREAS parks and recreation programs are an essential part of the Roseville Community; and

WHEREAS parks and recreation are vitally important to establishing and maintaining the quality of life in Roseville and contribute to the economic and environmental well-being of Roseville and the larger community; and

WHEREAS our parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, promote social bonds by uniting neighbors and also improve and ensure the physical, mental and emotional health of all citizens; and

WHEREAS our parks and recreation programs increase Roseville's economic prosperity through increased property values, increased tourism, the attraction and retention of residents and businesses, and crime reduction; and

WHEREAS our parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS Roseville Minnesota recognizes the benefits derived from parks and recreation resources

NOW THEREFORE, BE IT RESOLVED BY the Roseville City Council that July is recognized as Park and Recreation Month in the City of Roseville.

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NOW THEREFORE BE IT RESOLVED that the City Council of the City of Roseville does hereby
proclaim July, 2012 as Parks and Recreation month in the City of Roseville.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Roseville to be
affixed this 9th day of July, 2012.

(SEAL)

Daniel J. Roe, Mayor

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 7/9/2012
Item No.: 5.b

Department Approval



City Manager Approval



Item Description: Proclaim August 7, 2012 Night to Unite in Roseville

BACKGROUND

Night to Unite, sponsored by the MINNESOTA CRIME PREVENTION ASSOCIATION, is a neighborhood crime prevention event that occurs annually on the first Tuesday in August and is celebrated in hundreds of cities throughout Minnesota. A similar campaign, National Night Out, takes place on the same evening in thousands of cities, towns and villages throughout the Country. In addition to increasing awareness of crime prevention programs, Night to Unite strengthens neighborhood spirit and community-police partnerships, while sending a message to criminals that neighborhoods are organized and fighting back against crime.

BUDGET IMPLICATIONS

Proclaiming August 7, 2012 as Night to Unite in Roseville will have no financial impact on the city.

STAFF RECOMMENDATION

Staff recommends August 7, 2012 be proclaimed Night to Unite in Roseville.

REQUESTED COUNCIL ACTION

Motion to adopt 2012 Night to Unite Proclamation.

Prepared by: Corey Yunke, Community Relations Coordinator, Roseville Police Department

Attachments: A: 2012 Night to Unite Proclamation

City of Roseville

NIGHT TO UNITE 2012 PROCLAMATION

WHEREAS, the Minnesota Crime Prevention Association (MCPA) is sponsoring a nationwide crime prevention program on August 7, 2012 called "Night to Unite", and

WHEREAS, the "4th Annual Night to Unite" provides a unique opportunity for Roseville to join forces with thousands of other communities across the state and country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, Roseville Neighborhood Watch plays a vital role in assisting the Police Department through joint crime prevention efforts in Roseville and is supporting "Night to Unite 2012" locally; and

WHEREAS, it is essential that the citizens of Roseville be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime in Roseville; and

WHEREAS, police- community partnerships, neighborhood safety, awareness and cooperation are important themes of the "Night to Unite" program;

NOW, THEREFORE WE, THE ROSEVILLE MAYOR AND CITY COUNCIL, do hereby call upon all citizens of Roseville to join ROSEVILLE NEIGHBORHOOD WATCH GROUPS and the Minnesota Crime Prevention Association in supporting "Night to Unite" on August 7, 2012.

BE IT FURTHER RESOLVED THAT, WE, ROSEVILLE MAYOR AND CITY COUNCIL, do hereby proclaim Tuesday, August 7, 2012 as "NIGHT TO UNITE" in ROSEVILLE, RAMSEY COUNTY, MINNESOTA.

Daniel J. Roe, Mayor

William J. Malinen, City Manager

Date: July 9, 2012

Item: 6.a

Approve June 18, 2012

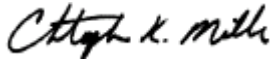
Council Minutes

REQUEST FOR COUNCIL ACTION

Date: 7/09/2012

Item No.: 7.a

Department Approval



City Manager Approval



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	\$664,577.32
66600-66826	\$1,035,007.85
Total	\$1,699,585.17

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: Checks For Approval

Accounts Payable

Checks for Approval

User: mary.jenson
Printed: 7/3/2012 - 8:07 AM

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
0	06/14/2012	General Fund	ICMA Def Comp	ICMA Retirement Trust 457-300227	PR Batch 00001.06.2012 ICMA Defe	3,511.04
0	06/14/2012	Information Technology	ICMA Def Comp	ICMA Retirement Trust 457-300227	PR Batch 00001.06.2012 ICMA Defe	325.00
0	06/14/2012	Recreation Fund	ICMA Def Comp	ICMA Retirement Trust 457-300227	PR Batch 00001.06.2012 ICMA Defe	512.49
0	06/14/2012	Community Development	ICMA Def Comp	ICMA Retirement Trust 457-300227	PR Batch 00001.06.2012 ICMA Defe	317.99
0	06/14/2012	Sanitary Sewer	ICMA Def Comp	ICMA Retirement Trust 457-300227	PR Batch 00001.06.2012 ICMA Defe	50.00
0	06/14/2012	Water Fund	ICMA Def Comp	ICMA Retirement Trust 457-300227	PR Batch 00001.06.2012 ICMA Defe	50.00
0	06/14/2012	Golf Course	ICMA Def Comp	ICMA Retirement Trust 457-300227	PR Batch 00001.06.2012 ICMA Defe	37.51
0	06/14/2012	General Fund	Union Dues Deduction	MN Teamsters #320	PR Batch 00001.06.2012 Local 320 U	445.00
0	06/14/2012	General Fund	Minnesota Benefit Ded	MN Benefit Association	PR Batch 00001.06.2012 Minnesota F	235.87
0	06/14/2012	General Fund	Union Dues Deduction	LELS	PR Batch 00001.06.2012 Lels Union	1,562.78
0	06/14/2012	Police Grants	Union Dues Deduction	LELS	PR Batch 00001.06.2012 Lels Union	33.22
0	06/14/2012	P & R Contract Maintenance	Operating Supplies	Linder's Commercial	Flowers	76.95
0	06/14/2012	P & R Contract Maintenance	Operating Supplies	Lonnie Brokke	Volunteer Supplies Reimbursement	53.89
0	06/14/2012	Recreation Fund	Transportation	Jill Anfang	Mileage Reimbursement	326.90
0	06/14/2012	Community Development	Electrical Inspections	Tokle Inspections, Inc.	May Electrical Inspections	6,922.20
0	06/14/2012	General Fund	211403 - Flex Spend Day Care		Dependent Care Reimbursement	192.31
0	06/14/2012	General Fund	211403 - Flex Spend Day Care		Dependent Care Reimbursement	1,017.50
0	06/14/2012	Risk Management	Employer Insurance	Delta Dental Plan of Minnesota	Dental Insurance Premium for May 21	4,148.44
0	06/14/2012	License Center	Rental	Gaughan Properties	Motor Vehicle Rent-July 2012	4,723.13
0	06/14/2012	General Fund	211402 - Flex Spending Health		Flexible Benefit Reimbursement	45.00
0	06/14/2012	General Fund	211403 - Flex Spend Day Care		Dependent Care Reimbursement	423.72
0	06/14/2012	General Fund	Contract Maint. - City Hall	Collins Electrical Construction Co.	Light Repair	452.50
0	06/14/2012	General Fund	Contract Maint. - City Hall	Collins Electrical Construction Co.	Remove Poles	1,375.00
0	06/14/2012	Golf Course	Rental	Yale Mechanical, LLC	RPZ Testing	180.00
0	06/14/2012	Boulevard Landscaping	Operating Supplies	Yale Mechanical, LLC	RPZ Testing	940.00
0	06/14/2012	General Fund	Vehicle Supplies	Rigid Hitch Incorporated	2012 Blanket PO for Vehicle Repairs	20.27
0	06/14/2012	General Fund	Vehicle Supplies	Rigid Hitch Incorporated	2012 Blanket PO for Vehicle Repairs	47.83
0	06/14/2012	General Fund	Vehicle Supplies	Rigid Hitch Incorporated	2012 Blanket PO for Vehicle Repairs	160.28
0	06/14/2012	General Fund	Contract Maintenance Vehicles	Minnesota Spring & Suspension, LLC	2012 Blanket PO For Vehicle Repairs	371.00
0	06/14/2012	General Fund	Vehicle Supplies	Catco Parts & Service Inc	2012 Blanket PO For Vehicle Repairs	62.96
0	06/14/2012	General Fund	Vehicle Supplies	Catco Parts & Service Inc	2012 Blanket PO For Vehicle Repairs	23.27
0	06/14/2012	Storm Drainage	Professional Services	SEH, Inc	Surface Water Plan	2,624.88
0	06/14/2012	General Fund	Contract Maint. - City Garage	Jeff's S.O.S. Drain Cleaning, Corp.	Main Line Water Jetting	280.00
0	06/14/2012	Boulevard Landscaping	Operating Supplies	M/A Associates	Heavy Duty Liners	388.55

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
0	06/14/2012	P & R Contract Maintenance	Operating Supplies	M/A Associates	Heavy Duty Liners	780.24
0	06/14/2012	General Fund	Vehicle Supplies	Metro Fire	Carbide Chain	739.31
0	06/14/2012	General Fund	209001 - Use Tax Payable	Metro Fire	Sales/Use Tax	-47.56
0	06/14/2012	General Fund	Motor Fuel	Yocum Oil	2012 Blanket PO for Fuel - State cont	10,499.00
0	06/14/2012	License Center	Professional Services	Quicksilver Express Courier	Courier Service	161.20
0	06/14/2012	Recreation Fund	Professional Svcs	MRPA	Leadership Workshop	100.00
0	06/14/2012	P & R Contract Maintenance	Vehicle Supplies	MTI Distributing, Inc.	Control ASM	939.21
0	06/14/2012	P & R Contract Maintenance	Vehicle Supplies	MTI Distributing, Inc.	Gasket	20.83
0	06/14/2012	Recreation Fund	Operating Supplies	Grainger Inc	Motor	84.53
0	06/14/2012	P & R Contract Maintenance	Operating Supplies	Grainger Inc	Rope	151.26
0	06/14/2012	Recreation Fund	Operating Supplies	Grainger Inc	Ice Pump	1,385.87
0	06/14/2012	Recreation Fund	Operating Supplies	Grainger Inc	Back Up Alarm	34.20
0	06/14/2012	General Fund	Vehicle Supplies	Larson Companies	2012 Blanket PO for Vehicle Repairs	203.02
0	06/14/2012	General Fund	Professional Services	Erickson, Bell, Beckman & Quinn P.A.	General Civil Matters	13,433.00
0	06/14/2012	Recreation Fund	Contract Maintenance	Green View Inc.	Ice Arena Cleaning	629.25
0	06/14/2012	General Fund	Vehicle Supplies	Fastenal Company Inc.	2012 Blanket PO for Vehicle Repairs	180.11
0	06/14/2012	Contracted Engineering Svcs	Deposits	WSB & Associates, Inc.	Twin Lakes Walmart Review	643.50
0	06/14/2012	General Fund	Office Supplies	Innovative Office Solutions	Office Supplies	26.17
0	06/14/2012	General Fund	Office Supplies	Innovative Office Solutions	Office Supplies	75.19
0	06/14/2012	Community Development	Office Supplies	Innovative Office Solutions	Office Supplies	320.17
Check Total:						62,295.98
0	06/19/2012	License Center	Office Supplies	Office Depot- ACH	Office Supplies	22.47
0	06/19/2012	Water Fund	Operating Supplies	Suburban Ace Hardware-ACH	Flex Spout Oilers	25.69
0	06/19/2012	General Fund	Office Supplies	Office Depot- ACH	Office Supplies	14.12
0	06/19/2012	Housing & Redevelopment Agency	Operating Supplies	Caribou Coffee- ACH	HRA Strategic Planning Session Supp	25.69
0	06/19/2012	General Fund	Operating Supplies	3M-ACH	Station Supplies	240.37
0	06/19/2012	Housing & Redevelopment Agency	Operating Supplies	Nelsons Cheese & Deli-ACH	HRA Strategic Planning Supplies	109.53
0	06/19/2012	General Fund	Training	Atom Training-ACH	Emotional Survival For LE	125.00
0	06/19/2012	Recreation Fund	Professional Services	3rd Lair SkatePark-ACH	Skate Camp Deposit	600.00
0	06/19/2012	General Fund	Operating Supplies	Dick's Sporting Goods - ACH	Station Supplies	12.84
0	06/19/2012	General Fund	Vehicle Supplies	Tousley Ford-ACH	Cap	37.80
0	06/19/2012	Recreation Fund	Operating Supplies	Subway-ACH	Bowling Luncheon Supplies	112.48
0	06/19/2012	General Fund	Police Explorer Program	McDonalds-ACH	Meals for Explorers	21.89
0	06/19/2012	General Fund	Operating Supplies	Menards-ACH	Station Supplies	20.33
0	06/19/2012	General Fund	Operating Supplies	Suburban Ace Hardware-ACH	Station Supplies	80.57
0	06/19/2012	Recreation Fund	Operating Supplies	Weissman's Design-ACH	Dance Supplies	271.20
0	06/19/2012	P & R Contract Maintenance	Operating Supplies	North Hgts Hardware Hank-ACH	Cement	21.93
0	06/19/2012	General Fund	Operating Supplies	Target- ACH	Training Supplies	5.98
0	06/19/2012	Telecommunications	Furniture and Fixtures	Apple Store-ACH	Final Cut Pro	353.49
0	06/19/2012	Information Technology	Computer Equipment	Provantage corp - ACH	Motion Tablet	2,828.08
0	06/19/2012	Information Technology	Use Tax Payable	Provantage corp - ACH	Sales/Use Tax	-181.92
0	06/19/2012	Recreation Fund	Operating Supplies	Mills Fleet Farm-ACH	Air Horn, Timer	27.66

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
0	06/19/2012	Recreation Fund	Operating Supplies	Menards-ACH	Duct Tape, Wire Splice	46.40
0	06/19/2012	Recreation Fund	Operating Supplies	Office Depot- ACH	Office Supplies	32.12
0	06/19/2012	Recreation Fund	Operating Supplies	Cub Foods- ACH	Bowling Luncheon Supplies	31.25
0	06/19/2012	General Fund	Operating Supplies	B-Dale BP-ACH	Non Oxygenated Fuel	19.39
0	06/19/2012	General Fund	Training	Neogov-ACH	Regional Conference-Bacon	55.00
0	06/19/2012	License Center	Merchandise for Sale	Mydriversmanuals-ACH	Manuals	195.20
0	06/19/2012	Water Fund	Operating Supplies	Airgas-ACH	No Receipt-L. Miller	37.98
0	06/19/2012	Recreation Fund	Operating Supplies	Dick's Sporting Goods - ACH	Blackplast	21.40
0	06/19/2012	Water Fund	Operating Supplies	Suburban Ace Hardware-ACH	Meter Supplies	61.26
0	06/19/2012	Recreation Fund	Operating Supplies	Byerly's- ACH	HANC Supplies	15.73
0	06/19/2012	Recreation Fund	Operating Supplies	Daves Sports Shop-ACH	Throatpiece	42.84
0	06/19/2012	General Fund	Operating Supplies	Staples-ACH	Station Supplies	11.23
0	06/19/2012	Recreation Fund	Operating Supplies	PetSmart-ACH	HANC Supplies	56.71
0	06/19/2012	Recreation Fund	Operating Supplies	Rainbow Racing-ACH	Run for the Roses Supplies	33.32
0	06/19/2012	General Fund	Clothing	JC Penny-ACH	Uniform Shoes	70.00
0	06/19/2012	Recreation Fund	Operating Supplies	Roseville Bakery-ACH	Pastries for Ice Show Setup	12.85
0	06/19/2012	Boulevard Landscaping	Operating Supplies	Suburban Ace Hardware-ACH	Tie Down, Tape, Utility Knife	50.93
0	06/19/2012	General Fund	Operating Supplies	Byerly's- ACH	Cake for Swearing In	35.99
0	06/19/2012	P & R Contract Maintenance	Operating Supplies	North Hgts Hardware Hank-ACH	Weed Killer, Drain	155.34
0	06/19/2012	Recreation Fund	Operating Supplies	Roseville Bakery-ACH	Bob Teff's Going Away Party Supplie:	28.25
0	06/19/2012	Information Technology	Operating Supplies	SHI-ACH	Office Licenses	2,109.71
0	06/19/2012	Housing & Redevelopment Agency	Professional Services	Vroman Systems-ACH	Online Registration	19.95
0	06/19/2012	General Fund	Operating Supplies	GFOA- ACH	Accounting, Auditing, Financial Repc	318.00
0	06/19/2012	P & R Contract Maintenance	Operating Supplies	Menards-ACH	Bits	14.62
0	06/19/2012	General Fund	Operating Supplies	Amazon.com- ACH	CD/DVD Label Applicator	16.39
0	06/19/2012	General Fund	209001 - Use Tax Payable	Amazon.com- ACH	Sales/Use Tax	-1.05
0	06/19/2012	Recreation Fund	Operating Supplies	Home Depot- ACH	Walkway Puck Lights	89.54
0	06/19/2012	General Fund	Operating Supplies	Sirchie Finger Print-ACH	Magnetic Wand, Lifting Tape	76.40
0	06/19/2012	General Fund	209001 - Use Tax Payable	Sirchie Finger Print-ACH	Sales/Use Tax	-4.91
0	06/19/2012	General Fund	Conferences	Best Western- ACH	Police Chiefs Convention Conference	300.03
0	06/19/2012	License Center	Office Supplies	S & T Office Products-ACH	Office Supplies	47.01
0	06/19/2012	P & R Contract Maintenance	Operating Supplies	Menards-ACH	Cement, Boards	116.92
0	06/19/2012	General Fund	Operating Supplies	Byerly's- ACH	Swearing In Supplies	24.86
0	06/19/2012	General Fund	Operating Supplies	Amazon.com- ACH	CD/DVD Shredder	59.17
0	06/19/2012	General Fund	209001 - Use Tax Payable	Amazon.com- ACH	Sales/Use Tax	-3.81
0	06/19/2012	Recreation Fund	Operating Supplies	Home Depot- ACH	Hooks, Bits, Lights	47.97
0	06/19/2012	Recreation Fund	Operating Supplies	Davis Lock & Safe-ACH	Keys	112.22
0	06/19/2012	Golf Course	Operating Supplies	MIDC Enterprises- ACH	Irrigation Supplies	15.78
0	06/19/2012	General Fund	Operating Supplies	S & T Office Products-ACH	Office Supplies	255.22
0	06/19/2012	General Fund	Conferences	PayPal-ACH	Warrior Women Conference-Scheider	129.00
0	06/19/2012	General Fund	Operating Supplies	Grainger-ACH	Station Supplies	523.02
0	06/19/2012	P & R Contract Maintenance	Miscellaneous	Suburban Ace Hardware-ACH	No Receipt-Schlosser	20.32
0	06/19/2012	General Fund	Vehicle Supplies	PTS Tool Supply-ACH	Tools	121.84
0	06/19/2012	Boulevard Landscaping	Operating Supplies	North Hgts Hardware Hank-ACH	Dryer Vent Brush	17.12

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
0	06/19/2012	General Fund	Operating Supplies	Peavey Corporation - ACH	Handgun Boxes	140.33
0	06/19/2012	General Fund	209001 - Use Tax Payable	Peavey Corporation - ACH	Sales/Use Tax	-9.03
0	06/19/2012	Boulevard Landscaping	Operating Supplies	Linder's Garden Ctr-ACH	Garden Supplies	30.79
0	06/19/2012	Recreation Fund	Operating Supplies	Joe's Sporting Goods-ACH	HANC Supplies	6.41
0	06/19/2012	General Fund	Training	GFOA- ACH	Budget Document & Award Training-	85.00
0	06/19/2012	General Fund	Operating Supplies	USPS-ACH	Damaged Taser Shipping Cost	16.80
0	06/19/2012	Recreation Fund	Operating Supplies	Suburban Ace Hardware-ACH	Bit, Thread Repair	34.26
0	06/19/2012	P & R Contract Maintenance	Operating Supplies	North Hgts Hardware Hank-ACH	Caddy, Concrete	40.65
0	06/19/2012	Recreation Fund	Office Supplies	Staples-ACH	Office Supplies	10.69
0	06/19/2012	Police Forfeiture Fund	Professional Services	NTOA-ACH	High Risk Warrant Service Training-F	460.00
0	06/19/2012	General Fund	Training	Red Ginger-ACH	Meals During Training	38.58
0	06/19/2012	P & R Contract Maintenance	Operating Supplies	Blick Art Materials-ACH	Office Supplies	30.89
0	06/19/2012	General Fund	Operating Supplies	C & H-ACH	Station Supplies	98.89
0	06/19/2012	P & R Contract Maintenance	Operating Supplies	Menards-ACH	Garden and Shop Supplies	125.70
0	06/19/2012	General Fund	Operating Supplies	Suburban Ace Hardware-ACH	Station Supplies	6.39
0	06/19/2012	General Fund	Employee Recognition	Byerly's- ACH	Sheet Cake	62.99
0	06/19/2012	Golf Course	Merchandise For Sale	Cub Foods- ACH	Coffe Supplies	23.34
0	06/19/2012	Info Tech/Contract Cities	North St. Paul Computer Equip	UPS Store-ACH	Shipping Charge	16.06
0	06/19/2012	Telecommunications	Furniture and Fixtures	L & K Trophy House-ACH	Custom Certificate	26.72
0	06/19/2012	Telecommunications	Use Tax Payable	L & K Trophy House-ACH	Sales/Use Tax	-1.72
0	06/19/2012	General Fund	Training	\$5 Pizza-ACH	Meals During Training	19.07
0	06/19/2012	Information Technology	Contract Maintenance	Local Link, Inc.-ACH	DNS Hosting Fee	107.50
0	06/19/2012	General Fund	Training	Which Wich Sandwiches-ACH	Meals During Training	37.98
0	06/19/2012	Information Technology	Operating Supplies	Provantage corp - ACH	Mobile Dock	656.76
0	06/19/2012	Information Technology	Use Tax Payable	Provantage corp - ACH	Sales/Use Tax	-42.25
0	06/19/2012	General Fund	Contract Maint. - City Hall	Nitti Sanitation-ACH	Regular Service	153.00
0	06/19/2012	General Fund	Contract Maint. - City Garage	Nitti Sanitation-ACH	Regular Service	224.40
0	06/19/2012	General Fund	Contract Maintenance	Nitti Sanitation-ACH	Regular Service	142.80
0	06/19/2012	Golf Course	Contract Maintenance	Nitti Sanitation-ACH	Regular Service	88.40
0	06/19/2012	Recreation Fund	Contract Maintenance	Nitti Sanitation-ACH	Regular Service	275.40
0	06/19/2012	P & R Contract Maintenance	Contract Maintenance	Nitti Sanitation-ACH	Regular Service	516.80
0	06/19/2012	General Fund	Contract Maint. - City Garage	Nitti Sanitation-ACH	Regular Service	40.00
0	06/19/2012	P & R Contract Maintenance	Contract Maintenance	Nitti Sanitation-ACH	Regular Service	70.00
0	06/19/2012	Recreation Fund	Operating Supplies	Cub Foods- ACH	Garden Supplies	10.91
0	06/19/2012	Info Tech/Contract Cities	Lake Elmo Computer Equipment	Network Solutions-ACH	Web Hosting	334.60
0	06/19/2012	General Fund	Memberships & Subscriptions	D J WSJ Online-ACH	Wall Street Journal Subscription Rene	207.48
Check Total:						14,300.30
0	06/21/2012	Sanitary Sewer	Metro Waste Control Board	Metropolitan Council	Waste Water Services	216,212.95
0	06/21/2012	Telephone	PSTN-PRI Access/DID Allocation	FSH Communications-LLC	Payphone Advantage	64.13
0	06/21/2012	Fire Vehicles Revolving	SCBA Equipment	MES, Inc.	Equipment Replacement	181.36
0	06/21/2012	Fire Vehicles Revolving	Furniture & Fixtures	MES, Inc.	CIP Replacement	832.76
0	06/21/2012	Fire Vehicles Revolving	Furniture & Fixtures	MES, Inc.	CIP Replacement	976.40

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
0	06/21/2012	Water Fund	Operating Supplies	Goodin Corp.	Supplies	20.58
0	06/21/2012	Community Development	Transportation	Thomas Paschke	Mileage Reimbursement	117.15
0	06/21/2012	Internal Service - Interest	Investment Income	M&I Marshall & Ilsley Bank	Safekeeping Charges	65.50
0	06/21/2012	Recreation Fund	Operating Supplies	Mark Emme	Volleyball Tournament Reimburseme	170.00
0	06/21/2012	Housing & Redevelopment Agency	Advertising	Jerzy Hornik	HRA Advertising	2,006.22
0	06/21/2012	General Fund	Operating Supplies	ARAMARK Services	Coffe Supplies	325.76
0	06/21/2012	Contracted Engineering Svcs	Deposits	SRF Consulting Group, Inc.	Walmart Traffic Study	2,901.41
0	06/21/2012	TIF District #17-Twin Lakes	Professional Services	SRF Consulting Group, Inc.	Cleveland Ave Federal Funding Calcu	649.89
0	06/21/2012	TIF District #17-Twin Lakes	Professional Services	SRF Consulting Group, Inc.	Twin Lakes Infrastructure Services	873.70
0	06/21/2012	TIF District #17-Twin Lakes	Professional Services	SRF Consulting Group, Inc.	Twin Lakes Pkwy Project Memorandi	1,585.61
0	06/21/2012	Recreation Fund	Professional Services	Youth Enrichment League, Corp.	Extreme Lego Class	2,520.00
0	06/21/2012	Recreation Fund	Operating Supplies	Stitchin Post	T-Shirts	1,821.92
0	06/21/2012	Telecommunications	Memberships & Subscriptions	North Suburban Access Corp	First Quarter Webstreaming	918.00
0	06/21/2012	General Fund	Contract Maintenance	City of St. Paul	Radio Service & Maintenance-May 21	283.95
0	06/21/2012	Recreation Fund	Contract Maintenance	Yale Mechanical, LLC	RPZ Testing/Certification	780.00
0	06/21/2012	Recreation Fund	Contract Maintenance	Yale Mechanical, LLC	RPZ Testing/Certification	180.00
0	06/21/2012	Recreation Donations	Operating Supplies	Crescent Electric Supply Co	Video Cabling	940.50
0	06/21/2012	Recreation Donations	Operating Supplies	Crescent Electric Supply Co	Video Cabling	470.25
0	06/21/2012	Recreation Donations	Operating Supplies	St. Croix Recreation Co., Inc.	Park Bench	1,034.55
0	06/21/2012	Sanitary Sewer	Professional Services	MacQueen Equipment	Re termination Kit	1,233.41
0	06/21/2012	Sanitary Sewer	Operating Supplies	MacQueen Equipment	Re termination Kit	182.50
0	06/21/2012	General Fund	Vehicle Supplies	Napa Auto Parts	2012 Blanket PO for Vehicle Repairs	31.84
0	06/21/2012	Recreation Fund	Contract Maintenance	Printers Service Inc	Ice Knife Sharpening	54.00
0	06/21/2012	General Fund	Vehicle Supplies	Napa Auto Parts	2012 Blanket PO for Vehicle Repairs	18.65
0	06/21/2012	Sanitary Sewer	Professional Services	Jeff's S.O.S. Drain Cleaning, Corp.	Sewer Line Optic Inspection	270.00
0	06/21/2012	General Fund	Contract Maintenance Vehicles	Mister Car Wash	Vehicle Washes	106.40
0	06/21/2012	General Fund	Contract Maintenance	Mister Car Wash	Vehicle Washes	11.20
0	06/21/2012	Recreation Fund	Operating Supplies	Bachmans Inc	Earth Day Trees	44.58
0	06/21/2012	Solid Waste Recycle	Operating Supplies	Litin	Cups	195.28
0	06/21/2012	Storm Drainage	Professional Services	Gopher State One Call	Blanket PO for Gopher State locate re	295.07
0	06/21/2012	Water Fund	Professional Services	Gopher State One Call	Blanket PO for Gopher State locate re	295.06
0	06/21/2012	Sanitary Sewer	Professional Services	Gopher State One Call	Blanket PO for Gopher State locate re	295.07
0	06/21/2012	General Fund	Vehicle Supplies	Factory Motor Parts, Co.	2012 Blanket PO For Vehicle Repairs	6.20
0	06/21/2012	General Fund	Vehicle Supplies	Factory Motor Parts, Co.	2012 Blanket PO For Vehicle Repairs	219.38
0	06/21/2012	Police - DWI Enforcement	Professional Services	Erickson, Bell, Beckman & Quinn P.A.	Legal Services-Vehicle Forfeiture	507.74
0	06/21/2012	General Fund	Professional Services	Erickson, Bell, Beckman & Quinn P.A.	Legal Services-Prosecution	12,215.00
0	06/21/2012	TIF District #17-Twin Lakes	Professional Services	Ratwik, Roszak & Maloney, PA	Twin Lakes Pkwy Legal Services	2,271.79
0	06/21/2012	General Fund	Utilities - City Hall	Xcel Energy	City Hall Building	5,251.76
0	06/21/2012	General Fund	Utilities - City Garage	Xcel Energy	Garage/PW Building	1,694.87
0	06/21/2012	Recreation Fund	Utilities	Xcel Energy	Nature Center	304.43
0	06/21/2012	Water Fund	Utilities	Xcel Energy	2501 Fairview Water Tower	4,563.93
0	06/21/2012	General Fund	Vehicle Supplies	Boyer Trucks Inc	2012 Blanket PO for Vehicle Repairs	101.15
0	06/21/2012	Water Fund	Other Improvements	Dakota Supply Group	Meter Supplies	1,540.92
0	06/21/2012	Water Fund	Other Improvements	Dakota Supply Group	Meter Supplies	363.38

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
0	06/21/2012	Water Fund	Water Meters	Dakota Supply Group	Meter Supplies	448.93
0	06/21/2012	General Fund	Operating Supplies City Garage	General Industrial Supply Co.	Hand Towels	132.74
0	06/21/2012	Storm Drainage	Operating Supplies	General Industrial Supply Co.	Velcro	41.36
0	06/21/2012	General Fund	Operating Supplies	General Industrial Supply Co.	Ear Plugs	85.53
0	06/21/2012	Storm Drainage	Operating Supplies	General Industrial Supply Co.	Ear Plugs	85.54
0	06/21/2012	General Fund	Vehicle Supplies	Grainger Inc	2012 Blanket PO for Vehicle Repairs	31.78
0	06/21/2012	General Fund	Other Improvements	Streicher's	SWAT Vests	362.99
0	06/21/2012	General Fund	Vehicle Supplies	CCP Industries Inc	Supplies	440.54
0	06/21/2012	Community Development	Building Surcharge	MN Dept of Labor and Industry	Building Permit Surcharges	2,476.62
0	06/21/2012	Community Development	Miscellaneous Revenue	MN Dept of Labor and Industry	Building Permit Surcharges-Retentior	-49.53
0	06/21/2012	Storm Drainage	Contract Maintenance	ESS Brothers & Sons, Inc.	Utility Sealant	17,746.59
0	06/21/2012	Water Fund	Other Improvements	ESS Brothers & Sons, Inc.	Plasma Cut	786.60
0	06/21/2012	Sanitary Sewer	Contract Maintenance	ESS Brothers & Sons, Inc.	Utility Sealant	28,941.75
0	06/21/2012	Water Fund	Water Meters	Ferguson Waterworks	Qty - 100; 5/8 X 3/4 T10 Meter Gal E	1,031.34
0	06/21/2012	Water Fund	Water Meters	Ferguson Waterworks	Qty - 100; 5/8 X 3/4 T10 Meter Gal E	6,243.03
0	06/21/2012	Water Fund	Water Meters	Ferguson Waterworks	Sales Tax	1,874.13
0	06/21/2012	General Fund	Vehicle Supplies	MacQueen Equipment	2012 Blanket PO for Vehicle Repairs-	-685.88
0	06/21/2012	General Fund	Vehicle Supplies	Allegis Corporation	Seal	81.60
Check Total:						328,081.86
0	06/26/2012	General Fund	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	11,543.66
0	06/26/2012	Contracted Engineering Svcs	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	159.02
0	06/26/2012	Information Technology	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	1,102.41
0	06/26/2012	Telecommunications	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	144.71
0	06/26/2012	Recreation Fund	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	1,664.49
0	06/26/2012	P & R Contract Maintenance	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	856.23
0	06/26/2012	Community Development	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	1,307.24
0	06/26/2012	License Center	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	1,004.59
0	06/26/2012	Charitable Gambling	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	4.11
0	06/26/2012	Police Grants	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	72.86
0	06/26/2012	Sanitary Sewer	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	790.20
0	06/26/2012	Water Fund	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	484.65
0	06/26/2012	Golf Course	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	258.13
0	06/26/2012	Storm Drainage	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	421.79
0	06/26/2012	Solid Waste Recycle	State Income Tax	MN Dept of Revenue-Non Bank	PR Batch 00002.06.2012 State Incom	34.51
0	06/26/2012	General Fund	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	2,604.98
0	06/26/2012	Contracted Engineering Svcs	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	30.42
0	06/26/2012	Information Technology	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	230.70
0	06/26/2012	Telecommunications	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	45.92
0	06/26/2012	Recreation Fund	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	356.83
0	06/26/2012	P & R Contract Maintenance	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	171.70
0	06/26/2012	Community Development	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	257.73
0	06/26/2012	License Center	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	244.76

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
0	06/26/2012	Charitable Gambling	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	0.93
0	06/26/2012	Police Grants	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	15.01
0	06/26/2012	Sanitary Sewer	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	147.15
0	06/26/2012	Water Fund	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	109.70
0	06/26/2012	Golf Course	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	30.42
0	06/26/2012	Storm Drainage	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	82.28
0	06/26/2012	Solid Waste Recycle	MN State Retirement	MSRS-Non Bank	PR Batch 00002.06.2012 Post Emplo	10.05
0	06/26/2012	General Fund	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	20,127.90
0	06/26/2012	Contracted Engineering Svcs	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	190.15
0	06/26/2012	Information Technology	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	1,495.43
0	06/26/2012	Telecommunications	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	287.04
0	06/26/2012	Recreation Fund	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	2,575.45
0	06/26/2012	P & R Contract Maintenance	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	1,216.40
0	06/26/2012	Community Development	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	1,718.67
0	06/26/2012	License Center	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	1,529.79
0	06/26/2012	Charitable Gambling	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	5.85
0	06/26/2012	Police Grants	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	144.12
0	06/26/2012	Sanitary Sewer	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	919.63
0	06/26/2012	Water Fund	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	685.51
0	06/26/2012	Golf Course	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	268.10
0	06/26/2012	Storm Drainage	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	514.15
0	06/26/2012	Solid Waste Recycle	PERA Employee Ded	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	62.79
0	06/26/2012	General Fund	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	27,556.18
0	06/26/2012	Contracted Engineering Svcs	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	190.15
0	06/26/2012	Information Technology	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	1,495.43
0	06/26/2012	Telecommunications	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	287.04
0	06/26/2012	Recreation Fund	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	2,575.45
0	06/26/2012	P & R Contract Maintenance	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	1,216.40
0	06/26/2012	Community Development	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	1,718.67
0	06/26/2012	License Center	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	1,529.79
0	06/26/2012	Charitable Gambling	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	5.85
0	06/26/2012	Police Grants	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	216.16
0	06/26/2012	Sanitary Sewer	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	919.63
0	06/26/2012	Water Fund	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	685.51
0	06/26/2012	Golf Course	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	268.10
0	06/26/2012	Storm Drainage	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	514.15
0	06/26/2012	Solid Waste Recycle	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera Emplo	62.79
0	06/26/2012	General Fund	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera additio	832.51
0	06/26/2012	Contracted Engineering Svcs	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera additio	30.42
0	06/26/2012	Information Technology	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera additio	239.26
0	06/26/2012	Telecommunications	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera additio	45.92
0	06/26/2012	Recreation Fund	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera additio	412.08
0	06/26/2012	P & R Contract Maintenance	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera additio	194.62
0	06/26/2012	Community Development	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera additio	275.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
0	06/26/2012	License Center	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera additio	244.76
0	06/26/2012	Charitable Gambling	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera additio	0.93
0	06/26/2012	Sanitary Sewer	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera additio	147.15
0	06/26/2012	Water Fund	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera additio	109.70
0	06/26/2012	Golf Course	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera additio	42.90
0	06/26/2012	Storm Drainage	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera additio	82.28
0	06/26/2012	Solid Waste Recycle	PERA Employer Share	PERA-Non Bank	PR Batch 00002.06.2012 Pera additio	10.05
0	06/26/2012	General Fund	MNDP Def Comp	Great West- Non Bank	PR Batch 00002.06.2012 MNDP De	6,626.62
0	06/26/2012	Telecommunications	MNDP Def Comp	Great West- Non Bank	PR Batch 00002.06.2012 MNDP De	317.50
0	06/26/2012	Recreation Fund	MNDP Def Comp	Great West- Non Bank	PR Batch 00002.06.2012 MNDP De	1,270.00
0	06/26/2012	P & R Contract Maintenance	MNDP Def Comp	Great West- Non Bank	PR Batch 00002.06.2012 MNDP De	280.00
0	06/26/2012	Community Development	MNDP Def Comp	Great West- Non Bank	PR Batch 00002.06.2012 MNDP De	448.00
0	06/26/2012	License Center	MNDP Def Comp	Great West- Non Bank	PR Batch 00002.06.2012 MNDP De	50.00
0	06/26/2012	Police Grants	MNDP Def Comp	Great West- Non Bank	PR Batch 00002.06.2012 MNDP De	7.71
0	06/26/2012	Sanitary Sewer	MNDP Def Comp	Great West- Non Bank	PR Batch 00002.06.2012 MNDP De	206.67
0	06/26/2012	Water Fund	MNDP Def Comp	Great West- Non Bank	PR Batch 00002.06.2012 MNDP De	225.00
0	06/26/2012	Storm Drainage	MNDP Def Comp	Great West- Non Bank	PR Batch 00002.06.2012 MNDP De	10.00
0	06/26/2012	Solid Waste Recycle	MNDP Def Comp	Great West- Non Bank	PR Batch 00002.06.2012 MNDP De	17.50
0	06/26/2012	General Fund	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	27,655.22
0	06/26/2012	Contracted Engineering Svcs	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	466.08
0	06/26/2012	Information Technology	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	2,884.81
0	06/26/2012	Telecommunications	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	305.08
0	06/26/2012	Recreation Fund	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	3,916.92
0	06/26/2012	P & R Contract Maintenance	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	1,910.80
0	06/26/2012	Community Development	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	3,356.40
0	06/26/2012	Charitable Gambling	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	7.68
0	06/26/2012	Police Grants	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	203.51
0	06/26/2012	Sanitary Sewer	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	2,074.38
0	06/26/2012	License Center	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	2,370.18
0	06/26/2012	Water Fund	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	1,144.96
0	06/26/2012	Golf Course	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	501.99
0	06/26/2012	Storm Drainage	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	948.02
0	06/26/2012	Solid Waste Recycle	Federal Income Tax	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Federal Incc	74.53
0	06/26/2012	General Fund	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	4,775.58
0	06/26/2012	Contracted Engineering Svcs	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	127.69
0	06/26/2012	Information Technology	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	981.15
0	06/26/2012	Telecommunications	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	184.85
0	06/26/2012	Recreation Fund	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	1,933.85
0	06/26/2012	P & R Contract Maintenance	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	1,019.67
0	06/26/2012	Community Development	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	1,136.65
0	06/26/2012	License Center	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	992.98
0	06/26/2012	Charitable Gambling	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	4.33
0	06/26/2012	Sanitary Sewer	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	665.33
0	06/26/2012	Water Fund	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	484.84

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
0	06/26/2012	Golf Course	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	268.47
0	06/26/2012	Storm Drainage	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	427.16
0	06/26/2012	Solid Waste Recycle	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	40.69
0	06/26/2012	General Fund	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	7,049.79
0	06/26/2012	Contracted Engineering Svcs	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	188.50
0	06/26/2012	Information Technology	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	1,448.39
0	06/26/2012	Telecommunications	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	272.88
0	06/26/2012	Recreation Fund	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	2,854.72
0	06/26/2012	P & R Contract Maintenance	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	1,505.25
0	06/26/2012	Community Development	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	1,677.92
0	06/26/2012	License Center	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	1,465.84
0	06/26/2012	Charitable Gambling	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	6.38
0	06/26/2012	Sanitary Sewer	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	982.18
0	06/26/2012	Water Fund	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	715.72
0	06/26/2012	Golf Course	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	396.33
0	06/26/2012	Storm Drainage	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	630.57
0	06/26/2012	Solid Waste Recycle	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 FICA Empl	60.07
0	06/26/2012	General Fund	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	3,802.93
0	06/26/2012	Contracted Engineering Svcs	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	44.08
0	06/26/2012	Information Technology	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	338.73
0	06/26/2012	Telecommunications	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	63.82
0	06/26/2012	Recreation Fund	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	667.64
0	06/26/2012	P & R Contract Maintenance	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	352.05
0	06/26/2012	Community Development	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	392.41
0	06/26/2012	License Center	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	342.81
0	06/26/2012	Charitable Gambling	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	1.50
0	06/26/2012	Police Grants	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	21.37
0	06/26/2012	Sanitary Sewer	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	229.70
0	06/26/2012	Water Fund	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	167.39
0	06/26/2012	Golf Course	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	92.69
0	06/26/2012	Storm Drainage	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	147.47
0	06/26/2012	Solid Waste Recycle	FICA Employee Ded.	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	14.05
0	06/26/2012	General Fund	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	3,802.93
0	06/26/2012	Contracted Engineering Svcs	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	44.08
0	06/26/2012	Information Technology	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	338.73
0	06/26/2012	Telecommunications	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	63.82
0	06/26/2012	Recreation Fund	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	667.64
0	06/26/2012	P & R Contract Maintenance	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	352.05
0	06/26/2012	Community Development	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	392.41
0	06/26/2012	License Center	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	342.81
0	06/26/2012	Charitable Gambling	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	1.50
0	06/26/2012	Police Grants	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	21.37
0	06/26/2012	Sanitary Sewer	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	229.70
0	06/26/2012	Water Fund	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	167.39

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
0	06/26/2012	Golf Course	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	92.69
0	06/26/2012	Storm Drainage	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	147.47
0	06/26/2012	Solid Waste Recycle	FICA Employers Share	IRS EFTPS- Non Bank	PR Batch 00002.06.2012 Medicare Ei	14.05
Check Total:						200,771.66
0	06/28/2012	General Fund	Operating Supplies	Target- ACH	Station Supplies	67.11
0	06/28/2012	General Fund	Operating Supplies	Viewbrite Safety Products-ACH	Lighted Collapsible Cones	2,137.29
0	06/28/2012	General Fund	209001 - Use Tax Payable	Viewbrite Safety Products-ACH	Sales/Use Tax	-137.49
0	06/28/2012	Recreation Fund	Operating Supplies	USA Pickleball Assoc-ACH	Pickleball Supplies	459.00
0	06/28/2012	Recreation Fund	Memberships & Subscriptions	PayPal-ACH	Pickleball Membership	25.00
0	06/28/2012	Water Fund	Operating Supplies	Grainger-ACH	Water Meter Supplies	151.69
0	06/28/2012	General Fund	Operating Supplies	Suburban Ace Hardware-ACH	Station Supplies	154.60
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	North Hgts Hardware Hank-ACH	Shelter Supplies	34.25
0	06/28/2012	Golf Course	Vehicle Supplies	Viking Industrial Center-ACH	Safety Gear	71.13
0	06/28/2012	General Fund	Operating Supplies	Office Depot- ACH	Office Supplies	26.77
0	06/28/2012	General Fund	Operating Supplies	Home Depot- ACH	Vinyl Cut Alabaster	20.09
0	06/28/2012	Recreation Fund	Office Supplies	UPS Store-ACH	Shipping Costs	47.70
0	06/28/2012	General Fund	Training	\$5 Pizza-ACH	Use Of Force Training Supplies	18.25
0	06/28/2012	General Fund	Training	Kens Market-ACH	Use of Force Training Supplies	15.98
0	06/28/2012	General Fund	Training	Which Wich Sandwiches-ACH	Use of Force Training Supplies	47.40
0	06/28/2012	General Fund	Operating Supplies	Rocco's Pizza-ACH	Fire Meeting Supplies	135.33
0	06/28/2012	Recreation Fund	Operating Supplies	Little Caesars-ACH	Picture Night Supplies	13.49
0	06/28/2012	Police - DWI Enforcement	Professional Services	Public Safety-ACH	Occupancy Protection Training	29.00
0	06/28/2012	General Fund	Training	Starbucks-ACH	Use of Force Training Supplies	13.87
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	Certified Laboratories-ACH	Gloves	94.01
0	06/28/2012	Recreation Fund	Operating Supplies	Gopher Sport- ACH	Court Tape	39.84
0	06/28/2012	Recreation Fund	Professional Services	St. Paul Saint-ACH	Summer Field Trip	79.00
0	06/28/2012	Recreation Fund	Operating Supplies	Uberprints.Com-ACH	Dance Recital Shirts	704.70
0	06/28/2012	General Fund	Telephone	Sprint-ACH	Cell Phones	194.68
0	06/28/2012	Information Technology	Telephone	Sprint-ACH	Cell Phones	242.39
0	06/28/2012	Recreation Fund	Telephone	Sprint-ACH	Cell Phones	329.79
0	06/28/2012	P & R Contract Maintenance	Telephone	Sprint-ACH	Cell Phones	40.73
0	06/28/2012	Golf Course	Telephone	Sprint-ACH	Cell Phones	78.33
0	06/28/2012	General Fund	Telephone	Sprint-ACH	Cell Phones	59.27
0	06/28/2012	General Fund	Telephone	Sprint-ACH	Cell Phones	365.55
0	06/28/2012	General Fund	Telephone	Sprint-ACH	Cell Phones	186.96
0	06/28/2012	Telecommunications	Telephone	Sprint-ACH	Cell Phones	48.67
0	06/28/2012	Water Fund	Telephone	Sprint-ACH	Cell Phones	40.74
0	06/28/2012	Recreation Fund	Office Supplies	Office Depot- ACH	Office Supplies	135.44
0	06/28/2012	General Fund	Contract Maint. - City Hall	Dey Appliance-ACH	Replacement Motor/Wheel	44.77
0	06/28/2012	General Fund	Operating Supplies	Target- ACH	Fire Meeting Supplies	32.98
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	Hennepin Tech. College- ACH	Flowers	417.29
0	06/28/2012	General Fund	Operating Supplies	Uline-ACH	Half Sign Binder Page	88.82

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
0	06/28/2012	Golf Course	Operating Supplies	Linder's Garden Ctr-ACH	Golf Course Flowers	560.03
0	06/28/2012	General Fund	Operating Supplies	Grainger-ACH	Station Supplies	253.81
0	06/28/2012	Storm Drainage	Operating Supplies	Menards-ACH	Cell Core PVC, Adapters	49.44
0	06/28/2012	General Fund	Vehicle Supplies	PTS Tool Supply-ACH	Air Grinder	155.51
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	North Hgts Hardware Hank-ACH	Bathroom Supplies	39.44
0	06/28/2012	General Fund Donations	K-9 Supplies	Ray Allen Mfg Co- ACH	K9 Supplies	30.94
0	06/28/2012	General Fund Donations	Use Tax Payable	Ray Allen Mfg Co- ACH	Sales/Use Tax	-1.99
0	06/28/2012	Sanitary Sewer	Operating Supplies	Harbor Freight Tools-ACH	Glovesm Winch Puller	43.66
0	06/28/2012	Police Forfeiture Fund	Professional Services	NTOA-ACH	High Risk Warrant Service Training-/-	460.00
0	06/28/2012	Recreation Fund	Conferences	Craguns Lodge - ACH	Conference Lodging	127.18
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	Suburban Ace Hardware-ACH	Park Supplies	23.29
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	United Rentals-ACH	Athletic Field Supplies	34.27
0	06/28/2012	Information Technology	Operating Supplies	Office Max-ACH	Office Supplies	31.76
0	06/28/2012	License Center	Office Supplies	Byerly's- ACH	Stamps	15.00
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	Viking Industrial Center-ACH	Safety Supplies	121.90
0	06/28/2012	Recreation Fund	Operating Supplies	Home Depot- ACH	Paint Supplies	173.34
0	06/28/2012	General Fund	Training	Brianenos-ACH	Practical Shooting Guide DVD	108.95
0	06/28/2012	General Fund	209001 - Use Tax Payable	Brianenos-ACH	Sales/Use Tax	-7.01
0	06/28/2012	License Center	Office Supplies	Shred Right-ACH	Shredding Service	57.00
0	06/28/2012	General Fund	Operating Supplies	Dairy Queen-ACH	Interns Last Day Supplies	23.92
0	06/28/2012	Boulevard Landscaping	Operating Supplies	Suburban Ace Hardware-ACH	Supplies	34.02
0	06/28/2012	General Fund	Operating Supplies	North Hgts Hardware Hank-ACH	Station Supplies	64.25
0	06/28/2012	Recreation Fund	Operating Supplies	Home Depot- ACH	Umbrella Base	36.60
0	06/28/2012	General Fund	Conferences	Grand View Lodge Nisswa ACH	Conference Lodging	182.86
0	06/28/2012	Community Development	Office Supplies	S & T Office Products-ACH	Office Supplies	9.57
0	06/28/2012	Recreation Fund	Operating Supplies	Suburban Ace Hardware-ACH	Fasteners	10.18
0	06/28/2012	General Fund	Operating Supplies	United Rentals-ACH	Safety Glasses	12.81
0	06/28/2012	General Fund	Operating Supplies	Home Depot- ACH	Station Supplies	28.83
0	06/28/2012	Recreation Fund	Miscellaneous	Rainbow Foods-ACH	Missing Receipt-Anfang	9.44
0	06/28/2012	General Fund	Memberships & Subscriptions	Board of Aelslagid-ACH	Certificate Renewal	135.50
0	06/28/2012	General Fund	Operating Supplies	S & T Office Products-ACH	Office Supplies	46.89
0	06/28/2012	Sanitary Sewer	Operating Supplies	Walter Hammond Co -ACH	Drill	23.19
0	06/28/2012	License Center	Office Supplies	S & T Office Products-ACH	Office Supplies	4.67
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	North Hgts Hardware Hank-ACH	Fence Supplies	23.96
0	06/28/2012	General Fund	Operating Supplies	All Event Party Rental-ACH	Tent Rental	353.50
0	06/28/2012	General Fund	Operating Supplies	S & T Office Products-ACH	Office Supplies	152.49
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	Menards-ACH	Paint Supplies	132.98
0	06/28/2012	Sanitary Sewer	Operating Supplies	Batteries Plus-ACH	Batteries	73.76
0	06/28/2012	General Fund	Operating Supplies	Cub Foods- ACH	Awards Ceremony Supplies	42.25
0	06/28/2012	Recreation Fund	Operating Supplies	PetSmart-ACH	HANC Program Supplies	38.46
Check Total:						10,271.07
0	06/28/2012	General Fund	ICMA Def Comp	ICMA Retirement Trust 457-300227	PR Batch 00002.06.2012 ICMA Defe	3,511.03

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
0	06/28/2012	Information Technology	ICMA Def Comp	ICMA Retirement Trust 457-300227	PR Batch 00002.06.2012 ICMA Defe	325.00
0	06/28/2012	Recreation Fund	ICMA Def Comp	ICMA Retirement Trust 457-300227	PR Batch 00002.06.2012 ICMA Defe	500.00
0	06/28/2012	Community Development	ICMA Def Comp	ICMA Retirement Trust 457-300227	PR Batch 00002.06.2012 ICMA Defe	318.00
0	06/28/2012	Sanitary Sewer	ICMA Def Comp	ICMA Retirement Trust 457-300227	PR Batch 00002.06.2012 ICMA Defe	50.00
0	06/28/2012	Water Fund	ICMA Def Comp	ICMA Retirement Trust 457-300227	PR Batch 00002.06.2012 ICMA Defe	50.00
0	06/28/2012	General Fund	PERA Life Ins. Ded.	NCPERS Life Ins#7258500	PR Batch 00002.06.2012 PERA Life	32.00
0	06/28/2012	General Fund	Minnesota Benefit Ded	MN Benefit Association	PR Batch 00002.06.2012 Minnesota F	831.04
0	06/28/2012	Recreation Fund	Minnesota Benefit Ded	MN Benefit Association	PR Batch 00002.06.2012 Minnesota F	142.01
0	06/28/2012	License Center	Minnesota Benefit Ded	MN Benefit Association	PR Batch 00002.06.2012 Minnesota F	82.43
0	06/28/2012	Sanitary Sewer	Minnesota Benefit Ded	MN Benefit Association	PR Batch 00002.06.2012 Minnesota F	6.39
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	Linder's Commercial	Nursery Items	163.41
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	Linder's Commercial	Nursery Items	320.58
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	Linder's Commercial	Nursery Items	340.41
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	Linder's Commercial	Nursery Items	40.98
0	06/28/2012	General Fund	211402 - Flex Spending Health		Flexible Benefit Reimbursement	198.07
0	06/28/2012	General Fund	211402 - Flex Spending Health		Flexible Benefit Reimbursement	381.74
0	06/28/2012	General Fund	211403 - Flex Spend Day Care		Dependent Care Reimbursement	192.31
0	06/28/2012	General Fund	211402 - Flex Spending Health		Flexible Benefit Reimbursement	45.00
0	06/28/2012	Municipal Jazz Band	Professional Services	Glen Newton	Big Band Director-June 2012	250.00
0	06/28/2012	General Fund	211402 - Flex Spending Health		Flexible Benefit Reimbursement	361.79
0	06/28/2012	General Fund	211403 - Flex Spend Day Care		Dependent Care Reimbursement	589.55
0	06/28/2012	Sanitary Sewer	Professional Services	Ecoenvelopes, LLC	Water Billing Processing, Postage Sec	175.89
0	06/28/2012	Water Fund	Professional Services	Ecoenvelopes, LLC	Water Billing Processing, Postage Sec	175.89
0	06/28/2012	Storm Drainage	Professional Services	Ecoenvelopes, LLC	Water Billing Processing, Postage Sec	175.90
0	06/28/2012	General Fund	Operating Supplies	City of St. Paul	Paper	2,833.31
0	06/28/2012	General Fund	209001 - Use Tax Payable	City of St. Paul	Sales/Use Tax	-182.26
0	06/28/2012	P & R Contract Maintenance	Contract Maintenance	Yale Mechanical, LLC	RPZ Testing	850.00
0	06/28/2012	P & R Contract Maintenance	Contract Maintenance	Yale Mechanical, LLC	RPZ Testing	850.00
0	06/28/2012	Recreation Fund	Operating Supplies	Ancom Communications, Inc.	Parade Radio Rental	200.39
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	Metro Athletic Supply, Inc.	Goal Net Fasteners	112.97
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	Metro Athletic Supply, Inc.	Soccer Net	252.12
0	06/28/2012	General Fund	Vehicle Supplies	Catco Parts & Service Inc	2012 Blanket PO For Vehicle Repairs	294.61
0	06/28/2012	General Fund	Vehicle Supplies	Catco Parts & Service Inc	2012 Blanket PO For Vehicle Repairs	22.86
0	06/28/2012	General Fund	Vehicle Supplies	Napa Auto Parts	2012 Blanket PO for Vehicle Repairs	8.31
0	06/28/2012	General Fund	Contract Maint. - City Hall	Jeff's S.O.S. Drain Cleaning, Corp.	High Pressure Water Jetting	310.00
0	06/28/2012	Solid Waste Recycle	Professional Services	Recycling Association of MN	Car Seat Recycling Service	30.00
0	06/28/2012	P & R Contract Maintenance	Operating Supplies	M/A Associates	Heavy Duty Liners	787.99
0	06/28/2012	Recreation Fund	Memberships & Subscriptions	DMX Music, Inc.	Skating Center Music	151.38
0	06/28/2012	General Fund	Utilities	Xcel Energy	Civil Defense	61.87
0	06/28/2012	Golf Course	Utilities	Xcel Energy	Golf	414.50
0	06/28/2012	General Fund	Utilities	Xcel Energy	Fire Stations	786.35
0	06/28/2012	P & R Contract Maintenance	Utilities	Xcel Energy	P&R	3,600.65
0	06/28/2012	Sanitary Sewer	Utilities	Xcel Energy	Sewer	109.76
0	06/28/2012	Recreation Fund	Utilities	Xcel Energy	Skating	9,588.54

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
0	06/28/2012	General Fund	Utilities	Xcel Energy	Traffic Signal & Street Lights	4,988.89
0	06/28/2012	Storm Drainage	Utilities	Xcel Energy	Arona Lift Station	210.65
0	06/28/2012	General Fund	Utilities	Xcel Energy	Street Light	12,584.36
0	06/28/2012	General Fund	Vehicle Supplies	Boyer Trucks Inc	2012 Blanket PO for Vehicle Repairs	30.98
0	06/28/2012	P & R Contract Maintenance	Vehicle Supplies	MTI Distributing, Inc.	Shop Supplies	251.74
0	06/28/2012	Information Technology	Operating Supplies	SHI International Corp	Acrobat Software	141.08
0	06/28/2012	Storm Drainage	Operating Supplies	Ramy Turf Products	Seed	235.98
0	06/28/2012	Boulevard Landscaping	Operating Supplies	Ramy Turf Products	Seed	70.00
Check Total:						48,856.45
66600	06/14/2012	P & R Contract Maintenance	Operating Supplies	Able Fence Inc	Tie Wires	72.68
66600	06/14/2012	P & R Contract Maintenance	Operating Supplies	Able Fence Inc	Tie Wires	37.41
Check Total:						110.09
66601	06/14/2012	Boulevard Landscaping	Operating Supplies	Advanced Coating Systems	Sandblast prep, prime with rust inhibi	15,720.00
66601	06/14/2012	Boulevard Landscaping	Operating Supplies	Advanced Coating Systems	Sandblast prep, prime with rust inhibi	450.00
Check Total:						16,170.00
66602	06/14/2012	Recreation Fund	Fee Program Revenue	Stephen Anderson	Key Deposit Refund	25.00
Check Total:						25.00
66603	06/14/2012	Recreation Fund	Professional Services	Mark Bakken	Lacrosse Coaching Certification Rein	50.00
Check Total:						50.00
66604	06/14/2012	License Center	Contract Maintenance	Brite-Way Window Cleaning Sv	License Center Window Cleaning	29.00
Check Total:						29.00
66605	06/14/2012	General Fund	Operating Supplies	Business Data Record Services	Shredding Service	40.00
66605	06/14/2012	Recreation Fund	Operating Supplies	Business Data Record Services	Shredding Service	4.80
66605	06/14/2012	General Fund	Operating Supplies	Business Data Record Services	Shredding Service	1.60
66605	06/14/2012	Community Development	Operating Supplies	Business Data Record Services	Shredding Service	8.00
66605	06/14/2012	General Fund	Miscellaneous	Business Data Record Services	Shredding Service	9.60
Check Total:						64.00
66606	06/14/2012	General Fund	Professional Services	CADD/Engineering Supply, Inc.	Ink	9.01
66606	06/14/2012	General Fund	Professional Services	CADD/Engineering Supply, Inc.	Service Plan, Toner	47.13
Check Total:						56.14
66607	06/14/2012	Golf Course	Merchandise For Sale	Capitol Beverage Sales, LP	Beverages For Resale	91.70
Check Total:						91.70

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66608	06/14/2012	Recreation Fund	Professional Services	Travis Cherrier	High School Gymnastics Instructor	600.00
Check Total:						600.00
66609	06/14/2012	General Fund	Clothing	Cintas Corporation #470	Uniform Cleaning	30.60
66609	06/14/2012	P & R Contract Maintenance	Clothing	Cintas Corporation #470	Uniform Cleaning	8.60
66609	06/14/2012	P & R Contract Maintenance	Clothing	Cintas Corporation #470	Uniform Cleaning	7.43
66609	06/14/2012	General Fund	Clothing	Cintas Corporation #470	Uniform Cleaning	33.70
66609	06/14/2012	General Fund	Clothing	Cintas Corporation #470	Uniform Cleaning	28.85
66609	06/14/2012	P & R Contract Maintenance	Clothing	Cintas Corporation #470	Uniform Cleaning	5.86
Check Total:						115.04
66610	06/14/2012	Fire Station 2011	Professional Services	CNH Architects, Inc.	Architectural Design	19,147.72
Check Total:						19,147.72
66611	06/14/2012	Golf Course	Merchandise For Sale	Coca Cola Refreshments	Beverages for Resale	280.30
66611	06/14/2012	Golf Course	Merchandise For Sale	Coca Cola Refreshments	Beverages for Resale	235.40
Check Total:						515.70
66612	06/14/2012	General Fund	Operating Supplies	Commercial Asphalt Co	Qty 1 - Asphalt patching material, per	3,526.52
66612	06/14/2012	Water Fund	Operating Supplies	Commercial Asphalt Co	Qty 1 - Asphalt patching material, per	1,192.02
Check Total:						4,718.54
66613	06/14/2012	P & R Contract Maintenance	Operating Supplies	Commercial Pool	Pool Supplies	407.16
66613	06/14/2012	P & R Contract Maintenance	Operating Supplies	Commercial Pool	Pool Supplies	195.57
Check Total:						602.73
66614	06/14/2012	Recreation Fund	Professional Services	Tom Critchley	Basketball Camp	7,519.00
Check Total:						7,519.00
66615	06/14/2012	General Fund	Vehicle Supplies	Crysteel Truck Equipment, Inc.	2012 Blanket PO for Vehicle Repairs	219.09
Check Total:						219.09
66616	06/14/2012	Water Fund	Hydrant Meter Deposits	D & S Concrete	Hydrant Meter Refund	400.00
66616	06/14/2012	Water Fund	Water - Roseville	D & S Concrete	Hydrant Meter Refund	-2.70
66616	06/14/2012	Water Fund	Miscellaneous Revenue	D & S Concrete	Hydrant Meter Refund	-40.00
66616	06/14/2012	Water Fund	State Sales Tax Payable	D & S Concrete	Hydrant Meter Refund	-0.19
Check Total:						357.11
66617	06/14/2012	P & R Contract Maintenance	Operating Supplies	Dalco	Toilet Tissue	160.31
66617	06/14/2012	P & R Contract Maintenance	Operating Supplies	Dalco	Toilet Tissue, Roll Towels	316.16
66617	06/14/2012	General Fund	Op Supplies - City Hall	Dalco	Nitrile Gloves	53.42

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
Check Total:						529.89
66618	06/14/2012	Recreation Fund	Operating Supplies	Daves Sports Shop	Sports Supplies	1,027.07
Check Total:						1,027.07
66619	06/14/2012	Information Technology	Financial Support	Diversified Collection Services, Inc.	██████████ 3124	210.24
Check Total:						210.24
66620	06/14/2012	General Fund	Vehicle Supplies	E. H. Wachs Company	Brush	94.09
Check Total:						94.09
66621	06/14/2012	Recreation Fund	Professional Services	Sharon Eaton	Preschool Contract	225.00
66621	06/14/2012	Recreation Fund	Professional Services	Sharon Eaton	Preschool Contract	105.00
Check Total:						330.00
66622	06/14/2012	General Fund	Operating Supplies	Fed Ex	Ground Services Charges	20.54
Check Total:						20.54
66623	06/14/2012	Golf Course	Evening League Registration	Janelle Ficocello	League Reimbursement	146.32
Check Total:						146.32
66624	06/14/2012	Storm Drainage	Railroad Retaining Wall	Foth Infrastructure & Environmental, LLC	Professional Services	3,742.00
66624	06/14/2012	Sanitary Sewer	Josephine Lift Station	Foth Infrastructure & Environmental, LLC	Professional Services	4,033.00
Check Total:						7,775.00
66625	06/14/2012	Golf Course	Day League Registration	Louis Germain	League Refund	66.52
Check Total:						66.52
66626	06/14/2012	P & R Contract Maintenance	Operating Supplies	Gertens Greenhouses	Arboretum Supplies	263.55
Check Total:						263.55
66627	06/14/2012	General Fund	211600 - PERA Employers Share	ICMA Retirement Trust 401-109956	PR Batch 00001.06.2012 City Manag	377.75
66627	06/14/2012	General Fund	PERA Employer Share	ICMA Retirement Trust 401-109956	PR Batch 00001.06.2012 ICMA-401	164.79
Check Total:						542.54
66628	06/14/2012	General Fund	Printing	Impressive Print	Business Cards	199.91
66628	06/14/2012	Recreation Fund	Operating Supplies	Impressive Print	Business Cards	265.00
66628	06/14/2012	General Fund	Printing	Impressive Print	Envelopes	541.86
Check Total:						1,006.77
66629	06/14/2012	Information Technology	HRA Employer	ING ReliaStar	PR Batch 00001.06.2012 HRA Emplc	200.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66629	06/14/2012	General Fund	HRA Employer	ING ReliaStar	PR Batch 00001.06.2012 HRA Emplc	4,951.33
66629	06/14/2012	Information Technology	HRA Employer	ING ReliaStar	PR Batch 00001.06.2012 HRA Emplc	783.75
66629	06/14/2012	Telecommunications	HRA Employer	ING ReliaStar	PR Batch 00001.06.2012 HRA Emplc	215.45
66629	06/14/2012	Recreation Fund	HRA Employer	ING ReliaStar	PR Batch 00001.06.2012 HRA Emplc	948.00
66629	06/14/2012	P & R Contract Maintenance	HRA Employer	ING ReliaStar	PR Batch 00001.06.2012 HRA Emplc	540.00
66629	06/14/2012	Community Development	HRA Employer	ING ReliaStar	PR Batch 00001.06.2012 HRA Emplc	170.00
66629	06/14/2012	License Center	HRA Employer	ING ReliaStar	PR Batch 00001.06.2012 HRA Emplc	860.00
66629	06/14/2012	Police Grants	HRA Employer	ING ReliaStar	PR Batch 00001.06.2012 HRA Emplc	82.17
66629	06/14/2012	Sanitary Sewer	HRA Employer	ING ReliaStar	PR Batch 00001.06.2012 HRA Emplc	295.00
66629	06/14/2012	Water Fund	HRA Employer	ING ReliaStar	PR Batch 00001.06.2012 HRA Emplc	801.25
66629	06/14/2012	Golf Course	HRA Employer	ING ReliaStar	PR Batch 00001.06.2012 HRA Emplc	70.00
66629	06/14/2012	Solid Waste Recycle	HRA Employer	ING ReliaStar	PR Batch 00001.06.2012 HRA Emplc	29.05
Check Total:						9,946.00
66630	06/14/2012	Community Development	Professional Services	Jeane Thorne Inc	Administrative Support	748.16
Check Total:						748.16
66631	06/14/2012	Recreation Fund	Rental	Jimmys Johnnys, Inc	Regular Service	45.42
66631	06/14/2012	Recreation Fund	Rental	Jimmys Johnnys, Inc	Regular Service	45.42
Check Total:						90.84
66632	06/14/2012	Recreation Fund	Professional Services	Christy Kujawa	Staff Training	25.00
66632	06/14/2012	Recreation Fund	Professional Services	Christy Kujawa	Staff Training	25.00
66632	06/14/2012	Recreation Fund	Professional Services	Christy Kujawa	Staff Training	25.00
66632	06/14/2012	Recreation Fund	Professional Services	Christy Kujawa	Staff Training	25.00
Check Total:						100.00
66633	06/14/2012	General Fund	Medical Services	LexisNexis Occ. Health Solutions	Drug Testing	352.00
Check Total:						352.00
66634	06/14/2012	General Fund	Union Dues Deduction	Local Union 49	PR Batch 00001.06.2012 IOUE Unioi	160.00
66634	06/14/2012	Recreation Fund	Union Dues Deduction	Local Union 49	PR Batch 00001.06.2012 IOUE Unioi	96.00
66634	06/14/2012	P & R Contract Maintenance	Union Dues Deduction	Local Union 49	PR Batch 00001.06.2012 IOUE Unioi	224.00
66634	06/14/2012	Sanitary Sewer	Union Dues Deduction	Local Union 49	PR Batch 00001.06.2012 IOUE Unioi	160.00
66634	06/14/2012	Water Fund	Union Dues Deduction	Local Union 49	PR Batch 00001.06.2012 IOUE Unioi	128.00
66634	06/14/2012	Storm Drainage	Union Dues Deduction	Local Union 49	PR Batch 00001.06.2012 IOUE Unioi	128.00
Check Total:						896.00
66635	06/14/2012	Recreation Fund	Professional Services	Scott Mark	Lacrosse Coaching Certification Men	50.00
Check Total:						50.00
66636	06/14/2012	P & R Contract Maintenance	Operating Supplies	MIDC Enterprises	Rain Bird	106.73

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66636	06/14/2012	P & R Contract Maintenance	Operating Supplies	MIDC Enterprises	Rain Bird	20.40
					Check Total:	127.13
66637	06/14/2012	Golf Course	Contract Maintenance	MN Dept of Health	Hospitality Fee-License Number: 935	35.00
					Check Total:	35.00
66638	06/14/2012	General Fund	Training	Mn Fire Service Certification Board	Instructor Certification Exam	375.00
					Check Total:	375.00
66639	06/14/2012	TIF District #17-Twin Lakes	Professional Services	MN Pollution Control	Voluntary Investigation Cleanu[	687.50
					Check Total:	687.50
66640	06/14/2012	Recreation Fund	Operating Supplies	MSSLax	Lacrosse Team Registrations	500.00
					Check Total:	500.00
66641	06/14/2012	Recreation Fund	Professional Services	Bob Nielsen	Band Loading/Unloading	40.00
					Check Total:	40.00
66642	06/14/2012	General Fund	Employer Insurance	NJPA	Health Insurance Premium for June 20	829.04
66642	06/14/2012	General Fund	211501 -Dental Ins Employer	NJPA	Health Insurance Premium for June 20	67,000.13
66642	06/14/2012	General Fund	211400 - Medical Ins Employee	NJPA	Health Insurance Premium for June 20	6,667.96
66642	06/14/2012	General Fund	211400 - Medical Ins Employee	NJPA	Health Insurance Premium for June 20	17,253.87
					Check Total:	91,751.00
66643	06/14/2012	License Center	Office Supplies	North Country Business Products Inc	Tax Missed on Original Invoice	1.07
					Check Total:	1.07
66644	06/14/2012	Recreation Fund	Professional Services	Pioneer Press	Arts at the Oval Advertising	330.00
					Check Total:	330.00
66645	06/14/2012	Recreation Fund	Transportation	Kala Post	Mileage Reimbursement	14.43
					Check Total:	14.43
66646	06/14/2012	Telecommunications	Postage	Postmaster- Cashier Window #5	Newsletter Postage-Account 2437	2,600.00
					Check Total:	2,600.00
66647	06/14/2012	General Fund	HSA Employer	Premier Bank	PR Batch 00001.06.2012 HSA Emplo	5,182.04
66647	06/14/2012	Contracted Engineering Svcs	HSA Employer	Premier Bank	PR Batch 00001.06.2012 HSA Emplo	200.00
66647	06/14/2012	Information Technology	HSA Employer	Premier Bank	PR Batch 00001.06.2012 HSA Emplo	325.00
66647	06/14/2012	Recreation Fund	HSA Employer	Premier Bank	PR Batch 00001.06.2012 HSA Emplo	651.25
66647	06/14/2012	P & R Contract Maintenance	HSA Employer	Premier Bank	PR Batch 00001.06.2012 HSA Emplo	620.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66647	06/14/2012	Community Development	HSA Employer	Premier Bank	PR Batch 00001.06.2012 HSA Emplo	680.00
66647	06/14/2012	License Center	HSA Employer	Premier Bank	PR Batch 00001.06.2012 HSA Emplo	420.00
66647	06/14/2012	Police Grants	HSA Employer	Premier Bank	PR Batch 00001.06.2012 HSA Emplo	57.96
66647	06/14/2012	Golf Course	HSA Employer	Premier Bank	PR Batch 00001.06.2012 HSA Emplo	93.75
66647	06/14/2012	Storm Drainage	HSA Employer	Premier Bank	PR Batch 00001.06.2012 HSA Emplo	200.00
66647	06/14/2012	P & R Contract Maintenance	HSA Employee	Premier Bank	PR Batch 00001.06.2012 HSA WI En	115.38
66647	06/14/2012	General Fund	HSA Employee	Premier Bank	PR Batch 00001.06.2012 HSA Empl	1,402.75
66647	06/14/2012	Contracted Engineering Svcs	HSA Employee	Premier Bank	PR Batch 00001.06.2012 HSA Empl	20.00
66647	06/14/2012	Recreation Fund	HSA Employee	Premier Bank	PR Batch 00001.06.2012 HSA Empl	317.70
66647	06/14/2012	P & R Contract Maintenance	HSA Employee	Premier Bank	PR Batch 00001.06.2012 HSA Empl	115.38
66647	06/14/2012	Community Development	HSA Employee	Premier Bank	PR Batch 00001.06.2012 HSA Empl	79.61
66647	06/14/2012	License Center	HSA Employee	Premier Bank	PR Batch 00001.06.2012 HSA Empl	38.46
66647	06/14/2012	Police Grants	HSA Employee	Premier Bank	PR Batch 00001.06.2012 HSA Empl	4.90
66647	06/14/2012	Golf Course	HSA Employee	Premier Bank	PR Batch 00001.06.2012 HSA Empl	86.52
Check Total:						10,610.70
66648	06/14/2012	General Fund	Contractual Maintenance	Ramsey County	Election Contract-2nd Quarterly Payn	26,875.00
Check Total:						26,875.00
66649	06/14/2012	Recreation Fund	Operating Supplies	John Rusterholz	CTV Volunteer Supplies Reimbursem	34.29
Check Total:						34.29
66650	06/14/2012	Recreation Fund	Professional Services	John Simso	Tennis Camp	2,941.00
Check Total:						2,941.00
66651	06/14/2012	Recreation Fund	Transportation	Speco Charter LLC	Twins Game Transportation	575.00
Check Total:						575.00
66652	06/14/2012	License Center	Long Term Disability	Standard Insurance Company	June Payment	145.18
66652	06/14/2012	Sanitary Sewer	Life Ins. Employee	Standard Insurance Company	June Payment	38.23
66652	06/14/2012	Police Grants	Long Term Disability	Standard Insurance Company	June Payment	11.04
66652	06/14/2012	Sanitary Sewer	Long Term Disability	Standard Insurance Company	June Payment	84.20
66652	06/14/2012	Water Fund	Long Term Disability	Standard Insurance Company	June Payment	69.20
66652	06/14/2012	Golf Course	Long Term Disability	Standard Insurance Company	June Payment	16.39
66652	06/14/2012	Storm Drainage	Long Term Disability	Standard Insurance Company	June Payment	48.09
66652	06/14/2012	Golf Course	Life Ins. Employee	Standard Insurance Company	June Payment	48.36
66652	06/14/2012	Solid Waste Recycle	Long Term Disability	Standard Insurance Company	June Payment	6.64
66652	06/14/2012	General Fund	Long Term Disability	Standard Insurance Company	June Payment	1,451.54
66652	06/14/2012	Contracted Engineering Svcs	Long Term Disability	Standard Insurance Company	June Payment	19.68
66652	06/14/2012	Information Technology	Long Term Disability	Standard Insurance Company	June Payment	152.23
66652	06/14/2012	Telecommunications	Long Term Disability	Standard Insurance Company	June Payment	30.33
66652	06/14/2012	Recreation Fund	Long Term Disability	Standard Insurance Company	June Payment	213.66

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66652	06/14/2012	P & R Contract Maintenance	Long Term Disability	Standard Insurance Company	June Payment	102.60
66652	06/14/2012	Information Technology	Life Ins. Employer	Standard Insurance Company	June Payment	70.71
66652	06/14/2012	Telecommunications	Life Ins. Employer	Standard Insurance Company	June Payment	12.93
66652	06/14/2012	Recreation Fund	Life Ins. Employer	Standard Insurance Company	June Payment	98.98
66652	06/14/2012	P & R Contract Maintenance	Life Ins. Employer	Standard Insurance Company	June Payment	58.58
66652	06/14/2012	Community Development	Life Ins. Employer	Standard Insurance Company	June Payment	64.64
66652	06/14/2012	License Center	Life Ins. Employer	Standard Insurance Company	June Payment	88.88
66652	06/14/2012	Police Grants	Life Ins. Employer	Standard Insurance Company	June Payment	6.38
66652	06/14/2012	Storm Drainage	Life Ins. Employee	Standard Insurance Company	June Payment	14.50
66652	06/14/2012	Solid Waste Recycle	Life Ins. Employee	Standard Insurance Company	June Payment	15.75
66652	06/14/2012	Sanitary Sewer	Life Ins. Employer	Standard Insurance Company	June Payment	50.66
66652	06/14/2012	Water Fund	Life Ins. Employer	Standard Insurance Company	June Payment	43.76
66652	06/14/2012	Golf Course	Life Ins. Employer	Standard Insurance Company	June Payment	14.14
66652	06/14/2012	Storm Drainage	Life Ins. Employer	Standard Insurance Company	June Payment	33.66
66652	06/14/2012	Solid Waste Recycle	Life Ins. Employer	Standard Insurance Company	June Payment	2.83
66652	06/14/2012	General Fund	Life Ins. Employee	Standard Insurance Company	June Payment	1,480.81
66652	06/14/2012	Information Technology	Life Ins. Employee	Standard Insurance Company	June Payment	73.61
66652	06/14/2012	Telecommunications	Life Ins. Employee	Standard Insurance Company	June Payment	29.25
66652	06/14/2012	Recreation Fund	Life Ins. Employee	Standard Insurance Company	June Payment	111.85
66652	06/14/2012	P & R Contract Maintenance	Life Ins. Employee	Standard Insurance Company	June Payment	151.37
66652	06/14/2012	Community Development	Life Ins. Employee	Standard Insurance Company	June Payment	213.43
66652	06/14/2012	License Center	Life Ins. Employee	Standard Insurance Company	June Payment	37.50
66652	06/14/2012	Police Grants	Life Ins. Employee	Standard Insurance Company	June Payment	0.66
66652	06/14/2012	Community Development	Long Term Disability	Standard Insurance Company	June Payment	151.09
66652	06/14/2012	Water Fund	Life Ins. Employee	Standard Insurance Company	June Payment	40.54
66652	06/14/2012	General Fund	Life Ins. Employer	Standard Insurance Company	June Payment	696.57
66652	06/14/2012	Contracted Engineering Svcs	Life Ins. Employer	Standard Insurance Company	June Payment	8.08
Check Total:						6,008.53
66653	06/14/2012	P & R Contract Maintenance	Financial Support	Steward, Zlimen & Jungers, LTD	Case 09-06243-0	68.90
Check Total:						68.90
66654	06/14/2012	Pathway Maintenance Fund	Operating Supplies	Town & Country Fence	Replace split rail fence	8,874.00
Check Total:						8,874.00
66655	06/14/2012	General Fund	Contract Maintenance Vehicles	Truck Utilities Mfg Co.	2012 Blanket PO For Vehicle Repairs	108.27
Check Total:						108.27
66656	06/14/2012	Storm Drainage	Accounts Payable	UNITED PROPERTIES	Refund Check	7,300.60
Check Total:						7,300.60
66657	06/14/2012	P & R Contract Maintenance	Professional Services	Upper Cut Tree Service	Diseased and Hazard Tree Removal	1,955.81

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66657	06/14/2012	General Fund	Contract Maintenance	Upper Cut Tree Service	Blanket PO for tree removal - Per 201	454.22
					Check Total:	2,410.03
66658	06/14/2012	Recreation Fund	Operating Supplies	US Bank	Run For Roses Change	150.00
					Check Total:	150.00
66659	06/14/2012	General Fund	Vehicle Supplies	Zahl Petroleum Maintenance Co	Annual Petro Tite Test	216.50
					Check Total:	216.50
66660	06/21/2012	HRA Property Abatement Program	Payments to Contractors	1-800 Got Junk?	Junk Removal 2051 William St.	259.00
					Check Total:	259.00
66661	06/21/2012	General Fund	Operating Supplies	Aggregate Industries-MWR, Inc.	Sealant	224.03
					Check Total:	224.03
66662	06/21/2012	Recreation Fund	Professional Services	Angela Ahrendt	Volleyball Camp Coach	300.00
					Check Total:	300.00
66663	06/21/2012	Housing & Redevelopment Agency	Payment to Owners	Jon Alexander	Energy Audit	60.00
					Check Total:	60.00
66664	06/21/2012	Water Fund	Accounts Payable	ALTISOURCE SOLUTIONS INC.	Refund Check	126.45
					Check Total:	126.45
66665	06/21/2012	Solid Waste Recycle	Professional Services	Asset Recovery Corporation	Recycling Services	392.01
					Check Total:	392.01
66666	06/21/2012	General Fund	Contract Maintenance Vehicles	Astleford International Trucks	Vehicle Repair	353.07
66666	06/21/2012	General Fund	Vehicle Supplies	Astleford International Trucks	Credit	-333.98
66666	06/21/2012	General Fund	Vehicle Supplies	Astleford International Trucks	Vehicle Repair	88.93
66666	06/21/2012	General Fund	Contract Maintenance Vehicles	Astleford International Trucks	Vehicle Repair	60.63
					Check Total:	168.65
66667	06/21/2012	Water Fund	Accounts Payable	ANDREW BAILEY	Refund Check	48.52
66667	06/21/2012	Sanitary Sewer	Accounts Payable	ANDREW BAILEY	Refund Check	3.11
					Check Total:	51.63
66668	06/21/2012	General Fund	Vehicle Supplies	Batteries Plus	2012 Blanket PO for Vehicle Repairs	158.71
66668	06/21/2012	General Fund	Vehicle Supplies	Batteries Plus	2012 Blanket PO for Vehicle Repairs	360.17
					Check Total:	518.88

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66669	06/21/2012	General Fund	Training	BCA/Criminal Justice Training & Education	UFED Training-Rezny	480.00
Check Total:						480.00
66670	06/21/2012	Water Fund	Accounts Payable	JAMIE BECKER-FINN	Refund Check	19.92
Check Total:						19.92
66671	06/21/2012	Recreation Fund	Professional Services	Angela Benes	Tap for Older Adults Instruction	340.00
Check Total:						340.00
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Weed Control - Sand Castle Park	42.75
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Weed Control - Keller Mayflower Park	138.94
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Weed Control - Bruce Russel - 2 acres	176.34
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Weed Control - Pocahontas	244.74
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Langton Lake	656.21
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Central Park Lexington	788.74
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Weed Control - Oasis Park	340.43
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Evergreen Park	583.54
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Lexington Park	614.00
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Veterans	229.00
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Sales Tax	215.06
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Rosebrook	583.00
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Sales Tax	40.08
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Weed Control - Autumn Grove	213.75
66672	06/21/2012	Recreation Fund	Contract Maintenance	Biolawn, Inc.	Fertilization & Weed Control - Skatin	235.13
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Central Park Lexington	224.44
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Langton Lake	81.79
66672	06/21/2012	P & R Contract Maintenance	Professional Services	Biolawn, Inc.	Sales Tax	57.15
Check Total:						5,465.09
66674	06/21/2012	Pathway Maintenance Fund	Rental	BNSF Railway Company	County Rd C Pathway Right of Way c	13,261.25
Check Total:						13,261.25
66675	06/21/2012	Community Development	Building Surcharge	Bonfe's Plumbing and Heating	Plumbing Permit Refund-1016 Brenn	5.00
66675	06/21/2012	Community Development	Plumbing Permits	Bonfe's Plumbing and Heating	Plumbing Permit Refund-1016 Brenn	53.60
Check Total:						58.60
66676	06/21/2012	Housing & Redevelopment Agency	Payment to Owners	William Bourgeault	Energy Audit	60.00
Check Total:						60.00
66677	06/21/2012	Housing & Redevelopment Agency	Payment to Owners	Mark and Kelsey Carignan	Energy Audit	60.00
Check Total:						60.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66678	06/21/2012	Telephone	CAP - Capital Equip Recovery	CDW Government, Inc.	Voicemail Licenses for LE Project	2,249.14
66678	06/21/2012	Telephone	CAP - Capital Equip Recovery	CDW Government, Inc.	Footstand for 7916 LE Project	39.86
66678	06/21/2012	Telephone	CAP - Capital Equip Recovery	CDW Government, Inc.	Smartset on Licenses for LE Project	324.40
66678	06/21/2012	Telephone	CAP - Capital Equip Recovery	CDW Government, Inc.	Power for LE Project	54.36
66678	06/21/2012	Telephone	CAP - Capital Equip Recovery	CDW Government, Inc.	Expansion Module for LE Project	628.00
Check Total:						3,295.76
66679	06/21/2012	Housing & Redevelopment Agency	Professional Services	Center for Policy, Planning & Performance	Strategic Planning Services	4,781.25
Check Total:						4,781.25
66680	06/21/2012	Telephone	PSTN-PRI Access/DID Allocation	CenturyLink	Telephone	91.08
66680	06/21/2012	Telephone	PSTN-PRI Access/DID Allocation	CenturyLink	Telephone	56.23
66680	06/21/2012	Telephone	PSTN-PRI Access/DID Allocation	CenturyLink	Telephone	199.88
66680	06/21/2012	Telephone	PSTN-PRI Access/DID Allocation	CenturyLink	Telephone	310.52
66680	06/21/2012	Telephone	PSTN-PRI Access/DID Allocation	CenturyLink	Telephone	172.11
66680	06/21/2012	Telephone	PSTN-PRI Access/DID Allocation	CenturyLink	Telephone	86.06
66680	06/21/2012	Telephone	PSTN-PRI Access/DID Allocation	CenturyLink	Telephone	39.16
66680	06/21/2012	Telephone	PSTN-PRI Access/DID Allocation	CenturyLink	Telephone	101.92
Check Total:						1,056.96
66681	06/21/2012	General Fund	Op Supplies - City Hall	Cintas Corporation #470	Nitrile Gloves	105.00
Check Total:						105.00
66682	06/21/2012	General Fund	Non Business Licenses - Pawn	City of Minneapolis Receivables	Pawn Transaction Fees	1,770.00
Check Total:						1,770.00
66683	06/21/2012	Information Technology	Telephone	City of North St. Paul	Data Interconnects	600.00
66683	06/21/2012	Information Technology	Telephone	City of North St. Paul	Billing Interconnects	1,900.00
Check Total:						2,500.00
66684	06/21/2012	Information Technology	Telephone	Comcast Cable	Cable TV, High Speed Internet	96.16
Check Total:						96.16
66685	06/21/2012	Charitable Gambling	Professional Services - Bingo	Cornell Kahler Shidell & Mair	Midway Speedskating Bingo Billing-I	2,177.28
66685	06/21/2012	Charitable Gambling	Professional Services - Bingo	Cornell Kahler Shidell & Mair	Rsvl Youth Hockey Bingo Billing-Ma	2,143.26
Check Total:						4,320.54
66686	06/21/2012	Water Fund	Accounts Payable	MARVIN CORNWALL	Refund Check	89.15
Check Total:						89.15
66687	06/21/2012	Recreation Fund	Fee Program Revenue	Janet Curley	Gymnastics Refund	144.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66687	06/21/2012	Recreation Fund	Fee Program Revenue	Janet Curley	Gymnastics Refund	15.00
66687	06/21/2012	Recreation Fund	Collected Insurance Fee	Janet Curley	Gymnastics Refund	3.00
66687	06/21/2012	Recreation Fund	Fee Program Revenue	Janet Curley	Gymnastics Refund	8.00
Check Total:						170.00
66688	06/21/2012	General Fund	Op Supplies - City Hall	Dalco	Roll Towels, Toilet Tissue	352.84
Check Total:						352.84
66689	06/21/2012	Recreation Fund	Advertising	Dex Media East LLC	Yellow Pages Advertising	43.71
66689	06/21/2012	Golf Course	Advertising	Dex Media East LLC	Yellow Pages Advertising	43.71
Check Total:						87.42
66690	06/21/2012	Recreation Fund	Fee Program Revenue	Julie Elder	Shelter Key Deposit Refund	25.00
Check Total:						25.00
66691	06/21/2012	General Fund	Contract Maintnenace	Embedded Systems, Inc.	Tornado Siren Repair	100.00
Check Total:						100.00
66692	06/21/2012	General Fund	Motor Fuel	Fleet One LLC	Fuel	183.27
Check Total:						183.27
66693	06/21/2012	Water Fund	Professional Services	Fobbe Contracting, Inc.	Fire Hydrant Repair	2,400.00
Check Total:						2,400.00
66694	06/21/2012	General Fund	Operating Supplies	Fra-Dor Inc.	Street Supplies	245.00
66694	06/21/2012	Water Fund	Operating Supplies	Fra-Dor Inc.	Street Supplies	100.00
Check Total:						345.00
66695	06/21/2012	Golf Course	Day League Registration	Louis Germain	Friday Senior League Refund	10.00
Check Total:						10.00
66696	06/21/2012	Municipal Jazz Band	Operating Supplies	Graphicwear Custom Embroidery	Polo Shirt	55.00
Check Total:						55.00
66697	06/21/2012	Housing & Redevelopment Agency	Professional Services	Greater Metropolitan Housing Corp.	Administrative Fees-Ellering, Jacob &	800.00
Check Total:						800.00
66698	06/21/2012	Housing & Redevelopment Agency	Payment to Owners	Wayne Griesel	Energy Audit	60.00
Check Total:						60.00
66699	06/21/2012	General Fund	Training	Hennepin County Medical Center	First Responder Refresher Course-Re	298.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66700	06/21/2012	Housing & Redevelopment Agency	Payment to Owners	Betty Hughes	Check Total:	298.00
					Energy Audit	60.00
66701	06/21/2012	Information Technology	Telephone	Hurricane Electric	Check Total:	60.00
					Internet Service	500.00
66702	06/21/2012	Community Development	Professional Services	Jeane Thorne Inc	Check Total:	500.00
					Administrative Support	935.20
66703	06/21/2012	Water Fund	Accounts Payable	WENDY & MARK JEDLICKA & MCCA	Check Total:	935.20
					Refund Check	89.14
66704	06/21/2012	Recreation Fund	Rental	Jimmys Johnnys, Inc	Check Total:	89.14
					Regular Service	45.42
					Regular Service	45.42
					Regular Service	45.42
		General Fund	Contract Maintenance	Jimmys Johnnys, Inc	Regular Service	45.42
66705	06/21/2012	Recreation Fund	Professional Services	Johmar Farms	Weekend Rental	44.89
					Check Total:	226.57
66706	06/21/2012	Recreation Fund	Professional Services	Kurtis Kampa	Rose Parade Unit	450.00
					Check Total:	450.00
66707	06/21/2012	Housing & Redevelopment Agency	Payment to Owners	Nathan Koewler	Lacrosse Coaching Payment	520.00
					Check Total:	520.00
66708	06/21/2012	Housing & Redevelopment Agency	Payment to Owners	Curt Kovar	Emergu Audit	60.00
					Check Total:	60.00
66709	06/21/2012	Recreation Fund	Professional Services	Kracker Jacks Entertainment	Energy Audit	60.00
					Check Total:	60.00
66710	06/21/2012	Recreation Fund	Fee Program Revenue	Elizabeth Langevin	Rose Parade Unit	700.00
					Check Total:	700.00
66711	06/21/2012	General Fund	Professional Services	Language Line Services	Shelter Key Deposit Refund	25.00
					Check Total:	25.00
66711	06/21/2012	General Fund	Professional Services	Language Line Services	Interpreter Service	17.54
					Check Total:	17.54

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66712	06/21/2012	Water Fund	Accounts Payable	DAVID LARSON	Check Total:	17.54
					Refund Check	42.01
66713	06/21/2012	Recreation Fund	Fee Program Revenue	Meg Layese	Check Total:	42.01
					Shelter Key Deposit Refund	25.00
66714	06/21/2012	Recreation Fund	Professional Services	Lillie Suburban Newspaper Inc	Check Total:	25.00
					City Wide Garage Sale Advertisement	60.00
		Community Development	Advertising	Lillie Suburban Newspaper Inc	Notices-Acct 262	12.50
		General Fund	Advertising	Lillie Suburban Newspaper Inc	Notices-Acct 262	131.63
66715	06/21/2012	General Fund	Op Supplies - City Hall	Linn Building Maintenance	Check Total:	204.13
					Vaccum Back Pack	37.13
66716	06/21/2012	Water Fund	Accounts Payable	PAULA MACZKO	Check Total:	37.13
					Refund Check	56.83
66717	06/21/2012	General Fund	Operating Supplies	Martin Marietta Materials Inc	Check Total:	56.83
					Qty 450 - FA2 Class A aggregate per .	618.81
		General Fund	Operating Supplies	Martin Marietta Materials Inc	Qty 450 - FA2 Class A aggregate per .	9,540.83
66718	06/21/2012	Sanitary Sewer	Professional Services	McDonough's Waterjetting & Drain Clean	Check Total:	10,159.64
					Lift Station Vacuuming	1,486.75
66719	06/21/2012	Water Fund	Accounts Payable	MAUREEN MCGUIRE	Check Total:	1,486.75
					Refund Check	11.37
66720	06/21/2012	Contracted Engineering Svcs	Capital Equipment	Metro Count	Check Total:	11.37
					Qty 6 - MetroCount 5600 Plus 1MB (	6,552.51
		Contracted Engineering Svcs	Use Tax Payable	Metro Count	Sales/Use Tax	-421.51
66721	06/21/2012	Recreation Fund	Professional Services	Erin Miller	Check Total:	6,131.00
					Volleyball Camp Coach	300.00
66722	06/21/2012	Housing & Redevelopment Agency	Payment to Owners	Gordon Neslund	Check Total:	300.00
					Energy Audit	60.00
66723	06/21/2012	Sanitary Sewer	Professional Services	Networkfleet, Inc.	Check Total:	60.00
					Monthly Service-June	89.85

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
					Check Total:	89.85
66724	06/21/2012	Fire Station 2011	Professional Services	Northstar Imaging Services, Inc.	Fire Station Imaging	7,156.06
					Check Total:	7,156.06
66725	06/21/2012	Recreation Fund	Fee Program Revenue	Norma O'Connor	Key Deposit Refund	25.00
					Check Total:	25.00
66726	06/21/2012	Housing & Redevelopment Agency	Payment to Owners	Glen Owen	Key Deposit Refund	60.00
					Check Total:	60.00
66727	06/21/2012	Recreation Fund	Professional Services	Jennifer Pauletti	Volleyball Camp Coach	500.00
					Check Total:	500.00
66728	06/21/2012	Boulevard Landscaping	Operating Supplies	Pearson Brothers	City Sealcoat Services	180,649.32
					Check Total:	180,649.32
66729	06/21/2012	General Fund Donations	K-9 Supplies	Petco Animal Supplies, Inc.	K9 Supplies	5.33
66729	06/21/2012	General Fund Donations	K-9 Supplies	Petco Animal Supplies, Inc.	K9 Supplies	28.68
					Check Total:	34.01
66730	06/21/2012	Recreation Fund	Professional Services	Powder Puff Clown Club	Rose Parade Unit	300.00
					Check Total:	300.00
66731	06/21/2012	Information Technology	Operating Supplies	Provantage	Universal Cleaning Cartridge	662.98
66731	06/21/2012	Information Technology	Use Tax Payable	Provantage	Sales/Use Tax	-42.65
66731	06/21/2012	Information Technology	Operating Supplies	Provantage	TDK LTOS w/Case	992.04
66731	06/21/2012	Information Technology	Use Tax Payable	Provantage	Sales/Use Tax	-63.82
					Check Total:	1,548.55
66732	06/21/2012	Water Fund	Rental	Q3 Contracting, Inc.	Signs, Barrels, Sandbag Rental	332.92
					Check Total:	332.92
66733	06/21/2012	General Fund	Operating Supplies	RAHS/Raider Grafix	Business Cards	128.25
66733	06/21/2012	General Fund	209001 - Use Tax Payable	RAHS/Raider Grafix	Sales/Use Tax	-8.25
66733	06/21/2012	Recreation Fund	Operating Supplies	RAHS/Raider Grafix	T-Shirts	370.00
66733	06/21/2012	Recreation Fund	Operating Supplies	RAHS/Raider Grafix	T-Shirts	180.00
					Check Total:	670.00
66734	06/21/2012	Recreation Fund	Contract Maintenance	The Retrofit Companies Inc	Lamp Recycling	214.65

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
Check Total:						214.65
66735	06/21/2012	Information Technology	Computer Equipment	Rhino Technology Group, Inc.	Sales Tax	2,131.25
66735	06/21/2012	Information Technology	Computer Equipment	Rhino Technology Group, Inc.	Qty 1 - BQ888A HP P4500 G2 14.4 T	31,000.00
Check Total:						33,131.25
66736	06/21/2012	General Fund	Vehicle Supplies	Roseville Chrysler Jeep Dodge	Supplies	87.84
66736	06/21/2012	General Fund	Vehicle Supplies	Roseville Chrysler Jeep Dodge	Supplies	50.09
66736	06/21/2012	General Fund	Vehicle Supplies	Roseville Chrysler Jeep Dodge	Supplies	50.09
66736	06/21/2012	General Fund	Contract Maintenance Vehicles	Roseville Chrysler Jeep Dodge	Vehicle Repair	139.95
66736	06/21/2012	General Fund	Vehicle Supplies	Roseville Chrysler Jeep Dodge	Credit	-27.00
Check Total:						300.97
66737	06/21/2012	Housing & Redevelopment Agency	Payment to Owners	Kirsten Schoenleber	Energy Audit	60.00
Check Total:						60.00
66738	06/21/2012	Water Fund	Accounts Payable	SELECT ASSOCIATES REALTY	Refund Check	25.71
Check Total:						25.71
66739	06/21/2012	Water Fund	Accounts Payable	TORAN HANSEN & SIOBHAN HOPKIN	Refund Check	73.43
Check Total:						73.43
66740	06/21/2012	Recreation Fund	Professional Services	St. Paul Clown Club	Rose Parade Unit	200.00
Check Total:						200.00
66741	06/21/2012	Water Fund	Conferences	St. Paul Regional Water Services	Water	416,058.65
Check Total:						416,058.65
66742	06/21/2012	General Fund	Vehicle Supplies	Suburban Tire Wholesale, Inc.	2012 Blanket PO For Vehicle Repairs	459.35
Check Total:						459.35
66743	06/21/2012	Recreation Fund	Fee Program Revenue	David Talarico	Damage Deposit Refund	106.25
Check Total:						106.25
66744	06/21/2012	Water Fund	Accounts Payable	D TAVERNA	Refund Check	5.79
Check Total:						5.79
66745	06/21/2012	General Fund	Vehicle Supplies	Titan Machinery	2012 Blanket PO for Vehicle Repairs	226.71
Check Total:						226.71
66746	06/21/2012	HRA Property Abatement Program	Payments to Contractors	TMR Quality Lawn Service	Lawn Service-2116 Cleveland Ave	135.69

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66746	06/21/2012	HRA Property Abatement Program	Payments to Contractors	TMR Quality Lawn Service	Lawn Service-892 Millwood	90.82
66746	06/21/2012	HRA Property Abatement Program	Payments to Contractors	TMR Quality Lawn Service	Lawn Service-2051 William St	69.46
Check Total:						295.97
66747	06/21/2012	Housing & Redevelopment Agency	Payment to Owners	Maria Turnblom	Energy Audit	60.00
Check Total:						60.00
66748	06/21/2012	Police - DWI Enforcement	Professional Services	Twin Cities Transport & Recove	Towing	90.84
66748	06/21/2012	Police - DWI Enforcement	Professional Services	Twin Cities Transport & Recove	Towing	90.84
66748	06/21/2012	Police - DWI Enforcement	Professional Services	Twin Cities Transport & Recove	Towing	90.84
66748	06/21/2012	Police - DWI Enforcement	Professional Services	Twin Cities Transport & Recove	Towing	90.84
66748	06/21/2012	Police - DWI Enforcement	Professional Services	Twin Cities Transport & Recove	Towing	90.84
66748	06/21/2012	Police - DWI Enforcement	Professional Services	Twin Cities Transport & Recove	Towing	90.84
Check Total:						545.04
66749	06/21/2012	Recreation Fund	Professional Services	Twin Cities Unicycle Club	Rose Parade Unit	400.00
Check Total:						400.00
66750	06/21/2012	Water Fund	Professional Services	Twin City Water Clinic, Inc.	Coliform Bacterias-May	360.00
Check Total:						360.00
66751	06/21/2012	Recreation Fund	Professional Services	Greg Ueland	Volleyball Camp Director	3,477.67
Check Total:						3,477.67
66752	06/21/2012	General Fund	Clothing	Uniforms Unlimited, Inc.	Shirt	57.33
Check Total:						57.33
66753	06/21/2012	Sanitary Sewer	Operating Supplies	United Rentals (North America) Inc.	Rainsuit	9.39
Check Total:						9.39
66754	06/21/2012	General Fund Donations	K-9 Supplies	University of Minnesota-VMC	K9 Supplies	25.58
Check Total:						25.58
66755	06/21/2012	General Fund	Memberships & Subscriptions	USPCA Region 12	Membership-Decoy	50.00
Check Total:						50.00
66756	06/21/2012	Golf Course	Rental	Versatile Vehicles, Inc.	Short Term Lease-6 Cars	660.00
Check Total:						660.00
66757	06/21/2012	Recreation Fund	Fee Program Revenue	Thomas Wall	Tennis Lessons Refund	41.00
66757	06/21/2012	Recreation Fund	Collected Insurance Fee	Thomas Wall	Tennis Lessons Refund	2.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66757	06/21/2012	Recreation Fund	Fee Program Revenue	Thomas Wall	Tennis Lessons Refund	8.00
					Check Total:	51.00
66758	06/21/2012	Water Fund	Professional Services	Water Conservation Service, Inc.	Leak Locate	230.20
					Check Total:	230.20
66759	06/21/2012	Water Fund	Accounts Payable	WANDA WEBER	Refund Check	45.27
					Check Total:	45.27
66760	06/21/2012	Information Technology	Telephone	XO Communications Inc.	Telephone	1,413.06
					Check Total:	1,413.06
66761	06/21/2012	Housing & Redevelopment Agency	Payment to Owners	Rita Zoff	Energy Audit	60.00
					Check Total:	60.00
66762	06/28/2012	Recreation Fund	Professional Services	728 Cadets	Parade Band Winner	1,000.00
					Check Total:	1,000.00
66763	06/28/2012	Storm Drainage	Operating Supplies	Aggregate Industries-MWR, Inc.	Aggregate	307.56
66763	06/28/2012	Water Fund	Operating Supplies	Aggregate Industries-MWR, Inc.	Aggregate	307.55
					Check Total:	615.11
66764	06/28/2012	Recreation Fund	Fee Program Revenue	Marivic Albindia	Shelter Key Deposit Refund	25.00
					Check Total:	25.00
66765	06/28/2012	Recreation Fund	Professional Services	Alexandria Marching Band	Parade Band Winner	800.00
					Check Total:	800.00
66766	06/28/2012	Recreation Fund	Fee Program Revenue	Ahmed Ali	Key Deposit Refund	25.00
					Check Total:	25.00
66767	06/28/2012	Recreation Fund	Rental	American Entertainment Corp.	July 4 Rental	736.49
					Check Total:	736.49
66768	06/28/2012	General Fund	Operating Supplies	American Solutions for Business	Pens	3,870.96
66768	06/28/2012	General Fund	Operating Supplies	American Solutions for Business	Pens	3,870.96
66768	06/28/2012	General Fund	Operating Supplies	American Solutions for Business	Pens	3,870.96
66768	06/28/2012	General Fund	Operating Supplies	American Solutions for Business	Pens	3,870.76
					Check Total:	15,483.64
66769	06/28/2012	Recreation Fund	Fee Program Revenue	Angy Archer-White	Key Deposit Refund	25.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66769	06/28/2012	Recreation Fund	Fee Program Revenue	Angy Archer-White	Shelter Rental Refund	127.00
					Check Total:	152.00
66770	06/28/2012	Recreation Fund	Fee Program Revenue	Sara Beck	Key Deposit Refund	25.00
					Check Total:	25.00
66771	06/28/2012	Recreation Fund	Professional Services	Buffalo High School Marching Band	Parade Band Winner	800.00
					Check Total:	800.00
66772	06/28/2012	Boulevard Landscaping	Operating Supplies	Central Wood Products	Premium Hardwood	906.30
					Check Total:	906.30
66773	06/28/2012	General Fund	Clothing	Cintas Corporation #470	Uniform Cleaning	33.70
66773	06/28/2012	P & R Contract Maintenance	Clothing	Cintas Corporation #470	Uniform Cleaning	7.43
66773	06/28/2012	P & R Contract Maintenance	Clothing	Cintas Corporation #470	Uniform Cleaning	5.86
66773	06/28/2012	General Fund	Clothing	Cintas Corporation #470	Uniform Cleaning	28.85
66773	06/28/2012	General Fund	Clothing	Cintas Corporation #470	Uniform Cleaning	31.93
66773	06/28/2012	P & R Contract Maintenance	Clothing	Cintas Corporation #470	Uniform Cleaning	7.43
					Check Total:	115.20
66774	06/28/2012	Water Fund	Operating Supplies	Commercial Asphalt Co	Hot Mix	1,267.00
66774	06/28/2012	General Fund	Operating Supplies	Commercial Asphalt Co	Qty 1 - Asphalt patching material, per	969.36
					Check Total:	2,236.36
66775	06/28/2012	P & R Contract Maintenance	Operating Supplies	Commercial Pool	Pool Supplies	216.88
					Check Total:	216.88
66776	06/28/2012	Storm Drainage	Operating Supplies	Continental Research Corp	Valve Box Lifter	552.43
					Check Total:	552.43
66777	06/28/2012	Recreation Fund	Professional Services	Jeff Crosby	Basketball Camp	7,035.50
					Check Total:	7,035.50
66778	06/28/2012	General Fund	Operating Supplies City Garage	Dalco	Roll Towels	313.31
66778	06/28/2012	P & R Contract Maintenance	Operating Supplies	Dalco	Toilet Tissue, Roll Towels	380.28
					Check Total:	693.59
66779	06/28/2012	General Fund	Operating Supplies	Diamond Vogel Paints, Inc.	Paint	494.56
					Check Total:	494.56
66780	06/28/2012	Information Technology	Financial Support	Diversified Collection Services, Inc.	PR Batch 00002.06.2012 Financial S	210.24

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
Check Total:						210.24
66781	06/28/2012	General Fund	Contract Maintenance	Diversified Inspections, Inc.	Fire Department Equipment Safety In	1,192.00
Check Total:						1,192.00
66782	06/28/2012	Grass Lake Water Mgmt. Org.	Professional Services	Emmons & Olivier Resources, Inc.	Equipment Removal From the Field	511.14
Check Total:						511.14
66783	06/28/2012	Recreation Fund	Fee Program Revenue	Tracey Estrada	Key Deposit Refund	25.00
Check Total:						25.00
66784	06/28/2012	P & R Contract Maintenance	Operating Supplies	Fra-Dor Inc.	Garden Mix	157.64
Check Total:						157.64
66785	06/28/2012	Recreation Fund	Rental	Fun Services	July 4th Activity Rental	214.55
Check Total:						214.55
66786	06/28/2012	P & R Contract Maintenance	Operating Supplies	Gertens Greenhouses	Nursery Supplies	275.10
66786	06/28/2012	Boulevard Landscaping	Operating Supplies	Gertens Greenhouses	Blanket PO for streetscape plants	542.36
66786	06/28/2012	Storm Drainage	Operating Supplies	Gertens Greenhouses	Blanket PO for streetscape plants	1,488.00
Check Total:						2,305.46
66787	06/28/2012	Singles Program	Operating Supplies	Jean Hoffman	Singles Supplies Reimbursement	31.43
Check Total:						31.43
66788	06/28/2012	General Fund	Miscellaneous	ICLEI-Local Governments for Sustainabil	Annual Membership	600.00
Check Total:						600.00
66789	06/28/2012	General Fund	211600 - PERA Employers Share	ICMA Retirement Trust 401-109956	PR Batch 00002.06.2012 City Manag	377.75
66789	06/28/2012	General Fund	PERA Employer Share	ICMA Retirement Trust 401-109956	PR Batch 00002.06.2012 ICMA-401	164.79
Check Total:						542.54
66790	06/28/2012	General Fund	Printing	Impressive Print	Envelopes	229.78
Check Total:						229.78
66791	06/28/2012	Community Development	Professional Services	Jeane Thorne Inc	Administrative Support	911.82
Check Total:						911.82
66792	06/28/2012	Golf Course	Rental	Jimmys Johnnys, Inc	Regular Service	45.42

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66793	06/28/2012	Recreation Fund	Professional Services	Sam Jordan	Check Total:	45.42
					Basketball Camp Payment	150.00
66794	06/28/2012	Recreation Fund	Fee Program Revenue	Steven King	Check Total:	150.00
					Key Deposit Refund	25.00
66795	06/28/2012	Recreation Fund	Fee Program Revenue	Mary Kubes	Check Total:	25.00
					Key Deposit Refund	25.00
66796	06/28/2012	Storm Drainage	Contract Maintenance	Landmark Construction	Check Total:	25.00
					Construct new concrete compost bin &	15,760.00
66797	06/28/2012	Grass Lake Water Mgmt. Org.	Operating Supplies	Listopad/Fowler	Check Total:	15,760.00
					Rainwater Garden	537.42
66798	06/28/2012	Recreation Fund	Professional Services	Litchfield H. S. Marching Band	Check Total:	537.42
					Parade Band Winner	1,000.00
66799	06/28/2012	General Fund	211402 - Flex Spending Health	██████████	Check Total:	1,000.00
					Flexible Benefit Reimbursement	494.16
66800	06/28/2012	Recreation Fund	Professional Services	Mankato 77 Lancers	Check Total:	494.16
					Parade Band Grand Champion	1,100.00
66801	06/28/2012	Recreation Improvements	Various Landscape Projects	Metro Brick, Inc.	Check Total:	1,100.00
					Belden Brick	1,745.27
66802	06/28/2012	P & R Contract Maintenance	Contract Maintenance	MIDC Enterprises	Check Total:	1,745.27
					Springs, Valves	458.14
66802	06/28/2012	Recreation Fund	Operating Supplies	MIDC Enterprises	Trenching Shovel	85.67
66803	06/28/2012	Recreation Fund	Professional Services	Bob Nielsen	Check Total:	543.81
					Band Van Loading/Unloading	80.00
66804	06/28/2012	Solid Waste Recycle	Furniture & Fixtures	Orbis Corporation	Check Total:	80.00
					Compost Bins	1,202.34
66804	06/28/2012	Solid Waste Recycle	Use Tax Payable	Orbis Corporation	Sales/Use Tax	-77.34
Check Total:						1,125.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
66805	06/28/2012	General Fund	Vehicle Supplies	OSI Environmental Inc	Refrigerant Oil	75.00
					Check Total:	75.00
66806	06/28/2012	License Center	Office Supplies	Pakor, Inc.-NW8935	Passport Photo Paper	2,205.10
66806	06/28/2012	License Center	Use Tax Payable	Pakor, Inc.-NW8935	Sales/Use Tax	-141.85
					Check Total:	2,063.25
66807	06/28/2012	Recreation Fund	Professional Services	Patriots Marching Band	Parade Band Winner	500.00
					Check Total:	500.00
66808	06/28/2012	Grass Lake Water Mgmt. Org.	Professional Services	Tom Petersen	Administrative & Technical Services	2,947.50
66808	06/28/2012	Grass Lake Water Mgmt. Org.	Professional Services	Tom Petersen	GLWMO Services	720.00
					Check Total:	3,667.50
66809	06/28/2012	P & R Contract Maintenance	HSA Employee	Premier Bank	PR Batch 00002.06.2012 HSA WI En	115.38
66809	06/28/2012	General Fund	HSA Employee	Premier Bank	PR Batch 00002.06.2012 HSA Empl	1,396.17
66809	06/28/2012	Contracted Engineering Svcs	HSA Employee	Premier Bank	PR Batch 00002.06.2012 HSA Empl	20.00
66809	06/28/2012	Recreation Fund	HSA Employee	Premier Bank	PR Batch 00002.06.2012 HSA Empl	288.84
66809	06/28/2012	P & R Contract Maintenance	HSA Employee	Premier Bank	PR Batch 00002.06.2012 HSA Empl	115.38
66809	06/28/2012	Community Development	HSA Employee	Premier Bank	PR Batch 00002.06.2012 HSA Empl	79.61
66809	06/28/2012	License Center	HSA Employee	Premier Bank	PR Batch 00002.06.2012 HSA Empl	38.46
66809	06/28/2012	Police Grants	HSA Employee	Premier Bank	PR Batch 00002.06.2012 HSA Empl	11.48
					Check Total:	2,065.32
66810	06/28/2012	Boulevard Landscaping	Operating Supplies	Prescription Landscape	Year one of three contract for mowing	1,586.33
					Check Total:	1,586.33
66811	06/28/2012	Grass Lake Water Mgmt. Org.	Professional Services	Ramsey Conservation District	Water Quality Conservation Practice	595.00
					Check Total:	595.00
66812	06/28/2012	General Fund	Contract Maintenance	Ramsey County	Fleet Support Fee	215.28
					Check Total:	215.28
66813	06/28/2012	Recreation Fund	Professional Services	Richfield H.S. Marching Band	Parade Band Winner	500.00
					Check Total:	500.00
66814	06/28/2012	Singles Program	Operating Supplies	Ron Rieschl	Singles Supplies Reimbursement	11.73
					Check Total:	11.73
66815	06/28/2012	Recreation Fund	Operating Supplies	John Rusterholz	CTV Volunteers Supplies Reimburser	34.29

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
Check Total:						34.29
66816	06/28/2012	Recreation Fund	Fee Program Revenue	Phillip Saari	Key Deposit Refund	25.00
Check Total:						25.00
66817	06/28/2012	Recreation Fund	Professional Services	Sibley Band Boosters	Parade Band Winner	800.00
Check Total:						800.00
66818	06/28/2012	General Fund	Telephone	Sprint	Cell Phones	286.64
66818	06/28/2012	Storm Drainage	Telephone	Sprint	Cell Phones	244.80
66818	06/28/2012	General Fund	Telephone	Sprint	Cell Phones	49.53
66818	06/28/2012	Sanitary Sewer	Telephone	Sprint	Cell Phones	164.59
66818	06/28/2012	Recreation Fund	Telephone	Sprint	Cell Phones	94.61
66818	06/28/2012	Recreation Fund	Telephone	Sprint	Cell Phones	23.66
66818	06/28/2012	P & R Contract Maintenance	Telephone	Sprint	Cell Phones	407.72
66818	06/28/2012	Community Development	Telephone	Sprint	Cell Phones	145.65
66818	06/28/2012	General Fund	Telephone	Sprint	Cell Phones	23.66
66818	06/28/2012	General Fund	Telephone	Sprint	Cell Phones	23.66
66818	06/28/2012	General Fund	Telephone	Sprint	Cell Phones	70.94
66818	06/28/2012	General Fund	Telephone	Sprint	Cell Phones	369.00
Check Total:						1,904.46
66819	06/28/2012	Recreation Fund	Professional Services	St. Michael-Albertville Marching Band	Parade Band Winner	500.00
Check Total:						500.00
66820	06/28/2012	P & R Contract Maintenance	Financial Support	Steward, Zlimen & Jungers, LTD	PR Batch 00002.06.2012 Financial St	68.90
Check Total:						68.90
66821	06/28/2012	Grass Lake Water Mgmt. Org.	Professional Services	Sheila Stowell	GLWMO Regular Business Meeting	57.50
66821	06/28/2012	Grass Lake Water Mgmt. Org.	Professional Services	Sheila Stowell	Mileage Reimbursement	4.83
66821	06/28/2012	Grass Lake Water Mgmt. Org.	Professional Services	Sheila Stowell	GLWMO Regular Business Meeting	138.00
66821	06/28/2012	Grass Lake Water Mgmt. Org.	Professional Services	Sheila Stowell	Mileage Reimbursement	4.83
66821	06/28/2012	General Fund	Professional Services	Sheila Stowell	City Council Meeting Minutes	224.25
66821	06/28/2012	General Fund	Professional Services	Sheila Stowell	Mileage Reimbursement	4.83
Check Total:						434.24
66822	06/28/2012	General Fund	211402 - Flex Spending Health		Flexible Benefit Reimbursement	1,207.62
Check Total:						1,207.62
66823	06/28/2012	Boulevard Landscaping	Operating Supplies	Tri State Bobcat, Inc	Shredder	293.91

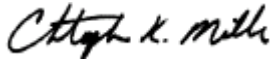
Check Number	Check Date	Fund Name	Account Name	Vendor Name	Invoice Desc.	Amount
					Check Total:	293.91
66824	06/28/2012	P & R Contract Maintenance	Professional Services	Upper Cut Tree Service	Diseased and Hazard Tree Removal	1,154.25
66824	06/28/2012	General Fund	Contract Maintenance	Upper Cut Tree Service	Blanket PO for tree removal - Per 201	1,026.80
						Check Total: 2,181.05
66825	06/28/2012	Recreation Fund	Operating Supplies	US Bank	July 4th Change	400.00
66825	06/28/2012	General Fund	Operating Supplies	US Bank	Petty Cash Reimbursement	11.00
66825	06/28/2012	Police Vehicle Revolving	Vehicles & Equipment	US Bank	Petty Cash Reimbursement	21.50
66825	06/28/2012	Police - DWI Enforcement	Operating Supplies	US Bank	Petty Cash Reimbursement	21.50
66825	06/28/2012	License Center	Operating Supplies	US Bank	Petty Cash Reimbursement	11.24
66825	06/28/2012	Police - DWI Enforcement	Operating Supplies	US Bank	Petty Cash Reimbursement	21.50
						Check Total: 486.74
66826	06/28/2012	General Fund	Contract Maintenance	Verizon Wireless	Cell Phones	223.00
						Check Total: 223.00
						Report Total: 1,699,585.17

REQUEST FOR COUNCIL ACTION

Date: 07/09/2012

Item No.: 7.b

Department Approval



City Manager Approval



Item Description: Approval of 2012/2013 Business and Other Licenses

BACKGROUND

Chapter 301 of the City Code requires all applications for business and other licenses to be submitted to the City Council for approval. The following application(s) is (are) submitted for consideration

Massage Therapy Establishment

Stephen's Hair Salon
2174 Snelling Ave N #3
Roseville, MN 55113

LifeSpa at Lifetime Fitness
2480 Fairview Ave N.
Roseville, MN 55113

VMH Therapies
3101 Old Highway 8 #202
Roseville, MN 55113

Massage Therapist License

Roger Lee Hinrichs, Delaina Rae Hinrichs, & Mary Devitt at Mind, Body, & Soul Wellness Center
2201 Lexington Ave. N, Suite 103
Roseville, MN 55113

Vonnie Hoschette at VMH Therapies
3101 Old Highway 8 #202
Roseville, MN 55113

Debra Ann Ther Harrsn-Streff & James Brotzmann at Massage Envy Roseville
2480 Fairview Ave., Suite 120
Roseville, MN 55113

One-Day Exempt Gambling Permit

Saint Rose of Lima Catholic Church
2048 Hamline Ave. N.
Roseville, MN 55113

36 Saint Rose of Lima Catholic Church is applying for a One-Day Gambling Permit to hold a Raffle on September
37 15, 2012.

38

39 **POLICY OBJECTIVE**

40 Required by City Code

41 **FINANCIAL IMPACTS**

42 The correct fees were paid to the City at the time the application(s) were made.

43 **STAFF RECOMMENDATION**

44 Staff has reviewed the applications and has determined that the applicant(s) meet all City requirements. Staff
45 recommends approval of the license(s).

46 **REQUESTED COUNCIL ACTION**

47

48 Motion to approve the business and other license application(s) as submitted.

Prepared by: Chris Miller, Finance Director

Attachments: A: Applications

Minnesota Lawful Gambling**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 for each event

If application postmarked or received:

less than 30 days
before the event

\$100

more than 30 days
before the event

\$50

ORGANIZATION INFORMATION

Check # _____ \$ _____

Organization name

Saint Rose of Lima Catholic Church

Previous gambling permit number

X-62002

Type of nonprofit organization. Check one.

☐

Fraternal

☒

Religious

☐

Veterans

☐

Other nonprofit organization

Mailing address

2048 Hamline Ave. N.

City

Roseville

State

MN

Zip Code

55113

County

Ramsey

Name of chief executive officer (CEO)

Daytime phone number

Email address

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.

GAMBLING PREMISES INFORMATION

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

Saint Rose of Lima School Parking Lot

Address (do not use PO box)

2072 Hamline Ave. N.

City

Roseville

Zip Code

55113

County

Ramsey

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

September 15, 2012

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 651-639-4000.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT

If the gambling premises is within city limits, a city official must check the action that the city is taking on this application and sign the application.

- ☐ The application is acknowledged with no waiting period.
☐ The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
☐ The application is denied.

Print city name _____
 On behalf of the city, I acknowledge this application.

Signature of city official receiving application

Title _____ Date ____/____/____

If the gambling premises is located in a township, a county official must check the action that the county is taking on this application and sign the application.
A township official is not required to sign the application.

- ☐ The application is acknowledged with no waiting period.
☐ The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days.
☐ The application is denied.

Print county name _____
 On behalf of the county, I acknowledge this application.
 Signature of county official receiving application

Title _____ Date ____/____/____

(Optional) TOWNSHIP: On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within township limits. [A township has no statutory authority to approve or deny an application [Minnesota Statute 349.166]]

Print township name _____

Signature of township official acknowledging application

Title _____ Date ____/____/____

CHIEF EXECUTIVE OFFICER'S SIGNATURE

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the date of our gambling activity.

Chief executive officer's signature _____ Date 6-26-12

Complete a separate application for each gambling activity:

- one day of gambling activity,
- two or more consecutive days of gambling activity,
- each day a raffle drawing is held

Send application with:

- a copy of your proof of nonprofit status, and
- application fee for each event.

Make check payable to "State of Minnesota."

To: Gambling Control Board
 1711 West County Road B, Suite 300 South
 Roseville, MN 55113

Financial report and recordkeeping required

A financial report form and instructions will be sent with your permit, or use the online fill-in form available at www.gcb.state.mn.us. Within 30 days of the activity date, complete and return the financial report form to the Gambling Control Board.

Print Form

Reset Form

This form will be made available in alternative format (i.e. large print, Braille) upon request.
Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information requested; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If you supply the information requested,

the Board will be able to process your organization's application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data are available to: Board members, Board staff whose work requires access to the

information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this Notice was given; and anyone with your written consent.



Finance Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7036

Massage Therapy Establishment License Application

Business Name Stephen's Salon
Business Address 2174 Snelling Ave N #3
Business Phone 651-482-6818
Email Address _____
Person to Contact in Regard to Business License: _____
Legal Name _____
Address _____
Phone _____ Date of Birth _____
Drivers License Number _____

I hereby apply for the following license(s) for the term of one year, beginning July 1, 2012 and ending June 31, 2013, in the City of Roseville, County of Ramsey, and State of Minnesota.

License Required

Fee

Massage Therapy Establishment \$300.00

\$150.00 Background Check (new license only)

The undersigned applicant makes this application pursuant to all the laws of the State of Minnesota and regulation as the Council of the City of Roseville may from time to time prescribe, including Minnesota Statue #176.182. In addition, the applicant acknowledges that they are responsible for reviewing the background and work history of their employees, including those that have received a massage therapist license from the City.

I have attached a certificate indicating Workers Compensation coverage, and the appropriate fee(s).

Signature _____

Date 06.25.2012

If completed license should be mailed somewhere other than the business address, please advise.



Finance Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7036

Massage Therapist License

New License ☒ Renewal ☐

For License year ending June 30, _____

1. Legal Name Delaina Rae Hinrichs "DeDe"
2. Home Address _____
3. Home Telephone _____
4. Date of Birth _____
5. Drivers License Number _____
6. Email Address _____
7. Have you ever used or been known by any name other than the legal name given in number 1 above?
Yes ☒ No ☐ If yes, list each name along with dates and places where used.
De

8. Name and address of the licensed Massage Therapy Establishment that you expect to be employed by.
Mind Body Soul Wellness Ctr 2201 Lexington Ave N. Suite 103, Roseville

9. Have you had any previous massage therapist license that was revoked, suspended, or not renewed?
Yes ☐ No ☒ If yes, explain in detail on a separate page.

Please print this form and mail or hand-deliver along with a certified copy of a diploma or certificate of graduation from a school of massage therapy including a minimum of 600 hours in successfully completed course work as described in Roseville Ordinance 116, Massage Therapy Establishments.

Finance Department, License Division
2660 Civic Center Drive
Roseville, MN 55113

License fee is \$100.00

Make checks payable to: City of Roseville



Finance Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7036

Massage Therapist License

New License ☒ Renewal ☐

For License year ending June 30, _____

1. Legal Name Roger Lee Hinrichs
2. Home Address _____
3. Home Telephone _____
4. Date of Birth _____
5. Drivers License Number _____
6. Email Address _____@_____om
7. Have you ever used or been known by any name other than the legal name given in number 1 above?
Yes ☐ No ☒ If yes, list each name along with dates and places where used.

8. Name and address of the licensed Massage Therapy Establishment that you expect to be employed by.
mind Body soul wellness ctr 2201 Lexington Ave N Suite 103
ROSEVILLE MN 55113
9. Have you had any previous massage therapist license that was revoked, suspended, or not renewed?
Yes ☐ No ☒ If yes, explain in detail on a separate page.

Please print this form and mail or hand-deliver along with a certified copy of a diploma or certificate of graduation from a school of massage therapy including a minimum of 600 hours in successfully completed course work as described in Roseville Ordinance 116, Massage Therapy Establishments.

Finance Department, License Division
2660 Civic Center Drive
Roseville, MN 55113

License fee is \$100.00
Make checks payable to: City of Roseville



Finance Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7036

Massage Therapy Establishment License Application

Business Name Life Spa
Business Address 2480 FAIRVIEW AVE. N. ROSEVILLE, MN 55113
Business Phone 651-633-4444
Email Address _____

Person to Contact in Regard to Business License:

Legal Name _____
Address _____
Phone _____ Date of Birth _____
Drivers License Number _____

I hereby apply for the following license(s) for the term of one year, beginning July 1, 2012, and ending June 31, 2012, in the City of Roseville, County of Ramsey, and State of Minnesota.

License Required

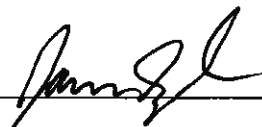
Fee

Massage Therapy Establishment \$300.00

\$150.00 Background Check (new license only)

The undersigned applicant makes this application pursuant to all the laws of the State of Minnesota and regulation as the Council of the City of Roseville may from time to time prescribe, including Minnesota Statue #176.182. In addition, the applicant acknowledges that they are responsible for reviewing the background and work history of their employees, including those that have received a massage therapist license from the City.

I have attached a certificate indicating Workers Compensation coverage, and the appropriate fee(s).

Signature 
Date 6-21-2012

If completed license should be mailed somewhere other than the business address, please advise.



Finance Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7036

Massage Therapist License

New License ☐ Renewal ☒

For License year ending June 30, _____

1. Legal Name Mary Devitt
2. Home Address _____
3. Home Telephone 763-211-1112
4. Date of Birth 11-11-1971
5. Drivers License Number 123456789
6. Email Address _____
7. Have you ever used or been known by any name other than the legal name given in number 1 above?
Yes ☐ No ☒ If yes, list each name along with dates and places where used.

8. Name and address of the licensed Massage Therapy Establishment that you expect to be employed by.

Mind, Body, & Soul Wellness Center, Roseville

9. Have you had any previous massage therapist license that was revoked, suspended, or not renewed?
Yes ☐ No ☒ If yes, explain in detail on a separate page.

Please print this form and mail or hand-deliver along with a certified copy of a diploma or certificate of graduation from a school of massage therapy including a minimum of 600 hours in successfully completed course work as described in Roseville Ordinance 116, Massage Therapy Establishments.

Finance Department, License Division
2660 Civic Center Drive
Roseville, MN 55113

License fee is \$100.00

Make checks payable to: City of Roseville



Finance Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7036

Massage Therapy Establishment License Application

Business Name

1/1MH Therapies

Business Address

3101 Old Highway 8 #202

Business Phone

651.485.5741

Email Address

[redacted]

Person to Contact in Regard to Business License:

Legal Name

[redacted]

Address

[redacted]

Phone

[redacted]

Date of Birth

[redacted]

Drivers License Number

[redacted]

I hereby apply for the following license(s) for the term of one year, beginning July 1, 2012, and ending June 31, 2013, in the City of Roseville, County of Ramsey, and State of Minnesota.

License Required

Fee

Massage Therapy Establishment \$300.00

\$150.00 Background Check (new license only)

The undersigned applicant makes this application pursuant to all the laws of the State of Minnesota and regulation as the Council of the City of Roseville may from time to time prescribe, including Minnesota Statue #176.182. In addition, the applicant acknowledges that they are responsible for reviewing the background and work history of their employees, including those that have received a massage therapist license from the City.

I have attached a certificate indicating Workers Compensation coverage, and the appropriate fee(s).

Signature

[Signature]

Date

6.14.12

If completed license should be mailed somewhere other than the business address, please advise.



Finance Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7036

Massage Therapist License

New License ☐ Renewal ☒

For License year ending June 30, 2013

1. Legal Name Donnie Haschette
2. Home Address _____
3. Home Telephone _____
4. Date of Birth _____
5. Drivers License Number _____
6. Email Address _____
7. Have you ever used or been known by any name other than the legal name given in number 1 above?
Yes ☒ No ☐ If yes, list each name along with dates and places where used.

8. Name and address of the licensed Massage Therapy Establishment that you expect to be employed by.
UMH Therapies 3101 Old Highway 8 55113
9. Have you had any previous massage therapist license that was revoked, suspended, or not renewed?
Yes ☐ No ☒ If yes, explain in detail on a separate page.

Please print this form and mail or hand-deliver along with a certified copy of a diploma or certificate of graduation from a school of massage therapy including a minimum of 600 hours in successfully completed course work as described in Roseville Ordinance 116, Massage Therapy Establishments.

Finance Department, License Division
2660 Civic Center Drive
Roseville, MN 55113

License fee is \$100.00

Make checks payable to: City of Roseville



Finance Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7036

Massage Therapist License

New License X Renewal _____

For License year ending June 30 2013

1. Legal Name Debra Ann Ther Harrsn-Streff
2. Home Address _____
3. Home Telephone _____
4. Date of Birth _____
5. Drivers License Number [scribble]
6. Email Address _____

7. Have you ever used or been known by any name other than the legal name given in number 1 above?
Yes _____ No X If yes, list each name along with dates and places where used.

8. Name and address of the licensed Massage Therapy Establishment that you expect to be employed by
Massage Four Recall 2480 Franklin Ave
Roseville Mn 55113

9. Attach a certified copy of a diploma or certificate of graduation from a school of massage therapy including a minimum of 600 hours in successfully completed course work as described in Roseville Ordinance 116, massage Therapy Establishments.

10. Have you had any previous massage therapist license that was revoked, suspended, or not renewed?
Yes _____ No X If yes explain in detail.

License fee is 100.00
Make checks payable to City of Roseville



Finance Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7036

Massage Therapist License

New License ☒ Renewal ☐

For License year ending June 30, 2013

1. Legal Name James Brotzman
2. Home Address 11111 11th Ave S
3. Home Telephone 651-200-1234
4. Date of Birth 1-1-1980
5. Drivers License Number 123456789
6. Email Address james.brotzman@gmail.com
7. Have you ever used or been known by any name other than the legal name given in number 1 above?
Yes ☐ No ☒ If yes, list each name along with dates and places where used.

8. Name and address of the licensed Massage Therapy Establishment that you expect to be employed by.
Massage Envy 2480 Fairview Avenue Suite 120, Roseville, MN

9. Have you had any previous massage therapist license that was revoked, suspended, or not renewed?
Yes ☐ No ☒ If yes, explain in detail on a separate page.

Please print this form and mail or hand-deliver along with a certified copy of a diploma or certificate of graduation from a school of massage therapy including a minimum of 600 hours in successfully completed course work as described in Roseville Ordinance 116, Massage Therapy Establishments.

Finance Department, License Division
2660 Civic Center Drive
Roseville, MN 55113

License fee is \$100.00

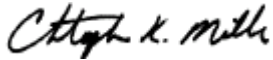
Make checks payable to: City of Roseville

REQUEST FOR COUNCIL ACTION

Date: 7/09/2012

Item No.: 7.c

Department Approval



City Manager Approval



Item Description: Approve 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
Streets	Brock White Construction	Crack seal materials (a)	12,627.07

Comments/Description:

- a) Annual crack sealing of 15-20 miles of City streets. Brock White was the lowest of 3 bids.

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

POLICY OBJECTIVE

Required under City Code 103.05.

FINANCIAL IMPACTS

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

STAFF RECOMMENDATION

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

24 **REQUESTED COUNCIL ACTION**

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

27

28

Prepared by: Chris Miller, Finance Director

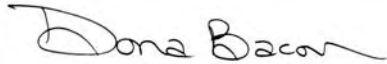
Attachments: A: None

29

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 7/9/12
Item No.: 7.d

Department Approval



City Manager Approval



Item Description:

Approve 2012-2013 Law Enforcement Legal Services- (“LELS”) Contract Terms

BACKGROUND

The City of Roseville currently has three collective bargaining units. This report is for the Police Officer’s unit, which has 39 city employees participating in the LELS bargaining unit. They are comprised of non-supervisory licensed law enforcement officers.

Although city employee wages are provided in six different plans, the City maintains a policy of overall parity for all employees. According to this philosophy, the City strives for comparable cost of living increases and benefits for these five employee groups. In addition, the City benchmarks itself with comparable municipalities.

Council has provided for a 1% wage increase in the 2012 budget. However, since 2004 Police Officers, when compared internally, have received slightly higher cost of living wage increases compared with other staff to keep them in a steady position with their peers in comparable communities.

The Union and the City reached a tentative agreement during mediation on June 13, 2012. Based on the most recent internal and external data available the proposed and tentative agreement terms between the union and the City are the following:

Description of Proposed Agreement

1. COMPARISON CITIES BEGINNING 2012:

➤ New 10 City Comparison Group - drop Minnetonka, Edina, Apple Valley and St. Louis Park from the group and add Oakdale, Savage, Fridley, and White Bear Lake utilizing the new 2010 census data and keeping with our 5 just larger and 5 just smaller in population size. Thus, making the new (2012 and on) comparable Cities for this group in order of population size Maplewood, Oakdale, Shakopee, Cottage Grove, Inver Grove Hghts., Richfield, Brooklyn Center, Savage, Fridley and White Bear Lake .

31 **2. CONTRACT DURATION:**

- 32
- 33 ➤ Term of 2 years from 1/1/12 - 12/31/13
- 34

35 **3. WAGES:**

- 36
- 37 ➤ 1/1/12 increase all LELS union classifications 1%.
- 38 ➤ 1/1/13 increase all LELS union classifications 2%.
- 39

40 **4. LONGEVITY:**

- 41
- 42 ➤ Same increase as the wage increase for both years.
- 43

44 **5. INSURANCE:**

- 45
- 46 ➤ Same as City Council has provided to all other City staff.
- 47

48 **6. SPECIALTY PAY:**

- 49
- 50 ➤ Increase specialty pay by \$25 per month bringing it to \$260/mo. for the contract term.
- 51

52 **7. UNIFORMS:**

- 53
- 54 ➤ Increase uniform allowance by \$50 to \$770 for uniformed Officer's and \$705 for
- 55 plain clothes Officers for the contract term.
- 56

57

58 ***All other groups are settled for the year 2012.**

59 **POLICY OBJECTIVE**

60 Each year the City budgets wage and benefit adjustments for all employees. The adjustments

61 stem from the best information known or anticipated from the metro labor market, labor

62 settlements, and consumer price index.

63

64 The City's compensation policy objectives include:

65

66 Internal Equity – maintaining a compensation and benefit package that is as consistent as

67 possible between the City's three union and two non-union groups.

68

69 External Equity- maintaining compensation and benefits packages that are equivalent to

70 comparable cities for comparable positions.

71

72 **BUDGET IMPLICATIONS**

73 This proposed package will cost the City a total of \$3,750 beyond what was approved or

74 proposed by the Council for the two year contract term.

75 **STAFF RECOMMENDATION**

76 Staff recommends approval of the 2012-13 LELS contract.

77 **REQUESTED COUNCIL ACTION**

78 Motion to approve the proposed terms and conditions for the 2012-2013 collective bargaining
79 agreement with the LELS, directing City staff to prepare the necessary documents for
80 execution, subject to City Attorney approval.

Prepared by: Eldona Bacon, Human Resources Manager

REQUEST FOR COUNCIL ACTION

Date: 7/9/12
Item No.: 7.e

Department Approval



City Manager Approval



Item Description: Approve Construction Agreement between the University of Minnesota and the City of Roseville for the Fairview Pathway Project (aka Northeast Suburban Campus Connector Bike/ Pedestrian Project)

BACKGROUND

Since 2009, the cities of Falcon Heights and Roseville, along with the University of Minnesota, have been developing plans for a pedestrian and bicycle trail along Fairview Avenue. This project, the Northeast Suburban Campus Connector (NESCC), was awarded grant funds in the amount of \$1,079,000. Phase 1 of the project was awarded to TA Schifsky and Sons at the August 22nd council meeting. The majority of the improvements included in Phase 1 of this project were completed last year. The work at the University of Minnesota did not proceed because they did not want Gortner Avenue under construction during the school year.

Construction is scheduled to start in July. The work covered by this agreement is as follows:

- Reclamation of the entire width of Gortner Avenue from Larpenteur Ave to Folwell Ave.
- Construction of a concrete sidewalk from Larpenteur Avenue to Folwell Avenue.
- Striping of bike lanes from Larpenteur Avenue to the intercampus transitway.

Final plans have been approved by MnDOT for the second phase of this project. Staff will be soliciting bids in July, with construction to be completed in late summer/ early fall. Phase 2 of the project includes:

- Construction of a sidewalk along the north side of Larpenteur Avenue between Cleveland Ave and Coffman Ave in Falcon Heights.
- Construction of segments of sidewalk along the east side of Fairview Ave between County Road B and the Fairview entrance into Rosedale.
- Reconstruction of the sidewalk along the west side of Fairview Ave between Gluek Lane and the Fairview entrance into Rosedale.
- Upgrading all signal systems to meet ADA standards, including audible pedestrian countdown timers and truncated dome pedestrian ramps.

POLICY OBJECTIVE

A construction agreement with the University of Minnesota is attached, which spells out the role of each agency for the construction of Phase 1 of this project. While the construction costs for this project are fully grant funded, there are portions of the project that are being funded by the University of Minnesota and the agreement will ensure that we have a formal understanding with the University regarding cost. It also defines ownership of the improvements once constructed.

FINANCIAL DISCUSSION

The contract amount for this project is \$711,758.00. The total amount of Federal eligible costs for Phase 1 of this project is \$595,010.90. The project will be funded as follows:

Segment Description	Federal Eligible Costs	Local Cost
Roseville	\$277,689.90	\$34,680.00
Falcon Heights	\$205,284.10	\$0
University of Minnesota	\$112,036.90	\$82,067.10
Subtotals	\$595,010.90	\$116,747.10
Project Total	\$711,758.00	

STAFF RECOMMENDATION

Staff recommends the approval of the Fairview Pathway Project (aka Northeast Suburban Campus Connector Bike/ Pedestrian Project) Construction Agreement with the University of Minnesota.

REQUESTED COUNCIL ACTION

Motion approving of the Fairview Pathway Project (aka Northeast Suburban Campus Connector Bike/ Pedestrian Project) Construction Agreement with the University of Minnesota

Prepared by: Debra Bloom, City Engineer
 Attachments: A: Agreement



UNIVERSITY OF MINNESOTA

AGREEMENT

THIS AGREEMENT (the “**Agreement**”) is entered into effective as of the date of last signature below (the “**Effective Date**”) by and between Regents of the University of Minnesota, a Minnesota constitutional corporation (the “**University**”), and the City of Roseville, a Minnesota municipal corporation (the “**Licensee**”) (either of which is also referred to herein as a “**Party**” and, collectively, they are referred to herein as “**Parties**”). This Agreement is entered into by the University through the Real Estate Office.

1. Grant of License.

1.1 University hereby grants to Licensee a non-exclusive, revocable license over, under, and across the portion of real property approximately 50 feet wide depicted on **Exhibit A** (the “**University Property**”) to reconstruct Gortner Avenue, including the addition of new sidewalk on the east side of Gortner, between Folwell and Larpenteur Avenues and to restripe the entire length of Gortner Avenue to designate a recreational trail for pedestrian and non-motorized bicycle traffic for the purpose of extending the Northeast Suburban Campus Connection Bicycle/Pedestrian Project from County Road B-2 in Roseville to the University’s Twin Cities campuses (the “**Project**”). Licensee’s construction of the Project shall be in accordance with Final Project Plans (defined in Section 3.2.1). The preliminary engineering drawings, specifications and construction plans (“**Preliminary Project Plans**”) attached as **Exhibit B**.

1.2 This Agreement will begin on June __, 2012 and end upon completion of construction of the Project, but not later than July 31, 2012, unless earlier terminated as provided herein. Time is of the essence in completion of construction of the Project.

1.3 This Agreement is subject to: (a) any and all existing restrictions, covenants, easements, licenses, permits, leases and other encumbrances relating to the University Property; and (b) all applicable federal, state, and local laws, statutes, regulations, ordinances, rules, and requirements and applicable University ordinances, policies, and procedures.

1.4 Licensee accepts all rights granted under this Agreement in an “AS IS” and “WITH ALL FAULTS” condition, and subject to all limitations on University’s rights, interests, and title to the University Property.

1.5 Licensee represents that it has inspected the University Property and enters into this Agreement with knowledge of the condition thereof. Licensee shall determine the suitability of the University Property for its intended use, including without limitation geotechnical, structural, environmental, and health or safety conditions. Licensee acknowledges that this Agreement does not contain any implied warranties by University that Licensee or Licensee’s contractors or consultants can successfully construct the Project on the University Property.

47
48 **2. Fee.** The non-refundable fee for this license is \$1.00.
49

50 **3. Use and Maintenance.**
51

52 3.1 Licensee agrees to use the University Property solely for the purposes stated in
53 Section 1.1.
54

55 3.2 Design and Construction.
56

57 3.2.1 Licensee shall submit to University (Steve Sanders of University's
58 Parking & Transportation Services, 612-525-1333) for its prior approval final Project
59 Plans ("**Final Project Plans**") and a detailed schedule for construction of the Project
60 within 10 days following the signing of this Agreement. University shall provide its
61 comments on the Final Project Plans and construction schedule to Licensee within 10
62 business days from the date of receipt. Licensee shall construct the Project in accordance
63 with the University approved Final Project Plans and approved construction schedule.
64 University's approval of the Final Project Plans and the construction schedule will in no
65 way be deemed to be (i) an acceptance or approval of any element therein which is in
66 violation of any applicable law, or (ii) an assurance that License's Work (as herein
67 defined) done pursuant to the approved Final Project Plans and construction schedule will
68 comply with all applicable laws or other requirements in this Agreement. Any deficiency
69 of design or construction shall be the sole responsibility of Licensee.
70

71 3.2.2 If University's irrigation system needs repair or relocation as result of the
72 Project, University's Landcare shall perform such irrigation work at Licensee's sole
73 expense to be promptly paid upon receipt of an invoice from University. Licensee shall
74 contact Chad Schmidt at 612-624-5678 to coordinate University's irrigation work into
75 Licensee's construction schedule.
76

77 3.2.3 The Final Project Plans will reflect the reclamation of the entire width of
78 Gortner Avenue from Larpenteur Avenue to Folwell Avenue estimated to cost
79 \$194,104.00. Federal funding in the amount of \$112,036.90 is available to reclaim the 6
80 foot wide shoulders (total 12 feet wide) on Gortner between Larpenteur and Folwell
81 Avenues. University agrees to pay the remaining cost to reclaim and overlay the rest of
82 the roadway along Gortner Avenue (19 feet wide) in an amount not to exceed
83 \$82,067.10.
84

85 3.2.4 The Final Project Plans will reflect University's removal of two light poles
86 on the east side of Gortner Avenue required for the relocation of the sidewalk and
87 Licensee's construction of the sidewalk extension requested by University at the
88 intersection of Gortner and Folwell Avenues as shown on the Preliminary Project Plans.
89 University's cost to remove the two light poles (estimated to be \$5,398.00) will be
90 equally shared between University and Licensee upon completion of the Project, unless
91 Licensee provides written evidence satisfactory to University that Licensee's federal
92 funding and contingency funds have been depleted by other Project cost overrides, in

93 which case the costs for removal of light poles will be borne by University. Licensee's
94 cost to extend the sidewalk (estimated to be \$3,612.00) will be paid by Licensee, unless
95 Licensee provides written evidence satisfactory to University that Licensee's federal
96 funding and contingency funds will not cover such costs, in which case the amount not
97 covered by such funds will be borne by University.
98

99 3.2.5 Licensee shall perform the design, construction and installation of the
100 Project (collectively, "**Licensee's Work**") according to the rights granted herein in a safe,
101 good and workman-like manner, in accordance with all applicable federal, state, and local
102 laws, statutes, regulations, ordinances, rules, and requirements and University ordinances,
103 policies, procedures, including the University's storm water compliance procedure, and
104 the University's construction standards, where applicable.
105

106 3.2.6 Licensee shall keep the University Property free of any and all
107 mechanics', material supplier's, and other liens arising out of any work, labor done,
108 services performed, or materials furnished for Licensee or its contractors or consultants
109 or claimed to have been furnished for Licensee or its contractors or consultants.
110

111 3.3 Restoration Obligation. 112

113 3.3.1 Promptly after completion of Licensee's Work, Licensee at its sole cost
114 and expense shall: (i) remove all equipment and other property placed upon the
115 University Property by Licensee or its contractors or consultants; (ii) remove all debris
116 resulting therefrom; (iii) restore the University Property as shown on the Final Project
117 Plans, as well as any other University property damaged as a result of the Project, in
118 accordance with the requirements of University's Division of Land Care and Department
119 of Parking & Transportation Services; and (iv) furnish to University without charge
120 electronic copies of "as-built" drawings and specifications for the Project in CAD format.
121

122 3.3.2 If University restores such damage due to Licensee's failure to do so
123 within 30 days following written notice from University to Licensee requesting Licensee
124 to do so, Licensee shall upon demand reimburse the University for the reasonable costs
125 incurred by University in restoring such damage.
126

127 3.3.3 Licensee's obligations under this Section 3.3 shall survive the expiration
128 or earlier termination of this Agreement.
129

130 3.4 University reserves the right to use, and grant others the right to use, the
131 University Property for any purpose whatsoever provided that such use does not unreasonably
132 interfere with Licensee's Work. Licensee agrees not to disturb University's use and enjoyment of
133 the University Property, so long as University's use of the University Property is consistent with
134 Licensee's rights under this Agreement. University shall have the right to enter the University
135 Property and inspect Licensee's Work at any time to ensure compliance with this Agreement.
136

137 3.5 Licensee shall provide to University electronic copies of any test results and
138 reports it or its contractors or consultants obtain pertaining to the University Property. All test

results and reports shall be sent to the University of Minnesota, Real Estate Office, 424 Donhowe Building, 319 15th Avenue Southeast, Minneapolis, MN 55455-0199, prior to submission to any regulatory agency. University may comment separately on said results and reports to any regulatory agency, but shall not alter any submission from Licensee to any regulatory agency.

3.6 Upon completion of Licensee's Work, the Project and all improvements related thereto shall be owned, operated and maintained by University.

4. Environmental.

4.1 Licensee shall not—and shall ensure that its contractors and consultants do not—release, install, use, generate, store, locate, produce, process, treat, transport, incorporate, discharge, emit, deposit, or dispose of Hazardous Substances in, upon, under, over or from the University Property or violate any Environmental Laws on or near the University Property.

4.2 Definitions.

4.2.1 **“Environmental Laws”** means any and all federal, state, local, or municipal laws, rules, orders, regulations, statutes, ordinances, codes, decrees, or requirements of any governmental authority regulating, relating to, or imposing liability or standards of conduct concerning any Hazardous Substances, environmental protection, or health and safety, as now or may at any time hereafter be in effect and as amended from time to time, as well as the regulations adopted and promulgated thereunder, including without limitation: the Clean Water Act, also known as the Federal Water Pollution Control Act, 33 U.S.C. Section 1251 et seq.; the Clean Air Act, 42 U.S.C. Section 7401 et seq.; the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. Section 136 et seq.; the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq.; the Superfund Amendments and Reauthorization Act of 1986, Public Law 99-499, 100 Stat. 1613; the Emergency Planning and Community Right to Know Act, 42 U.S.C. Section 11001 et seq.; the Resource Conservation and Recovery Act, also known as the Solid Waste Disposal Act, 42 U.S.C. § 6901 et seq.; and the Minnesota Environmental Response and Liability Act, Minnesota Statutes Chapter 115B.

4.2.2 **“Hazardous Substance”** means (i) hazardous materials, hazardous wastes, and hazardous substances as those terms are defined under any Environmental Laws; (ii) petroleum, petroleum products, and by-products, including crude oil and any fractions thereof; (iii) natural gas, natural gas liquids, liquefied natural gas, synthetic gas, and any mixtures thereof; (iv) asbestos or any material that contains any hydrated magnesium silicate minerals that crystallize as bundles of long, thin fibers that readily separate when broken or crushed; (v) radon; (vi) any other hazardous or radioactive substance, material, contaminant, pollutant, or waste; (viii) any substance with respect to which any federal, state, or local Environmental Law or governmental agency requires environmental investigation, monitoring, or remediation; and (ix) any other substance or

184 material now or in the future deemed to be hazardous, dangerous, toxic, or a pollutant or
185 contaminant under any Environmental Laws.

186
187 4.2.3 “**Release**” means the definition set forth in Minn. Stat. Section 115B.02,
188 Subd 15 of a Hazardous Substance into or out of the University Property.

189
190 4.3 Licensee, at its sole cost and expense, shall:

191
192 a. Notify University prior to any activity on the University Property by Licensee or
193 its contractors pursuant to this Agreement, which involves the Release, use, storage,
194 generation, treatment, transportation, disposal, or handling of any Hazardous Substance;

195
196 b. Comply with all Environmental Laws governing the Release, use, storage,
197 generation, treatment, transportation, disposal, or handling of Hazardous Substances by
198 Licensee or its contractors (including, without limitation, the abandonment or disposal of
199 any barrels, containers, or other closed receptacles containing any Hazardous Substance);

200
201 c. Immediately stop construction or any other activity if Licensee or its contractor
202 encounters a Hazardous Substance;

203
204 d. Give immediate notice to University’s Department of Environmental Health and
205 Safety at 612-626-6002 or, after normal business hours, the Police Department dispatcher
206 at 612-624-2677 (i) if Licensee encounters a Hazardous Substance; (ii) if a Hazardous
207 Substance is Released by Licensee or its contractor on or from the University Property;
208 (iii) of a violation of any Environmental Laws by Licensee or its contractors; (iv) of an
209 inspection or inquiry by any governmental agency with respect to Licensee’s or its
210 contractor’s use of the University Property; or (v) if Licensee receives any notice from
211 any governmental agency alleging that any Environmental Laws have been violated by
212 Licensee with respect to Licensee’s or its contractor’s use of the University Property;

213
214 e. Promptly investigate and remediate any Release of Hazardous Substances that is
215 uncovered or moved as a result of Licensee’s or its contractor’s or consultant’s use of the
216 University Property and promptly perform any investigative, remedial or other activities
217 necessary to avoid or minimize injury or liability to any person, or to prevent the Release
218 or spread of contamination as a result of Licensee’s or its contractor’s activities pursuant
219 to this Agreement; and

220
221 f. Promptly respond to and comply with any notice, order, request, or demand
222 relating to potential or actual contamination on the University Property resulting from
223 Licensee’s or its contractor’s activities pursuant to this Agreement.

224
225 4.4 If University has reason to believe that a Hazardous Substance has been released
226 on or from the University Property by Licensee or its contractors or consultants, then University
227 has the right, but not the obligation, to require Licensee, at Licensee’s sole cost and expense, to
228 perform an environmental audit of the results of the alleged release by an environmental
229 consultant satisfactory to University. Unless not reasonably practical, such an investigation shall

be commenced within 10 days after University's request, and thereafter be diligently prosecuted to completion. In any event, such an investigation shall be commenced as soon as reasonably practicable and thereafter be diligently prosecuted to completion. Licensee shall provide to University an electronic copy of the environmental audit immediately after it is available to Licensee.

4.5 If Licensee fails to perform its obligations under this section, the University shall have the right, but not the obligation, to perform Licensee's obligations and charge Licensee for the costs and expenses reasonably incurred by University in doing so. Licensee shall reimburse the University for all such costs and expenses within 30 days after receipt of an invoice together with a detailed explanation of the basis for the charges contained in the invoice. University shall provide to Licensee an electronic copy of any environmental audit undertaken by or on behalf of the University for the University Property promptly after it is available to University.

4.6 Licensee hereby authorizes any and all governmental entities with responsibility for enforcement of Environmental Laws to release to University (or provide University with access to) all files related to alleged violations of Environmental Laws at the University Property.

5. Insurance.

5.1 Licensee's Insurance Requirements: Licensee, at its sole cost and expense, shall obtain and keep in force the following insurance:

a. Commercial General Liability with limits required in Minnesota Statute Section 466 (effective July 1, 2009, \$500,000 per person and \$1,500,000 per occurrence). Policy shall be Occurrence based, written on ISO Form CG 00 01 or its equivalent, and include coverage for Products/Completed Operations which shall be maintained for a period of three (3) years after the expiration of the Term. Regents of the University of Minnesota shall be added as an additional insured for ongoing and completed operations on ISO Forms CG 20 10 07 04 and CG 20 37 07 04 or equivalent.

b. Business Automobile Liability Insurance with limits required in Minnesota Statutes Section 466 (effective July 1, 2009, \$500,000 per person and \$1,500,000 per occurrence). Policy shall be written on ISO form CA 00 01 or equivalent and apply to all owned, hired and non-owned automobiles.

c. Workers Compensation Insurance. Workers' compensation insurance in compliance with all statutory requirements of the State of Minnesota.

d. Employer's Liability Insurance. Limits of \$100,000 bodily injury by disease per employee; \$100,000 bodily injury by disease aggregate; and \$100,000 bodily injury by accident.

e. Licensee shall provide to University prior to the Effective Date fully executed Certificates of Insurance evidencing that it has the required coverage.

276
277 f. Licensee may self-insure with respect to the requirements of this section.
278

279 g. All policies required shall provide that the policy will not be canceled, materially
280 changed, or non-renewed without at least 30 days' prior written notice to University.
281

282 h. Licensee's General Liability and Automobile Liability policies will be primary
283 and any insurance maintained by University is excess and non-contributory. The
284 certificate of insurances must reflect that the above wording is included in the required
285 policies.
286

287 5.2 Contractors' and Consultants' Insurance Requirements. Licensee shall require its
288 contractors and consultants entering onto the University Property to obtain and keep in force the
289 following insurance:
290

291 a. Commercial General Liability with minimum limits of \$5,000,000 each
292 occurrence, \$5,000,000 Products/Completed operations aggregate and \$5,000,000 general
293 aggregate per project. Policy shall be on ISO Form CG 00 01 or its equivalent and
294 include coverage for Products/Completed Operations which shall be maintained for a
295 period of three (3) years after completion of any work on the University Property.
296 Regents of the University of Minnesota shall be named as an additional insured for
297 ongoing and completed operations by endorsement on ISO forms CG 2010 07 04 and CG
298 2037 07 04 (or their equivalent as approved by University).
299

300 b. Business Automobile Liability Insurance with minimum limits of \$1,000,000 any
301 one accident or loss. Policy shall be written on ISO Form CA 00 01 or equivalent and
302 apply to all owned, hired and non-owned automobiles. Regents of the University of
303 Minnesota shall be named as an additional insured. Pollution liability coverage equivalent
304 to that provided by ISO pollution liability-broadened coverage for autos endorsement CA
305 99 48 and the Motor Carrier Act endorsement MCS90 shall be included.
306

307 c. Workers' Compensation Insurance. Workers' compensation insurance in
308 compliance with all statutory requirements of the State of Minnesota.
309

310 d. Employer's Liability Insurance. Minimum limits of \$1,000,000 bodily injury by
311 disease per employee; \$1,000,000 bodily injury by disease aggregate; and \$1,000,000
312 bodily injury by accident.
313

314 e. Contractor's Pollution Liability Insurance, if applicable to Contractor's Work,
315 with minimum limits of \$1,000,000 each occurrence/annual aggregate.
316

317 e. All policies required shall provide that the policy will not be canceled, materially
318 changed, or non-renewed without at least 30 days' prior written notice to University.
319

320 f. All policies, through endorsement (including self-insurance programs if
321 applicable), must state that the policy is primary and any insurance maintained by

University is excess and non-contributory. The certificate of insurances must reflect that the above wording is included in the required policies.

g. All policies shall be written by a reputable insurance company with a current AM Best Rating of A-VII or better, and authorized to do business in Minnesota.

h. Licensee shall require that its contractors and consultants of every tier waive all subrogation and recovery rights against University for General Liability and Workers Compensation.

i. No endorsements, except those expressly stated herein, may be included on any policy limiting coverage.

j. Licensee's contractors and consultants shall provide to University prior to entering onto the University Property fully executed Certificates of Insurance evidencing that they have obtained the required coverage and endorsements.

6. Permits. In addition to any other approvals required by this Agreement, Licensee shall obtain from University's Building Code Office any permits required for Licensee's construction of the Project on the University Property.

7. Default. Licensee shall be in default ("Default") of this Agreement if Licensee violates or fails to perform or observe any covenant, condition, or obligation of this Agreement for a period of 10 days after Licensee's receipt of written notice from University describing the alleged violation or failure, except with respect to Section 4.3, for which Licensee shall be in Default if it fails to commence correction of the unperformed covenant, condition, or obligation within 1 day after receipt of written notice and to thereafter diligently pursue such correction to completion. In the event of any such written notice by University to Licensee, University agrees that, upon request of Licensee, University representatives will meet and confer with representatives of Licensee to assist Licensee in understanding the alleged violation or failure and how it may be cured to the satisfaction of University. In the event of a Default, the University, in its sole discretion, may: (i) seek specific performance of the unperformed obligation; (ii) seek an injunction restraining a violation of this Agreement; (iii) perform Licensee's obligations and charge Licensee for its costs reasonably incurred in doing so; or (iv) terminate this Agreement. Licensee shall promptly reimburse University for costs the University incurs under this section. Notwithstanding anything to the contrary in this Section 7, (a) in the event that correction of the condition which is alleged by University to constitute a failure by Licensee to perform or observe a covenant, condition or obligation of this Agreement requires work which is impractical due to reasonably foreseeable weather conditions during said 10 day period, provided that Licensee diligently pursues correction of the unperformed covenant, condition or obligation, Licensee shall be entitled to 30 days after Licensor's written notice to complete the work which is required to perform the alleged unperformed obligation; (b) if Licensee's Default poses an imminent hazard or threat to human health or the environment, the University is required to give Licensee written notice before the University shall have the right to do any of the following: (i) seek specific performance of the unperformed obligation; (ii) seek an

injunction restraining a breach of this Agreement; or (iii) perform Licensee's obligations and charge Licensee for its costs reasonably incurred in doing so.

8. Notices. A notice, communication, or demand by either party to the other shall be in writing and shall be sufficiently given or delivered upon receipt if sent by overnight delivery, if personally delivered, or three days after sent by U.S. registered mail or certified mail, postage prepaid, return receipt requested; and if the notice, communication or demand:

(i) in the case of University, is addressed or personally delivered to:

Regents of the University of Minnesota
c/o Real Estate Office
319 15th Avenue SE, Suite 424
Minneapolis MN 55455

and

University of Minnesota
Office of the General Counsel
Attn: Transactional Law Services Group
360 McNamara Alumni Center
200 Oak Street SE
Minneapolis, MN 55455-2006

(ii) in the case of Licensee, is addressed to or delivered personally to:

City of Roseville
Attn: Debra Bloom
2660 Civic Center Drive
Roseville, MN 55113

or at such other address with respect to either such Party as that Party may, from time to time, designate by written notice to the other Party.

9. Liability; Indemnification. Subject to the limitations of Minn. Stat. Chap. 466, as amended from time to time, and except to the extent caused by the University's negligence: (a) Licensee shall be liable for all loss, damage, or claims resulting from its or its invitee's, contractor's and/or consultant's use of the University Property. Licensee shall defend, indemnify and hold harmless University from and against any and all claims, loss, damage, recoveries, judgments, costs or expenses related thereto (including attorney's fees) arising from or in any manner connected with (a) Licensee's or its invitees, contractor's and/or consultant's use of the University Property; and/or (b) any breach of this Agreement. Licensee's obligations under this section shall survive the expiration or earlier termination of this Agreement.

411 **10. Damages.** IN NO EVENT SHALL UNIVERSITY BE LIABLE FOR ANY INDIRECT,
412 CONSEQUENTIAL, INCIDENTAL, LOST PROFITS OR LIKE EXPECTANCY DAMAGES
413 ARISING OUT OF THIS AGREEMENT.

414
415 **11. Miscellaneous.**

416
417 **11.1 Assignment.** Licensee shall not assign its rights under this Agreement without
418 University's prior written consent, which University may grant, withhold, or condition in its sole
419 discretion.

420
421 **11.2 License Only.** Licensee acknowledges that this Agreement represents a grant of a
422 revocable license only, and not an easement or lease, except as provided in Section 1.1.

423
424 **11.3 Survival.** Notwithstanding anything to the contrary, to the extent applicable, the
425 terms of this Agreement shall survive expiration or termination of the Term.

426
427 **11.4 Counterparts.** This Agreement is executed in any number of counterparts, each
428 of which shall constitute one and the same instrument.

429
430 **11.5 Severability.** If any provision of this Agreement is declared invalid, illegal or
431 otherwise unenforceable, that provision shall be deemed to have been severed from this
432 Agreement and the remainder of this Agreement shall otherwise remain in full force and effect.

433
434 **11.6 Complete Agreement.** This Agreement (including all exhibits) constitutes the
435 complete agreement between the parties with respect to the matters addressed herein. This
436 Agreement shall be amended only in a writing duly executed by authorized signatories of the
437 parties to this Agreement.

438
439
440 [Signatures on following page]
441

442
443
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445
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447
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451

IN WITNESS WHEREOF, the parties execute this Agreement.

Regents of the University of Minnesota

City of Roseville

By: _____
Name:
Title:
Date: _____

By: _____
Name:
Title:
Date: _____

EXHIBIT A University Property

Exhibit A

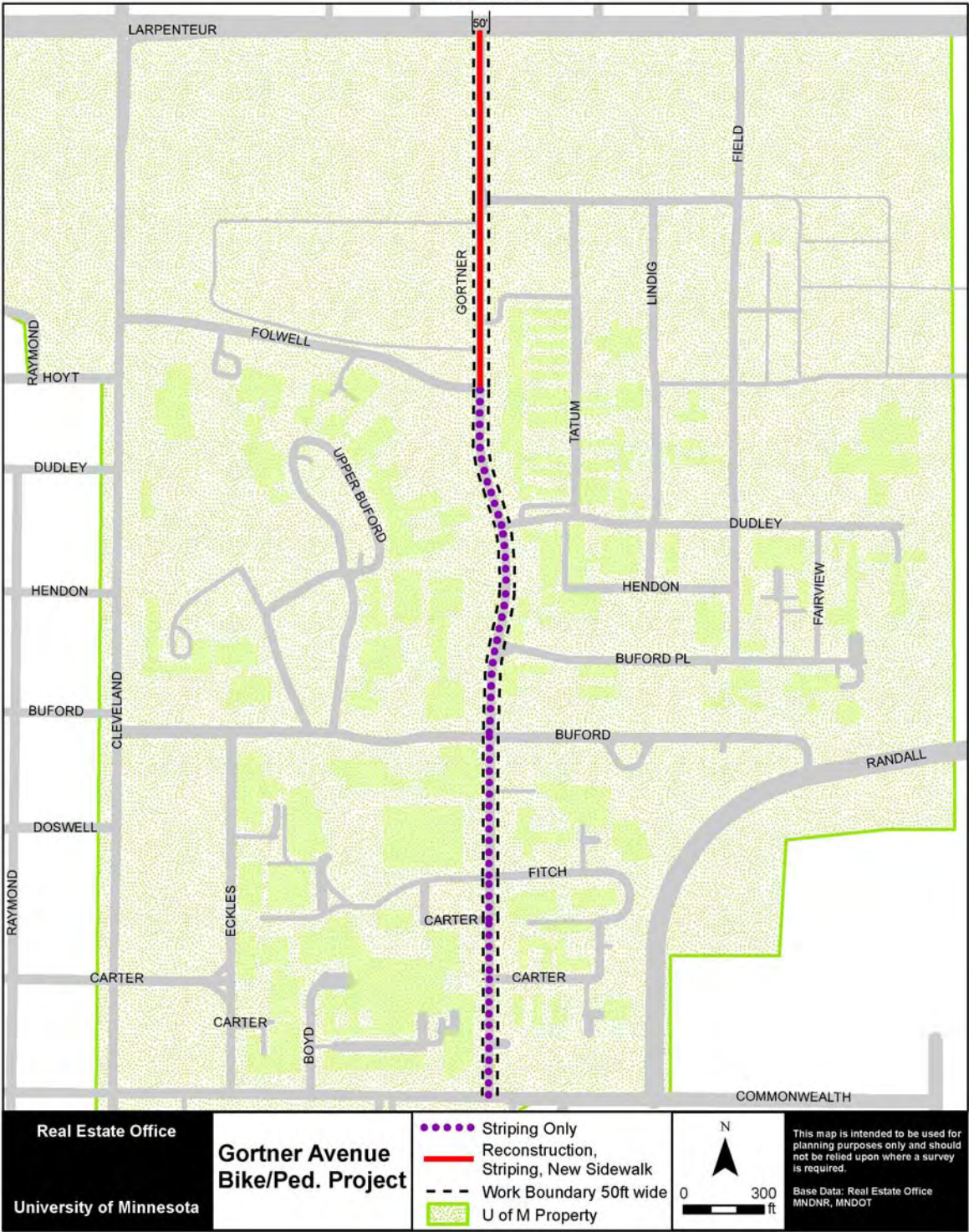
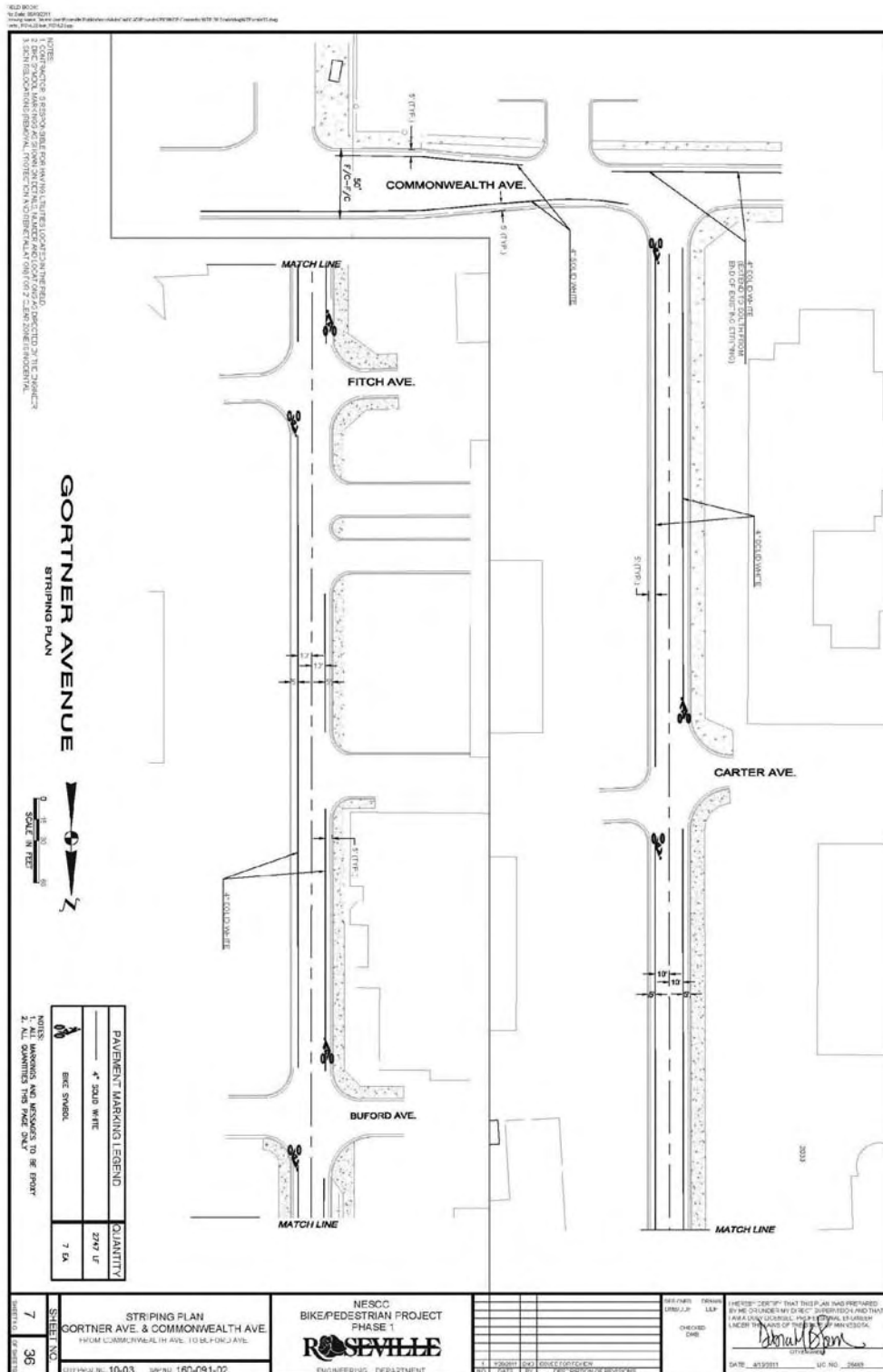
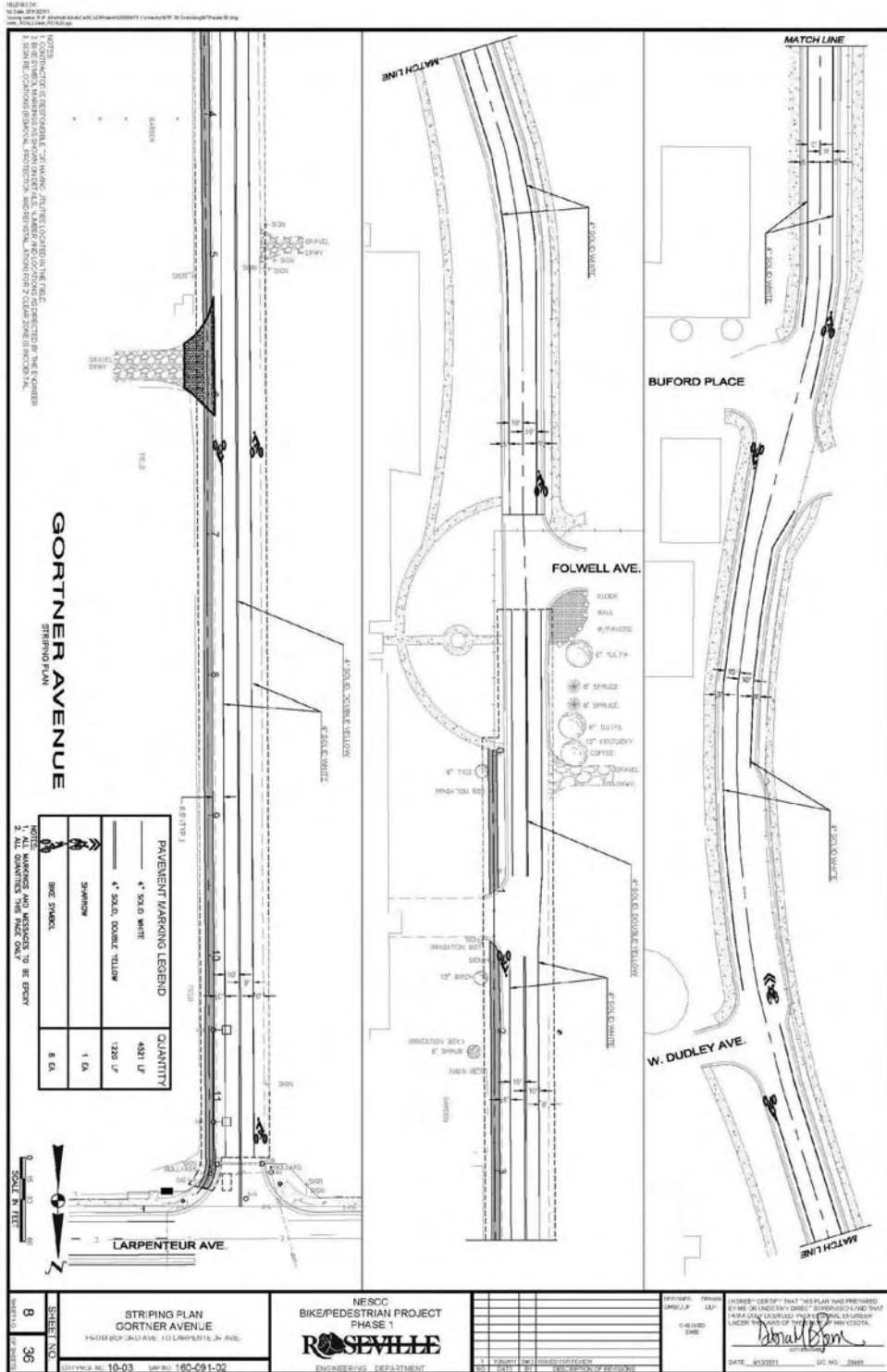
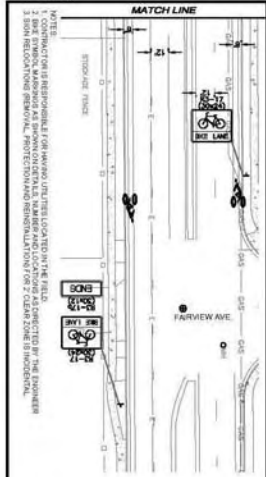


EXHIBIT B Preliminary Project Plans





FIELD BOOK:
 PROJECT: 160-091-002
 DATE: 08/01/2017
 DRAWN BY: J. B. BROWN
 CHECKED BY: J. B. BROWN
 APPROVED BY: J. B. BROWN



LARPENTEUR AVENUE STRIPING PLAN

SIGNING LEGEND		QUANTITY
	AS-17	4 BA
	AS-18	2 BA
	END	1 BA
	BKE SYMBOL	10 BA

PAVEMENT MARKING LEGEND		QUANTITY
	BKE MARK	1 BA
	END	1 BA

1. ALL MARKINGS AND SIGNS TO BE EXACT
 2. ALL DIMENSIONS THIS PLAN ONLY

9

36

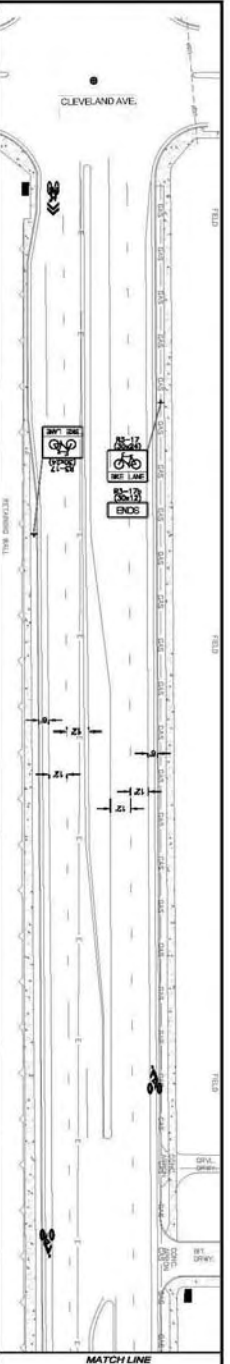
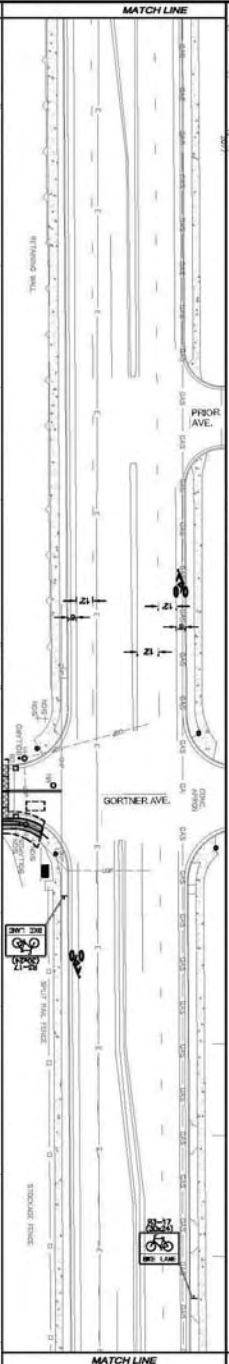
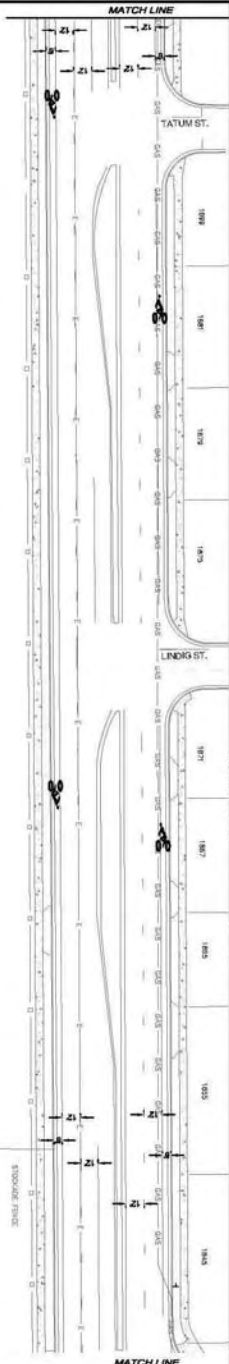
STRIPING PLAN

LARPENTEUR AVENUE

FROM CLEVELAND AVENUE TO FAIRVIEW AVE.

CITY PROJ. NO. 10-03

DATE: 160-091-002



DESIGNED

CHECKED

DATE

DATE

1. 100% DESIGN REVIEW

2. 100% DESIGN REVIEW

DATE

DATE

DESIGNED

CHECKED

DATE

DATE

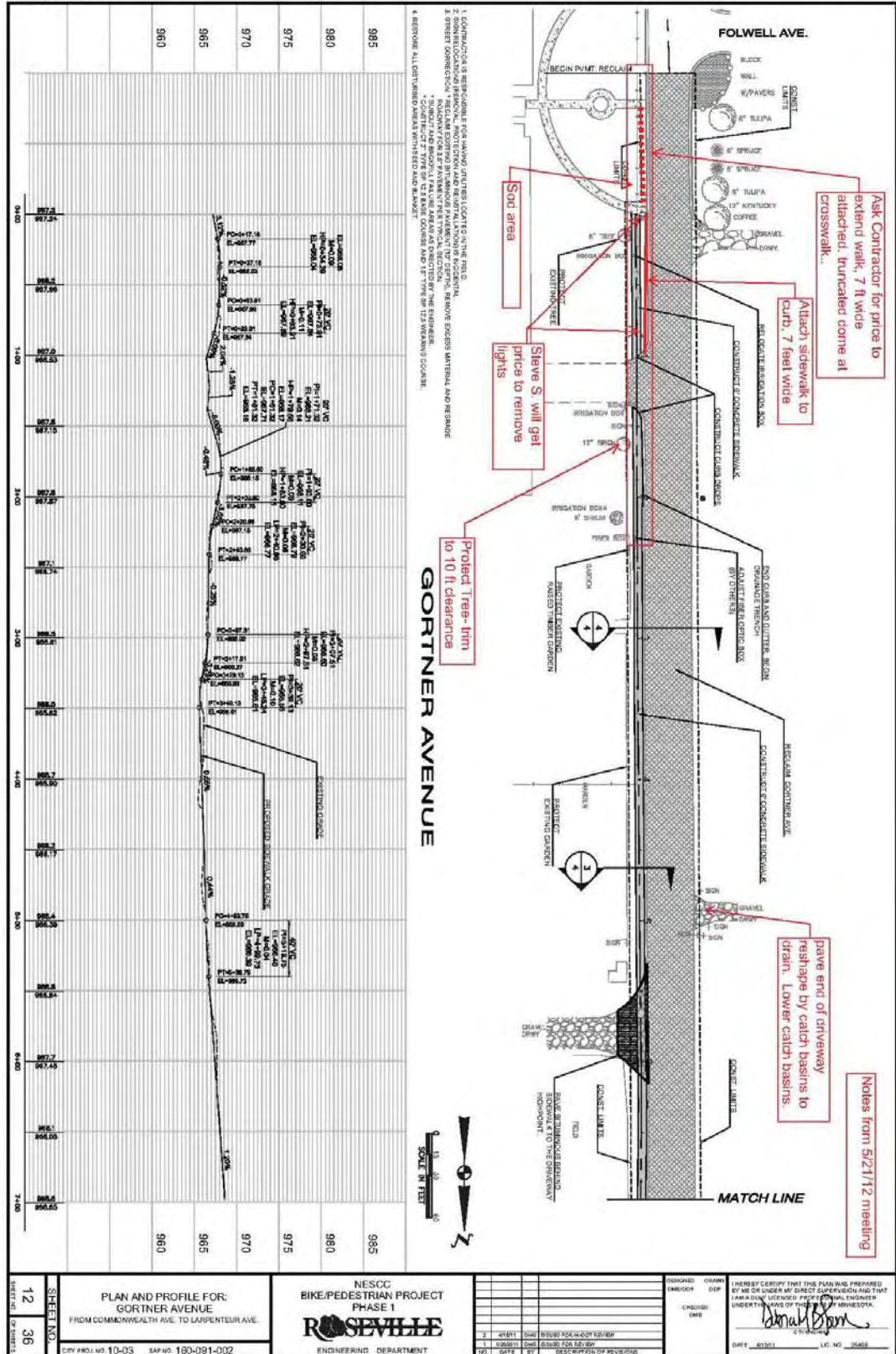
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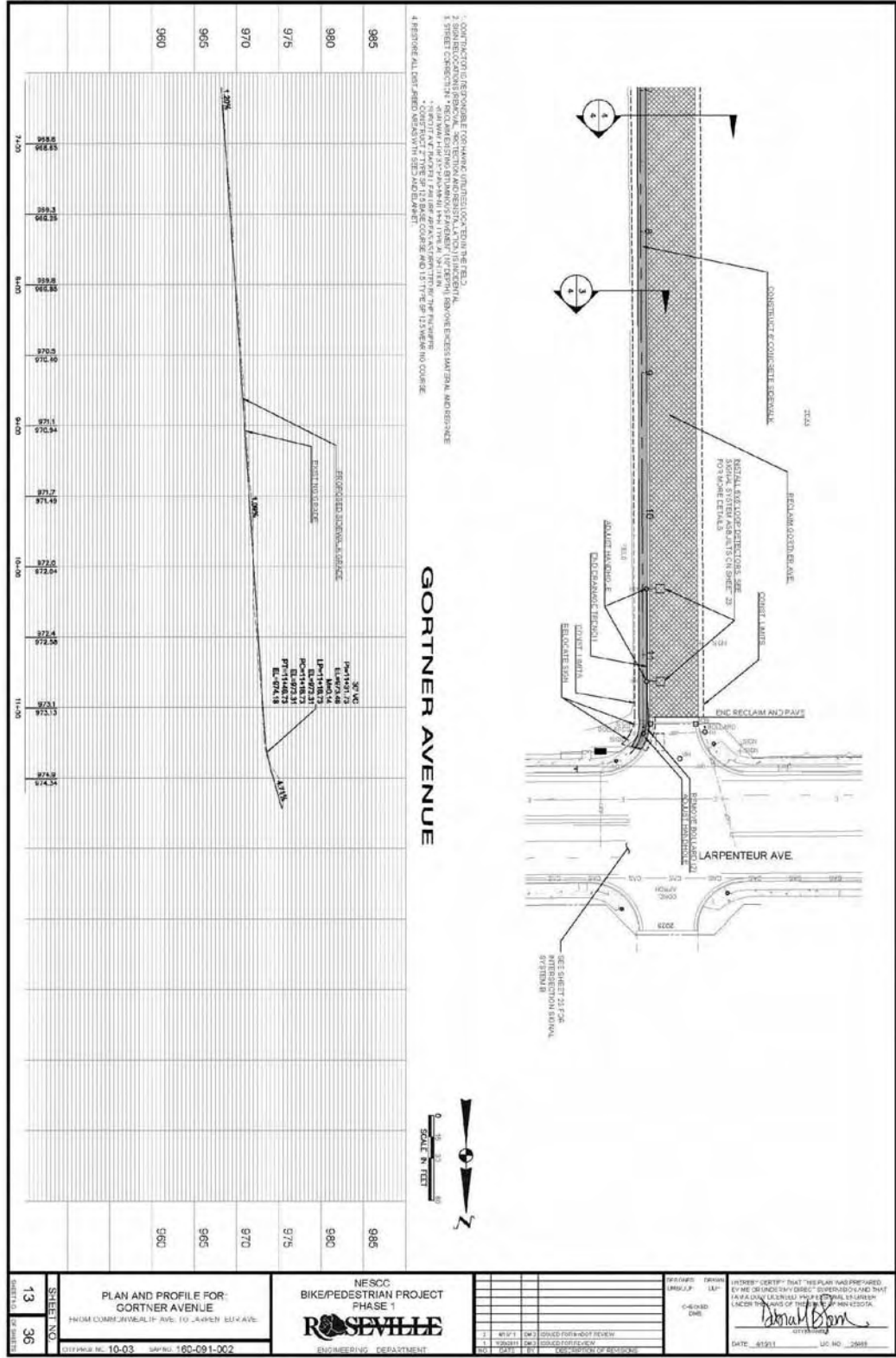
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FIELD BOOK
 DATE: 05/21/12
 DRAWN BY: J. H. HARRIS
 CHECKED BY: J. H. HARRIS
 SCALE: 1" = 20'





ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 07/09/12
Item No.: 7.f

Department Approval

Christopher K. Miller

City Manager Approval

W. J. Mahinen

Item Description: Set Public Hearing to Consider Approving a 3.2% On-Sale, Sunday Liquor, and Wine license for Kyoto Sushi at 2100 N. Snelling Ave., Suite 80

BACKGROUND

Under City Code, a public hearing is required to consider approving liquor licenses for the following calendar year. The City has received an application for a Liquor License for 2012 as follows:

- ❖ Kyoto Sushi –3.2 On Sale, Sunday Liquor, and Wine License

Neither State Statute nor City Code limits the number of licenses that can be issued for On Sale & Sunday licenses.

POLICY OBJECTIVE

The regulation of establishments that sell alcoholic beverages has been a long-standing practice by the State and the City.

FINANCIAL IMPACTS

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

REQUESTED COUNCIL ACTION

To set public hearing for July 23, 2012 to consider approving/denying the change of the requested liquor license for calendar year 2012.

Prepared by: Chris Miller, Finance Director

Attachments: A: Application



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
 444 Cedar Street, Suite 222, St. Paul, MN 55101-5133
 Telephone 651-201-7507 Fax 651-297-5259 TTY 651-282-6555

Certification of an On Sale Liquor License, 3.2% Liquor license, or Sunday Liquor License

Cities and Counties: You are required by law to complete and sign this form to certify the issuance of the following liquor license types:
 1) City issued on sale intoxicating and Sunday liquor licenses
 2) City and County issued 3.2% on and off sale malt liquor licenses

Name of City or County Issuing Liquor License _____ License Period From: _____ To: _____

Circle One: New License License Transfer _____ Suspension Revocation Cancel _____
 (former licensee name) (Give dates)

License type: (circle all that apply) On Sale Intoxicating Sunday Liquor 3.2% On sale 3.2% Off Sale

Fee(s): On Sale License fee: \$ _____ Sunday License fee: \$ _____ 3.2% On Sale fee: \$ _____ 3.2% Off Sale fee: \$ _____

Licensee Name: Kyoto Sushi (corporation, partnership, LLC, or Individual) DOB _____ Social Security # _____

Business Trade Name Kyoto Sushi Business Address 2100 N Snelling Ave City Roseville ^{Suite 80}

Zip Code 55113 County _____ Business Phone 651 636 5888 Home Phone _____

Home Address _____ City _____ Licensee's MN Tax ID # _____

(To Apply call 651-298-6181)

Licensee's Federal Tax ID # _____
 (To apply call IRS 800-829-4933)

If above named licensee is a corporation, partnership, or LLC, complete the following for each partner/officer:

Partner/Officer Name (First Middle Last)	DOB	Social Security #	Home Address
(Partner/Officer Name (First Middle Last))	DOB	Social Security #	Home Address
Partner/Officer Name (First Middle Last)	DOB	Social Security #	Home Address

Intoxicating liquor licensees must attach a certificate of Liquor Liability Insurance to this form. The insurance certificate must contain all of the following:

- 1) Show the exact licensee name (corporation, partnership, LLC, etc) and business address as shown on the license.
- 2) Cover completely the license period set by the local city or county licensing authority as shown on the license.

Circle One: (Yes No) During the past year has a summons been issued to the licensee under the Civil Liquor Liability Law?

Workers Compensation Insurance is also required by all licensees: Please complete the following:

Workers Compensation Insurance Company Name: _____ Policy # _____

I Certify that this license(s) has been approved in an official meeting by the governing body of the city or county.

City Clerk or County Auditor Signature _____ (title) Date 6/20/12

On Sale Intoxicating liquor licensees must also purchase a \$20 Retailer Buyers Card. To obtain the application for the Buyers Card, please call 651-201-7504, or visit our website at www.dps.state.mn.us.



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division
444 Cedar Street, Suite 222, St. Paul, MN 55101
651-201-7500 Fax 651-297-5259 TTY 651-282-6555

Print Form

APPLICATION FOR COUNTY/CITY ON-SALE WINE LICENSE

(Not to exceed 14% of alcohol by volume)

EVERY QUESTION MUST BE ANSWERED. If a corporation, an officer shall execute this application. If a partnership, LLC, a partner shall execute this application. To apply for MN sales Tax # call 651-296-6181

Workers compensation insurance company name _____

Policy Number _____

Licensee's MN sales and Use Tax ID # 2487046

Licensee's Federal Tax ID # 90-0811351

Applicants Name (Business, Partnerships, Corporation) <u>Kyoto sushi - King Zhao</u>		Trade Name or DBA <u>A and Q Inc</u>	
Business Address <u>2100 N Snelling Ave Suite 80</u>		Business Phone <u>651 636 5888</u>	Applicant's Home Phone _____
City <u>Roseville</u>	State <u>MN</u>	County <u>MN</u>	Zip Code <u>55113</u>

Is this application ☒ New or a ☐ Transfer	If a transfer, give name of former owner _____	License Period From _____ To _____
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If a corporation, give name, title, address and date of birth of each officer. If a partnership, LLC, give name, address and date of birth of each partner.

Partner/Officer Name and title	Address	DOB	SSN
_____	_____	_____	_____
Partner/Officer Name and title	Address	DOB	SSN
_____	_____	_____	_____
Partner/Officer Name and title	Address	DOB	SSN
_____	_____	_____	_____
Partner/Officer Name and title	Address	DOB	SSN
_____	_____	_____	_____

CORPORATIONS

Date of incorporation <u>3/25/12</u>	State of incorporation <u>MN</u>	Certificate Number _____	Is corporation authorized to do business in Minnesota? ☒ Yes ☐ No
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If a subsidiary of another corporation, give name and address of parent corporation

BUILDING AND RESTAURANT

Name of building owner _____		Owner's address _____	
Are property taxes delinquent? ☐ Yes ☒ No	Has the building owner any connection, direct or indirect with the applicant? ☐ Yes ☒ No	Restaurant seating capacity _____	Hours food will be available _____
Number of restaurant employees _____	Number of months per year restaurant is open _____	Will food service be the principal business? ☒ Yes ☐ No	

Describe the premises to be licensed

If the restaurant is in conjunction with another business (resort etc.), describe business

NO LICENSE WILL BE APPROVED OR RELEASED UNTIL THE \$20 RETAILER ID CARD FEE IS RECEIVED BY AGED

☒ Yes ☐ No	Has the applicant or associates been granted an on-sale malt liquor (3.2) and/or a "set-up" license in conjunction with this wine license?
☒ Yes ☐ No	Is the applicant or any of the associates in this application a member of the county board or the city council, which will issue this license? If yes, in what capacity? (if the applicant is the spouse of a member of the governing body, or another family relationship exists, the member shall not vote on this application.)
☒ Yes ☐ No	During the past license year, has a summons been issued under the liquor civil liability (Dram Shop)(M.S. 340A.802). If Yes, attach copy of the summons.
☒ Yes ☐ No	Has applicant, partners, officers or employees ever had any liquor law violations in Minnesota or elsewhere. If so, give names, dates, violations and final outcome details.

☒ Yes ☐ No Does any person other than the applicants, have any right, title or interest in the furniture, fixtures or equipment in the licensed premises? If yes, give names and details.

☒ Yes ☐ No Have the applicants any interests, directly or indirectly, in any other liquor establishments in Minnesota? If yes, give name and address of establishment.

I CERTIFY THAT I HAVE READ THE ABOVE QUESTIONS AND THAT THE ANSWERS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature of Applicant

Date

The licensee must have one of the following:

☐ Liquor liability insurance (Dram Shop) \$50,000 per person; \$100,000 more than one person; \$10,000 property destruction; \$50,000 and \$100,000 for loss of means of support. Attach **"CERTIFICATE OF INSURANCE"** to this form.

☐ A surety bond from a surety company with minimum coverage as specified above in.

☐ A certificate from the state treasurer that the licensee has deposited with the state, trust funds having a market value of \$100,000 or \$100,000 in cash or securities.

IF LICENSE IS ISSUED BY THE COUNTY BOARD, REPORT OF COUNTY ATTORNEY

☒ Yes ☐ No I certify that to the best of my knowledge the applicants named above are eligible to be licensed. If no, state reason.

Signature County Attorney

County

Date

REPORT BY POLICE OR SHERIFF'S DEPARTMENT

This is to certify that the applicant and the associates, named herein have not been convicted within the past five years for any violation of laws of the State of Minnesota, Municipal or County ordinances relating to intoxicating liquor, except as follows:

Signature

Department and Title

Date

IMPORTANT NOTICE

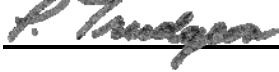
**ALL RETAIL LIQUOR LICENSEES MUST REGISTER WITH THE ALCOHOL, TOBACCO TAX AND TRADE BUREAU.
FOR INFORMATION CALL 513-684-2979 OR 1-800-937-8864**

A \$30.00 service charge will be added to all dishonored checks. You may also be subjected to a civil penalty of \$100.00 or 100 % of the value of the check, whichever is greater, plus interest and attorney fees.

ROSEVILLE
REQUEST FOR COUNCIL ACTION

DATE: 7/9/2012
ITEM NO: 9.a

Department Approval



City Manager Approval

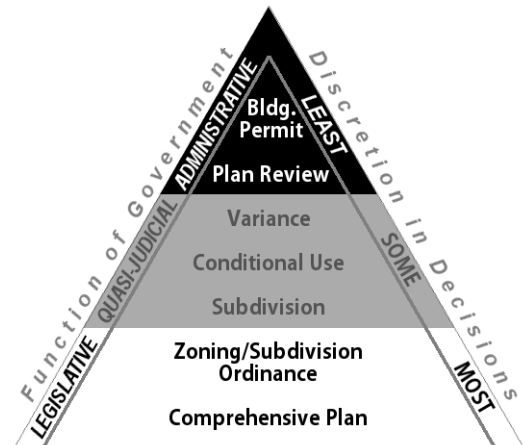


Item Description: Request by Lincoln Drive Properties, LLC, for approval of a **zoning text amendment** which would allow academic instruction as a use in commercial zoning districts (**PF12-008**).

Application Review Details

- RCA prepared: July 3, 2012
- Public hearing: June 6, 2012
- City Council action: July 9, 2012
- Statutory action deadline: July 14, 2012

Action taken on a zoning change request is **legislative in nature**; the City has broad discretion in making land use decisions based on protecting or advancing the health, safety, and general welfare of the community.



1.0 REQUESTED ACTION

Lincoln Drive Properties, LLC, a property management subsidiary of Northwestern College, is requesting a ZONING TEXT CHANGE to allow academic classes to be taught in office settings in addition to more traditional campus settings.

2.0 SUMMARY OF RECOMMENDATION

Planning Division staff concurs with the recommendation (5-1) of the Planning Commission to approve the proposed ZONING TEXT CHANGE; see Section 7 of this report for the detailed recommendation.

3.0 SUMMARY OF SUGGESTED ACTION

3.1 Based on the comments in this report and the input received during the public hearing, adopt an ordinance approving the proposed ZONING TEXT CHANGE; see Section 8 of this report for the detailed action.

3.2 Approve an ordinance summary for publication.

4.0 BACKGROUND

4.1 The requested zoning amendment stems from the desire to teach classes in support of a Bachelor of Science degree program in nursing in Northwestern College's office building located at 2803 Lincoln Drive. This property is located in City Planning District 10, has a Comprehensive Plan designation of Community Business (CB) and has a corresponding zoning classification of Community Business (CB) District. This specific location becomes less important, however, if a ZONING TEXT CHANGE is approved because the change would apply to every property within the zoning district(s) in which the change is made.

4.2 Presently, a college/post-secondary school is a permitted use within the Community Mixed Use (CMU) and Regional Business (RB) Districts, but is prohibited in the Neighborhood Business (NB) and CB Districts. Colleges or other post-secondary schools are conditional uses in the Institutional (INST) District, and business schools are conditional uses in the Office/Business Park (O/BP) District.

5.0 ZONING TEXT CHANGE ANALYSIS

5.1 The zoning code's definition of a college/post-secondary school is as follows:

"An institution for post-secondary education, public or private, offering courses in general, technical, or religious education, which operates in buildings owned or leased by the institution for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, athletic facilities, dormitories, fraternities, and sororities."

Certainly, this definition can describe a traditional campus setting, and the requirements of the INST, RB, and CMU Districts are intended to ensure that accesses to campuses are limited to higher-intensity roadways to minimize the traffic impacts through residential neighborhoods and to provide buffering and screening between campuses and their surrounding neighbors. The distinction between campuses being conditional uses in the INST District and permitted uses in the more intensive commercial districts seems to be a recognition that a campus is likely to have less of an impact on commercial neighbors than residential neighbors, and the conditional use process allows for greater public input to identify and mitigate potential negative impacts in the more sensitive locations.

5.2 Planning Division staff believes that the above definition is also meant to describe the kind of nontraditional classrooms that are commonly found in office buildings. Examples could be larger facilities like University of Phoenix (in St. Louis Park), Rasmussen Business College, or National American University (in Roseville at 1500 Highway 36), and smaller ones like Minneapolis Business College (in the Rosewood Office Plaza at 1711 County Road B) or "satellite" classrooms for Saint Mary's University of Minnesota (in Woodbury) and University of Wisconsin-River Falls' Hudson Center. These facilities don't have many of the features of conventional campuses and they function more like offices, but they are nonetheless dedicated to academic instruction as opposed to commercial office activities. Allowing such office-based academic instruction seems to be reasonable, and Planning Division staff believes that "colleges/post-secondary schools" were unintentionally excluded from the CB and NB Districts because of the code's broad definition describing campus and non-campus environments, not because teaching and learning is out of place in an office setting. A similar case can be made for the conditionally-permitted "school of business or trades" in the O/BP District; in this

instance, the zoning code neither defines the use nor offers any regulations that help to explain why office-based classes are treated differently than other office uses in a zoning district designed for exactly that.

5.3 To address these kinds of changes in the zoning code, Planning Division staff is proposing to make the following general amendments:

a. Add a second definition for colleges/post-secondary schools to clarify the distinction between campuses and office settings;

b. Add the office-based educational facility as a permitted use in the CB District, and as permitted uses with heightened screening requirements in the NB District; and

c. Replace the “school of business or trades” use in the O/BP District with the office-based academic use and allow it as a permitted use rather than as a conditional use.

The full, proposed amendment in draft ordinance form is included with this report as Attachment B, and is shown in **bold** and ~~striketrough~~ text. Please note that Attachment B omits large portions of the zoning code and only includes those portions which are subject to the proposed amendment, along with selected content to provide additional context surrounding the proposed changes; nothing is proposed to be added or deleted from the zoning code which is not explicitly shown.

6.0 PUBLIC COMMENT

6.1 As of the time this report was prepared, Planning Division staff has received one phone call about the proposed ZONING TEXT AMENDMENT, and the same subjects of the phone call were discussed in detail at the duly-noticed public hearing held by the Planning Commission on June 6, 2012; draft minutes of the public hearing are included with this staff report as Attachment A.

6.2 Several questions pertaining to the 2030 Comprehensive Plan were raised at the public hearing, but not all of them were answered at the time. One outstanding question was whether 2803 Lincoln Drive, a property with a CB land use designation, conforms to the Comprehensive Plan’s description of CB properties being located on streets classified in the Transportation Plan as “A Minor Augmenter” or “A Minor Reliever;” neither Lincoln Drive nor Terrace Drive is classified as such in the Transportation chapter of the Comprehensive Plan. In fact, many streets circulating through CB-designated areas are not minor-arterial-class streets—many of the streets in these commercial areas are local streets. This is not a violation of the Comprehensive Plan. Instead, it is a reflection of the fact that the minor arterial classification designates metropolitan-level roadways that augment the network of principal arterials and relieve overflow traffic rather than denoting streets with the minimum qualifications for handling commercial traffic. Planning Division staff believes that the Comprehensive Plan promotes locating CB-designated properties on the A Minor Augmenter and Reliever streets in order to minimize commercial traffic on local *residential* streets rather than minimizing traffic on local *commercial* streets like Lincoln and Terrace Drives in that location.

6.3 The question also seems to linger as to whether teaching, be it in a conventional school setting or in an office setting, is an “institutional” activity to be limited to areas guided by the Comprehensive Plan for Institutional land uses. Music and dance studios, martial arts dojos, tutoring centers, and the like are places where teaching and learning take place, and which are often located in commercial-type properties. Although Elementary

schools, secondary schools, and college campuses have been designated as Institutional properties in the Comprehensive Plan, Planning Division staff believes this designation is primarily related to the fact that such facilities typically include playground equipment, ball fields, running tracks, public address systems, intensive bus service, and other potential sources of off-site impacts. Planning Division staff further contends that the teaching and learning that occurs within conventional school buildings is not the main factor contributing to the Institutional land use designation and, therefore, that teaching and learning activities that occur within a commercial-type property do not by themselves constitute “institutional” use of that property.

7.0 RECOMMENDATION

Based on the comments and findings outlined in Sections 4 – 6 of this report, the Planning Division recommends approval of the ZONING TEXT CHANGE.

8.0 SUGGESTED ACTION

8.1 Pass an ordinance adopting the proposed ZONING TEXT CHANGE, based on the comments and findings of Sections 4 – 6 and the recommendation of Section 7 of this staff report.

8.2 By motion, approve the proposed ordinance summary for publication.

Prepared by: Associate Planner Bryan Lloyd
651-792-7073 | bryan.lloyd@ci.roseville.mn.us

Attachments: A: Draft public hearing minutes B: Draft ordinance
C: Ordinance summary

PLANNING FILE 12-008**Request by Lincoln Drive Properties, LLC, for approval of a zoning text amendment which would allow academic instruction as a use in commercial zoning districts**

Vice Chair Gisselquist opened the Public Hearing for File 12-008 at approximately 6:37 p.m.

Associate Planner Bryan Lloyd briefly summarized the request for a ZONING TEXT CHANGE to allow academic classes to be taught in office settings in addition to more traditional campus settings; as detailed in the Request for Planning Commission Action dated June 2, 2012.

Staff recommended approval of the proposed ZONING TEXT CHANGE to Chapters 1001 (Introduction), Chapter 1005 (Commercial and Mixed Use Districts), Chapter 1006 (Employment Districts), 1007 (Institutional District), Chapter 1009 (Procedures), and Chapter 1011 (Property Performance Standards) as detailed in Section 7 of the staff report (Attachment A) to facilitate such office-based classes as a use versus other educational facilities.

At the request of Member Boguszewski, Mr. Lloyd reviewed distinctions between uses allowed and those prohibited under current text, explaining that a college's administrative office functions (e.g., bursar) would be allowed because of its essential office nature even though the office may be owned by or operated for an institutional, college entity.

Applicant**Brian Humphries, Northwestern College, Associate Vice President of Campus Operations**

Mr. Humphries reviewed the background of why this building (i.e., 2803 Lincoln Drive), already owned by Northwestern College, had been chosen to house their nursing program. Mr. Humphries noted that the State called for a certain square footage for such a nursing program; and this amount, 7,300 square feet, was available in the 2803 building currently owned by the College, and not currently used at full capacity.

Mr. Humphries advised that the first floor of the office building was currently leased out to Edina Realty, with the other floors occupied by the College, mostly for office space. Mr. Humphries opined that this was the logical location for the nursing program; and that no other academic buildings or space on the campus proper was currently available for a program of that size.

Bruce Simat, Northwestern College, Biology Department Chair

Having helped to start the biology program, and in his eighteen (18) years tenure at Northwestern College, Mr. Simat opined that a nursing program was the next logical step for the College to initiate. Mr. Simat advised that such a program and been discussed for the last decade, and more seriously considered over the last five (5) years.

Mr. Simat advised that projections indicated that the program would not be immediately filled to its State-monitored capacity, but could be filled in the future. Mr. Simat noted that it was not the College's intent to expand the program in an effort to keep the program manageable and of high-quality. Mr. Simat noted that students currently receiving medical education of one nature or another at Northwestern College were known in the industry to be of high quality, with a 90% placement rate for Northwestern College students in medical professions, based on that high quality.

From his professional perspective regarding the proposed space itself, Mr. Simat opined that it has the right professional appearance for now; and if and when possible, the program could come back onto the campus proper; however, he advised that this was not anticipated to occur in the near future.

At the request of Member Strohmeier, Mr. Humphries advised that the current enrollment at Northwestern College was 1,700 traditional students.

At the request of Member Strohmeier regarding projections for how many additional students would be enrolled as a result of adding this nursing program, Mr. Humphries advised that about two (2) classes of twelve (12) students each was anticipated initially; with the maximum as the program grew to be no more than thirty-six (36) for each class, or a maximum total of seventy-two (72) nursing students.

At the request of Member Strohmeier regarding the number of additional administrative staff, Mr. Humphries advised that five (5) additional professors were anticipated, but not much support staff, as most of the nursing space would be utilized for simulation labs.

At the request of Vice Chair Gisselquist, Mr. Lloyd reviewed parking related to an amended use at this site. Mr. Lloyd advised that staff's review of the request did not present any parking concerns with the proposed use of the existing facility for simulation/lab space, and no greater traffic or parking generation than a typical office use. Regarding Vice Chair Gisselquist's comment regarding any potential future use

this amendment could allow for a larger campus in this zoning district beyond the Northwestern College use, Mr. Lloyd noted that this office building had more parking per square foot than required for office uses, and more parking per square foot than the Minneapolis Business College (i.e., in the Rosewood Office Building which has not posed any parking issues or concerns. Conceptually, Mr. Lloyd advised that it was anticipated that parking needs with this use would be similar to that of other office space uses.

Mr. Humphries advised that no more than twenty-five (25) vehicles would be anticipated daily for students and staff; and further advised that a majority of the students would arrive to the site by campus shuttle.

Vice Chair Gisselquist noted that the rationale for his concern regarding parking was based on his observations with the University of St. Thomas that overwhelmed the adjacent residential neighborhood on evenings and/or weekends. However, Vice Chair Gisselquist advised that this use, as well as most other such uses in Roseville didn't compare to that intensity.

City Planner Thomas Paschke concurred, noting that St. Thomas is a campus, and essentially different than this office-based use.

Member Strohmeier asked the applicant, as a private college, to highlight some of the benefits or activities on a broader basis that Northwestern College provided to the community beyond a high-quality educational experience.

Mr. Simat noted, from a personal perspective, the number of biology majors currently employed by ACR Homes and student interning and experiences serving as PCA's as part of their education. Mr. Simat also reviewed other facilities where his students were working in the community, as well as at Presbyterian Homes' Eagle Crest and the MN Zoo. Within his realm as a pre-med advisory, Mr. Simat advised that all of his 75-100 students were doing something within the community; and also noted that this was required on their individual resumes as well as to confirm that this was their career choice. Mr. Simat noted that ACR loved the students from Northwestern College for their quality, as previously addressed.

Public Comments

Gary Grefenberg, 91 Mid Oaks Lane

Mr. Grefenberg advised that he was speaking for himself and not as a representative of SWARN; and expressed his concerns about the continual expansion of Northwestern College off their campus and their ever-increasing number of students. As an example, Mr. Grefenberg noted the student dormitories on the east side of Snelling Avenue in an area zoned residential; the KTIS radio station replacing a property-tax paying automobile agency; and now this additional expansion.

From another perspective, Mr. Grefenberg noted Northwestern College's position of open opposition to the gay and lesbian community.

Mr. Grefenberg expressed concern about the continual increase in traffic and demand for public services of Northwestern College; and expansion into areas that the City's Comprehensive Plan didn't envision; opining that this issue is more significant than a Zoning Text Amendment. Mr. Grefenberg expressed further concern in his perception that the Planning Commission considered the Comprehensive Plan was an element without legal authority. However, Mr. Grefenberg noted that the City Council had recently had a second opinion on that as it related specifically to the Wal-Mart proposal before that body.

Mr. Grefenberg advised that he had an opportunity to discuss his concerns with Mr. Lloyd prior to tonight's meeting, and his concerns about parking had been reassured by Mr. Lloyd. However, Mr. Grefenberg noted that he had remaining concerns with Roseville citizens being continually asked to pay for these services provided for a tax exempt institution. While recognizing the intent of that exemption, and not under scrutiny for tonight's request, Mr. Grefenberg referenced language of Attachment A to the staff report (page 3, Item 3.b) that appears to eliminate the need or prevent the City from asking for a City Council-approved campus Master Plan for expansion of Northwestern College. Mr. Grefenberg noted the expansion having taken place over the last decade as the College campus continues to expand within the community, with a corresponding and increased demand for services.

Mr. Grefenberg questioned what steps had been taken for payments in lieu of taxes (PILOT). Mr. Grefenberg expressed further concern with making this a permitted use rather than a Conditional Use; opining that the City may find itself with another expansion of a tax-exempt entity using this Text Amendment. From his motivation, Mr. Grefenberg expressed his realization that this seemed to create a backdoor to change the Comprehensive Plan yet again.

Mr. Paschke asked Mr. Grefenberg which portion of the Comprehensive Plan he was referring to.

107 Mr. Grefenberg advised that he was referencing District 10 of the Comprehensive Plan and the definition
 108 of Community Business.

109 Mr. Paschke asked whether the definition specifically stated “no educational use.” Mr. Grefenberg opined
 110 that there were two (2) areas where the Comprehensive Plan contradicted expansion on this specific site;
 111 and expressed further concern about the specific requirement and whether the City’s requirements were
 112 being relaxed for the Northwestern College Master Plan under page 2 of Attachment A.

113 Vice Chair Gisselquist asked Mr. Grefenberg to enlighten the Commission on how this proposal would
 114 directly violate or violate the spirit of District 10 of the Comprehensive Plan.

115 Mr. Grefenberg stated that he could not do so; and asked that staff enlighten the Commission and him
 116 first, since that was what they were paid for. Mr. Grefenberg read a portion of the Comprehensive Plan
 117 language, with an Institutional District use approximately ½ mile to the north with boundaries; and under
 118 land use, there was no language addressing educational use under Section 10.

119 Vice Chair Gisselquist asked staff to respond to Mr. Grefenberg as to whether there was any obvious
 120 violation addressed with the Comprehensive Plan.

121 Mr. Paschke responded that, as a short answer, his response would be “no.” For a broader response to
 122 the question, Mr. Paschke noted that the Comprehensive Plan did not list out a litany of uses, since the
 123 City’s Zoning Ordinance provided regulation that incorporated the general or broad definitions and goals
 124 and policies stated within the Comprehensive Plan. To the extent that those definitions for any one of the
 125 Zoning Districts indicated, Mr. Paschke noted that you may or may not find similar uses listed in Zoning
 126 District designations. From staff’s perspective, Mr. Paschke advised that staff’s analysis that may be
 127 summarized or not even detailed in the staff report, included a thorough review consistent with the written
 128 report, indicating that an office use for this nursing program or some other form of office-based
 129 educational use was permitted in an office space. Mr. Paschke opined that such a use seemed to be
 130 similar to those uses currently supported under that District and under different Comprehensive Plan
 131 designations.

132 Mr. Lloyd concurred; and noted, consistent with his previous conversations with Mr. Grefenberg, that the
 133 description of use designation within the Comprehensive Plan didn’t indicate that Institutional uses should
 134 be allowed. Mr. Lloyd clarified that Zoning Code definitions leaned toward post-secondary educational
 135 campus institutions; however, office space like this proposed use was more distinct from that campus
 136 institution. Setting aside the not-for-profit nature of this particular educational entity that Mr. Lloyd opined
 137 was beside the point, since he thinks that the Minneapolis Business College and/or National American
 138 University may both be for-profit institutions, but still considered to be teaching, rather than a more
 139 institutional feeling similar to that of a college campus. Since this is not a campus, and doesn’t appear to
 140 be an institutional use infiltrating a business district, which he took to be of concern to some
 141 Commissioners and Mr. Grefenberg, Mr. Lloyd opined that the office environment and activity proposed
 142 were distinct from an institutional or campus use.

143 Mr. Grefenberg referenced pages 4-8 of the Comprehensive Plan and definition of “Community
 144 Business;” and examples provided of what was included. Mr. Grefenberg noted that this section also
 145 stated, it would encourage access and traffic management, when those areas were located on A-minor
 146 augmenters or relievers as defined in the Transportation Plan. Mr. Grefenberg questioned if this use met
 147 that requirement.

148 Mr. Paschke responded that he was unable to answer that particular question of Mr. Grefenberg.

149 Mr. Grefenberg expressed appreciation that shuttle service would be provided, since the Comprehensive
 150 Plan indicated a strong orientation to pedestrian and bicycle access. While reassured by staff related to
 151 his concerns with parking, Mr. Grefenberg noted that he remained concerned that this proposed use and
 152 Text Amendment was a significant departure from the Comprehensive Plan; and without a satisfactory
 153 answer to his questions, why waste time doing a Comprehensive Plan at all.

154 Mr. Grefenberg opined that this issue had come up before; and further opined that the City apparently
 155 wasn’t learning from past mistakes. While recognizing that the Commission may not be prepared to
 156 respond to his questions as a citizen or those of the volunteer Commission, at tonight’s meeting, he
 157 stated that he would like some answers. Mr. Grefenberg advised that his remaining questions were: 1)
 158 clarifying the clear distinction between a campus setting and non-educational land use; 2) whether there
 159 was some way that the Planning Division and Planning Commission could collaboratively work with

160 Northwestern College to determine the extent of their future expansion needs to address their
 161 increased need for services and demand on the City's infrastructure.

162 Mr. Paschke advised that Northwestern College had a Master Plan that outlined those details, and if not
 163 available online, suggested that Mr. Grefenberg request a copy from the College.

164 Mr. Grefenberg advised that he had looked for such a Master Plan on the College website; however, he
 165 was unable to find anything outside the campus, with the Master Plan apparently focused on the
 166 College's purpose, goals and mission, but not addressing the physical plant itself.

167 Member Boguszewski asked the applicant to verify that they had no intent to make any physical
 168 modification to the building or site, or access points; and that this request simply allowed for changes in
 169 the function of some of the rooms within the existing building.

170 Mr. Lloyd verified that intent, with concurrence by the applicant.

171 At the request of Member Boguszewski, Mr. Humphries addressed current uses or tenants in the building,
 172 stating that the first floor was currently leased to Edina Realty; with the other two (2) floors used by
 173 Northwestern College employees as offices and conference rooms.

174 Member Boguszewski, based on the applicant representative's response, noted that this use would not
 175 be much different from its current use, with all activities occurring in a building that already existed and
 176 rooms within it for a new, but different function. Member Boguszewski observed that this should then in
 177 no way materially or negatively affect traffic.

178 At the request of Member Boguszewski, Mr. Humphries advised that, while he was unsure of the number
 179 of employees currently occupying the Edina Realty space on a daily basis, there were twenty-five (25)
 180 Northwestern College employees on the site.

181 **Dr. Ginger Wolgemuth, Northwestern College, Nursing Department Chair**

182 Ms. Wolgemuth advised that there would be no increase from current to future employees or students on
 183 that site, as most of the students throughout the day would be based at agencies and/or clinics around
 184 the metropolitan area. Ms. Wolgemuth further noted that the number of students per square foot was
 185 stringently calculated and enforced by the State for average space per student.

186 Member Boguszewski verified with the applicant that the number of people on site in the future may
 187 actually be less than currently found, since the students would be involved in simulation labs using hands-
 188 on equipment; and that the site would not be used as a campus dormitory, lecture hall or classroom use,
 189 but more one-on-one personal labs.

190 Ms. Wolgemuth concurred with Member Boguszewski's assessment; further noting that the State Board
 191 of Nursing requirements were for a 1/8 ratio for clinical and labs, meaning one (1) professor per eight (8)
 192 students.

193 Member Olsen asked if there were any tax implications to the City with Edina Realty leaving the space
 194 versus this proposed school use. Member Olsen questioned if the school, as a non-profit entity, was
 195 paying taxes on this building.

196 Mr. Paschke advised that the building, currently owned by Northwestern College, or any owners of any
 197 other office buildings for that matter, could have multiple tenants coming and going freely without having
 198 to pay property tax. Mr. Paschke clarified that property taxes were borne by the property owner, and a
 199 tenant's lease was negotiated to cover those costs. From his personal perspective, Mr. Paschke was
 200 unable to confirm or deny that this particular site was a property tax payer.

201 Member Olsen opined that this was an important question relative to the use of space; whether this would
 202 detrimentally impact the City's tax base.

203 Member Boguszewski clarified that the ownership of the building was not changing, and if Edina Realty
 204 left as a tenant, whether or not their lease covered the cost of any taxes, nothing else was changing with
 205 the proposed use. Member Boguszewski noted that, if a non-profit entity used space for its own purposes,
 206 and paid nothing for a tax obligation, this proposed use didn't change their tax status; and opined that
 207 either way, it didn't matter respective to this discussion.

208 Vice Chair Gisselquist concurred with Member Boguszewski's comments.

209 Mr. Paschke reminded Commissioners that property taxes were not a zoning issue and they were not a
 210 function of the Planning Commission or of the City's Zoning Code. Mr. Paschke stated that such a

broader discussion could be held at the City Council level for them to set a policy in their Zoning Ordinance. Mr. Paschke noted that non-profits come and go; the building could exchange hands; it could be on or off the tax rolls; but any or all of those situations were not related to zoning. Mr. Paschke recognized the overall implications of tax burdens; however, reiterated that the broader issue would not be solidified through zoning, or who owned the building or who paid or didn't pay taxes. With all due respect, Mr. Paschke reiterated that this was not a concern of the Planning Commission related to this specific request.

Member Strohmeier, respectful of Mr. Paschke note of caution; opined that the Commission was being asked to turn around zoning for this applicant, a non-profit, to buy an office building and remove it from the tax rolls. By adding this use, Member Strohmeier concurred that there would be no change to that status; however, the Commission would be opening up the City for a similar use in the community allowed more specifically in the Zoning Ordinance.

Vice Chair Gisselquist and Mr. Paschke in turn reminded Commissioners that Northwestern College already owned this building, and was not purchasing it.

Member Boguszewski, respecting Mr. Grefenberg's concerns, opined that they didn't apply; since those concerns were related to something changing the function of those occupying the space, while this request didn't change anything about the character or nature of an activity already occurring.

Member Boguszewski opined that the request was for a similar use to that already occurring on site, with no one raising any concern or contention that the current use was in violation of the Comprehensive Plan or nature of what use could happen there; and further opined that therefore, this proposed use should not raise any concerns either. Member Boguszewski opined that this use was not in violation of or not in the spirit of the Comprehensive Plan. While it may not address Mr. Grefenberg's concerns about the Comprehensive Plan or if the City Council or other bodies were ignoring parts of that Plan in their deliberations, Member Boguszewski offered his support of the proposed use and Text Amendment.

Member Olsen opined that this was a change from office space to teaching, essentially expanding the campus, and whether good, bad or indifferent, it still represented a change and raised questions, as expressed by Mr. Grefenberg, in expansion of the Northwestern College campus. From that perspective, and true intended use as a teaching space, not another office space, Member Olsen opined that the use was new and different.

At the request of Member Cunningham, Mr. Humphries advised that the College could not afford to build additional facilities on their campus proper. While this may be a consideration at some future point, and allowed under the College's footprint for their Planned Unit Development (PUD), Mr. Humphries confirmed that the College didn't have the available resources to proceed with a new facility on campus at this time, thus their request for this option.

Member Cunningham noted that here areas of most concern were in the campus appearing to spill out into the community, affecting residents and businesses in those areas. However, Member Cunningham advised that she would probably support this request; but hoped that the City Council considered those implications as well during their deliberations.

Vice Chair Gisselquist closed the Public Hearing for File 12-008 at approximately 7:19 p.m.

MOTION

Member Boguszewski moved, seconded by Member Lester to recommend to the City Council APPROVAL OF THE ZONING TEXT AMENDMENT for Lincoln Drive Properties, LLC, a property management subsidiary of Northwestern College, to allow academic classes to be taught in office settings in addition to more traditional campus settings; based on the comments and findings of Sections 4-6 and the recommendations of Section 7 of the staff report dated June 6, 2012.

Member Strohmeier opined that this request put people on edge as it was essentially Northwestern College expanding again; and noted the rocky past and controversial issues in the past as well. While not sure of his feelings, Member Strohmeier opined that some of the questions raised needed to be addressed at the City Council level and urged them to flag those issues (e.g. property tax roll status and impacts). Despite the opinions expressed by Member Boguszewski, Member Strohmeier opined that this was a change, and with the location of the building adjacent to Eagle Crest with many seniors walking on Lincoln Drive to parks and shopping, it created concerns. Member Strohmeier advised that he had heard residents from that facility, as well as in the area, express their grave concerns with the continued expansion of Northwestern College and the multiple and negative impacts of the expansion. Member

265 Strohmeier opined that the traffic issue should be looked at more closely by staff prior to their
 266 presentation to the City Council, specific to County Road C-2 and Lincoln Drive, as well as in the general
 267 area, given the uniqueness of that road.

268 Member Strohmeier stated that he would support this request, given his recognition of the critical need for
 269 nurses; however, he admonished that the College needed to be a good partner with the City of Roseville;
 270 and should not expand without community input.

271 Mr. Paschke asked Member Strohmeier if the use, a nursing school, wasn't associated or affiliated with
 272 Northwestern College, would he still have the same issues or concerns.

273 Member Strohmeier responded "yes," with his concerns mostly related to traffic.

274 Mr. Paschke asked that the Commission as a whole consider this use specific to a building they already
 275 own, and not associated with campus expansion. Mr. Paschke clarified that, in theory, the College had
 276 already expanded off-site as owner of the building in question, and the request was whether the building
 277 could be used as a nursing school. Mr. Paschke suggested that the Commission keep some separation
 278 between the College and the use itself when considering this and other requests from a broader sense.
 279 While recognizing the concerns about the campus expanding, Mr. Paschke questioned if this request
 280 rises to that level of consideration for additional off-site expansion.

281 Member Lester noted that when this particular building was constructed, roads, access, parking, and
 282 square footage were all in reality addressed at that time for the structure. Member Lester opined that the
 283 only consideration by the Commission was related to the internal use of an existing building.

284 Mr. Paschke concurred with Member Lester's observation.

285 To further address Member Strohmeier's concerns with traffic, Mr. Paschke agreed that higher education
 286 facilities create concern for increasing traffic; however, he opined that this type of use occupying an
 287 existing building did not. Mr. Paschke noted that, as part of staff's analysis of the request, consideration
 288 was given to whether the proposed use was an appropriate fit in a given area or building; whether there
 289 would be any dramatic increase in traffic or whether the existing roads could support it. As part of staff's
 290 overall review, as always but not necessarily detailed in the staff report, Mr. Paschke noted that staff's
 291 experience indicated office buildings generate more traffic and staff had all agreed that the proposed
 292 classroom use would generate similar numbers. Even if the building was to be completely used for higher
 293 education, Mr. Paschke advised that he was not sure if there would be any detrimental impact on traffic.
 294 Mr. Paschke assured Commissioners that staff internally reviewed each application based on a broad
 295 array of topics as outlined in City Code; and attempted to apply that Code consistently for any and all
 296 applications under review.

297 Member Strohmeier clarified with the applicant that shuttle service would be provided, and thanked the
 298 applicant for that service; opining that that was actually part of his rationale in supporting the request.
 299 However, Member Strohmeier continued to be concerned with traffic, especially for seniors walking in that
 300 area, and reiterated his request that those concerns be flagged or City Council consideration.

301 Vice Chair Gisselquist stated that he would support the request; and opined that, from his perspective; he
 302 had appreciated the discussion, finding the proposed use good and instructive in finding out the intent of
 303 Northwestern College for this site. From his personal perspective, Vice Chair Gisselquist opined that
 304 Northwestern College had proven to be a good partner with the City; and further opined that this use was
 305 appropriate; and welcomed those involved in that use and overall benefits to Roseville and the broader
 306 community to allow this type of nursing instruction. Vice Chair Gisselquist opined that his only concern
 307 was who else may take advantage of the proposed Zoning Text Amendment and Zoning Code that could
 308 prove not to be a positive result. Vice Chair Gisselquist questioned the comment regarding the rocky past
 309 or confrontational issues; and opined that this request was reasonable in consideration of the other
 310 existing educational uses in Roseville as a model. Vice

311 Chair Gisselquist suggested that, whether there was a fear for further Northwestern College campus
 312 expansion, others at the City Council level could address those concerns; but he would support this
 313 Zoning Code change.

314 **Ayes: 5**
 315 **Nays: 1 (Olsen)**
 316 **Motion carried.**

317 Staff advised that anticipated City Council action was scheduled for June 18, 2012.

City of Roseville

ORDINANCE NO. _____

AN ORDINANCE AMENDING SELECTED TEXT OF SECTIONS 1001 (INTRODUCTION), 1005 (COMMERCIAL AND MIXED-USE DISTRICTS), 1006 (EMPLOYMENT DISTRICTS), 1007 (INSTITUTIONAL DISTRICT), 1009 (PROCEDURES), AND 1011 (PROPERTY PERFORMANCE STANDARDS) OF TITLE 10 "ZONING CODE" OF THE ROSEVILLE CITY CODE

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. Purpose: The Roseville City Code is hereby amended to better differentiate campus- and office-based academic activities and to allow and regulate office-based academic land uses more broadly in commercial properties.

SECTION 2. Section 1001 is hereby amended as follows:**1001.10: Definitions**

~~COLLEGE OR POST-SECONDARY SCHOOL, CAMPUS: An institution for post-secondary education, public or private, offering courses in general, technical, or religious education, which operates in buildings owned or leased by the institution for~~**incorporates** administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, athletic facilities, dormitories, fraternities, and sororities, **and/or other related facilities in a campus environment.**

COLLEGE OR POST-SECONDARY SCHOOL, OFFICE-BASED: An institution for post-secondary education, public or private, offering courses in general, technical, or religious education, which operates in commercial-type buildings, wholly or partially owned or leased by the institution for administrative and faculty offices, classrooms, laboratories, and/or other related facilities.

SECTION 3. Section 1005 is hereby amended as follows:

Table 1005-1	NB	CB	RB	CMU	Standards
Office Uses					
Office	P	P	P	P	
Clinic, medical, dental or optical	P	P	P	P	
Commercial Uses					
Retail, general and personal service*	P	P	P	P	
Civic and Institutional Uses					
College, or post-secondary school, campus	NP	NP	P	P	Y
College or post-secondary school, office-based	P	P	P	P	Y
Community center, library, municipal building	NP	NP	P	P	
Place of assembly	P	P	P	P	Y
School, elementary or secondary	NP	NP	P	P	Y
Theater, performing arts center	NP	NP	P	P	Y

SECTION 4. Section 1006 is hereby amended as follows:

Table 1006-1	O/BP	I	Standards
Office and Health Care Uses			
Office	P	P	
Clinic, medical, dental, or optical	P	NP	
Hospital	C	NP	
Office showroom	P	P	
School of business or trades College or post-secondary school, office-based	CP	P	

SECTION 5. Section 1007 is hereby amended as follows:

Table 1007-2	INST	Standards
Civic/Institutional		
College, or post-secondary school, campus	C	Y
Community center	P	
Emergency services (police, fire, ambulance)	P	
Government office	P	
Library	P	
Museum, cultural center	P	
Multi-purpose recreation facility, public	P	
Place of assembly	P	Y
School, elementary or secondary	P	

SECTION 6. Section 1009 is hereby amended as follows:

1009.02: Conditional Uses

D. Specific Standards and Criteria: When approving the conditional uses identified below, all of the additional, specific standards and criteria shall apply.

6. College, or Post-secondary School, Campus:

a. A facility established after the effective date of this ordinance shall have vehicular access to a collector or higher classification street.

b. A campus master plan ~~may~~ **shall** be required. ~~Such plan shall~~ **to** address the management of pedestrian, bicycle and vehicular circulation, relationship to surrounding land uses, and buffering and screening of adjacent uses to mitigate any impacts of a new or expanded/intensified campus.

SECTION 7. Section 1011 is hereby amended as follows:

1011.12: Additional Standards for Specific Uses in All Districts

C. Civic and Institutional Uses:

1. Church, Religious Institution: A facility established after the effective date of this ordinance within a predominantly residential or mixed-use area shall have vehicular access to a collector or higher classification street.

2. School, Elementary or Secondary: A facility established after the effective date of this ordinance within a predominantly residential or mixed-use area shall have vehicular access to a collector or higher classification street.

3. College, ~~or~~ Post-secondary School:

46 | **a. AAn office-based** facility established after the effective date of this ordinance **within a**
47 | **Neighborhood Business district** shall have vehicular access to a collector or higher classification street,
48 | **and shall have buffer area screening consistent with Section 1011.03B of this Title.**

49 | **b.** A campus master plan, approved by the City Council, may be required **for campus facilities for**
50 | ~~expansion of existing facilities. The plan shall to~~ address the management of pedestrian, bicycle and
51 | vehicular circulation, relationship to surrounding land uses, and buffering and screening of adjacent uses
52 | to mitigate any impacts of ~~the expansion~~ **a new or expanded/intensified campus.**

53 | 4. Theater (Live Performance) Performing Arts Center: A facility established after the effective date of
54 | this ordinance shall have vehicular access to a collector or higher classification street.

55 | **SECTION 8. Effective Date:** This ordinance amendment to the Roseville City Code shall take effect
56 | upon passage and publication.

57 | Passed this 9th day of July 2012

City of Roseville

ORDINANCE SUMMARY NO. ____

AN ORDINANCE AMENDING SELECTED TEXT OF SECTIONS 1001 (INTRODUCTION), 1005 (COMMERCIAL AND MIXED-USE DISTRICTS), 1006 (EMPLOYMENT DISTRICTS), 1007 (INSTITUTIONAL DISTRICT), 1009 (PROCEDURES), AND 1011 (PROPERTY PERFORMANCE STANDARDS) OF TITLE 10 "ZONING CODE" OF THE ROSEVILLE CITY CODE

The following is the official summary of Ordinance No. ____ approved by the City Council of Roseville on July 9, 2012:

The Roseville City Code, Title 10, Zoning Ordinance, has been amended to better differentiate campus- and office-based academic activities and to allow and regulate office-based academic land uses more broadly in commercial properties.

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 shall also be posted at the Reference Desk of the Roseville Branch of the Ramsey County Library, 2180 Hamline Avenue North, and on the Internet web page of the City of Roseville (www.ci.roseville.mn.us).

Attest: _____
William J. Malinen, City Manager



REQUEST FOR BOARD OF ADJUSTMENTS AND APPEALS ACTION

Date: July 9, 2012

Item No.: BOA

Department Approval

City Manager Approval

Item Description: Receive appeals from Karen Schaffer and from Solidarity of West Area Roseville Neighbors regarding City staff's administrative decision that Wal-Mart is a permitted use under the zoning code for the property located along County Road C between Prior Ave. and Cleveland Ave. and refer the appeal to the Planning Commission

1.0 BACKGROUND

1.1 On July 2, 2012, the City Manager received appeals of the administrative decision that the proposed Wal-Mart store along County Road C between Prior Ave. and Cleveland Ave. is a permitted use. The appeals, submitted by Karen Schaffer and by Solidarity of West Area Roseville Neighbors, were prompted by the June 21, 2012 letter from City staff to Wal-Mart Corporation containing the most recent statement of the decision.

1.2 Appeals of an administrative decision made by the Community Development Department, under Chapter 1009.08, are required to go to the City Council acting as the Board of Adjustment and Appeals.

2.0 STAFF RECOMMENDATION

The City Attorney recommends that these appeals be sent to the July 11th Planning Commission meeting for the Commission's review and recommendation.

3.0 REQUESTED BOARD OF ADJUSTMENTS AND APPEALS ACTION

By motion, refer the appeals regarding the administrative decision that the Wal-Mart store proposed along County Road C between Prior Ave. and Cleveland Ave. is a permitted use to the July 11, 2012 Planning Commission for their review and recommendation.

Prepared by: Patrick Trudgeon, Community Development Director (651) 792-7071

Attachments: A: Karen Schaffer appeal of the City use determination letter dated June 21, 2012
B: Solidarity of West Area Roseville Neighbors appeal of the City use determination letter dated June 21, 2012
C: Letter dated June 8, 2012 from Sue Steinwall representing Wal-Mart Stores requesting staff make a zoning use determination on the proposed Wal-Mart use.
D: Letter dated June 21, 2012 for City Staff affirming that the proposed Wal-Mart store is a permitted use under the Roseville Zoning Code.

JUL -2 2012

Chris Miller, Acting City Manager
City of Roseville
2660 Civic Center Drive
Roseville, MN 55113

Re: Notice of Appeal of Determination of Community Development Department Dated June 21, 2012
with Respect to Proposed Walmart Development ("Determination")

Dear Mr. Miller:

I respectfully submit this appeal of the above-referenced Determination that was signed by city staff on June 21, 2012. While the Determination is carefully crafted, it nonetheless merits review and reconsideration.

While not entirely inaccurate or incorrect, the Determination, nonetheless, is essentially sophistic, in the dictionary sense of the word. The dictionary defines sophistic as apparently correct but actually invalid. In the present context, I would argue that it is (or arguably is) legally or legalistically correct but is actually invalid in the sense that it is wildly out of synchronicity with the values and goals of the Roseville Comprehensive Plan. The Determination displays hypertechnical conclusions which, taken together, would lead one to conclude that not only is the proposed use "not inconsistent" with the Comprehensive Plan (and other standards) but is for all intents a purposes a proposal which exemplifies in a superior way the values embodied in the Comprehensive Plan (and other standards).

For example, on page 2, Policy 14.2 references to the goal of ensuring that mixed use development is cohesive, compact and pedestrian-oriented cannot, by definition, be true with respect to a 160,000 sq. ft. facility and associated parking. While the zoning code may include parking area flexibility and more landscaping, a retail facility of this size simply cannot be cohesive and compact and pedestrian-oriented.

On Page 3, Policy 9.3, promoting the use of on-site transit stops, cannot be implemented by the City. There is no argument with that. However, the text included in the Determination indicates that transit could be beneficial to the proposed facilities' employees and patrons. If this be so, it would seem that the proposed development is not oriented to the community but is oriented to the region. In short, the proposal is not a community business, regardless of its absolute size. It is and must be regional.

With respect to Policy 10.2 on page 4, emphasizing meeting the needs of Roseville residents, since Roseville residents already have more retail per capita than any other Minnesota city, and approximately five times the national average, a 160,000 sq. ft. of retail is not only not needed by Roseville residents, such a facility cannot succeed by marketing only to local people.

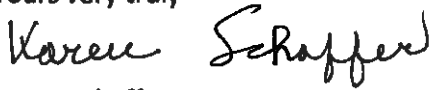
Goal 2 on page 6 is patently disserved by the proposed development. Roseville's tax base is already characterized by a large retail tax base. Policy 3.2 on page 7 references the desirability of expanding the tax base. While the proposal will add to the tax base in a technical way, the recent study conducted by the Minnesota Department of Revenue reminds us that the increased operational costs to be incurred by the City occasioned by the development will outweigh any increases in tax revenues based upon the tax base. The same problem occurs on page 11 Goal 2. This proposal does not diversify the tax base. The implication that the facility will offer head of household employment (page 11 Policy 2.2) is patently

not true. Certainly there will be employment, but generally not the type of employment that will allow a head of household trying to live in Roseville.

While there are many accurate statements in the Determination, it is a document that identifies not a single shortcoming of the proposal. The Determination essentially hollows out the vibrancy, hope, aspirations and desires for a brighter, more diverse, more economically sustainable future for Roseville. It does this by finding that a proposal for simply more of the same is what is needed for the future.

I respectfully request that the City Council take a closer look at the values and aspirations reflected in the Comprehensive Plan and conclude that the proposed facility is inconsistent with them.

Yours very truly

A handwritten signature in black ink that reads "Karen Schaffer". The signature is written in a cursive, flowing style.

Karen Schaffer
2100 Fairview Avenue North
Roseville, MN 55113

July 1, 2012

Administrative Appeal by SWARN
(Solidarity of West Area of Roseville Neighbors)

Regarding the Community Development Department's Determination
As to the Compliance of the Wal-Mart proposal with Roseville
Policies, Plans, and Zoning Ordinance

(Prepared June 30, 2012 for Roseville City Council members and the general public by the Strategies Committee of Solidarity of West Area Roseville Neighbors (SWARN))

INTRODUCTION:

This appeal was drafted by the SWARN Strategies Committee which functions as a steering committee for this Roseville neighborhood association. On this issue we represent over 67 households in the western area of Roseville. Strategies Committee members signing this Appeal are a quorum of the committee and are all property owners residing in Roseville.

Below you will find our concerns and issues regarding the proposed Wal-Mart development and its compliance with City policies and the requirements of the Zoning Ordinance. This appeal was developed by Roseville residents without legal consultation and in words which we hope convey our frustration with a system which requires residents to appeal a decision by city employees in order for our elected officials to make a decision which we had naively thought was only theirs to make.

We also submit this appeal in the hope that our elected officials would review it as an honest and candid articulation of issues which many residents feel city staff have not up to now sufficiently considered, explained, or justified.

We do not speak for all the people of Roseville, we speak for ourselves and our members. And we speak from our experience as Roseville residents who have been engaged in this community's civic governance, understand that all of us have rights and responsibilities, and that to appeal a staff determination is not to suggest improper motivation or malfeasance on their part.

We also recognize, however, that this appeal is in itself recognition that the process could and should be improved so that future residents do not have to have recourse to legal representation, and can feel confident that their opinions and perceptions will be acknowledged, respected, and responded to by their elected officials and public employees. We regret that it took a letter from a high-powered law firm serving the world's largest corporation to extract a written justification from city staff when similar requests from residents and property taxpayers went unanswered.

GROUND FOR APPEAL:**1) Basis for Appeal Includes the Complete Record regarding the Compliance of the Wal-Mart development with City of Roseville Policies, Plans, and Regulations**

We find it necessary to state that a determination of compliance was made well before the request of Walmart (Attorney Susan Steinwall letter of June 8, 2012) and the response from the Community Development Department dated June 21st.) The June 21st Community Development Letter is just the last of several statements of compliance issued by city staff, and for the record we are not therefore restricting ourselves to the June 21st determination signed by Community Development Director Pat Trudgeon and City Planner Thomas Paschke. In fact several residents requested a similar explanation as to how the Wal-Mart proposal was in compliance with the Comprehensive Plan at the February 1st Planning Commission meeting, but their request was ignored.

We are basing our appeal on the various communications to the Council from the City Attorney beginning with City Attorney Charles Bartholdi letter last December, and the reports and recommendations made by staff beginning with their September 26, 2011, Request for Council Action on Approving a Twin Lakes Overlay District and continuing throughout this review process, starting with the February 1st public hearing held by the Planning Commission and extending through the May 21st City Council meeting on the plat subdivision and the public comments offered at that time. ,

At the February 1st Planning Commission public hearing several residents presented their concerns¹ that the Planning Department's recommendation first analysis failed to present any rationale as to how the Wal-Mart proposal met more than several of the goals and objectives of the Roseville Comprehensive Plan. In fact one resident asked that the Commission send the staff recommendation back to the Community Development Department with the request that it provide findings of fact as to the proposal's compatibility with the Comprehensive Plan.²

At that meeting the Planning Staff presented their determination that the Wal-Mart proposal was in compliance with the Roseville Zoning Ordinance and Comprehensive Plan.

Note the following statements excerpted from the February 1, 2012, staff report³:

- *Planning Division staff believes that the proposed development is consistent with many of the Comprehensive Plan's other citywide, non-transportation-*

¹ Cr. February 1, 2012, Minutes of the Roseville Planning Commission, including all attachments

² Remarks of Roseville Resident Gary Grefenberg as distributed to Planning Commission February 1, 2012

³ Staff Report dated

specific goals and policies, and that the proposed development does not appear to be in conflict with any of them.

- *The Comprehensive Plan addresses development of the Twin Lakes area in the greatest detail in its discussion of Planning District 10. Specifically, the Comprehensive Plan says that future development in Twin Lakes may include retail uses (although retail uses should not be the primary focus of the redevelopment area), and that development proposals should be evaluated against the zoning regulations, the Twin Lakes Business Park Master Plan, the Twin Lakes Alternative Urban Area wide Review, and the Twin Lakes Redevelopment Area Design Principles; analysis of the proposed development against these items is provided below.*
 - *a. TWIN LAKES ALTERNATIVE URBAN AREAWIDE....*
 - *b. TWIN LAKES BUSINESS PARK MASTER PLAN....*
 - *c. ZONING REGULATIONS AND TWIN LAKES REDEVELOPMENT AREA DESIGN PRINCIPLES....Because the entire zoning code has been updated over the past couple of years to be consistent with the Comprehensive Plan, a development that meets the zoning requirements would be, by definition, consistent with the Comprehensive Plan.*

For all of the reasons detailed above, Planning Division staff believes that the proposed development facilitated by disposal of the City-owned land identified on the PRELIMINARY PLAT is in compliance with the Comprehensive Plan.

The above statement, namely that the zoning code is supposed to be consistent with the Comp Plan and that if the Wal-Mart proposal meets the zoning requirements it is therefore consistent with the Comp Plan, is more an aspiration than a statement of fact.

Such a statement of faith is more appropriate for a forum of shared faith believers than a staff presentation at a public hearing. When this assertion was challenged by several residents at the public hearing, the response ignored their questions by focusing on the subdivision issues. (See referenced Minutes and written comments.)

- We also find the February 1, 2012, assertion that the Wal-Mart proposal *does not appear to be in conflict with any of them*, referring to the Comp Plan's goals and policies, not credible. Attached is a highlighted summary of some of the Plan's goals and policies which clearly demonstrate non-compliance (See Attachment #2).

We find it both curious and confusing that this first determination of compliance is now being overshadowed by all the emphasis on the latest determination of compliance issued by the Community Development Department in response to a request from the Wal-Mart's attorney. It is difficult to avoid the conclusion that Wal-Mart in effect wanted to give the City an opportunity to issue a more

compelling and cogent defense of its February assertion that the Wal-Mart project was in compliance with city policies and regulations.

To believe that city staff had not made a determination as to the project's compliance when the city review process first began well before the June 21st Determination of Compliance letter is to suggest that city staff is incompetent or failed to perform its duties

We therefore request that the record for this administrative appeal include the February 1st Planning Commission minutes, the written communications submitted by residents at that time, and the staff recommendation to the Planning Commission.

2) Zoning Ordinance is in Conflict with Comprehensive Plan

- a) The city staff determination avoids one key conflict with the Comprehensive Plan: This district is Community Mixed-Use, which is described in the Comprehensive Plan in [Chapter 4 on Land Use](#) as *"The mix of land uses [that] may include Medium- and High-Density Residential, Office, Community Business, Institutional, and Parks and Open Space uses"* (page 4-8). In our view, **Wal-Mart does not qualify as a community business**, but rather as a regional business which is defined in the Comp Plan as *"freestanding large-format stores [that] are located in places with visibility and access from the regional highway system (I35W and State Highway 36)"* (page 4-8).
- b) According to a legal counsel letter from city attorney Charles Bartholdi dated December 9, 2011, and addressed to Roseville's City Manager Bill Malinen, the Comprehensive Plan is in conflict with the Zoning Ordinance with respect to allowing a Regional Business to develop in the Community Mixed-Use (CMU) district, and that, he indicates, is problematic and ought to be changed:
 - i. *"To the extent that a Regional Business use is allowed in a Community Mixed-Use District under the Zoning Code, there is an apparent conflict between the Comprehensive Plan and Zoning Code"* (page 3, 1st paragraph).
 - ii. Additionally, the lawyer advises that *"the general rule is that in the event of a conflict between the Comprehensive Plan and the Zoning Code, the Comprehensive Plan controls"* (page 3, 2nd paragraph).
 - iii. And finally, the city attorney concludes *"I would recommend that to the extent the Comprehensive Plan and Zoning Code may conflict as described... above, the City Council amend either its*

Zoning Code or Comprehensive Plan to eliminate the conflict”
(page 3, 3rd paragraph).

3) The Wal-Mart proposal is incompatible with Roseville’s Comprehensive Plan in the following additional ways (see chapter 4 on District 10: Twin Lakes):

- a. *“No additional commercial/retail development of this scale (in reference to Rosedale Square and Roseville Crossings) is planned for District 10”* (page 4-23). The zoning ordinance fails to take this into account by not prohibiting large-scale retail business.
- b. *“Twin Lakes should not be developed with shopping as the primary focus of future land use”* (page 4-23). The zoning ordinance fails to take this into account by not prohibiting limiting retail business in this area.
- c. *“The desire to have employment as the primary orientation of future development...”* This proposal is retail oriented, not employment.
- d. Additional conflicts with the Comprehensive Plan’s Economic Development Goals and Objectives are listed on Attachment #2 of this appeal.

4) The Zoning Ordinance is in Conflict with the Twin Lakes Business Park Master Plan

It appears the Twin Lakes Business Park Master Plan also guides development in this area because: **a)** the Comprehensive Plan states: *“The City intends to rely on the following official controls and environmental studies to guide land use and to evaluate specific development proposals: ...Twin Lakes Business Park Master Plan”* (page 4-23); and **b)** city staff indicated in their report from just last fall (dated 9/12/11) for the Request to approve the Twin Lakes Sub-Area 1 Regulating Plan for City Council that, *“The City will continue to follow the 2001 Twin Lakes Business Park Master Plan to mitigate the cumulative impacts of development...”*.

The Wal-Mart proposal is incompatible with the Twin Lakes Business Park Master Plan (see Section V on Proposed Land Use) in the following ways:

1. The proposed future land use is 0% retail (see page 9). The plan was, in fact, withdrawn from review by Met Council when asked to provide additional information regarding retail traffic and its impacts on 35W because there will not be retail in the area (section II, page 2).

2. **Big box retail is not recommended** because of the following elements (see page 11), all of which are going to be an issue for Roseville if and when this Wal-Mart is built:
 - i. Increased level of traffic
 - ii. Longer hours of operation (this would be 24/7)
 - iii. Reduce quality and quantity of jobs created
 1. Lower value of building finish
 2. Large parking lots required due to parking demands
3. Section XIV on Land Use and Zoning states (see page 20): “*Retail is not encouraged especially large scale regional and subregional big box developments. ...The City has adopted a policy of not expanding retail area. ...* In addition, the City policy for redevelopment is to attract head-of-household job opportunities to the City and nearby workforce.”
4. In addition, the AUAR which governs this development and which formed the basis of the Traffic Impact Analysis, did not take into account this scale of development. At the time the AUAR was finalized in 2007 (and the Twin Lakes BP Master Plan was finalized in 2001), this land was considered Business Park district. Currently, BPD requires general retail sale to adhere to Standards (see Table 1006-1 of Allowable Uses for Employment Districts) which provide additional protections to the city. This is no longer the case, and therefore the AUAR, based on a set of assumptions set forth in the zoning, becomes less relevant to this development proposal.

5) The Most Recent Staff Determination of Compliance Fundamentally Misunderstands the Role of the Roseville Comp Plan

The Comprehensive Plan and its Land Use chapter is not a vision statement, as articulated in the June 21st Staff Determination (page 6); but a guide for Roseville’s future development and a blueprint for the development of a Zoning Ordinance.

City staff argue in their June 21st Determination letter (under *Comprehensive Plan Land Use Designations*) that the Plan’s land use categories are *general vision statements...but do not have specific guidance for individual parcels or developments*.⁴ That is not the language which was used by city staff when the Comp Plan was first drafted by city staff and reviewed and revised by the Steering Committee. In fact, the vision statement element was found in the previous community engagement process of Imagine Roseville 2025.

4

The staff spin at the time the Comprehensive Plan was being formulated was that this would be a compact between the residents of Roseville and its city government., This is the message most Roseville residents who participated in the public process resulting in the Comprehensive Plan heard at the time of the Plan's introduction to the citizens of Roseville, a recollection reiterated in the testimony of several residents at the May 21st City Council discussion on the plat division.

To argue that the Comprehensive Plan does not prohibit Big Box Retail and thus the Wal-Mart development is consistent with the Plan is a *reductio ad absurdum* argument, as if every prohibited use needs to be specifically cited. That has never been the criteria for previous decisions by the City acting as a zoning authority, and so its use as a justification in this case is spurious.

The Comp Plan is understood as a city's plan for future development, and provides guidance for future development. It is intended to lay out the goals and objectives for future land use which the Zoning Code then is instructed by state law to codify.

The very first two paragraphs of the 2030 Comp Plan state its purpose as follows:

A comprehensive plan is a tool for guiding the growth, redevelopment, and overall improvement of a city. The traditional view of this type of plan focused on physical planning through the development of a land-use plan. The purpose of the land-use plan was to reinforce desirable land-use patterns, identify places requiring change, and determine the location and form of future growth.

However, the vision for Roseville is more than a rational pattern of development; thus, Roseville's 2030 Comprehensive Plan (the Plan) identifies not only a land-use plan, but also develops a broader framework to help shape the character of the community and enhance the quality of life in Roseville.

The Comp Plan must reflect the land use described in the Comp Plan. The Plan's purpose was intended to direct the zoning code's update, resulting in a legal codification of the Comp Plan's goals and objectives. In that sense the Comp Plan was the blueprint for the Zoning Code development, and not a collection of visionary statements open to staff's interpretation.

The zoning ordinance is clearly an official control, and we also question whether the Financial Agreement for this development is not a fiscal device.

The City's adopted Zoning Code itself describes this relationship between the Comp Plan and Zoning in its Intent and Purpose provision (1001.03). as follows:

This Title shall divide the City into districts and establish regulations in regard to land and the buildings thereon. These regulations are established to:

- A. Protect and to promote the public health, safety, peace, comfort, convenience, prosperity, and general welfare of the community and its people through the establishment of **minimum regulations governing land development and use**;*
- B. Protect and enhance the character, stability, and vitality of residential neighborhoods as well as commercial areas;*
- C. Promote orderly development and redevelopment;*
- D. Assist in the implementation of the Comprehensive Plan. (Emphasis Added)***
- E. Foster a harmonious, workable relationship among land uses;*
- F. Promote the stability of existing land uses that conform with the Comprehensive Plan and to protect them from inharmonious influences and harmful intrusions;*
- G. Insure that public and private lands ultimately are used for the purposes which are **most appropriate and most beneficial for the City as a whole**;...*

Note that these Code provision above (subdivision A) describes its regulations in terms of meeting **minimum** requirements; it does not describe its provisions in terms indicating that anything not prohibited is therefore allowed.

This Code provision subdivision G also speaks to its purposes (...*most appropriate and most beneficial for the City as a whole*) in language which clearly allows some discretionary judgment to elected officials.

In addition the Code in subdivision D also clearly speaks to the relationship between itself and the Comprehensive Plan. Risking oversimplification, the Comp Plan Speaks and the Zoning Implements.

If the zoning ordinance does not adequately reflect the Comp Plan then the Zoning Ordinance is defective in those aspects wherein such inadequateness is found. And pursuant to Minnesota Statutes 473.864, subdivision 2, *a local government unit shall not adopt any fiscal device or official control which is in conflict with its comprehensive plan.*

City staff agrees with this assessment. In the June 21st Determination city staff state the following on page 5:

The City Attorney has advised staff that to the extent that a zoning code is inconsistent with the comprehensive plan, the zoning code should be amended to reflect the

comprehensive plan. Therefore staff has prepared an analysis reviewing the Comprehensive Plan and the Zoning Code.

City staff concludes in its latest determination of compliance, however, with the following statement with which we respectfully and vigorously disagree.

Staff's analysis finds that the Roseville Zoning Code is consistent with Comprehensive Plan and therefore the regulations within the Zoning Code are enforceable

6) The existing Zoning Ordinance allows rejection of Wal-Mart

According to our reading, this proposal is not permitted in our current zoning and should not have been approved by city planning staff. This district is Community Mixed-Use, which is described in the Comprehensive Plan in [Chapter 4 on Land Use](#) as, “*The mix of land uses [that] may include Medium- and High-Density Residential, Office, Community Business, Institutional, and Parks and Open Space uses*” (page 4-8).

Note that there is absolutely no reference to retail uses. If one assumes the current staff criteria that it is permitted since retail is not specifically prohibited, then rationally heavy industrial and mining would also be allowed.

In our view, Wal-Mart does not qualify as a community business, but rather as a regional business. Regional business, according to the Comp Plan, includes “*freestanding large-format stores [and] is located in places with visibility and access from the regional highway system (I35W and State Highway 36)*” (page 4-8).

The Target store location is situated in a land-use designated Regional Business. There was an effort made during the Comprehensive Plan update several years ago to designate the area Community Business, but several council members, staff, and the Planning Commission insisted that its land use category fit the regional nature of this big-box retailer.

It is noteworthy that this comparison is no longer being made by those who insisted on this land use designation but are now arguing that Wal-Mart is a community business use.

The current zoning ordinance allows some discretion to the City when it comes to the question of approving plats. Section 1017.23 entitled Subdivision/Platting Provisions states under subdivision B the following:

Signed: SWARN - Strategies Committee

Mark Bradley
1851 Shryer Ave
Roseville, MN 55113

Megan Dushin
2249 St. Stephens
Roseville, MN 55113

Sue Gilbertson
2000 Cleveland Ave.
Roseville MN 55113

Gary Grefenberg
91 Mid Oaks Lane
Roseville, MN 55113

Dave Nelson
2280 Highway 26 W
Roseville, MN 55113

Attachments: May 21, 2012, written SWARN statement to the City Council

February 1, 2012. Compilation of Economic Development Chapter
of the 2030 Comprehensive Plan's Goals and Objective in Conflict
with the Marl-Wart development

ATTACHMENTS

To SWARN Administrative Appeal

Solidarity of West Area Roseville Neighbors

SWARN

ATTACHMENT #1:

Concerns Re: Proposed Wal-Mart Development

And legal reasons to vote No Monday May 21 on Agenda Item 12b

Prepared May 19, 2012 for Roseville City Council members and the general public by members of Solidarity of West Area Roseville Neighbors (SWARN).

We represent over 67 households in the city of Roseville. Below you will find our concerns regarding the proposed preliminary plat:

- 4)** The MN League of Cities states that Roseville's Comprehensive Plan and referenced area master plan guide zoning and subdivision ordinances.⁵ However, issues concerning the Comprehensive Plan (and area Twin Lakes Master Plan) are not considered "relevant" in this subdivision decision, according to the staff report, a conclusion with which we do not agree.
- 5)** The Development Agreement puts the City in the position of subsidizing Wal-Mart to the tune of \$1.6 million. The Zoning Ordinance does not reflect the Comprehensive Plan or the Twin Lakes Master Plan and so it needs to be changed. Wal-Mart should not be considered--nor do we believe the citizens of Roseville--consider Wal-Mart a community based business.

Mike Gregory will summarize a series of unbiased academic studies which demonstrate the economic and social impacts a development such as Wal-Mart has on its host community. These impacts contradict the Comprehensive Plan and Twin Lakes Master Plans for Roseville.

⁵ According to the [Handbook for Minnesota Cities](#), "...the comprehensive plan... guides current development in administering its zoning ordinance and subdivision ordinance. The city subdivision ordinance regulates the division of land... with safe streets, appropriate environmental features, and character. Finally, the city zoning ordinance regulates the use and density of city zones... to prevent congestion, environmental contamination, and other negative human health hazards" (ch. 14, pg 2).

We need systemically to explore our current zoning process and consider the need for PUD or other changes to allow our elected officials to make these decisions that are in the best interests of the residents of Roseville.

- 6) Local experience with increased demand for Police services required by Wal-Mart compared to another Big Box retailer (*data presented on overhead indicating Wal-Mart in Vadnais Heights had 4 times the police calls than Target in the same area and notes from a conversation with Roseville police department regarding increase in calls and dollars to pay for additional police to monitor the area*).
- 7) The Council clearly has the authority under City Code 1001.03 to reject this proposed development:

1001.03: Intent and Purpose

This Title shall divide the City into districts and establish regulations in regard to land and the buildings thereon. These regulations are established to:

- A. Protect and to promote the public health, safety, peace, comfort, convenience, prosperity, and general welfare of the community and its people through the establishment of minimum regulations governing land development and use;
- B. Protect and enhance the character, stability, and vitality of residential neighborhoods as well as commercial areas;
- C. Promote orderly development and redevelopment;
- D. Assist in the implementation of the Comprehensive Plan;

- 8) The Council also has the ability under the Platting Code to require changes “necessary for the health, safety, general welfare and convenience of the City”
- 9) According to our reading, this proposal is not permitted in our current zoning and should not have been approved by city planning staff. This district is Community Mixed-Use, which is described in the Comprehensive Plan in [Chapter 4 on Land Use](#) as, “The mix of land uses [that] may include Medium- and High-Density Residential, Office, Community Business, Institutional, and Parks and Open Space uses” (page 4-8).
 - In our view, **Wal-Mart does not qualify as a community business**, but rather as a regional business. Regional business, according to the Comp Plan, includes “freestanding large-format stores [and] are located in places with visibility and access from the regional highway system (I35W and State Highway 36)” (page 4-8).

10) This proposal is incompatible with Roseville's **Comprehensive Plan** in the following additional ways (see chapter 4 on District 10: Twin Lakes):

- e. "No additional commercial/retail development of this scale (in reference to Rosedale Square and Roseville Crossings) is planned for District 10" (page 4-23). The **zoning ordinance fails to take this into account by not prohibiting large-scale retail business.**
- f. "Twin Lakes should not be developed with shopping as the primary focus of future land use" (page 4-23). The **zoning ordinance fails to take this into account by not prohibiting limiting retail business in this area.**
- g. "The desire to have employment as the primary orientation of future development..." (Page 4-23). **This proposal is retail oriented, not employment.**

It appears the **Twin Lakes Business Park Master Plan** also guides development in this area:

- h. According to the city staff report dated 9/12/11, "Request to approve the Twin Lakes Sub-Area 1 Regulating Plan" for City Council: "The City will continue to follow the 2001 Twin Lakes Business Park Master Plan to mitigate the cumulative impacts of development..."
- i. In the Comprehensive Plan (see chapter 4 on District 10: Twin Lakes):
 - i. "The City intends to rely on the following official controls and environmental studies to guide land use and to evaluate specific development proposals: ...Twin Lakes Business Park Master Plan" (page 4-23).
 - ii. "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" (page 4-8). We presume this means the Twin Lakes Business Park Master Plan.

Given that the [Twin Lakes Business Park Master Plan](#) applies to any development proposals in the district (as noted above); this proposal is also incompatible in the following ways:

- j. Section V on Proposed Land Use indicates that:
 - i. **The proposed future land use is 0% retail** (see page 9), yet this proposal is the epitome of large-scale retail. The plan was in fact withdrawn from review by Met Council when asked to provide additional information regarding retail traffic and its impacts on 35W because there **will not be retail in the area** (section II, page 2).

- ii. **Big box retail is not recommended** because of the following elements (see page 11), all of which are going to be an issue for Roseville if and when this Wal-Mart is built:
 - 1. Increased level of traffic
 - 2. Longer hours of operation (this would be 24/7)
 - 3. Reduce quality and quantity of jobs created
 - 4. Lower value of building finish
 - 5. Large parking lots required due to parking demands
 - k. Section XIV on Land Use and Zoning states (see page 20): **“Retail is not encouraged especially large scale regional and subregional big box developments. ... The City has adopted a policy of not expanding retail area. ...** In addition, the City policy for redevelopment is to **attract head-of-household job opportunities** to the City and nearby workforce.” Are Wal-mart jobs “head-of-household job opportunities”? Most definitely not. And where is this policy of “not expanding retail area”? Was it achieved by zoning this area as a CMU district?
 - l. **Twin Lakes Business Park AUAR revised in 2007 governs much of this development, and yet it is outdated.**
 - i. The Traffic Impact Analysis was based on the AUAR which, as noted above and in the letter from MnDOT on 2/24/12 was based on a lower volume traffic generator.
 - ii. Should not the Council await the new AUAR required by October 15, 2012, before giving final approval? Why do it after the fact?
 - iii. At the time this document was finalized, this area was considered Business Park district (thus the title of the document), which also did not intend to be for large-scale retail, however it had greater protections (see Table 1006-1 of Allowable Uses for Employment Districts: “General retail sale” is permissible however it must adhere to standards).
- 11) Insufficient traffic support plan, both locally and on corridors.**
- m. There are several issues with the traffic study, as noted by SRE in the letter dated 11/30/11 and as noted by MnDOT in the letter dated 2/24/12. MnDOT specifically advises that “immediate consideration... be given... before developments are approved.” It is not clear if these issues were addressed.
 - n. The original study was conducted at a time when 2 of the critical roadways were closed to traffic due to construction.
 - o. All traffic studies and mitigation plans fail to address corridor congestion at both I35W and Highway 36, both of which have stop and go traffic twice daily.
- 12) Roseville can’t afford to subsidize a big box store.** We will have to pay more in property taxes to support the additional city services and

infrastructure needs of this developer. BECAUSE this site is within the Twin Lakes District which is a Tax-Increment District there must be a public purpose achieved by this development. What public purpose is served by allowing Wal-Mart to benefit from all the past public improvements within this Tax Increment District?

Since All increased taxes resulting from this development flow into the Tax Increment District to pay for **past** public improvements in the Twin Lakes District and not into the City's general fund, for the next 19 years Roseville homeowners and local businesses will also have to subsidize the world's largest corporation to pay for Wal-Mart's future police and fire protection, any necessary street and utilities improvements not now foreseen, and any measures to mitigate future traffic congestion. Another example of 'Private Enterprise for the Middle Class, Socialism for the Rich?

Therefore the Council should put off final plat approval and building permit approval until these questions can be addressed. By approving everything tonight you will be disregarding all the work you and other Roseville residents put in during the Twin Lakes planning process and the Comprehensive Plan. Nor do you need to do so tonight. (The Zoning Ordinance provides for **separate** consideration for these distinct plat approvals.)

These issues are too critical to the perceived integrity of the City's commitment to its residents as found in the Comprehensive Plan and the Twin Lakes Master Plan to not be addressed before final approval is given. We would respectfully request a written answer from staff before the Council next addresses these issues. These questions are too important to be addressed tonight in an impromptu manner by staff, a staff at the planning division level appears to us to have been motivated for several months to advocate for this project.

Summary Requests

Therefore, we respectfully request that the City Council:

1. Not sign a development agreement which was incomplete until noon today, and therefore has not had any opportunity for public review;
2. Not approve the final plat (or any building permits) until the AUAR is updated;
3. Amend the zoning ordinance to better reflect the Comprehensive and Twin Lakes Master Plans, as noted above;
4. Consider other ways to involve Roseville residents in city decisions before staff becomes advocates of development plans, advocates both to the Planning Commission and the City Council, such as requiring Community Meetings on important development proposal with city-wide impact and the reintroduction dissolution of the Planned Unit Development process.

5. Request that the city “push” information regarding this and future developments which will have a city-wide impact on the community through cost-effective channels, such as the new neighborhood communication tool Nextdoor.com as well as press releases to local news media for those not signed up.

Should this proposal be accepted by the City Council, we request that City Council:

1. Add the following conditions to the development agreement:
 - a. Prohibit 24/7 operation and subsequent overnight RV and trucking parking allowances as is common among Wal-Marts nationwide
 - b. Traffic congestion be mitigated (with Wal-Mart participating in the costs in a 2 mile radius on the corridors, as well as side streets.
2. Direct Planning Department to hold an open house for the community when and if Walmart plans evolve.
3. Notify us specifically at swarn@gmail.com if and when a permit application has been submitted.

Signed: for SWARN Strategies Committee

Mark Bradley

Megan Dushin

Sue Gilbertson

Gary Grefenberg

Mike Gregory

Dave Nelson

Attachment #2:

Roseville Comprehensive Plan

Pages 7.2-7.3, and page 7.5 of the Economic Development and Redevelopment Section

Goals and Policies

The following goals and policies guide City actions related to economic development and redevelopment...

Goal 1: Foster economic development and redevelopment in order to achieve Roseville's vision, create sustainable development, and anticipate long-term economic and social changes....

Policy 1.2: Ensure that local controls allow for contemporary retail, office, and industrial uses that are part of the community vision.

Policy 1.3: Encourage an open dialogue between project proposers, the surrounding neighborhood, and the broader community through individual and neighborhood meetings and use of technology.

Policy 1.4: Enhance communication of the community's objectives for promoting business development to enhance the quality of life in Roseville.

Goal 2: Enhance opportunities for business expansion and development that maintains a diverse revenue base in Roseville.

Policy 2.1: Foster strong relationships with existing and prospective businesses to understand their needs and to maximize opportunities for business retention, growth, and development.

Policy 2.2: Support existing businesses and welcome new businesses to serve Roseville's diverse population and/or provide attractive employment options that encourage people to live within the community....

Policy 2.4: Encourage locally owned and/or small businesses to locate or expand in Roseville....

Goal 4: Encourage reinvestment, revitalization, and redevelopment of retail, office and industrial properties to maintain a stable tax base, provide new living wage job opportunities and increase the aesthetic appeal of the city....

Policy 4.5: Continue to give attention to creating and maintaining aesthetic quality in all neighborhoods and business districts.

Goal 6: Integrate environmental stewardship practices into commercial development.

Policy 6.1: Foster transit-supportive development along existing and planned transit corridors....

Keys to Implementation

The experience of Roseville shows that several factors are important to achieving goals and policies for economic development and redevelopment.

Commitment: Commitment to the Comprehensive Plan and patience go hand-in-hand. This Plan does not simply seek to attract development to Roseville; it also seeks to move Roseville toward a vision for the future. There is a difference. Commitment to the Comprehensive Plan means the willingness to actively promote public and private investments that achieve its goals, and to deter developments that do not fit. Not all of these decisions will be easy.



June 8, 2012

VIA EMAIL AND U.S. MAIL

Patrick Trudgeon
Community Development Director
City of Roseville
2660 Civic Center Drive
Roseville, MN 55113

Re: Wal-Mart Stores, Inc. – Request for Administrative Decisions from the Community Development Department as to the Redevelopment of a Parcel of Land Bounded by County Road C, Cleveland Avenue, Twin Lakes Parkway and Prior Avenue (PF12-001)

Dear Mr. Trudgeon:

On behalf of our client Wal-Mart Stores, Inc., we hereby request that the Community Development Department provide Wal-Mart with a written final decision as to the following:

- Determining that the operation of a retail and grocery store at a parcel of land to be platted as Lot 1, Block 1, Twin Lakes 2nd Addition (the "Site") is a permitted use under the Roseville City Zoning Code.

We believe that the other decisions of the Community Development Department relating to specific Site Plan Review items, as set forth in the City's letters of November 23, 2011 and February 29, 2012, are no longer at issue and that the applicable appeal periods have lapsed.

This requested determination is based on the City's Zoning Code, the City's 2030 Comprehensive Plan, the City's correspondence referenced above, the comments presented in this letter, and all materials and plans that Wal-Mart or its local consultants have submitted to the City to date, including the following:

1. August 9, 2011 – Traffic Impact Analysis
2. August 16, 2011 – Building Elevations and Site Plan Rendering
3. October 11, 2011 – Cover Letter, Civil Plans, Building Elevations, and Stormwater Management Report
4. October 24, 2011 – Civil Plans at 20:1 scale and Building Elevations to Scale
5. October 28, 2011 – Park Dedication Letter and Site Plan

Attorneys & Advisors
main 612.492.7000
fax 612.492.7077
www.fredlaw.com

Fredrikson & Byron, P.A.
200 South Sixth Street, Suite 4000
Minneapolis, Minnesota
55402-1425

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June 8, 2012
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6. December 2, 2011 – Preliminary Plat Application, ALTA Survey, Preliminary Plat, Site Plan and Building Elevations
7. December 2, 2011 – Right of Way Vacation Application, ALTA Survey, and R.O.W. Vacation Exhibit
8. December 5, 2011 – ALTA Survey, Preliminary Plat, Site Plan, Site Plan Rendering, and Building Elevations
9. December 28, 2011 – Stormwater Management Response Letter
10. January 6, 2012 – Preliminary Plat and Site Plan
11. January 9, 2012 – Sitting Areas Exhibit
12. January 20, 2012 – Cover Letter, Preliminary Plat, Civil Plans, Site Plan Rendering, Public Sitting Area Exhibits, and Offsite Improvements Exhibit
13. February 17, 2012 – Zoning Response Letter, Preliminary Plat, Civil Plans, Site Plan Rendering, Public Sitting Area Exhibits, and Building Elevations
14. February 22, 2012 – 60% Offsite Plans
15. Fredrikson & Byron, Letter dated February 23, 2012 to Patrick Trudgeon regarding Environmental Compliance with Phase I and Phase II reports.
16. Fredrikson & Byron, Letter dated February 24, 2012 to Patrick Trudgeon regarding compliance with Twin Lakes Overlay District.
17. February 28, 2012 – Preliminary Stormwater Report
18. March 27, 2012 – Twin Lakes Parkway Drainage Memo
19. April 11, 2012 – Cover Letter, Preliminary Plat, Civil Plans, Site Plan Rendering, Building Elevations, and Building Floor Plan
20. April 19, 2012 – Tree Preservation Plan
21. May 3, 2012 – Public Improvements Cost Estimate and Exhibits
22. May 10, 2012 – Public Improvements Cost Estimate and Exhibits
23. May 10, 2012 – Final Plat for Twin Lakes 2nd Addition
24. May 15, 2012 – Building Elevations, Perspectives, and Building Floor Plan
25. May 21, 2012 – Final Plat Application

Wal-Mart understands that the Community Development Department's decision that Wal-Mart's store is a permitted use is subject to an appeal by "any property owner" and that an appeal, if any, would be considered at a public meeting held before the City Council, acting as the Board of Adjustments and Appeals at a regular City Council meeting. City Code at § 1009.08.

The Site and the Proposal

The Site is bounded by County Road C, Cleveland Avenue (with Interstate 35W beyond to the west), Twin Lakes Parkway and Prior Avenue. Wal-Mart intends to redevelop land to be replatted as Lot 1, Block 1, Twin Lakes 2nd Addition. There are no current proposals for the redevelopment of Lots 2 and 3 of Block 1, but it is anticipated that they will be developed as

Mr. Patrick Trudgeon
June 8, 2012
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restaurants by third parties. Wal-Mart first met with City Staff on its preliminary redevelopment plans in December 2010. Wal-Mart local team members discussed preliminary plans with individual members of the City Council during the months of June and July, 2011.

Wal-Mart's plans call for constructing an approximately 160,000-square foot building, together with a parking lot capable of parking 491 vehicles. Parking will be shared with the restaurants that will be developed on Lots 2 and 3. Wal-Mart will dedicate additional right-of-way to the public at Prior Avenue, County Road C, and Cleveland. As part of the redevelopment, public sidewalks will be provided along the east side of Cleveland Avenue and sidewalks within the Site will be provided to connect Lot 1 with Lots 2 and 3. Bicycle racks will be provided.

Landscaped seating areas for pedestrians will be provided at the corner of Prior Avenue with County Road C and at the corner of Prior Avenue and Twin Lakes Parkway. Lot coverage will not exceed 85% of the Site. Landscaping and parking will comply with City requirements set forth in the City Code. Environmental remediation of the Site, which previously had been used by trucking companies and for other industrial and automotive purposes, will be pursuant to a Remedial Action Plan/Construction Contingency Plan that will be approved by the Minnesota Pollution Control Agency ("MPCA"). Wal-Mart will comply with all stormwater requirements of the City, the MPCA, and the Rice Creek Watershed District.

As part of the pending preliminary and final plat applications, Wal-Mart will enter into a Development Agreement, a draft of which has been provided to the City Council. The Development Agreement provides that Wal-Mart will reimburse the City's expenses in installing certain public improvements along County Road C and Twin Lakes Parkway at an estimated cost of \$637,461.68. In addition, Wal-Mart will provide the City with \$400,000.00 to be used by the City for future upgrades to the Interstate Highway 35W/Cleveland Avenue intersection. Wal-Mart will provide the City with a park dedication fee in the amount of \$411,115.00, which is the amount set by the City's Parks and Recreation Commission on January 3, 2012. These amounts total more than \$1.4 Million, which does not take into account possible cost overruns that may be incurred by the City in constructing the public improvements, the cost of acquiring a small parcel of excess land from the City, permitting, fees, or utility hook-up fees. The costs of the environmental remediation of the Site are not included in the foregoing estimate and will be borne by Wal-Mart without public assistance.

Wal-Mart will not receive any public subsidies, such as tax increment financing or grants to facilitate its redevelopment of the Site. Any tax increment generated from the Wal-Mart development will accrue to the benefit of the public.

Mr. Patrick Trudgeon
June 8, 2012
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Retail Sales are Permitted in the CMU Zoning District

The Site is located in the Twin Lakes area of the City, known as Planning District 10 in the 2030 Comprehensive Plan. In 2010, the City amended its Zoning Code to add Section 1005.07, Community Mixed Use (“CMU”), and rezoned the Site to CMU in 2010. On September 12, 2011, the City further amended the Code when it adopted the Regulating Plan for Twin Lakes Sub-Area 1, which includes the Site. City Code § 1005.07(E) (the “Regulating Plan”).

The purpose of the CMU District is to encourage the development or redevelopment of mixed-use centers, which may include housing, office, commercial, park, civic, institutional and open space uses. According to the Zoning Code, complementary uses are to be organized into cohesive districts in which mixed or single-use buildings are connected by streets, sidewalks and trails, or open space to create a pedestrian-oriented environment. The CMU District is intended to be applied to areas of the City guided for redevelopment or intensification. City Code at § 1005.07(A).

The CMU District requirements incorporate Table 1005-1, which is the list of permitted and conditional uses in all of the City’s commercial and mixed use districts. City Code at § 1005.07(B)6 (specifically referencing Table 1005-1 which is found at City Code § 1005.03). “Retail, general and personal service stores” and “grocery stores” are all listed as permitted uses in the CMU District, as well as the Regional Business and Community Business Districts. The City Code defines “Grocery Store” as “a retail establishment that offers for sale food products, beverages, household items and may include pharmacy, and prepared food items.” City Code at § 1001.10. The City Code defines “Retail, General and Personal Services” to include “the retail sale of products and/or consumer services to the general public and produces minimal off-site impacts.” City Code at § 1001.10. Examples of general retail that are provided in a sidebar to Table 1005-1 include auto parts, books and magazines, music, clothing, pharmacy, electronics sales, jewelry, hardware, office supplies, pet store, and photographic equipment and printing.¹

There is no limit on the size of buildings in the CMU District and the Zoning Code does not define the term “big box.” The size of the building is ultimately controlled by the size of the parcel. The CMU District does not require that buildings be multi-story or mixed-use. There is no requirement that structured parking be provided. Off-street parking requirements are set forth in Chapter 1019 of the Zoning Code and the CMU District requirements encourage shared parking.

¹ Sidebars in the Zoning Code, such as diagrams, charts, pictures, graphs and commentary are for illustrative purposes and have no legal effect. City Code at § 1001.08.

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Wal-Mart's proposed redevelopment of the Site as a general retail and grocery store is a permitted use under the Zoning Code. The Roseville Wal-Mart will devote about a third of the sales floor to groceries, paper goods, the pharmacy, health and beauty aids, pet food and cleaning supplies. Clothing and home goods (such as bedding, bath and kitchen supplies) will account for about another one-third of the sales floor. The garden center will be about 7,700 square feet. The remaining areas of the sales floor will include the sales registers, and other merchandise including toys, sporting goods, hardware, automotive supplies, stationery and books, cameras and electronics, and seasonal goods. Tenant spaces will also be provided within the building and may be leased by a restaurant or a bank, for example. All of the foregoing products and services are permitted uses in the CMU District. The tenant spaces are also permitted and the mixture of goods and services are encouraged in the CMU District.

The Regulating Plan controls building orientation, setbacks, and the maximum lot coverage ratio. The Wal-Mart building will comply with the requirements of the Regulating Plan. The parking lot will comply with the City's parking requirements as set forth in Chapter 1019. Wal-Mart will share parking with Lots 2 and 3 and connecting sidewalks will be provided throughout the Site, thus complying with CMU District requirements.

The Regulating Plan states that the City will require additional public amenities or enhancements at Flexible Frontage Sites located at or near pedestrian corridors or roadway intersections where building placement is not within the "Build-to-Area," such as the Wal-Mart Site. City Code § 1005.07(E)3(a)i(C). To satisfy this requirement, Wal-Mart proposes to construct public sitting areas in two locations: at the intersections of Prior Avenue and Twin Lakes Parkway and at Prior Avenue and County Road C. These public areas will include benches and landscaping.

2030 Comprehensive Plan Allows Retail Development

Roseville's City Code acknowledges the importance of the Roseville Comprehensive Plan. "It is the policy of this City that the enforcement, amendment, and administration of this Code be accomplished with due consideration of the recommendations and policies contained in the Comprehensive Plan as developed and amended from time to time by the Planning Commission and City Council." City Code at § 1001.04. Roseville adopted its 2030 Comprehensive Plan on October 26, 2009. Roseville created the new CMU Zoning District in 2010-2011 and rezoned the Twin Lakes area, including the Site, to conform to the 2030 Comprehensive Plan.

The 2030 Comprehensive Plan created a Community Mixed Use designation. The Comprehensive Plan states that 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

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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. The Comprehensive Plan defines Community Business areas to include shopping centers and freestanding businesses that promote community orientation and scale. Community Business areas should have a strong orientation to pedestrian and bicycle access to the area and movement within the area, according to the Comprehensive Plan.

The 2030 Comprehensive Plan states that Twin Lakes should be not developed with shopping as the primary focus of future land use, but the Comprehensive Plan does not prohibit retail uses. Comprehensive Plan at p. 4-23. The 2030 Comprehensive Plan acknowledges that future development of the entire Twin Lakes area will likely be a series of smaller projects, rather than a large master development. *Id.* The Wal-Mart project is among the first of the stand-alone smaller projects that the Comprehensive Plan foresaw for Twin Lakes. Development of Lots 2 and 3 of Twin Lakes 2nd Addition will follow.

According to the 2030 Comprehensive Plan, Community Mixed Use areas may include commercial uses such as Community Business. Comprehensive Plan at p. 4-8. The 2030 Comprehensive Plan states that Community Business may include shopping centers and freestanding buildings that “promote community orientation and scale.” *Id.* Although neither the Zoning Code nor the Comprehensive Plan provides an objective standard to distinguish a community business from other types of retail, Wal-Mart expects that most of the business at its Roseville store will be generated by shoppers who will travel two miles or less to buy everyday necessities such as groceries or to visit the pharmacy, for example. Other Wal-Mart stores in the metro area will continue to serve shoppers living or working elsewhere; some of these other stores are larger than the Roseville store. There are currently 5 Wal-Mart stores within a 10-mile radius of the Roseville store site; 23 stores are within 20 miles. These figures do not include new stores under construction in Brooklyn Center, Blaine, Burnsville, and Lakeville. Wal-Mart does not expect that shoppers will travel long distances to shop at the Roseville Wal-Mart by-passing other Wal-Marts in the metro area. Rather, Wal-Mart expects that the Roseville residents currently shopping at the Vadnais Heights, St. Paul Midway, Fridley, and Saint Anthony stores will instead choose to shop at the Roseville store.

At page 4-23, the 2030 Comprehensive Plan references certain additional documents that are to be consulted to guide land use and to evaluate specific development proposals: zoning regulations, 2001 Twin Lakes Business Park Master Plan (the “2001 Plan”), the Twin Lakes Business Park Alternative Urban Areawide Review (“AUAR”), and the Twin Lakes Redevelopment Area Design Principles. See page 4-23. Zoning regulations are discussed in the preceding section and the Design Principles, for example, together with elements of the AUAR have been incorporated into the Zoning Code and the Regulating Plan.

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The AUAR studied various redevelopment scenarios for the Site, including a development of up to 240,000 square feet of service mix (including retail). The AUAR recommended certain measures to be implemented to mitigate environmental potential impacts. As set forth in the Development Agreement and elsewhere in this letter,² to mitigate impacts that the AUAR identified, Wal-Mart will pay for certain off-site traffic improvements, will implement a Remedial Action Plan approved by the MPCA, will provide approximately 25% of the costs of upgrading the intersection of Cleveland with 35W, will comply with all City ordinances, will obtain all required permits including without limitation, MPCA and Rice Creek watershed district permits, and will incorporate into the development sidewalks and pedestrian amenities.

The 2030 Comprehensive Plan also references the 2001 Plan,³ but unlike the City's previous Comprehensive Plan, the 2001 Plan is not incorporated into the 2030 Comprehensive Plan. Although the 2001 Plan states that that "Big Box Retail and Strip Centers" are not recommended, the 2001 Plan identifies the Site (i.e., the corner of County Road C and Cleveland) as the "best location" within Twin Lakes for commercial businesses to locate to serve the Twin Lakes and the general public. The 2001 Plan states that the Site offers ease of access from County Road C and Interstate Highway 35W; is transit-friendly, and is the farthest away from residential areas. The 2001 Plan, while recommending against undefined "big boxes," stops short of prohibiting retail and actually identifies the site as the best location within Twin Lakes for commercial redevelopment.

Neither the Zoning Code nor the 2030 Comprehensive Plan define the term "big box retail" or prohibit big box retail, however the term might be defined. Therefore, even though a planning document such as the 2001 Plan, may recommend against "big boxes," that recommendation is not a restriction that Minnesota courts could enforce. In 2006, the Minnesota Court of Appeals reviewed the same provision in the 2001 Plan and found that "although the

² See also, Fredrikson & Byron's correspondence dated February 23, 2011 and February 24, 2011, which discuss environmental compliance, including mitigation of issues identified in the AUAR.

³ The 2030 Comprehensive Plan states the City intends to rely on certain official controls and environmental studies to guide land use and to evaluate specific development proposals and lists zoning regulations, the 2001 Plan, the AUAR and the Twin Lakes Redevelopment Area Design Principles. See page 4-23. The Comprehensive Plan does not identify which of the foregoing are official controls. Minnesota Statutes define "official controls" at Minn. Stat. § 462.352, subd. 15: "'Official controls' or 'controls' means ordinances and regulations which control the physical development of a city, county or town or any part thereof or any detail thereof and implement the general objectives of the comprehensive plan. Official controls may include ordinances establishing zoning, subdivision controls, site plan regulations, sanitary codes, building codes and official maps." The 2001 Plan is not an official control because it is neither an ordinance nor a regulation implementing the comprehensive plan.

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City's comprehensive plan does not recommend big-box retail, the comprehensive plan does not prohibit such retail stores. Generally, this court 'narrowly construe[s] any restrictions that a zoning ordinance imposes upon a property owner.' ... Therefore, any 'restrictions on land use must be clearly expressed.'" *Friends of Twin Lakes v. City of Roseville*, No. A05-1770 (Minn. Ct. App., filed Aug. 10, 2006); See Also, *Frank's Nursery Sales, Inc. v. City of Roseville*, 295 N.W.2d 604, 608-09 (Minn. 1980) ("We must give weight to the interpretation that, while still within the confines of the term, is least restrictive upon the rights of the property owner to use his land as he wishes."), and *Chanhassen Estates' Residents' Ass'n. v. City of Chanhassen*, 342 N.W.2d 335, 340 (Minn. 1984)("restriction[s] on land use must be clearly expressed").

In this case, given the controlling case law, the lengthy history of disputes concerning the Site, and the Court of Appeals' instructions to the City in the 2006 *Friends of Twin Lakes* case, if the City wanted to ban or restrict "big-box retail" (whatever that might be defined to mean) it had ample opportunity to adopt a "clearly expressed" restriction in its 2030 Comprehensive Plan that was adopted in 2009 and in the applicable zoning code amendments that were adopted in 2010-2011. The City certainly knew of Wal-Mart's pending applications prior to adopting the Regulating Plan. Both the Comprehensive Plan and the CMU District allow retail as permitted uses. Neither the Comprehensive Plan nor the Zoning Code limits the size of a building in the CMU District. Therefore, the City may not prohibit Wal-Mart from developing the Site based on the size of its building or the fact that Wal-Mart proposes to engage in permitted retail sales.

For all of the reasons set forth in this letter and based on the record, Wal-Mart's proposed development of the Site as a 160,000-square foot Wal-Mart Store offering both groceries and general retail goods is a permitted use in the CMU District, and retail development of the Site is consistent with the 2030 Comprehensive Plan. We ask that the Community Development Department provide Wal-Mart with its determination concurring with the foregoing as soon as possible.

Thanks very much for your consideration.

Very truly yours,



Susan D. Steinwall

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Email: ssteinwall@fredlaw.com

SDS/kjm

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cc via email: Mayor Dan Roe and Members, Roseville City Council
Thomas Paschke
Mary Kendall
Will Matzek
TR Rose
Mike Sims
Beth Jensen
Jacki Cook-Haxby
Andy Berg
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COMMUNITY DEVELOPMENT DEPARTMENT

June 21, 2012

Ms. Susan Steinwall
 Fredrickson and Byron P.A.
 200 South Sixth Street
 Suite 4000
 Minneapolis, MN 55402

Mr. Mark Rancone
 Roseville Properties
 2575 Fairview Avenue North
 Suite 250
 Roseville, MN 55113

RE: Request for Zoning Compliance of Retail Use in the Community Mixed-Use District

Dear Ms. Steinwall and Mr. Rancone:

The Roseville Community Development Department has received and reviewed your request dated June 8, 2012 for a zoning use determination for the proposed Wal-Mart store to be generally located at County Road C and Cleveland Avenue, and within the Twin Lakes Redevelopment Area.

As a point of reference, when the Community Development Department begins initial discussions with a prospective developer, we employ a professional understanding of the zoning ordinance (which was adopted to be consistent with the 2030 Comprehensive Plan) to determine whether a use is permitted, conditional or prohibited for a given zoning district. If necessary, the Department also reviews other important documents to determine whether additional information will need to be provided to City Staff to determine other necessary and/or required improvements.

As you know, when the potential Wal-Mart store was brought to City Staff's attention in 2011, staff followed its typical procedure and reviewed the proposed use with the zoning ordinance and verbally confirmed that the proposed Wal-Mart store was permitted in the Community Mixed Use Zoning District, subject to complying with zoning regulations.

However, there continues to be community concern regarding the use and size of the proposed Wal-Mart which has led us to provide you with a more detailed analysis of all documents that may have some authority over the Twin Lakes Redevelopment Area. These include: the 2030 Roseville Comprehensive Plan, Title 10 Zoning Ordinance, Twin Lakes Business Park Master Plan, Twin Lakes Urban Design Principles, Twin Lakes AUAR, and the Minnesota Court of Appeals decision of 2006, File # C3-05-44. This review and analysis however, is limited to the use and does not address site improvement or building design compliance with the zoning ordinance.

SUMMARY

The Community Development Department finds that a retail development of 160,000 sq. ft. within the Twin Lakes Redevelopment Area (the Wal-Mart project) is under the thresholds of the Twin Lakes AUAR, is not prohibited by the 2001 Twin Lakes Business Park Master Plan nor the 2030 Roseville Comprehensive Plan, and is permitted by the Roseville Zoning Ordinance.

The following is our detailed analysis of the proposed Wal-Mart project.

I. ZONING CODE

The Wal-Mart project is proposed to be located on property within the Community Mixed Use Zoning District (CMU). Regulations covering development within the CMU district are generally contained in Chapter 1005 (Commercial and Mixed Use Districts) and specifically within Chapter 1005.07 (Community Mixed Use District).

- 1.) The Community Development Department finds that the Statement of Purpose within Section 1005.01 of the zoning ordinance allows for the Wal-Mart project since it does not include any prohibitions or limitations regarding use or size, and that the purpose statement is merely a guide for future development. Words like “promote”, “provide”, “improve”, and “encourage”, individually or collectively, do not limit a specific use, nor do they require something. On the contrary, these words provide general direction and guidance for the requirements that follow later in the zoning ordinance.

ZONING ORDINANCE

COMMERCIAL AND MIXED-USE DISTRICTS

1005.01 Statement of Purpose

The commercial and mixed-use district is designed to:

- A. *Promote an appropriate mix of commercial development types within the community;*
- B. *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;*
- C. *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;*
- D. *Encourage appropriate transitions between higher-intensity uses within commercial and mixed use centers and adjacent lower-density residential districts; and*
- E. *Encourage sustainable design practices that apply to buildings, private development sites, and the public realm in order to enhance the natural environment.*

- 2.) The Community Development Department finds that the proposed Wal-Mart is permitted since general retail, banks, personal service, and grocery stores are listed as permitted use within the (CMU) district without specific limitations, restrictions, or prohibitions on the size of such uses.

1005.03 - TABLE OF ALLOWED USES

Table 1005.01	NB	CB	RB	CMU	Standards
Office Uses					
Office	<i>p</i>	<i>p</i>	<i>p</i>	<i>p</i>	
Clinic, medical, dental, optical	<i>p</i>	<i>p</i>	<i>p</i>	<i>p</i>	
Office showroom	<i>np</i>	<i>p</i>	<i>p</i>	<i>p</i>	
Commercial Uses					
Retail, general and personal service*	<i>p</i>	<i>p</i>	<i>p</i>	<i>p</i>	
Animal boarding, kennel/day care (indoor)	<i>p</i>	<i>p</i>	<i>p</i>	<i>p</i>	Y
Animal boarding, kennel/day care (outdoor)	<i>np</i>	<i>c</i>	<i>c</i>	<i>np</i>	Y
Animal hospital, veterinary clinic	<i>p</i>	<i>p</i>	<i>p</i>	<i>p</i>	Y
Bank, financial institution	<i>p</i>	<i>p</i>	<i>p</i>	<i>p</i>	
Club or lodge, private	<i>p</i>	<i>p</i>	<i>p</i>	<i>p</i>	
Daycare center	<i>p</i>	<i>p</i>	<i>p</i>	<i>p</i>	Y
Grocery store	<i>p</i>	<i>p</i>	<i>p</i>	<i>p</i>	

np = not permitted, *c* = conditional use, *p* = permitted use, *y* = standards in procedures and/or property performance standards sections of the code.

(The asterisk refers to a sidebar in the code that references typical uses under the retail category. They include, but are not limited to Clothing and Accessories Sales, Pharmacy, Electronic Sales, Office Supplies).

- 3.) The Community Development Department finds that the statement of purpose for the Community Mixed Use (CMU) District does not preclude the Wal-Mart project since it does not limit, restrict and/or prohibit retail use or any size retail use use. The purpose statement is a guide emphasizing words like “designed to encourage” “should be organized”, and “intended” as a means for the Community Development Department to promote the standards or regulations that are found in the CMU District and/or the Regulating Plan of the Zoning Ordinance.

1005.07 COMMUNITY MIXED-USE (CMU) DISTRICT

A. STATEMENT OF PURPOSE

The Community Mixed-Use District is designed to encourage the development or redevelopment of mixed-use centers that may include housing, office, commercial, park, civic, institutional, and open space uses. Complementary uses should be organized into cohesive districts in which mixed- or single-use buildings are connected by streets, sidewalks and trails, and open space to create a pedestrian-oriented environment. The CMU District is intended to be applied to areas of the City guided for redevelopment or intensification.

- 4.) The Community Development Department finds that the Twin Lakes Sub-Area 1 Regulating Plan does not control use nor limit overall building size and therefore does not prohibit the Wal-Mart project. The Regulating Plan is a set of strict standards that apply to building design and placement and certain/specific site improvements, and which regulations do not take a use into account.

B. Regulating Plan

The CMU District must be guided by a regulating plan for each location where it is applied. A regulating plan uses graphics and text to establish requirements pertaining to the [site development] parameters. Where the requirements for an area governed by a regulating plan are in conflict with the design standards established in Section 1005.02 of this Title, the requirements of the regulating plan shall supersede, and where the requirements for an area governed by a regulating plan are silent, Section 1005.02 shall control.

II. 2006 TWIN LAKES COURT OF APPEALS DECISION

The Community Development Department finds that the 2006 Court of Appeals Twin Lakes decision supports the determination that the Wal-Mart project is a permitted use. The Court of Appeals decision regarding a “big box” use on the same piece of land as the proposed Wal-Mart project concluded that without stated limitations on size or use, or a prohibition on use, within either, the comprehensive plan or the zoning ordinance, a large retail use, is permitted. Although the 2006 decision was predicated on the B-6 zoning district, the Court of Appeals decision and its application to our current comprehensive plan and zoning ordinance is still very much relevant and applicable.

2006 COURT OF APPEALS DECISION

“The City code does not specify any maximum or minimum land-use ratio for the different types of permitted uses within the designated B-6 zone. And although the city’s comprehensive plan does not recommend big box retail, the comprehensive plan does not prohibit such a retail store. Generally, this court “narrowly construe[s] any restrictions that a zoning ordinance imposes upon a property owner.” See Mendota Golf, 708 N.W.2d at 172. Therefore, any “restrictions on land use must clearly be expressed.” Because the B-6 zoning designation does not prohibit retail, including big-box, or multi-family housing, or provide any restrictions on the amount of these land uses in proportion to other allowed land uses, we conclude that it was not reasonable for the city to determine that the Rottlund project, which includes retail, multi-family, and office land uses, is consistent with the B-6 zoning designation.”

III. 2030 ROSEVILLE COMPREHENSIVE PLAN

As part of the consideration of the proposed Twin Lakes 2nd Addition plat, the subdivision that will facilitate the Wal-Mart development, the City Council has heard extensive testimony from

the public that the proposed use is not consistent with the Comprehensive Plan. It has been suggested that the Comprehensive Plan limits “big box” and the proposed Wal-Mart store is inconsistent with the Comprehensive Plan and therefore the use is not permitted since the Zoning Code is not consistent with the Comprehensive Plan.

A Comprehensive Plan is a broad vision and general guide for cities to follow in achieving their desired goals, objectives, and policies. A comprehensive plan is not a document that is directly utilized to enforce the identified goals and objectives. Zoning Codes and other ordinances and City programs are utilized to implement the goals and objectives identified in the Comprehensive Plan. The overall Comprehensive Plan should not be construed as an enforcement mechanism for property development. In fact, Minnesota State Statutes recognizes this fact in Chapter 462.356 (2) and requires adoption of a zoning code to put the Comprehensive Plan into effect and the Comprehensive Plan includes a chapter on using the Plan to make progress towards achieving its goals. Therefore, it is clear that the Comprehensive Plan cannot be directly used to directly regulate development.

The City Attorney has advised staff that to the extent that a zoning code is inconsistent with the comprehensive plan, the zoning code should be amended to reflect the comprehensive plan. Therefore staff has prepared an analysis reviewing the Comprehensive Plan and the Zoning Code. Staff’s analysis finds that the Roseville Zoning Code is consistent with Comprehensive Plan and therefore the regulations within the Zoning Code are enforceable.

A. BUILDING SQUARE FOOT LIMITATIONS

Before we get into the analysis, it would be worthwhile to do a quick review of the discussion around “big box” in the context of the Comprehensive Plan. Starting in 2008, a steering committee comprised of citizens, commission members and elected officials spent over a year preparing and reviewing the 2030 Comprehensive Plan. One of the most discussed topics of the steering committee was whether to include size limitations of buildings within the “Community Business” and “Regional Business” land use designations. By a slim vote of the Steering Committee, the size limitations were retained in the draft Comprehensive Plan forwarded to the Planning Commission and City Council. (See September 11, 2008 Steering Committee notes). At the Planning Commission on October 1, 2008, the Planning Commission removed the square footage limitations contained in the draft Comprehensive Plan. The City Council, at both its October 13, 2008 and January 26, 2009 meetings, agreed with the Planning Commission’s changes and did not reinsert square footage limitations in the Community Business and Regional Business land use categories. This is important to note given the persistence of the notion that there are prohibitions on having “big box” developments. While there was much discussion about limiting these types of uses, in the end, nothing was included in the Comprehensive Plan that had size limitations. Therefore, the lack of a guideline for sizes of buildings within the zoning districts demonstrates that the Zoning Code is no inconsistent with the Comprehensive Plan.

The Community Development Department finds that due to the exclusion of any square footage limitations regarding building size in the Comprehensive Plan, the Roseville Zoning Code is consistent with the Comprehensive Plan and therefore the Wal-Mart project is permitted under the Comprehensive Plan.

B. COMPREHENSIVE PLAN LAND USE DESIGNATIONS

The Community Development Department finds that the land use categories in the Comprehensive Plan contain general vision statements of the sorts of things that are desired within a specific land use designation including a range of uses, but do not have specific guidance for individual parcels or developments. These thoughts, visions, and ideas are further expounded upon in the Goals and Policies sections of the Comprehensive Plan and are to be implemented over a long timeframe.

The Twin Lakes Redevelopment Area is guided Community Mixed Use in the Comprehensive Plan and the uses for this land use designation include many different types, including those within the broadly defined community business land use area, or others not specifically defined here, but rather those regulated under the zoning ordinance. The Comprehensive Plan is not expected to list every potential use; that is for the zoning code to do. Instead, the Comprehensive Plan provides a general range of uses as a guide. It is as part of the zoning code adoption that more specificity is created for the actual uses allowed.

The Wal-Mart project is located in the Twin Lakes Redevelopment Area and is guided as Community Mixed Use (CMU) in the Comprehensive Plan. Below is the description of the CMU district from the Comprehensive Plan.

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.

The Community Development Department finds that the Wal-Mart project is allowed since CMU description neither restricts nor limits specific uses or sizes and further finds that the zoning code has incorporated a small-area plan and design principles to ensure the mix of uses and connections through the Twin Lake Regulating Plan contained in Chapter 1005.07 (E) of City Code in compliance with the Comprehensive Plan

The description of the CMU land use district mentions Community Business uses as part of the mix of land use that could occur on the CMU guided properties. Below is the description of the Community Business land use category from the Comprehensive Plan.

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.

The Community Development Department finds that the Wal-Mart project is allowed since the Community Business description neither restricts nor limits specific uses or sizes and further finds that the zoning code has incorporated design standards that promote community orientation and scale through the Twin Lake Regulating Plan contained in Chapter 1005.07 (E) of City Code in compliance with the Comprehensive Plan.

It should be noted that the Wal-Mart project Area has frontage on Cleveland Ave. and County Road C, both classified as A Minor Reliever, consistent with the Comprehensive Plan for Community Business uses.

C. COMPREHENSIVE PLAN GOALS AND POLICIES

The next area analyzed by the Community Development Department is the Goals and Policies sections of the Comprehensive Plan. These sections include words such as “facilitate”, “encourage”, “promote”, “seek”, “emphasize”, “ensure”, “maintain”, and “establish”, which do not provide strict limits, thresholds, or prohibitions and are not by themselves regulations. They are, in fact, part of a broader paragraph or statement that directs the creation of the Zoning Ordinance and other requirements and programs.

The Community Development Department would like to stress that projects that walk in the door are not to be reviewed against each goal and/or policy stated in the Comprehensive Plan, since the goals and policies are a collection of broad based desires of the community and no one project can meet or achieve each and every general goal or policy statement.

The Community Development Department has however prepared a concise analysis of all goals and policies contained in the Land Use, Economic Development and Redevelopment, and Environmental Protection chapters of the 2030 Comprehensive Plan. The analysis focuses on how or whether the goal and/or policy is advanced via the use or size of the proposed Wal-Mart and whether the goal or policy has been addressed in the zoning ordinance to achieve consistency between the two documents as required by law.

Based on that analysis, the Community Development Department finds that the Roseville Zoning Ordinance is consistent with and has incorporated the goals and policies identified in the 2030 Comprehensive Plan.

The detailed analysis is included as Attachment A.

IV. TWIN LAKES BUSINESS PARK MASTER PLAN

The Community Development Department finds that the Twin Lakes Business Park Master Plan, approved by the City Council on June 26, 2001, is a guiding document and not a regulatory document. The Twin Lakes Business Park Master Plan (or any master plan for that matter) does not have regulatory authority under Minnesota State Statutes. The Twin Lakes Master Plan is not included as a integral part of the Roseville Comprehensive Plan. In addition, the master plan's goals and policies and renewal strategies sections include words that merely advocate and not require certain things to occur,.

Even though the master plan is not a regulatory document, staff has reviewed the master plan and has found consistency between the master plan and the zoning code.

Specifically, the Community Development Department finds that the zoning ordinance has embraced the Twin Lakes Business Park Master Plan by including specific regulations into the Chapter 1005.07 (CMU district and the Twin Lakes Regulating Plan). The master plan relied on a set of design guidelines that was later (2007) approved by the City Council in a resolution as the Urban Design Principles. This document, a collection of checks and balances based upon the desires of the plan, were to be reviewed against projects within Twin Lakes. In 2010, numerous references within the Urban Design Principles were incorporated as zoning requirements into Chapter 1005.07 of the City Code.

The Community Development Department further finds that the issue of lot coverage, open space, and/or impervious area, is consistent between the master plan and the zoning ordinance where by both advocate a 15% minimum green area. The master plan states (#24.b; pg. 8) that development retain a minimum of 15% of each site in green space and/or ponding; and in the zoning ordinance it states: lot coverage shall not exceed 85%.

The Community Development also finds that references regarding big-box retail development as not recommended or not encouraged do not embody a limitation or prohibition on such a use, and therefore retail of any size as a use within Twin Lakes is permissible under the Master Plan. As the master plan is not regulatory document, this point is somewhat moot, but the statement that "big box" is not recommended isn't the same as a "big box" use being prohibited. It is surmised the creators wanted to maintain flexibility in uses, including the possibility of a big box. Otherwise, the plan would directly state that "big box" uses should not be allowed.

V. THE ALTERNATIVE URBAN AREAWIDE REVIEW (AUAR)

The Twin Lakes Alternative Urban Areawide Review (AUAR) is not a land use or zoning document, it does not regulate use or size of buildings, and it is not a regulatory document *per se*. The AUAR is however, an environmental review document that is used by the City to determine a proposed project's impact thresholds and the required mitigations to make that project consistent with the AUAR.

Specifically, the Twin Lakes AUAR analyzed three different redevelopment scenarios for possible environmental impacts. Scenario "A" is identified as the "worst case," or the scenario that would lead to the greatest potential for environmental impact. As explained in Item 7 of the

AUAR, Scenario A was developed by reviewing the four different future land use maps depicted in the 2001 Twin Lakes Business Park Master Plan and assuming that each of the redevelopment Blocks was developed with the most intensive of those possible future land uses in order to identify strategies for effectively mitigating the potential impacts of such a “worst case” development. The proposed Wal-Mart development is situated within Block 4 for the purposes of the AUAR’s analysis.

In addition to high levels of development throughout the Twin Lakes Redevelopment Area, Scenario A evaluated Block 4, the location of the proposed Wal-Mart development, for 240,000 square feet of a land use referred to as “service mix.” The AUAR defines “service mix” as consisting of “retail, a hotel, a day care facility, a health club facility and restaurant uses that would be complementary to the other uses in the Twin Lakes Business Park,” and notes that “Service Mix [was] analyzed from a retail perspective as retail generates greater impacts than the other potential uses described within service mix, thus providing the ‘worst case’ development scenario.” Since the proposed development comprises a 160,000-square-foot retail store, Block 4 could still accommodate another 80,000 square feet of retail, hotel, day care, health club, restaurant, or other uses without exceeding the capacity assumed in the AUAR analysis.

The Community Development Department finds that the proposed Wal-Mart project is not inconsistent with the Twin Lakes AUAR and can proceed forward under the terms and/or mitigations addressed within the AUAR document. In addition, on May 21, 2012, the City Council determined that the Wal-Mart project was within the thresholds of the existing Twin Lakes AUAR and no further environmental review is needed.

CONCLUSION

In summary, the Community Development Department finds that Wal-Mart project is a permitted use under Chapter 10 (Zoning) of the Roseville City Code and that Chapter 10 (Zoning) of the Roseville City Code is consistent with the 2030 Roseville Comprehensive Plan. Additionally, the Wal-Mart project adheres to and is consistent with the 2001 Twin Lakes Business Park Master Plan and Twin Lakes AUAR.

Should there be any questions or comments regarding this review, please do not hesitate to contact Community Development staff.

Respectfully

CITY OF ROSEVILLE



Thomas R. Paschke
City Planner



Patrick Trudgeon
Community Development Director

Attachment: Analysis of 2030 Comprehensive Plan Goals and Policies

**ANALYSIS OF GOALS AND POLICIES IN 2030 ROSEVILLE COMPREHENSIVE PLAN
PREPARED BY ROSEVILLE COMMUNITY DEVELOPMENT STAFF**

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.

The Community Development Department finds that the generalized goal has been applied to the zoning ordinance and is enforced through the table of uses and the specific standards throughout each commercial zoning district, specifically the Community Mixed Use District. The Community Development Department further finds that Twin Lakes is a designated area for retail development that is supported by this goal and the zoning ordinance.

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.

The Community Development Department finds that any development within Twin Lakes will be required via the Alternative Urban Areawide Review to improve the property, remediate the contaminated soil, and reuse underutilized former trucking facilities, and that the area is planned for a mixture of uses. The Community Development Department further finds that a retail establishment of any type of size is not restricted, limited, or prohibited, by this policy.

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.

The Twin Lakes Redevelopment Area does have a master plan that provides further guidance regarding redevelopment desires. Unfortunately, master plans do not have regulatory standing or authority, much like a comprehensive plan does not. The City Code, and specifically the Zoning Ordinance, is the only regulatory document that applies to the Twin Lakes Area.

Specific to the Twin Lakes, the Twin Lakes Business Park Master Plan renewal strategy that was approved on June 26, 2001, provides more detailed guidance regarding mixed-use development as a vision for the Twin Lakes Redevelopment Area. The document discusses big-box in one area and that is on Page 11 where big-box (and strip centers) are not recommended.

The Community Development Department finds that the Twin Lakes Business Park Master Plan does not prohibit big-box use, it only recommends against it, and while a Walmart qualifies as a big-box, there have been no restrictions, limitations, or prohibitions established in the 2030 Comprehensive Plan or the Zoning Ordinance denying such a development from constructing in Twin Lakes.

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.

The Community Development Department finds that the CMU District supports a broad mix of related and mutually reinforcing uses and promotes walkability especially through the Regulating Plan. It is anticipated that the proposed Walmart will have a small collection of uses, including pharmacy, banking, grocery, photo lab, garden store, and two restaurants on outlots, all of which uses are walkable from near-by businesses.

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.

The CMU design standards and the uses permitted address the mix and the regulating plan for Twin Lakes Sub-Area 1 address vertical and/or horizontal design, placement of buildings on parcels. It is anticipated that the proposed Walmart will have a small collection of uses, including pharmacy, banking, grocery, photo lab, garden store, and two restaurants on outlots, all of which uses are walkable from near-by businesses.

Twin Lakes is planned and zoned to allow for a mix of uses, with retail being only one of these allowable uses.

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.

The zoning ordinance has been developed to ensure organized development consistent with policy, especially in the CMU district where emphasis has been placed on pedestrian friendly design/orientation, high quality design (including four sided architecture, horizontal/vertical articulation, and a top, bottom and middle design to name a few), new parking standards that reduce parking minimums and maximums, and new landscaping requirements. Any development within Twin Lakes will be required to meet or exceed all requirements of the zoning ordinance specifically the CMU design standards and the regulating plan requirements.

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.

The Zoning Code [1005.07(E) – Twin Lakes Regulating Plan] seeks the creation of pedestrian corridors to connect to the existing public amenity in the area and seeks the provision of additional open space to save/protect mature oak trees. The Regulating Plan also requires an additional buffer to further protect Langton Lake Park from development. Sub-Area 1 of the Twin Lakes Redevelopment Area includes a robust system of sidewalks and paths that the City installed over the past two years. Through the review of the Twin Lakes Business Park Master Plan, the CMU District, and the Regulating Plan, each development will be required to provide additional public spaces and/or amenities.

The location of the proposed Walmart is surrounded by existing sidewalk and/or pathways. The site will be required to provide a pedestrian connection through the parking lot and will be required to extend sidewalk to existing public facilities. The Walmart project will also have

public seating areas at the corner of County Road C and Prior and Twin Lakes Parkway and Prior.

Policy 14.4: Discourage piecemeal development that does not achieve the goals and policies for mixed-use areas.

It is true that policy 14.4 states we should “discourage piecemeal development”, however it is not stating to prohibit such development. In the case of Twin Lakes absent a master developer, piecemeal development will occur.

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.

The Community Development Department finds that the Zoning Code provides for attractive and inviting shopping through the regulations and design standards contained Chapter 1005 of the code.

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.

The CMU district and the regulating plan establish requirements which advance these items. The proposed Walmart development will need to meet all requirements pertaining to this policy. These include placement of buildings, provision of pedestrian connections through parking lots and to existing public sidewalks/trails, minimum/maximum parking stalls, landscaping meeting all code requirements, and numerous architectural features.

Policy 9.2: Promote commercial development that is accessible by transit, automobile, walking, and bicycle.

Twin Lakes is currently accessible to all modes and so too will be the Walmart development, where the CMU district or the regulating plan requires such improvements.

Policy 9.3: Seek to make on-site transit stops part of commercial development and redevelopment.

Unfortunately we as a city have limited ability to “make” such things occur. Met Council controls transit and transit stops and although such an item could be beneficial to the employees and patrons, the likelihood is limited.

However, Twin Lakes has an existing park and ride facility that could offer reverse service, or be expanded or transit added to the area, should the numbers of employees be high enough for Met Council to add to their capital program.

Goal 10: Promote an appropriate mix of commercial development types within the community.

Specific to the Walmart proposal, the Community Development Department finds that the 2007 updated AUAR has analyzed mixes of uses and their potential impacts and identified specific

and detailed mitigations that would need to be implemented should a specific use trigger such infrastructure improvements. Since there is not a limitation, restriction, or prohibition on the size of a retail use explicitly stated in the 2030 Comprehensive Plan for the CMU designation, such a use is then permitted as part of the mix. It scale is further regulated by the CMU district and the Regulating Plan.

Policy 10.1: Use the Comprehensive Plan to guide new commercial development to locations appropriate for its scale and use.

The Community Development Department finds that the Zoning Code's Commercial and Mixed Use Zoning District provide for effective regulations regarding scale and use within each district. More specifically, the CMU zoning district creates strict standards regarding scale and design.

Policy 10.2: Emphasize the development of commercial uses that meet the needs of existing and future Roseville residents.

The Community Development Department has emphasized through discussions and implementation of the Zoning Ordinance that such new uses attempt as best as possible to meet the needs of the community. However, "emphasize" is not a requirement to support one type of use over another, and since we as a City do not own or control the land, the "market" will come forward to address what it believes meets the needs of Roseville residents.

The Community Development Department finds that the Zoning Ordinance allows for uses consistent with meeting the needs of the community, now and in the future.

In the case of the Walmart proposal, without specific limitations, restrictions and/or prohibitions regarding use and size of building, the use and its large size is permitted.

Policy 10.3: Support neighborhood-scale commercial areas that provide convenient access to goods and services at appropriate locations within the community.

The Twin Lakes Redevelopment Area is not a neighborhood scale development. The Master Plan indicates that Twin Lakes is intended to serve a larger geographical area with uses such as a corporate office campus, high-tech flex and laboratory space, and hospitality uses such as hotels and restaurants.

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.

The Community Development Department finds that this generalized goal for Roseville is addressed by establishing requirements of a similar nature throughout each zoning district, property performance standards, sign regulations, and parking and loading standards.

Policy 1.1: Promote and provide for informed and meaningful citizen participation in planning and review processes.

The Community Development Department promotes and provides for such participation in accordance with the City Code. In the past and specifically regarding the proposed Walmart development, the Community Development Department has been criticized for not providing more notice or hearings or public meetings. The Community Development Department has provided the required notice under city ordinances and state statutes.

Policy 1.2: Ensure that the City's official controls are maintained to be consistent with the 2030 Land Use Plan.

The Community Development Department finds that the zoning ordinance (City's official control) was amended and adopted to be consistent with the 2030 Comprehensive 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.

All specific zoning districts of the zoning ordinance have some form of heightened design elements added that were not present in the previous ordinance. The CMU district and the regulating plan specific to the Twin Lakes Redevelopment Area includes numerous heightened elements.

The proposed Walmart building and site will be required to meet all requirements of the zoning ordinance and regulating plan.

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.

Section 1011 of City Code specifically regulates transitional needs between uses such as from commercial to residential.

Policy 1.5: Promote well-planned and coordinated development.

Since Roseville can't compel coordinated development among Twin Lakes land owners, the Twin Lakes Regulating Plan was adopted into Section 1005 of City Code as a way to enforce certain planning and development principles to cause the piecemeal development to appear more coordinated. The Walmart development will need to meet these requirements.

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.

The zoning ordinance in general addresses this throughout the city, and Walmart will have to comply with all such applicable requirements. The CMU design standards and the regulating

plan specifically address this policy for the Twin Lakes Redevelopment Area by requiring pedestrian friendly design and the provision of connections.

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.

The zoning ordinance attempts to create standards that achieve higher levels of aesthetic architecture appeal. However, the zoning ordinance does not control what occurs within the public right-of-way.

In the case of the Walmart proposal and all development projects within Twin Lakes, the type of visual clutter addressed in the policy will be eliminated and/or screened properly on the site.

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.

The zoning ordinance reduced parking requirements and in certain instances established the minimum parking number as the maximum allowed. In the CMU Zoning District, the amount of required parking stalls is more limited than in any other zoning district as a means to have less impervious surface and to encourage shared 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.

The zoning ordinance supports these types of improvements, however does not require them. Nevertheless, the proposed Walmart will be incorporating skylights and numerous indoor sustainable practices to reduce energy consumption.

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.

The Community Development Department finds that there are numerous offerings in the zoning code that promote maintenance or better improve and grow existing property in Roseville.

The Community Development Department finds that the construction of retail within Twin Lakes is not impacted by this generalized goal or the subsequent policies and therefore a compliance consistence is not appropriate or applicable.

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.

Although the 2030 Comprehensive Plan is only in its third year, the Community Development Department regularly reviews its content to determine whether certain decisions have been made in the best interest of the community.

Policy 2.2: Promote and support transit-oriented development and redevelopment near existing and future transit corridors.

The Community Development Department finds that the zoning ordinance supports this policy within the Section 1018, Parking and Loading Requirements and specifically under the subsection related to reduction of minimum parking requirements, which allows fewer spaces where transit service is available.

Policy 2.3: Encourage a broad mix of commercial businesses within the community to diversify and strengthen the tax base and employment opportunities.

The Community Development Department finds that the zoning ordinance supports this policy statement by the broad allowance of permitted uses.

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.

The Community Development Department finds the Twin Lakes Redevelopment Area includes a number of these properties; that the Comprehensive Plan and Twin Lakes Business Park Master Plan support redevelopment of such properties; and that the zoning ordinance contains numerous regulations and requirements to assist in completing such changes in the best interest of the community.

Policy 3.1: Support the use of master plans for small redevelopment areas.

The Community Development Department finds that Twin Lakes is not a small redevelopment area and it already has a master plan and therefore is not applicable to the Walmart development.

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.

The Community Development Department finds that the Walmart proposal achieves this policy statement and that the zoning ordinance includes specific regulations within the CMU district and regulating plan to achieve the needs, desires and objectives of the community as well as increasing the taxable value of the property.

Policy 3.3: Apply strategies to effectively enforce City codes related to the maintenance of buildings and property.

The Community Development Department finds that the zoning ordinance is not the mechanism for implementing this policy statement and that the City does have requirements regarding property maintenance located within Title 4, Health and Sanitation of the City Code.

Goal 4: Protect, improve, and expand the community's natural amenities and environmental quality.

The Community Development Department finds that the zoning ordinance where applicable and appropriate has created standards and/or regulations that address such a goal, and when

applicable, the proposed Walmart will be required to meet such applicable regulations and/or standards.

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.

The Community Development Department finds that the City does promote such sustainable practices. As an example, the Zoning Code permits the use solar energy on homes and businesses and encourages innovative stormwater techniques and for less impervious surface.

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.

The Community Development Department finds that the Shoreland, Wetland, and Storm Water Management section of the zoning ordinance address this policy statement. The Department further concludes that the Public Works and Engineering Department is responsible for the issuance of erosion control permits and review of storm water management plans consistent with city code requirements and that a given project has received the approval of the watershed organization it is located within.

The proposed Walmart will be required to meet these standards and regulations as a component of their building permit approval.

Policy 4.3: Promote preservation, replacement, and addition of trees within the community.

The Community Development Department finds that the zoning ordinance contains a tree preservation ordinance that specifically addresses this policy statement.

The proposed Wal-Mart project will need to meet the standards contained in section 1011.04 of the zoning ordinance like all development proposals.

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.

The Community Development Department finds that the zoning ordinance has established numerous standards to address this policy statement.

The construction of a Walmart within the Twin Lakes Redevelopment Area will be required to meet all requirements of the zoning ordinance, including those associated with the commitment to environment, walkability, and other quality of life considerations.

Goal 5: Create meaningful opportunities for community and neighborhood engagement in land-use decisions.

The Community Development Department finds that the Community Development Department has implemented or created many meaningful ways to engage, educate, and inform the citizenry

of Roseville on most all projects that occur. However, all projects have their limitation, no matter how important a certain project might be to the community.

The Walmart project has been discussed in some form for over a year. Permitted uses do not require public engagement and staff feels it would be inappropriate to offer such meetings, open houses, or create hearings on select projects due to due process concerns.

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.

The Community Development Department finds that it has either adopted into the City Code or as practice has utilized innovative and traditional ways to notify the public about specific developments in Roseville. These include an extended distance of notification greater than State Statutes requires (500 feet versus 350 feet) and open house meetings between applicant and residents for comp plan amendments, rezoning, and interim use, as well as using the Internet to provide notice and information. The Walmart project has followed the requirements of notification and/or the policies of the Community Development Department for notifying the public of this development possibility.

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.

The Community Development Department finds that the zoning ordinance has implemented a public meeting process for specific land use applications with the potential for significant impacts. Since the Community Development Department finds that the retail use is permitted within the CMU district without restrictions, limitations, and/or prohibitions, the code did not require such a meeting between residents and the developer.

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.

The Community Development Department finds that similar to policy statement 5.1 there are limits that can be required of developments. Once the Department receives formal building plans for review and approval of a building permit such documents can be made available to the public. However, the Department does not feel that public interaction into this administrative process is beneficial to the overall development of the City.

Similar to the above sections, the chapter on economic development and redevelopment and specifically the goals and policies section, includes words such as foster, encourage, promote, ensure, work with, support, improve, and integrate, which words do not provide strict limits, thresholds, or prohibitions and are not by themselves regulations.

The zoning ordinance has taken these broad or generalized terms and developed specific regulations to address them. However, the Community Development Department finds that none of the economic development and redevelopment goals or policies would preclude a Walmart from being constructed within Twin Lakes.

The Community Development Department has also reviewed the discussion of the District 10 area within the Comprehensive Plan and finds that although the forth bullet point under “future

land use” states that Twin Lakes should not be developed with shopping being the primary focus, there is nothing limiting, restricting, or prohibiting shopping from becoming a use within Twin Lakes, especially a 14 acre development within the greater 275 acre redevelopment area. The Community Development Department further finds no mention of big-box or large-format retail within the discussion points and general information within District 10 and concludes that such a use would be permitted.

ECONOMIC DEVELOPMENT AND REDEVELOPMENT GOALS AND POLICIES

Goal 1: Foster economic development and redevelopment in order to achieve Roseville’s vision, create sustainable development, and anticipate long-term economic and social changes.

The Community Development Department finds that as this goal is more of a vision for the whole City and the wording is describing more of an approach, that this is not applicable to the zoning code *per se*. However, the Community Development Department finds that the zoning ordinance and regulating plan for Sub-Area 1 in Twin Lakes has incorporated many of the nuances indicated in the City’s vision.

Policy 1.1: Use planning studies to evaluate options and to establish plans for reinvestment, revitalization, and redevelopment of key areas and corridors.

The Community Development Department finds that this policy is a planning exercise and not applicable to the development of a Walmart within Twin Lakes.

Policy 1.2: Ensure that local controls allow for contemporary retail, office, and industrial uses that are part of the community vision.

The zoning ordinance adopted in December of 2010 incorporated a number of design elements to address many of the nuances discussed in the community’s vision both generally for the whole City and specifically for the Twin Lakes Redevelopment Area.

Policy 1.3: Encourage an open dialogue between project proposers, the surrounding neighborhood, and the broader community through individual and neighborhood meetings and use of technology.

When projects are permitted under the zoning ordinance, it is difficult for the Community Development Department to pick and choose which projects should or should not be encouraged to offer such a meeting. Since the Community Development Department finds that the retail use is not limited, restricted, or prohibited under the CMU district, the Department has no regulation to utilize to require such a meeting, even if for educational purposes. The Community Development Department has modified the zoning ordinance to require such meetings for certain application processed and/or land use requests. However, permitted uses are not required to conduct such meetings.

Policy 1.4: Enhance communication of the community’s objectives for promoting business development to enhance the quality of life in Roseville.

The Community Development Department finds that while more can be always be done to support this policy, lack of resources have limited the City’s ability to undertake this task.

Policy 1.5: Where appropriate, use public-private partnerships to achieve the community's economic development and redevelopment goals.

The proposed Walmart development is not a public-private partnership. All costs for the development will be borne by the private sector.

Goal 2: Enhance opportunities for business expansion and development that maintains a diverse revenue base in Roseville.

The Community Development Department finds that the zoning ordinance has encouraged business opportunities in new and existing facilities and that a Walmart will add to the diversity of the tax base in Roseville.

Policy 2.1: Foster strong relationships with existing and prospective businesses to understand their needs and to maximize opportunities for business retention, growth, and development.

The Community Development Department finds that the policy is for those existing business that for some reason cannot realize their desires without some form of City assistance. The proposed Walmart is a new permitted project that is not seeking any such assistance.

Policy 2.2: Support existing businesses and welcome new businesses to serve Roseville's diverse population and/or provide attractive employment options that encourage people to live within the community.

The Community Development Department finds that a Walmart will be a new business in Roseville to serve its diverse population and one that may allow for residents in Roseville to work and live in their community.

Policy 2.3: Improve the awareness of community assets and opportunities that Roseville offers prospective businesses through ongoing participation in regional economic development organizations and coordination with county and regional agencies.

The Community Development Department finds that this policy is not applicable to Walmart.

Policy 2.4: Encourage locally owned and/or small businesses to locate or expand in Roseville.

The Community Development Department finds that although a Walmart is not locally owned or a small business, the Department has not strayed away from its encouragement of such businesses in Roseville.

Goal 3: Establish an infrastructure system to meet the needs of current businesses and facilitate future growth.

The city has constructed much of the public infrastructure to make Twin Lakes development-ready.

Policy 3.1: Work with local businesses and the Metropolitan Council to improve transit service to, from, and within Roseville.

The Community Development finds that in order to compel a conversation with Met Council on improved transit anywhere in Roseville, there needs to be the density to support such

Metropolitan Systems. The proposed Wal-Mart development, although vehicle oriented (like most of Roseville and many other suburbs) is but one piece of the puzzle known as Twin Lakes, and that after more density and development comes to fruition, the City will have those conversations to determine whether existing service can be modified in such a manner fulfill this broad policy statement.

Policy 3.2: Work with Ramsey County, MnDOT, and the Metropolitan Council to promote, coordinate, and facilitate regional improvements to the roadway system, as well as to communicate planned roadway improvements to the general public in advance of construction.

The City will continue to work with the above governmental agencies to address future transportation needs not solely caused by Twin Lakes as a redevelopment project that is anticipated to add traffic back into the system.

Policy 3.3: Ensure that adequate public utilities (e.g., sewer and water) will be available to serve future commercial and industrial development.

Adequate public infrastructural services have been established for a large portion of the Sub-Area 1, Twin Lakes Redevelopment Area. However, more infrastructure improvements are anticipated to accommodate additional future developments, as identified in the Twin Lakes AUAR.

Policy 3.4 Encourage and promote the development of advanced, state-of-the-art telecommunication and information technology infrastructure to and within Roseville.

The Community Development Department finds that this policy only applies to individual developers to the extent that infrastructure is a component of their specific development.

Policy 3.5: Work with service providers to ensure adequate supplies and reliable distribution systems for electricity and natural gas.

The Community Development finds that this policy only applies to suppliers of natural gas and electricity.

Goal 4: Encourage reinvestment, revitalization, and redevelopment of retail, office, and industrial properties to maintain a stable tax base, provide new living wage job opportunities, and increase the aesthetic appeal of the city.

The Community Development Department finds that the Walmart project contributes to achieving this general or broad based goal.

Policy 4.1: Encourage and facilitate infill commercial, industrial, and office development on vacant commercial parcels to ensure maximum efficiency of land use.

The Community Development Department finds that Twin Lakes is, to some extent, a rather large infill development area, and that the proposed development of a Walmart at the corner of Cleveland Avenue and County Road C, will be designed and constructed utilizing the efficiencies regulated within the zoning ordinance.

Policy 4.2: Encourage and facilitate redevelopment of or distressed commercial, industrial, and retail properties into viable developments by working with property owners and interested developers.

The Community Development Department finds that the Walmart project contributes to the redevelopment of distressed property.

Policy 4.3: Foster environmental remediation of polluted property through partnerships with property owners and funding agencies.

The Community Development Department finds that the city will participate where applicable and appropriate in the remediation of pollution on the Walmart site. However, at the very least the City will review and approve certain remediation plans consistent with the city's regulations, policies and ordinances.

Policy 4.4: Use inspections and code enforcement to promote the maintenance of property, identify ongoing issues, and prevent the spread of potential blighting factors.

The Community Development Department finds that this policy is not applicable to the development of a property, but is rather to ensure on-going maintenance.

Policy 4.5: Continue to give attention to creating and maintaining aesthetic quality in all neighborhoods and business districts.

The Community Development Department finds that the requirements of the CMU district and its design standards, the regulating plan, and the property performance standards, the updated zoning ordinance contributes to achieving this policy.

Goal 5: Make effective use of available financial resources to facilitate community economic development and redevelopment objectives.

The Community Development Department finds that such financial support is discretionary and existing policies regarding such financial support traditionally do not support retail projects. The Community Development Department further finds that the proposed Walmart development seeks no financial support and as such, allows any existing and/or future funds to be considered for other economic development or redevelopment projects in Twin Lakes or elsewhere in Roseville.

Policy 5.1: Establish a strong working knowledge of the type and purpose of available municipal, regional, state, and federal development incentive programs.

The Community Development finds that this policy offers instruction for the City in support of effective use of financial and other development tools; this policy does not apply to developers.

Policy 5.2: Review new and innovative economic development incentives for application in Roseville.

The Community Development finds that this policy applies to City Staff and their continued efforts to promote business in Roseville; Incentives are to be offered from the City to a

prospective development/applicant, but not held against a development that desires to enter the community without seeking such incentives.

Policy 5.3: Establish guidelines for the use of financial incentives to promote the most effective use of limited resources, including tax revenues.

The Community Development finds that it is continuing to discuss such policies and that since the proposed Walmart development does not seek any funds or incentives, this policy does not apply.

Goal 6: Integrate environmental stewardship practices into commercial development.

The Community Development Department finds that there are certain state requirements for environmental stewardship including environmental remediation of soils, as well as those contained in the City Code including storm water management, landscaping, buffering, and preservation, to name a few, that apply to all development in Roseville.

Policy 6.1: Foster transit-supportive development along existing and planned transit corridors.

The Community Development Department finds that Twin Lakes can support transit and that this “fostering” is a broader topic than just one development within Sub-Area 1.

Policy 6.2: Support official controls and programs that incorporate state-of-the-art technology for new construction or rehabilitation of existing commercial buildings that promotes innovative and sustainable building methods.

The Community Development Department finds that the zoning ordinance offers several methods to incorporate newer methods to promote innovative and sustainable building methods, including the ability to use solar panels, innovative stormwater techniques and building density credit for structured parking.

Policy 6.3: Encourage the use of high-quality, durable, and energy-efficient building materials and construction products in renovations of existing buildings and construction of new buildings to promote decreased energy and land consumption, resource efficiency, indoor environmental quality, and water conservation, and to lessen site and community impacts.

The Community Development Department finds that the zoning ordinance goes a step further than encouraging, where, within the design standards, there are specific required elements related to vertical and horizontal articulation, window and door openings, four sided design, and building materials, that compel one to design buildings consistent with this policy.

Policy 6.4: Encourage third-party certification (e.g., LEED) of “green” building practices for new and renovated commercial structures.

The Community Development Department finds that it has encouraged in both meetings and discussions with potential developments, as well as has incorporated certain requirements that provide for greener building. It is the Community Development’s understanding that the proposed Walmart continues to add greener technologies to the building and site.

Policy 6.5: Create ongoing resources to educate the development community about “green” renovation and “healthy building” construction techniques.

This item is not applicable to the Walmart project. However, the Living Smarter Fair held each February provides a number of education materials on being greener, including some construction methods and/or techniques.

Policy 6.6: Encourage the use of low-impact and low-maintenance landscaping within commercial development to decrease natural resources consumed by landscape maintenance.

The Community Development Department finds that the zoning ordinance includes a landscape section listing requirements for incorporating low-maintenance materials or zero-scape into their development project.

Policy 6.7: Encourage the reduction of impervious surfaces, including consideration of decreasing parking requirements in return for additional landscaping and pervious surfaces

The Community Development Department finds that the zoning ordinance within the parking and loading chapter has reduced on-site parking requirements, which has resulted in smaller parking fields than previously required.

ENVIRONMENTAL PROTECTION GOALS AND POLICIES

Goal 1: Protect, preserve, and enhance Roseville’s water, land, air, and wildlife resources for current and future generations.

The Community Development Department finds that the zoning ordinance and other ordinances and policies of the City address the preservation and enhancement of the above items and more. Specific to Twin Lakes there is the CMU district, the regulating plan, the AUAR, and the master plan for Langton Lake Park, that address these items in their own way.

Policy 1.1: Enforce all local, regional, and federal codes, ordinances, and laws that protect the environment.

The Community Development Department finds that all applicable laws regarding the protection of the environment will be enforced regarding the Walmart project.

Policy 1.2: Ensure that the natural environment is an integral part of the Roseville urban landscape.

The Community Development Department finds that this policy is applicable to Walmart insofar as it lies within the Twin Lakes Redevelopment area for which standards and regulations apply. The Community Development Department further finds that the natural environment of Twin Lakes is Langton Lake Park which has a specific plan found in the Park’s Master Plan and which park is to be surrounded by a buffer as required by Chapter 1005.07(E) of the City Code.

Policy 1.3: Protect and enhance terrestrial and aquatic wildlife habitat, including grasslands, wooded areas, wetlands, ponds, shorelands, and lakes.

The Community Development finds that there are no grasslands, wooded areas, wetlands, ponds, shoreline or lakes being directly impacted by the proposed development site.

Policy 1.4: Preserve and enhance natural resources within public open space by implementing best- management practices systems, including invasive-plant removal, rain gardens, bio filtration, and native-plant selection.

The Community Development Department finds that all development sited in Roseville are required to implement best management practices. However, this policy is applicable to public open space areas and not a private development.

Goal 2: Maintain the functions and values of the City’s drainage features (e.g. lakes, ponds, and wetlands).

The Community Development finds that this goal, to the extent feasible, is being enforced through specific policies and Code requirements. That said, the proposed Walmart development is not altering any existing drainage features, and will provide storm water management that regulates the rate of run-off and holds back run-off as a means to clean the water prior to entering the City’s ponds, wetlands, and lakes.

Policy 2.1: Protect and improve surface water quality in the City’s lakes, ponds, and wetlands to meet established standards.

The Community Development Department finds that the Walmart project will be required to meet the latest standards that address surface water quality and control. However, this policy is more tied to the development of regulations than it is to the implementation of those adopted regulations.

Policy 2.2: Identify and plan means to effectively protect and improve surface and groundwater quality through good “housekeeping” methods, such as street sweeping sensitive areas and monitoring water quality.

The Community Development Department finds that this policy applies to the City Staff and their wherewithal to identify and address such items.

Policy 2.3: Protect, preserve, and utilize surface- and ground-water storage and retention systems.

The Community Development finds that all new development in Roseville is required to design storm water management systems that address this policy.

Policy 2.4: Work with the watershed districts to collect water-quality data on lakes within the city.

The Community Development finds that this policy applies to the City as an active participant in a relationship with a given watershed management organization in the collection of specific data and does not apply to a developer.

Policy 2.5: Promote groundwater recharge by reducing stormwater runoff.

The Community Development Department finds that to the extent feasible, developments will be allowed and possibly required to recharge the area’s groundwater, but only as such storm water management plans are approved by the applicable water management organization.

Goal 3: Prevent erosion into the City's lakes, ponds, and wetlands.

The Community Development finds that to the extent feasible, the City attempts to address erosion through enforcement and regulations. All developments are required to install erosion control fabric around the site perimeter so that should erosion occur, it is contained on-site and not impact adjacent public systems and/or ponds, wetlands, or lakes.

Policy 3.1: Require storm-water management and erosion-control plans for urban development and redevelopment projects.

The Community Development Department finds that all projects in Roseville are required to receive approval of a storm water management plan (by the city and water management organization) and is required to receive an erosion control permit.

Policy 3.2: Enforce development controls to reduce non-point-source pollutant load in surface water runoff using best management practices, such as rain gardens, bio filtration, and ponding.

The Community Development Department finds that the City's storm water regulations address this policy, which requirements will apply to the Walmart development.

Policy 3.3: Continue to cooperate with the Minnesota Pollution Control Agency (MPCA) in enforcing nonpoint source discharge standards.

The Community Development finds that the City has adopted regulations consistent with or in support of nonpoint source pollution that are reviewed through a developments storm water management plan.

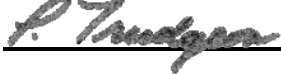
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ROSEVILLE
REQUEST FOR COUNCIL ACTION

DATE: 7/9/2012

ITEM NO: 12.a

Department Approval



City Manager Approval

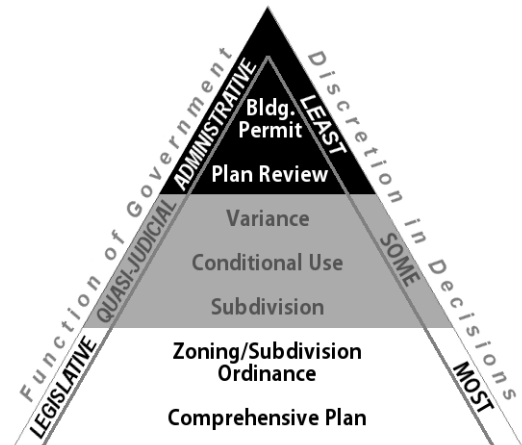


Item Description: Request by Wal-Mart Stores, Inc. for approval of a **preliminary plat** of the land area bounded by County Road C, Cleveland Avenue, Twin Lakes Parkway, and Prior Avenue (PF12-001).

Application Review Details

- Public hearing: February 1, 2012
- RCA prepared: June 29, 2012
- City Council action: July 9, 2012
- Action deadline (extended by applicant): July 9, 2012

Action taken on a plat proposal is **quasi-judicial**; the City's role is to determine the facts associated with the request, and apply those facts to the legal standards contained in State Statute and City Code.



1.0 REQUESTED ACTION

Wal-Mart Stores, Inc., in conjunction with Roseville Properties and University Financial Corporation, current owners of the subject properties, seeks approval of **preliminary plat** for the portion of Twin Lakes sub-area 1 bounded by County Road C, Cleveland Avenue, Twin Lakes Parkway, and Prior Avenue.

2.0 SUMMARY OF RECOMMENDATION

The Planning Division concurs with the Planning Commission, which voted (5-1) to recommend approval of the proposed PRELIMINARY PLAT; see Section 8 of this report for the detailed recommendation.

3.0 SUMMARY OF SUGGESTED ACTION

By motion, approve the proposed PRELIMINARY TWIN LAKES 2ND ADDITION PLAT, pursuant to Title 11 (Subdivisions) of the City Code; see Section 9 of this report for the detailed action.

4.0 BACKGROUND

- 4.1 The subject property has a Comprehensive Plan designation of Community Mixed Use (CMU) and a corresponding zoning classification of Community Mixed Use (CMU) District. The PRELIMINARY PLAT proposal has been prompted by plans to develop an approximately 160,000-square-foot Walmart store in the eastern portion of the site and two smaller future developments on the western side of the property, along Cleveland Avenue. When exercising the so-called “quasi-judicial” authority when acting on a plat request, the role of the City is to determine the facts associated with a particular request and apply those facts to the legal standards contained in the ordinance and relevant state law. In general, if the facts indicate the applicant meets the relevant legal standard, then they are likely entitled to the plat approval, although the City is able to add conditions of approval to ensure that the likely impacts to roads, storm sewers, and other public infrastructure on and around the subject property are adequately addressed.
- 4.2 While the City Council is only responsible for reviewing and acting on the proposal to rearrange the parcel boundaries of the subject property rather than approving or denying the overall development or the use itself, a rendering of the overall development concept has been submitted to assist Public Works Department staff with understanding what will be required for adequate storm water management; the concept rendering is included with this report as Attachment C.
- 4.3 This application, in conjunction with a final plat application and development agreement, was first brought to the City Council on May 25, 2012; an excerpt of the meeting minutes are included with this report as Attachment . At that time, the Council tabled the item in order to take up the PRELIMINARY PLAT application first so as to avoid possible legal complications resulting from taking concurrent action on a preliminary and final plat.
- 4.4 Regardless of whether the proposed plat is approved, any future land use of the property must either be a permitted use or receive any necessary zoning approvals; approval of the PRELIMINARY PLAT does not change the zoning requirements pertaining to land uses.

5.0 PLAT ANALYSIS

- 5.1 Plat proposals are reviewed primarily for the purpose of ensuring that all proposed lots meet the minimum size requirements of the zoning code, that adequate streets and other public infrastructure are in place or identified and constructed, and that storm water is addressed to prevent problems either on nearby property or within the storm water system. As a plat of a commercial property, the proposal leaves no zoning issues to be addressed since the Zoning Code does not establish minimum lot dimensions or area. The proposed PRELIMINARY PLAT is included with this report as Attachment D.
- 5.2 Roseville’s Development Review Committee (DRC), a body comprising staff from various City departments, met on January 12 and January 19, 2012 to discuss the application. The DRC did not have any major concerns about the proposed PRELIMINARY PLAT, but representatives of the Public Works Department have been working with the applicant to address the typical public needs related to rights-of-way on adjacent roadways as well as the overall site grading and storm water management.
- 5.3 The PRELIMINARY PLAT includes a City-owned 4,643-square-foot (approximately 0.11-acre) rectangle projecting south from the Mount Ridge Road/Twin Lakes Parkway roundabout. Most of this “disposal area” can be simply sold to the applicants if the City Council decides to do so; the terms of such sale would be included among a development

agreement that would accompany a future application for final plat approval. The western 10 feet of this area is, however, encumbered by a particular roadway easement associated with (but legally independent from) the former Mount Ridge Road right-of-way in this location. The dedicated Mount Ridge Road right-of-way was vacated in 2009 but, owing to confusion over legal subtleties, the roadway easement on the 10-foot strip within the disposal area was not vacated. If the City Council sees fit to sell the disposal area to the applicants, formal vacation of the 10-foot strip will be the subject of a future application.

- 5.4 Roseville's Parks and Recreation Commission reviewed the proposed PRELIMINARY PLAT against the park dedication requirements of §1103.07 of the City Code, beginning on December 6, 2011 and continuing the discussion on January 3, 2012; the minutes of the Commission's discussions are included with this report as Attachment E.

6.0 PUBLIC COMMENT

- 6.1 The duly-noticed public hearing for the PRELIMINARY PLAT application was held by the Planning Commission on February 1, 2012; the approved minutes are included with this report as Attachment F. After taking public testimony, the Planning Commission discussed the application and voted 5-1 to recommend its approval.
- 6.2 Email communications about the proposal received by the time this report was prepared are included as Attachment G; no phone calls have thus far been received. In addition to the written comments, an individual came to the Community Development counter to express her support for the proposal. Because many of the comments express opposition that is primarily grounded in concern about Wal-Mart's corporate practices or preference for a higher quality retailer or some other development type, it seems worth noting that cities do not have the ability to discriminate between retailers or development types—whether the reasons to discriminate are superficial or significant—in zoning districts where a proposal represents a permitted type of land use.

7.0 RECOMMENDATION

Based on the comments and findings outlined in Sections 4 – 6 of this report, Planning Division staff concurs with the recommendation of the Planning Commission to approve the proposed PRELIMINARY PLAT, pursuant to Title 11 of the Roseville City Code, with the condition that a development agreement be executed in conjunction with the approval of a subsequent FINAL PLAT application.

8.0 SUGGESTED ACTION

By motion, approve the proposed TWIN LAKES 2ND ADDITION PRELIMINARY PLAT pursuant to Title 11 of the City Code for the land area bounded by County Road C, Cleveland Avenue, Twin Lakes Parkway, and Prior Avenue, including the 4,643-square-foot rectangle of land that is the subject of the disposal request, based on the comments and findings of Sections 4 – 6 and the recommendation of Section 7 of this report.

Prepared by: Associate Planner Bryan Lloyd
651-792-7073 | bryan.lloyd@ci.roseville.mn.us

Attachments:	A: Area map	E: Parks and Recreation Commission minutes
	B: Aerial photo	F: Minutes from 2/1/2012 public hearing
	C: Concept rendering	G: Public comments
	D: Preliminary plat	H: Minutes from 5/21/2012 Council meeting

Attachment A for Planning File 12-001



Prepared by:
Community Development Department
Printed: January 25, 2012



Site Location

Comp Plan / Zoning
Designations
LR / LDR-1

Data Sources

* Ramsey County GIS Base Map (1/3/2012)
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.

0 100 200 Feet



mapdoc: planning_commission_location.mxd

Attachment B for Planning File 12-001



Prepared by:
Community Development Department
Printed: January 25, 2012



Site Location

Data Sources
* Ramsey County GIS Base Map (1/3/2012)
* Aerial Data: Pictometry (4/2011)
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

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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 651-792-7385. 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.

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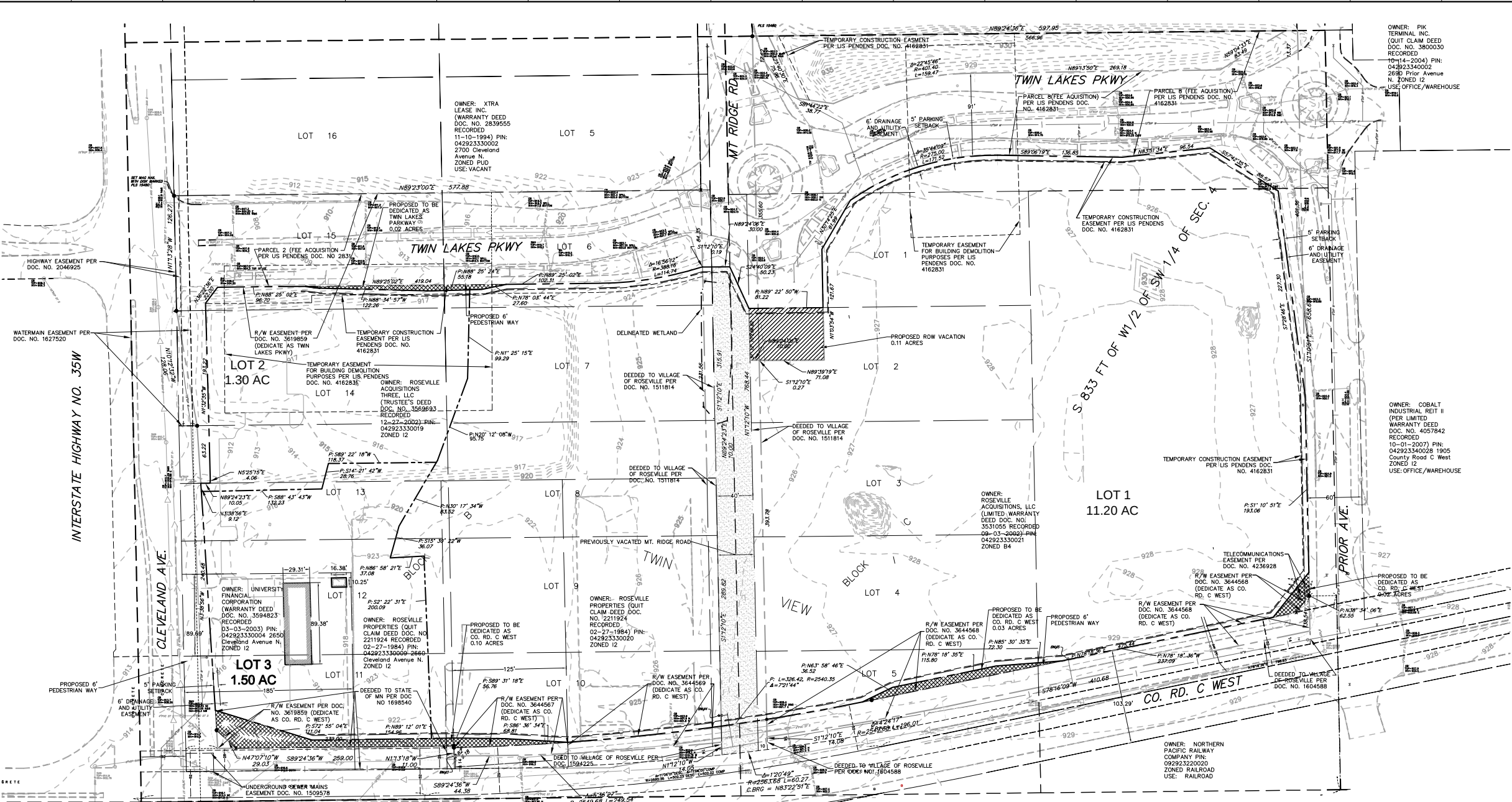
PRELIMINARY PLAT DATA TABLE

TOTAL SITE AREA:	14.10 AC
LOT 1:	11.12 AC
LOT 2:	1.32 AC
LOT 3:	1.51 AC
ROW DEDICATION:	0.15 AC
PLAN LAND USE DESIGNATION:	RETAIL BUSINESS
EXISTING ZONING:	B4, I2
PROPOSED ZONING:	CMU
TOTAL WETLAND AREA:	0.11 AC
DATE OF SURVEY:	1/12/11


Kimley-Horn
and Associates, Inc.
2550 UNIVERSITY AVE. WEST, SUITE 238N
ST. PAUL, MINNESOTA 55114
TEL. NO. (651) 645-4197
FAX. NO. (651) 645-5116


ROSEVILLE, MN
MASTER PLAN
DECEMBER 2011





Attachment D

OWNERS

ROSEVILLE PROPERTIES
ROSEVILLE ACQUISITIONS, LLC
ROSEVILLE ACQUISITIONS, THREE, LLC
2575 FAIRVIEW AVENUE NORTH, #250
ROSEVILLE, MINNESOTA 55113

UNIVERSITY FINANCIAL CORPORATION
2850 CLEVELAND AVENUE
ROSEVILLE, MINNESOTA 55113

CIVIL ENGINEER

WILLIAM D. MATZEK, P.E.
KIMLEY-HORN AND ASSOCIATES, INC.
2550 UNIVERSITY AVE. W., SUITE 238N
SAINT PAUL, MINNESOTA 55114
(651)645-4197
FAX (651)645-5116

SURVEYOR

MARK S. HANSON, P.L.S.
SUNDE LAND SURVEYING
9001 EAST BLOOMINGTON FREEWAY (35W) SUITE 118
BLOOMINGTON, MINNESOTA 55420-3435
(952)881-2455
FAX (952)888-9526

LEGEND:

BEARING AND LENGTH OF PROPOSED PROPERTY LINE WHEN DIFFERING FROM EXISTING PROPERTY LINE

LENGTH, RADIUS, AND ANGLE OF PROPOSED PROPERTY LINE WHEN DIFFERING FROM EXISTING PROPERTY LINE

BEARING AND LENGTH OF EXISTING PROPERTY LINE

LENGTH, RADIUS, AND ANGLE OF EXISTING PROPERTY LINE

PROPOSED PROPERTY LINE

EXISTING PROPERTY LINE

EXISTING SECTION LINE

EXISTING PROPERTY ADJUSTMENT

EXISTING LOT LINE

EXISTING EASEMENT

PROPOSED PARKING SETBACK

DRAINAGE AND UTILITY EASEMENT

WETLAND DELINEATION

EXISTING CURB

PROPOSED CURB

EXISTING BUILDING

EXISTING HYDRANT

EXISTING WATER PIPE

EXISTING STORM SEWER

EXISTING SANITARY MANHOLE

EXISTING SANITARY SEWER

EXISTING SANITARY MANHOLE

EXISTING CONTOUR

ROW DEDICATION

ROW VACATION

PREVIOUSLY VACATED ROW

EXISTING LEGAL DESCRIPTION

(Per COMMONWEALTH LAND TITLE INSURANCE COMPANY COMMITMENT FOR TILE INSURANCE COMMITMENT NO. 230285, EFFECTIVE DATE SEPTEMBER 13, 2010)

THE WEST 185 FEET OF LOT 11; AND THE SOUTH 89.69 FEET OF THE WEST 185 FEET OF LOT 12, BLOCK B, TWIN VIEW, EXCEPT THAT PART TAKEN IN FINAL CERTIFICATE PER DOCUMENT NO. 1698540.

AND

(PER COMMONWEALTH LAND TITLE INSURANCE COMPANY COMMITMENT FOR TILE INSURANCE COMMITMENT NO. 230286, EFFECTIVE DATE SEPTEMBER 13, 2010)

PARCEL 1:
LOTS 6, 7, 14, AND 15 AND THE NORTH HALF OF LOT 13 AND THE NORTH HALF OF LOT 8, BLOCK B, TWIN VIEW, EXCEPT THAT PART DEEDED TO THE CITY OF ROSEVILLE PER DOCUMENT NO. 1511814 AND EXCEPT THAT PART TAKEN IN FINAL CERTIFICATE PER DOCUMENT NO. 1698540.

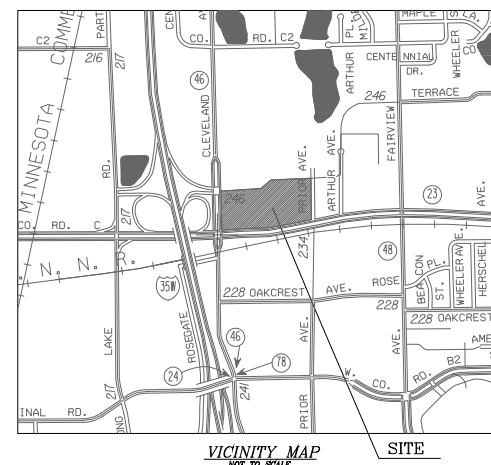
PARCEL 2:
LOTS 10, 9 AND SOUTH 1/2 OF 8, EXCEPT, THE WEST 125.0 FEET, BLOCK B, TWIN VIEW. EXCEPT THAT PART DEED TO THE CITY OF ROSEVILLE BY DOCUMENT NO. 1594225.

PART OF LOTS 9, 10, 11, 12, AND THE SOUTH 1/2 OF LOTS 8 AND 13, BLOCK B, TWIN VIEW, RAMSEY COUNTY, MINNESOTA DESCRIBED AS FOLLOWS: THE WEST 125 FEET OF LOTS 9 AND 10 AND OF THE SOUTH 1/2 OF LOT 8. THE EAST 8 FEET OF LOTS 11 AND 12 AND OF THE SOUTH 1/2 OF LOT 13. EXCEPT THAT PART TAKEN IN FINAL CERTIFICATE PER DOCUMENT NO. 1698540. EXCEPT THAT PART DEED TO THE CITY OF ROSEVILLE BY DOCUMENT NO. 1594225.

LOTS 11 AND 12 AND THE SOUTH 1/2 OF LOT 13, BLOCK B, TWIN VIEW, RAMSEY COUNTY, MINNESOTA, EXCEPT THE EAST 8.00 FEET THEREOF AND EXCEPT THE WEST 185.00 [FEET] OF LOT 11 AND THE SOUTH 89.69 FEET OF THE WEST 185.00 FEET OF LOT 12, AND EXCEPT THOSE PARTS THEREOF TAKEN FOR THE WIDENING OF COUNTY ROAD "C" AND CLEVELAND AVENUE. EXCEPT THAT PART TAKEN IN FINAL CERTIFICATE PER DOCUMENT NO. 1698540.

PARCEL 3:
LOTS 1, 2, 3, 4, AND 5, BLOCK C, TWIN VIEW, EXCEPT THE WEST 10 FEET THEREOF, AND ALL THAT PART OF THE SOUTH 833 FEET OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 29, RANGE 23, LYING EAST AND NORTH OF THE ABOVE DESCRIBED LOTS, AND EAST OF THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID WEST 10 FEET OF SAID LOTS, AND NORTH OF COUNTY ROAD "C", EXCEPT THE EAST 30 FEET OF THE AFOREDESCRIBED PART OF THE SOUTHWEST 1/4 AND EXCEPT PROPERTY CONVEYED BY DEED DOCUMENT NO. 1604588, SITUATE IN RAMSEY COUNTY, MINNESOTA.

PRELIMINARY PLAT DATA TABLE	
TOTAL SITE AREA:	14.18± AC
LOT 1:	11.20± AC
LOT 2:	1.30± AC
LOT 3:	1.50± AC
ROW DEDICATION:	0.18± AC
ROW VACATION:	0.11± AC
PLAN LAND USE DESIGNATION:	RETAIL BUSINESS
EXISTING ZONING:	B4, I2
PROPOSED ZONING:	CMU
TOTAL WETLAND AREA:	0.11± AC
DATE OF SURVEY:	1/12/11



December 6, 2011 – excerpt of approved minutes

Preliminary information on park dedication for the 17.8 acres at Cleveland and County Road C were presented to the Commission by Brokke. A proposal to develop the property into a Walmart Shopping Center has begun to be reviewed by City staff. The role of the commission is to make recommendation to the Council whether to accept land, cash or a combination of to satisfy the park dedication requirement.

A recent potential proposal from the Walmart Representatives was to provide land dedication in another area of Langton Lake. There is a possibility of a combination of land and cash as well as the traditional all land dedication or all cash payment. The park dedication fees could contribute to possible Master Plan projects. Commissioner Ristow suggested the commission consider recommending the cash in lieu of land based on past needs and recent financial discussions.

January 3, 2012 – excerpt of draft minutes

Etten continued the discussion of park dedication considerations for the proposed Walmart development in Twin Lakes. Earlier considerations included a parcel of land in an area away from the development that might have served as a nice addition to Langton Lake Park. This land dedication is no longer an option to fulfill the park dedication requirements. Etten also clarified that the actual size of the parcel is 13.94 acres, rather than the 17.8 acres reported earlier. This change in size is due to 3.86 acres being sold earlier to the City for the Twin Lakes Parkway. The updated land equivalency for park dedication is .68 acres and the updated cash payment would be \$411,115, based on 5% of the FMV.

Commission Recommendation:

Motion by Doneen, second by Ristow to recommend the Roseville City Council accept cash in lieu of land for park dedication in the proposed Walmart development. Commission questions followed.

- D. Holt inquired into what the land options were/are for the site. Brokke explained that there were no appropriate park development options for this site.
- Azer asked for a clarification of how the park dedication funds can be used. Brokke clarified that the funds cannot be used for maintenance or ongoing costs but can be used for land acquisitions, park development, and facility enhancement. The park dedication funds could be used to further expand the projects identified by the Parks and Recreation Renewal Program.

Motion passed unanimously.

Note: Greg Simbeck favored the cash in lieu of land option through his email to notify staff of his absence from tonight's meeting.

PLANNING FILE 12-001

Request by Wal-Mart Stores, Inc. for approval of a PRELIMINARY PLAT of the land area bounded by County Road C, Cleveland Avenue, Twin Lakes Parkway, and Prior Avenue

Chair Boerigter opened the Public Hearing at 6:35 p.m.

Associate Planner Bryan Lloyd summarized the request of Wal-Mart Stores, Inc. in conjunction with Roseville Properties, owner of the subject property, seeking approval of a PRELIMINARY PLAT of the land area as identified and detailed in the staff report, and creating three (3) lots.

Mr. Lloyd advised that the request also included the transfer of ownership of a small portion of City-owned land adjacent to the Mount Ridge Road roundabout. Mr. Lloyd clarified that this request for a disposal of land by the City, was NOT a Vacation request, per se; but in lieu of a public hearing, and in accordance with State Statute, the Planning Commission must review the proposed disposal of land and determine whether it would be consistent with the Comprehensive Plan.

Staff recommended approval of the proposed PRELIMINARY PLAT of the land area bounded by County Road C, Cleveland Avenue, Twin Lakes Parkway, and Prior Avenue; along with the recommendation that the Commission determine that the proposed transfer of ownership of land area specified in the Preliminary Plat is in compliance with the 2030 Comprehensive Plan; based on the comments and findings of Section 4-7, and the recommendation of Section 8 of the staff report dated February 1, 2012.

Chair Boerigter sought clarification on the original intent in the City acquiring the property for creation of Twin Lakes Parkway, and now the City's determination that it was no longer needed and could be disposed of.

Mr. Lloyd advised that the property had been originally acquired from the property owner for its potential use in connection with the roundabout as access to the redevelopment property, but had not been intended to create a public street south of the roundabout.

Chair Boerigter requested more detailed information from the City's Engineer.

City Engineer Debra Bloom

Ms. Bloom concurred with Mr. Lloyd's analysis of the City's original intent in using the property as the fourth leg of the roundabout for landscaping treatments. However, Ms. Bloom noted that this was prior to the City knowing final roadway design, the type or size of the development that may occur in this area, and that acquisition was for the most part precautionary in planning ahead; however, the City's need ended at the crosswalk and this property was no longer needed.

At the request of Member Boguszewski, Mr. Lloyd advised that the overall acreage of the Walmart/Roseville Properties property was approximately fourteen (14) acres.

Member Strohmeier asked how staff responded to his interpretation of various areas in city-wide plans versus Planning District 10 of the 2030 Comprehensive Plan (Chapters 4 and 7) and development of a big box retailer in the Twin Lakes area.

Mr. Lloyd noted staff comments that it was odd for a given development proposal to be reviewed by the Planning Commission against the Comprehensive Plan, since it was not intended for that purpose, and provided a misapplication of individual goals and policies of the Comprehensive Plan if it were used as a lens for this or any development. Mr. Lloyd noted that the purpose of the Comprehensive Plan was to serve as a guide for creating specific requirements attempting to meet its policies, for instance the zoning code update now addressing goals like walkable communities that were not addressed in previous code. Mr. Lloyd opined that no one business was going to achieve entirely the goal of walkable streets; however, walkable communities remained an overarching goal.

Member Strohmeier stated that he still had issues of apparent conflict, when focusing on District 10, Future Land Use Section, and the portion about Twin Lakes and shopping as a primary focus of land use.

Mr. Lloyd advised that the Twin Lakes area was generally described from Cleveland Avenue west to almost Snelling Avenue, and north to County Road C-2 and even beyond excluding Langton Lake Park. Mr. Lloyd noted that this was a large area with many existing developments that are relatively new (e.g. medical office) that were not retail; however, he also noted that there were a significant number of parcels that remained vacant and were ready for development. The fact that this is the first proposal for redevelopment in the area, Mr. Lloyd noted, just happened to be a retail use. Mr. Lloyd responded from staff's perspective, that there remained a lot of room for other uses as the area develops; and if it became apparent that retail was becoming the main focus for development in the Twin Lakes Redevelopment Area, it would then no longer be consistent with the Comprehensive Plan.

City Planner Thomas Paschke referenced the AUAR for Subarea 1, bounded by Cleveland Avenue, County Road C, and Fairview Avenue, which document gauges maximum thresholds in place governing the types of uses; noting that the AUAR identified retail for the subject area and noted that further development may create a threshold for too much retail in a given area. Mr. Paschke noted that, obviously, that would only become apparent as the area expanded further, and that the AUAR document would be used in judging any and all development or redevelopment, and tied to the recently-adopted overlay district requirements.

Based on his personal review, Member Strohmeier opined that the staff report's contention that this proposal was consistent with the Twin Lakes Master Plan (page 11) suggests that the area should not be recommended for large scale, big box retail, and sought staff's response.

Mr. Lloyd advised that the simplest response would be that it was also not prohibited; and that it was not a goal of the Master Redevelopment Plan to prohibit big box retail as it prohibited some industrial uses. As with any review, Mr. Lloyd noted that this development proposal may not fully achieve every goal and aspiration of the document, but this proposal was more or less consistent, and this specific retail use provides for some of the same things recommended in the Plan.

Member Wozniak questioned if this was the only Public Hearing on this development; with Mr. Lloyd responding that it was the only legally required hearing. Mr. Lloyd advised that the only reason for the Public Hearing requirement was due to the applicant's request for the disposal of the property and the Plat itself, and the need for discussion in this venue and format. Mr. Lloyd noted that the Preliminary Plat would not live or die with the analysis of the land proposed for disposal by the City; with nothing else in the proposed development triggering a Public Hearing, unless Wal-Mart found the need for a variance or other site issue in the future as the project developed.

Chair Boerigter sought clarification of the interaction of Preliminary Plat approval with the Comprehensive Plan, AUAR and Twin Lakes Plan. Chair Boerigter questioned if additional traffic control measures were part of the Preliminary Plat approval.

Mr. Lloyd advised that, as for the Plat itself, there was really no correlation with any of those documents, other than superficially, since the Comprehensive Plan addressed transportation, but the AUAR addressed transportation more specifically. Mr. Lloyd noted that when Twin Lakes Parkway was constructed as part of the City of Roseville's proactive infrastructure investment to facilitate redevelopment in the Twin Lakes area, it was not related to this specific development but the overall Twin Lakes Redevelopment Area, with each project, including this proposed Wal-Mart development, reliant on roadway connections. Mr. Lloyd advised that the traffic analysis for this particular development, as a requirement for all proposals, was still under preparation, to determine if additional traffic amenities were indicated (e.g. signals or additional turn lanes), staff did not anticipate that this

particular project would trigger those additional amenities, but that they would realistically be triggered as additional developments came forward. Mr. Lloyd advised that roadway and traffic control considerations would be considerations for any development as they related to the Comprehensive Plan and AUAR, but had no bearing to other documents.

Chair Boerigter referenced Section 6.1 of the staff report, the last sentence, related to the Planning Commission's review of the requested City property disposal to make a determination about whether the proposed development facilitated by the disposal was in compliance with the City's Comprehensive Plan, and asked that staff explain it more clearly.

Mr. Lloyd explained that the staff report talked about the proposed use in general, not the specific site plan design under consideration, but whether the proposed retail use was consistent with the Comprehensive Plan.

Chair Boerigter confirmed the language of that sentence again, clarifying the applicable standard for which the Commission needed to make its determination.

Member Gisselquist questioned how intertwined the two recommended actions are, and whether the development could be platted without the disposal of City property.

Mr. Lloyd opined that the Plat could probably be designed without the additional property.

Mr. Paschke advised that the request for disposal of the land was not so much a platting issue as a site plan design issue; and opined that the developer could engineer the site if it was the City's determination not to sell back that piece of land, and that it was not necessarily needed to make the proposed development work.

Chair Boerigter asked if the land would then remain available for City right-of-way; to which Mr. Paschke clarified that the property was not City right-of-way, nor was it needed as such.

Mr. Lloyd concurred, noting that this was the reason a formal vacation was not being requested, since the property had originally been intended to be used in conjunction with the roadway, but not strictly for right-of-way purposes.

Member Gisselquist noted his understanding of the decision currently before the Commission based strictly on land use, with parcels being brought together by private owners, with the land disposal considered in light of the Twin Lakes Master Plan and Comprehensive Plan. Member Gisselquist advised that the disposal of City land was of concern to him, understanding that plat itself allowed little decision-making by the Commission. However, Member Gisselquist noted that, with the land disposal, it brought to the forefront the documents worked on over several years by citizens (e.g. Zoning Code, Comprehensive Plan, etc.).

Mr. Lloyd indicated that the most fundamental way staff reviewed the proposal was seeing it as Comprehensive Plan amenable, noting that it was the purpose of the revised Zoning Code, and bringing it into consistency with the goals and policies of the 2030 Comprehensive Plan, not just for the entire City but specifically for the Twin Lakes Redevelopment Area as well. While the Zoning Code revisions are still fresh, Mr. Lloyd noted that staff made their recommendation after a thorough review and confidence that the development met zoning requirements, and fell under the guidance of the Comprehensive Plan.

Member Strohmeier expressed concern with the public notice issue after hearing from various neighbors who had also expressed their concerns about the public notice for this proposed development. Member Strohmeier questioned the trigger for requiring a community open house; opining that this was a pretty substantial planning decision, and questioned why it hadn't mandated an open house.

Mr. Lloyd advised that open houses are mandated for would-be applicants or applications that deviated from City Code, or those things not in the usual realm of a particular Zoning District. Mr. Lloyd noted that this plat had more to do with the Subdivision Code and realignment of parcels, and provided several examples of developments requiring open houses.

Member Strohmeier opined that the community, as well as he, had been caught off guard by this proposal.

Member Lester questioned what other land uses were proposed for this parcel in the future.

Mr. Lloyd advised that the overall Site Plan indicated several smaller restaurant uses on the smaller lots, but the Plan also facilitated ownership of parcels for other allowable uses. Mr. Lloyd opined that restaurant uses would typically follow a Wal-Mart development, but the buildings illustrated on the Site Plan presented were simply included to address potential zoning requirements as an example, but may not be their exact use as the parcel develops in the future.

At the request of Member Wozniak as to what other uses may occur, Mr. Lloyd advised that whatever was allowed as a use in a Community Mixed Use District.

Applicant Representatives:

Will Matzek, Engineer of Record for Wal-Mart development team

Mr. Matzek thanked the Planning Commission for their time and consideration of the two requested actions, and concurred with staff's review of the proposal details. Mr. Matzek advised that of the overall Twin Lakes Redevelopment Area of approximately 179 acres, this portion was approximately fourteen (14) acres. Mr. Matzek noted that the zoning designation and AUAR both looked at the possibility of a retail site in the Redevelopment Area, anticipating 175,000 square feet of retail at this location; noting that the actual area of the proposed Wal-Mart was somewhat less than that square footage. Mr. Matzek advised that Wal-Mart intended to comply with all Zoning requirements and conditions as proscribed by staff in their report.

Member Boguszewski questioned if, for whatever reason, the Commission did not concur with disposing the City parcel of land, how that would affect Wal-Mart's plans or whether they could work around that.

Mr. Matzek advised that, generally speaking, the rationale for their request was that the additional parcel would allow the site to function better and operate in a better and more efficient manner for the City of Roseville as well as Wal-Mart. Mr. Matzek opined that the roundabout and City infrastructure in place will work well whether the City-owned property was purchased or not, and Wal-Mart engineers could modify the Site Plan accordingly, while that would not be their preference. Mr. Matzek clarified that he didn't anticipate that failure to transfer the property would not halt the project.

Public Comment

Chair Boerigter opened the meeting to public comment at this time.

Written comments received by staff to-date via various sources were included in the staff report dated February 1, 2012, and included as Attachment F. Written comments via various sources received after distribution of the agenda packet, are also included for the record, ***will be attached hereto and made a part hereof***, from the following residents:

- **Wendy Thompson**, no address given (in opposition to Wal-Mart as the choice retailer);
- **Cary and Shannon Cunningham**, 2920 Fairview Avenue N (in opposition to the development of a big box retailer);

- **Doug Nonemaker**, 2179 Dellwood Avenue (in opposition to the development of a big box retailer); and
- **Gary Grefenberg**, 91 Mid Oaks Lane (requesting delay of action at this time for further review of the proposed development with the 2030 Comprehensive Plan).

Gary Grefenberg, 91 Mid Oaks Lane

As noted in Mr. Grefenberg's written comments, and for full disclosure purposes, Mr. Grefenberg serves on the City's Human Resources Commission, and as Chair of that Commission's Civic Engagement Task Force as a subcommittee.

Mr. Grefenberg's written comments and excerpt of the City's Comprehensive Plan (Economic Development and Redevelopment Sections 7.2, 7.3 and page 7.5) were provided by and included in the agenda packet attachments to the staff report. Mr. Grefenberg verbalized his written comments, and displayed the excerpted portion of the 2030 Comprehensive Plan during his comments; and referenced portions of the staff report that he opined were not sufficiently vetted by staff and allegedly inconsistent with the intent and goals and policies of the Comprehensive Plan. Mr. Grefenberg asked that a decision on this request be deferred until that additional vetting was done, and various areas specifically evaluated and addressed by staff and Wal-Mart representatives.

Mr. Grefenberg noted the specific concerns in his neighborhood, and asked that staff address how this development would not destroy his quality of life or provide rationale as to why specific questions were not addressed by staff. Opining that Wal-Mart represented one of the richest companies in the country, Mr. Grefenberg questioned why this development should be allowed to negatively impact Roseville residents; and opined that the community deserved more than a shallow and superficial statement by staff that the proposal was consistent with the Comprehensive Plan.

Steve Gjerdingen, 2211 N Albert Street, Apt. #102

For full disclosure purposes, Mr. Gjerdingen serves as a member of the City's Public Works, Environment and Transportation Citizen Advisory Commission.

Speaking as a resident, Mr. Gjerdingen noted design standards for Mixed Use Zoning Districts for placement of buildings on corner lots and their alignment to the property line; and questioned how this development appeared to deviate from that standard, as well as questioning what the actual front of the building was. Mr. Gjerdingen also questioned how this project would enhance or promote the primary statement of purpose to increase pedestrian and multi-modal travel opportunities rather than relying on vehicular transportation. Mr. Gjerdingen concurred with the comments of Mr. Grefenberg that action on this proposal be deferred until all questions had been answered.

Chair Boerigter interrupted public comment to reiterate that the purpose of tonight's meeting was not to react to a specific Site Plan, only to consider the Preliminary Plat and disposal of city-owned land. Chair Boerigter advised that, if the development itself was eventually approved, it would be required to meet all conditions of the City's Zoning Code.

At the request of Chair Boerigter, Mr. Lloyd responded to some of the items raised during public comment to-date. Mr. Lloyd concurred with Chair Boerigter that the location of access doors, frontage of the structure, and all other zoning requirements of the City would have to be met in order for the City to issue building permits; with no development allowed short of meeting those codes or application for a variance to deviate from any of them. Mr. Lloyd advised that the building front would be determined by whatever street address it was given by the City, once design of structures had been completed; and he anticipated that the primary street seeing the most traffic would indicate Mount Ridge Road as the front, on the northwest corner of the site, or possibly Twin Lakes Parkway itself.

Whatever the final designation was, Mr. Lloyd noted that the Twin Lakes Regulating Plan had been adopted late last year, and since codification of City Code only happened semi-annually, after which the website was updated, he suggested that the documents on the City's website pertaining to Community Mixed Use may not reflect that most recent adoption of the Twin Lakes Regulating Plan and its requirements that replaced previous code. Mr. Lloyd suggested that residents, when searching the website for the most up-to-date zoning requirements, rely on HTML texts rather the PDF version, since the revised text and the Overlay District may not yet be on the website in their entirety.

Member Strohmeier referenced the Statement of Purpose in Section 1005.07 of Zoning Code, Community Mixed Use District, for complimentary uses organized in cohesive uses, and connecting to trails, etc. to create pedestrian-oriented development. Member Strohmeier questioned how this Wal-Mart proposal was pedestrian-centered, since he saw it as more vehicle-centered; and asked for staff's response.

Mr. Lloyd advised that staff did not address that specifically for this Preliminary Plat, as Wal-Mart would become part of a larger redevelopment area of mixed uses, including offices, stand-alone businesses, residences, and other allowed uses under the Regulating Plan, and pedestrian corridors would most likely be along the perimeters and would be cohesive for the overall redevelopment area. Mr. Lloyd opined that Wal-Mart, as the first and as an individual project would not achieve that pedestrian-friendly goal all at once or in a vacuum, but would be plugged into the pieces under that overarching Regulating Plan.

Mr. Paschke added that we (Roseville) an auto-oriented community like most all uses, but advised that the whole purpose of Mixed Use and Twin Lakes Regulating Plan was to promote other modes of transportation in the future. Mr. Paschke noted that sidewalks and trails were already in place throughout the Twin Lakes Redevelopment Area as part of the public infrastructure investment built to-date. Mr. Paschke advised that, within the Site Plan and as part of the Regulating Plan, the developer would be required to perform additional work to achieve those requirements, as would other development projects as they came forward.

Tim Kotecki, 3078 Mount Ridge Road

In addition to questioning if this development fit with the Comprehensive Plan, Mr. Kotecki further questioned whether this development would be part of a Tax Increment Financing (TIF) District.

Mr. Paschke advised that the entire Twin Lakes Redevelopment Area was currently within a TIF District; however, he clarified that the developer had not requested any TIF financing for their project.

Mr. Kotecki further questioned how much retail was currently within a two (2) mile radius of the Rosedale Mall and including this area. Mr. Kotecki further questioned the ratio of shoppers anticipated from within the confines of Roseville, and those anticipated from outside Roseville. Mr. Kotecki questioned how many Wal-Marts had been built to-date in the Twin Cities area, and how many had closed in that same area since 2001.

Sue Steinwall, Land Use Attorney for Wal-Mart in Minnesota, with the firm of Frederickson, Byron, et al

In response to Mr. Kotecki's questions, and with recognition by Chair Boerigter, Ms. Steinwall advised that her client anticipated this Roseville Wal-Mart would serve primarily Roseville residents within a two-mile radius of the store. In the Twin Cities area, Ms. Steinwall estimated twenty (20) existing Wal-Mart stores; with five (5) of those within a ten (10) mile radius of this proposed store, with the closest locations being on University Avenue in St. Paul and in St. Anthony Village.

To her knowledge, Ms. Steinwall was unaware of any Wal-Mart closings in the metropolitan area; and was unable to respond to the amount of retail currently within two (2) miles of the Rosedale Mall area.

Mr. Kotecki questioned how Wal-Mart determined where to place a new store; and how much retail space per capita was already in Roseville, opining that it was very high.

Chair Boerigter suggested that public comment refocus on the land use issues before the Commission, not proprietary questions of Wal-Mart that they may choose not to respond to.

Jonathan Osborne, 1072 Shryer Avenue

Ms. Osborne questioned the process or next steps for this proposal, if the Planning Commission chose to approve the Preliminary Plat; and if there would be other forums for citizens to express themselves on the specific Plan for this site and for this specific retailer.

Mr. Paschke invited public comment, at any time, by passing them through staff or directly to City Councilmembers; however, he noted that there would be no further formal Public Hearings for approval of the Site Plan for this proposed use.

Mr. Osborne opined that this proposal had moved through various channels rather quickly; and wondered if more people had been aware of it, if more people would have been at tonight's meeting to speak on the proposal. Mr. Osborne reiterated that it seemed to have happened too quickly.

Vivian Ramalingam, 2182 Acorn Road

Ms. Ramalingam expressed similar concerns to those brought forward by the previous speaker. Generally speaking, Ms. Ramalingam opined that once the Planning Commission approved a Plan, it was rubber stamped at the City Council level and became action.

Ms. Ramalingam expressed a number of concerns with this particular proposal, opining that new business in Roseville should be locally-based to reach a regional consumer base. Ms. Ramalingam further noted that there had been no discussion on additional costs generated by this retailer (e.g. additional police, fire personnel, employee services borne by the City; education for employee children; or food subsidies to feed those children required as a result of parents working in this particular low-wage situation). Ms. Ramalingam noted that those considerations were not included in the Government Decision triangle included in the staff report; and questioned whether there was any venue to address these concerns.

Mr. Paschke reiterated that the decision before the Commission tonight was not whether to support the Site Plan or the size of the proposed retail use on that site per se; but for their consideration of and potential recommendation to the City Council supporting this land division to create or reassemble lots in place into three (3) lots. From a process standpoint, Mr. Paschke advised that staff based the Planning Division recommendation to the Planning Commission for approval based on the lot lines, easements, and additional right-of-way meeting requirements of subdivision and zoning ordinances of the City.

Related to disposal of the 4,300 square feet of property currently owned by the City, Mr. Paschke advised that this action required a slightly different analysis for determination; but reiterated that those two items were not tied directly to a specific project or a given lot in Roseville; and therefore, no forum was available for vetting them, or any Public Hearing process to review and approve them based on those concerns raised, other than those provided to staff and forwarded to the City Council or received directly by the City Council.

Ms. Ramalingam thanked Mr. Paschke for the thoroughness of his response; however, she opined that it clearly showed a gap in the process itself.

Mr. Paschke recognized Ms. Ramalingam's opinion; however, he noted that staff's charge and instructions were based on the City's Zoning Ordinance and Codes in place that were used by the Planning Division to enforce, as well as the Regulating Plan designed and governing the Twin Lakes Redevelopment area, that didn't instruct staff differently than the process currently used and as recently adopted. Mr. Paschke advised that the Planning Division was unable to fundamentally change the

process; and was required to use the same process throughout the City of Roseville for any project or application coming forward, in order to avoid preferential treatment. Mr. Paschke reiterated that it was staff's charge to enforce and implement the requirements within the Zoning Ordinance.

Ms. Ramalingam suggested that staff provide the City Council with the public comments and concerns received related to this proposal; with Mr. Paschke assured her that the City Council would receive minutes of tonight's meeting so they would be aware of public sentiment.

In response to repeated cell phone interruptions during tonight's meeting, Ms. Ramalingam asked that the Planning Commission or the City Council itself make a policy statement or accommodation to address such interruptions during public speaking, noting the difficulty in following procedures and in hearing discussions due to those distractions.

For the benefit of the public and listening audience, Member Gisselquist provided examples of issues that were heard by the Planning Commission (e.g. pawn shop request near Snelling Avenue as a Conditional Use based on zoning considerations) and other uses that are on the list of allowed uses (e.g. Source Comic Books at the same location) that do not come before the Commission since they are allowed uses. Member Gisselquist noted that, as long as the use met zoning requirements at a specific development site, there was less public involvement that occurred.

Member Strohmeier opined that City Code language related to Preliminary Plat approval (Chapter 1102.03) seemed to be broad. However, the health, welfare and general safety of citizens would appear to be applicable in one or more of those categories with some of the concerns being raised by citizens. Member Strohmeier suggested that, considering that broad language, perhaps the Commission's hands were not as tied as indicated.

Mr. Paschke responded that the language would only affect how the Subdivision Ordinance regulated or applied to this particular property, stating that the City's ordinances foster those things, and that the Subdivision Ordinance was created to look out for those things and how land divisions were required in Roseville through easements, lot sizes, etc. and meeting certain requirements within the Zoning Ordinance such as for residential lots with specific sizes in certain zoning classifications. Mr. Paschke advised that those topics would be germane to analyze Subdivision Zoning specific to land divisions, not uses on the land, since other regulations govern the requirements of those specific uses.

Mr. Paschke noted that City Attorney Mark Gaughan was present and could expand on that interpretation if he found it incorrect.

Rick Poeschl, 2220 Midland Grove Road

As a Roseville resident since 1968, Mr. Poeschl agreed with the comments heard during public comment as well as those expressed by Member Strohmeier that if more residents had known about the Wal-Mart plans, there would have been a much larger crowd in attendance tonight. Mr. Poeschl advised that he had only heard about the Public Hearing from a neighbor and fellow resident at Midland Condominiums; who had also mentioned that Roseville currently had more retail per capita than Bloomington, MN with their much larger population.

Mr. Poeschl noted that Mr. Grefenberg had highlighted and displayed on the overhead, several sections of the Comprehensive Plan's goals and policies that seemed inconsistent; and reiterated that if more people had known about tonight's meeting, they would have provided more feedback. While not clearly understanding staff's responsibility to follow the language of the Comprehensive Plan, Mr. Poeschl opined that more neighbors should get involved.

Mr. Poeschl stated that he was opposed to the proposed Wal-Mart, and didn't want a big box store in Roseville, including a Wal-Mart.

Megan Dushin, 2249 St. Stephen Street

As noted in her written comments and for full disclosure, Ms. Dushin serves on the City's Parks and Recreation Implementation Committee for Natural Resources.

Ms. Dushin verbalized her prepared, written comments, and for the record, provided a bench handout of those comments, *attached hereto and made a part hereof*. Ms. Dushin opined that she found it odd that this was the only public hearing to discuss this proposal, however opined that it was not surprising as this had happened before. Ms. Dushin further opined that staff seemed to be facilitating this request as quickly as possible, without taking the Comprehensive Plan into consideration. Ms. Dushin encouraged Commissioners to take her comments and questions into consideration when voting tonight. Ms. Dushin also questioned how the proposed bike trails off Fairview Avenue currently being proposed by the Parks and Recreation Commission would be impacted by this development.

Shirley Friberg, 2130 Fairways Lane

As a resident of Roseville since 1960, Ms. Friberg questioned if the Comprehensive Plan would be addressed if the Planning Commission recommended approval.

Mr. Paschke referenced tonight's proposed actions, as two (2) steps, as detailed in the staff report; emphasizing that neither action was related to the proposed use of the site. Mr. Paschke suggested that citizen input focus on whether the plat met the requirements of City Code as it related the Preliminary Plat and boundaries, and consistency of the requested city-owned land disposition with the Comprehensive Plan.

Ms. Friberg stated that she had just heard about this proposal, and questioned if the proposed Wal-Mart site was the same one considered by Costco several years ago; noting that she frequented both Costco and Sam's Club; and questioned whether there would be additional thefts to be concerned with if one of those stores were located there, opining that they had many internal controls to monitor shoppers. However, Ms. Friberg noted the number of police reports at Rosedale Mall that she observed in the media, recognizing the size of that center and the number of stores; as well as youth in the area and bus stops. Ms. Friberg opined that one of the problems with a Wal-Mart store would be people coming from outside Roseville beyond two (2) miles, since Rosedale had people coming from Wisconsin, and even bypassing Maplewood Mall for Rosedale as a more preferred shopping destination. Ms. Friberg opined that there would be the need for increased police based on shoplifting, car vandalism, and other issues; and questioned the negative impacts to the senior residence in that area; and if they would be safe walking to Wal-Mart from their residence, given that potential negative impact.

Mr. Paschke advised that there was currently no sidewalk or trail on the east side that would facilitate pedestrians from the senior residence to the proposed Wal-Mart location.

Ms. Friberg referenced other communities, such as St. Louis Park and Excelsior Boulevard improvements and Edina at 50th and France; and questioned what we wanted Roseville to look like; or whether we preferred that it end up like the Richfield, Golden Valley, Brooklyn Center or Robbinsdale.

Chair Boerigter asked that Ms. Friberg refocus her comments on the issue before the Commission; and suggested that the public refrain from possible misperceptions that people coming to Wal-Mart were going to be of the criminal element and elevate crime levels in Roseville. Chair Boerigter noted that there was a Target store not too far from this area that didn't support that perception.

Ms. Friberg defended her position by noting that more youth would be coming into that area and when that happened, there were more crimes. Ms. Friberg opined that Target handled their store security quite well; however, she did have a concern with a Wal-Mart located in Roseville, given the types of problems their stores frequently had, and questioned if that was what type of community we wanted.

Member Wozniak questioned if it was reasonable for staff to address potential costs the City may incur for emergency services with such a development.

Mr. Paschke advised that he was unable to foresee the future to make a determination or estimate a potential cost for additional police, fire and/or rescue needs as the City developed. However, Mr. Paschke opined that this proposed business was no different than any other business coming into Roseville that the City's Codes would encompass for regulation and enforcement, whether parks, residential homes or complexes, or commercial/industrial businesses.

At the request of Member Wozniak as to how the City would recover those costs, Mr. Paschke responded that the City's main mechanism to support those services was through property taxes.

Member Gisselquist referenced Section 5.2 of the staff report, noting that part of the review process involved the Roseville Development Review Committee (DRC) composed of staff from various City Departments, and their representatives participating in reviews of such land use proposals, at which time the public safety issues most certainly would have been considered and discussed prior to staff's recommendation.

Mr. Paschke advised that the focus of those meetings, specific to this proposal, would have been the land divisions, and not necessarily the proposed use itself. However, Mr. Paschke noted that had been anticipated that a large retail use could come in, and staff had been prepared for that possibility and related comments coming forward. Mr. Paschke referenced that the Twin Lakes Redevelopment Area, through the AUAR and all Zoning, Comprehensive, Master and Regulating Plans had contemplated retail in this area, and noted that this use was consistent with those plans and potential uses; evidenced by the relevance of the proposed use and its fit with the City's Zoning Ordinance.

Member Strohmeier, based on his interest and background in public safety, and during his review of this proposal, referenced and quoted recent written comments provided by City of Roseville Police Chief Rick Mathwig in preparing for strategic planning discussions with the City Council for a long-term goal to *"...Add tow (2) commercial patrol officers to enhance the Police Department's ongoing efforts with the retail community. Retail and commercial development, especially a big box store, in the Twin Lakes area will increase theft-related incidents. One big box store is anticipated to bring 700 – 900 extra calls for police services each year. The Police Department's resources will be taxed by the development, and the resources currently in place at Rosedale will be stretched."* From a common sense standpoint, Member Strohmeier opined that a big box retailer would have considerable fiscal impacts to the City's Police Department.

Member Wozniak, from a historical standpoint, asked staff how long this property had been vacant or under-utilized; with Mr. Paschke advising that he had been with the City for thirteen (13) years with the property remaining vacant; and he was aware that the City had been attempting to develop the Twin Lakes Area since the 1980's.

Member Wozniak questioned how many, if any, developments had previously come forward for this specific parcel; with Mr. Paschke advising that, to his knowledge, there had been one other proposal, which was ultimately unsuccessful.

Member Wozniak asked Mr. Paschke what impacts he would see for this development on other parcels and further development in the Twin Lakes Redevelopment Area.

Mr. Paschke responded by opining that any development in the Twin Lakes area will spur other development, a historically proven occurrence. Mr. Paschke noted the enticement for that development based on the funds invested by the City to-date for infrastructure development in the area. However, how long that development would take Mr. Paschke refused to predict due to market conditions; however, he noted that many parcels in the Twin Lakes area were considered currently "development

ready.” Mr. Paschke noted further development would be based on clean up costs and the willingness of potential developers’ willingness to build consistent with the City’s Zoning Ordinance and Twin Lakes Regulating Plan, and couldn’t predict if it would take this one proposed development or more to spur associated uses.

Member Boguszewski, from his career in health services and strategy in determining additional potential growth areas in which to place facilities, advised that they often looked for such developments as an indicator of a strong population and strong economic growth; opining that this supported Mr. Paschke comments.

Chair Boerigter closed the Public Hearing at 8:08 p.m., with no one appearing for or against.

Member Wozniak asked Mr. Paschke to comment on the proposed park dedication fee associated with this parcel and its use; and asked how that fee would be allocated.

While recognizing that it was not related to land use considerations under discussion at this venue, Mr. Paschke advised that park dedication fees paid to the City of Roseville were based on 5% of the property’s fair market value as determined by the Ramsey County Assessor; and based on that calculation, he estimated that if the development proceeded they would pay the City in excess of \$400,000 for this land division. Mr. Paschke advised that the fees were specifically designated for park enhancements and improvements in and around the City; but was unsure of the exact language as per State Statute.

Member Wozniak duly noted that, if this parcel was to be developed, the developer would be contributing a significant amount in fees toward the City’s park system.

Planning Commission Discussion/Position Statements

Member Boguszewski noted the many layers in tonight’s discussion; even though the Commission’s decision-making was focused on the Preliminary Plat itself and parcel transfer. While other areas of discussion as to use or development of the parcel and how the site was ultimately designed were not necessarily germane to the question at hand, at the same time, Member Boguszewski recognized the concerns of the audience that they may have no other opportunity to discuss the merits of the proposed use. Member Boguszewski noted that there would always be merits and demerits for any project or use, and at the risk of making his life less easy, he offered his thoughts and rationale for his position.

Member Boguszewski offered his personal assessment and analysis of the merits and demerits for this parcel; recognizing that it was a passionate issue for citizens, and that the passion often made it difficult for people to understand other points of view. Member Boguszewski noted that the comments heard tonight were not in favor of this particular use; however, he advised that he had personally received and seen support for a Wal-Mart in Roseville, and while not unanimous, it obviously remained a divided issue.

Member Boguszewski asked that residents keep several things in mind:

1) The City of Roseville does not own this land and has no ability to force any particular development or option such as an IKEA, Trader Joe’s or other option. If the proposal meets City Code requirements, it is not the City’s job to fetter that development. Member Boguszewski stated that he believed in the free market, and in comparing a Wal-Mart to the vacant parcel currently there, allowing all the negatives to rise to the forefront, when considered in isolation, there was nothing to compare it with.

2) Addressing another category of comments heard that Wal-Mart would be a blight or detriment to a beautiful spot, Member Boguszewski opined that this perception was in the eye of the beholder. When reviewing the location, Member Boguszewski noted that its location on the west side of the City, bounded on the south by a County road and railroad tracks, on the east by light industrial uses, and on the west by the Interstate; while further beyond that the area included a mass of car dealerships and

similar uses, if Wal-Mart chose to locate in Roseville, he could think of no better spot. Member Boguszewski suggested that Roseville citizens could choose whether or not to shop at Wal-Mart, but if they were concerned that Wal-Mart was going to bring detritus to Roseville, this proposed location was at the most extreme edge of the community as possible.

3) Based on his personal bias, Member Boguszewski stated that he did not consider and remained unconvinced that Wal-Mart was similar to a nuclear waste plant.

Member Boguszewski advised that he took his role as a Planning Commissioner very seriously, and therefore had sought the advice of a market professor friend and was made aware of a number of articles on both sides of the issue, with as many saying that Wal-Mart was a positive for a community as those saying it was a negative. Member Boguszewski advised that his research of those articles and various opinions indicated that the impact to a community was based on a number of issues including, but not limited to, the area itself, existing retail, highway access, and existing “Mom and Pop” stores. Member Boguszewski advised that it would depend on Wal-Mart’s business plan and their market research as to whether this store was a success or a failure; and was ultimately not the business of Roseville citizens anyway, since they had a right to develop in Roseville in compliance with City Codes.

While not believing that it was necessary to address the merits and/or demerits of a Wal-Mart in Roseville, since the Planning Commission’s task was based on technical issues, Member Boguszewski advised that he had done so for the benefit of Roseville citizens, recognizing the importance to them. Member Boguszewski advised that he would be voting in support of the requested actions.

Member Wozniak thanked the audience for their public comment, noting that he had observed them through various forums before tonight’s meeting as well. Member Wozniak expressed his disappointment in some of the comments he’d seen and heard, however he did support the public’s right and appreciated their efforts to come out tonight to share them with the Planning Commission.

Member Wozniak concurred with the observations of Member Boguszewski in the narrow focus for Commission deliberations in approving property boundaries and transfer of City-owned property to a developer to facilitate a development. Member Wozniak stated that it was his belief that what was being proposed for this parcel was consistent with the Comprehensive Plan and retail use; and advised that he would support the property transfer and Preliminary Plat as proposed.

Member Wozniak noted the comments he’d heard about the City “railroading” this development; and stated that he strongly disagreed with that comments. If the proposal seemed to be moving fast, Member Wozniak reminded the public of the Statutory requirements for land use considerations and the time available for a City to act on a given proposal.

Member Wozniak clarified that the use itself as proposed was outside the scope of tonight’s discussion, and was a permitted use not requiring discussion. However, Member Wozniak suggested that, while outside the scope of tonight’s discussion, it was apparent that talking about the proposal may be a need for the community and encouraged Wal-Mart and their development staff to open dialogue with residents about their presence in the Roseville community, since if the proposal was successful, Wal-Mart would need to positively interact with the residents it sought to serve. Member Wozniak encouraged Wal-Mart representatives to look for opportunities to interact with the community on the positives they bring to the community, and not just allow the negatives or perceived negatives to remain in the forefront.

Member Lester advised that Members Boguszewski and Wozniak had effectively covered most of his comments. Member Lester advised that his analysis attempted to look at the end result, and after almost thirty (30) years of the City attempting to develop the Twin Lakes area, bringing in a potential use was a good thing, no matter who it was as long as it was meeting City Code requirements. Member Lester clarified again that tonight’s request was focused on the Preliminary Plat, not the use; and discussions

were based on a vacant piece of land on which a viable company was being proposed. Member Lester opined that Wal-Mart was a stable company; and further opined that the Comprehensive Plan supported such a retail use; and the need was evident for bringing in an initial development to further future development of the area. Member Lester advised that he supported the proposal and would support it.

Member Gisselquist thanked the public for their comments. Member Gisselquist advised that the Preliminary Plat portion of the request was an easy decision; basically assembling parcels of land for a proposed use, and it made sense to approve that request.

However, Member Gisselquist advised that he struggled with disposal of the land when applying it to the Comprehensive Plan until he reviewed the Twin Lakes Master Plan on line and reviewed that language. In referring back to previous discussions about a proposed Costco, Member Gisselquist opined that it appeared they had been chased out as the big box “bogey man.”

Member Gisselquist advised that he would support the Preliminary Plat and land disposal.

In recognizing that the big box use served as the elephant in the room and remained present, Member Gisselquist opined that it had nothing to do with the request before the Commission; but assured that the Commission had heard the concerns expressed by those speaking tonight; and noted that Member Boguszewski had shared considerations on the other side of the issue as well.

Member Gisselquist stated that one part of being a Planning Commissioner was that he didn’t like hearing criticisms of those seeking to come into the community. As a former “Richfield guy,” Member Gisselquist advised that he took comments personally when they dished his former neighborhood. After thirty (30) years, Member Gisselquist opined that it was time to do something in the Twin Lakes area, referencing his personal observations when last biking in the area of four foot (4’) grass growing through broken asphalt, vacant spaces, and graffiti abounding. Member Gisselquist assured residents that there was already a good police presence in the area based on his experience he shared as an example. Member Gisselquist opined that the area was currently a wasteland and he supported someone developing it; and while it will continue to be controversial, it was the right thing to do.

Member Strohmeier thanked the public for their comments; and respectfully disagreed with other commissioners that the Commission’s hands were tied regarding the Plat, opining that this was a major planning decision and a big deal. Member Strohmeier referenced various guiding documents showing that big box retail is not something that will benefit a community, including the Twin Lakes Master Plan, as well as sections of the Comprehensive Plan as displayed by Mr. Grefenberg and his comments, some of which he may disagree with. However, Member Strohmeier did recognize the numerous inconsistencies pointed out by Mr. Grefenberg. Member Strohmeier opined that he would agree with the Statement of Purpose for Commercial Mixed Use Districts, and the lack of a pedestrian, rather than vehicle-centered use. Member Strohmeier opined that this was simply one more way to add to the community’s frustration in their apparent lack of a role in a role in local government, and expressed his disappointment in the current public process. Member Strohmeier advised that he would be voting in opposition to both requested actions.

Chair Boerigter thanked the public for their comments, and noted his rationale in allowing for some flexibility with the broad-based comments even when outside the specific scope being considered tonight; recognizing that this was a Public Hearing needing to allow a forum for those public comments. However, Chair Boerigter emphasized that the Commission’s decision-making needed to focus on the limited scope of the Preliminary Plat and city-owned property disposal.

Chair Boerigter opined that he didn’t personally think this was outside the Comprehensive Plan, but that it actually fit with the Comprehensive Plan and work done by the City over the last 5-6 years as a Planning Commission and City Council to guide Twin Lakes development.

Chair Boerigter further opined that to have a perception that Roseville residents didn't have a voice in this was quite ludicrous since the Twin Lakes Redevelopment Area had been a topic of discussion for years; and as late as last fall, the Planning Commission and City Council held numerous and substantive discussions on the Zoning Code, the Twin Lakes Regulating Map, and other issues, and the allowed uses in Twin Lakes, all of which were consistent with this proposal. Chair Boerigter suggested that, to think that a big box retailer may not develop in the Twin Lakes area was hard to imagine, when all that was required was to listen to discussions to understand that retail was a permitted use and it may include a large scale retailer.

Chair Boerigter stated that a review of the current Zoning Code would serve to dictate what was consistent with the Comprehensive Plan, and as pointed out by staff, the Zoning Code was amended to make it consistent with the 2030 Comprehensive Plan, along with development of the Regulating Map as the governing document to control development in the Twin Lakes area consistent with that Comprehensive Plan. Chair Boerigter opined that it was important to take the overall picture into consideration and what goes into the development area as a whole, and what the overarching guidance of the Comprehensive Plan indicated, rather than picking out bits and pieces. Chair Boerigter expressed his confidence that the Comprehensive Plan and Zoning Code were both very specific on the governance of what could or could not occur in developing and/or redeveloping the Twin Lakes Redevelopment Area.

Based on his review of these documents, Chair Boerigter opined that the Preliminary Plat and request for land disposition both met City Code requirements, and advised that he would support both.

MOTION

Member Boerigter moved, seconded by Member Lester, to RECOMMEND TO THE CITY COUNCIL approval of the proposed PRELIMINARY PLAT of the land area bounded by County Road C, Cleveland Avenue, Twin Lakes Parkway, and Prior Avenue; based on the comments and findings of Sections 4-7, and the conditions recommended in Section 8 of the staff report dated February 1, 2012.

Ayes: 5

Nays: 1 (Strohmeier)

Motion carried.

MOTION

Member Boerigter moved, seconded by Member Gisselquist, indicating the Commission's determination that the proposed transfer of ownership of land area specified in the Preliminary Plat is in compliance with the 2030 Comprehensive Plan; based on the comments and findings of Section 4-7 of the staff report dated February 1, 2012.

Ayes: 5

Nays: 1 (Strohmeier)

Motion carried.

Chair Boerigter noted the anticipated City Council action on this item is scheduled for February 27, 2012.

Bryan Lloyd

From: support@civicplus.com
Sent: Tuesday, July 03, 2012 3:25 PM
To: *RVCouncil; Kari Collins; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: WalMart Traffic Impact & Cost Responsibility

Name:: Stuart Shwiff

Address:: 1233 Josephine

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No Reply Necessary

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Mayor Dan Roe:
Members of the Roseville City Council:

As part of the proposed WalMart discussion, I would like to bring to your attention the past assumptions used in forecasting traffic loads at the South, East, and West ends of Twin Lakes.

To my knowledge, previous assumptions did not consider the scale of traffic associated with a WalMart. I am neither for nor against a WalMart at that location. My concern is focused on the traffic impact the proposed WalMart will have on County Road C, the frontage road at 35W, and Fairview.

If a WalMart is approved for this location, then it would seem only fair that WalMart be responsible to pay 100% for the road improvements necessary on all 4 sides of the Twin Lakes area.

Why should Roseville residents have to pay for future Cty Road C improvements at Snelling and Victoria when the congestion will be cause by WalMart.

I urge the Council to integrate the impact the WalMart proposal will have on the 30 year traffic plans between the Snelling corridor and 35W, and to charge WalMart for the changes their proposal will require.

Twin Lakes is a prime retail location for the greater metro. WalMart will earn a fortune at this location. If a WalMart is approved for this location, there should be no need for Roseville citizens to be responsible to pay for the current and future road and traffic needs this proposal will require.

Very sincerely,

Bryan Lloyd

From: support@civicplus.com
Sent: Tuesday, July 03, 2012 1:21 PM
To: *RVCouncil; Kari Collins; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: WalMart Project - Yes, please

Name:: M.E.G. Calabrese

Address:: 1995 Wheeler St. N.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No Reply Necessary

Email Address:: [REDACTED]

Phone Number:: [REDACTED]

Please Share Your Comment, Question or Concern: To the Mayor and City Council Members: I am writing to let you know that my husband and I support the proposed WalMart in Roseville. The opposition has been vocal and I want the "other side" to be heard also. This land has sat vacant for a number of years and by building the WalMart here, Roseville will see many benefits: taxes collected from them, more employment and use for this otherwise useless patch of land. This is largely a non-residential area so I don't understand why people in my own neighborhood (over 2 miles away from the site) are concerned about traffic. Please continue to support the WalMart building for the good of all of the residents of Roseville.

Additional Information:

Form submitted on: 7/3/2012 1:20:41 PM

Submitted from IP Address: 128.101.150.89

Referrer Page: <http://www.ci.roseville.mn.us/Directory.aspx?did=17>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

Thomas Paschke

From: Vicci Una Johnson [REDACTED]
Sent: Friday, June 22, 2012 11:17 AM
To: Thomas Paschke
Subject: Regarding Wal-Mart

Mr. Paschke,

The politics of the Wal-Mart Corporation leads us to understand, they do not pay Minnesota state income taxes. Nor Federal.

Knowing how Roseville and the State of Minnesota needs taxes, please deny Wal-Mart's request to build in Roseville.

Wal-Mart gives Roseville the appearance of a "less-educated", "cheap" or "low-quality" community. This appearance will downgrade Roseville's ability to attract and maintain a quality citizenry.

The city of St. Paul has received Federal Grants for environmental projects, and employ people full time. They have a company that burns garbage and it heats a lot of St. Paul buildings. Please consider such a project for our beloved city of Roseville.

Thank you for reading this email,
Vicci Johnson-2164 Ferris Lane/retired St. Paul Teacher

Thomas Paschke

From: Bill Malinen
Sent: Thursday, June 21, 2012 9:19 AM
To: Pat Trudgeon
Subject: Fwd: Wal Mart Store

Bill

Begin forwarded message:

From: Stephen Weber [REDACTED]
Date: June 20, 2012 5:29:36 PM CDT
To: *RVCouncil <city.council@ci.roseville.mn.us>
Subject: Wal Mart Store

June 20, 2012

Dear Council Member,

I have lived in Roseville since 1967, when I moved here and began my job. When I was looking for a bigger house in 1987, I instructed the realtor to find one between Rice Street and Snelling Avenue, between highways 36 and 694, preferably Roseville. My wife was very pleased that I chose to stay in Roseville

Please hold off, or stop completely, the plans for a Wal-Mart store in Roseville. Travel through Roseville and stop to look around the existing shopping areas. See all of the empty spaces that exist, and have existed for a significant time. We have sufficient shopping areas and choices in Roseville now. We could use more, high quality, small businesses to fill those empty spaces. Some high-tech product companies would be a great addition on any vacant land.

The addition of Wal-Mart would likely lead to the closing of more small businesses in Roseville, and empty spaces, like it has in so many other cities. Wal-Mart also has a bad reputation for lawsuits brought by their workers.

We need to guard very carefully that we don't become one of those typical 'first-tier suburbs', filling up with tattoo parlors, pawn shops, rowdy night spots, and other less desirable businesses.

Thank you for your consideration.

Stephen Weber,
585 Transit Ave

Stephen Weber

Confidentiality Statement: The documents accompanying this transmission contain confidential information that is legally privileged. This information is intended only for the use of the individuals or entities listed above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or action taken in reliance on the contents of these documents is strictly prohibited. If you have received this information in error, please notify the sender immediately and arrange for the return or destruction of these documents.

Bryan Lloyd

From: Bill Malinen
Sent: Thursday, June 21, 2012 9:20 AM
To: Pat Trudgeon
Subject: Fwd: Proposed Wal Mart Development in Roseville

Bill

Begin forwarded message:

From: Diane M Hilden [REDACTED]
Date: June 20, 2012 4:40:29 PM CDT
To: *RVCouncil <city.council@ci.roseville.mn.us>
Subject: Proposed Wal Mart Development in Roseville

I completely concur with the analysis and recommendations of Janet Olson as noted in the following and urge the Roseville City Council not to approve Wal Mart in Roseville.

Diane Hilden, 466 Bayview Drive, Roseville, MN 55113 June 20, 2012

The WalMart proposal for the Twin Lakes area in Roseville is a ZONING ISSUE not simply a Preliminary Plat Map Request.

The Twin Lakes Area is zoned Community Mixed Use on Roseville's Official Zoning Map. The definition of a Community Mixed Use Zone under the Comprehensive Plan includes Community Business, but not Regional Business.

The WalMart proposal has been categorized by the Roseville Community Development Department as a Community Business proposal. This categorization should be in question. The WalMart proposal should be categorized as a Regional Business proposal and therefore not an allowed use in the Twin Lakes Area. The area would need to be re-zoned from Community Mixed Use to Regional Business to allow a WalMart.

The areas identified in Roseville's Zoning Map as Community Business areas include smaller businesses with specialized products, some grouped in larger buildings such as HarMar mall or strip malls such as the area at Lexington and Larpenteur Aves. WalMart does not fit that category.

The Comprehensive Plan and the Zoning Map and Ordinance should all be taken into consideration, as provided for in the Minnesota Metropolitan Land Planning Act.

In using the Comprehensive Plan, the Zoning Map and an example of current zoning practices a strong argument can be made to classify the WalMart proposal as a Regional Business proposal.

The existing Target Super Store in Roseville is considered a Regional Business in the Zoning code. Criteria from Roseville's Comprehensive Plan and Zoning code determined that zoning. The same criteria should be used for the WalMart proposal:

WalMart Proposal	Target Super Store	
Building size:	180,000 sq ft	185,000 sq ft
	including restaurants	including restaurants
Service radius:		
(nearest store)	approximately 3 miles	approximately 4 miles
Location near Regional		
Highway System:	Interstate 35W	State Highway 36
Goods & Services	similar	similar

WalMart itself promotes regional business by inviting RVs & campers to park in their lots overnight, by being a 24-hour business, etc.

Please consider all the information before voting on the WalMart proposal.

Janet Olson, 418 Glenwood Ave, Roseville, MN 55113 6/04/2012

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Thomas Paschke

From: Reb1200 [REDACTED]
Sent: Tuesday, June 19, 2012 6:43 PM
To: Thomas Paschke
Subject: Walmart vote

As a citizen of Roseville, I am against having a Walmart Store in Roseville. Elizabeth Bole

Thomas Paschke

From: Martha Mutch [REDACTED]
Sent: Tuesday, June 19, 2012 1:35 PM
To: Thomas Paschke
Subject: Support Walmart

I would like to express my **SUPPORT** for having a Walmart in Roseville.

Martha Mutch
2040 Loren Rd
Roseville 55113

Thomas Paschke

From: support@civicplus.com
Sent: Tuesday, June 19, 2012 12:48 PM
To: Thomas Paschke
Subject: Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: Karin Mascia

Address:: 1270 West Belmont Lane

City:: Roseville

State: : Mn

Zip:: 55113

Home Phone Number:: [REDACTED]

Daytime Phone Number:: [REDACTED]

Email Address:: [REDACTED]

Please Share Your Comment, Question or Concern: I thought by the future plan that excluded Costco from Roseville, we would not be having a Walmart either. In terms of employer, quality company, Costco would have been much better for Roseville than Walmart in my opinion.

Additional Information:

Form submitted on: 6/19/2012 12:48:26 PM

Submitted from IP Address: 24.118.123.8

Referrer Page: <http://roseville.patch.com/articles/is-proposed-roseville-wal-mart-store-a-permitted-use-under-zoning-code?ncid=newsltuspatc00000001>

Form Address: <http://www.cityofroseville.com/Forms.aspx?FID=99>

Thomas Paschke

From: support@civicplus.com
Sent: Thursday, June 14, 2012 2:35 PM
To: Thomas Paschke
Subject: Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: vince pallin

Address:: 1699 chatsworth st n

City:: roseville

State: : mn

Zip:: 55113

Home Phone Number::

Daytime Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: Dear Tom turning over land to walmart is the easiest thing any city council could do. I think roseville is better than that. Lets think long term and leave this to something bigger and better as the world economy matures this land with rail access will be attractive. there is no place better than Roseville. best regards Vince Pallin

Additional Information:

Form submitted on: 6/14/2012 2:34:57 PM

Submitted from IP Address: 166.250.224.238

Referrer Page: <http://www.ci.roseville.mn.us/CivicAlerts.aspx?AID=336>

Form Address: <http://www.cityofroseville.com/Forms.aspx?FID=99>

Bryan Lloyd

From: Carolyn Curti
Sent: Tuesday, May 29, 2012 8:11 AM
To: Pat Trudgeon; Bill Malinen
Subject: FW: Online Form Submittal: General Inquiry Form

-----Original Message-----

From: support@civicplus.com [mailto:support@civicplus.com]
Sent: Sunday, May 27, 2012 12:49 PM
To: Carolyn Curti
Subject: Online Form Submittal: General Inquiry Form

The following form was submitted via your website: General Inquiry Form

Subject: Bulding Walmart in Roseville

Name:: Kathy Janke

Address:: 938 Transit Ave.W.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Please fill out the corresponding contact information below.: No Need to Contact Me

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Bulding a Walmart Store in Roseville is a huge mistake. We have 2 super Target stores within a 3mi.range. Target started in Roseville & has helped the community in mnay areas, especially the schools. Walmart will take businesses from existing stores in Roseville, Cubs, Rainbow, Byerlys, Best Buy, Ace Hardware, etc. Do we want to have Walmart come in and take over. Not only hurting businesses but bringing in crime. I have a friend in Florida that told me crime went up 15% when it hit their area & losing many small businesses also. The City did not listen to their oppositions. Is that what Roseville really wants?

Additional Information:

Form submitted on: 5/27/2012 12:49:16 PM

Submitted from IP Address: 66.41.26.102

Bryan Lloyd

From: Kari Collins
Sent: Monday, May 21, 2012 4:12 PM
To: Pat Trudgeon
Subject: FW: Comments on Wal-Mart Proposal For Tonight's Meeting
Attachments: Wal-Mart's Economic Footprint.pdf; City Council Comments on WalMart.docx

From: Amy Ihlan [REDACTED]
Sent: Monday, May 21, 2012 4:09 PM
To: Bill Malinen; *RVCouncil
Subject: Comments on Wal-Mart Proposal For Tonight's Meeting

Comments to the City Council on Proposed Twin Lakes Wal-Mart

Amy Ihlan, 1776 Stanbridge Ave.

May 21, 2012

Please consider and add to the record my comments on the proposed Twin Lakes Wal-Mart, together with supporting attachments.

Our house is a little less than .9 miles from the proposed Wal-Mart site. Many other homes in our neighborhood, and in the James Addition neighborhood, are less than a mile away. Yet none of the surrounding neighborhoods ever received any notice of this proposed development from the city. Why did our city government not notify and reach out to involve the public in this process? The lack of openness and transparency continues tonight, as the council appears poised to deny further environmental review and give both preliminary and final approval to the project all in one meeting – without even taking the trouble to send us neighbors a postcard.

Environmental Impacts

A Wal-Mart store at Cleveland and County Road C has potential to cause a wide range of significant environmental impacts to Roseville: impacts to the natural environment, to our neighborhood environment, and to our economic environment. The council needs to understand the full extent of these impacts in order to protect the “health, safety, general welfare, convenience and good order of the community” -- that’s direct language from our own city code[1], and that’s what the council has responsibility to consider in deciding whether to grant Wal-Mart’s development request.

The council can't reasonably rely on the 2007 AUAR Update – it is 5 years old, and based on very different zoning assumptions[2], and very different kinds of development in the Twin Lakes area and the particular site where Wal-Mart is proposed. [3] Although there are many potential environmental impacts identified in the AUAR, I'm going to focus my comments on traffic. From the limited information in the record, the traffic generated by a Wal-Mart is going to exceed even the "worst case scenario" analyzed in the AUAR.

It's impossible to tell from Wal-Mart's traffic study exactly how many "daily trips" will be made to and from the proposed new big box. (Daily trips are one of the key traffic-related parameters of development intensity analyzed in the AUAR.) But we do have in the council packet a series of letters from representatives of MN DOT indicating that Wal-Mart's traffic study underestimates the significant flow of regional traffic from I-35W to Wal-Mart, and onto surrounding city and county roads.

Here are some key passages from those letters:

It appears that the AUAR was based on a lower volume traffic generator than a WalMart.

Letter dated February 24, 2012 to Thomas Paschke, City Planner from Michael J. Corbett, MNDOT Traffic Engineering Section, Senior Planner(emphasis added)

I-35W carries greater than 100,000 trips at [County Road C] each day and the access to the Walmart site will be especially attractive to some part of northbound trips, up to 6,000 vehicles per hour approaching this interchange at the afternoon peak period. Large retail at this location is expected to draw from these regional trips. It is therefore probable that the afternoon volume exiting and entering I-35W northbound will exceed expectations and further degrade operations at the intersection of Cleveland Avenue and Twin Lakes Parkway beyond the analysis provided...Due to the close proximity of the intersection of Cleveland Ave and County Road C, deficiencies on the roadway of Cleveland Avenue could quickly affect operations on County Road C. Cleveland Avenue and County Road C are important for providing local access in the immediate area but also mobility in a larger area.

Letter dated April 9, 2012 to Debra Bloom, City Engineer from Tony Fischer, MNDOT Freeway Analysis Supervisor and Gayle Gedstad, MNDOT North Area Traffic Support Area Manager (emphasis added)

We reiterate our expectation that [traffic] volumes exiting and entering northbound I-35W will exceed projected traffic impacts related to the proposed Walmart store...If traffic volumes exceed capacity by any significant margin, this congestion could quickly become intolerable to local citizens, employees and businesses. Given that future congestion is directly tied to the AUAR site development, our expectation is that the City of Roseville has first responsibility for adequately addressing the transportation needs.

Developing the AUAR site in any significant way will risk significant traffic operations failure on the city and county road network as MnDOT must prioritize the operations of I-35W given its importance to the broader region. The same highly convenient access that causes this site to be desirable for development will cause traffic demands to grow here.

Letter dated May 9, 2012 to Debra Bloom, City Engineer from Tony Fischer, MNDOT Freeway Analysis Supervisor and Gayle Gedstad, MNDOT North Area Traffic Support Area Manager (emphasis added)

It is safe to assume that MN DOT's planners are experts on traffic matters, looking out for the public interest. The city staff has apparently accepted MNDOT's conclusions that Wal-Mart's traffic study underestimates traffic volumes, since Wal-Mart is being asked to pay part of the substantial costs of making immediate improvements to the 35W entrance/exit ramp at Cleveland and Twin Lakes Parkway. (Why only part? Who will pay the rest?)

But in addition, and even more troubling from our neighborhood perspective, Wal-Mart's traffic study is incomplete. It does not analyze or even consider traffic impacts on Fairview Avenue or County Road D. It's as though the residential neighborhoods don't even exist – we literally are not counted, and don't count in Wal-Mart's traffic study. The AUAR did study impacts on intersections of Fairview and County Road C, Terrace Drive, Lydia Avenue, and County Road D, as well as the intersection of County Road D and Cleveland. Mitigation requirements are specified for each of these intersections. See Twin Lakes Final AUAR Update, dated October 15, 2007, pp. 63-64. The AUAR also specifically requires (as part of its Mitigation Plan) that:

15) The City will require a traffic impact analysis for all development projects within the AUAR area. The traffic impact analysis will assist the City and other road authorizes in determining the appropriate mitigation measures that are required to reasonably mitigate impacts of a specific development proposal. If the City determines that a specific proposed project causes impacts that exceed the thresholds that the mitigation strategies where meant to address (see Mitigation Strategy 16), then the development intensity/density of such a project may need to be reduced.

Twin Lakes Final AUAR Update, dated October 15, 2007, p. 62.

If the city is not going to update the AUAR, then it must follow the AUAR's specific mitigation requirements for traffic on Fairview and County Road D. Either way, further environmental study and review is needed – the city needs an independent analysis of all of the traffic impacts of the proposed Wal-Mart, including impacts on the Twin Lakes residential neighborhoods, to determine whether the development intensity exceeds AUAR thresholds.

Economic Impacts

Further review and study is also needed on the economic impacts of the proposed Wal-Mart, including the fiscal impacts to the city budget and taxpayers, as well as the impacts on Roseville's local economy.

Fiscal/Taxpayer Impacts

The council should not consider approving the proposed Wal-Mart without a detailed analysis of how much the development will cost the city and its taxpayers, and who will pay for it. This fiscal analysis should include calculation of how much public money has already been spent on infrastructure for the benefit of that site, how much more tax money will be needed to build improvements to the I-35W entrance ramp, how much public money will be needed for environmental clean-up, how much will be needed to pay for additional police officers – balanced against projected tax revenue to be received by the city from the Wal-Mart. In short, the council should require an independent, objective bottom-line analysis of how much Roseville taxpayers will be required to subsidize Wal-Mart before considering whether to approve the proposed project.

Impacts on the Local Economy

Similarly, the council should conduct an independent analysis of Wal-Mart's potential impacts on the local economy, including potential negative impacts on existing businesses, especially locally-owned and small businesses, and potential negative impacts on property values, especially in surrounding residential neighborhoods. For a recent overview of literature analyzing the economic impacts of Wal-Mart, please see the attached report by the Hunter College Center and Community Development and New York City Public Advocate Bill DeBlasio, "Wal-Mart's Economic Footprint" (attached separately as a PDF).

Land Use Issues

If the council determines to go forward to consider land use issues at tonight's meeting, Wal-Mart's requests for a preliminary and final plat should be denied. The mitigation requirements of the 2007 AUAR Update have not been met, as discussed above. The proposed big-box development violates the 2001 Twin Lakes Master Plan, and does not meet either zoning or comprehensive plan requirements for the site.

The 2001 Twin Lakes Master Plan

The 2001 Twin Lakes Master Plan specifically states that big-box retail development "is not recommended" at the corner of Cleveland Ave. and County Road C, the very site of the proposed Wal-Mart. The 2001 Twin Lakes Master Plan is the

basis for the 2007 AUAR Update. It is also referenced in the Comprehensive Plan, along with the 2007 AUAR, as an “official control” that guides land use and development in the Twin Lakes area.

Community Mixed Use

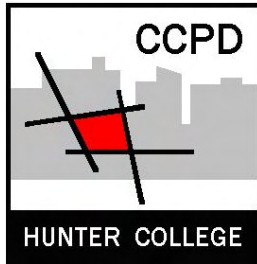
The Comprehensive Plan and zoning code designate the Twin Lakes area for “Community Mixed Use” development. The proposed Wal-Mart is not a mixed use development. It is not pedestrian-friendly or transit-oriented. It is a low density single use development, with a very large asphalt parking lot. More importantly, Wal-Mart does not meet the definition of a “Community Business” under either the zoning code or the Comprehensive Plan. The Comprehensive Plan defines Community Mix Use to include Community Business uses, but not Regional Business uses. Community Businesses are defined as businesses that “promote community orientation and scale” and “provide goods and services to a local market area”, in contrast to Regional Businesses, defined under the Comprehensive Plan as stores “located in areas with visibility and access from the regional highway system (Interstate 35W and State Highway 36)”, providing “goods and services to a regional market area”. The visibility and location of the proposed site next to 35W and letters from MN DOT representatives quoted above, together with available information about Wal-Mart’s business models and strategies, establishes that Wal-Mart is not a “Community Business” and not an allowed land use in a Community Mixed Use area.

[1] See Roseville City Code 1101.01 and 1102.03

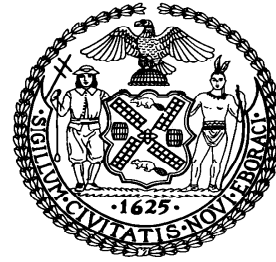
[2] The 2007 AUAR update is based on the “B-6 Mixed Use Business Park” zone, which is significantly different from the current zoning code in key respects. For example, the B-6 zone explicitly required an environmental impact statement or comparable environmental review, required a PUD process for all developments within the zone, and required 25% green space per development (as opposed to only 15% in the current proposal).

[3] The 2007 AUAR Update is based on the 2001 Twin Lakes Master Plan, which specifically states that big-box retail development “is not recommended” at the corner of Cleveland Ave. and County Road C, where Wal-Mart is proposed.

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THE PUBLIC ADVOCATE FOR THE
CITY OF NEW YORK
Bill de Blasio – PUBLIC ADVOCATE

JANUARY 10, 2010

Wal-Mart's Economic Footprint:
A literature review prepared by Hunter College Center for
Community Planning & Development and New York City
Public Advocate Bill de Blasio

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Executive Summary

Wal-Mart is the world's largest retailer with more than 4,300 stores in the United States and over 8,000 worldwide, with global sales topping \$400 billion in 2009.¹ It is the largest retailer in the U.S., where more than half its revenue comes from grocery sales.² Wal-Mart's formula for financial success includes: low-wage labor, limited health benefits, and leveraging of government subsidies

Hundreds of studies, reports, and articles have been written about the negative impacts of Wal-Mart. This document represents a thorough review of key literature between 2002 and 2010, and points to many of the retail giant's negative impacts. It examines over fifty studies conducted over the past seven years on Wal-Mart's impact on both local and national economies. It represents research encompassing all fifty states, including the first research conducted regarding Wal-Mart in a major U.S. City: Chicago.

Since opening its first store in Bentonville, Arkansas in 1962, Wal-Mart has steadily spread from its base in the South and Midwest to dominate the suburban and rural retail market across the U.S. Having effectively saturated these markets, Wal-Mart's most lucrative opportunities for growth are now outside the U.S.. However, the company has also begun to move aggressively into those more densely populated central cities that have so far been off limits, either for lack of space in which to shoe-horn the mall-size Wal-Mart outlets or due to local antipathy to the company because of its negative impact on small businesses and the local economy.

Wal-Mart is addressing the first obstacle – store size – by changing its standard big box model to a more flexible one involving stores of widely varying sizes, perhaps even as small as a few thousand square feet, the size of many local grocery stores. According to Garrick Brown, Vice President of Research at Colliers International, “Smaller designs, in the twenty thousand square-foot range, and mostly groceries – that's where the money is.”³ For example, four stores are planned for the Washington, DC area, including multi-story buildings in both central city and suburban settings.⁴ Twenty-four new stores are planned for the San Francisco Bay Area. Several years ago the company opened its first store in Chicago and is planning a dozen more.⁵

¹ Wal-Mart. “Corporate Facts: Wal-Mart by the Numbers.” March, 2010. <http://Wal-Martstores.com/download/2230.pdf>

² ABMN Staff. “BusinessNews: Wal-Mart Hopes to Expand to San Francisco.” September 22, 2010. www.americanbankingnews.com/2010/09/22/wal-mart-nyse-wmt-hopes-to-expand-to-san-francisco/

³ *ibid*

⁴ Dan Malouf. “Will Wal-Mart be Urban? Part 1: Brightwood.” Greater Greater Washington. November 21, 2010. <http://greatergreaterwashington.org/post/8208/will-Wal-Mart-be-urban-part-1-brightwood/>

⁵ *ibid*; Stephanie Clifford. “Wal-Mart Gains in its Wooing of Chicago.” The New York Times. June 24, 2010. <http://www.nytimes.com/2010/06/25/business/25-Wal-Mart.html>

Although Wal-Mart has overcome the challenge of fitting its stores into urban environments, these smaller stores continue to bring negative overall economic impacts on the communities where they are located. The retail giant is undertaking a major public relations campaign; however, the corporation has made only minor concessions and their promises about job creation and tax revenues are not realized.

The overwhelming weight of the independent research on the impact of Wal-Mart stores on local and national economies – including jobs, taxes, wages, benefits, manufacturing and existing retail businesses – shows that Wal-Mart depresses area wages and labor benefits contributing to the current decline of good middle class jobs, pushes out more retail jobs than it creates, and results in more retail vacancies. There is no indication that smaller “urban” Wal-Mart stores scattered throughout a dense city in any way diminish these negative trends. Rather, such developments may actually result in more widespread economic disruption.

1. Wal-Mart’s Economic Impacts: Net Loss of Jobs, Fewer Small Businesses

- Wal-Mart store openings kill three local jobs for every two they create by reducing retail employment by an average of 2.7 percent in every county they enter.⁶
- Wal-Mart’s entry into a new market does not increase overall retail activity or employment opportunities.⁷ Research from Chicago shows retail employment did not increase in Wal-Mart’s zip code, and fell significantly in those adjacent.
- Wal-Mart’s entry into a new market has a strongly negative effect on existing retailers.⁸ Supermarkets and discount variety stores are the most adversely affected sectors, suffering sales declines of 10 to 40% after Wal-Mart moves in.⁹

⁶ Neumark, David, Junfu Zhang, and Stephen Ciccarella, January 2007. “The Effects of Wal-Mart on Local Labor Markets.” Institute for the Study of Labor Discussion Paper #2545, University of Bonn. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=958704.

⁷ Julie Davis, David Merriman, Lucia Samyoo, Brian Flanagan, Ron Baiman, and Joe Persky. “The Impact of an Urban Wal-Mart Store on Area Businesses: An Evaluation of One Chicago Neighborhood’s Experience.” Center for Urban Research and Learning, Loyola University Chicago. December 2009. http://luc.edu/curl/pdfs/Media/Wal-MartReport21010_01_11.pdf; David Neumark, Junfu Zhang, and Stephen Ciccarella. “The Effect of Wal-Mart on Local Labor Markets.” IZA Discussion Paper No. 2545 (January 2007). <http://ftp.iza.org/dp2545.pdf>

⁸ Srikanth Parachuri, Joel A.C. Baum, and David Potere. “The Wal-Mart Effect: Wave of Destruction or Creative Destruction?” *Economic Geography* 85.2 (2009): 209-236.

⁹ Kenneth E. Stone, Georgeanne Artz, and Albery Myles. “The Economic Impact of Wal-Mart Supercenters on Existing Businesses in Mississippi.” Mississippi University Extension Service. 2002. http://Wal-Mart.3cdn.net/6e5ad841f247a909d7_bcm6b9fdo.pdf; O. Capps, and J.M. Griffin. “Effect of a Mass Merchandiser on Traditional Food Retailers.” *Journal of Food Distribution* 29 (February 1998): 1-7;

- Stores near a new Wal-Mart are at increased risk of going out of business. After a single Wal-Mart opened in Chicago in September 2006, 82 of the 306 small businesses in the surrounding neighborhood had gone out of business by March 2008.¹⁰
- The value of Wal-Mart to the economy will likely be less than the value of the jobs and businesses it replaces. A study estimating the future impact of Wal-Mart on the grocery industry in California found that, “the full economic impact of those lost wages and benefits throughout southern California could approach \$2.8 billion per year.”¹¹
- Chain stores, like Wal-Mart send most of their revenues out of the community, while local businesses keep more consumer dollars in the local economy: for every \$100 spent in locally owned businesses, \$68 stayed in the local economy while chain stores only left \$43 to re-circulate locally.¹²

2. Wal-Mart’s Costs to Taxpayers

- Wal-Mart has thousands of associates who qualify for Medicaid and other publicly subsidized care, leaving taxpayers to foot the bill.¹³ For instance in Ohio Wal-Mart has more associates and associate dependents on Medicaid than any other employer, costing taxpayers \$44.8 million in 2009.¹⁴
- According to estimates, Wal-Mart likely avoided paying \$245 million in taxes 2008 by paying rent to itself and then deducting that rent from its taxable income.¹⁵

Vishal P. Singh, Karsten T. Hansen, and Robert C. Blattberg. “Impact of a Wal-Mart Supercenter on a Traditional Supermarket: An Empirical Investigation.” February 2004.

<http://chicagobooth.edu/research/workshops/marketing/archive/WorkshopPapers/hansen.pdf>; Kusum L.

Ailawadi, Jie Zhang, Aradhna Krishna, and Michael W. Kruger. “When Wal-Mart Enters: How Incumbent Retailers React and How This Affects Their Sales Outcomes.” *Journal of Marketing Research* 47.4 (August 2010).

¹⁰ Davis et al, id

¹¹ Martin Boarnet, and Randall Crane. “The Impact of Big Box Grocers on Southern California: Jobs, Wages, and Municipal Finances.” Orange County Business Council. September 2009.

http://www.coalition4lc.org/big_box_study.pdf

¹² Civic Economics. “The Andersonville Study of Retail Economics.” October 2004.

<http://www.andersonvillestudy.com/AndersonvilleSummary.pdf>

¹³ “Good Jobs First” reports that in 21 of 23 states which have disclosed information, Wal-Mart has the largest number of employees on the Medicaid rolls of any employer.

http://www.goodjobsfirst.org/corporate_subsidy/hidden_taxpayer_costs.cfm

¹⁴ Ohio Department of Jobs and Family Services. “Ohio Medicaid Recipients by Employer.” September 2009.

http://pnohio.3cdn.net/5ddd17f44b6d3a8a58_sim6bx1ew.pdf

¹⁵ United Food and Commercial Workers International Union. “Outline of Data and Methodology for Estimating Amount of Tax Avoided By Wal-Mart.” <http://wakeupal-Mart.com/facts/statebudgetsappendix.html>.

- Wal-Mart has admitted a failure to pay \$2.95 billion in taxes for fiscal year 2009.¹⁶

3. Wal-Mart's low paying jobs contribute to the decline of the middle class

- Median household income declined by 1.8% nationally and 4.1% in New York City in 2009.¹⁷ This decline will be exacerbated by low paying Wal-Mart jobs.
- Wal-Mart's average annual pay of \$20,774 is below the Federal Poverty Level for a family of four.¹⁸
- A Wal-Mart spokesperson publicly acknowledged in 2004 that, "More than two thirds of our people... are not trying to support a family. That's who our jobs are designed for."¹⁹
- Wal-Mart's 2010 health care offerings have a high annual deductible of \$4,400 which means a family would have to spend \$5,102 of their own money on health care before Wal-Mart's insurance pays anything. Based on the average salary of a Wal-Mart employee this payment represents almost 25% of their annual income.²⁰
21

For these reasons, we conclude that the entry of even a single Wal-Mart store in New York City could have a snowball effect and result in a negative long-term cumulative impact on the city's economy and continued decline of the middle class. A single small Wal-Mart, or a single superstore, could mean the demise of existing food retailers, end local retail, and hurt working families. Considering Wal-Mart's aggressive plans for expansion into urban markets all across the country, there is no reason to believe the company would be satisfied with only one store in the nation's largest city.

¹⁶ Tom English, and Mark J. Cowan. "The Challenges of Transparency in Corporate Tax Departments," The CPA Journal, October 2007; Wal-Mart Stores Inc. Form 10-K for fiscal year ended January 31, 2010. Consolidated Financial Statements, Note 8, pg. 36

¹⁷ <http://www.crainsnewyork.com/article/20100809/FREE/100809838>

¹⁸ The calculation assumes that a full-time Wal-Mart worker works an average of 34 hours a week, 52 weeks a year. The average of 34 hours a week is obtained from an internal Wal-Mart memo <http://www.nytimes.com/packages/pdf/business/26Wal-Mart.pdf>

¹⁹ Transcript of PBS Newshour, 23 August 2004

²⁰ The calculation was performed for a family with one earning member who earns the Wal-Mart average wage of \$11.24/hour, and works an average of 34 hours a week for 52 weeks a year.

²¹ This information is taken from the guide to annual enrollment that Wal-Mart distributed to its associates in September-October 2009 for benefit year 2010.

The Negative Socio-Economic Impacts of Wal-Mart

Net Loss of Jobs, Fewer Small Businesses

While City representatives may have engaged in discussions with Wal-Mart or its agents, there has been no public review of Wal-Mart's plans or assessment of potential impacts. However, the case of the new Wal-Mart store in Chicago strongly suggests negative impacts that New York City could expect to experience with the introduction of Wal-Mart stores. A 2009 study by the Center for Research & Urban Learning at Loyola University surveyed a four-mile radius before and after the opening of Chicago's first Wal-Mart in September 2006.²² The survey found that Wal-Mart's entry led to local business failures, no measurable increase in retail employment or sales in the immediate area of the new store, and a noticeable drop in jobs and sales in surrounding areas. To be more precise, 25% of retail businesses within a mile of the Wal-Mart closed within a year.

The Loyola study confirmed a basic principle of retailing in urban areas: total sales are for the most part based on a finite pool of disposable consumer income, and new retailers cannot simply create new sales without taking them away from others. "For Wal-Mart's own zip code, 60639, there is no evidence of an overall upturn in sales," concluded the researchers. Retail employment also declined overall: "Retail employment levels in Wal-Mart's own zip code show no significant change, presumably because of the addition of Wal-Mart's own employees. But retail employment trends in neighboring zip codes show a negative effect after Wal-Mart's opening. This effect is significant in the period 2003-2008."²³ The researchers found that the hardest-hit businesses were selling electronics, toys, office supplies, general merchandise, hardware, home furnishings and drugs. A University of Illinois analysis of a proposed Wal-Mart in Chicago in 2004 had accurately predicted that the megastore's arrival would lead to a net job loss and only a minimal increase in net tax revenues.²⁴

Other research shows that Wal-Mart's arrival in a new market has a particularly damaging effect on ethnic retailers including supermarkets, bodegas, electronics and furniture stores.²⁵ A recent study in Florida found that drugstores and stores specializing in apparel, sporting goods, home furnishings, cards and gifts, and other essential consumer household goods are likely to suffer the

²² Davis et al, id

²³ *ibid.*

²⁴ UIC Center for Urban Economic Development. "The Economic Impact of Wal-Mart: An Assessment of the Wal-Mart Store Proposed for Chicago's West Side. March 2004. <http://www.uic.edu/cuppa/uicued>

²⁵ Center for Research & Urban Learning & Loyola University, 2009.

most.²⁶ Take a stroll down neighborhood retail strips in Washington Heights, Flushing, or East New York and it's clear that these are the products most commonly sold by locally-owned retail shops in New York City.

Another study that examined the impact of new Wal-Mart stores in seven markets around the country found that Wal-Mart's entry had substantial negative impacts on sales of mass-produced consumer staples by local vendors: "In the year following entry, mass stores suffer a median sales decline of 40% and supermarkets suffer a median sales decline of 17%, while drug stores experience a much smaller median decline of 6%. This magnitude of sales impact is broadly consistent with prior research",²⁷

Small locally-owned businesses are not the only Wal-Mart victims. Other chain stores and discount retailers also suffer from Wal-Mart's manipulation of prices. One study of a nationwide dataset of Wal-Mart's effect on previously existing discount retailers found that roughly half of small discount stores closed after Wal-Mart's arrival.²⁸ The unfortunate result is a reduction of competition and many empty storefronts.

Independently owned local businesses are an essential part of New York City's vibrant residential neighborhoods. Chain stores are concentrated in a few outer-borough malls and in heavily-trafficked parts of Midtown and Lower Manhattan, while independent retailers predominate in most of the rest of the city. Independent retailers flourish, for example, in the dense commercial districts serving immigrant communities, in Flushing and Corona (Queens), Sunset Park (Brooklyn), Melrose (The Bronx) and Washington Heights (Manhattan).

As Jane Jacobs observed in her classic work *The Death and Life of Great American Cities*:

"Commercial diversity is, in itself, immensely important for cities, socially as well as economically... wherever we find a city district with an exuberant variety and plenty in its commerce, we are apt to find that it contains a good many other kinds of diversity also, including variety of cultural opportunities, variety of scenes, and a great variety in its population and other users. This is more than a coincidence." (p. 148)

The benefits of the small business economy are clear to see in districts like Downtown Flushing where small business has served as the engine of neighborhood growth and has led to the emergence of a uniquely diverse urban center that attracts residents and visitors from throughout the city and region. Linkages among small businesses strengthen them and help sustain them in hard times. Linkages between small businesses and civic and social organizations in

²⁶ Parachuri et al, id

²⁷ Ailawadi et al, id

²⁸ Panle Jia. "What Happens When Wal-Mart Comes to Town: An Empirical Analysis of the Discount Retailing Industry." *Econometrica* 76.6 (November 2008): 1263-1316.

communities' help neighborhoods thrive and develop. Innumerable personal ties between local merchants and residents are enormous assets to a thriving urban environment.

Locally owned businesses are crucial to the vitality of our economy because they keep a higher percentage of their resources in the local economy by procuring their goods and services from the local area. Locally-owned businesses recirculate dollars in the neighborhood while chain stores send revenues to corporate headquarters. A 2004 study found that for every \$100 spent in locally owned businesses, \$68 stayed in the local economy while chain stores only left \$43 to recirculate locally. The local owners tend to live in the community, spend more on labor, are twice as likely to use local supply networks, and contribute more to local charities.²⁹

Small businesses are the engines of local economic development, leaders in innovation and change, and are more productive than large chains.³⁰ In New York City, small retail businesses are a particularly important means of economic and social advancement for immigrant families.

Even if Wal-Mart imitates the appearance of our small business retailers by subdividing into small outlets, it will still operate as a global monopoly with the same giant supply chain, and the same low wages and substandard labor policies.

Our observations about the critical importance of locally-owned businesses are widely shared among those who have studied urban economies in depth. According to economists at Winthrop University, States with a higher percentage of very small businesses, those with 20 employees or less, have a more productive workforce and higher levels of GDP growth than states with lower levels of very small businesses. Furthermore, states that are rich in very small businesses have lower rates of unemployment.³¹

Wal-Mart is trying to take advantage of the current economic downturn by promising an immediate infusion of jobs and investment dollars in city neighborhoods that have been hit hard by the recession. Considering the body of independent research that clearly demonstrates Wal-Mart's negative long-term impacts on local economies, it would be shortsighted to allow this destructive retail monopolist to enter the New York City market via the Trojan Horse of "job creation."

Lastly, Wal-Mart typically sells promotable products below their cost as a loss leader to draw in customers.³² Wal-Mart has the ability to lower these prices, even if it means losing money for up to ten years, something small businesses cannot afford.³³ After driving out competition, the

²⁹ Civic Economics, id

³⁰ Parachuri et al, id

³¹ D.K. Robbins, L.J. Pantuosco, D.F Parker, and B.K. Fuller. "An Empirical Assessment of the Contribution of Small Business Employment to U.S. State Economic Performance". *Small Business Economics* 15 (2000): 293–302.

³² B. Lund. "Predatory Pricing Practices and the Toy Industry." Global Toy News. August 27, 2010 <http://www.globaltoynews.com/2010/08/Wal-Mart-predatory-pricing-and-the-toy-industry.html>

³³ MacPherson; Lintreure, id

company increases prices on those products. Artificially lowering prices impacts not only small local businesses, but has major ramifications on manufacturing and the global economy.

Predatory pricing forces competing retailers to sell at a loss, or cancel orders for promotable products because they cannot compete with the artificially low prices. This hurts those small businesses and has major implications for manufacturers. Consumer products will ultimately sell fewer units because Wal-Mart will be the only store left selling these products. This causes losses for manufacturers by devaluating goods and impacting quantities.³⁴

According to Bloomberg News, this was done on a massive scale this holiday season. Wal-Mart managers in the U.S. received instructions to mark up an average of 1,800 types of toys per store this holiday season, according to a company e-mail sent the month before Christmas.³⁵

Wal-Mart's power to sell products below their typical market value has led to the laying off of employees and the closure of U.S. plants in favor of outsourcing products from overseas.³⁶ Eighty-five percent of Wal-Mart's items are made overseas. The mega-retailer has faced numerous accusations of unacceptable conditions in the factories of their suppliers. Reported abuses include: "forced overtime, locked bathrooms, starvation wages, pregnancy tests, denial of access to health care, and workers fired and blacklisted if they try to defend their rights."³⁷

Costs to Taxpayers

Because many of Wal-Mart's employees do not earn enough to make ends meet they often turn to public assistance. Each Wal-Mart store, averaging 200 employees, costs taxpayers approximately \$420,750 annually in public social services used by store employees.³⁸ Wal-Mart has thousands of associates who qualify for Medicaid and other publicly subsidized care, leaving taxpayers to foot the bill.³⁹ For instance, Wal-Mart has the greatest number of associates and associate dependents on Medicaid in Ohio, costing taxpayers \$44.8 million in 2009.⁴⁰

According to the group Wal-Mart Subsidy Watch, a non-profit watchdog group, Wal-Mart has already received subsidies worth about \$52 million in New York State. At least eight Wal-Mart locations in New York have challenged their property tax assessment, recouping about \$766,000.⁴¹ Wal-Mart has already cost New Yorkers millions of dollars, even before entering the state's largest marketplace.

³⁴ D. Moberg. "The Wal-Mart Effect: The How's and Whys of Beating the Bentonville Behemoth." June 10, 2004

³⁵ M. Boyle. "Wal-Mart Raising Prices on Toys, Squeezing More Out of Holidays." Bloomberg News. December 15, 2010

³⁶ Fishman, id

³⁷ United Food and Commercial Workers International Union. "Wal-Mart and Sweatshops." http://www.ufcw.org/take_action/Wal-Mart_workers_campaign_info/facts_and_figures/Wal-Mart_sweatshops.cfm

³⁸ Congressman G. Miller. "Everyday Low Wages: The Hidden Price We All Pay For Wal-Mart" February 16, 2004.

³⁹ Good Jobs First, id

⁴⁰ Ohio Department of Jobs and Family Services., id.

⁴¹ www.Wal-Martsubsidywatch.org/index.html

Wal-Mart also uses controversial methods to reduce the taxes it pays. They use a Capital Real Estate Investment Trust (REIT) where the corporation pays rent to itself and then deducts that rent from its taxable income.⁴² It is estimated that Wal-Mart likely avoided paying \$245 million in 2008 using this strategy nationwide.⁴³ By its own admission, Wal-Mart likely owes billions in taxes.

Wal-Mart's entry into the New York City market may also negatively affect the tax base by displacing the better compensated employees of the existing retail sector. This is especially relevant for the unionized workers of the grocery sector. A study of Wal-Mart's potential entry into the San Francisco market estimated that if Wal-Mart were to take ten to twenty percent of the grocery markets and replace thousands of union supermarket employees with Wal-Mart workers, the region would lose \$300 to \$576 million dollars in employee wages and benefits.⁴⁴

Wal-Mart's low paying jobs contribute to the decline of the Middle Class

According to the 2009 Census Bureau's survey of income and poverty in the United States, Median household income is falling in the vast majority of U.S. states and in virtually every single major U.S. city, representing a shocking decline of the middle class. Unemployment has also skyrocketed in recent years and it has become much harder to get a good middle class job.⁴⁵

According to the Census Bureau, median household income declined in thirty four U.S. states in 2009 and almost all U.S. Cities.

- In New York City, median household declined 4.1% to \$55,980.
- In Detroit, median household income declined 10% to \$48,535.
- In Orlando, median household income dropped almost 10% to \$46,856.
- In Cleveland, median household income fell 8.5% to \$45,395.
- In Miami, median household income declined 8.2% to \$45,946.
- In Indianapolis, median household income dropped 7.1% to \$50,140.

With an average annual pay of \$20,774, significantly below the Federal Poverty Level for a family of four, Wal-Mart's workforce can largely be classified as working poor.^{46,47} Wal-Mart's 1.3 million employees being forced to accept poverty level wages and bare bones health benefits

⁴² Drucker, id

⁴³ Good Jobs First. "Wal-Mart Subsidy Watch." <http://wakeupWal-Mart.com/facts/statebudgetsappendix.html>

⁴⁴ Marlon Boarnet, Randall Crane, Daniel G. Chatman, and Michael Manville. "Emerging Planning Challenges in Retail: The Case of Wal-Mart." *Journal of the American Planning Association* 71.4 (2005): 433-449.

⁴⁵ U.S. Census Bureau "Income, Poverty, and Health Insurance Coverage in the United States: 2009" September, 2010.

⁴⁶ The calculation assumes that a full-time Wal-Mart worker works an average of 34 hours a week, 52 weeks a year. The average of 34 hours a week is obtained from an internal Wal-Mart memo. <http://www.nytimes.com/packages/pdf/business/26Wal-Mart.pdf>

⁴⁷ U.S. Department of Labor Bureau of Labor Statistics "A Profile of the Working Poor, 2000" March 2002

will only exacerbate the continuing decline of the middle class, including in New York City.⁴⁸ A Wal-Mart spokesperson was quoted in 2004 saying, "More than two thirds of our people...are not trying to support a family, that's who our jobs are designed for."⁴⁹

A study done by the UC Berkeley Institute of Industrial Relations compared Wal-Mart's wages to other large retailers, as well as other industry segments. Wal-Mart employees constitute of 55% of all general merchandise workers, and 71% of large general merchandise workers. The study found a significant gap in pay for Wal-Mart employees. Looking at comparable retailers and adjusting wages for local labor markets, Wal-Mart employees earned less than their counterparts at other retailers. On average, general merchandise workers made 17.4% more and large general merchandise workers made 25.6% more than the Wal-Mart average for similar employees⁵⁰.

Not only are employees being paid less than fair wages, only half of Wal-Mart employees are receiving healthcare. And those who do receive benefits are enrolled in plans that provide inadequate coverage.

Wal-Mart's 2010 health care offerings include low premiums of \$27 per pay period for family coverage, or \$702 per year; however this plan has a high annual deductible of \$4,400.⁵¹ With a \$4,400 annual deductible, a family would have to pay \$5,102 of their own money before Wal-Mart's insurance pays for anything. For a family whose only income comes from a Wal-Mart associate, making Wal-Mart average wages of \$11.75 an hour, this equals almost 25% of their annual income.⁵² New Yorkers cannot afford to devote one forth of their incomes to healthcare before their insurance kicks in.

⁴⁸ Arindrajit Dube, and Steve Wertheim. "Wal-Mart and Job Quality – What Do We Know and Why Should We Care?" UC Berkeley Center for Labor Research and Education. October 16, 2005.

http://laborcenter.berkeley.edu/retail/Wal-Mart_jobquality.pdf

⁴⁹ Transcript of PBS Newshour, 23 August 2004

⁵⁰ *ibid*

⁵¹ This information is taken from the guide to annual enrollment that Wal-Mart distributed to its associates in September-October 2009 for benefit year 2010.

⁵² The calculation was performed for a family with one earning member who earns the Wal-Mart average wage of \$11.24/hour, and works an average of 34 hours a week for 52 weeks a year.

Bryan Lloyd

From: Kari Collins
Sent: Monday, May 21, 2012 2:38 PM
To: Pat Trudgeon
Subject: FW:

FYI

From: sue gilbertson [REDACTED]
Sent: Monday, May 21, 2012 2:30 PM
To: *RVCouncil
Subject:

Council Members,

I am Susan Gilbertson, 2000 Cleveland Av. No. My husband Tom and I have lived in Roseville since 1973. Recently I spoke to Officer Loren Rosand of the Roseville Police Dept about the impact to the Police Dept. of having a Walmart store here in Roseville. He stated that Chief Mathwig estimates calls for service from Walmart would number 900 to 1000 per year. The general cost can be broken down as follows: \$60 per hour for officer
\$30 per hour for squad car

Additional costs per case would be incurred by Records Technicians, reviewing and additional follow-up, and possibly an Investigator.

These are costs which would ultimately be borne by Roseville residents.

We believe Walmart is a bad fit for our community. Please vote no.

Sincerely,
Sue Gilbertson

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Bryan Lloyd

From: Kari Collins
Sent: Monday, May 21, 2012 2:27 PM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

FYI

-----Original Message-----

From: support@civicplus.com [mailto:support@civicplus.com]
Sent: Monday, May 21, 2012 2:26 PM
To: *RVCouncil; Kari Collins; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart meeting

Name:: Joyce Thielen

Address:: 2210 Midland Grove Rd, Unit 203

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Letter

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I'm writing today because I cannot attend the City Council meeting this evening when the Walmart discussion will take place.

I would like you, my city representatives, to know that I am strongly opposed to the building of a new Walmart in Roseville. I am strongly opposed to a Walmart in Roseville for many reasons, including:

1. The poor wage standards Walmart typically offers to employee's. Walmart uses as many part-time workers as they can and they pay them low wages. Even if some higher hour part time workers are eligible for health benefits, those benefits are too costly to afford.
2. The hourly wages typical of Walmart employees are not high enough to sustain family, even a couple without children.
3. I believe Walmart would have a negative impact on Roseville's businesses, both small retail business and larger retail businesses.
4. I believe having a Walmart in Roseville would have a negative impact on the environment. I acknowledge that green and sustainable building practices and store/parking lot design could be incorporated into the proposed location, but those things do not offset my other concerns.
5. I am opposed to the public services money that would have to be spent for additional police, fire, and other city support for a Walmart building location. I'm also opposed to the infrastructure costs associated with another large, big

box, commercial/retail structure in Roseville. I understand they would pay property taxes, but I don't believe that would cover the expenses of extra city support and infrastructure.

Please take my opinions and concerns into consideration when debating the topics on the agenda at tonight's meeting.
Thank you,
Joyce

Additional Information:

Form submitted on: 5/21/2012 2:26:24 PM

Submitted from IP Address: 156.98.210.242

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

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Bryan Lloyd

From: Kari Collins
Sent: Monday, May 21, 2012 1:27 PM
To: Pat Trudgeon
Subject: FW: Walmart

FYI

From: Theresa Gardella [REDACTED]
Sent: Monday, May 21, 2012 1:27 PM
To: *RVCouncil
Subject: Walmart

Dear Council Members:

I am opposed to a Walmart opening in Roseville. Walmart's discriminatory practices, low wages, and their ability to undermine the health of small businesses is well-known. What kind of community does Roseville want to be? Do we want to be the kind of community that aspires to have a thriving and varied business sector? A community that strives to encourage living wages for its residents? A community that values and welcomes diversity? This is the community I want Roseville to be; this is the community my husband and I moved to 2 ½ years ago and the community where we want to raise our children.

Yes, Walmart offers low costs, often times unbeatable by any other store including box stores, but at what cost to our community?

Please vote NO on Walmart.

Sincerely,

Theresa Gardella

Roseville Resident
[REDACTED]

Bryan Lloyd

From: Kari Collins
Sent: Monday, May 21, 2012 10:35 AM
To: Pat Trudgeon
Subject: FW: opposed to Walmart store

FYI

-----Original Message-----

From: [REDACTED]
Sent: Monday, May 21, 2012 10:31 AM
To: *RVCouncil
Subject: opposed to Walmart store

I can't see where the Walmart store (or Costco or a similar big box discounter) would be good for Roseville, and encourage you to vote against it.

57-Year-Old Woman is 24

Doctors Figures Out Secret To Look Younger For Just \$5

<http://thirdpartyoffers.juno.com/TGL3131/4fba602a7704318c133ast05duc>

Confidentiality Statement: The documents accompanying this transmission contain confidential information that is legally privileged. This information is intended only for the use of the individuals or entities listed above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or action taken in reliance on the contents of these documents is strictly prohibited. If you have received this information in error, please notify the sender immediately and arrange for the return or destruction of these documents.

Bryan Lloyd

From: Bill Malinen
Sent: Monday, May 21, 2012 8:03 AM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [mailto:support@civicplus.com]
Sent: Sunday, May 20, 2012 8:05 AM
To: *RVCouncil; Kari Collins; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: WALMART

Name:: Timothy Callaghan

Address:: 3062 Shorewood Lane

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Phone

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I have yet to see any information on the traffic report on the effects of the Walmart development. This was not available at the planning commission and has not been present on any of the links for Walmart. Is this being kept secret for a reason?

Additional Information:

Form submitted on: 5/20/2012 8:05:06 AM

Submitted from IP Address: 24.118.30.90

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

MAY 17 2012

90 Mid Oaks Lane
Roseville, MN 55113

May 17, 2012

Roseville City Council
Roseville City Hall
2660 Civic Center Drive
Roseville, MN 55113

RE: Roseville Walmart Proposal

Dear Council Members,

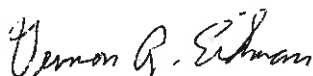
I am opposed to the current proposal to locate a Walmart Store north of County Road C in Roseville.

There are many reasons locating a Walmart store on this site is not in Roseville's best interests, but I will comment on just one. As analysis by TrischlerBise¹ documents, adding retail space to a city like Roseville will add much more to city expenditures than to city revenues and result in a net fiscal deficit. The costs of the required police and fire protection for retail businesses are major contributors to the negative impact. Furthermore, adding more retail business increases the number of lower paid jobs in Roseville, which increases the amount of lower cost housing the city is required to have. TrischlerBise also show that lower cost housing has a negative fiscal impact on the city.

Roseville households and businesses should not be asked to pay more taxes to subsidize large retail businesses, particularly large retail businesses we don't need. It would be far wiser to use the land area for office, industrial and/or larger single family housing which FischlerBise show have a positive fiscal impact on the city.

I have attached a copy of the letter I wrote to you dated March 15, 2012 that summarizes the fiscal impact of alternative land uses on a city like Roseville. It explains the points I made above in more detail.

Sincerely yours,



Vernon R. Eidman
Professor Emeritus
Department of Applied Economics
University of Minnesota

¹ TrischlerBise, *Study of the Metropolitan Area Fiscal Disparities Program*, Prepared for the Minnesota Department of Revenue, February 13, 2012.

90 Mid Oaks Lane
Roseville, MN 55113

March 15, 2012

Roseville City Council
Roseville City Hall
2660 Civic Center Drive
Roseville, MN 55113

RE: Fiscal Impacts of Adding Retail on County Road C in Roseville

Dear Council Members,

A recent study, prepared for the Minnesota Department of Revenue, estimates the fiscal impact of alternative land uses for counties, cities and school districts in the seven-county Twin Cities Metropolitan Area.¹ This study estimates the revenue generated to a locality from a type of land use and compares it to the direct expenditures the city, county and school district incurs in providing existing services to that land use. The analysis is based on the jurisdiction's Fiscal Year 2011 budget and current levels of service. The authors indicate the study seeks to answer the question, "What type of development pays for itself?"

The study evaluated nine land use alternatives – five residential and four nonresidential – listed below.

Residential Land Use

- Single Family detached unit: Higher value
- Single Family detached unit: Median value
- Single family detached unit: Lower value
- Multifamily/Condo (Homestead) unit
- Apartment unit

Nonresidential Land Use

- Commercial/Retail
- Office
- Industrial
- Institutional (tax exempt)

A jurisdiction's analysis includes the General Fund and any tax-supported funds, including operating and capital costs (including debt service). Funds for water and waste water are assumed to be self supporting and are not included. The authors stress that only those revenues and costs directly attributed to the land use are included. No indirect, or spin-off impacts are included except the Fiscal Disparities revenue.

¹ TrischlerBise, *Study of the Metropolitan Area Fiscal Disparities Program*. Prepared for Minnesota Department of Revenue, February 13, 2012.

The analysis considers two scenarios, with fiscal disparities (the current system) and without fiscal disparities (a hypothetical scenario). The second scenario is included to indicate how elimination of the Fiscal Disparities Program might impact the results. The assumption with the second scenario (without Fiscal Disparities) is that the tax rates are adjusted to generate the same level of tax revenue.

Ideally one would like to have this analysis completed for Roseville. While the study doesn't report an analysis of Roseville's data, it does provide a case example of a developed city that, like Roseville, is a net contributor to the Fiscal Disparities Program. I understand that the city analyzed is Bloomington.

The annual fiscal results for the city are shown in Figure 94 with the numerical results given in Figure 95. Notice that the results are expressed per housing unit for the five residential alternatives, and per 1000 square feet for the nonresidential uses. With the exception of the high value single family unit, the residential prototypes add more to city expenditures than to revenues and result in net deficits. Retail has the largest negative fiscal results. The costs for police and fire protection are major contributors to the negative impact of retail. To apply this result to the proposed retail establishment for County Road C, one would need to multiply the total per thousand square feet by the size of the proposed facility. Unlike retail, office and industrial uses have positive contributions to the fiscal impact for the city.

The results for the city without the fiscal Disparities Program are shown in Figures 96 and 97. The report states that without the Fiscal Disparities Program, tax rates in this city would decrease for residential properties and increase for nonresidential uses. Notice that the net fiscal effect for retail is still negative.

The analysis also estimates the fiscal impact for the school district and the county for each alternative land use. I won't comment on those results because the focus here is on the fiscal impact for the city. However, the results for all three jurisdictions are shown graphically in Figures 106 and 107.

Two additional comments are important. First, the negative fiscal impact of retail for the city is robust across various types of cities analyzed in the report. These results are not unique to the particular characteristics of the city chosen for this example.

Second, increasing the amount of retail increases the number of lower paid jobs in Roseville, which increases the amount of lower cost housing the city is required to have. Thus, adding more retail has a negative impact on the city's fiscal position both because of the negative impact of retail itself, and also because of the negative impact of the additional lower cost housing.

Thank you for reading my thoughts on this topic.

Sincerely yours,



Vernon R. Eidman

Professor Emeritus

Department of Applied Economics

University of Minnesota

Figure 94. DEVELOPED CITY Annual Net Fiscal Results: CITY Results with Fiscal Disparities

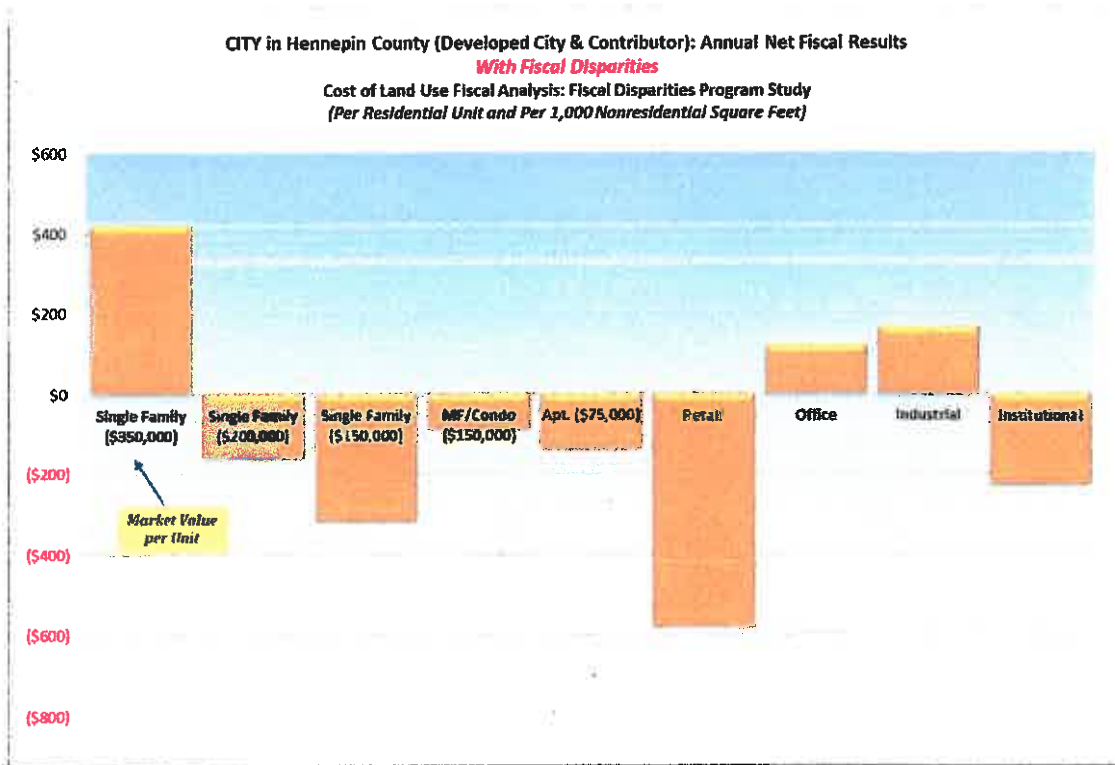
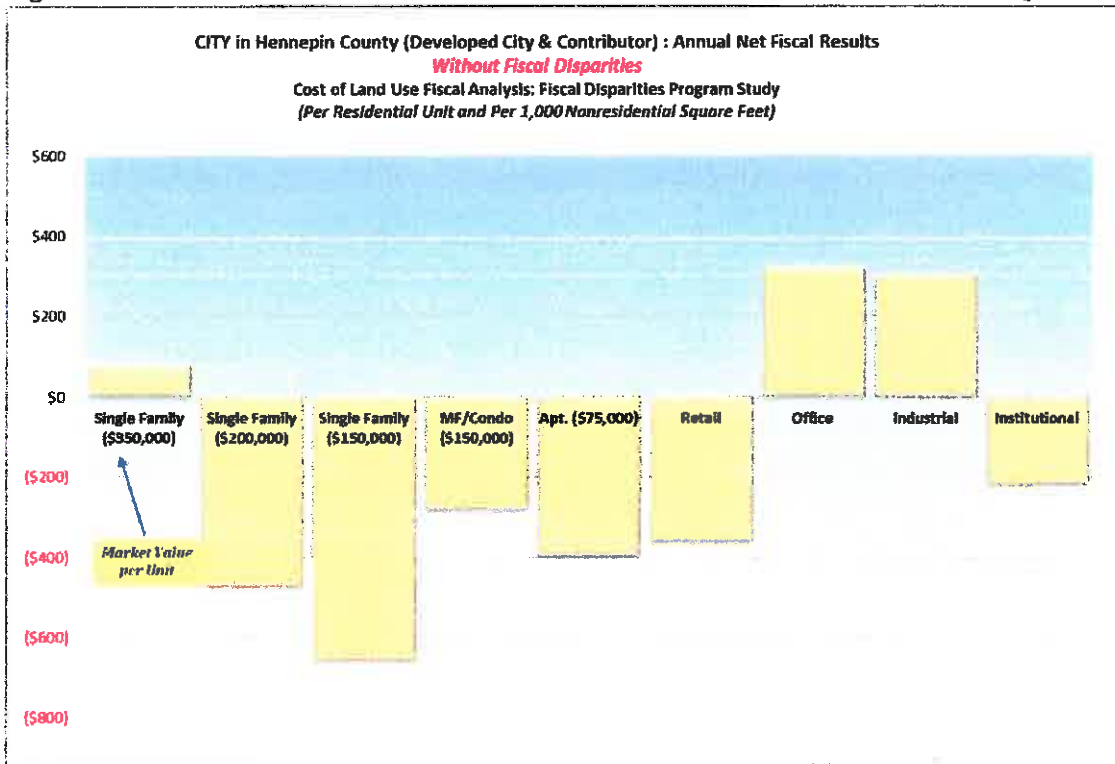


Figure 95. DEVELOPED CITY Annual Net Fiscal Results: CITY Revenues and Expenditures with Fiscal Disparities

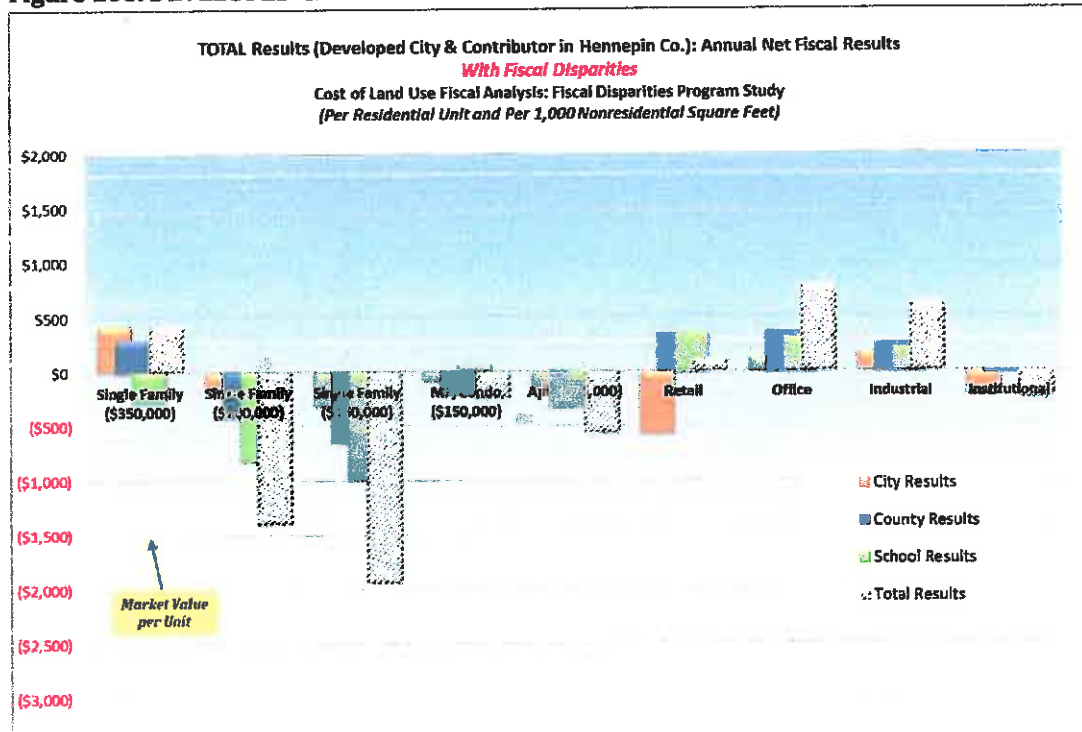
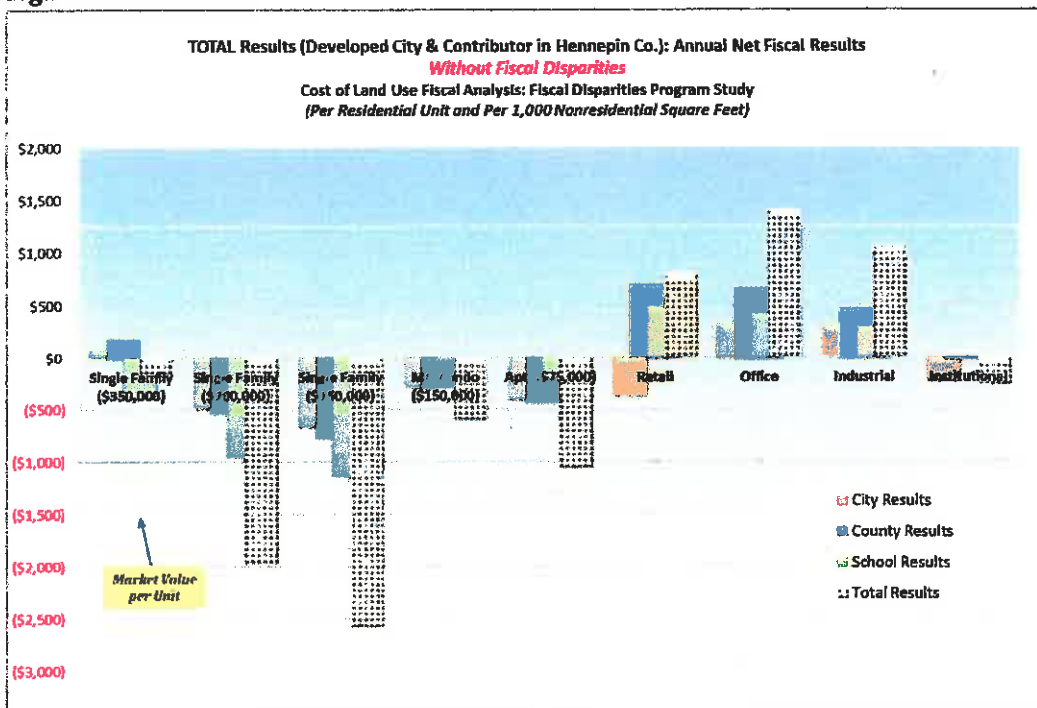
CITY RESULTS	Residential (Per Unit)					Nonresidential (Per 1,000 Sq. Ft.)			
	Single Family High Value Market Values \$350,000	Single Family Median Value \$200,000	Single Family Low Value \$150,000	Multifamily/Condo (Hmstd) Unit \$150,000	Apt. Unit \$75,000	Commercial/Retail	Office	Industrial	Institutional
General Fund									
Revenues	\$1,914	\$1,336	\$1,180	\$884	\$838	\$498	\$492	\$307	\$145
Expenditures	\$1,494	\$1,494	\$1,494	\$970	\$970	\$1,076	\$369	\$138	\$369
Net Fiscal Result	\$421	(\$157)	(\$314)	(\$86)	(\$132)	(\$578)	\$123	\$168	(\$224)

SOURCE: TischlerBise p. 130

Figure 96. DEVELOPED CITY Annual Net Fiscal Results: CITY Results without Fiscal Disparities**Figure 97. DEVELOPED CITY Annual Net Fiscal Results: CITY Revenues and Expenditures without Fiscal Disparities**

CITY RESULTS	RESIDENTIAL (PER UNIT)					Nonresidential (PER 1,000 Sq. Ft.)			
	Single Family High Value \$350,000	Single Family Median Value \$200,000	Single Family Low Value \$150,000	Multifamily/Condo (Hmstd) Unit \$150,000	Apt. Unit \$75,000	Commercial/Retail	Office	Industrial	Institutional
General Fund									
Revenues	\$1,565	\$1,015	\$831	\$686	\$572	\$713	\$684	\$438	\$145
Expenditures	\$1,494	\$1,494	\$1,494	\$970	\$970	\$1,076	\$369	\$138	\$369
Net Fiscal Result	\$71	(\$479)	(\$662)	(\$284)	(\$398)	(\$363)	\$315	\$299	(\$224)

SOURCE: TischlerBise p. 131

Figure 106. DEVELOPED CITY Annual Net Fiscal Results: TOTAL Results with Fiscal Disparities**Figure 107. DEVELOPED CITY Annual Net Fiscal Results: TOTAL Results without Fiscal Disparities**

SOURCE: TischlerBise pp. 137-8

Bryan Lloyd

From: Carolyn Curti
Sent: Friday, May 04, 2012 11:16 AM
To: Pat Trudgeon; Bill Malinen
Subject: FW: Online Form Submittal: General Inquiry Form

-----Original Message-----

From: support@civicplus.com [mailto:support@civicplus.com]
Sent: Friday, May 04, 2012 11:14 AM
To: Carolyn Curti
Subject: Online Form Submittal: General Inquiry Form

The following form was submitted via your website: General Inquiry Form

Subject: Proposed Walmart

Name:: Midge McLean

Address:: 2844 N Huron St

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Please fill out the corresponding contact information below.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I cannot believe the City of Roseville is considering approving the building of a Walmart in Roseville. The city, a few years ago, denied Cosco approval, which would bring a whole different clientele to our area. What's wrong with asking Cosco to reconsider building again. We do not need another Walmart!!

Additional Information:

Form submitted on: 5/4/2012 11:14:08 AM

Submitted from IP Address: 66.41.248.190

Referrer Page: <http://www.cityofroseville.com/index.aspx?NID=352>

Form Address: <http://www.cityofroseville.com/Forms.aspx?FID=217>

Bryan Lloyd

From: Bill Malinen
Sent: Monday, April 23, 2012 2:48 PM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [mailto:support@civicplus.com]
Sent: Monday, April 23, 2012 9:22 AM
To: *RVCouncil; Kari Collins; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Wal-Mart

Name:: Carl Brookins

Address:: 3090 Mildred Drive

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: According to the New York Times, the Justice Department is investigating a decades-long bribery operation by Wal-Mart management and a subsequent cover-up in Mexico. If true, there are multiple violations of both U.S. and Mexican laws. Are they bribing people in the U.S.? And, is this the kind of company we want in Roseville?

Additional Information:

Form submitted on: 4/23/2012 9:22:18 AM

Submitted from IP Address: 66.41.6.112

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

Thomas Paschke

From: support@civicplus.com
Sent: Monday, April 23, 2012 8:17 AM
To: Thomas Paschke
Subject: Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: Linda Pribyl

Address:: 1637 Ridgewood Lane North

City:: Roseville

State: : Mn

Zip:: 55113

Home Phone Number::

Daytime Phone Number:: same

Email Address::

Please Share Your Comment, Question or Concern: With all the data out there on how a walmart destroys smaller business, and with the Rosedale complex just down the road, I wonder how misguided and perhaps wrongheaded is the idea of a walmart in roseville? I understand the temptation to go along with walmarts agenda, but we have a nice community, with a great mall, why ruin it?

Additional Information:

Form submitted on: 4/23/2012 8:17:19 AM

Submitted from IP Address: 24.118.124.240

Referrer Page: <http://www.ci.roseville.mn.us/CivicAlerts.aspx?AID=321>

Form Address: <http://www.cityofroseville.com/Forms.aspx?FID=99>

Bryan Lloyd

From: Bill Malinen
Sent: Monday, April 23, 2012 2:48 PM
To: Pat Trudgeon
Subject: FW: in support of the Wal Mart

-----Original Message-----

From: [REDACTED]
Sent: Sunday, April 22, 2012 4:48 PM
To: *RVCouncil
Subject: in support of the Wal Mart

I am a Roseville resident living just south of 36 off Cleveland and I am very much in favor of the Wal Mart development project on Cleveland and Cty Rd C. I have a conflict on Monday but do want to voice my support. Leah Doherty, 2110 Rosewood Ln. S., Roseville.

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Bryan Lloyd

From: Carolyn Curti
Sent: Wednesday, April 18, 2012 12:36 PM
To: Pat Trudgeon; Bill Malinen
Subject: FW: Online Form Submittal: General Inquiry Form

-----Original Message-----

From: support@civicplus.com [mailto:support@civicplus.com]
Sent: Wednesday, April 18, 2012 12:20 PM
To: Carolyn Curti
Subject: Online Form Submittal: General Inquiry Form

The following form was submitted via your website: General Inquiry Form

Subject: Wal-Mart possibly building a store in Roseville,MN

Name:: Thomas M. Hoffman

Address:: 1284 Ruggles Street

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Please fill out the corresponding contact information below.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I am writing to express my strong opposition of building a Wal-Mart store in Roseville. Sometime ago Costco attempted to build a store in Roseville and was not allowed to come into Roseville. Why give Wal-Mart preferential treatment over Costco?

Wal-Mart has a terrible labor relations record and has had so many lawsuits filed against them by employees. Histroy tells us that Wal-Mart is not a good employer. Also, history establishes that when Wal-Mart comes into a community the crime rate increases dramatically in the area. More so than any of their competitors. For those reasons I urge the City Council to reject Wal-Marts bid to build in Roseville. If you are going to bring new businesses into Roseville, why not recruit an employer with a solid Labor Relations reputation with their employes's?
I urge you to share my comments with the Mayor and the elected City Concil members.

Thank you for your consideration.

Thomas M. Hoffman
1284 Ruggles Street
Roseville, MN 55113

Bryan Lloyd

From: Bill Malinen
Sent: Monday, April 16, 2012 10:50 AM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [mailto:support@civicplus.com]
Sent: Monday, April 16, 2012 10:49 AM
To: *RVCouncil; Kari Collins; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Wal-Mart

Name:: Marta Wall

Address:: 1823 Alameda St.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I would like to express my concern over the proposed Wal-Mart development in Roseville. I have deep concerns with their business plan, their employment policies, and their manufacturing policies. But more importantly, I worry about the impact this type of big box store will have on the the small businesses in Roseville. I urge you, please do not move forward with this plan. Thank you.

Additional Information:

Form submitted on: 4/16/2012 10:49:13 AM

Submitted from IP Address: 174.53.165.31

Referrer Page: <http://www.ci.roseville.mn.us/Directory.aspx?did=17>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

Bryan Lloyd

From: Bill Malinen
Sent: Sunday, April 15, 2012 5:06 PM
To: Pat Trudgeon
Subject: Fwd: Wal-Mart store on County Road C and Cleveland

Bill

Begin forwarded message:

From: Michael Hollerich [REDACTED]
Date: April 15, 2012 5:04:16 PM CDT
To: *RVCouncil <city.council@ci.roseville.mn.us>
Subject: Wal-Mart store on County Road C and Cleveland

To the members of the Roseville City Council:

I'm expressing my support on behalf of all those citizens in Roseville who are opposed to the construction of a new Wal-Mart store at County Road C and Cleveland Avenue. I have lived here for nineteen years and have been a Roseville property owner for eighteen of those years. Roseville has all the retail shopping it needs. This store is unnecessary and unwanted.

Full disclosure: I live at County Road B and Cleveland. But I would still be opposed to this store if it were being built somewhere on Dale or Victoria or Snelling. I patronize local establishments as much as possible. I don't want to see more local businesses suffocated by another big box store.

Michael J. Hollerich
2132 Cleveland Ave.

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Bryan Lloyd

From: Bill Malinen
Sent: Monday, April 16, 2012 1:47 PM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [mailto:support@civicplus.com]
Sent: Wednesday, April 11, 2012 4:54 PM
To: *RVCouncil; Kari Collins; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart

Name:: Mary Manns

Address:: 2233 St. Croix Street

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Hate group formation associated with big-box stores
Wednesday, April 11, 2012

The presence of big-box retailers, such as Wal-Mart, K-Mart and Target, may alter a community's social and economic fabric enough to promote the creation of hate groups, according to economists.

The number of Wal-Mart stores in a county is significantly correlated with the number of hate groups in the area, said Stephan Goetz, professor of agricultural economics and regional economics, Penn State, and director of the Northeast Regional Center for Rural Development.

"Wal-Mart has clearly done good things in these communities, especially in terms of lowering prices," said Goetz. "But there may be indirect costs that are not as obvious as other effects."

The number of Wal-Mart stores was second only to the designation of a county as a Metropolitan Statistical Area in statistical significance for predicting the number of hate groups in a county, according to the study.

The researchers, who reported their findings in the online version of Social Science Quarterly, said that the number of Wal-Mart stores in a county was more significant statistically than factors commonly regarded as important to hate group participation, such as the unemployment rate, high crime rates and low education.

The researchers suggested several theories for the correlation between the number of large retail stores and hate groups in an area.

Goetz, who worked with Anil Rupasingha, adjunct professor of agricultural economics and agricultural business, New Mexico State University, and Scott Loveridge, professor and director of the Northcentral Regional Center for Rural Development, Michigan State University, said that local merchants may find it difficult to compete against large retailers and be forced out of business.

Local business owners are typically members of community and civic groups, such as the Kiwanis and Rotary clubs. Losing members of these groups, which help establish programs that promote civic engagement and foster community values, may cause a drop in community cohesion, according to Goetz.

"While we like to think of American society as being largely classless, merchants and bankers are part of what we could call a leadership class in a community," Goetz said.

The large, anonymous nature of big-box retailers may also play a role in fraying social bonds, which are strongest when individuals feel that their actions are being more closely watched. For example, people may be less likely to shoplift at a local hardware store if they know the owner personally, Goetz said.

Religious priming -- using certain words or phrases to promote a range of attitudes and behaviors -- may also play a role, according to the researchers. In one study of religious priming, after participants reviewed a list of Christian words, such as Bible, gospel and Messiah, they also tended to support racist attitudes against blacks.

The researchers said that because Wal-Mart promotes typical Protestant values, such as savings and thrift, the cues may lead customers to adopt other beliefs, including intolerant attitudes, according to the researchers.

The researchers used data collected by the Southern Poverty Law Center, a group that monitors the activities of hate groups, on hate groups in each U.S. county in 2007. They used the number and location of Wal-Mart stores from 1998. Goetz said the lag time between the data sets provided time for the possible influence of a store to affect a community. Goetz said that the researchers chose Wal-Mart for the study because of the availability of data on the stores. He added that the presence of Wal-Mart in an area generally indicates the establishment of other types of big-box retailers, such as Home Depot and Target.

"We're not trying to pick on Wal-Mart," said Goetz. "In this study, Wal-Mart is really serving as a proxy for any type of large retailer."

The store chain could use this study to find ways to play a role in supporting local groups that can foster stronger social and economic ties in a community.

"We doubt strongly that Wal-Mart intends to create such effects or that it specifically seeks to locate in places where hate groups form," the researchers said.

Penn State: <http://live.psu.edu>

Thanks to Penn State for this article.

This press release was posted to serve as a topic for discussion. Please comment below. We try our best to only post press releases that are associated with peer reviewed scientific literature. Critical discussions of the research are appreciated. If you need help finding a link to the original article, please contact us on twitter or via e-mail.

Additional Information:

Form submitted on: 4/11/2012 4:53:39 PM

Submitted from IP Address: 98.240.228.222

Referrer Page: <http://www.ci.roseville.mn.us/Directory.aspx?did=17>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

Bryan Lloyd

From: Bill Malinen
Sent: Monday, April 16, 2012 1:49 PM
To: Pat Trudgeon
Subject: FW: Ramsey Cty Sheriff Rpt on Target & Wal-Mart
Attachments: Wal-Mart v. Target - Ramsey Country Sheriff's Office.pdf

-----Original Message-----

From: Carol Koester [REDACTED]
Sent: Wednesday, April 11, 2012 12:09 PM
To: *RVCouncil
Subject: Ramsey Cty Sheriff Rpt on Target & Wal-Mart

City Council Members:

Here is a 17 page report from the Ramsey County Sheriff's Dept. The first page sums it all up succinctly.

[Staff Note: only the 1st page summary of the Sheriff's report is included.]

Carol
SWARN Strategy Committee

Confidentiality Statement: The documents accompanying this transmission contain confidential information that is legally privileged. This information is intended only for the use of the individuals or entities listed above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or action taken in reliance on the contents of these documents is strictly prohibited. If you have received this information in error, please notify the sender immediately and arrange for the return or destruction of these documents.

Ramsey Country Sheriff's Office

Incidents occurring between 01/01/2008 & 04/10/2012

Target

975 County Rd E, Vadnais Heights

Walmart Supercenter

850 County Rd E, Vadnais Heights

2008 52

2009 34

2010 35

2011 41

2012 14

2008 202

2009 167

2010 103

2011 149

2012 75

Five Year Total to 04/10/2012

176

696



NORTH AMERICAN BANKING COMPANY

March 30, 2012

Dan Roe, Mayor
Jeff Johnson, Council Member
Tammy McGehee, Council Member
Tammy Pust, Council Member
Roert Willmus, Council Member
City of Roseville
2660 Civic Center Drive
Roseville, MN 55113

Dear City Council Members:

I have lived or worked in the city of Roseville for 49 of my 52 years of life. I have seen many changes that have transformed the once quiet suburb into a thriving first tier suburb of a major metropolitan area that rivals any in the country.

We should all be ashamed of the deterioration that has occurred at a major entry point to our city, Cleveland and Country Road C. We should be ashamed of the way a small but vocal group has treated a potential new business and employer to our great city. We should be ashamed of the way a small but vocal group has hindered the development plans of a great business owner that has called Roseville its home for over 40 years.

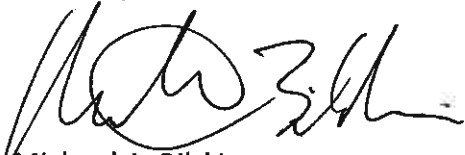
My business property tax bill is \$44,778 of which \$17,594.60 goes to local tax; county, city and school district. Using the county's own tax calculator, and extrapolating a value based on my acreage the potential tax on a new development would be approximately \$564,000 of which approximately \$221,700 goes to local tax. The value I used was approximately \$14,700,000.00, which I am sure will be low compared to the actual development that will be built. I share these numbers not only to show the potential but also what was missed the last several years because of the poor judgment of a small vocal minority.

For the record I have known the owners of Roseville Properties all my life, multiple generations of my family and their family are friends. The bank also leases some additional space from Roseville Properties separate from our main office. Roseville Properties is a customer of mine. Some of Roseville Properties employees are customers of mine. Lastly, I am a long time member of Sam's Club. I wanted to tell you the record so there is no mischaracterization of my thoughts and why I have written this letter.

My thoughts and purpose for the letter are simple, the proposed development is long overdue, it is fiscally responsible, and based on the drawings I have seen will be a great new addition to our city. I have written the letter because I do not get a vote personally and I thought you needed to be aware that there are other viewpoints among the taxpayers in Roseville.

Thank you for your efforts.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael A. Bilski', written over a circular stamp or seal.

Michael A. Bilski

Chief Executive Officer

cc: Patrick Trudgeon, Community Development Director
Thomas Paschke, City Planner
Bill Malinen, City Manager

COMMERCIAL TAX COMPUTATION

Attachment G

Example of tax computation for PROPOSED taxes payable in 2012 on a COMMERCIAL PROPERTY in District Code 7931 (Roseville - 623(C)) (NOT IN A TAX INCREMENT DISTRICT) that has a Taxable market value of \$1,000,000.

14706236.84

STEP 1: CALCULATE THE NET TAX CAPACITY

1.5% x first \$150,000 of Estimated Market Value	\$2,250
2.0% x Estimated Market Value in excess of \$150,000	291,125
Total Net Tax Capacity	<u>\$293,375</u>

STEP 2: CALCULATE THE FISCAL DISPARITY NET TAX CAPACITY

Total Net Tax Capacity (RESULT FROM STEP 1)			
X Roseville's Fiscal Disparity Sharing Factor	0.37916		<u>\$111,236</u>
Total Fiscal Disparity Net Tax Capacity			<u>\$111,236</u>

STEP 3: CALCULATE THE LOCAL NET TAX CAPACITY

Total Net Tax Capacity (RESULT FROM STEP 1)	\$293,375
Less: Total Fiscal Disparity Net Tax Capacity (RESULT FROM STEP 2)	<u>-111,236</u>
Total Local Net Tax Capacity	<u>\$182,139</u>

STEP 4: CALCULATE THE LOCAL TAX

Local Tax Payable =	121.703% multiplied by	STEP 3 \$182,139	=	\$221,668.63
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STEP 5: CALCULATE THE FISCAL DISPARITY TAX

Fiscal Disparity Tax Payable =	141.945% multiplied by	STEP 2 \$111,236	=	<u>\$157,893.94</u>
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STEP 6: CALCULATE THE MARKET TAX

Market Tax Payable =	0.21601% multiplied by	Taxable Market Value \$14,706,236.84	=	<u>\$31,766.94</u>
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STEP 7: CALCULATE THE STATE GENERAL TAX

State General Tax Payable =	52.000% multiplied by	STEP 1 \$293,375	=	<u>\$152,555.00</u>
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STEP 8: ADD LOCAL, FISCAL DISPARITY & STATE TAXES

Local Tax	\$221,668.63
Plus: Fiscal Disparity Tax	\$157,893.94
Plus: Market Tax	\$31,766.94
Plus: State General Tax	<u>\$152,555.00</u>
Total COMMERCIAL PROPERTY Tax Payable	<u>\$563,884.51</u>

Note: This tax computation applies to Commercial/Industrial Property except contiguous Commercial/Industrial parcels owned by the same entity.

COMMERCIAL TAX COMPUTATION

Attachment G

Example of tax computation for PROPOSED taxes payable in 2012 on a COMMERCIAL PROPERTY in District Code 7931 (Roseville - 623(C)) (NOT IN A TAX INCREMENT DISTRICT) that has a Taxable market value of \$1,000,000.

1201800

STEP 1: CALCULATE THE NET TAX CAPACITY

1.5% x first \$150,000 of Estimated Market Value	\$2,250
2.0% x Estimated Market Value in excess of \$150,000	21,036
Total Net Tax Capacity	<u>\$23,286</u>

STEP 2: CALCULATE THE FISCAL DISPARITY NET TAX CAPACITY

Total Net Tax Capacity (RESULT FROM STEP 1)		
X Roseville's Fiscal Disparity Sharing Factor	0.37916	<u>\$8,829</u>
Total Fiscal Disparity Net Tax Capacity		<u>\$8,829</u>

STEP 3: CALCULATE THE LOCAL NET TAX CAPACITY

Total Net Tax Capacity (RESULT FROM STEP 1)	\$23,286
Less: Total Fiscal Disparity Net Tax Capacity (RESULT FROM STEP 2)	<u>-8,829</u>
Total Local Net Tax Capacity	<u>\$14,457</u>

STEP 4: CALCULATE THE LOCAL TAX

Local Tax Payable =	121.703% multiplied by	STEP 3 \$14,457	=	\$17,594.60
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STEP 5: CALCULATE THE FISCAL DISPARITY TAX

Fiscal Disparity Tax Payable =	141.945% multiplied by	STEP 2 \$8,829	=	<u>\$12,532.32</u>
--------------------------------	------------------------	-------------------	---	--------------------

STEP 6: CALCULATE THE MARKET TAX

Market Tax Payable =	0.21601% multiplied by	Taxable Market Value \$1,201,800	=	<u>\$2,596.01</u>
----------------------	------------------------	-------------------------------------	---	-------------------

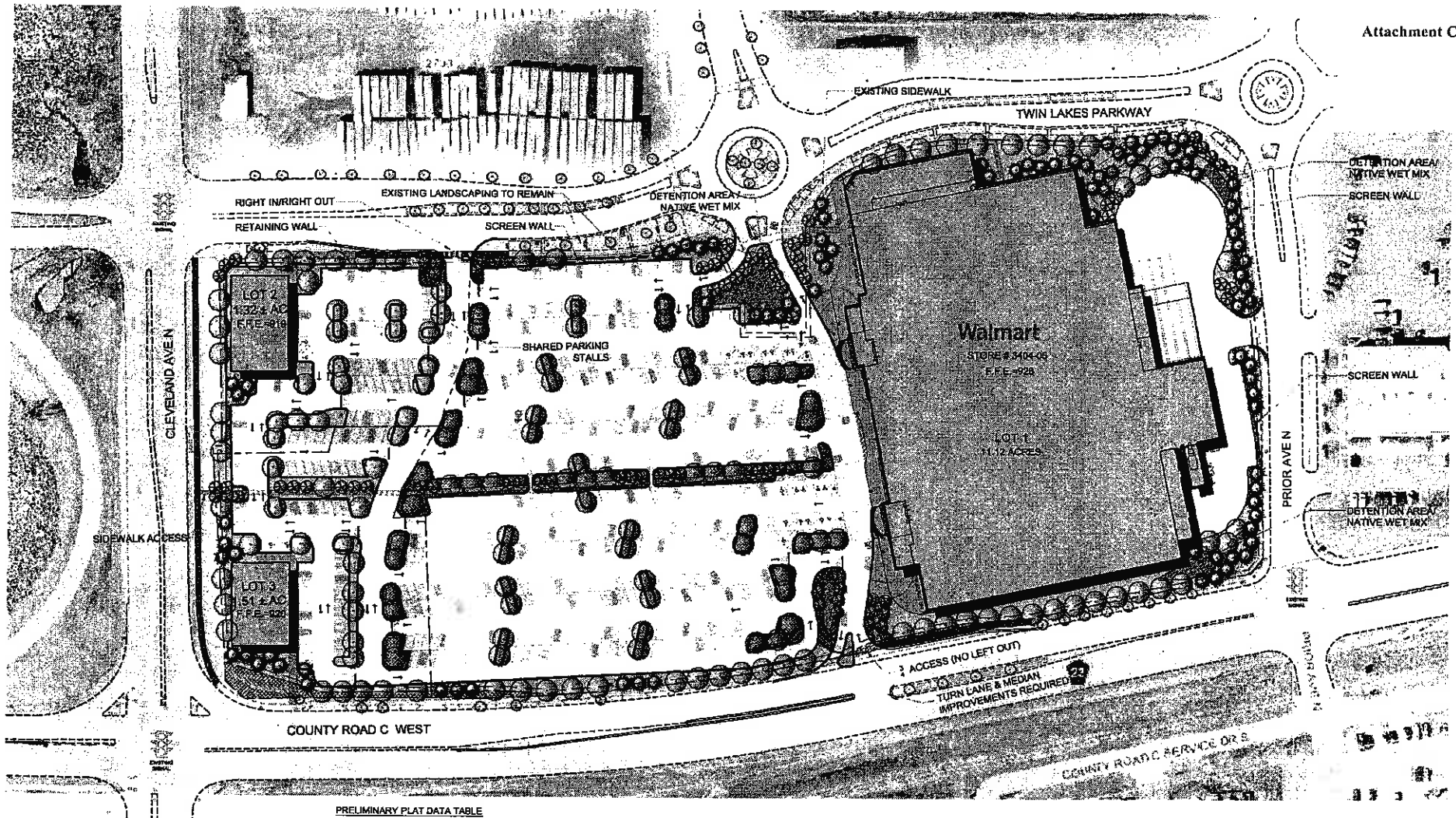
STEP 7: CALCULATE THE STATE GENERAL TAX

State General Tax Payable =	52.000% multiplied by	STEP 1 \$23,286	=	<u>\$12,108.72</u>
-----------------------------	-----------------------	--------------------	---	--------------------

STEP 8: ADD LOCAL, FISCAL DISPARITY & STATE TAXES

Local Tax	\$17,594.60
Plus: Fiscal Disparity Tax	\$12,532.32
Plus: Market Tax	\$2,596.01
Plus: State General Tax	<u>\$12,108.72</u>
Total COMMERCIAL PROPERTY Tax Payable	<u>\$44,831.65</u>

Note: This tax computation applies to Commercial/Industrial Property except contiguous Commercial/Industrial parcels owned by the same entity.



PRELIMINARY PLAT DATA TABLE

TOTAL SITE AREA: 14.10 AC

LOT 1: 11.12 AC

LOT 2: 1.32 AC

LOT 3: 1.51 AC

ROW DEDICATION: 0.15 AC

PLAN LAND USE DESIGNATION: RETAIL BUSINESS

EXISTING ZONING: S4, I2

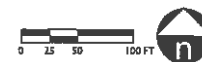
PROPOSED ZONING: CMU

TOTAL WETLAND AREA: 0.11 AC

DATE OF SURVEY: 1/12/11

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

10000 13th Avenue S.
Suite 100
Roseville, MN 55126
612.944.1100
www.kimley-horn.com



Walmart

ROSEVILLE, MN

MASTER PLAN

DECEMBER 2011

Page 1 of 1

Thomas Paschke

From: support@civicplus.com
Sent: Wednesday, March 28, 2012 11:51 AM
To: Thomas Paschke
Subject: Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: Jerry Buerge

Address:: 1791 Mqple Lane

City:: Roseville

State: : MN

Zip:: 55113

Home Phone Number::

Daytime Phone Number::

Email Address:

Please Share Your Comment, Question or Concern: I sincerely believe that allowing this outfit to build a store anywhere in Roseville will sincerely downgrade the tone of our city. Obviously the opinion of a single citizen means nothing to those interested only in development for development's sake. but I can assure you that any councilperson voting for this project will certainly not received any further support from this person. That's not a threat, its a promise.

Additional Information:

Form submitted on: 3/28/2012 11:50:41 AM

Submitted from IP Address: 75.72.226.221

Referrer Page: <http://sn108w.snt108.mail.live.com/default.aspx>

Form Address: <http://www.cityofroseville.com/Forms.aspx?FID=99>

Thomas Paschke

From: Bill Malinen
Sent: Tuesday, March 27, 2012 9:12 AM
To: Pat Trudgeon
Subject: FW: County Road C & Cleveland Avenue

-----Original Message-----

From: [REDACTED]
Sent: Monday, March 26, 2012 8:10 PM
To: *RVCouncil
Subject: County Road C & Cleveland Avenue

I feel we donot need a Walmart there as it will bring lower class shoppers.;

Plus we have a Walmart about 4 miles away in St Anthony. I think a Costco

or Sams Club would be much better. Most people I talk to would perfer it.

What happened to Costco and why was it shot down before? Think of all

the business that would buy big from it. I am sure you council people

would shop there to. So vote NO on Walmart and rethink it over.

Roseville resident

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Thomas Paschke

From: support@civicplus.com
Sent: Monday, March 19, 2012 10:51 AM
To: Thomas Paschke
Subject: Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: Janet Olson

Address:: 418 Glenwood Ave

City:: Roseville

State: : MN

Zip:: 55113

Home Phone Number::

Daytime Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: I would like to convey my opposition to the Wal-Mart proposal currently under consideration by the Roseville City Council. I learned of it through the Feb. 27, 2012 StarTribune article. Following are my reasons:

1. The neighbors in the Twin Lake area have always expressed opposition to Big Box. This should be strongly considered when making this decision.
2. This is a big enough issue that the whole community should have been sent information about this proposal – not just the required notices.
3. Wal-Mart is not the type of company we want in our community. Over the years they have been under-fire for their abuse of the federally-funded medical assistance system, their treatment of employees in general and more specifically their treatment of female employees, their low wages and benefits, the experience level of their employees, their strong-arming of suppliers both big and small, etc.
4. Legitimate media sources have speculated that Wal-Mart is too big and has too large of an effect on global commerce.
5. Communities are taking a stand against Wal-Mart for their negative effect on them.

There are many sources to read about Wal-Mart, including many articles in the country's major newspapers, an article from the American Prospect – The Wal-Mart Economy – May 2011, the website makingchangeatwalmart.org, etc.

We have wonderful retail centers in Roseville. Rosedale has gone through a successful up-grade with its theater, restaurants and stores. It is a prime destination for not only shopping, but entertainment. Target's re-modeling has created a pleasant shopping experience with quality items. HarMar Mall gives people the option to shop in a smaller setting.

There is little need or benefit to our community to allow the Wal-Mart proposal to go through.

Sincerely, Janet M. Olson, 418 Glenwood Ave, Roseville, MN 55113

Thomas Paschke

From: [REDACTED]
Sent: Friday, March 16, 2012 4:58 PM
To: Thomas Paschke
Subject: Walmart

We have lived in the same house in Roseville since 1967. I love the thought of having Walmart in Roseville. The first Walmart I ever shopped in was a newly built one in Grand Rapids, MN. The greeter that met us at the door and shook our hands was THE Sam Walton.
Jeanne Schumacher

Bryan Lloyd

From: Bill Malinen
Sent: Friday, March 09, 2012 10:25 AM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [mailto:support@civicplus.com]
Sent: Friday, March 09, 2012 10:10 AM
To: *RVCouncil; Kari Collins; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart

Name:: Mary Manns

Address:: 2233 St. Croix Street

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Please, please do NOT agree to put a Walmart in Roseville. It would severely damage the already struggling retail in Roseville. Just walk through Har Mar to see all the empty spaces, and then imagine how it would look if there is a Walmart in town. Walmart provides only low paying jobs, we need businesses that will help our community grow and prosper. There is a Walmart just a few miles away, it seems that they are trying to take over the entire world. Surely there are other options for that site that would enhance our great city rather than making it more tacky.

Additional Information:

Form submitted on: 3/9/2012 10:09:44 AM

Submitted from IP Address: 97.112.89.78

Referrer Page: <http://www.ci.roseville.mn.us/Directory.aspx?did=17>

Bryan Lloyd

From: Bill Malinen
Sent: Monday, March 05, 2012 2:18 AM
To: Pat Trudgeon
Subject: Fwd: Online Form Submittal: Contact City Council

Bill

Begin forwarded message:

From: "support@civicplus.com" <support@civicplus.com>
Date: March 4, 2012 3:35:18 PM PST
To: *RVCouncil <city.council@ci.roseville.mn.us>, Kari Collins <kari.collins@ci.roseville.mn.us>, Bill Malinen <bill.malinen@ci.roseville.mn.us>
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Wal-Mart

Name:: Michael McCormick

Address:: 2211 Merrill St

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No Reply Necessary

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Wal-Mart's motive for entering Roseville reflects, at least in part, their hope to hurt their main rival Target by taking out the nearby Super Target store at B & Snelling. That was Target's very first store, part of our local history, and more importantly, a major contributor to Roseville area schools and community causes. Let's rally to the defense of our neighborhood Target and keep Wal-Mart out of Roseville. I am not affiliated in anyway with Target Corp.

Bryan Lloyd

From: Bill Malinen
Sent: Tuesday, February 28, 2012 4:23 PM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [<mailto:support@civicplus.com>]
Sent: Tuesday, February 28, 2012 3:06 PM
To: *RVCouncil; Kari Collins; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: proposed Walmart

Name:: Kris Kiesling

Address:: 645 S. Owasso Blvd

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No Reply Necessary

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Please consider this a NO vote on the proposed Walmart at the corner of Cleveland and County Road C. Currently C is a reasonable alternative to the commuting nightmare Highway 36 has become. That won't be the case with a Walmart on that corner. I don't object to the city developing that space, but does the world really need another Walmart? Preferably not in my town!

Additional Information:

Form submitted on: 2/28/2012 3:06:20 PM

Submitted from IP Address: 160.94.32.111

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

Bryan Lloyd

From: Bill Malinen
Sent: Tuesday, February 28, 2012 4:21 PM
To: Pat Trudgeon
Subject: FW: wal-mart in roseville

-----Original Message-----

From: CasJan [REDACTED]
Sent: Tuesday, February 28, 2012 12:04 PM
To: *RVCouncil
Subject: wal-mart in roseville

I am a resident of st anthony village and live about a mile from the wal-mart in silver lake village. I would like to suggest that the roseville council take a close look at the increased activity of the st anthony police since the walmart was built here. This should be a concern since a week does not go by when there is not an incident or more that needs police attention. Also...the criminal activity such as purse snatching, use of stolen credit cards,shop lifting car break-ins to name a few,is not confined to just the big box store but to the surrounding residential area as well. Thank you for your consideration.

Leonard J. Casanova

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Thomas Paschke

From: support@civicplus.com
Sent: Tuesday, February 28, 2012 2:53 PM
To: Thomas Paschke
Subject: Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: Walmart - Opposed

Address:: 1999 Sharondale Ave.

City:: Roseville

State: : MN

Zip:: 55113

Home Phone Number:: [REDACTED]

Daytime Phone Number:: [REDACTED]

Email Address:: [REDACTED]

Please Share Your Comment, Question or Concern: Hello Mr. Paschke,

I would like it known that I am against having a Walmart come to the Twin Lakes site. Three reasons:

- 1) Walmart does not provide sustainable compensation to its employees, as opposed to perhaps a Costco, Trader Joe's, or Whole Foods.
- 2) Walmart is having difficulty with profitability at its present stores. Unless trends change, Walmart will need scale back their sites within the next few years to better match their potential sales.
- 3) We have many Walmarts in the area already. In light of the second problem above, it would stand to reason that a Walmart at the new Twin Lakes area would have a likelihood of shutting its doors within a few years. Then we have a big, vacant retail box. Not a great situation.

In-lieu of a Walmart, I would very much like to see perhaps a Whole Foods or a Trader Joes. Either of these has much less saturation, and would better server a larger (and perhaps more desirable) segment of Roseville's demographic.

Please let me know what further steps I can take to help re-focus a project for Twin Lakes away from a Walmart, and toward a more sustainable, better-serving retail or grocery project. Whole Foods or Trader Joe's being near the Lunds/Byerly's would have the effect of drawing a higher-end demographic to shop in that area, in much the same way as fast-food chains tend to locate near each other to create a given location that people associate with a given type of product. Rather than be strict competition for Byerly's, such a presence would tend to draw more customers into that area to shop for higher-end groceries.

Thank you much for your consideration and response.

Best Regards,

Carl Berger

Bryan Lloyd

From: Bill Malinen
Sent: Monday, February 27, 2012 1:02 PM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [<mailto:support@civicplus.com>]
Sent: Monday, February 27, 2012 12:24 PM
To: *RVCouncil; Kari Collins; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Wal-Mart Plans

Name:: Ruth Sorenson-Prokosch

Address:: 1019 Shryer Ave. W.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I am concerned about the proposed Wal-Mart plan in Roseville. It would increase traffic in the area and be an unfair competitor to small, local businesses. While I understand the desire to redevelop that area of Roseville I would hope that there are other local businesses that could be considered other than a big box store. Thanks for your consideration!
Ruth Sorenson-Prokosch

Additional Information:

Form submitted on: 2/27/2012 12:24:04 PM

Submitted from IP Address: 67.6.59.230

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

Bryan Lloyd

From: Bill Malinen
Sent: Monday, February 27, 2012 1:02 PM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [<mailto:support@civicplus.com>]
Sent: Sunday, February 26, 2012 10:17 AM
To: *RVCouncil; Kari Collins; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Wal Mart

Name:: Timohy Callaghan

Address:: 3062 Shorewood Lane

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I see that after all the notices that were sent out and all the planning for the meeting that the decision on WalMart has been delayed a month so that you hope that you will not get a large turnout oppossing this bad decision. The planning commision was poorly attended since it was poorly advertised so that residents could not participate. Is this becoming only a city that supports large business?

Additional Information:

Form submitted on: 2/26/2012 10:16:49 AM

Submitted from IP Address: 24.118.30.90

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

Bryan Lloyd

From: Bill Malinen
Sent: Thursday, February 23, 2012 11:17 AM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [<mailto:support@civicplus.com>]
Sent: Thursday, February 23, 2012 11:08 AM
To: *RVCouncil; Kari Collins; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Twin Lakes Plot & Disposal Approval

Name:: Annette Phillips

Address:: 3084 Shorewood Ln

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Please look closely at the approval the Planning Commission has given to the preliminary plot and disposal of land for the Twin Lakes property.

On reviewing the cable broadcast of the Commission meeting, it was brought out that any approval needed to be consistent with the cities' Comprehensive Plan.

They ignored the fact that the Comprehensive Plan states that new development should not be "big box" retail. It was stated that this development would only entail 14 acres of 179 acres. Where are the 179 acres located? Most of the land surrounding Cleveland and County Rd. C contains active businesses.

It was stated at the meeting that a "big box" retail business would add 700-900 police calls. We need to keep Roseville's development compliant with the Comprehensive Plan. A Plan that was just developed and reflects the current status of the City.

Additional Information:

Form submitted on: 2/23/2012 11:08:29 AM

Thomas Paschke

From: support@civicplus.com
Sent: Wednesday, February 22, 2012 4:57 PM
To: Thomas Paschke
Subject: Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: Roger Toogood

Address:: 601 Terrace Courte

City:: Roseville

State: : Mn.

Zip:: 55113

Home Phone Number::

Daytime Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: I am pleased to see the plans for a new Wal Mart coming to Roseville. The particular location is great considering the zoning and the fact that the land is not being used. I have a conflict for the new date in March so can not be present to testify in support of the Council approving the plan- Roger Toogood

Additional Information:

Form submitted on: 2/22/2012 4:56:46 PM

Submitted from IP Address: 184.97.131.148

Referrer Page: <http://www.cityofroseville.com/CivicAlerts.aspx?AID=315>

Form Address: <http://www.cityofroseville.com/Forms.aspx?FID=99>

Bryan Lloyd

From: Bill Malinen
Sent: Thursday, February 23, 2012 11:17 AM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [<mailto:support@civicplus.com>]
Sent: Friday, February 17, 2012 1:36 PM
To: *RVCouncil; Margaret Driscoll; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart in Roseville

Name:: Rod Olson

Address:: 2701 Lincoln Dr.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No Reply Necessary

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Greetings all,

It has come to my attention that WalMart is hoping to nest here in Roseville. I understand that they are looking at the exact same area that CostCo looked at a few years ago. As the locals made it pretty clear that we didn't want a "big box store" here very recently, I am surprised that this is even being considered at all. The last thing we need is more retail and vastly increased traffic in this town, not to mention the financial pain that WalMart would inflict on local retailers. Please knock this request down firmly & completely and then everybody can get on to more important matters.

Thanks for your time,

Rod Olson (mgr)

The Cellars Wines and Spirits

2701 Lincoln Drive

Additional Information:

Form submitted on: 2/17/2012 1:36:08 PM

Bryan Lloyd

From: Bill Malinen
Sent: Thursday, February 16, 2012 1:44 PM
To: Pat Trudgeon
Subject: FW: Vote yes for WalMart

-----Original Message-----

From: Janet Henquinet [REDACTED]
Sent: Thursday, February 16, 2012 10:09 AM
To: *RVCouncil
Subject: Vote yes for WalMart

Please add my name to those who are in favor of the WalMart development at County Road C and Cleveland.

This land has sat vacant for too many years in hopes of finding an "ideal" development situation. It is time to be pragmatic.

Thanks to all of you for the time and work you devote to making the tough decisions in Roseville.

Janet Henquinet, PhD
[REDACTED]

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Thomas Paschke

From: support@civicplus.com
Sent: Thursday, February 16, 2012 7:13 AM
To: Thomas Paschke
Subject: Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: Linda Pribyl

Address:: !637 Ridgewood Lane North

City:: Roseville

State: : Mn

Zip:: 55113

Home Phone Number::

Daytime Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: A wallmart will destroy Rosedale. If you want to make rosedale a har mar wasteland then go ahead and add the cheap to our community. That would be a huge mistake.

Additional Information:

Form submitted on: 2/16/2012 7:13:14 AM

Submitted from IP Address: 24.118.124.240

Referrer Page: <http://www.ci.roseville.mn.us/CivicAlerts.aspx?AID=315>

Form Address: <http://www.cityofroseville.com/Forms.aspx?FID=99>

Thomas Paschke

From: Lois Monfils [REDACTED]
Sent: Wednesday, February 15, 2012 4:59 PM
To: Thomas Paschke
Subject: WalMart

We don't need another Walmart in
Roseville.

Lois Monfils
1045 Larpenteur Ave W #326
Roseville, MN

Thomas Paschke

From: Bill Malinen
Sent: Friday, February 17, 2012 10:58 AM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [<mailto:support@civicplus.com>]
Sent: Wednesday, February 15, 2012 1:56 PM
To: *RVCouncil; Margaret Driscoll; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart at Twin Lakes

Name:: Linda Fearing

Address:: 2578 No. Pascal St.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I would like to express my opinion about the proposed Walmart store in the Twin Lakes area. Perhaps I am not remembering correctly, but I thought this type of development for Twin Lakes had been discussed and rejected a few years back. There was a letter in the Review this week from Willard Shapira. I do not know Mr. Shapira, but agree with his points. Roseville has always been able to attract high end development. I do not think Walmart will add anything positive to our City. I realize it is tempting to get something going over there, especially in this slow economy, but as a life long citizen and 25 year Roseville homeowner, I would like you to reject this project and hold out for something better. At some point this economy will pick up again so please don't hastily accept this Walmart project. Thank you for your consideration, Linda Fearing

Additional Information:

Form submitted on: 2/15/2012 1:56:13 PM

Submitted from IP Address: 75.72.224.81

Thomas Paschke

From: Bill Malinen
Sent: Friday, February 17, 2012 10:58 AM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [<mailto:support@civicplus.com>]
Sent: Wednesday, February 15, 2012 12:15 PM
To: *RVCouncil; Margaret Driscoll; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart in Roseville

Name:: Robert Luken

Address:: 3030 Asbury St

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: We don't need a Walmart in Roseville. The one in St Anthony is about 3 miles away. The one on Co Rd E is about the same. We've two Target stores within a couple of miles of each other and we've got Rosedale Mall close by. I'm not sure why you want to saturate the area with low cost businesses like Walmart. I suspect maybe your having a hard time finding a developer for the area but I think to create a city of low cost outlets drags the city down economically and image wise.

Additional Information:

Form submitted on: 2/15/2012 12:14:43 PM

Submitted from IP Address: 208.110.231.52

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

Thomas Paschke

From: support@civicplus.com
Sent: Tuesday, February 07, 2012 10:14 PM
To: *RVPlanningCommission
Subject: Online Form Submittal: Contact Planning Commission

The following form was submitted via your website: Contact Planning Commission

Subject:: Wal-Mart backlash

Name:: Ryan S.

Address:: 3059 Fairview Ave

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: Dear Roseville Planning Commission,

What you are trying to accomplish by bringing wal-mart to roseville is both very sad, angering, and downright low. Where on earth does it say in the master plan guidelines that big-box retail is ok? Really...show me where it says that. Yeah, I didn't think so. I may be a citizen of roseville (don't deserve a capital r), but I'm not that stupid...I've read front to back that master plan, and nowhere in there does it say big-box is ok. In fact, the report actually goes out of its way to say big-box will NOT be allowed. wal-mart is the definition of a big-box, and don't try to use loopholes in the report guidelines to convince the public otherwise. You ought to be ashamed of yourselves for even letting this come up for a vote. I hope Friends of Twin Lakes brings you to court over this, and I will be happy to be the voice of the opposition. You lost last time, you'll lose this time too. Maybe you should open up the books on the historical fights over what to do with that land, you might actually learn something on what the citizens of roseville have been shouting for years...NO BIG BOX ON THAT LAND! If you contact me, don't do it before reading up on your own guidelines for the Imagine Roseville 2025 Master Plan.

In closing,
Ryan S.
Disgruntled Citizen of roseville

Additional Information:

Form submitted on: 2/7/2012 10:14:07 PM

Bryan Lloyd

From: Bill Malinen
Sent: Tuesday, February 07, 2012 12:44 PM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [<mailto:support@civicplus.com>]
Sent: Monday, February 06, 2012 3:04 PM
To: *RVCouncil; Margaret Driscoll; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Wal-Mart

Name:: Anne Hamre

Address:: 1491 Centennial Dr

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I would like to register my opposition to the Wal-Mart plans. This company is not a good corporate citizen; they undercut local main street companies by offering substandard wages and benefits to their workers. Let's not get our city caught up in a "race to the bottom" - those low prices come at a high price. Thank you for your consideration.

Additional Information:

Form submitted on: 2/6/2012 3:04:17 PM

Submitted from IP Address: 156.98.43.58

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

Bryan Lloyd

From: Bill Malinen
Sent: Monday, February 06, 2012 11:47 AM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

Pat:

I'm going to be forwarding all the WalMart related messages we've received, FYI. This is the first

-----Original Message-----

From: support@civicplus.com [<mailto:support@civicplus.com>]
Sent: Monday, February 06, 2012 11:02 AM
To: *RVCouncil; Margaret Driscoll; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart

Name:: Heidi Lawson

Address:: 332 S Austin Blvd

City:: Oak Park

State: : IL

Zip:: 60304

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Though I am now officially a resident of Illinois, I grew up in Roseville, still spend several months each year there, and have strong ties to the city. My mother lives in Roseville, my brother and his family live in Lauderdale, I have many friends in the area, and I still feel strongly about my hometown. I have just read in the Star Tribune that Roseville is considering allowing Walmart to build a store within the city limits. I cannot express strongly enough how against this I am.

Walmart has reprehensible business and labor practices, paying their employees as little as possible, firing anyone who expresses any interest in unionization, and has recently been subject to a gender discrimination class-action lawsuit that went all the way to the U.S. Supreme Court. Virtually every product they sell is made overseas by companies with even more horrific business practices. This is not the kind of company that we want within our city limits. I have always proudly boasted that my hometown community does not have a Walmart anywhere nearby.

Attachment G

Roseville is lucky to have an extraordinary commercial tax base that supports our excellent schools (and I have recently read that RAHS was ranked among the top 500 public high schools in the nation) and community. With Target, Cub, and Rainbow already there, in addition to all the malls and strip malls, I cannot possibly imagine what Walmart would offer the community that it does not already have. I appreciate that the corporation has expressed interest in a space that has been vacant for years. However, I do not believe that it is worth allowing this corporation that is the poster child for irresponsible and unsustainable business practices into our community merely to achieve the goal of filling the space. Surely we can be more creative about what to do with the space. Perhaps it would be suited to a community garden space? Perhaps there is something that can be done to attract small local entrepreneurs from our own community into the space. Please consider what allowing a Walmart into Roseville would do for our city--I cannot think of anything positive that it has to offer us.

Additional Information:

Form submitted on: 2/6/2012 11:02:27 AM

Submitted from IP Address: 108.90.23.17

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

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Bryan Lloyd

From: Bill Malinen
Sent: Monday, February 06, 2012 2:44 PM
To: Pat Trudgeon
Subject: FW: Twin Lakes/Walmart

-----Original Message-----

From: [REDACTED]
Sent: Sunday, February 05, 2012 10:50 AM
To: *RVCouncil
Subject: Twin Lakes/Walmart

The Twin Lakes area has been discussed over and over for too many years. I would prefer a company like Cosco going in at County Road C and Cleveland, and not a company like Walmart. After all the years of talking, let's do it right. Cities like St. Louis Park have figured out how to develop with beautiful results. We can do the same.

Sincerely,

Kay Thorpe

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Bryan Lloyd

From: Bill Malinen
Sent: Monday, February 06, 2012 11:47 AM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [<mailto:support@civicplus.com>]
Sent: Sunday, February 05, 2012 5:15 PM
To: *RVCouncil; Margaret Driscoll; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart

Name:: Suzanne Sancilio

Address:: 1221 W. County Road C2

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No Reply Necessary

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Dear Mayor Roe and City Council Members: I join many members of the Roseville community in feeling frustrated and dismayed that Walmart's plan to develop a store in the Twins Lakes area was not disclosed publicly until just prior to the City's Planning Commission's meeting on the subject last week. While I am aware that this area has been designated for retail development and I definitely agree the blighted lots need attention, I feel strongly that Walmart is not the corporate neighbor we seek to invite into our city. The original intent for small businesses and retail sites is much more sound and cannot be equated to the Walmart mega-store concept despite the Commission's assertion. More importantly, I hope you would all take under careful consideration the fact that Walmart has been one of the worse violators of employment laws, standards and practices. Please vote no to the Walmart plan and encourage further exploration of alternative retail options. Thank you for your consideration, Suzanne Sancilio

Additional Information:

Form submitted on: 2/5/2012 5:15:08 PM

Bryan Lloyd

From: Bill Malinen
Sent: Monday, February 06, 2012 11:47 AM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [<mailto:support@civicplus.com>]
Sent: Sunday, February 05, 2012 1:39 PM
To: *RVCouncil; Margaret Driscoll; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Twin Lakes Deveopment

Name:: John Easterling

Address:: 1850 County Rd C2 W

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I was reading today in the Star Tribune (Sunday, Feb 5) about the proposed Walmart. My wife and I do not believe that this would be the right location for this store. On Rice Street serving both Roseville and Little Canada would be a much better location in terms of serving more customers who are further from Walmart. The one in Saint Anthony is very close, only a few miles away.

Original plans called for a local hospital. Currently we need to go out to St John's in Maplewood, down to St Paul or Minneapolis or to Fridley. It would great to have a local hospital, especially given the number of seniors in Roseville and the senior housing, nursing homes, and so on. We do not have a Junior/Community college in the immediate area (St Paul, Minneapolis, or Century College). It would be great to have a community college in the are, or at least local branch of Century College in Roseville. If we must have a big box, why not Lowe's as was proposed a few years ago. We have Target, Kohl's, soon Gordmans, and other stores very similar to Walmart in many ways. We do not have a large hardware/garden center like Lowe's.

Also, housing such as additional for seniors, owner-occupied townhomes/condos, etc. would be a wonderful addition.

Thank you for your desire to have input from the residents who will be keenly affected by the decisions you make.

Sincerely,

John and Kathleen Easterling
1850 County Rd C2W
Roseville MN 55113
Residents of Roseville since 1988.

Additional Information:

Form submitted on: 2/5/2012 1:38:41 PM

Submitted from IP Address: 97.127.40.153

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

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Bryan Lloyd

From: Bill Malinen
Sent: Monday, February 06, 2012 11:47 AM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [<mailto:support@civicplus.com>]
Sent: Friday, February 03, 2012 7:53 AM
To: *RVCouncil; Margaret Driscoll; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: wal-mart land purchase price

Name:: roger b. hess, jr

Address:: 1913 shady beach avenue

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No Reply Necessary

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: councilmember,

if the city does decide to sell city-owned land to wal-mart or roseville properties, i hope you base the price on the fact that you have a very eager buyer that has deep pockets, and do not base the price on the waste-land that it currently is.

so, charge them at least \$1,000,000 for the land that they seek - either one can easily afford the price!

have a great weekend,

roger

roger b. hess, jr.

Additional Information:

Bryan Lloyd

From: Bill Malinen
Sent: Monday, February 06, 2012 11:48 AM
To: Pat Trudgeon
Subject: FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [<mailto:support@civicplus.com>]
Sent: Thursday, February 02, 2012 8:14 PM
To: *RVCouncil; Margaret Driscoll; Bill Malinen
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: walmart

Name:: Sue Gilbertson

Address:: 2000 Cleveland Av. No.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: To all Council Members,

I was surprised to learn that the Roseville City Council was once again entertaining the possibility of inviting a "big box" retailer to build in the Twin Lakes area. All the opposition arguments against such a move have been voiced by the citizens of Roseville several years ago when the retailer was to be Costco.

Traffic congestion, need for expensive infrastructure, and too much existing retail were all mentioned at that time. Now we have a retailer (Walmart) that consistently pays low wages, has been named in several class action law suits brought by former employees for work place violations and is in direct competition with our existing retail community wanting to build here and all the previous objections are still valid. Why do you think this is a good move for Roseville now?

Sincerely,
Sue Gilbertson

Additional Information:

Dear Roseville Planning Commission Members,

I am a member of Roseville's Civic Engagement Taskforce and Parks & Recreation Master Plan Implementation committee on Natural Resources & Trails.

I have several concerns about both the Wal-Mart proposal and the process leading up to this point:

1. In the last week, I received an automated email from the City indicating that a) we can now receive alerts regarding any Open House hosted in the city, b) not all developments require Open House, and c) the Wal-Mart proposal is now being shared on the City's website (it was implied that the Wal-Mart development will not be hosting an Open House). I ask the following:
 - a. When does a development effort warrant to an Open House, both according to City code, and in your eyes?
 - b. Why has there not been an Open House for this Wal-Mart development?
 - c. How long has the City known that Wal-Mart would be making such a proposal?
 - d. Why has the city not shared more information about the proposed Wal-Mart development sooner?
2. I understand that a Community Meeting or Forum is another means for the City to hear from Roseville citizens, and that the Human Rights Commission and the Parks & Recreation Commission have hosted such community meetings. Why has the Planning Commission not hosted such a meeting with regard to an important development such as this?
3. As with the Asphalt Plant, the process for a development begins not with the question, "Is this good for Roseville," but rather, "What codes need to be examined in order to make this happen?" It seems somewhat backwards to me to start with the assumption that Wal-Mart is putting up a store in Roseville. More to the point, it seems like City staff are doing what they can to facilitate Wal-Mart coming to Roseville without asking for citizen input.
4. As direct or indirect decision-makers for the City of Roseville, I urge you all to review the criticisms of Wal-Mart before making a final determination. Here are just a few:
 - a. **Is Wal-Mart Good for America?** PBS Frontline at <http://www.pbs.org/wgbh/pages/frontline/shows/walmart/>
 - b. **Criticisms of Wal-Mart & Wake Up Walmart:** Wikipedia at http://en.wikipedia.org/wiki/Criticism_of_Walmart (Wake Up Walmart argues that Wal-Mart "pays 'poverty wages', relies on public health care rather than providing its employees with healthcare, and is, in general, harmful to communities.")
 - c. **Other efforts to stop Wal-Mart from developing in their city,** and why (such as Chanhassen's effort, at <http://chanhassenfirst.org/>).
5. I live on the other side of the burm where 280, 36, and 35W converge. We are subject to a large amount of transportation fumes and pollution, especially during rush hour as traffic bottlenecks at least twice a day for prolonged periods. **How will the city address the massive increase in traffic** for those of us already suffering from poor quality air and soils (many of us in this neighborhood grow fruits and vegetables, and regularly exercise outdoors)?

Thank you for taking my comments into consideration as you vote tonight.

Regards,

Megan Dushin
SW Roseville

February 1, 2012

Members of the Roseville Planning Commission,

I am writing to ask that you to turn down Wal-Mart's request to build a store at the corner of Cleveland Avenue and County Road C. I understand the desire to develop the land in the Twin Lakes area but the last thing that is needed in this area is more retail – especially duplicate retail. All you have to do is drive around to see multiple empty buildings and businesses that are just holding on. The huge World Market and Stone & Tile buildings are good examples of what happens in this current climate. If you allow Wal-Mart to come in – you will drive some of the smaller businesses out, along with cutting into the business that Byerly's and Target has. How much additional lost business can they absorb? If the residents of Roseville can support the retail we already have – why are there multiple empty sites/buildings and so much more turnover of businesses?

I also do not understand the push to add retail to this area when this type of retail is already available close by. There is a Wal-Mart six miles away on Silver Lake Road in New Brighton and a Target less than 10 minutes away on Snelling Avenue. There is no need to add either a Target or a Wal-Mart in between those two stores. **Traffic congestion, additional police and fire needs, noise, lights, pollution run-off into Langton Lakes from the thousands of cars using the parking lot** – just not a good trade-off for the residents in this area or for the city.

If you allow a huge store such as Wal-Mart to build at this corner – the amount of traffic added to an already overloaded street/freeway system will be a disaster. In addition, the traffic won't stop at 5P – it will continue until the store closes at 10-11P. Have you driven on Snelling, Fairview and Cleveland during rush hour or on the weekends? If so, imagine at least a doubling, if not a tripling of the traffic.

Please consider the quality of life of longtime residents in this area. Many moved in before this area was developed and most accept that development is inevitable, but please move slow on this. Take time to really look at who wants to move in and try to bring in businesses that are new or unique. If you are adamant that retail is going in this area regardless of the effect on the traffic levels, please consider businesses that are not currently in the area. **Don't duplicate that which we already have close by!** Maybe a small ACE hardware, a Trader's Joe (love the store, but traffic will be an issue), a dry cleaner, a small bakery, a New Horizon daycare (because of nearby park). Maybe more small medical firms or clinics. Businesses that aren't open until 11P at night and generate thousands of car trips a day.

If you will only consider a big box – what about an IKEA. While this store would have the same issues as a Wal-Mart – it is unique and nothing like it exists in Roseville. IKEA tends to attract a unique audience that probably would not shop at the HOM or other furniture shops in the area – so hopefully it would not take much of their business. Please work with the residents to develop this property at a pace that allows smart decisions – a good fit of businesses to what is already there, does not duplicate retail and takes into consideration the quality of life of the residents that live close by.

Thank you for your consideration,
Wendy Thompson

Thomas Paschke

From: support@civicplus.com
Sent: Wednesday, February 01, 2012 10:28 AM
To: *RVPlanningCommission
Subject: Online Form Submittal: Contact Planning Commission

The following form was submitted via your website: Contact Planning Commission

Subject:: Walmart at County Road C and Cleveland Ave

Name:: Cary and Shannon Cunningham

Address:: 2920 Fairview Ave N

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: Dear Members of Roseville Planning Commission,

It is with great horror and trepidation that we read the recent article in the Roseville Patch -<http://roseville.patch.com/articles/wal-mart-proposing-store-for-roseville-s-twin-lakes-area> - that stated the Planning Commission is considering allowing Walmart to purchase land and build a huge facility at the corner of Cleveland Ave and County Road C.

My wife and I purchased our home on Fairview Ave (north of County Road C) in November 2008 with the intent of making this our long term home. We have and continue to pour love, money, and time into our home to make it a great place to live and a raise a family. Over our 3+ years of living in Roseville we have come to love the close proximity to parks, shopping and all the other great amenities close to us. During this time we have also learned to deal with the increased traffic that many of the local area stores bring into the area, after all we chose to live here. However, during this time we have also noticed that with the increase of traffic overall safety on the roads has been compromised. Traffic on Fairview Ave alone has already claimed the life of one of our dogs who got too near the street, and we have almost been hit several times by cars driving on the shoulder to speed their way along.

What does this have to do with Walmart wanting to build a store ½ a mile away? EVERYTHING! When you allow this behemoth of a retailer to cram a 160,000 square foot store into a ½ acre area this will not only inflict damage on the surrounding landscape but also increase traffic in the areas of County Road C and Cleveland Avenues as well as Fairview Ave as residents and shoppers alike look to speed up their commute around the congested area. This will pose traffic and safety issues for all citizens traveling or living along these routes. Are you really willing to sacrifice the safety and security of residents and citizens to allow another big box retailer plop down in the middle of a beautiful area? And in particular, a Walmart, which already has 5 other stores within 10 miles of the 55113 area code!?!

Attachment G

Furthermore, the fact that Walmart pays low wages to its workers is another big concern of ours. Consider that people who would work at the Roseville Walmart would either be residents of Roseville or would quickly move to Roseville and seek out low income housing as they cannot afford to commute to work based on their low Walmart wages. The low wages paid by Walmart would perpetuate vicious cycles of poverty for many people. Do we really want to lower the standard of living and push more residents of Roseville into or near poverty with the meek wages they would receive from Walmart? We say NO!

Please consider the future of Roseville if you allow this to happen. More importantly think of the ramifications that this will have on you and your families as you travel these roads and deal with the increased traffic issues caused by this one store.

We urge you to vote NO to this application and look for other retailers that can offer a better use of the space or more viable alternatives that will help sustain Roseville as a great place to live. While traffic may still be increased by other smaller retail establishments at the location, they should not cause the continual crush of traffic that Walmart would cause. In addition, mixed retail space would offer more jobs in unique industries that attract different skills sets and offer higher wages than Walmart does.

As you consider Walmart's extravagant plans for expansion, please also consider the needs of the citizens and community of Roseville. We have survived and thrived in this great community for a long time without a Walmart, help us continue this trend!!!

Thank you for your time,

Cary & Shannon Cunningham
2920 Fairview Ave N
Roseville, MN 55113

Additional Information:

Form submitted on: 2/1/2012 10:28:05 AM

Submitted from IP Address: 204.73.55.10

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=77>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=136>

Thomas Paschke

From: support@civicplus.com
Sent: Wednesday, February 01, 2012 9:25 AM
To: *RVPlanningCommission
Subject: Online Form Submittal: Contact Planning Commission

The following form was submitted via your website: Contact Planning Commission

Subject:: Walmart Proposal

Name:: Doug Nonemaker

Address:: 2179 Dellwood Ave

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No need to contact me

Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: Hi - I am wrting today to express my opposition to the proposed placement of a Walmart in the vicinity of Cleveland Ave and Cty. Road C. In my opinion, Roseville does not need a Walmart to further shut down retail competition with small businesses. Rather than another big box retailer of questionable integrity, why not support small business development in that area and start to grow another neighborhood. I am also concerned that traffic in that area will increase with the associate4d costs and negative impacts on the overall quality of life here in Roseville.

I rarely take a stand on these types of actions, but feel strongly that this particular action is not in the best interest of the citizens of Roseville. Thank you for listening!

Additional Information:

Form submitted on: 2/1/2012 9:24:32 AM

Submitted from IP Address: 204.73.55.10

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=77>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=136>

Dan Boeritger:

If I can get permission to attend your Planning Commission meeting I'd like to express my concern that the Walmart Project has not been adequately vetted by staff. I need permission because I've been gone every other night this past week and all day Sunday on the People's Business. So for the purposes of achieving domestic tranquility I may not be able to attend what looks like a very interesting Planning Commission hearing.

I've already transmitted many of these comments to my local neighbor, columnist, and community activist John Gisselquist, but since you are the titular chair I might as well share my words of wisdom with you. (LOL.)

As I read the staff recommendation the Planning Commission must review the proposed disposal of land and determine whether it would be consistent with the Comprehensive Plan (Section 1.2).

Section 6.2 of the same staff report states in part: Planning Division staff believes that the proposed development is consistent with many of the Comprehensive Plan's other citywide, non-transportation-specific goals and policies, and that the proposed development does not appear to be in conflict with any of them.

As a resident member of the Comprehensive Plan Steering Committee which drafted the new Comprehensive Plan I take exception to that sweeping and ex-cathedra statement. It presents no rationale or explanation of why this is true; it doesn't even bother to state the goals and policies with which the proposed project is consistent. I wouldn't describe the staff report as faulty or superficial analysis, because simply-stated there is no analysis.

I have attached an excerpt from the Comprehensive Plan's Economic and Redevelopment Chapter which illustrate some of those goals and policies which we are to take on faith as being consistent with the Walmart Project.

I would suggest that you delay taking action tomorrow and send the report back to staff for further analysis and explanation of how the attached Comp Plan goals and policies are consistent with this project. Otherwise the Comp Plan is just words and window-dressing which can be manipulated to prove any point staff wants to make. The Comp Plan, developed with some considerable citizen involvement, needs to be taken more seriously than this.

In advance I appreciate your time and attention devoted to this matter.

Gary Grefenberg

91 Mid Oaks Lane

Roseville, MN 55113



Roseville Comprehensive Plan
Pages 7.2-7.3, and page 7.5 of the
Economic Development and
Redevelopment Section

Goals and Policies

The following goals and policies guide City actions related to economic development and redevelopment...

Goal 1: Foster economic development and redevelopment in order to achieve Roseville's vision, create sustainable development, and anticipate long-term economic and social changes....

Policy 1.2: Ensure that local controls allow for contemporary retail, office, and industrial uses that are part of the community vision.

Policy 1.3: Encourage an open dialogue between project proposers, the surrounding neighborhood, and the broader community through individual and neighborhood meetings and use of technology.

Policy 1.4: Enhance communication of the community's objectives for promoting business

development to enhance the quality of life in Roseville.

Goal 2: Enhance opportunities for business expansion and development that maintains a diverse revenue base in Roseville.

Policy 2.1: Foster strong relationships with existing and prospective businesses to understand their needs and to maximize opportunities for business retention, growth, and development.

Policy 2.2: Support existing businesses and welcome new businesses to serve Roseville's diverse population and/or provide attractive employment options that encourage people to live within the community....

Policy 2.4: Encourage locally owned and/or small businesses to locate or expand in Roseville....

Goal 4: Encourage reinvestment, revitalization, and redevelopment of retail, office and industrial properties to maintain a stable tax base, provide new living wage job opportunities and increase the aesthetic appeal of the city....

Policy 4.5: Continue to give attention to creating and maintaining aesthetic quality in all neighborhoods and business districts.

Goal 6: Integrate environmental stewardship practices into commercial development.

Policy 6.1: Foster transit-supportive development along existing and planned transit corridors....

Keys to Implementation

The experience of Roseville shows that several factors are important to achieving goals and policies for economic development and redevelopment.

Commitment: Commitment to the Comprehensive Plan and patience go hand-in-hand. This Plan does not simply seek to attract development to Roseville; it also seeks to move Roseville toward a vision for the future. There is a difference. Commitment to the Comprehensive Plan means the willingness to actively promote public and private investments that achieve its goals, and to deter developments that do not fit. Not all of these decisions will be easy.

Bryan Lloyd

From: [REDACTED]
Sent: Thursday, January 26, 2012 10:08 PM
To: Bryan Lloyd
Subject: Re: Planning File 12-001 question

Bryan,
Thank you for such a prompt reply. In reviewing my actions on the Planning File 12-001 so I could tell you about the missing pages, I discovered they ARE there. I missed them because I didn't scroll sideways, only down the page. I appreciate your attention to my dilemma, and I apologize for my oversight.

Enjoy your day off.

Francy

In a message dated 1/26/12 8:49:04 PM, bryan.lloyd@ci.roseville.mn.us writes:

Thanks for letting me know about the problem with downloading the report, Ms. Reitz. I tried the download myself just now, and it worked just fine for me, so I don't know what to tell you about why you're only getting half of the pages. I'll be out of the office on Friday; if you can wait until Monday, I'll email you a copy to ensure that you have the whole report. If you'd like the report before the weekend, perhaps you could email City Planner, Thomas Paschke (thomas.paschke@ci.roseville.mn.us) and he can send it to you.

Thanks again for the information about difficulties with the website.

Bryan Lloyd

From: [REDACTED]
Sent: Thursday, January 26, 2012 8:20 PM
To: Bryan Lloyd
Subject: Planning File 12-001 question

Hello, Bryan,

In reading the staff report on the Wal-Mart application, I notice that pages 2 of 4 and 4 of 4 are missing. Are those available for inclusion to read before the February 1st Planning Commission meeting?

I support approval of the Wal-Mart proposal.

Thank you,
Francy Reitz
2009 Aldine

Thomas Paschke

From: RayLe Schreurs
Sent: Sunday, January 22, 2012 9:23 PM
To: *RVPlanningCommission
Subject: Proposed Walmart

Roseville Planning Commission Members:

I understand you soon will be holding a hearing on a proposed big box retail located at Cleveland and County Rd. C.

I have lived in Roseville for 55 years and observed it growing from a sleepy little village to the vibrant city it is today. We already have 3 big box stores with the attendant traffic and police problems. That is more than enough.

Huge national chains destroy Mom & Pop retail establishments and squeeze regional businesses. State law requires us to share any tax revenue with outstate communities, but we can't share the fire and police and traffic costs which are nearly half of our city costs. Besides, big box retail does not generate much of a tax revenue. We need higher quality business development, not retail.

For these and other disadvantages, please turn down this proposal.

Ray Schreurs

Approve Preliminary / Final Plat and Development Agreement – Roseville Properties (Wal-Mart)

Mayor Roe reviewed the process once again for presentation, public comment and discussion of this item prior to potential City Council action.

Community Development Director Patrick Trudgeon and City Planner Thomas Paschke summarized the requested action as detailed in the RCA dated May 21, 2012 for consideration of the Preliminary and Final Plat for Wal-Mart and Roseville Properties. The Planning Commission recommended approval of the Preliminary Plat on a 5/1 vote. Planning Division and Public Works Department staff, and the City Attorney recommend approval of the Final Plat and associated Development Agreement. Details of those recommended approvals were detailed in Section 8 of the staff report.

Mr. Paschke noted the existing parcel would be combined into two (2) lots along Cleveland Avenue as the property frontage. Mr. Paschke reviewed the Preliminary Plat, in accordance with City Code, Chapter 11, based on analysis of the development meeting those code requirements related to appropriate infrastructure, any easements and rights-of-way issues related to the project, and improvements negotiated between the developer and staff on behalf of the City. Mr. Paschke advised that the Final Plat, as previously indicated by Associate Planner Bryan Lloyd, incorporated those detailed elements of the Preliminary Plat, but not to the level of detail while yet including all land to be dedicated to the City, and easements and boundaries related to the specific project. .

Community Development Director Patrick Trudgeon reviewed the draft Development Agreement (Attachment J) also known as a public improvement contract outlining the obligations of the City and the applicant. Mr. Trudgeon provided an overview of those business points. While the draft Development Agreement included in the meeting packet was substantially complete, Mr. Trudgeon referenced additional exhibits and attachments, along with a cover memorandum from Mr. Trudgeon dated earlier today, providing additional details, was included as a bench handout tonight, and attached hereto and made a part hereof. Mr. Trudgeon noted that there were copies available for the public as well. Mr. Trudgeon briefly reviewed the revisions, whether typographical, grammatical, or more substantial that were recommended via that bench handout. Therefore, Mr. Trudgeon asked that the City Council motion include verbiage that Development Agreement was amended.

Councilmember Pust questioned the exhibits and differences in the Final Plats, with Mr. Trudgeon noting that the Preliminary Plat was marked “Preliminary subject to revision” which was routine as the document was forwarded to Ramsey County for their review by the County Surveyor as part of the recording process.

Councilmember McGehee, via a bench handout attached hereto and made a part hereof, had a list of fourteen (14) questions related to the draft Development Agreement to which staff responded.

Hours of Operation: Twenty-four (24) hours per day

It was noted by Mayor Roe that Cub Foods at Har Mar Mall is another retail operation in Roseville with a 24-hour operation.

Mr. Paschke advised that there was no restriction in City Code as to hours of operation; with Mr. Trudgeon and Mayor Roe concurring, noting the restrictions for extended hours were specific to commercial operations adjacent to residential areas.

Councilmember McGehee noted that there was a potential for future residential development adjacent to the proposed Wal-Mart as part of CMU zoning, and noted that the Development Agreement stipulated that no further restrictions could be imposed by the City for at least two (2) years. Councilmember McGehee questioned whether this precluded any adjacent properties being developed as residential.

Mr. Trudgeon clarified that it was not the City of Roseville nor Wal-Mart, but State Statute that dictated the two-year rule once the Development Agreement and Plat were approved. Mr. Trudgeon advised that while the City may not appreciate the two-year clause, there was some protection or assurances based on the newer office/warehouse building directly to the east of the proposed Wal-Mart site that he didn't anticipate for any immediate redevelopment at least within that two-year window. Mr. Trudgeon also noted that the PIK property directly to the north could potentially have residential development; however, since it was located closer to the park, that property had been identified for office/campus activity. Mr. Trudgeon opined that any future residential developers would certainly take into account the location of a retail store in the vicinity; however, at this time, Mr. Trudgeon advised that a CMU zoning designation did not guarantee future redevelopment as residential. Without that knowledge, Mr. Trudgeon advised that it was difficult for the City to regulate.

Regarding the two-year rule, Mayor Roe questioned if the Zoning Code or Comprehensive Plan guidance could be changed for that area once approved. While not meaning that existing zoning and Comprehensive Plan provisions wouldn't remain in effect, Mayor Roe questioned if residential development adjacent to commercial or retail properties wouldn't still be subject to City regulations.

Mr. Trudgeon advised that, prior to responding, he would like to study that question further with the City Attorney to determine how to apply those restrictions. Of course, Mr. Trudgeon advised that it would be staff's intent to work with any retail and/or residential development to ensure compatibility. However, he was not sure of the enforcement capabilities available to the City without consultation with legal counsel.

Mayor Roe encouraged staff to review that issue with legal counsel in more detail.

Infrastructure Cost Allocation

Councilmember McGehee questioned why Wal-Mart was only paying \$400,000 for I-35W ramp improvements that are estimated to cost approximately \$1.6 million; and why it appears that the City is subsidizing the Wal-Mart Corporation with \$10 million of completed infrastructure. Councilmember McGehee further questioned traffic projects; triggers for additional improvements and various interpretations by MnDOT and other traffic engineers; and questioned the accuracy of models and projected calculations.

Mr. Trudgeon advised that Wal-Mart's cost allocation had been determined, through significant analysis of various components and expert consultation, at twenty-five percent (25%) of the total interchange costs. Mr. Trudgeon noted that this was not a small, but rather significant, investment on their part, especially when drawing a nexus to this specific development and other occurrences that may make the interchange inadequate. Mr. Trudgeon advised that staff had performed substantial due diligence and negotiations with Wal-Mart to reach this agreed-upon \$400,000 amount, and staff was unable to justify any additional cost to this developer above that amount. Mr. Trudgeon noted that this figure represented more to the City than a typical assessment from the Chapter 429 process.

Councilmember McGehee opined that there would be additional traffic impacts and mitigation that the citizens of Roseville would be required to pay; and further opined that citizens have already done their share.

Mr. Trudgeon advised that there were also other options available to the City for reimbursement of costs from other future property owners and/or developers, as well as the Chapter 429 assessment process.

Park Dedication

Councilmember McGehee questioned the rationale for accepting \$411,115 in park dedication fees as opposed to land owned by Roseville Properties along County Road C and targeted for an addition to Langton Lake Park, including the Oak Forest identified in the 2002 Natural Resources Plan.

Councilmember McGehee opined that this agreement not only precluded the City obtaining the land, but also not getting added protection to a portion of Langton Lake.

Mr. Trudgeon advised that the Twin Lakes Regulating Plan identified that area for an addition to Langton Lake Park, the decision as to whether to acquire the property or a fee in lieu of had been the decision of the Parks and Recreation Commission after their deliberation of the issue. While not attempting to speak for the Commission, Mr. Trudgeon surmised that the Commission apparently had determined that taking the fee instead of the land, was based on their ability in the future to improve parks with dollars versus land. Mr. Trudgeon noted that the City could acquire land with these funds, but the Commission had apparently decided not to pursue that option at this time. Mr. Trudgeon noted that, even though this parcel and that north on County Road C were owned by the same property owner, a different project was being discussed and became more complex.

Councilmember McGehee opined that any park dedication funds should be used to purchase land around Langton Lake Park, especially when the intent was to improve or protect water quality and address other mitigating factors.

Indemnification for Operation of Wal-Mart

Councilmember McGehee questioned why the City was not indemnified for operation of the Wal-Mart.

Regarding day-to-day operations, Mr. Trudgeon deferred to legal counsel.

City Attorney Mark Gaughan sought additional clarification from Councilmember McGehee, with Councilmember McGehee advised that she was seeking assurances for proper remediation for TCE or health damages to people accessing or working at the Wal-Mart site for any harm caused by contaminated soils.

City Attorney Gaughan noted that Councilmember McGehee's question assumed City liability and indemnification suggested that the City was assuming some liability, which he didn't believe would be the case.

At the request of Mayor Roe, Mr. Gaughan summarized the Indemnification Clause included in the draft Development Agreement that would "hold harmless" the City under demands or complaints under the project's construction. Once completed, Mr. Gaughan advised that he could not fathom any scenario where a private property owner would be required to indemnify the City for anything happening on that private property.

Mayor Roe concurred with City Attorney Gaughan that this was certainly not common practice.

Councilmember McGehee disputed that assumption, opining that the property was a Brownfield and such an event could happen, especially since this is the first development to occur in the area; and there would be a significant number of employees and shoppers at the facility.

Long-Term Continuity of Wal-Mart Operations

Councilmember McGehee questioned if it was possible to have an escrow fund established in case Wal-Mart chose to move on and leave behind a large, vacant building that couldn't be marketed; and to protect Roseville residents against that possibility. Councilmember McGehee advised that she was aware of 159 other communities with vacant, big box stores on no fully remediated land. Mr. Trudgeon advised that any provisions could be suggested for inclusion in a Development Agreement; however, he questioned the effectiveness of some provisions or what the City would want Wal-Mart to do if they chose to close the store in the future. Mr. Trudgeon advised that any remediation should be completed prior to Wal-Mart opening for business; and in his analysis and review of other Development Agreements nation-wide, he was unsure of any advantage to be gained and opined that such a provision might be somewhat unrealistic.

Insurance

Councilmember McGehee questioned if the City could stipulate that Wal-Mart carry basic or standard insurance to cover injuries to store patrons.

City Attorney Gaughan advised that it could be made a requirement of the Agreement; however, he advised that his legal counsel would be to keep in mind that any provisions in the Agreement needed to be reasonable and consistent with other existing or future Development Agreements to avoid any risk of undermining the reasonableness of the City's demands. Mr. Gaughan opined that he was unaware of any other property owner that the City had required such a mandate. Mr. Gaughan further opined that it was common knowledge that the Wal-Mart Corporation was sufficiently insured, and suggested it was a moot point to require such a provision in the Development Agreement.

Level of Environmental Clean-up

At the request of Councilmember McGehee, Mr. Trudgeon advised that any environmental clean-up of the property by the developer was under the regulations and requirements of the Minnesota Pollution Control Agency (MPCA), not dictated by the City of Roseville. Mr. Trudgeon anticipated that this would involve either removal or capping of the contamination soil so it no longer created any danger to water bodies or the aquifer; and would require the developer to submit a RAP (Response Action Plan) document detailing their action plan to the MPCA, which would not be under the direct approval authority of the City of Roseville. Mr. Trudgeon noted that there was a difference in clean-up levels between residential and/or commercial areas, but that this was also determined by the MPCA.

At the request of Councilmember McGehee, Mr. Trudgeon advised that preliminary analysis of the subject property should be available to any interested parties as public information, since a Phase I and Phase II analysis had been performed.

At the request of Councilmember McGehee, Mr. Paschke advised that the developer would be required to meet the regulations of the Rice Creek Watershed District as well as the City of Roseville for storm water management on the site; with an underground chamber proposed, built to specifications of the MPCA, City and Watershed District, and monitored as applicable under their various oversight authorities.

Prior to opening the meeting for public comment related to the proposed Plat, Mayor Roe again reviewed the process; and recognizing that this was an intense and emotional issue, sought the respect of all parties moving forward.

Public Comments

*In addition to the written and verbal comments previously expressed to the Planning Commission and received by staff (included in meeting materials), additional written comments to-date were provided as bench handouts, **attached hereto and made a part hereof.***

Amy Ihlan, 1776 Stanbridge Avenue

Sue Gilbertson, 2000 Cleveland Avenue N

Joyce Thielen, 2210 Midland Grove Road, Unit 203

Theresa Gardella, Roseville resident (no address listed)

Anonymous e-mail dated May 21, 2012 in opposition to Wal-Mart

Timothy Callaghan, 3062 Shorewood Lane

Vernon R. Eidman, 90 Mid Oaks Lane

Tammy McGehee, Councilmember (2 Memorandums dated May 21, 2012)

May 19, 2012 position statement from the “Solidarity of West Area Roseville Neighbors (SWARN)” expressing concerns and opposition to Wal-Mart

David Nelson, 2280 W Highway 36, representative of “Solidarity for West Area Roseville Neighbors (SWARN)”

As previously noted, written comments were provided from SWARN; with questions specific to the Plat related to reimbursement for the I-35W and Twin Lakes Parkway interchange; and clarification of whether or not the Twin Lakes Master Plan was part of the current Zoning Code and Comprehensive Plan.

Mike Gregory, 1945 Sharondale Avenue, representative of: “Solidarity for West Area Roseville Neighbors (SWARN)”

Mr. Gregory expressed concerns related to economic and/or social concerns, and read his written comment (no copy provided), opining that Wal-Mart was not a “community-based” business, but a national chain that will negatively impact and/or close many local business. Mr. Gregory referenced numerous studies; and questioned what legacy the City Council wanted to leave for western Roseville and asked that the City Council consider the record of this corporate citizen elsewhere. Specific questions of Mr. Gregory included: 1) the impact on taxes to Roseville compared to what they’re paying versus City costs; 2) impact to local roads; 3) impact to local roadways (maintenance and clean-up); and crime statistics of other Wal-Mart stores (e.g., Vadnais Heights store).

Sue Gilbertson, 2000 Cleveland Avenue N (SWARN)

Ms. Gilbertson shared crime statistics that she had researched from the Ramsey County Sheriff’s office, and incidents at the Vadnais Heights Wal-Mart Store over a five (5) year period, and comparing those statistics between Wal-Mart and the Target store in that same vicinity at 975 and 850 County Road E respectively. Mr. Gilbertson reviewed the number and type of calls. Ms. Gilbertson also referenced her discussions with Roseville Police Lt. Loren Rosand and Chief Mathwig for their anticipated annual call rate of between 900-1000 calls with this Wal-Mart development in Roseville, exclusive of related officer, squad car and support staff costs.

Megan Dushin, 2249 St. Stephen Street (SWARN)

Ms. Dushin opined that legal language could be interpreted as anyone’s discretion; however, she further opined that the City Council had sufficient language in the Comprehensive Plan and other documents to fully support its denial of this proposed development.

Ms. Dushin referenced CMU zoning provisions, regional trip calculations, and definition of this as a regional business, questioning the logic in such a definition for this proposed use. Ms. Dushin referenced Chapter 4 (page 8) of the Comprehensive Plan for definitions of Regional Business and various sections (1005.05.f) included as Attachment C in the meeting packet (page 3) related to surface parking on large development sites, and other areas this did not meet requirements. Ms. Dushin asked why these discrepancies were not being addressed.

Gary Grefenberg, 91 Mid Oaks Lane (SWARN)

Mr. Grefenberg referenced the written comments of SWARN in making his points in opposition to this development. Mr. Grefenberg alleged that staff had been proposing and advocating for this development all along, whether at the Planning Commission or City Council level. Mr. Grefenberg opined that SWARN disputed whether or not the Comprehensive Plan or the Twin Lakes Master Plan ever recommended a development of this type. Mr. Grefenberg stated that, as part of the Comprehensive Plan Steering Committee, on which he had participated, he had been led to believe that the Twin Lakes Master Plan would be incorporated into the Comprehensive Plan; however, something happened between the Steering Committee final recommendation and City Council adoption of the Comprehensive Plan. Mr. Grefenberg alleged that staff selectively picked what they thought was or was

not important; without any findings of fact presented to the Planning Commission. Mr. Grefenberg opined that the Comprehensive Plan recommended against this type of big box retailer; and if the Twin Lakes Master Plan had been made a part of the Comprehensive Plan, that specific prohibition against large scale retail operations, which a lot of citizens had spent time debating, there would be no current dispute or consideration of this type of development.

At a minimum, Mr. Grefenberg advised that SWARN was asking for the opportunity, before a Building Permit for this development was issued, notice to formally appeal the administrative decision to issue the permit. From his perspective, Mr. Grefenberg opined that there had never been a really adequate discussion of Comprehensive Plan policies, a number included in packet materials that clearly contradicted allowing such a development. Mr. Grefenberg disputed the assumption provided by staff to the Planning Commission that the proposed development meets the Comprehensive Plan or Twin Lakes Master Plan. Mr. Grefenberg opined that if the City Council allowed this signature piece to be a Wal-Mart or Target store, it should not expect much quality residential or retail development to follow in the Twin Lakes Redevelopment Area. Mr. Grefenberg referenced the Implementation Section of the Comprehensive Plan, addressing patience as the City moved toward its future goals, and willingly promoted public and private development that fit that vision, dissuading those that did not. If the City Council proceeds with Plat approval, Mr. Grefenberg asked that it direct staff to notify residents with adequate time to appeal the administrative decision for issuance of the Building Permit once the developer's plans were submitted. Mr. Grefenberg opined that Roseville citizens, to-date, had not gotten a fair hearing of this issue.

Megan Dushin (SWARN)

Ms. Dushin referenced numerous quotes from Chapter 4 (page 423) of the Comprehensive Plan; and sought clarification if the Twin Lakes Master Plan was included or not included in the Comprehensive Plan, since she had heard two (2) different versions, based on her research of a September 12, 2011 staff report, and page 423 of the Comprehensive Plan, and page 9, Section 2, and page 11 of the Twin Lakes Master Plan and comments about big box retail and incorporation of the 2011 Twin Lakes Master Plan guiding future development. Ms. Dushin further referenced surface parking restrictions addressed in Section 14 of the Land Use Section (page 20) of the Twin Lakes Master Plan.

In conclusion, Ms. Dushin questioned the policy for expanding retail in the area, and whether this development would provide head of household job opportunities stipulated by the City's Comprehensive Plan.

Gary Grefenberg (SWARN)

Mr. Grefenberg specifically addressed traffic analyses, referencing the MnDOT letter dated May 9, 2012 to staff; opining that Wal-Mart's expense to the City over the next decade would far exceed Wal-Mart's payment of \$400,000 for infrastructure improvements. In the meantime, Mr. Grefenberg opined that Roseville residents would suffer the penalties while private profits would go to Arkansas.

Mr. Grefenberg asked Councilmembers why they were rushing to approve the Preliminary and Final Plats, when there were so many unanswered questions yet remaining. As requested in the written comments of SWARN, Mr. Grefenberg asked the City Council to direct the Planning Division to hold an Open House if and when Wal-Mart development plans evolve to provide answers to those citizen questions. Mr. Grefenberg expressed his disillusionment that financial aspects of the Development Agreement had not been provided to the public until late this afternoon, not allowing any review or informed reaction by the public. Mr. Grefenberg asked that the City Council hold off on approving the Development Agreement to allow due process for the public, given the significant impact this proposal will have on the community.

Megan Dushin (SWARN)

Ms. Dushin suggested additional conditions for the City to apply to this development, such as limiting operating hours and reducing the amount of public subsidy to this developer.

Gary Grefenberg (SWARN)

Mr. Grefenberg questioned, if tax increment financing (TIF) funds were allocated to pay off costs, who paid for additional costs to the City, including police protection, and how this represented a public purpose.

Janet Olson, 418 Glenwood Avenue

Given the history of concern in this area of Roseville, Ms. Olson questioned why the City didn't make more of an effort to provide notice to citizens about this development. Ms. Olson opined that the neighborhood had poured their heart and soul into making this a positive area of the community; and opined that the City had an obligation to its own citizens. Ms. Olson also questioned how the City could designate this development as "community" rather than "regional" business, based on her interpretation of the Comprehensive Plan and Zoning Map.

Jan Bielke, 2070 N Cleveland (1 mile north of proposed Wal-Mart)

Ms. Bielke stated that she was appalled at how this whole thing has been handled. Ms. Bielke referenced past development proposals directly across from her home that she and her neighbors had fought very hard to oppose. However, Ms. Bielke opined that at least the neighborhood had been adequately noticed at that time to allow their voices to be heard. Ms. Bielke opined that it was terrible that citizens were not made more aware of this proposed development; and while not intending offense to Wal-Mart since it was not a store that she frequented based on her perception of their treatment and pay for their employees, she expressed her disappointment to the City Council and asked that they reconsider this proposal. Ms. Bielke opined that there was a lot of angst among citizens once they become aware of the proposal.

Tim Callaghan

Mr. Callaghan advised that he was still waiting for the answer to his question of what mitigation was intended for traffic at Fairview Avenue and County Road D; whether it would continue to be graded as an "f" now and with future development, and why this did not seem to be important. Mr. Callaghan disputed staff's previous comments related to current stresses on the system creating the problem, since at least four (4) years ago, the intersection had been rated "f," and questioned if inaction by the City Council was acceptable. Mr. Callaghan also questioned the feasibility of building another Wal-Mart store two (2) miles from another one, and questioned the odds of both remaining open in the foreseeable future. Mr. Callaghan provided his perspective on the operating characteristics of Wal-Mart when stores are opened in close proximity, based on his own research and personal observations. Mr. Callaghan questioned the City's intent when the property became vacant; and opined that it would be typical of Wal-Mart to hold the property vacant to minimize their tax burden with no regard to the negative impacts to a community. Mr. Callaghan opined that a Wal-Mart store in the Twin Lakes Redevelopment Area was inconsistent with any of citizen plans, with no big box supported and having planned businesses within a viable walking area and easily accessed by residents. With Wal-Mart drawing shoppers from 2-4 miles away, Mr. Callaghan disputed that this was a local store versus a regional store no matter if staff considered it "limited retail."

Mr. Rafael Fernandez 1966 Sharondale Ave.

Mr. Fernandez concurred with previous remarks about the lack of information and notice provided to citizens; and opined whether a legal requirement or not, it was prudent to keep citizens informed. Given the short amount of time he had to research and prepare his remarks, Mr. Fernandez asked the following questions: 1) What type of jobs and what wages will this store provide; 2) are employees anticipated to

come from the community or from other communities; and 3) what additional expenses will those employees create for Roseville and at whose expense.

Mr. Fernandez questioned why the City Council would not protect its community rather than leaving it vulnerable to proposals such as this, or will Wal-Mart sufficiently compensate the community for the additional infrastructure, public safety, traffic congestion and delays, and increased crime victims; as well as what will happen to the local, small businesses established in Roseville and providing its character and quality of life. Mr. Fernandez opined that Roseville was fine as it is, and asked that it be left alone.

Vivian Ramalingam, 2182 Acorn Road

Ms. Ramalingam sought clarification on the responsibility for construction and maintenance of roadways around this proposed development.

Tim Kotecki, 3078 Mount Ridge Road

Mr. Kotecki questioned what the three (3) most attractive reasons Wal-Mart had for building in Roseville; whether surrounding retail bothered Wal-Mart or the City Council; whether TIF was part of this development and if so, would Wal-Mart develop in Roseville without TIF. In fairness to Wal-Mart, Mr. Kotecki reviewed his mileage calculations of other Wal-Marts in the immediate metropolitan area (Saint Anthony Village, University at Prior Avenues) and questioned if it was normal practice for them to build that close to their other stores. Mr. Kotecki questioned the accuracy of traffic studies and their projections, and safety of cars potentially stacking on the freeway for others going at or over speed as they encountered that stacking.

Jane Auger, 1880 Roselawn Avenue W

As a twenty (20) year resident of Roseville, Ms. Auger opined that having Wal-Mart so close to their neighborhood would decrease their quality of life and property values. Ms. Auger advised that this may cause her to re-evaluate her choice to remain in Roseville. Ms. Auger questioned the designation of Wal-Mart at "limited retail" and opined that there must be other prime vendors looking to locate in Roseville; and expressed her opposition to the proposed Wal-Mart development.

Mary Alexander, 14 Mid Oaks Road

Ms. Alexander questioned what was in it for Roseville from the City Council's perspective; and whether money received by the City would serve to further improve community parks and roads. Ms. Alexander noted the significant tax money being allocated to ensure the best park system possible for the community; and questioned what was wrong with Roseville aspiring to be the best rather than dragging it down with such a development as proposed. Ms. Alexander questioned if the City would feature a Wal-Mart store on the front cover of the Roseville Visitor's Association (RVA) promotional materials; opining that this was not something communities chose to advertise as a positive in their community. Ms. Alexander noted her confusion in the Comprehensive and Master Plans, but opined that her perception was that both consistently supported local businesses supporting area families, not big box stores in any of their recommendations. Ms. Alexander displayed and referenced her copy of the March 2012 Consumers' Report magazine that had rated ten (10) big box stores, with Wal-Mart scoring the lowest of those ten (10) for customer satisfaction. Ms. Alexander questioned why a retail store should be put in the midst of Roseville when customers were not satisfied with this retailer; and opined that it only provide a recipe for failure.

Mayor Roe closed public comment at this time, as no more speakers were apparent.

At the invitation of Mayor Roe to Ms. Sue Steinwall for comments or responses, Ms. Steinwall advised that they would stand for questions as asked.

TIF

Mayor Roe responded that while the subject property will be contributing increments, the developer

would not receive any to fund their proposal other than for the City using it for City costs for infrastructure improvements contemplated or anticipated.

Twin Lakes Master Plan as a part of the Comprehensive Plan

Mayor Roe sought clarification from staff that while the Master Plan was removed as part of the 2009 Comprehensive Plan, it continued to be referenced for consideration; with specific language in regard to it remaining an official control document.

Mr. Trudgeon clarified that the Twin Lakes Master Plan was referenced as an “official control” (page 423, Section 4) in the 2010 Comprehensive Plan.

Mayor Roe further clarified the intent of “official control” terminology related to regulating a certain area. Based on his recollection of Comprehensive Plan discussions, the intent was that a document designated as an “official control” was related to enforcement, and not carrying the same weight under State Statutes as the Zoning Code, but remaining part of the review process to determine what was or was not appropriate.

Councilmember Johnson opined that he did find this language a bit of a conundrum; and sought clarification from staff of a process at the Planning Commission level several years ago in reviewing all Master Plans throughout the City to determine which were and which were not included in the Comprehensive Plan update. Councilmember Johnson questioned what the outcome for the Twin lakes Master Plan had been as a result of those discussions and decisions.

Mr. Trudgeon advised that the determination was that the Twin Lakes Master Plan was not included as part of the updated Comprehensive Plan, but that it remained relevant with a limited ability to accomplish everything desired in the area.

Councilmember Johnson opined that, based on that, there would appear to be a discrepancy between the Twin Lakes Master Plan, the Comprehensive Plan, and the Zoning Code.

Mr. Trudgeon did not concur with that synopsis.

Councilmember Johnson suggested that this appeared to put the Master Plan on a different plane than the Comprehensive Plan and Zoning Code, and if there was a discrepancy, the City was obliged to abide by the Zoning Code and Comprehensive Plan.

With all due respect, Councilmember Pust opined that the term “official control” did have legal meaning, not just what the City chose to have it mean, with case law defining “official control.” If the Twin Lakes Master Plan was defined in the Comprehensive Plan as an “official control,” Councilmember Pust opined that a legal argument could be made that the Master Plan then needed to be followed. While not the Zoning Code, Councilmember Pust opined that it could not be ignored. Councilmember Pust noted that Zoning Codes and Comprehensive Plans were official controls, but was unsure if the Master Plan was in conflict with the Comprehensive Plan.

Public Safety Concern/Increased Police Call Volumes

Police Chief Rick Mathwig

At the request of Mayor Roe to respond to public concerns about an increase in police call volume with a Wal-Mart development, Police Chief Mathwig responded, that his actual projections were for between 700-900 additional calls annually, or two (2) per 24-hour period. While not able to predict the future, Chief Mathwig advised that, just based on the potential 24-hour operations for the proposed store, there would be an obvious increase in calls for service. Chief Mathwig advised that his projections were based on his research of crime rates from the Cities of Eagan, Saint Anthony and Coon Rapids when Wal-Mart stores were constructed in those communities. Chief Mathwig noted that crime statistics were

variable, and would depend on the specific community, bus routes, and a store's proximity to the inner core.

Councilmember Johnson asked if the expansion of the Super Target in Roseville had caused police calls to spike as well, Chief Mathwig responded that there had been no significant spike.

Councilmember Johnson questioned what Chief Mathwig's opinion was on the impact of calls if Target had chosen to go with a 24-hour operation.

Chief Mathwig responded that they would have probably had the potential to be higher, with any such 24 hour operation versus a 12 hour operation creating the probability of more calls.

Surface Parking/Parking Lot Design

At the request of Mayor Roe regarding the question on whether the proposed design met parking regulations, Mr. Trudgeon advised that City Code was referenced for the design by the developer and review of the design by staff for Community Business District zoning restrictions, and met those requirements. Mr. Trudgeon clarified that Community Business District zoning had a different standard that that erroneously cited.

While staff did not have the information available, Councilmember Willmus questioned the approximate amount of existing office space square footage in Twin Lakes. Councilmember Willmus explained his rationale in asking the question based on whether or not this 160,000 square foot retail center would skew the overall use within Twin Lakes.

Due Process Concerns with Revisions to the Development Agreement

Mayor Roe asked that staff respond to concerns regarding due process with revisions provided by staff this afternoon related to the Development Agreement.

Mr. Trudgeon advised that financial information had been included in the information released with the draft Development Agreement included as part of the agenda packet materials, and had not been changed with the revisions released today. As previously noted in staff's presentation, the revisions were minor in nature and basically consisted of typographical and grammatical corrections, and additional exhibits as supporting documents referenced in the body of the Agreement. Mr. Trudgeon advised that the summary of the Development Agreement and a significant portion of the exhibits were included in the packet available and/or distributed last Thursday.

Councilmember Pust noted that the total dollars were included, just not the detailed breakdown.

At approximately 9:59 pm, Johnson moved, Willmus seconded, extending the meeting curfew to 10:30 pm.

Roll Call

Ayes: Pust; Willmus; McGehee; Johnson; and Roe.

Nays: None.

Mayor Roe deferred response to the office versus retail portion until the City Council discussion.

Traffic Mitigation at Fairview Avenue and County Road D

Mayor Roe asked City Engineer Bloom to respond to the comment that this development did not trigger mitigation for the Fairview Avenue and County Road D intersection and that its service level would be maintained at level "f."

Ms. Bloom responded that, while not having that information available at this time, she could verify that there was no change indicated at that intersection. Ms. Bloom noted that there were a number of intersections within the community currently rated at "d" or "f" service levels today; and the Wal-Mart development did not trigger any additional mitigation based on projected impacts to the intersection.

Ms. Bloom referenced a letter addressed to her from MnDOT dated April 12, 2012, addressing the projected 6,000 vehicles per hour to Wal-Mart. Quoting directly from that correspondence, Ms. Bloom noted that I-35W carried greater than 100,000 trips daily. Ms. Bloom summarized that the increased traffic projected for the future was 6,000 vehicles per hour for northbound I-35W some portion of which may utilize the interchange, but clarified that they would not all be accessing the Wal-Mart development specifically.

Ms. Bloom displayed a map showing the Twin Lakes Parkway interchange, and proposed interchange improvements to address cuing concerns of MnDOT and S.R.F. Consulting, both included as attachments to the staff reports as background material, and potential stacking concerns impacting I-35W, creating the required improvement shown in the Development Agreement.

Regarding the City requirement to make sure access was made available to the Wal-Mart site, Ms. Bloom and Mr. Trudgeon were in agreement that they didn't foresee a delay in providing permanent access, without the need to provide a temporary means. However, Ms. Bloom advised that the City would be obligated to provide access, whether temporary or permanent in accordance with the terms of the Development Agreement. At the request of Mayor Roe regarding public comment on who would pay for the rest of the cost of the I-35W improvements, Ms. Bloom advised that, while that remains to be determined, grant funds and Chapter 429 assessments to benefitting property owners were both options. Ms. Bloom noted that the City's request for grant funds had been scored very favorably, but was still not awarded, and expressed cautious optimism that funding would be made available, but not yet in place.

Current level of retail in Roseville and Potential Impacts for Wal-Mart

At the invitation of Mayor Roe, Ms. Steinwall responded that, while she was not privy to Wal-Mart's business plan, market research had found that Roseville citizens were shopping at Wal-Mart. Ms. Steinwall noted that her client was obviously confident that there were unfilled retail needs in the community, and they recognized Roseville as a terrific community and were excited to become part of that community. Ms. Steinwall advised that trends supported the fact that the more retail available in an area, the better the market was for everyone; and advised there was no concern by Wal-Mart with existing retail in Roseville.

Spacing of Stores/Potential Closures

At the invitation of Mayor Roe, Ms. Steinwall responded that, while again not privy to her client's business and/or future plans, in observing other big box retailer space throughout the Twin Cities area (e.g. Target), there were similarities for locating close to other stores. Whether one store may close due to another store being built in Roseville, Ms. Steinwall noted that she was unable to predict the future; however, she anticipated that a vast majority of customers will visit this Wal-Mart from within a two (2) mile radius.

Roseville Design Standards/Development Process

Councilmember Johnson asked Ms. Steinwall if the Wal-Mart development team had found the City of Roseville to be more stringent about design and/or architectural standards not normally found in a Wal-Mart setting.

Ms. Steinwall responded with a resounding "yes," based on the team's experience, and noted that Wal-Mart's approach was to achieve 100% compliance with the City's new Zoning Code which had proven quite particular about design elements and building orientation, design and parking lot size, and assuring that the development was more pedestrian friendly and accessible. However, Ms. Steinwall expressed the team's appreciation for City staff during the process, even while being very, very particular in meeting City Code requirements, while at the same time providing the development team with a great abundance of details and requirements.

Council Discussion

Regarding Community and Regional Business Zoning designation, Councilmember Pust referenced a memorandum from the City Attorney's office dated December 9, 2011 defining CMU designation as a mix of land uses, and CB as community and regional business in the context of the scale of the customer base and access to interchanges. Regional Business is defined as free-standing, large square foot stores, with Community Business defined as business limited to the local market area including free-standing businesses promoting community orientation, smaller than free-standing stores.

Mr. Trudgeon was somewhat in agreement with that summary.

Councilmember Pust opined that size was not generally an issue, but that the entire discussion of the Task Force was the scale of size, with CMU area referred to as community businesses, not regional business; while other areas in the Comprehensive Plan referring to regional business. Councilmember Pust opined that there appeared to be inconsistencies between the Zoning Code and Comprehensive Plan, and there was to be no conflict between the two. If that is the case, Councilmember Pust opined that the definition of "official control" then becomes important.

Mr. Trudgeon admitted that it was a complex issue; but clarified that the Community Business definition addressed the local market area within a two (2) mile area of Roseville, and supplying daily needs (e.g. groceries, clothes, and other household goods), all of which a Wal-Mart would sell.

Councilmember Pust, however, when assessing that interpretation against the definition of a free-standing, large format store, felt there was general agreement on how they fit together. Councilmember Pust expressed concern that, if there was any potential for disagreement, there were a lot of citizens who would also disagree. While recognizing City Attorney Gaughan's legal opinion in suggesting that the Comprehensive Plan may not apply, there were other cases of Metropolitan Council approved Comprehensive Plans that flagged this as a potential legal issue. Councilmember Pust also recognized that City Ordinance, Chapter 1102, defined the process and requirements for Preliminary Plat approval with that ordinance serving as the City's legal authority.

Mr. Trudgeon, in context of subdivisions and for this process, concurred.

Councilmember Pust opined that the City, through its ordinance, was given that authority from the State, and when ordinances were enacted, the public was assured of their fair and equal treatment based on the same criteria without arbitrary issues. However, in referencing Chapter 1102, Councilmember Pust noted that it specifically stated that the City would have a Preliminary Plat approval process, then a Final Plat approval process. Councilmember Pust advised that she could find nothing in City ordinance combining those two processes, causing her to question if the City had the statutory authority to combine that approval process in one action. Councilmember Pust opined that the City Council therefore, should not take action tonight on this issue.

City Attorney Gaughan responded regarding the issue of potential conflicts with the Zoning Code, Comprehensive Plan, and the Twin Lakes Master Plan. Mr. Gaughan noted the importance, for this discussion and the Development Agreement addressing infrastructure, that the focus was not on potential or future ultimate use of the property, but simply platting currently subdivided property, or redrawing lines. Mr. Gaughan advised, when considering whether this application conformed to the City's Zoning Code and Subdivision regulations, it was not based on future use, but whether dividing the property into three (3) parcels conformed to those controls.

Regarding whether this use fits into the CMU or Regional Business, as brought up correctly by Mr. Grefenberg, Mr. Gaughan advised that it only came into play when the Community Development Department issued the building permit. Once the Building Permit is issued, Mr. Gaughan noted that there was a ten (10) day window for appeal of that decision if an argument is made that this project's actual use does not conform to whatever the official control was. Mr. Gaughan confirmed that this

would be an appropriate process for such a debate at that time. However, Mr. Gaughan again clarified that the purpose of tonight's request for action was for the purpose of redrawing lines regardless of their use. Mr. Gaughan advised that the League of Minnesota Cities (LMC) has confirmed that the City can't take the potential use into account in making that decision.

Regarding Preliminary and Final Plat approval or denial, Mr. Gaughan advised that, state-wide, cities have the ability to consolidate those processes, even if the Roseville City Code does not specifically consolidate them in its current language, it does not specify that it won't consolidate them. Mr. Gaughan noted that the Final Plat must be completed within sixty (60) days, and while there appeared to be some ambiguity, he expressed more interest in City Code, Chapter 1102.04, Items b.9 and 10 and requirements of what must occur before Final Plat approval. Mr. Gaughan expressed his concern that staff do a final review to assure that all those requirements have been completed as per City Code before Final Plat approval or denial to ensure all those "ducks are in a row" and the Final Plat is in compliance. Precluding that assurance, Mr. Gaughan suggested that the City Council approve the Preliminary Plat, subject to conditions of the ordinance and hold off on Final Plat approval.

Mr. Trudgeon reviewed the steps followed in assuring that compliance, and those items found on the Preliminary Plat, from staff's perspective, needing additional work.

In response to City Attorney Gaughan, Councilmember Pust opined that, regarding Community versus Regional Business designation, she thought there was a conflict between the Zoning Code including reference to "official control" of the Comprehensive Plan and the Twin Lakes Master Plan. Councilmember Pust concurred with Mr. Gaughan in general, if all that was being done was platting, those issues may not rise to the level, since it was a concept or drawing lines, not determining a particular use. However, Councilmember Pust opined that she did not believe it to be accurate that citizens had more rights than a sitting City Council in having the authority to say "no" to something that might allow enough ambiguity to prompt another lawsuit. Councilmember Pust expressed her frustration with those past attempts to stifle a project, and opined that she was also tired of the continued waste of public monies in defending the City's past actions and/or positions.

Councilmember Pust, opined that an argument could come up that the City didn't have the authority to do what has been proposed, and since she was unable to personally ignore ordinance language, even if State Statute says it was appropriate to combine approval of a Preliminary and Final Plat, the City can revise their own ordinance to combine that approval process, removing any such ambiguity about the process. No matter if the City of Roseville has just done it that way, without written ordinance language providing that clear authority and a process outlined, Councilmember Pust opined that she was confident there would be another lawsuit since the development was proposed in the Twin Lakes Redevelopment Area, an obvious area of dispute in the community. Councilmember Pust opined that since there had already been a delay to ensure that all the "ducks were in a row," the City Council should delay further to get its "ducks in a row" to confident action by the City Council majority. Therefore, Councilmember Pust spoke in support of not taking any action at tonight's meeting.

Councilmember Johnson stated that he heard the logic of Councilmember Pust, and agreed that she had some valid points. Along with comments heard from other Councilmembers, Councilmember Johnson spoke in support of moving forward with the Preliminary Plat only tonight, since it was consistent with State Statute and City Ordinance. However, Councilmember Johnson expressed his hesitation and lack of comfort going outside that realm at this point. However, in the interest of time and the 60-day review period, Councilmember Johnson questioned how much more time was available in the review period. Councilmember Johnson also recognized the lateness of the hour in having additional discussion on this, or in any other making any other significant decisions tonight.

Regarding the Preliminary Plat, Mayor Roe expressed concern about whether a determination would be available related to whether use should be considered at the time of Plat approval. While recognizing that the Preliminary Plat was far along the road toward a Final Plat, without application of unrealistic conditions, Mayor Roe opined that the City Council was not currently in a position to approve a Final Plat tonight.

Councilmember McGehee advised that she had personally researched those issues raised by Councilmember Pust tonight with three other independent attorneys, including one with the LMC, who concurred with Councilmember Pust's interpretation. Councilmember McGehee noted that this was her rationale in addressing some of those issues in her memorandums as previously referenced as bench handouts. Councilmember McGehee stated that she specifically tied the use to the Plat, based on her conversations with the LMC and the City's Zoning Code, addressing those topics raised by the public tonight. Councilmember McGehee spoke in support of waiting to take action. Councilmember McGehee also stated that her understanding of preliminary and final plat was quite a bit more than "just drawling lines." The preliminary plat, she said, is where all the points are made.

City Attorney Gaughan noted that the City Council could schedule a special meeting to address the land use 60-day review period that only had fourteen (14) days remaining.

Mr. Trudgeon noted that the applicant could choose to extend the review period, however the City could not as it had already done so, as well as the development clock stopping during the RGU review of the citizens' petition.

Councilmember Pust asked for a response from the applicant's representative regarding their preference to extend the review period or table action beyond the original sixty (60) days unless a special meeting was scheduled.

Sue Steinwall, Legal Counsel for Wal-Mart

Ms. Steinwall advised that she could not respond without first consulting her client.

Mr. Trudgeon reminded Councilmembers that lack of action on the part of the City Council on the land use issue by not meeting the review deadline would automatically serve as an approval by the City of the Preliminary Plat without a Development Agreement in place.

Pust moved, McGehee seconded, TABLING this discussion to a date uncertain for staff and the City Attorney to provide additional information and clarify those discussion items brought forward tonight regarding Preliminary and Final Plat processes and the Development Agreement provisions and process.

Roll Call

Ayes: Pust; McGehee; and Roe.

Nays: Willmus; Johnson.

Motion carried.

Discussion among staff, City Attorney Gaughan, and Councilmembers included the option of calling a special meeting prior to the review deadline; and whether, once consulted, the Wal-Mart Corporate Office could choose to provide a letter authorizing another extension; and the need for the City Attorney and staff to consult further on this particular issue before any decisions are made by the City Council.

REQUEST FOR COUNCIL ACTION

Date: 7/09/2012

Item No.: 13.a

Department Approval



City Manager Approval



Item Description: Neighborhood Traffic Management Program

BACKGROUND

Staff presented the draft Neighborhood Traffic Management Program (TMP) to the City Council at the April 16 Worksession. Since that meeting staff has been working on addressing the questions that the City Council raised during the discussion. Attached is a draft plan with proposed changes. The changes incorporate language that clarifies the intent of the program, required neighborhood support, and funding. Staff will discuss the changes and address questions at the meeting.

Two neighborhood traffic management requests were discussed by the City Council in 2011. Staff would like to move forward with these projects as pilot projects for the new TMP. What follows is the background and proposed next steps for each neighborhood.

Wheeler Avenue: In 2011 the City Council received a petition from the residents on Wheeler Avenue and Shorewood Lane with a request to close off Wheeler Avenue at County Road D. The intent of this request was to address the neighborhood's cut through traffic concerns. The petition of support was from 97% of the Benefitted Area, exceeding the TMP's threshold of 65% support. The temporary closure was installed last summer. Staff proposes to take this request to Step 8- Strategy Evaluation. The next step would be for the City Council to order the preparation of a feasibility report. Staff would then identify the costs associated with making the measure permanent, provide this information to the Benefitted Area and bring back to the City Council for a Public Hearing.

Dale Street: As part of the public information process for the Dale Street reconstruction project, residents brought up concerns about traffic. The traffic volume, while high for typical residential streets, is low for a collector road. Traffic speed is the primary source of their concern. The road is signed 30 mph. As indicated by the traffic counts, the 85th percentile speed is 38 mph. As a part of the approval process, staff recommended that this project include the installation of two speed tables in the corridor one to the north of Iona Lane, the second to the south of Iona Lane.

The discussion of the installation of the speed tables was limited to the Benefitted Area; the people that live on Dale Street. We did not solicit feedback from the Affected Area; the property owners on the streets that could be negatively impacted by traffic changes. Staff recommends that before we install temporary speed tables on Dale Street to evaluate the effectiveness of this strategy, that we solicit additional feedback, as described in Step 5- Receive Neighborhood Feedback.

POLICY OBJECTIVE

This document was developed to guide city staff and inform citizens about the processes and procedures for implementing traffic management strategies on local streets to address documented existing traffic concerns such as excessive vehicle speeds, high volumes of non-local through traffic, vehicle crashes in neighborhoods, and alleviate conflicts between motorized and non-motorized users. The document includes a summary of the City of Roseville's Policies for the Traffic Management Program, background

on the history of traffic management, the City of Roseville's process for implementing strategies, and a toolbox of common traffic management strategies.

FINANCIAL IMPACTS

At this time, the program assumes a cost split of 25% City and 75% property owners for the construction and installation costs of major traffic management strategies. The property owner contribution would be in the form of an assessment. Staff suggests that the City Council set aside \$20,000 in the 2013 budget. With the proposed cost split, this would allow for \$80,000 in Traffic Management Strategy implementation annually. As we gain more experience with the level of interest in these types of projects, we can gauge if this budget is adequate. As an alternative, this could be funded using street infrastructure funds.

STAFF RECOMMENDATION

Staff recommends that the City Council approve the Neighborhood Traffic Management Program, approve a resolution authorizing the preparation of a feasibility report for the Wheeler Avenue Closure, and authorize staff to seek input from the Affected Area on the Dale Street speed tables.

REQUESTED COUNCIL ACTION

Approve the Neighborhood Traffic Management Program

And

Approve a Resolution Authorizing the Preparation of a Feasibility Report for the Wheeler Avenue Closure.

And

Authorize Staff to Solicit Additional Neighborhood Feedback Regarding the Dale Street Speed Tables.

Prepared by: Debra Bloom, City Engineer
Attachments: A: Draft Neighborhood Traffic Management Program
B: Resolution

Neighborhood Traffic Management Program

City Council Review Draft

June 29, 2012

Public Works

2660 Civic Center Drive, Roseville, MN 55113-1899
phone (651) 792-7003 fax (651) 792-7040

1.0 Introduction

Concerns about traffic volumes and higher speeds have become important issues throughout the metro area and are having an increasing impact on Local Streets in the City of Roseville. The City of Roseville is continually striving to strengthen and protect its neighborhoods by improving the quality of life. A goal of the Roseville Comprehensive Plan is for the transportation system to address community issues and concerns while maintaining and enhancing neighborhoods, providing connectivity, and the sense of community cohesion.

An established traffic management process:

- Allows the city to better respond to residents and businesses,
- Provides the opportunity for better understanding of the issues, and
- Allows consistent application across the community.

Therefore, for citizens to obtain consideration for the installation of a traffic management strategy on either a street or within a larger neighborhood area they are required to follow a process. The program will ensure that neighborhoods with documented existing, traffic issues and community support for traffic management have access to the neighborhood traffic process. The projects included in the Neighborhood Traffic Management Program depend upon citizen involvement and may vary from year to year based upon citizen participation and available funding. Various terms are used throughout this document, see Appendix A for Definitions.

Purpose

In the City of Roseville, traffic management concerns have historically been handled by the following processes.

- Traffic Safety Committee- An administrative committee established to address routine traffic concerns brought forward by residents and businesses.
- Construction Design Process- When a street is identified for reconstruction, staff conducts a review of existing conditions. This review can include public information meetings that solicit feedback regarding traffic concerns. As a part of this process, staff will study existing concerns and suggest strategies to address these concerns.

The Neighborhood Traffic Management Program is not intended to replace these existing processes. It is intended to add another tool for staff to address concerns that require additional community feedback or financial support to implement.

This document was developed to guide city staff and inform citizens about the processes and procedures for implementing traffic management strategies on Local Streets to address documented existing traffic concerns such as excessive vehicle speeds, high volumes of non-local through traffic, vehicle crashes in neighborhoods, and alleviate conflicts between motorized and non-motorized users. The document includes a summary of the City of Roseville's Policies for the Traffic Management Program, background on the history of traffic management, the City of Roseville's process for implementing strategies, and a toolbox of common traffic management strategies.

The intent of this program is to address existing neighborhood traffic concerns. Expansion of existing streets, construction of new street segments, and streets needed as the result of

1 redevelopment will not be evaluated in conjunction with the criteria included in the program.
2 These situations will be evaluated independently by the City Council.

3 **2.0 Policies**

4 The Neighborhood Traffic Management Program will be governed by the following policies:

- 5 • Identified projects will be evaluated for compatibility with transportation goals in the
6 Roseville Comprehensive Plan, Chapter 5, Transportation.
- 7 • Implementation is limited to Local Streets. A Local Street is a street under the
8 jurisdiction of the City of Roseville. Ramsey County and MnDOT roads are excluded
9 from this program.
- 10 • Strategies will be funded by a combination of city funds and neighborhood
11 participation assessments.
- 12 • A system-wide approach for neighborhood traffic problems will be used. For each
13 project, city staff will determine a logical project boundary. This is necessary for the
14 approval process and will help ensure that the issue of displacement/ diversion to other
15 Local Streets is addressed.
- 16 • Projects will be limited to those Local Streets where the 85% speed exceeds 5 mph
17 above the posted speed limit or where there are other existing factors affecting the
18 livability of the neighborhood. Table 1 describes other factors that can be taken into
19 consideration.
- 20 • The proposed strategy should not negatively impact the street's existing traffic capacity,
21 safety, or change the intended function of the road.
- 22 • Implementation of traffic management strategies will be in accordance with the
23 procedures set forth in this document, and in keeping with sound engineering practices,
24 as well as be within the city's available financial and staff resources.
- 25 • A project on a Municipal State Aid (MSA) road will meet MSA design standards.
- 26 • Trucks are allowed on all Local Streets unless otherwise posted (by State law trucks
27 must be allowed on all Municipal State Aid Roads.)
- 28 • Implementation of any device will be consistent with the guidelines in the Minnesota
29 Manual on Uniform Traffic Control Devices.
- 30 • Implementation of strategies shall be consistent with recommended strategies included
31 in the Mn/DOT Safety Handbook.
- 32 • Initial deployments are considered temporary for study purposes and subject to an
33 interim review by City staff prior to permanent installation.

34 **3.0 Traffic Management Background**

35 The United States has used street closures and traffic diverters dating back to the late 1940s
36 and early 1950s, but it was not until the 1970s that Seattle, Washington completed area-wide
37 demonstrations of traffic management strategies. Since then, traffic management has been
38 continually studied and implemented throughout the United States. Strategies include street
39 closures, traffic diverters, speed humps/bumps, signing, increased enforcement and many
40 others, but they all are implemented to accomplish one of the following:

- Modify driver behavior (reduce speed)
- Modify traffic characteristics (reduce volume)
- Improve safety for pedestrian and bicyclists

Traffic management can be simplified as a three step process: (1) identify the nature and extent of existing traffic-related problems on a given street or area (2) select and implement the proper strategy for reducing the identified problem and (3) evaluate effectiveness, accept, modify or revert. The traffic management strategies discussed in this document are solutions to a narrowly defined set of problems and are not universally applicable or effective at solving all problems. A traffic management strategy used in the wrong application will not improve conditions - it will only increase City costs and may even make conditions worse.

Since not all strategies are appropriate for every problem the City has developed a process to identify the appropriate solutions. The process includes identifying the problem, evaluating potential strategies, and implementing appropriate strategies while including public participation and governmental approval. This process is summarized in Section 4.

Many traffic management strategies can be expensive and create inconvenience. A broad base of support is necessary. Poor planning, lack of neighborhood input, and/or support can result in controversy and divide neighborhoods.

The process and strategies included in this document are intended to be used on Local Streets to reduce speeds and volumes. The goal is promote safety for all public right of way users.

4.0 Procedure Summary

A flow chart, Exhibit 1, provides a summary of the procedures for implementing a traffic management strategy on a Local Street. What follows is a summary of the procedure. For a full description of these steps see Section 5.0 Procedure Details.

Step 1 - Study Request (Application)

First citizens must identify candidate streets for traffic management improvement and submit a written request to the City Engineering Division. Any requests for project proposals require a written application with 51% of the Project Neighborhood signing the application. Appendix B provides a sample petition.

Step 2 - Preliminary Review and Evaluation

The City Engineering Division will review requests and determine whether they can be handled as part of the administrative traffic engineering procedures, construction design process, or police enforcement function of the City or if they qualify for consideration under the Neighborhood Traffic Management Program.

Step 3 - Data Collection and Traffic Study

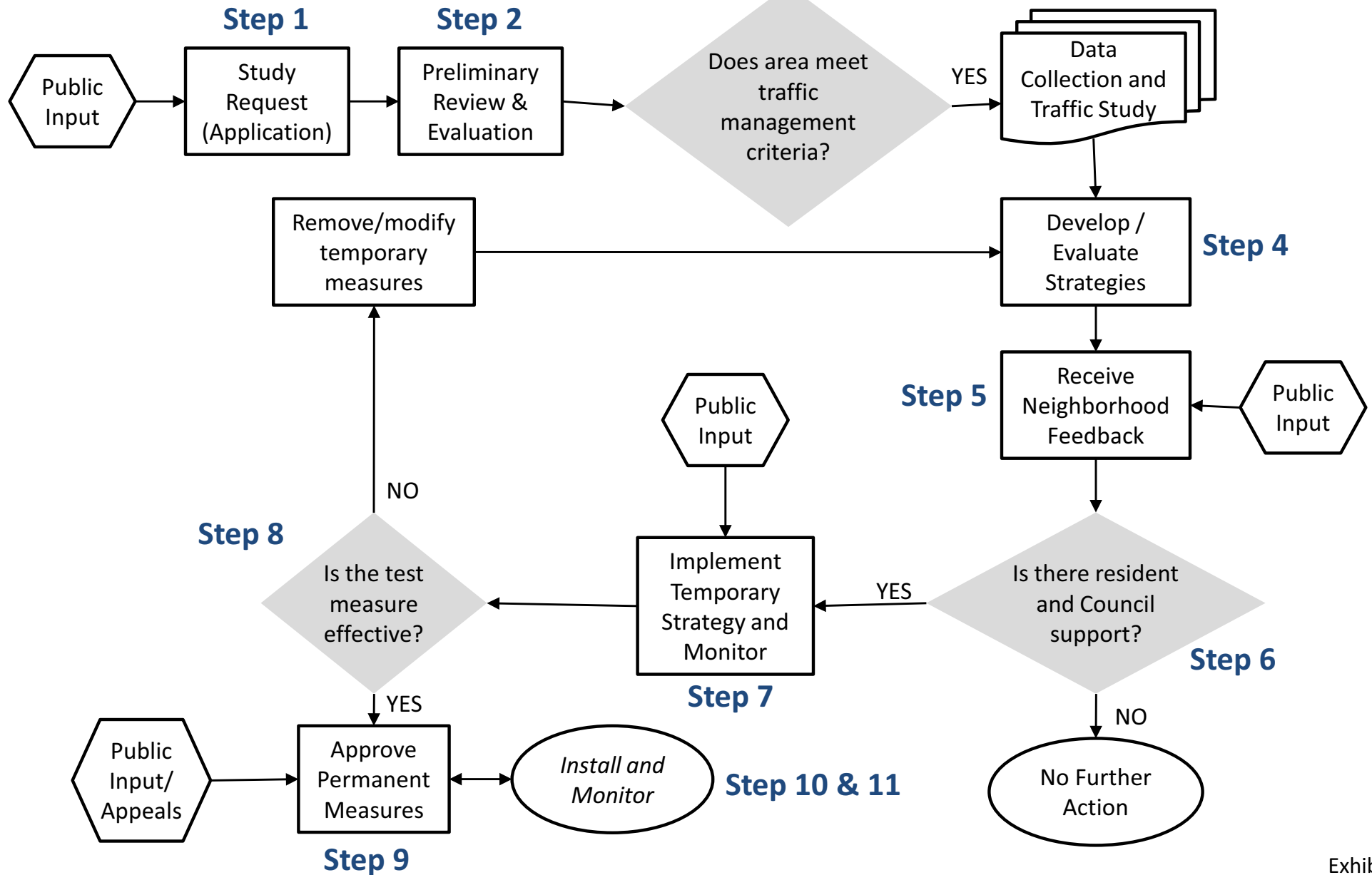
If it is determined that the request falls under the Neighborhood Traffic Management Program the City will undertake an engineering study of the street(s) or neighborhood including gathering relevant data of the affected streets.

Step 4 - Develop/ Evaluate Traffic Management Strategies

Based on the traffic study and input from other departments, the City Engineering Division will make a preliminary determination of the need for traffic management strategies and make recommendations as to which strategy would be appropriate.



Traffic Management Program



Step 5 – Receive Neighborhood Feedback

A neighborhood meeting will be held, or a summary letter will be sent, to present the conclusions of the traffic study and discuss appropriate next steps in the process. At this time a survey will be sent out to determine neighborhood support for the recommended traffic management strategy and to receive input from affected citizens.

Step 6 - Traffic Management Strategy Recommendation and Approval

The recommended strategy will not be implemented without the support of 65% of the Benefited Area and 51% of the Affected Neighborhood. In addition to neighborhood approval, the City Council must also approve the implementation of the traffic management strategy.

Step 7 - Implement Temporary Strategy and Monitor

If a strategy is approved it may be possible to implement first a temporary strategy. If a temporary measure is used, it will be monitored for a minimum of 3 months to determine its effectiveness.

Step 8 - Strategy Evaluation

Results from the monitoring of the temporary measure will be used to determine if the strategy will be recommended for final approval from the City Council. If the temporary measure is not effective the Engineering Division will revisit the analysis and development of strategies (Steps 3 and 4) or choose to not continue the process.

Step 9 - City Council Action

Based on the strategy evaluation, City staff members will provide a recommendation to the City Council regarding the proposed traffic management strategy.

Step 10 - Design, Final Assessment Roll and Construction

If the project is approved, City staff prepares and recommends the final project as required under authority granted by Minnesota Statute Chapter 429.

Step 11 - Monitoring

Once a traffic management strategy has been implemented the City will continue to conduct periodic monitoring of the site to collect data for future implementation of strategies and to document the effectiveness of the installed strategy. This program and the associated Toolbox may be amended at any time by the City Council.

5.0 Procedure Details

Step 1 - Study Request (Application)

Citizens may identify candidate streets or areas for traffic improvements. The key to any successful traffic management strategy is choosing the most appropriate tool for the specific situation. The requesting neighborhood must identify the specific street or intersection involved, direction of traffic, day of week, time of day and other important data. Some request may be handled by phone or verbally from citizens to City Staff, which could result in increased police enforcement or placement of the City's speed display equipment. Any requests for permanent traffic management strategies require a written application with 51% of the Project Neighborhood signing the application. Appendix B provides a sample petition.

~~Application of these strategies on arterial streets is excluded from this process.~~

Step 2 - Preliminary Review and Evaluation

The City Engineer will review requests to determine whether or not they should be handled as part of the administrative traffic engineering procedures, construction design process, or police enforcement of the City. Some requests may be able to be handled within the current Capital Improvement Program such as planned infrastructure improvements or reconstructions. In addition, common requests for increased traffic enforcement, and placement of the temporary variable speed display equipment are commonly handled by the City Traffic Safety Committee.

Review of requests will consist of comparing the identified street characteristics with the following initial criteria:

- The street in question must be classified as a Local Street in the City of Roseville (see Appendix C for roadway jurisdiction map).
- The requests must be related to speeding, Excessive Traffic Volumes, crashes, Cut-through Traffic, truck traffic, non-motorized transportation safety or other related impacts on a Local Street.

If it is determined that the request falls under the function of the TMP, then Step 3 will be initiated. If not, the request shall be followed up as appropriate by the City Engineer as part of the Department's normal function, including coordination with the Police, Fire, or Public Works Departments as needed.

Step 3 - Data Collection and Traffic Study

If it is determined that the request falls under the guidelines of the TMP, the City Engineer will conduct an engineering study ~~of the street(s) or neighborhood~~. The study will include the following actions:

Define Benefited Area/ ~~Affected~~ Impacted Area

The definition of the Benefited Area and ~~A~~impacted ~~ffected~~ Areas sets up the project boundaries and will be used to determine neighborhood support during the petition process and for the assessment process if a strategy is implemented.

Data Collection

Traffic data collection will include (as appropriate based on identified problem) one or more of the following:

- Traffic volume counts (24 hour counts in 15 minute increments, truck volume counts)
- Non motorized transportation counts
- Speed surveys
- Cut-through Traffic estimates
- Crash information (three years minimum- 5 years recommended)
- Roadway Geometry (sight distance, lane configuration, etc.)
- Land Use Mix (density of residential and presence of sidewalks, pedestrian generators such as schools, parks, bus routes, unique features)

Evaluation of Traffic Data

From the data collected the traffic problems associated with the neighborhood street can be documented. The documentation will be valuable in the development of possible traffic management strategies.

From the data collected the City will also be able to rank the potential projects for further study. Table 1 provides the ranking criteria. This ranking will be beneficial if the number of request submitted is beyond the fiscal and staffing ability of the city. By ranking

1 requests based on the criteria set forth in Table 1, the city can prioritize projects to focus
2 funding accordingly.
3

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TABLE 1: Traffic Management Request Ranking Criteria	
Pathway adjacent to Benefited Area (0 to 100 points)	None +100 All of 1 side +50 All of 2 sides +0
Public school yard, parks, playground development adjacent to Benefited Area (0 to 200 points)	None +0 All of 1 side +100 All of 2 sides +200
Residential development adjacent to Benefited Area (0 to 100 points)	None +0 All of 1 side +50 All of 2 sides +100
Number of reported correctable crashes based on up to 5 years of available data (0 to 200 points)	20 per crash; maximum of 200 points
Average residential density adjacent to Benefited Area (0 to 50 points)	0 dwelling units per 100 lin. ft. = 0 points 5+ dwellings units per adjacent 100 lin. ft. = 50 points
85 th Percentile speeds 5 mph over posted speed limit (0 to 200 points)	Yes - +200 No - +0
Average Daily Traffic Volumes - ADT (0 to 200 points):	ADT divided by 10; maximum 200 points For intersection, street segments or multiple streets, use higher volume street
Percent of potential assessment properties supporting project by petition (180 to 300 points)	3 points per percent; maximum 300 points

Step 4 - Develop/Evaluate Traffic Management Strategies

Using the data collected during the development of the traffic study and applying recognized traffic engineering standards, the City Engineering Division will recommend the use of one or more neighborhood traffic management strategies. A "toolbox" of strategies is included in Section 6.0 of this plan. While it is not inclusive of all strategies, it provides a summary of the most applied and successful strategies as documented in the research summarized in Appendix C. The toolbox includes a brief description of the strategy, its effects on volume, speed, noise, and safety, a discussion of its advantages and disadvantages and design considerations. The following strategies are included in the toolbox:

Traffic Control Devices

- One-Way Streets
- Stop Sign Implementation
- All-Way Stop Sign Implementation
- Parking Restrictions
- Pavement Markings/ Crosswalk Striping
- Speed limits

Roadway Adjustments

- Narrowing Lanes
- Intersection Chokers
- Mid-Block Narrowing
- Chicane
- Sidewalks

Vertical Elements

- Speed Tables
- Raised Crosswalk
- Median Barrier
- Traffic Circle
- Street Closure
- Full/ Diagonal Diverter
- Partial Diverter

Enforcement

- Increased Enforcement
- Variable Speed Display Board

Management Strategy Effectiveness

As stated earlier, traffic management strategies are not universally applicable or effective at solving all problems. The Institute of Transportation Engineers has collected data on the effectiveness of traffic management strategies implemented throughout the United States. Table 2 provides a summary of this data and can be useful in the selection of appropriate traffic management strategy to implement. Along with the information provided in Table 2 on effectiveness, the following are some other effectiveness considerations:

- Traffic control devices, by themselves, are almost never effective at reducing traffic volumes or vehicle speeds.
- Enforcement can be effective if applied regularly and over an extended period of time.
- In most cases, enforcement will result in local citizens being ticketed.
- Roadway adjustments (narrowing) have proven to be moderately effective but at high implementation costs.
- Vertical elements (primarily speed humps/bumps) have proven to be moderately effective but neighborhood acceptance has been mixed.
- The combination of enforcement plus other strategies has proven to be the most effective approach.

The following terms are used in Table 2:

- Poss- it is possible that this strategy will affect the problem.
- Yes- it is expected that this strategy will affect the problem.
- No- this strategy will have no effect on this problem.

TABLE 2 Management Strategy Effectiveness	Volume Reduction	Speed Reduction	Safety Improvement	Increase in Air / Noise Pollution	Emergency Access Issues	Access Restriction	Increased Maintenance Efforts	Cost
Traffic Control Devices								
One-Way Streets	Poss	No	Poss	No	Poss	No	Poss	Low
Stop Sign Implementation	No	No	No	Yes	Yes	No	No	Low
All-Way Stop Implementation	No	No	Poss	Yes	No	No	No	Low
Parking Restrictions	No	No	Poss	No	No	No	No	Low
Pavement Markings/ Crosswalk Striping	No	No	No	No	No	No	No	Low
Speed limits	No	No	No	No	No	No	No	Low
Roadway Adjustments								
Narrowing lanes	No	Poss	Poss	No	No	No	No	Mid
Intersection Chokers	No	Poss	Yes	No	Poss	No	No	High
Mid-Block Narrowing	No	Poss	Poss	No	No	No	No	Mid
Chicane	Poss	Poss	No	No	No	No	Yes	High
Sidewalks	No	No	Poss	No	No	No	Poss	Mid
Vertical Elements								
Speed Humps/ Tables	Poss	Yes	Poss	Poss	Poss	No	Poss	Mid
Raised Crosswalk	Poss	Yes	Poss	Poss	Poss	No	Poss	Mid
Median Barrier	Yes	Poss	Poss	No	Yes	Yes	Poss	High
Traffic Circle	No	Poss	Poss	No	Poss	No	Yes	High
Street Closure	Yes	Poss	Poss	No	Yes	Yes	Poss	High
Full/ Diagonal Diverter	Poss	Poss	Poss	No	Yes	Yes	Poss	High
Partial Diverter	Poss	Poss	Poss	No	No	Yes	Poss	High
Enforcement								
Increased Enforcement	No	Yes	Poss	No	No	No	No	Mid
Variable Speed Display Board	No	Yes	Poss	No	No	No	No	Low

Cost Estimate and Funding

For the purpose of discussions with affected citizens, a cost estimate will be developed for the recommended strategy. The following cost sharing will occur with an approved traffic management strategy:

- City of Roseville will pay the cost of administrative work, traffic study and data collection.
- If the traffic study requires expertise that is not available in house, the City may need to hire a consultant to complete the traffic study. If this occurs, the cost for the study will be incorporated into the 25/75 cost share described below.
- City of Roseville pays 25% of the construction and installation costs of major strategies while the neighborhood affected will pay 75% of the cost (minor items such as installation of a limited number of signs or painting of crosswalks and other pavement markings would be assumed completely by the City) Construction cost includes direct engineering, legal and project administration.

Costs associated with implementing traffic management strategies vary significantly from just over \$250 for installing a speed limit sign to \$10,000 or more for a landscaped median construction. Table 3 provides a summary of typical implementation costs for traffic management strategies.

TABLE 3
Typical Costs

Type of Implementation	Unit	Unit Cost	Maintenance cost
Warning Signs	Per sign	\$250	Replace every 10 yrs average
Pavement Markings - Roadway Striping - Crosswalk Striping	Per linear foot Per crosswalk	\$1 \$150	Same Cost every 3 years to refresh paint
Street Lighting	Per fixture	\$7,500	\$150/ year
Raised Crosswalk	Per crosswalk	\$4,000	\$500/ year
Speed Humps/ Table	Per table	\$5,000	\$500/ year
Mid-Block Choker	Per choker	\$5,000	\$500/ year
Intersection Choker	Per approach	\$5,000	\$500/ year
Mid-Block Speed Table	Per table	\$7,500	\$500/ year
Intersection Speed Table	Per intersection	\$25,000	\$500/ year
Traffic Circle	Per intersection	\$15,000	\$1,000/ year
Center Island	Per approach	\$15,000	\$1,000/ year
Half Closures	Per intersection	\$40k to \$60k	\$500/ year
Full Closures	Per intersection	\$120,000	\$1,000/ year
Sidewalk (6 ft concrete)	Per Foot	\$81	\$1.10
Trail (8 ft Bituminous)	Per Foot	\$70	\$1.14

Source: City of Minneapolis & ITE, Traffic Calming - State of the Practice

While the city will cost share only the implementation costs, the consideration of future maintenance costs are also a factor for determining the most appropriate strategy. While the implementation of a traffic sign may appear to be the least expensive option at only \$250, the additional per year cost of annual maintenance needs to be considered. A comparison of the annual costs for the most common strategies for speed reduction, increased enforcement and speed humps, is included in Table 3.

Step 5 - Receive Neighborhood Feedback

After the completion of the traffic study and the development and evaluation of potential strategies, the city will either hold a Neighborhood Meeting or distribute a letter to inform the community on the process and results of the traffic study and provide information on the recommended strategies. Based on the engineering study and input from citizens, the city will make a preliminary determination and recommendation for the need of traffic management strategies.

Step 6 - Traffic Management Strategy Recommendation and Approval

Once the traffic study results, management strategies, and cost estimates have been provided to Affected Neighborhood citizens, a survey/petition will be circulated to ascertain whether or not the neighborhood approves of the recommended strategy and are willing to cover the potential costs of implementation. ~~The recommended strategy will not be implemented without the support of 65% of the benefited area and 51% of any affected neighborhood.~~

In order to proceed further with the implementation of the proposed strategy:

- A minimum of 65% of the Benefited Area must be in support.
- A minimum of 51% of the Affected Neighborhood must be in support.
- Each household is entitled to one signature.
- If no response is received from a property, it shall be considered a negative response.

If these thresholds are not met, the request shall be followed up as appropriate by the City Engineer as part of the Department's normal function, including coordination with the Police, Fire, or Public Works Departments as needed.

Once approval is obtained from the neighborhood the strategy will be presented to the City Council for approval.

Step 7 - Implement Temporary Strategy and Monitor

In most cases, the strategy will be implemented with temporary materials and remain in place for approximately three to six months depending on the type of improvement. The strategy will be evaluated to determine if it addresses the identified problems and is consistent with the Neighborhood Traffic Management Program goals. During the test period citizens may provide comments to the City Engineering Division regarding the improvement. At any time during this test phase appeals of the decision for installing the strategy can be submitted and forwarded to the City Engineer.

If it is determined that it is not practical to install a temporary strategy, this step can be eliminated.

Step 8 - Strategy Evaluation

If it is determined that the temporary strategy does not achieve the intended goals of reducing speeds, cut through traffic or other identified problems, the City Engineering Division will review other potential strategies and recommend the elimination of all strategies or test the installation of a different strategy.

When it is determined that a temporary strategy is effective, the City Council will be asked to order the preparation of a Feasibility Report for the ~~Effective temporary strategies will be brought to the city council for approval for the~~ installation of a permanent form of the approved traffic management strategy.

Step 9 – City Council Action

Based on the strategy evaluation and survey, City staff members prepare a feasibility report and recommendations for the City Council. The report outlines the process followed, includes the project findings, states the reasons for the recommendations and includes a preliminary assessment roll. The feasibility report and preliminary assessment roll will be presented for a recommendation by the Public Works Environment and Transportation Commission (PWETC) before final action by the City Council. If the feasibility report is adopted and the preliminary assessment roll is approved by the City Council, the project is ordered. If the feasibility report and preliminary assessment roll are not adopted by the Council, the plans and specifications will not be ordered and the project will be terminated. The project will thereafter be removed from the list and the Benefited Area is not allowed to reapply for a same or similar study for five years.

Step 10 – Design, Final Assessment Roll and Construction

Final design and construction supervision are administered by the City and are generally completed within 12 months after final approval and assessment by the City Council. City staff prepares and recommends the final assessment roll as required under authority granted by Minnesota Statute Chapter 429.

Step 11 - Monitoring and Future Actions

The City will conduct periodic monitoring of the fully installed traffic management strategy to determine if the project continues to provide effective improvement to the neighborhood. The monitoring will be conducted at the discretion of the City based on available funding, staffing levels, and resident comments.

If monitoring shows that the implemented strategy fails to achieve the intended goals it may be removed.

Legal Considerations

From the local government perspective, the legal issues surrounding traffic management strategies fall into three categories: statutory authority, constitutionality, and tort liability. First, the local government must have legal authority to implement traffic management strategies on a given roadway (statutory authority). Second, the local government must respect the constitutional rights of affected landowners and travelers on the roadways (constitutionality). And finally, the local government must take steps to minimize the risk to travelers from the installation of traffic management strategies (tort liability). Through documentation of the entire process, including the collection and evaluation of traffic data, the decision process, and interaction with the public, the Roseville Traffic Management Program can minimize potential legal difficulties.

Appeals

Decisions of staff can be appealed to the City Council. The appeals process will follow established City procedures.

Removal

The Traffic Management Program is intended to avoid the costly installation and later costly removal of traffic management strategies. On occasion, however, it may be determined to be desirable to remove a traffic management strategy installed under the Program.

If the removal is City initiated due to safety/ crash/ complaint issues, the removal will be at City expense. If the removal request is at the request of the Benefited Area, the removal will be charged to the property owners in the defined Benefited Area. The request will be processed generally using the same procedures as outlined in this program requiring written request and appropriate neighborhood approval.

6.0 Traffic Management Strategy Toolbox

The following Toolbox provides information on a variety of traffic management strategies. Each strategy includes information on its purpose, its effectiveness for solving different types of traffic problems, and a summary of advantages and disadvantages for implementation. The toolbox has been organized into types of strategy as follows:

Traffic Control Devices - the use of common traffic control devices, such as signing and pavement markings, to solve neighborhood traffic problems. Included in this category are:

- One-Way streets
- Stop Sign Implementation
- All-Way Stop Sign Implementation
- Parking Restrictions
- Pavement Markings/ Crosswalk striping
- Speed Limits

Roadway Adjustments - there are multiple strategies for traffic management that change the appearance of the roadway including:

- Narrowing lanes
- Intersection Chokers
- Mid-Block Narrowing
- Chicane
- Sidewalks

Vertical Elements - introducing vertical elements to the roadway, either as obstacles for vehicles to drive over or around, are common traffic management strategies. These include:

- Speed Humps/ Tables
- Raised Crosswalks
- Median Barrier
- Traffic Circles
- Street Closure
- Full/ Diagonal Diverter
- Partial Diverter

Enforcement - there are two options for using enforcement as a traffic management strategy: increase police enforcement and the use of Variable Speed Display Boards.

Purpose

Conversion of two-way streets to one-way operation for purposes of residential street traffic control take three forms:

CASE #1 - Divergent and convergent one-way residential streets to reduce direct through routes impacting the neighborhood.

CASE #2 - Alternating one-way streets throughout a portion of a grid system to gain safety advantages of one-way operations.

CASE #3 - Creating a one-way couplet by paring a residential street with a nearby thru street to create a corridor for thru traffic



R6-1



R6-2

Source: FHWA Manual on Uniform Traffic Control Devices

Effects

Volumes Case #1 – reduces traffic volumes where thru traffic is a problem
 Case #2 – no significant effect on traffic volumes
 Case #3 – increases volumes on one street and reduces volumes on adjacent streets

Speed May increase speeds due to improved motorist comfort levels.

Traffic Noise and Air Minimal effect except in Case #1 which creates longer, circuitous routes for local traffic.

Traffic Safety One-way streets result in fewer potential conflicting movements, improving safety.

Advantages

- Possible increased parking
- Inexpensive to implement
- May reduce traffic volumes
- May increase roadway capacity

Disadvantages

- May be considered inconvenient for residents
- Possible increase in speeds
- May increase volumes on other streets

Problems Targeted

- High traffic volumes
- High crashes due to conflicting movements

Design

- One way streets can be used in combinations that force turns every few blocks to minimize speeding or cut-through problems

Purpose

Regulatory sign that is used to assign right-of way at an intersection. Only recommended for installation if specific guidelines are met in accordance with the Minnesota Manual on Uniform Traffic Control Devices (MnMUTCD). Stop signs should not be used for speed control or volume reduction and should not be installed on the major street unless justified by an engineering report.



R1-1

Source: FHWA Manual on Uniform Traffic Control Devices

Effects	
<i>Volumes</i>	Little or no effect.
<i>Speed</i>	Little or no reduction in speed, speed possibly increases due to drivers speeding up to make up for time lost at the stop sign.
<i>Traffic Noise and Air</i>	Noise is increased near the intersection due to the increase activity of acceleration. Air quality worsens due to deceleration, idling and acceleration.
<i>Traffic Safety</i>	Possible increase in crashes, possibly due to the stop signs being unexpected or deemed unnecessary, therefore encouraging rolling stops or by instilling a false sense of security in crossing motorists and pedestrians.
Advantages	• Inexpensive installation costs (do require continual maintenance costs). • Defines driver's right-of-way. • Increase opportunity for pedestrians to cross the roadway. • May discourage cut-through traffic.
Disadvantages	• Can cause negative traffic safety impacts if sign is not warranted. • May result in mid-block speeding • Increasing levels of intersection control are associated with increased frequency of crashes. • Difficult to enforce full stop control compliance. • Could result in increase in speeds between the signs as drivers try to make up for lost time.
Problems Targeted	• At intersections where right-of-way is confusing.
Design	• Guidelines need to be met as established in the Minnesota Manual on Uniform Traffic Control Devices. • In most cases the street carrying the lowest volumes should be stopped to minimize the number of vehicles stopping.

Purpose

The All-Way STOP condition is primarily intended to address either a higher than expected intersection crash frequency or to be an interim measure at locations that have demonstrated a need for a traffic signal installation, but where the signal cannot be installed in a reasonable period of time. It is a common belief that installing STOP signs on all approaches of an intersection will result in fewer crashes. Research indicates that average crash frequency at All-Way STOP controlled intersection is 50% higher than thru/STOP intersections. Also, there is no evidence to suggest that STOP signs decrease travel speeds.



R1-1

Source: FHWA Manual on Uniform Traffic Control Devices

Effects	
<i>Volumes</i>	Little or no effect.
<i>Speed</i>	Little or no reduction in speed, mid-block speed possibly increase.
<i>Traffic Noise and Air</i>	Little or no effect.
<i>Traffic Safety</i>	In most cases, the installation of an All-Way STOP will increase the frequency of crashes. Only in those rare cases where the number of crashes with the thru/ STOP control is unusually high, is the forecast of safety improvement probable.
Advantages	• Inexpensive installation costs (do require continual maintenance costs). • Defines driver's right-of-way. • Increase opportunity for pedestrians to cross the roadway. • May discourage cut-through traffic.
Disadvantages	• Can cause negative traffic safety impacts if sign is not warranted. • May result in mid-block speeding. • Increasing levels of intersection control are associated with increased frequency of crashes. • Difficult to enforce full stop control compliance. • Could result in increase in speeds between the signs as drivers try to make up for lost time.
Problems Targeted	• Unusual conditions at intersection including crash frequency, turning patterns, delay and pedestrian conflicts.
Design	• Traffic volumes and crash frequency thresholds need to be met as established in the Minnesota Manual on Uniform Traffic Control Devices. • The most effective deployment of the All-Way STOP condition is at intersections where the volume of traffic on the major and minor roads is approximately equal.

Purpose

Parking restrictions can assist in improving residential street safety in two ways:

- 1) Clearance No Parking Zones to improve sight lines at intersections and crosswalks
- 2) Extended No Parking Zones to improve visibility of and for pedestrians along the length of the block.



Source: FHWA Manual on Uniform Traffic Control Devices

Effects	
<i>Volumes</i>	Little or no effect.
<i>Speed</i>	Minimal changes unless there are extended No Parking Zones that can create the potential for increased speeds.
<i>Traffic Noise and Air</i>	Little or no effect.
<i>Traffic Safety</i>	Increasing sight line distances reduce right angle conflict between vehicles at intersections, alleys and driveways.
Advantages	• Can reduce some types of accidents (late evening hit and run parked vehicle accidents and crashes related to parking maneuvers).
Disadvantages	• In area where on-street parking is at capacity and there is no alternative off street parking additional restriction to parking can be controversial to residents.
Problems Targeted	• Non-Residential parking intrusion.
Design	• Should review the impacts of parking on surrounding streets.

Purpose

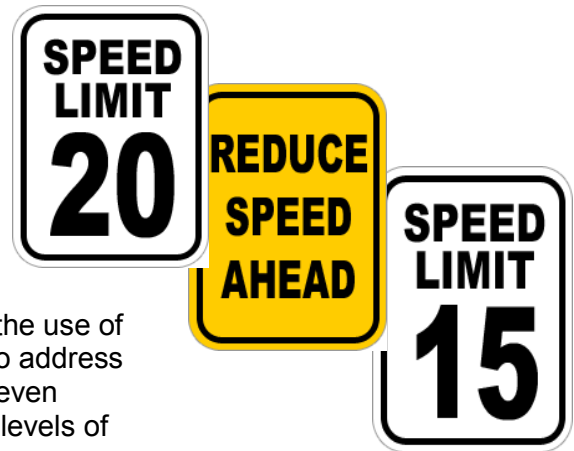
Provide a designated, marked location for pedestrians to cross residential street and make drivers more aware of potential pedestrian conflicts.



Effects	
<i>Volumes</i>	No effect
<i>Speed</i>	No effect
<i>Traffic Noise and Air</i>	No effect
<i>Traffic Safety</i>	Research has shown that marked crosswalks at uncontrolled intersection are unrelated to pedestrian safety.
Advantages	• Reasonably effective at identifying locations with potential pedestrian conflicts. • Helps to concentrate pedestrian activities at specific intersection and on specific legs of intersections.
Disadvantages	• At uncontrolled intersections, appears to create a false sense of security in pedestrians – the 8" white line will stop the oncoming 4,000 pound vehicle. • Costly to maintain. • Not required to establish legal cross-walk locations.
Problems Targeted	• Concentrating pedestrian crossing activities, particularly when combined with other strategies such as advanced warning signs, systems of sidewalks, enforcement, etc.
Design	• Marking cross walks is not necessary to establish legal crossing locations and is unrelated to pedestrian safety. • Marked crosswalks may be part of a program to designate walking routes and concentrate pedestrian crossings when combined with other strategies.

Purpose

Speed limits are determined by the Minnesota Department of Transportation (consistent with State Statutes) based on an analysis of the actual speed profile of the road. The basic premise of Minnesota's law is that the majority of motorists will pick a safe and reasonable speed given the horizontal and vertical design of the street, locations of driveways, sidewalks, obstructions, and the use of the street by pedestrians. Lowering the speed limit to address speeding in a neighborhood has never proven to be even moderately effective without also including very high levels of enforcement.

**Effects**

Volumes Little or no effect.

Speed Drivers generally ignore posted speed limits and travel at speeds which the drivers consider reasonable.

Traffic Noise and Air Little or no effect.

Traffic Safety Effects of speed limit changes on traffic safety on local residential streets have not been reported. Research suggests that crash frequencies on urban roadways are unrelated to vehicle speeds.

Advantages

- Research indicates that when speed limits are set at or near the 85th percentile speed, roadway crash frequencies are at a minimum.

Disadvantages

- Speed limits on urban roadways are either set by Statute or by MnDOT.
- Research indicates that crash frequencies on urban roadways are unrelated to vehicle speeds.

Problems Targeted

- High speeds through residential neighborhood

Design

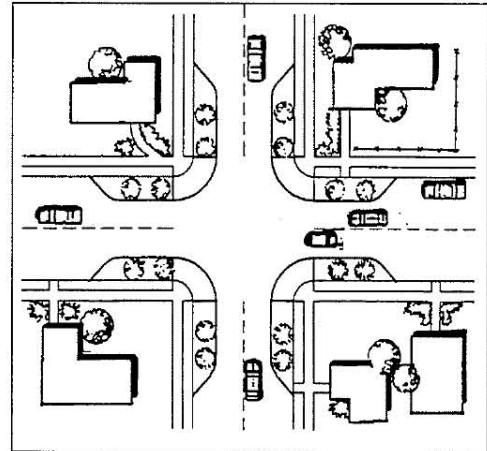
Purpose

The reduction of the typical pavement width along a roadway. The narrowing can be achieved physically by removing part of the pavement surface or by simply using pavement markings to indicate narrow travel lanes.

Effects	
<i>Volumes</i>	Little or no effect.
<i>Speed</i>	Possible reduction in speed.
<i>Traffic Noise and Air</i>	Little or no effect.
<i>Traffic Safety</i>	Potential for improved pedestrian safety due to shorter street crossing times, but at the same time bicycle safety may be compromised by physically removing part of the pavement surface.
Advantages	• Use of pavement markings to narrow street is relatively inexpensive (\$0.20 per lineal foot). • Narrowing of street may provide opportunity for street beautification programs.
Disadvantages	• May require the prohibition of on-street parking causing hardship or inconvenience for residents. • May result in shifting volumes to adjacent streets if number of lanes is reduced
Problems Targeted	• Wide residential streets where speed reduction is desired. • Excess street volume on multilane streets.
Design	• Must not create significant impact due to loss of parking.

Purpose

Narrowing of the street at an intersection to constrain the width of the traveled way. They provide shorter pedestrian crossing distances and provide protection to the beginning of a parking lane. The driver also senses the roadway narrowing when approaching one of these measures, which can result in speed reduction and a reminder that the driver is entering a residential area.

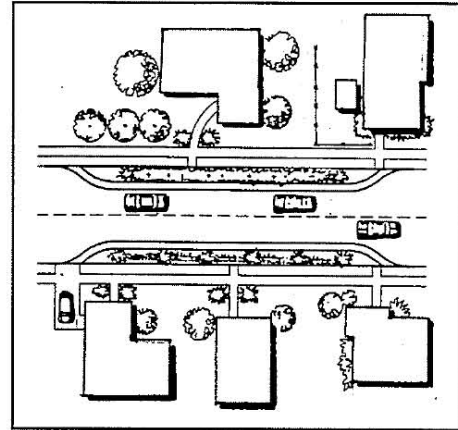


Source: Institute of Transportation Engineers
Traffic Calming: State of Practice

Effects	
<i>Volumes</i>	Little or no effect.
<i>Speed</i>	Minimal changes.
<i>Traffic Noise and Air</i>	Little or no effect.
<i>Traffic Safety</i>	Potential for improved pedestrian safety due to shorter street crossing times, but at the same time bicycle safety may be compromised by physically removing part of the pavement surface.
Advantages	• Good for pedestrians due to shorter crossing distance • Provides space for landscaping and neighborhood "gateway". • Should not affect emergency response time. • Minimal inconvenience to drivers.
Disadvantages	• May require the prohibition of on-street parking causing hardship or inconvenience for residents. • May cause bicyclists to travel in same traffic lane as vehicles. • May require redesign of drainage system.
Problems Targeted	• Mid- block locations with speeding and/or cut-through traffic
Design	• There must be adequate turning radius for emergency vehicle access especially on narrow streets. • Drainage structures must be relocated to fit into new curb line.

Purpose

Segment(s) of roadway narrowing where curbs are extended toward the center of the roadway on one or both sides of the street to constrain the width of the traveled way. They provide shorter pedestrian crossing distances and provide protection to the beginning of a parking lane. The driver also senses the roadway narrowing when approaching one of these measures, which can result in speed reduction.



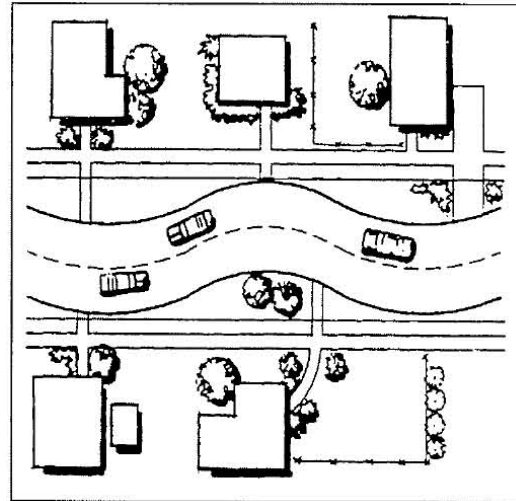
Source: Institute of Transportation Engineers
Traffic Calming: State of Practice

Effects	
<i>Volumes</i>	Little or no effect.
<i>Speed</i>	Minimal changes.
<i>Traffic Noise and Air</i>	Little or no effect.
<i>Traffic Safety</i>	Potential for improved pedestrian safety due to shorter street crossing times, but at the same time bicycle safety may be compromised by physically removing part of the pavement surface.
Advantages	• Good for pedestrians due to shorter crossing distance. • Provides space for landscaping. • Does not affect emergency response time. • Minimal inconvenience to drivers.
Disadvantages	• May require the prohibition of on-street parking causing hardship or inconvenience for residents. • May create drainage issues where curb and gutter exist. • May create diversion for bicyclists.
Problems Targeted	• Mid- block locations with speeding and/or cut-through traffic.
Design	• Must not significantly impede emergency vehicle access. • Drainage structures must be relocated to fit into new curb line.

Purpose

Curvilinear reconstruction involving the introduction of curvatures on previously straight alignment. Curvilinear reconstruction can be accomplished in two different ways:

1. Reconstruct the street with a curved centerline alignment and a uniform roadway width.
2. Introduce chokers or other types of barriers on alternate sides of the street to create a serpentine travel path.



Source: Institute of Transportation Engineers
Traffic Calming: State of Practice

Effects	
<i>Volumes</i>	Possible reduction in volumes.
<i>Speed</i>	Possible reduction in speeds.
<i>Traffic Noise and Air</i>	Little to no effect.
<i>Traffic Safety</i>	Little or no effect.
Advantages	• Possible reduction in volumes and speed. • No restriction in access to residents. • Can be landscaped enhanced. • Less disruptive for emergency vehicles than speed humps.
Disadvantages	• Curbside parking must be prohibited in some locations. • Winter maintenance problems. • Possible impacts to drainage. • High cost of reconstruction.
Problems Targeted	• Excessive speeds.
Design	• Not appropriate for narrow streets (24 feet is appropriate width). • Drainage structures must be relocated to fit into new curb line.

Purpose

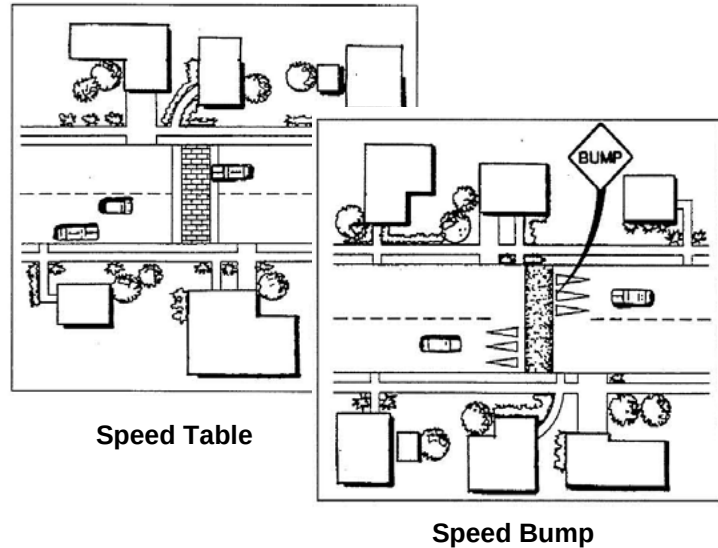
Sidewalks are intended to provide pedestrians with a safe walking location when traffic volumes or vehicle speeds make walking on the street potentially dangerous.



Effects	
<i>Volumes</i>	No Effect.
<i>Speed</i>	No Effect.
<i>Traffic Noise and Air</i>	No Effect.
<i>Traffic Safety</i>	Possible decrease in pedestrian crashes.
Advantages	• Separates pedestrians and vehicles. • Very effective at reducing pedestrian/vehicle conflicts.
Disadvantages	• Moderately costly to implement. • Requires systematic deployment to achieve high levels of effectiveness. • Increased maintenance efforts. • Mixed neighborhood acceptance.
Problems Targeted	• High levels of pedestrian activity, especially at/near pedestrian generators (schools, parks, retail areas, etc).
Design	• Should be installed along all arterials and collectors (because of the traffic volumes and speed) and along residential streets based on providing connections to areas with high levels of pedestrian activity.

Purpose

A physical feature (usually made of asphalt or rubber mounds) that are designed to rise above the roadway surface and extend across the roadway perpendicular to the traffic flow. Typically used to reduce vehicle speeds.

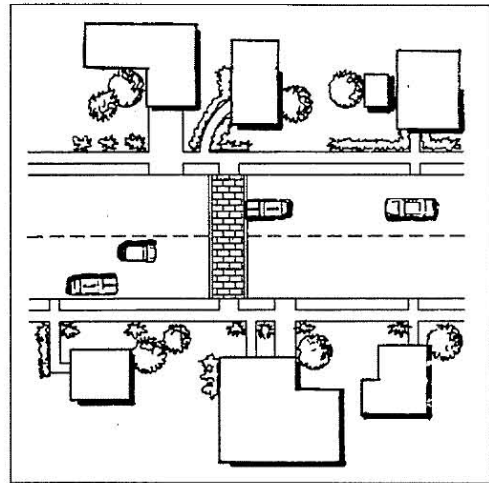


Source: Institute of Transportation Engineers
Traffic Calming: State of Practice

Effects	
<i>Volumes</i>	May reduce traffic volumes.
<i>Speed</i>	Effective in slowing vehicles traveling at typical residential speeds to approximately 5 to 15 mph depending on type installed at the device – may reduce overall speeds by 5 to 7 mph.
<i>Traffic Noise and Air</i>	May have an increase of noise at the bumps/humps.
<i>Traffic Safety</i>	Traffic safety has not been found to be compromised with these devices. Traffic safety benefits can be gained if speeding is involved.
Advantages	• Reduces speeds. • Usually reduces traffic volumes. • Does not require parking removal or interfere with bicycle/pedestrian traffic.
Disadvantages	• Can potentially increase noise. • Can cause traffic to shift to parallel residential or collector streets. • May decrease emergency vehicles response times.
Problems Targeted	• Excessive speed. • High volumes.
Design	• Speed humps are only effective for 250 feet on either side of the hump. Thus, a neighborhood considering speed hump installation would require two to three installations.

Purpose

A raised crosswalk is a speed table designed as a pedestrian crossing, usually at mid-block to provide additional warning of a pedestrian crossing

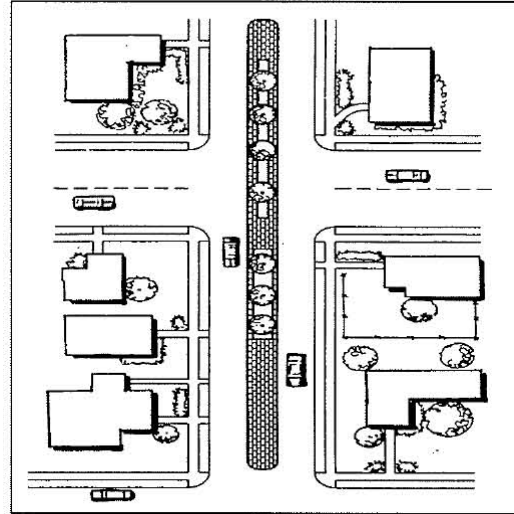


Source: Institute of Transportation Engineers
Traffic Calming: State of Practice

Effects	<i>Volumes</i> Possible reduction in traffic volumes. <i>Speed</i> Decrease in speed at crosswalk. <i>Traffic Noise and Air</i> Possible increase in traffic noise. <i>Traffic Safety</i> May increase awareness of pedestrians.
Advantages	• Speed control at pedestrian crossing. • Increases pedestrian visibility and awareness to driver. • May reduce traffic volumes.
Disadvantages	• Possible increase in noise. • Possible diversion of traffic to other streets. • May impact drainage.
Problems Targeted	• High mid-block pedestrian crossing and excessive vehicle speeds.
Design	• Should be placed in mid-block. • Not appropriate for grades greater than 5 percent. • Most common height is between 3 and 4 inches and typically have ramps 6 feet long.

Purpose

A physical means for preventing left turning traffic on a major street from accessing a local street and through traffic from continuing on that local street. Alternate routes for diverted traffic should be analyzed with regard to traffic carrying capacity and desirability.

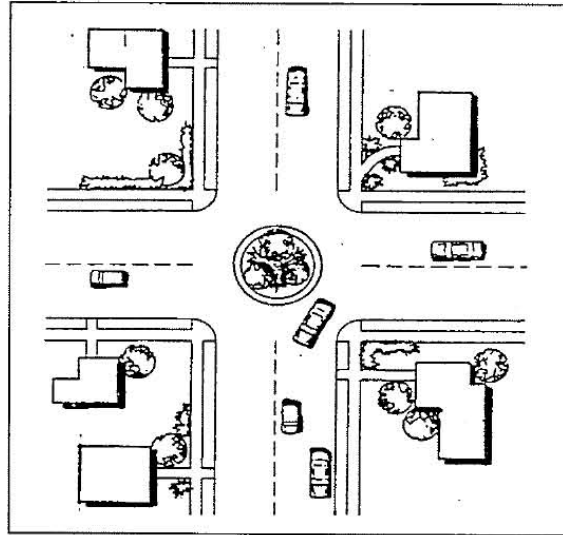


Source: Institute of Transportation Engineers
Traffic Calming: State of Practice

Effects	<i>Volumes</i> Vary depending on proportion of traffic that is prohibited by the median barrier. <i>Speed</i> Small reduction possible. <i>Traffic Noise and Air</i> Little or no effect. <i>Traffic Safety</i> May provide some safety benefits for pedestrians as a safety island for crossing the major street.
Advantages	• Assists in pedestrian crossing. • Prevents vehicles from passing vehicles that are turning right. • May improve safety through access limitations. • Visually enhances the street.
Disadvantages	• Diversion of traffic to other locations possible. • Disrupts continuity of local street system. • Landscaped islands require additional maintenance. • Reduction in access for residents.
Problems Targeted	• Cut through traffic. • Vehicle conflicts.
Design	• Must meet drainage requirements. • Must not significantly impede emergency vehicle access.

Purpose

A traffic circle is a raised geometric control island, frequently circular, in the center of an intersection of local streets. Typically, traffic circles would be about 20 feet in diameter. Traffic traveling through the intersection must avoid the island affecting the path and speed of the traffic.

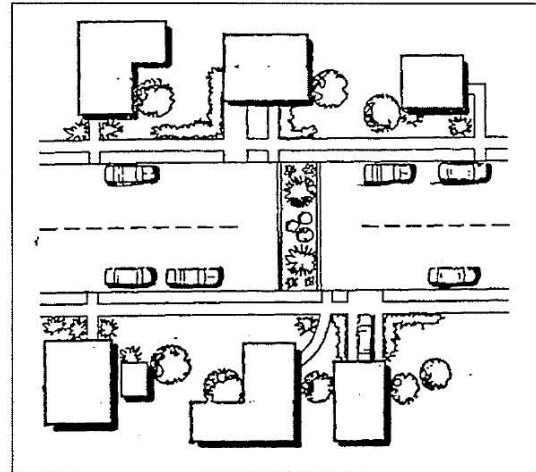


Source: Institute of Transportation Engineers
Traffic Calming: State of Practice

Effects	
<i>Volumes</i>	Little or no effect.
<i>Speed</i>	May reduce speed at intersection.
<i>Traffic Noise and Air</i>	Little or no effect.
<i>Traffic Safety</i>	May decreases vehicle conflicts at intersection.
Advantages	• Reduces speed at intersection approach. • Reduces vehicle conflicts at intersection. • Provides equal access to intersection for all drivers. • Does not restrict access to residents. • Can be landscaped.
Disadvantages	• Some parking restrictions required. • Local experience has found these devices to be ineffective. • Can restrict access for trucks, buses and may increase emergency vehicle response time. • Winter Maintenance.
Problems Targeted	• Excessive speeds. • Crash history at intersection.
Design	• A minimum of 30 feet of curbside parking must be prohibited at each corner of the intersection. • Unsuitable on MSA roads.

Purpose

A street closure, for the purpose of this tool box, is defined as closing a street either at one end or the other, or at a mid block location to eliminate unwanted through traffic.

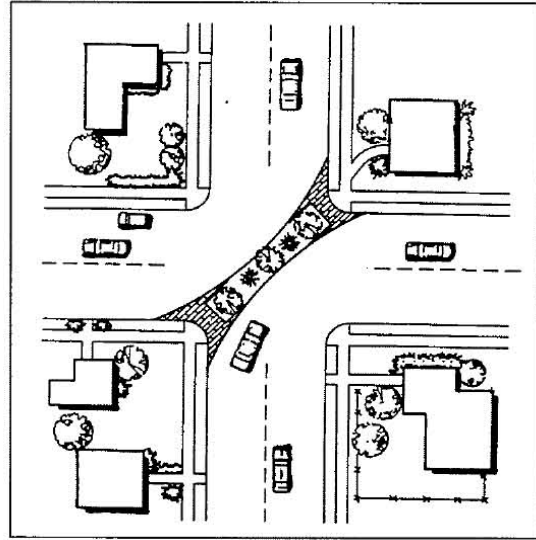


Source: Institute of Transportation Engineers
Traffic Calming: State of Practice

Effects	
<i>Volumes</i>	Reduces through traffic volumes.
<i>Speed</i>	May reduce speed.
<i>Traffic Noise and Air</i>	Little to no effect.
<i>Traffic Safety</i>	May improve safety of street.
Advantages	• Eliminates through traffic. • Possibly reduces speed of remaining vehicles. • Can maintain pedestrian and bike access.
Disadvantages	• Increases emergency vehicle response times. • May cause inconvenience for some residents. • May divert traffic to other streets. • May require additional right-of-way acquisition. • Winter maintenance.
Problems Targeted	• Cut through traffic volumes.
Design	• There needs to be a minimum of 120 foot right-of-way to accommodate the minimum turning radius of 40 feet.

Purpose

A full diverter, sometimes called a diagonal diverter, is a raised barrier placed diagonally across an intersection that physically divides the intersection and forces all traffic to make a sharp turn.

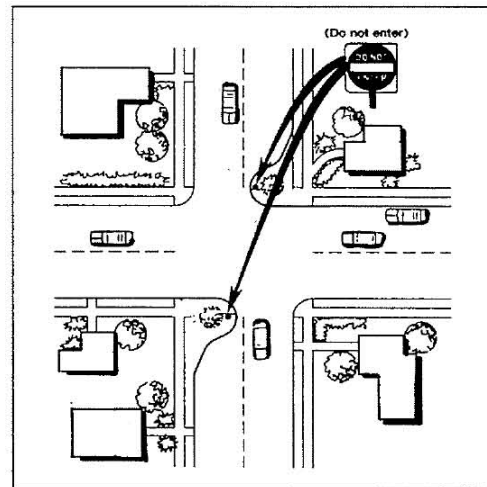


Source: Institute of Transportation Engineers
Traffic Calming: State of Practice

Effects	
<i>Volumes</i>	May decrease traffic volumes.
<i>Speed</i>	May reduce speed.
<i>Traffic Noise and Air</i>	Little or no effect.
<i>Traffic Safety</i>	Possible improvement.
Advantages	• Reduces traffic volumes. • Restricts vehicle access while maintaining bicycle and pedestrian access.
Disadvantages	• Prohibits or limits access and movement. • Restricts access for emergency vehicles. • May impact drainage. • May impact parking.
Problems Targeted	• Cut through traffic. • Speed – forces driver to slow to make the turn.
Design	• The curvature of the diverter is dependent on the intersection roadway widths. • Special care needs to be taken with drainage design. • The intent is to divert traffic to arterial and collector streets. • Needs to be good visibility approaching the diverter for drivers to react and navigate the turn safely.

Purpose

A partial-diverter is the narrowing of a two way street in order to eliminate one direction of travel. The concept can only be used at an intersection and attempts to reroute traffic attempting to use the protected street onto other roadways.



Source: Institute of Transportation Engineers
Traffic Calming: State of Practice

Effects	
<i>Volumes</i>	Reduces traffic volumes in the eliminated direction.
<i>Speed</i>	Possible speed reduction.
<i>Traffic Noise and Air</i>	Little or no effect.
<i>Traffic Safety</i>	Improved pedestrian crossing.
Advantages	• Allows for movement of emergency vehicles. • Reduces traffic volumes. • Allows two-way traffic on the remainder of the street. • Shorter pedestrian crossing at intersection.
Disadvantages	• Parking may be impacted and reduced. • Interrupts street network connectivity. • Emergency vehicles do have to drive around partial closure with care.
Problems Targeted	• Excessive volumes on residential street.
Design	• Care has to be given in the design to not hinder unnecessarily emergency vehicles due to poor design.

Purpose

The effective use of public safety/police personnel to encourage reduced speeds in residential areas. Enforcement usually involves the use of radar to identify speeders and ticket violators.

Speed Watches rely on neighborhood participation to create awareness and, in turn, help control speeds in neighborhoods.



Effects	
<i>Volumes</i>	Little or no effect.
<i>Speed</i>	Speed reduction as long as enforcement is maintained (the “halo” effect of infrequent enforcement is as little as 1 mile or 4 hours).
<i>Traffic Noise and Air</i>	Little or no effect.
<i>Traffic Safety</i>	May reduce overall crashes if speeds are actually reduced.
Advantages	• Easy to implement. • Effective with repetitive enforcement on a non-routine basis. • Speed Watch programs have been perceived positively by neighborhood, even in areas where significant speed reductions were not measured. These types of programs may make neighborhoods find that they do not actually have a speeding problem.
Disadvantages	• Not self-enforcing; temporary measure, dependent on resources. • Expensive and not always desirable to use police for traffic enforcement due to budget and manpower constraints.
Problems Targeted	• Speeding. • Moving vehicle violations. • Running stop signs.
Design	• The locations of implementation should be clearly identified to minimize the time spent enforcing and maximize the resultant speed reduction. • Actual speed surveys should be used to narrow problem to specific time (day of the week, time of day) and location.

Variable Speed Display Board

Purpose

A portable speed display board wired to a radar provides passing motorists their travel speed along with the speed limit. The display can help raise driver awareness, encourage compliance, and direct driver's attention to the posted speed limit. The purpose is to remind drivers that they are speeding to help encourage compliance.



Effects	
<i>Volumes</i>	Little or no effect
<i>Speed</i>	Lower observed speeds when device is present
<i>Traffic Noise and Air</i>	Little or no effect
<i>Traffic Safety</i>	There is the potential for sudden braking by some motorists.
Advantages	• Portable Display board can be used in various locations enabling residents to borrow and place on their street. • Low cost (\$2,000 to \$11,500 per unit). • Can be used to target timing and location of police enforcement (if data shows excessive speeds at a certain time).
Disadvantages	• Possible concerns with causing conflict between citizens involved (vigilantism). • May only provide short term effectiveness. • Possible vandalism or could encourage aggressive drivers to see how fast they can go. • Needs power to function. • Requires personnel to move and place unit.
Problems Targeted	• Any location where speeding is a problem or where drivers need to be educated about traffic issues in the area.
Design	• Variety of types of variable speed display boards available – some include traffic counting abilities.

Appendix A: Definitions

Affected Neighborhood - Area for a project that is defined as those residences and businesses along local streets that are positively or negatively impacted by excessive through traffic volumes and speeding, or that may be positively or negatively impacted by proposed traffic management strategy.

Benefited Area- The properties expected to receive the majority of the positive impacts from the proposed traffic management strategy and which are subject to assessment for the cost of installation or removal of a NTMP improvement. (Assessed Area) The typical Benefited Area extends from intersection to intersection, but may be adjusted on a project- by- project basis.

Capital Improvement Plan- or CIP is a five year plan, which identifies capital projects and provides a planning schedule.

Chicane – Mainline deviations to deter the path of travel so that the street is not a straight line (by the installation of offset curb extensions). (Also called: Deviations, serpentes, reversing curves, twists, etc.)

Choker – Physical street narrowing to expand sidewalks and landscaped areas; possibly adding medians, on street parking, etc. (Also called: Pinch points, lane narrowing, midblock narrowing, midblock yield points, constrictions.)

Construction Design Process- When a street is identified for reconstruction, staff conducts a review of existing conditions. This review can include public information meetings that solicit feedback regarding traffic concerns. As a part of this process, staff will study existing concerns and suggest strategies to address these concerns.

Cut-through Traffic – Traffic that intrudes into a residential subdivision to avoid congestion or other problem from an arterial, local collector, or other high level street.

Diagonal Road Closures – A barrier placed diagonally across a four-legged intersection, interrupting traffic flow across the intersection. This type of barrier may be used to create a maze-like effect in a neighborhood. (Also called: Diagonal diverter)

Excessive traffic volumes – Daily traffic on a road that is not attributable to expected volumes of traffic generated by property owners that live on that road. Does not apply to arterials, local collectors or other high level street classifications.

Feasibility Report – A report analyzing the recommended type of construction, the estimated construction cost, estimated engineering cost and the estimated assessment.

Infrastructure – Fixed facilities, such as roadways or railroad tracks; permanent structures.

Local Street – A roadway under the jurisdiction of the City of Roseville.

Median Barriers – Raised island or barrier in the center of the street that serves to segregate traffic.

Municipal State Aid (MSA) Route – A designated City roadway that receives state funds as allocated from the State gas tax for maintenance and construction.

Approximately 20 percent of the City roadways are designated as MSA routes. State of Minnesota rules and standards, in addition to local jurisdiction guidelines, apply to these roadways. MSA streets carry higher volumes of traffic and serve as local collector roads.

Non-Local Traffic – Traffic that does not originate from or is not destined to a location within a neighborhood or area.

Non-motorized Transportation – Bicycling, walking, small wheeled transport (skates, skateboards, push scooters and hand carts) and wheelchair travel.

Partial Street Closure – Physical blockage of one direction of traffic on a two-way street. The open lane of traffic is signed “One way”, and traffic from the blocked lane is not allowed to go around the barrier through the open lane. (Half closure.)

Project Neighborhood – Property owners living on Local Streets that request traffic management improvements. Any request for project proposals require a written application with 51% of the Project Neighborhood signing the application. For purposes of application, this includes all property owners abutting the street being requested for study between major intersections. (i.e.: An application for study of Woodhill Drive, between Lexington and Hamline; This segment of road has 18 different property owners. The application must be signed by 10 property owners.)

Radar Speed Display Units – Driver feedback signs that use radar to provide motorists with an instant message, displayed on a reader board, telling them how fast they are driving.

Raised Crosswalk – A speed table designed as a pedestrian crossing, generally used at mid-block locations.

Regulatory Signs – A sign that gives notice to road users of traffic laws or regulations.

Roadway striping – Highlighting various areas of the road to increase the driver’s awareness of certain conditions (e.g., edge of road striping to create a narrowing/slowing effect while defining space for cyclists).

Roundabout – Raised circular areas (similar to medians) placed at intersections. Drivers travel in a counterclockwise direction around the circle. Modern roundabouts are “yield upon entry”; meaning that cars in the circle have the right of way and cars entering the circle must wait to do so until the path is clear. When a roundabout is placed in an intersection, vehicles may not travel in a straight line.

Speed– Speed is defined based on the following classifications:

- a) **Advisory Speed** – A recommended speed for all vehicles operating on a section of highway and based on the highway design, operating characteristics, and conditions.
- b) **Design Speed** – A selected speed used to determine the various geometric design features of a roadway.
- c) **85th-Percentile Speed** – The speed at or below which 85 percent of the motorized vehicles travel.
- d) **Posted Speed** – The speed limit determined by law and shown on Speed Limit signs.

- e) **Statutory Speed** – A speed limit established by legislative action that typically is applicable for highways with specified design, functional, jurisdictional and/or location characteristic and is not necessarily shown on Speed Limit signs.

Speeding – 85th Percentile speed is at least 5 mph over the posted speed.

Speed Hump – Wave-shaped paved humps in the street. The height of the speed hump determines how fast it may be navigated without causing discomfort to the driver or damage to the vehicle. Discomfort increases as speed over the hump increases. Typically speed humps are placed in a series rather than singularly.

Speed Limit – The maximum (or minimum) speed applicable to a section of highway or roadway as established by law.

Speed Table – Trapezoidal shaped speed humps in the street, similar to speed humps.

Street Closure – Street closed to motor vehicles using planters, bollards, or barriers, etc.

Targeted Police Enforcement – Specific monitoring of speeding and other violations by police due to observed, frequent law disobedience.

Traffic Circle – Circular, raised island placed within the middle of intersections, requiring vehicles to divert around them, potentially forcing drivers to slow down as they traverse around the circle. (Similar to roundabouts- not allowed on MSA streets)

Traffic Management – A combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for nonmotorized street users. Traffic management involves changes in street alignment, installation of barriers, and other physical measures to reduce traffic speeds and cut-through volumes in the interest of street safety, livability and other public purposes. Traffic management strategies are intended to be self-enforcing. Traffic management strategies rely on the laws of physics rather than human psychology to slow down traffic.

Traffic Safety Committee – (City Code Section 601.05) Administrative committee consisting of the City Manager, Director of Public Works, and Chief of Police. The Traffic Safety Committee has the following authority:

- a) To investigate and study all matters relating to vehicular traffic conditions including but not limited to parking, speed, traffic control, and traffic safety hazards.
- b) To implement and provide for the installation of whatever traffic control devices are necessary to improve and promote traffic safety and properly manage the use of City roads.
- c) To study and recommend to other road authorities maintaining roadways within the City corrective measures that may be deemed necessary to address traffic issues that may exist as to those authorities' roads within the City.

Appendix B- Sample Petition

DRAFT



Traffic Management Strategy Application

The undersigned resident of properties bordering on: _____

Between the intersections of: _____ and _____

Brief Description of Traffic Related Problem:

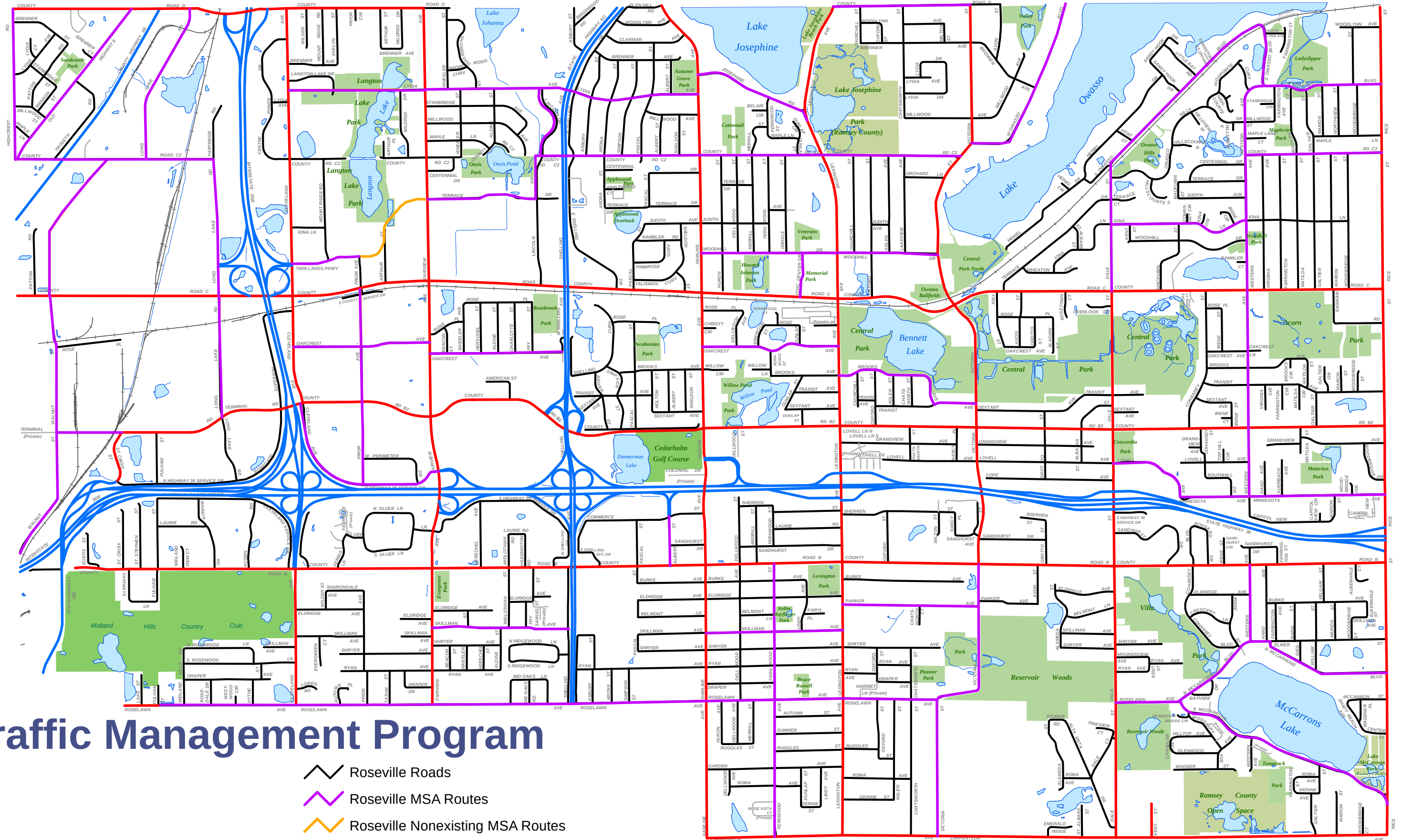
Hereby request assistance with traffic related problems.

Signatories should understand that the City of Roseville has determined that benefitted residents shall bear 75% of the cost of installing traffic management strategies.

[illegible]

Appendix C- Roadway Jurisdiction Map

DRAFT



Traffic Management Program



Prepared by:
Engineering Department
April 9, 2012

- Roseville Roads
- Roseville MSA Routes
- Roseville Nonexisting MSA Routes
- County Roads
- State Roads
- Private Roads

Data Sources and Contacts:
* Ramsey County GIS Base Map (4/02/12)
* 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 exacting 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.

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mapdoc: TrafficManagementProgram.mxd
map: TrafficManagementProgram.pdf

**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 9th day of July, 2012, at 6:00 p.m.

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

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

**RESOLUTION ORDERING PREPARATION OF FEASIBILITY REPORT
FOR PROJECT NO. 13-08 WHEELER AVENUE CLOSURE**

WHEREAS, the Council has received a petition from the property owners living along Wheeler Avenue and Shorewood Lane, between County Road D and Lydia Avenue, requesting that the City permanently disconnect Wheeler Avenue from County Road D;

WHEREAS, this improvement will include bituminous paving, concrete curb and gutter, driveway reconstruction, storm sewer, and necessary appurtenances, and;

WHEREAS, the construction and installation costs of major traffic management strategies are assessed to the benefited property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Section 429.011 to 429.111:

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Roseville, Minnesota:

That the proposed improvement, City Project 13-08, is referred to the City Engineer for study and she is instructed to report to the Council with all convenient speed, advising the Council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

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

WHEAREUPON said resolution was declared duly passed and adopted.

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 9th day of July, 2012, with the original thereof on file in my office.

William J. Malinen, City Manager

(SEAL)

REQUEST FOR COUNCIL ACTION

Date: 7/9/12
Item No.: 13.b

Department Approval



City Manager Approval



Item Description: Discuss Draft Overhead Electric Undergrounding Policy

BACKGROUND

The City Council requested staff to work with the Public Works, Environment, and Transportation Commission to develop a policy on Overhead Electric Undergrounding. Property owners have occasionally asked for the overhead electric power lines to be undergrounded as a part of street reconstruction projects. The City Council approved the undergrounding of the electric lines on the Ramsey County Rice Street interchange project. This project utilized the Community Requested Facilities Surcharge as a funding mechanism for this work.

The PWETC was presented a draft policy for their review and provided feedback for revisions. The Commission has recommended the policy to the City Council. A copy of the draft policy is attached. (Attachment A)

POLICY OBJECTIVE

The City is committed to improve transportation corridors for all users and modes of transportation. Frequently conflicts exist to construct facilities for all modes in crowded right of ways. Undergrounding helps to reduce the conflicts and improve safety.

FINANCIAL IMPACTS

Undergrounding is a community cost for existing overhead electric lines under Public Utilities Commission rules. Community Requested Facilities Surcharge on electric utilities bills is available to the Council as a funding mechanism or other statutory authorized funding mechanisms such as property tax levies.

STAFF RECOMMENDATION

Staff is seeking Council feedback and direction on the draft policy as provided.

REQUESTED COUNCIL ACTION

Discuss the draft policy and provide direction to staff.

Prepared by: Duane Schwartz, Public Works Director
Attachments: A: Draft Overhead Electric Undergrounding Policy

CITY OF ROSEVILLE, MINNESOTA **POLICY**

SUBJECT: UNDERGROUND CONVERSION OF OVERHEAD ELECTRIC
UTILITY LINES

POLICY NO.:

EFFECTIVE DATE:

BACKGROUND:

Underground conversion of overhead electric utility lines and associated facilities by companies is desirable when the City Council finds that the public health, safety or general welfare would require the removal of poles, overhead wires and associated overhead structures with the underground installation of wires and facilities for supplying electric, communication, cable television or similar or associated service within certain corridors, and the City Council has, by adoption of this policy, declared the designated corridor, an Underground Utility Corridor.

PURPOSE:

To establish a policy for conversion of overhead utility lines by utility companies when the City Council determines that undergrounding of overhead utilities is in the interest of the public health, safety and welfare; and asserts its right to require conversion of overhead utilities in the exercise of its statutory powers.

POLICY:

It shall be the policy of the City Council to:

- A. Exercise the City's rights to require, and enforce as necessary, utility companies to convert overhead utilities to underground when it is in the interest of the public health, safety and welfare of the general public. Such power shall not be restricted except as limited by state law in any form by any qualifying criteria except that such lines or facilities must be within the public right of way, City owned property, or other property within the public jurisdiction within the City of Roseville.
- B. Identify and prioritize projects as follows:
 - 1. All utilities within the City of Roseville with overhead facilities shall provide to the City Manager each year no later than January 31st, a complete list of all overhead utility locations in a format as prescribed by the City Manager. This list shall be accurate as reasonably possible and no utility will be held liable for accidental omissions or errors.
 - 2. The City shall develop and bring before the City Council a master plan for undergrounding based on the most recent capital improvement plans of all roadway

jurisdictions within the City of Roseville. The projects shall be prioritized based on the following criteria:

- 1st Criteria: Any previously funded underground utility priority corridor project which was subsequently removed from funded list and placed on deferment.
- 2nd Criteria: All identified corridor reconstruction projects where utility pole relocation is necessary for the public facilities construction.
- 3rd Criteria: All identified undergrounding corridor projects contiguous to previous undergrounding.
- 4th Criteria: Any corridor adjacent to public facilities, schools, retail areas, and parks, and recreation facilities.
- 5th Criteria: Corridors with over 5000 ADT traffic volumes. These corridors provide access for emergency first responders and would benefit from minimum risk of obstruction from damaged overhead facilities.
- 6th Criteria: Corridors with existing or planned major pedestrian facilities.
- 7th Criteria: Tree preservation
- 8th Criteria: Entry corridors to the city where aesthetics create a positive image for visitors and residents.

.

a. Funding of projects:

Undergrounding of overhead electric utility lines will be funded utilizing the PUC authorized Community Requested Facilities Surcharge which has an established maximum stacking amount on a customer's electric bill. CRFS Projects will be limited by the amount available for additional surcharge.

This policy does not prohibit neighborhood initiated request of undergrounding if alternative sources or methods of funding are identified.