MEETING AGENDA  
ENVIRONMENTAL ADVISORY COMMISSION  
January 23, 2017  
6:00 PM  

North St. Paul City Hall – Sandberg Room  
2400 Margaret Street  

I. CALL TO ORDER  

II. ROLL CALL  
Simba Blood  
Shawn Adams  
Felicia Tolbert-Ireland  
Glen Olson, Vice Chair  
Sue Springborn, Chair  

III. ADOPT AGENDA  

IV. APPROVAL OF MINUTES  
A. Approval of the November 28, 2016 regular meeting minutes.  

V. MEETING OPEN TO THE PUBLIC  
Note: This is a courtesy extended to persons wishing to address the Commission concerning issues that are not on the agenda. This discussion will be limited to 15 minutes.  

VI. PUBLIC HEARINGS  

VII. PRESENTATION  

VIII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS  
A. Review/Discussion/Possible Action: Demonstration Project – Bike Lane  
B. Review/Discussion/Possible Action: Silver Lake biofiltration Pond  
C. Review/Discussion/Possible Action: 2018 Road Reconstruction Schedule  
D. Review/Discussion/Possible Action: Highway 36 Landscaping  
E. Review/Discussion/Possible Action: Election of 2017 Environmental Advisory Commission Officers  
F. Review/Discussion/Possible Action: Big Tree Registry Recognition  
G. Review/Discussion/Possible Action: Date for the Invasive Species Workshop.  
H. Review/Discussion/Possible Action: Tree Watering  

IX. REPORTS FROM STAFF  
A. Review/Discussion: Bikeable Community Workshop – will know if we are picked in February.  
B. Review/Discussion: Holiday Light Recycling at Ace Hardware  

X. REPORTS FROM COMMISSIONERS  

XI. ADJOURNMENT  

Next Meeting: February 23, 2017 City Hall - Sandberg Room
MEETING MINUTES
ENVIRONMENTAL ADVISORY COMMISSION
November 28, 2016
6:00 PM

North St. Paul – City Hall/Sandberg Room
2400 Margaret Street

I. CALL TO ORDER
Chair Sue Springborn called the meeting to order at 6:00 p.m.

II. ROLL CALL
Present:   Glen Olson, Vice Chair
Sue Springborn, Chair
Simba Blood
Felicia Tolbert-Ireland
Shawn Adams
Jan Walczak, Council Liaison

Staff:   Keith Stachowski, Public Works
Debra Gustafson, Strategic Operations Director

III. ADOPT AGENDA
The agenda was adopted without objection

IV. APPROVAL OF MINUTES
A. On motion by Vice Chair Olson, seconded by Commissioner Blood with all present voting aye, motion carried to approve the October 24, 2016 meeting minutes.

V. MEETING OPEN TO THE PUBLIC
Note: This is a courtesy extended to persons wishing to address the Commission concerning issues that are not on the agenda. This discussion will be limited to 15 minutes.

VI. PUBLIC HEARINGS-

VII. PRESENTATIONS

VIII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS
A. Review/Discussion/Possible Action: 2016 Accomplishments / 2017 Goals. The Commission reviewed the 2016 Accomplishments / 2017 Goals listed in the packet. Simba Blood noted the following correction: Ramsey County Conservation district should be Ramsey County Cooperative Weed Management Area. Gustafson asked how many pumpkins were dropped this past year. Stachowski stated 5,500 lbs., which makes this year’s dropped 6th out of 10 drops. Sue Springborn stated the decrease in pumpkins dropped may be due to the poor pumpkin farming season. Gustafson stated she would create a PowerPoint for the goals and accomplishments to be presented to City Council on December 20th and would have the commission review prior to
finalizing the presentation. The Commission asked Gustafson to contact the City Engineer and Public Works director regarding the 2018 Street Reconstruction schedule and place on the January agenda.

B. **Review/Discussion/Possible Action**: Highway 36 Landscaping - The Commission would like to revisit the Highway 36 Landscaping to review possible items that did not get completed that were agreed on between the City and MNDot. Liaison Walczak stated she would contact MNDot regarding possibly coming to the EAC’s February meeting. The Commission asked staff to review minutes from 2009 and maybe 2008 to review information regarding the project. Walczak suggested contacting Mary Mills to locate plans for the project. Gustafson said she would bring the information she finds to the January Meeting.

C. **Review/Discussion/Possible Action**: Big Tree Registry. The Commission reviewed the proposed big tree registry lawn sign and provided the following edits to staff: Take off “winner” Change Committee to Commission and make the font size smaller for the following text: “Sponsored by the Environmental Advisory Commission”. The commission also stated that Public Works should place the sign, since they should do locates prior to putting in the ground. Gustafson stated she would ask the sign company to make the requested edits. The Commission also reviewed the big tree registry certificate. The commission requested to have “winner” removed and to add space for the chair and vice chair to sign the certificate. The Commission asked staff to bring printed certificates to the January meeting.

D. **Review/Discussion/Possible Action**: Demonstration Project Recommendation. Gustafson stated the topic is proposed to be on the December 20 City Council Workshop session. Walczak suggested waiting a few months to have as a workshop topic, maybe the second meeting in January or February. Walczak suggested contacting Ramsey County to receive feedback regarding how they got buy in to have every street project to include bike lanes. The Commission recommended asking Victoria Reinhardt or a person from her office to attend the January meeting and possibly attend the workshop session where the demonstration project will be discussed. Walczak suggested including in the recommendation “the bike lane would be a valuable addition to the City”.

E. **Review/Discussion/Possible Action**: Multi-Unit Recycling Update. Gustafson presented a PowerPoint Presentation regarding the City’s Multi-Unit Recycling with data Ramsey County complied. Some of the issues that emerged are: poor labeling and signage, levels of service, location of containers and tenant education. Since there are 6 haulers that provide recycling service for Multi-units, it is difficult to achieve consistency.

IX. **REPORTS FROM STAFF**

A. **Review/Discussion**: Pumpkin Drop. Keith Stachowski stated that this year their 5,500 lbs. were dropped.

B. **Review/Discussion**: Fix-It Clinic– scheduled for 9/23/2017. Gustafson stated the Fix It Clinic event has been confirmed with Ramsey County on 9/23/17. The event will be held at the Casey Lake Shelter.

C. **Review/Discussion**: NSP Logo Shirts – Gustafson stated if the commissioners are interested in logo shirt to be worn at EAC events, to provide her with their size.

D. **Review/Discussion**: December Meeting Cancelled, falls on a day observed for Christmas. The Commission stated they are planning to have their annual potluck in conjunction with their January 23rd meeting.

E. **Review/Discussion**: City Council Goals Presentation, December 20, 2016. Chair Sue Springborn and Glen Olson stated they would be there to present.
G. **Review/Discussion:** Holiday Recycling Site. Stachowski and Gustafson stated it doesn’t not make sense to offer this year since RAM is no longer has their Holiday Light Recycling Program.

X. **REPORTS FROM COMMISSIONERS**
   A. Simba Blood requested staff to repost the Green Up Your Christmas Article on the City’s website, Gustafson said she would repost the article on the City’s website and on social media.

XI. **ADJOURNMENT**
    On motion by Commissioner Tolbert-Ireland, seconded by Commissioner Blood, with all present voting aye, motion carried to adjourn the meeting at 7:44 p.m.

*Next Meeting: The next regularly scheduled meeting January 23, 2017*
VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS
A. DEMONSTRATION PROJECT – BIKE LANE

ACTIONS TO BE CONSIDERED

Demonstration Project – Bike Lane

FACT

At the November EAC meeting the Commission stated they would like to strategize prior to meeting with City Council regarding review of the demonstration projects.

Staff has been in contact with Connie Bernardy from Ramsey County regarding meeting with the EAC to discuss the successful implementation of Ramsey County’s Ped / Bike Plan. She stated she is unable to make it to tonight’s meeting, however intern Michael Stralka is planning to attend the meeting to discuss Ramsey County’s plan. Michael has been actively involved in Ramsey County’s Bike / Ped Plan.

Additionally, attached is an overview of the recent MnDOT study which shows economic, health benefits of bicycling in Minnesota.

ATTACHMENTS

MnDOT study shows economic, health benefits of bicycling in Minnesota
A recent University of Minnesota study funded by MnDOT shows the economic significance of the bicycling industry and events in Minnesota, bicycling infrastructure use across the state, and the health benefits associated with bicycle commuting.

"MnDOT has long identified bicycling as an important part of the state’s multimodal transportation system," said Tim Henkel, modal planning and program management assistant commissioner. "This first-ever study generated new information that will inform policy and program strategies on bicycling as we determine levels of future investment."

The study shows that in 2014, the bicycling industry generated $778 million of economic activity, which includes $209 million of labor income and 5,519 jobs. Nearly 80 percent of that economic activity came from manufacturing and wholesale business.

Minnesota communities host more than 100 bicycle events annually and bring an estimated 50,212 visitors to the state. Trail rides, races, mountain bicycling events and bicycle tours generated $14.3 million of economic activity, which included $4.6 million in labor income and 150 jobs, the study found.
To estimate the use of bicycling infrastructure, researchers looked at the use of trails and other facilities to quantify demand for bicycling in the state. They found that between 87 million and 96 million bicycle trips are made annually for commuting, recreation and other purposes.

“These estimates will help state and local policy makers and transportation planners and engineers build a safe, sustainable transportation system that meets the needs of Minnesota residents in the 21st century,” said Henkel. “We also know that safer bicycling infrastructure and networks will lead to more people bicycling and bicycling trips.”

The study found that bicycle commuting in the Twin Cities Metropolitan Area prevents 12 to 61 deaths per year, saving between $100 million and $500 million. Bicycle commuting lowers the risk of many diseases, but most significantly obesity, hypertension, heart disease and diabetes.

“These study findings tell a compelling story for the positive effects of bicycling and provide direct evidence that supports the efforts to promote bicycling related industry, infrastructure, events and activities,” said Henkel.

The “Assessing the Economic Impact and Health Effects of Bicycling in Minnesota” study was funded by MnDOT with research conducted by the University of Minnesota's Tourism Center, School of Public Health, Extension and the Humphrey School of Public Affairs.

Read the study here.

More about MnDOT bicycling research

Visit: www.mndot.gov/bike/research/research.html

MnDOT • mndot.gov

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VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS
B. SILVER LAKE BIOFILTRATION BASIN

ACTIONS TO BE CONSIDERED

Silver Lake Biofiltration Basin

FACTS

- The current biofiltration pond at Silver Lake Park was constructed to provide a place to capture storm water runoff as a way to help improve the water quality of Silver Lake. The biofiltration pond is not functioning properly.

- The City and Valley Branch Watershed District (VBWD) have been in discussion regarding the needed for corrections and/or reconstruction of the pond.

- VBWD was awarded $80,000 in grant funding through the Clean Water Legacy program to complete the necessary restoration work. Funding for construction is $48,000.

- At the December 20, 2016 City Council meeting the City approved a Memorandum of Understanding (MOU) which assigns VBWD responsibility for developing the plans and reconstructing the basin, including but not limited to the following:
  - contractor mobilization and project administration
  - erosion control
  - treating and removing existing vegetation
  - importing fill and grading the site
  - installing drain tile and rock trench, lowering the basin outlet and placing rip rap

- The MOU also requires VBWD to plan, establish and maintain vegetation during the one (1) year warranty period and up to four (4) years.

- City responsibilities under the agreement, include:
  - paying 50% of the project construction cost in excess of $48,000, provided by the City and VBWD concur with the work
  - paying for all storm water-related improvements adjacent to the pond; the 2018 street and utility improvement (reconstruction) project include 19th Avenue and Lake Boulevard
  - assuming maintenance of the pond after year 5, including the hiring of qualified landscape contractors to complete necessary projects.
• VBWD estimated project plans and bidding would be complete this fall with some site work taking place in Spring 2017 with construction completed in Fall 2017.

• If there is funding left over, VBWD has indicated it would be in favor of considering additional work to include raingardens or some other type of storm water capture system each of the Park restrooms. Use of such funding would require consent from the granting agency as it was not part of the grant scope.

• At the December 20, 2016 City Council Meeting, City Council requested to have the EAC review the biofiltration Basin Plans and provide feedback prior to the start of the project.

• City Engineer Morgan Dawley is planning to attend the EAC meeting to review the proposed Biofiltration Basin Plans.

ATTACHMENTS

Proposed Biofiltration Basin Plans
VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS
C. 2018 ROAD RECONSTRUCTION SCHEDULE

ACTIONS TO BE CONSIDERED
2018 Road Reconstruction Schedule

FACTS

- At the November 2016 meeting the EAC requested to provide feedback for the 2018 Road Reconstruction Project.
- Liaison Gustafson shared with the City Engineer and Public Works Director the EAC would like to provide project feedback.
- Listed below is a rough project schedule:
  - Spring 2017: Begin Feasibility Study, Initial Public Engagement, early coordination with VBWD, (and this could also be EAC)
  - Summer 2017: Preliminary Design, City Electrical Relocation Work
  - Fall 2017: Present Feasibility Study, set and hold Public Improvement Hearing
  - Winter 2018: Detailed design, bidding
  - Spring 2018: Xcel Gas Relocation Work
  - May 2018: Begin Construction
  - November 2018: Construction Substantial Completion
  - June 2019: Final Paving and Project Closeout

ATTACHMENTS

Email from City Engineer Morgan Dawley
Debra,

No specific timeline for that project has yet been set, however I would offer the following very rough timelines, which are generally consistent with our past CIP projects:

Spring 2017: Begin Feasibility Study, Initial Public Engagement, early coordination with VBWD, (and this could also be EAC)
Summer 2017: Preliminary Design, City Electrical Relocation Work
Fall 2017: Present Feasibility Study, set and hold Public Improvement Hearing
Winter 2018: Detailed design, bidding
Spring 2018: Xcel Gas Relocation Work
May 2018: Begin Construction
November 2018: Construction Substantial Completion
June 2019: Final Paving and Project Closeout

Please let me know if this is sufficient or if you need additional detail.

Morgan

Hello,

The EAC has requested to be involved in planning of the 2018 Street Reconstruction Project. They would like to provide feedback and recommendations regarding incorporating living street elements into project.

Has a project timeline been set up for the project? They would like Keith and I to share it with them.

Thanks,

Debra

Debra Gustafson
Strategic Operations Director
VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS
D. HIGHWAY 36 LANDSCAPING

ACTIONS TO BE CONSIDERED

Highway 36 Landscaping

FACTS

At the November EAC meeting the Commission stated they would like to revisit the Highway 36 Project. Attached are the following documents regarding the project:

Highway 36 Landscape Agreement
Highway 36 Landscape Resolution
Project Correspondence

ATTACHMENTS

Highway 36 Landscape Agreement
Highway 36 Landscape Resolution
Project Correspondence
December 9, 2009

Commissioner Thomas Sorel
Minnesota Department of Transportation
395 John Ireland Boulevard
St. Paul, Minnesota 55155

Dear Commissioner Sorel:

We have come a long way toward completing the Highway 36 project in North Saint Paul. All parties have worked well together to make traffic flow better and reconnect the community. The final steps are ahead of us and we ask you to complete a final landscape plan and schedule for the project.

Please find the attached Resolution #2009-408, dated December 1, 2009, which states that the Ramsey County Board of Commissioners supports the City of North St. Paul in its request that the Minnesota Department of Transportation complete a final landscape plan and a schedule for implementation of such for Highway 36, which will include funding for completion of the necessary landscaping

If you have any questions, please feel free to contact me.

Sincerely,

Victoria A. Reinhardt
Commissioner
District 7

VAR:fjm
Attachment

cc: Michael Kuehn, Mayor of North Saint Paul
    Wally Wysopal, City Manager, North Saint Paul
    Rep. Leon Lillie
    Sen. Chuck Wiger

"Minnesota's First Home Rule County"  
printed on recycled paper with a minimum of 10% post consumer content
December 1, 2009

Mayor Mike Kuehn
2400 Margaret Street
North St. Paul, Mn  55109

Subject: Landscaping along Minnesota Trunk Highway (TH) 36 in North Saint Paul

Dear Mayor Kuehn,

As per our phone conversation on November 19, 2009, Mn/DOT has a landscaping project programmed along TH 36. The project is listed as:

State Project (SP) 6211-88 On TH 36 from White Bear Ave to TH 120 in Maplewood and North Saint Paul – Landscaping. The project budget is $100,000. Current letting for the project is December 2011 with a spring 2012 planting.

Todd Carroll is Mn/DOT’s Landscape Architect that will be working on the project. In my conversations with Todd, about the project, he has said that he plans to use community volunteers for some of the landscaping.

Todd has worked with resident, Allen Robbins-Fenger, on this project. I have forwarded Wally Wysopal, North Saint Paul City Manager’s, phone number to Todd so that he can coordinate the plans with the city.

If you have any further questions or concerns, please contact me at 651-234-7663.

Sincerely,

Liz Benjamin
Mn/DOT North Area Manager – Acting

cc: Todd Carroll - DOT
    Heidi Bryand – DOT
    Jon Chiglo - DOT
    State Sen. Charles Wiger
November 4, 2009

Senator Charles Wiger
Room 323 Capitol Bldg.
75 Reverend Dr. Martin Luther King Jr. Blvd.
St. Paul, MN  55155

Dear Senator Wiger:

Enclosed is a resolution adopted by the City Council of the City of North St. Paul on November 3, 2009 related to a request for funding for Highway Landscaping along the Minnesota Trunk Highway 36 Corridor in the City of North St. Paul.

The City of North St. Paul is requesting your help and support in completing landscaping on the Highway 36 project.

If you have any questions you may contact Mayor Kuehn directly at 651-777-1216.

Sincerely,

Mary Mills
Deputy Clerk

Enclosure
November 4, 2009

Commissioner Thomas K. Sorel
MnDOT
M.S. 100
395 John Ireland Boulevard
St. Paul, MN 55155-1899

Dear Commissioner Sorel:

Enclosed is a resolution adopted by the City Council of the City of North St. Paul on November 3, 2009 related to a request for funding for Highway Landscaping along the Minnesota Trunk Highway 36 Corridor in the City of North St. Paul.

The City of North St. Paul is requesting your help and support in completing the landscaping on the Highway 36 project by completing a final landscape plan and issuing a schedule for implementation of such for the Highway 36 reconstruction project. This plan should include funding for completion of the necessary landscaping for this project.

If you have any questions you may contact Mayor Mike Kuehn directly at 651-777-1216.

Sincerely,

Mary Mills
Deputy Clerk

Enclosure
November 4, 2009

Representative Leon Lillie
353 State Office Bldg.
100 Reverend Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Dear Representative Lillie:

Enclosed is a resolution adopted by the City Council of the City of North St. Paul on November 3, 2009 related to a request for funding for Highway Landscaping along the Minnesota Trunk Highway 36 Corridor in the City of North St. Paul.

The City of North St. Paul is requesting your help and support in completing landscaping on the Highway 36 project.

If you have any questions you may contact Mayor Kuehn directly at 651-777-1216.

Sincerely,

Mary Mills
Deputy Clerk

Enclosure
November 4, 2009

The Honorable Betty McCollum
4th Congressional District
165 Western Avenue, St. #17
St. Paul, MN 55102

Dear Congresswoman McCollum:

Enclosed is a resolution adopted by the City Council of the City of North St. Paul on November 3, 2009 related to a request for funding for Highway Landscaping along the Minnesota Trunk Highway 36 Corridor in the City of North St. Paul.

The City of North St. Paul is requesting your help and support in completing landscaping on the Highway 36 project.

If you have any questions you may contact Mayor Kuehn directly at 651-777-1216.

Sincerely,

Mary Mills
Deputy Clerk

Enclosure
November 4, 2009

Ramsey County Commissioner
Victoria Reinhardt
220 Court House
15 W. Kellogg Blvd.
St. Paul, MN 55102

Dear Commissioner Reinhardt:

Enclosed is a resolution adopted by the City Council of the City of North St. Paul on November 3, 2009 related to a request for funding for Highway Landscaping along the Minnesota Trunk Highway 36 Corridor in the City of North St. Paul.

The City of North St. Paul is requesting your help and support in completing landscaping on the Highway 36 project. The City of North St. Paul asks that Ramsey County consider passing a similar resolution and passing it on to area legislators and MnDOT.

If you have any questions you may contact Mayor Kuehn directly at 651-777-1216.

Sincerely,

Mary Mills
Deputy Clerk

Enclosure
November 21, 2007

Dwayne Jones
MnDOT Landscape Partnership
Metro District Engineering
Waters Edge Blvd.
1500 W. Co Rd. B2
Roseville, MN 55113

Dear Mr. Jones:

This letter will confirm that John Stangl, Science Teacher at North High School, has been in contact with me regarding the North Saint Paul High School project to plant highway-appropriate specimens along the new section of State Highway 36 between Margaret Street and McKnight Road.

Because of past success in partnering with the students of North High and MnDOT, we welcome the opportunity to do so again. This letter will acknowledge that the City of North Saint Paul fully supports the project request from Mr. Stangle and his students. (Letter attached). We will lend assistance in any way we can.

The long awaited completion of Highway 36 benefits the City of North Saint Paul and the High School. It is appropriate that the students should be at the forefront of the beautification process.

Sincerely,

[Signature]
Walter T. Wysopal
City Manager

[WW:mm]

cc: Greg Nelson, School Principal North High
    John Stangl, Science Teacher North High
Dwayne Jones  
MNDOT Landscape Partnership  
Metro District Engineering  
Waters Edge Blvd.  
1500 W. Co. Rd. B2  
Roseville, MN 55113  

Dear Dwayne,

This letter is to confirm our earlier conversation regarding our involvement with MNDOT's Landscape Partnership program.

To review, the City of North Saint Paul and North Saint Paul High School propose to plant highway-appropriate specimens along the new section of state highway #36 between Margaret Street and McKnight Road.

Our time-frame would suggest we start with planning, soil analysis, etc. this fall (2007) and the actually planting would commence once the highway construction contractors finish their work on the site – perhaps as soon as spring of 2008.

The City of North Saint Paul and the students of North High have worked well together in the past with MNDOT and we would welcome partnering again. The school administration has already signed off on this project and the students are again eager to fully participate. I have also received full support from the city manager of North Saint Paul, Wally Wysopal.

Finally, I would ask that we be assigned Ms. Carol Zoft, one of your landscape architects, to this project. The students found her to be especially wonderful to work with in the past.

Hope to hear an affirmative from you at your earliest convenience.

John Stangl  
Science Teacher  
School Partnership Liaison  
651-748-6163

Cc: Wally Wysopal, City Manager  
Greg Nelson, school principal
Dwayne Jones  
MNDOT Landscape Partnership  
Metro District Engineering  
Waters Edge Blvd.  
1500 W. Co. Rd. B2  
Roseville, MN 55113

Dear Dwayne,

This letter is to confirm our earlier conversation regarding MNDOT’s Landscape Partnership program.

To review, the City of North Saint Paul and North High school decided to plant highway-appropriate specimens along the median strip between Margaret Street and McKnight Road.

Our time-frame would suggest we start with planning in the fall and the actual planting would commence once the highway construction contractors finish their work on the site – perhaps as soon as spring of 2008.

The City of North Saint Paul and the students of North High have worked well together in the past with MNDOT and we would welcome partnering again. The school administration has already signed off on this project and the students are again eager to fully participate. I have also received full support from the city manager of North Saint Paul, Wally Wysopal.

Finally, I would ask that you be assigned Ms. Carol Zoft, one of your landscape architects, to this project. The students found her to be especially wonderful to work with in the past.

Hope to hear an affirmative from you at your earliest convenience.

John Stangel  
Science Teacher  
School Partnership Liaison  
651-748-6163

Cc: Wally Wysopal, City Manager  
     Greg Nelson, school principal
September 23, 2010

Wally Wysopal
North St. Paul City Manager
2400 Margaret Street
North St. Paul, MN  55109

RE: Coop. Const. Agree. No. 97467
City of North St. Paul
S.P. 6211-969C (T.H. 36)
State cost landscape materials acquisition
by the City for use along T.H. 36

Dear Mr. Wysopal:

Enclosed herewith for the City's use and retention is a fully executed copy of the subject agreement between the City of North St. Paul and this department.

This agreement provides for payment by the State to the City for the landscape materials acquisition by the City.

Upon receipt from the City of a copy of the purchase order for the landscape materials and a written request in the amount of the delivered cost of the landscape materials, the State will process the payment.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Maryanne Kelly-Sonnek
Municipal Agreements Engineer

Enc.
The State of Minnesota
Department of Transportation, and
The City of North St. Paul
Re: State cost landscape materials
    acquisition by the City for use
    along T.H. 36

THIS AGREEMENT is made and entered into by and between the State of
Minnesota, Department of Transportation, hereinafter referred to as
the "State", and the City of North St. Paul, Minnesota, acting by and
through its City Council, hereinafter referred to as the "City".
WHEREAS, the City is about to perform landscaping along Trunk Highway No. 36 from 300 feet west of McKnight Road to 500 feet east of Margaret Street within the corporate City limits in accordance with plans, specifications and special provisions designated as the "North St. Paul Landscape Partnership Plan", which project has been designated by the State as State Project No. 6211-969C (T.H. 36); and

WHEREAS, the City has requested participation by the State in the costs of landscape materials acquisition in accordance with the terms of the State's "Community Roadside Landscaping Partnership Program"; and

WHEREAS, the State is willing to participate in the costs of the landscape materials acquisition as hereinafter set forth; and

WHEREAS, Minnesota Statute Section 161.20, subdivision 2 authorizes the Commissioner of Transportation to make arrangements with and cooperate with any governmental authority for the purposes of constructing, maintaining and improving the trunk highway system.

IT IS, THEREFORE, MUTUALLY AGREED AS FOLLOWS:

ARTICLE I - PROJECT ADMINISTRATION BY THE CITY

Section A. Landscape Materials Acquisition
The City shall acquire landscape materials in accordance with plans, specifications and special provisions designated as the "North St. Paul Landscape Partnership Plan". Landscaping shall be performed by City forces in accordance with plans, specifications and special provisions that are on file in the City's office and in the State's
Office of Technical Support in St. Paul, and are incorporated into this Agreement by reference.

Section B. Purchase Order to be Furnished to the State
The City shall, within 7 days after ordering the landscape materials, submit to the State's Landscape Partnership Program Coordinator in St. Paul a copy of the purchase order for the landscape materials.

Section C. Direction, Supervision and Inspection
Landscape materials acquisition performed in accordance with this Agreement shall be under the direction of the City; however, the State cost participation landscape materials to be acquired under this Agreement shall be open to inspection by the State's authorized representatives. The City shall give the State's Landscape Partnership Program Coordinator five days notice of its intention to receive delivery of the landscape materials.

Responsibility for the control of the State cost participation landscape materials acquisition covered under this Agreement shall be on the City and shall be carried out in accordance with plans, specifications and special provisions designated as the "North St. Paul Landscape Partnership Plan".

The City must verify that the nursery vendor has a valid nursery certificate as required by the Minnesota Department of Agriculture, hereinafter referred to as the "MDA". Nursery stock originating outside Minnesota must have been certified under all applicable MDA and United States Department of Agriculture, hereinafter referred to as the "USDA", quarantines. Certification documents issued by the appropriate regulatory official at origin must accompany all nursery stock shipments, including but not limited to, USDA quarantines for
Gypsy Moth, Phytophthora ramorum, Emerald Ash Borer and Black Stem Rust. MDA Japanese Beetle Quarantine nursery stock from Minnesota must be inspected and certified to be free of harmful plant pests, but is not subject to MDA external Japanese Beetle Quarantine.

Section D. Completion of Materials Acquisition and Installation
The City shall cause the acquisition and installation of landscape materials to be started and completed in accordance with the time schedule in the Community Roadside Landscaping Partnership Program Project Application, which is on file in the State's Office of Technical Support and is incorporated into this Agreement by reference. An exchange of letters between the appropriate City official and the State's Landscape Partnership Program Coordinator, for unavoidable delays encountered in the performance thereof, may extend the completion date for the landscape materials acquisition and installation.

Section E. Compliance with Laws, Ordinances and Regulations
The City shall, in connection with the acquisition of the landscape materials, comply with all Federal, State and Local laws, and all applicable ordinances and regulations.

Section F. Right-of-Way, Easements and Permits
The City is hereby authorized to work on State right-of-way for the purposes of installing and maintaining the landscape materials, including any necessary replacement of landscape materials that fail to survive.

The City shall, without cost or expense to the State, obtain all rights-of-way, easements, construction permits and any other permits and sanctions that may be required in connection with the
installation of landscape materials. Prior to advance payment by the State, the City shall furnish the State with certified copies of the documents for those rights-of-way and easements, and certified copies of those construction permits and other permits and sanctions required for State landscaping.

**ARTICLE II - STATE COST**

**Section A. Basis**
The State's full and complete share of the costs of the landscaping to be performed along Trunk Highway No. 36 from 300 feet west of McKnight Road to 500 feet east of Margaret Street within the corporate City limits under State Project No. 6211-969C (T.H. 36) shall be equal to the delivered cost of the landscaping materials acquired in accordance with the "North St. Paul Landscape Partnership Plan."

**Section B. Payment**
The maximum obligation of the State under this Agreement shall not exceed $40,000.00, unless the maximum obligation is increased by execution of an amendment to this Agreement.

The State shall pay to the City an amount equal to the delivered cost of the landscape materials, not to exceed the maximum obligation, after the following conditions have been met:

1. Encumbrance by the State of the State's total cost share.

2. Execution and approval of this Agreement and the State's transmittal of it to the City.
3. Receipt by the State's Landscape Partnership Program Coordinator, from the City, of the following:

a. Copies of the purchase orders for the landscape materials, as provided for in Article I, Section B. of this Agreement.

b. Certified copies of the documents, as provided for in the second paragraph of Article I, Section F. of this Agreement.

c. Written request for payment, accompanied by copies of supplier invoices for the landscape materials acquisition and delivery.

ARTICLE III - GENERAL PROVISIONS

Section A. Installation and Maintenance by the City
After acquisition of the landscape materials, the City shall install the landscape materials along Trunk Highway No. 36 and provide for the proper maintenance thereof, without cost or expense to the State. Maintenance includes, but is not limited to, removal and replacement of all materials that fail to survive. Criteria for maintenance and replacement are shown and described in EXHIBIT "A", Maintenance Responsibilities Plan and Schedule, which is attached and incorporated into this Agreement.

Section B. Responsibilities of the City
The City shall, in connection with the landscape materials acquisition, installation and maintenance, comply with the following conditions:
1. Use of State right-of-way shall in no way impair or interfere with the safety or convenience of the traveling public in its use of the highway.

2. Preserve and protect all utilities located on lands covered by this Agreement, without cost or expense to the State.

3. As required by Minnesota Statute 216D, notify Gopher State One Call System (1-800-252-1166) at least 48 hours before any excavation is done on this project.

4. No advertising signs or devices of any form or size shall be constructed or shall be permitted to be constructed or placed upon State right-of-way.

5. Upon completion of the installation of landscape materials and during performance of maintenance operations, restore all disturbed areas of State right-of-way so as to perpetuate satisfactory drainage, erosion control and aesthetics.

Any use of State right-of-way permitted by this Agreement shall remain subordinate to the right of the State to use the property for highway and transportation purposes. This Agreement does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge facility that would become subject to Section 4(f) of the Federal-Aid Highway Act of 1968.

Section C. Examination of Books, Records, Etc.
As provided by Minnesota Statute Section 16C.05, subdivision 5, the books, records, documents, and accounting procedures and practices of
each party relevant to this Agreement are subject to examination by each party, and either the legislative auditor or the state auditor as appropriate, for a minimum of six years from final payment.

Section D. Termination of Agreement
The State may terminate this Agreement if it's the State's desire to use any portion of State right-of-way subject to this Agreement for transportation purposes, by giving the City written notice at least 90 days prior to the date that such termination shall become effective. Upon termination of this Agreement, the City will be required to restore and return the area to a condition satisfactory to the State's District Engineer at Roseville.

Each party may terminate this Agreement, with or without cause, by providing the other party with written or fax notice of effective date of termination. The State is not obligated to pay for services performed after notice and effective date of termination. Upon such termination, the City is entitled to payment for services satisfactorily performed under this Agreement prior to the effective date of termination.

The State may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, or other funding source; or if funding cannot be continued at a level sufficient to allow for the payment of the services covered under this Agreement. Termination must be by written or fax notice to the City. The State is not obligated to pay for services performed after notice and effective date of termination. Upon such termination, the City is entitled to payment for services satisfactorily performed under this
Agreement prior to the effective date of termination, to the extent the funds are available.

Section E. Claims
Each party is responsible for its own employees for any claims arising under the Workers Compensation Act. Each party is responsible for its own acts, omissions and the results thereof to the extent authorized by law and will not be responsible for the acts and omissions of others and the results thereof. Minnesota Statutes Section 3.736 and other applicable law govern liability of the State. Minnesota Statutes Chapter 466 and other applicable law govern liability of the City.

Section F. Nondiscrimination
The provisions of Minnesota Statute Section 181.59 and of any applicable law relating to civil rights and discrimination shall be considered part of this Agreement as if fully set forth herein.

Section G. Agreement Approval
Before this Agreement becomes binding and effective, it shall be approved by a City Council resolution and executed by such State and City officers as the law may provide in addition to the Commissioner of Transportation or their authorized representative.

ARTICLE IV - AUTHORIZED AGENTS
The State's Authorized Agent for the purpose of the administration of this Agreement is Todd Carroll, Landscape Partnership Program Coordinator, or his successor. His current address and telephone number are 395 John Ireland Boulevard, Mailstop 686, St. Paul, MN 55155, (651) 366-4617.
The City's Authorized Agent for the purpose of the administration of this Agreement is Wally Wysopal, City Manager, or his successor. His current address and telephone number are 2400 Margaret Street, North St. Paul, MN 55109 (651) 747-2421.

[The remainder of this page has been intentionally left blank]
IN TESTIMONY WHEREOF the parties have executed this Agreement by their authorized officers.

STATE ENCUMBRANCE VERIFICATION
Individual certifies that funds have been encumbered as required by Minn. Stat. §§ 16A.15 and 16C.05.

By [Signature] 8.26.2010
Date
MAPS Encumbrance No. 3474777

CITY OF NORTH ST. PAUL

By [Signature] 8/17/10
Date
By [Signature] 8/17/10
Title City Manage
Date 8-17-10

DEPARTMENT OF TRANSPORTATION
Recommended for approval.

By [Signature] Landscape Partnership Program Coordinator
Date 8/23/10

By [Signature] District Engineer
Approved:
Date 8/26/2010

By [Signature] Staff Design Engineer
Date
Approved as to form and execution:

By [Signature] Contract Management
Date 8/26/10

COMMISSIONER OF ADMINISTRATION
As delegated to Materials Management Division

By [Signature] 8/26/10
Date
**EXHIBIT "A"**
Maintenance Responsibilities Plan and Schedule

Table 1a. **REQUIRED LANDSCAPE MAINTENANCE ACTIVITIES**

<table>
<thead>
<tr>
<th>PLANT GROUPS</th>
<th>PRUNING</th>
<th>WEED CONTROL</th>
<th>FERTILIZATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>MAINTENANCE CONSIDERATION</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>WHEN TO</strong></td>
<td><strong>TYPE OF</strong></td>
<td><strong>SEE TABLE 5, FERTILIZATION SCHEDULE</strong></td>
</tr>
<tr>
<td>Evergreen Trees</td>
<td>Anytime - Dry</td>
<td>Corrective and Deadwood Removal</td>
<td>Yes</td>
</tr>
<tr>
<td>Shade Trees</td>
<td>Anytime - Dry*</td>
<td>Training and Corrective</td>
<td>Yes</td>
</tr>
<tr>
<td>Ornamental Trees</td>
<td>Winter**</td>
<td>Corrective</td>
<td>Yes</td>
</tr>
<tr>
<td>Evergreen Shrubs</td>
<td>Anytime - Dry</td>
<td>Deadwood Removal</td>
<td>Yes</td>
</tr>
<tr>
<td>Deciduous Shrubs</td>
<td>Dormant</td>
<td>Corrective and Renewal</td>
<td>Yes</td>
</tr>
<tr>
<td>Vines</td>
<td>Dormant</td>
<td>Deadwood Removal</td>
<td>No</td>
</tr>
<tr>
<td>Groundcovers</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Do not prune oaks during April, May and June. Do not prune Honeylocust while dormant or when humid or wet.
** Do not prune apples, crabapples or Mountain Ash during April, May and June.

**TABLE 1b. **REQUIRED LANDSCAPE MAINTENANCE ACTIVITIES**

<table>
<thead>
<tr>
<th>PLANT GROUPS</th>
<th>WATERING</th>
<th>INSECT AND DISEASE CONTROL</th>
<th>RODENT PROTECTION</th>
<th>REMOVALS AND REPLACEMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evergreen Trees</td>
<td>Yes until established (2 yrs.)</td>
<td>As needed.</td>
<td>Yes - Pine Only</td>
<td>Remove all dead plants.</td>
</tr>
<tr>
<td>Shade Trees</td>
<td></td>
<td></td>
<td>Yes</td>
<td>Replace dead or dying plants unless the lost plants do not noticeably compromise the visual appearance or design intent.</td>
</tr>
<tr>
<td>Ornamental Trees</td>
<td></td>
<td></td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Evergreen Shrubs</td>
<td></td>
<td></td>
<td>No*</td>
<td></td>
</tr>
<tr>
<td>Deciduous Shrubs</td>
<td></td>
<td></td>
<td>No*</td>
<td></td>
</tr>
<tr>
<td>Vines</td>
<td></td>
<td></td>
<td>No*</td>
<td></td>
</tr>
<tr>
<td>Groundcovers</td>
<td></td>
<td></td>
<td>No*</td>
<td></td>
</tr>
</tbody>
</table>

* Rodent protection is generally not practical for mass shrub plantings, maintaining clean mulched planting areas free of weed growth will reduce problems. Mowed turf in formal planting areas will help reduce rodent problems.
<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>January</th>
<th>February</th>
<th>March</th>
<th>April</th>
<th>May</th>
<th>June</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pruning</td>
<td>See Table 1a for Best Time for Specific Species.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Weed Control:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Remulch</td>
<td></td>
<td></td>
<td>0XX</td>
<td>XXXX</td>
<td>XO</td>
<td></td>
</tr>
<tr>
<td>Herbicide</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fertilization:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Turf</td>
<td></td>
<td></td>
<td></td>
<td>XXXX</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shrub, Trees</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Insect &amp; Disease</td>
<td>Time of control depends on the type of insect or disease and when it is detected.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sunscald Protection</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Watering</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintain Rodent Protection</td>
<td>OOOO</td>
<td>OOOO</td>
<td>OOOO</td>
<td>OOOO</td>
<td>OOOO</td>
<td>OOOO</td>
</tr>
<tr>
<td>Turf Maintenance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mowing</td>
<td></td>
<td></td>
<td></td>
<td>OOX</td>
<td>XXXX</td>
<td></td>
</tr>
<tr>
<td>Mower Damage Prevention</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td>XXXX</td>
<td>XXXX</td>
</tr>
<tr>
<td>Replanting</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evergreen Trees</td>
<td></td>
<td></td>
<td></td>
<td>OXX</td>
<td>XXO</td>
<td></td>
</tr>
<tr>
<td>Deciduous Trees</td>
<td></td>
<td></td>
<td></td>
<td>OXX</td>
<td>XXXX</td>
<td></td>
</tr>
<tr>
<td>Container Plants</td>
<td></td>
<td></td>
<td></td>
<td>XXX</td>
<td>XXXX</td>
<td>XXXX</td>
</tr>
<tr>
<td>Turf</td>
<td></td>
<td></td>
<td></td>
<td>O</td>
<td>XXXX</td>
<td>XXOO</td>
</tr>
</tbody>
</table>

X - Optimum Time        O - Less than Optimum Time

* Undiluted white latex paint is recommended, repaint as necessary until trees reach 4" caliper.
<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pruning</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See Table 1a for Best Time for Specific Species.</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Weed Control:</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Planting beds must be kept in a weed free condition.</td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Remulch</td>
<td>XXXX</td>
<td>XXXX</td>
<td>XXXX</td>
<td>XXXX</td>
<td>OO</td>
<td>XO</td>
</tr>
<tr>
<td>Herbicide</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Must be applied by a licensed Pesticide Applicator.</td>
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</tr>
<tr>
<td>Fertilization:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>XXXX</td>
<td></td>
</tr>
<tr>
<td>Turf</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>XXXX</td>
<td></td>
</tr>
<tr>
<td>Shrubs, Trees</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sunscald Protection</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Apply or maintain paint. Install wrap*.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Watering</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>During first and second growing seasons approximately once a week or as needed.</td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintain Rodent Protection</td>
<td>OOOO</td>
<td>OOOO</td>
<td>XXXX</td>
<td>XXXX</td>
<td>XOOO</td>
<td>OOOO</td>
</tr>
<tr>
<td>Turf Maintenance</td>
<td>XXXX</td>
<td>XXXX</td>
<td>XXXX</td>
<td>XXXX</td>
<td>XOOO</td>
<td></td>
</tr>
<tr>
<td>Mowing</td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mower Damage Prevention</td>
<td>XXXX</td>
<td>XXXX</td>
<td>XXXX</td>
<td>XXXX</td>
<td>XOOO</td>
<td></td>
</tr>
<tr>
<td>Replanting</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evergreen Trees</td>
<td></td>
<td>OX</td>
<td>XXXO</td>
<td>OXXX</td>
<td>XO</td>
<td></td>
</tr>
<tr>
<td>Deciduous Trees</td>
<td>OOOO</td>
<td>OOOX</td>
<td>XXXO</td>
<td>OXXX</td>
<td>XO</td>
<td></td>
</tr>
<tr>
<td>Container Plants</td>
<td>OOOO</td>
<td>OOOX</td>
<td>XXXX</td>
<td>OXXX</td>
<td>XO</td>
<td></td>
</tr>
<tr>
<td>Turf</td>
<td>OOOO</td>
<td>OOOX</td>
<td>XXXX</td>
<td>OO</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

X - Optimum Time  
O - Less than Optimum Time

* Undiluted white latex paint is recommended, repaint as necessary until trees reach 4" caliper.
### TABLE 3. DESCRIPTIONS OF TYPES OF PRUNING

<table>
<thead>
<tr>
<th>TYPES OF PRUNING</th>
<th>WHEN TO PRUNE</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disease Removal</td>
<td>After Diagnosis</td>
<td>Removal of fungal bacterial growths. Sterilize pruners between cuts.</td>
</tr>
<tr>
<td>Deadwood Removal</td>
<td>See Table 1</td>
<td>Removal of dead branches, normally from the interior portion of the crown.</td>
</tr>
<tr>
<td>Training</td>
<td>See Table 1</td>
<td>Maintaining the central leaders and acceptable symmetry in evergreen,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>shade and ornamental trees. Removal of suckers and water sprouts.</td>
</tr>
<tr>
<td>Corrective</td>
<td>See Table 1</td>
<td>Removal of storm-damaged, vehicle-damaged or vandalized limbs.</td>
</tr>
<tr>
<td>Renewal</td>
<td>See Table 1</td>
<td>Removing all top growth at or near the ground line and remulch. Or</td>
</tr>
<tr>
<td></td>
<td></td>
<td>removal of 1/3 of the oldest stems at the ground line.</td>
</tr>
</tbody>
</table>

### TABLE 4. WEED CONTROL METHODS - INTEGRATED APPROACH

<table>
<thead>
<tr>
<th>METHOD</th>
<th>TREES</th>
<th>SHRUB BEDS</th>
<th>TURF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Replanting - Filling Voids</td>
<td>X</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Fertilization</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Remulch*</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Herbicides</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Weed Whip</td>
<td>No</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

* Wood chip mulch should be replenished around shade trees and low growing shrubs every 3 - 5 years. Place mulch to a 4" depth. Mulching will help control weeds, reduce mower damage and conserve moisture.

### TABLE 5. FERTILIZATION SCHEDULE

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>FREQUENCY</th>
<th>TIME OF APPLICATION</th>
<th>ANALYSIS **</th>
<th>RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mowed Turf</td>
<td>Every 3 Years</td>
<td>April or October</td>
<td>23-0-30</td>
<td>1 lb (N)/1000 sq. ft.</td>
</tr>
<tr>
<td>Shrub Beds*</td>
<td>Every 3 Years</td>
<td>October or April</td>
<td>23-0-30</td>
<td>1 lb (N)/1000 sq. ft.</td>
</tr>
<tr>
<td>Shade Trees*</td>
<td>Every 3 Years</td>
<td>October or April</td>
<td>23-0-30</td>
<td>.5 lbs/1 Cu. Yd. of soil</td>
</tr>
</tbody>
</table>

** Analysis will be allowed within the following ranges: N (16-24) – P (0) – K (20-30).

Note: Do not fertilize trees and turf during the same season. Offset tree fertilization by one season in order to prevent fertilizer burn on turf.

* Plants that fix nitrogen, like Silver Buffaloberry, Caragana, Honeylocust, Russian Olive or other legumes, should not be fertilized except under special conditions.
  Tall shrubs do not need to be fertilized if leaf color remains normal.

Sheet 4 of 4
CITY OF NORTH ST. PAUL

RESOLUTION NO. 2010-096

RESOLUTION AUTHORIZING THE CITY OF NORTH ST. PAUL TO ENTER INTO A LANDSCAPE PARTNERSHIP AGREEMENT WITH THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION

BE IT RESOLVED, that the City of North St. Paul enter into Mn/DOT Agreement No. 97467 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the City of the State’s share of the costs of the landscape materials acquisition to be placed along and adjacent to Trunk Highway No. 36 from 300 feet west of McKnight Road to 500 feet east of Margaret Street within the corporate City limits under State Project No. 6211-969C.

BE IT FURTHER RESOLVED, that the Mayor and the City Manager/Clerk are authorized to execute the Agreement and any amendments to the Agreement.

BE IT FURTHER RESOLVED, by the City Council of the City of North St. Paul, it hereby approves the Landscape Partnership Agreement No. 97467 between the City of North St. Paul and the State of Minnesota, Department of Transportation.

ADOPTED this 17th day of August, 2010.

Motion by Council Member Walczak
Second by Council Member Bruton

Voting: Aye: Council Member Zick
Council Member Walczak
Council Member Bruton
Mayor Kuehn

Nay: None

Absent: Council Member Furlong

Attest: Walter T. Wysopal, City Manager

Michael R. Kuehn, Mayor
CERTIFICATION

I certify that the above Resolution is an accurate copy of the Resolution adopted by the Council of the City of North St. Paul at an authorized meeting held on the 17th day of August, 2010, as shown by the minutes of the meeting in my possession.

Mary Mills
(Signature)

Mary Mills
(Type or Print Name)

Deputy Clerk
(Title)

Subscribed and sworn to before me this 18th day of August, 2010
Notary Public

My Commission Expires

(Stamp)
August 18, 2010

Sharon LeMay
Metro State Aid
Waters Edge Building
1500 County Road B2
Roseville, MN 55113

RE: SP6211-969C, TH 55, City of North St. Paul
Landscape Partnership Agreement No. 97467

Dear Ms. LeMay:

Attached are three executed agreements between the Minnesota Department of Transportation and the City of North St. Paul. This agreement was approved at the August 17, 2010 City Council meeting. Also enclosed are three notarized original resolutions.

As noted in your letter dated August 13, 2010 we will expect one fully executed agreement returned to us.

Sincerely,

Mary Mills
Deputy Clerk
August 13, 2010

Wally Wysopal — City Manager
2400 Margaret Street
North St. Paul, MN 55109

In reply refer to: SP 6211-969C, TH 55, City of North St. Paul
Landscape Partnership Agreement No. 97467

Dear Mr. Wysopal:

Attached are three copies of the proposed agreement between the Minnesota Department of Transportation and the City of North St. Paul. This agreement provides for payment to the City of the State’s share of the costs of landscape materials acquisition by the City for use adjacent to TH 36 within the corporate City limits in accordance with the State’s “Community Roadside Landscaping Partnership Program”.

Please present this agreement to the City Council for their approval and execution which includes the following:

- Original signatures of the City Council authorized City officers on all three copies of the agreement.
- Three original copies of a resolution passed by the City Council authorizing its officers to sign this agreement on its behalf. Please note that the resolutions must be notarized. A suggested form for the resolution is attached.

Return the executed agreements and notarized resolutions (three originals of each) to me at the address shown above. I will secure the remaining signatures and return one fully executed agreement to the City. Please give me a call if you have any questions.

Sincerely,

[Signature]

Sharon LeMay
Metro State Aid

Cc: Maryanne Kelly-Sonnek, MS 682

An equal opportunity employer
CITY OF NORTH ST. PAUL

RESOLUTION

IT IS RESOLVED that the City of North St. Paul enter into Mn/DOT Agreement No. 97467 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the City of the State's share of the costs of the landscape materials acquisition to be placed along and adjacent to Trunk Highway No. 36 from 300 feet west of McKnight Road to 500 feet east of Margaret Street within the corporate City limits under State Project No. 6211-969C.

IT IS FURTHER RESOLVED that the Mayor and the __________________________ are __________________________

authorized to execute the Agreement and any amendments to the Agreement.

CERTIFICATION

I certify that the above Resolution is an accurate copy of the Resolution adopted by the Council of the City of North St. Paul at an authorized meeting held on the __________ day of ____________, 2010, as shown by the minutes of the meeting in my possession.

__________________________
(Signature)

__________________________
(Type of Print Name)

__________________________
(Title)

Subscribed and sworn to before me this __________ day of ____________, 2010

Notary Public __________________________

My Commission Expires ________________
The State of Minnesota
Department of Transportation, and
The City of North St. Paul
Re: State cost landscape materials acquisition by the City for use along T.H. 36

THIS AGREEMENT is made and entered into by and between the State of Minnesota, Department of Transportation, hereinafter referred to as the "State", and the City of North St. Paul, Minnesota, acting by and through its City Council, hereinafter referred to as the "City".
WHEREAS, the City is about to perform landscaping along Trunk Highway No. 36 from 300 feet west of McKnight Road to 500 feet east of Margaret Street within the corporate City limits in accordance with plans, specifications and special provisions designated as the "North St. Paul Landscape Partnership Plan", which project has been designated by the State as State Project No. 6211-969C (T.H. 36); and

WHEREAS, the City has requested participation by the State in the costs of landscape materials acquisition in accordance with the terms of the State's "Community Roadside Landscaping Partnership Program"; and

WHEREAS, the State is willing to participate in the costs of the landscape materials acquisition as hereinafter set forth; and

WHEREAS, Minnesota Statute Section 161.20, subdivision 2 authorizes the Commissioner of Transportation to make arrangements with and cooperate with any governmental authority for the purposes of constructing, maintaining and improving the trunk highway system.

IT IS, THEREFORE, MUTUALLY AGREED AS FOLLOWS:

ARTICLE I - PROJECT ADMINISTRATION BY THE CITY
Section A. Landscape Materials Acquisition
The City shall acquire landscape materials in accordance with plans, specifications and special provisions designated as the "North St. Paul Landscape Partnership Plan". Landscaping shall be performed by City forces in accordance with plans, specifications and special provisions that are on file in the City's office and in the State's
Office of Technical Support in St. Paul, and are incorporated into this Agreement by reference.

Section B. Purchase Order to be Furnished to the State
The City shall, within 7 days after ordering the landscape materials, submit to the State's Landscape Partnership Program Coordinator in St. Paul a copy of the purchase order for the landscape materials.

Section C. Direction, Supervision and Inspection
Landscape materials acquisition performed in accordance with this Agreement shall be under the direction of the City; however, the State cost participation landscape materials to be acquired under this Agreement shall be open to inspection by the State's authorized representatives. The City shall give the State's Landscape Partnership Program Coordinator five days notice of its intention to receive delivery of the landscape materials.

Responsible for the control of the State cost participation landscape materials acquisition covered under this Agreement shall be on the City and shall be carried out in accordance with plans, specifications and special provisions designated as the "North St. Paul Landscape Partnership Plan".

The City must verify that the nursery vendor has a valid nursery certificate as required by the Minnesota Department of Agriculture, hereinafter referred to as the "MDA". Nursery stock originating outside Minnesota must have been certified under all applicable MDA and United States Department of Agriculture, hereinafter referred to as the "USDA", quarantines. Certification documents issued by the appropriate regulatory official at origin must accompany all nursery stock shipments, including but not limited to, USDA quarantines for
Gypsy Moth, Phytophthora ramorum, Emerald Ash Borer and Black Stem Rust. MDA Japanese Beetle Quarantine nursery stock from Minnesota must be inspected and certified to be free of harmful plant pests, but is not subject to MDA external Japanese Beetle Quarantine.

Section D. Completion of Materials Acquisition and Installation
The City shall cause the acquisition and installation of landscape materials to be started and completed in accordance with the time schedule in the Community Roadside Landscaping Partnership Program Project Application, which is on file in the State's Office of Technical Support and is incorporated into this Agreement by reference. An exchange of letters between the appropriate City official and the State’s Landscape Partnership Program Coordinator, for unavoidable delays encountered in the performance thereof, may extend the completion date for the landscape materials acquisition and installation.

Section E. Compliance with Laws, Ordinances and Regulations
The City shall, in connection with the acquisition of the landscape materials, comply with all Federal, State and Local laws, and all applicable ordinances and regulations.

Section F. Right-of-Way, Easements and Permits
The City is hereby authorized to work on State right-of-way for the purposes of installing and maintaining the landscape materials, including any necessary replacement of landscape materials that fail to survive.

The City shall, without cost or expense to the State, obtain all rights-of-way, easements, construction permits and any other permits and sanctions that may be required in connection with the
installation of landscape materials. Prior to advance payment by the State, the City shall furnish the State with certified copies of the documents for those rights-of-way and easements, and certified copies of those construction permits and other permits and sanctions required for State landscaping.

ARTICLE II - STATE COST

Section A. Basis
The State's full and complete share of the costs of the landscaping to be performed along Trunk Highway No. 36 from 300 feet west of McKnight Road to 500 feet east of Margaret Street within the corporate City limits under State Project No. 6211-969C (T.H. 36) shall be equal to the delivered cost of the landscaping materials acquired in accordance with the "North St. Paul Landscape Partnership Plan."

Section B. Payment
The maximum obligation of the State under this Agreement shall not exceed $40,000.00, unless the maximum obligation is increased by execution of an amendment to this Agreement.

The State shall pay to the City an amount equal to the delivered cost of the landscape materials, not to exceed the maximum obligation, after the following conditions have been met:

1. Encumbrance by the State of the State's total cost share.

2. Execution and approval of this Agreement and the State's transmittal of it to the City.
3. Receipt by the State's Landscape Partnership Program Coordinator, from the City, of the following:

a. Copies of the purchase orders for the landscape materials, as provided for in Article I, Section B. of this Agreement.

b. Certified copies of the documents, as provided for in the second paragraph of Article I, Section F. of this Agreement.

c. Written request for payment, accompanied by copies of supplier invoices for the landscape materials acquisition and delivery.

ARTICLE III - GENERAL PROVISIONS

Section A. Installation and Maintenance by the City

After acquisition of the landscape materials, the City shall install the landscape materials along Trunk Highway No. 36 and provide for the proper maintenance thereof, without cost or expense to the State. Maintenance includes, but is not limited to, removal and replacement of all materials that fail to survive. Criteria for maintenance and replacement are shown and described in EXHIBIT "A", Maintenance Responsibilities Plan and Schedule, which is attached and incorporated into this Agreement.

Section B. Responsibilities of the City

The City shall, in connection with the landscape materials acquisition, installation and maintenance, comply with the following conditions:
1. Use of State right-of-way shall in no way impair or interfere with the safety or convenience of the traveling public in its use of the highway.

2. Preserve and protect all utilities located on lands covered by this Agreement, without cost or expense to the State.

3. As required by Minnesota Statute 216D, notify Gopher State One Call System (1-800-252-1166) at least 48 hours before any excavation is done on this project.

4. No advertising signs or devices of any form or size shall be constructed or shall be permitted to be constructed or placed upon State right-of-way.

5. Upon completion of the installation of landscape materials and during performance of maintenance operations, restore all disturbed areas of State right-of-way so as to perpetuate satisfactory drainage, erosion control and aesthetics.

Any use of State right-of-way permitted by this Agreement shall remain subordinate to the right of the State to use the property for highway and transportation purposes. This Agreement does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge facility that would become subject to Section 4(f) of the Federal-Aid Highway Act of 1968.

Section C. Examination of Books, Records, Etc.
As provided by Minnesota Statute Section 16C.05, subdivision 5, the books, records, documents, and accounting procedures and practices of
each party relevant to this Agreement are subject to examination by each party, and either the legislative auditor or the state auditor as appropriate, for a minimum of six years from final payment.

Section D. Termination of Agreement

The State may terminate this Agreement if it's the State's desire to use any portion of State right-of-way subject to this Agreement for transportation purposes, by giving the City written notice at least 90 days prior to the date that such termination shall become effective. Upon termination of this Agreement, the City will be required to restore and return the area to a condition satisfactory to the State's District Engineer at Roseville.

Each party may terminate this Agreement, with or without cause, by providing the other party with written or fax notice of effective date of termination. The State is not obligated to pay for services performed after notice and effective date of termination. Upon such termination, the City is entitled to payment for services satisfactorily performed under this Agreement prior to the effective date of termination.

The State may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, or other funding source; or if funding cannot be continued at a level sufficient to allow for the payment of the services covered under this Agreement. Termination must be by written or fax notice to the City. The State is not obligated to pay for services performed after notice and effective date of termination. Upon such termination, the City is entitled to payment for services satisfactorily performed under this
Agreement prior to the effective date of termination, to the extent
the funds are available.

Section E. Claims
Each party is responsible for its own employees for any claims
arising under the Workers Compensation Act. Each party is
responsible for its own acts, omissions and the results thereof to
the extent authorized by law and will not be responsible for the acts
and omissions of others and the results thereof. Minnesota Statutes
Section 3.736 and other applicable law govern liability of the State.
Minnesota Statutes Chapter 466 and other applicable law govern
liability of the City.

Section F. Nondiscrimination
The provisions of Minnesota Statute Section 181.59 and of any
applicable law relating to civil rights and discrimination shall be
considered part of this Agreement as if fully set forth herein.

Section G. Agreement Approval
Before this Agreement becomes binding and effective, it shall be
approved by a City Council resolution and executed by such State and
City officers as the law may provide in addition to the Commissioner
of Transportation or their authorized representative.

ARTICLE IV - AUTHORIZED AGENTS
The State's Authorized Agent for the purpose of the administration of
this Agreement is Todd Carroll, Landscape Partnership Program
Coordinator, or his successor. His current address and telephone
number are 395 John Ireland Boulevard, Mailstop 686, St. Paul,
MN 55155, (651) 366-4617.
The City's Authorized Agent for the purpose of the administration of this Agreement is Wally Wysopal, City Manager, or his successor. His current address and telephone number are 2400 Margaret Street, North St. Paul, MN 55109 (651) 747-2421.

[The remainder of this page has been intentionally left blank]
IN TESTIMONY WHEREOF the parties have executed this Agreement by their authorized officers.

STATE ENCUMBRANCE VERIFICATION
Individual certifies that funds have been encumbered as required by Minn. Stat. §§ 16A.15 and 16C.05.

By ____________________________________________

Date __________________________________________

MAPS Encumbrance No. ____________________________

CITY OF NORTH ST. PAUL

By ____________________________
Mayor

Date ____________________________

By ____________________________
Title ____________________________

Date ____________________________

DEPARTMENT OF TRANSPORTATION
Recommended for approval:

By ____________________________
Landscape Partnership Program Coordinator

By ____________________________
District Engineer

Approved:
By ____________________________
State Design Engineer

Date ____________________________

Approved as to form and execution:
By ____________________________
Contract Management

Date ____________________________

COMMISSIONER OF ADMINISTRATION
As delegated to Materials Management Division

By ____________________________

Date ____________________________
**EXHIBIT "A"
Maintenance Responsibilities Plan and Schedule**

**Table 1a. REQUIRED LANDSCAPE MAINTENANCE ACTIVITIES**

<table>
<thead>
<tr>
<th>PLANT GROUPS</th>
<th>PRUNING</th>
<th>WEED CONTROL</th>
<th>FERTILIZATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When To</td>
<td>Type Of</td>
<td></td>
</tr>
<tr>
<td>Evergreen Trees</td>
<td>Anytime - Dry</td>
<td>Corrective and Deadwood Removal</td>
<td>Yes</td>
</tr>
<tr>
<td>Shade Trees</td>
<td>Anytime - Dry*</td>
<td>Training and Corrective</td>
<td>Yes</td>
</tr>
<tr>
<td>Ornamental Trees</td>
<td>Winter**</td>
<td>Corrective</td>
<td>Yes</td>
</tr>
<tr>
<td>Evergreen Shrubs</td>
<td>Anytime - Dry</td>
<td>Deadwood Removal</td>
<td>Yes</td>
</tr>
<tr>
<td>Deciduous Shrubs</td>
<td>Dormant</td>
<td>Corrective and Renewal</td>
<td>Yes</td>
</tr>
<tr>
<td>Vines</td>
<td>Dormant</td>
<td>Deadwood Removal</td>
<td>No</td>
</tr>
<tr>
<td>Groundcovers</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Do not prune oaks during April, May and June. Do not prune Honeylocust while dormant or when humid or wet.
** Do not prune apples, crabapples or Mountain Ash during April, May and June.

**Table 1b. REQUIRED LANDSCAPE MAINTENANCE ACTIVITIES**

<table>
<thead>
<tr>
<th>PLANT GROUPS</th>
<th>WATERING</th>
<th>INSECT AND DISEASE CONTROL</th>
<th>RODENT PROTECTION</th>
<th>REMOVALS AND REPLACEMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evergreen Trees</td>
<td>Yes until established (2 yrs.)</td>
<td>As needed.</td>
<td>Yes - Pine Only</td>
<td>Remove all dead plants.</td>
</tr>
<tr>
<td>Shade Trees</td>
<td>Supplemental watering may be needed during drought periods (especially during July and August) even after plants are established.</td>
<td>Remove diseased plants that pose threats to adjacent plantings.</td>
<td>Yes</td>
<td>Replace dead or dying plants unless the lost plants do not noticeably compromise the visual appearance or design intent.</td>
</tr>
<tr>
<td>Ornamental Trees</td>
<td></td>
<td></td>
<td>Yes*</td>
<td></td>
</tr>
<tr>
<td>Evergreen Shrubs</td>
<td></td>
<td></td>
<td>No*</td>
<td></td>
</tr>
<tr>
<td>Deciduous Shrubs</td>
<td></td>
<td></td>
<td>No*</td>
<td></td>
</tr>
<tr>
<td>Vines</td>
<td></td>
<td></td>
<td>No*</td>
<td></td>
</tr>
<tr>
<td>Groundcovers</td>
<td></td>
<td></td>
<td>No*</td>
<td></td>
</tr>
</tbody>
</table>

* Rodent protection is generally not practical for mass shrub plantings, maintaining clean mulched planting areas free of weed growth will reduce problems. Mowed turf in formal planting areas will help reduce rodent problems.

Sheet 1 of 4
<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>January</th>
<th>February</th>
<th>March</th>
<th>April</th>
<th>May</th>
<th>June</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pruning</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Weed Control:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Remulch</td>
<td></td>
<td></td>
<td></td>
<td>0XX</td>
<td>XXX</td>
<td>XO</td>
</tr>
<tr>
<td>Herbicide</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fertilization:</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Turf</td>
<td></td>
<td></td>
<td></td>
<td>XXX</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shrubs, Trees</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Insect &amp; Disease</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Sunscald Protection</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Watering</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintain Rodent Protection</td>
<td>OOOO</td>
<td>OOOO</td>
<td>OOOO</td>
<td>OOOO</td>
<td>OOOO</td>
<td>OOOO</td>
</tr>
<tr>
<td>Turf Maintenance Mowing</td>
<td>OOX</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mower Damage Prevention</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Replanting</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evergreen Trees</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deciduous Trees</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Container Plants</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Turf</td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

X - Optimum Time    O - Less than Optimum Time
* Undiluted white latex paint is recommended, repaint as necessary until trees reach 4" caliper.
### TABLE 2b. CALENDAR OF LANDSCAPE MAINTENANCE

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pruning</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Weed Control:</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Remulch</td>
<td>XXXX</td>
<td>XXXX</td>
<td>XXXX</td>
<td>XXXX</td>
<td>OO</td>
<td>XO</td>
</tr>
<tr>
<td>Herbicide</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fertilization:</td>
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<td></td>
<td></td>
<td></td>
<td>XXXX</td>
<td>XXXX</td>
</tr>
<tr>
<td>Turf</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shrubs, Trees</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Insect &amp; Disease</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sunscald Protection</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Apply or maintain paint. Install wrap*</td>
<td></td>
</tr>
<tr>
<td>Watering</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintain Rodent Protection</td>
<td>OOOO</td>
<td>OOOO</td>
<td>XXXX</td>
<td>XXXX</td>
<td>XOOO</td>
<td>OOOO</td>
</tr>
<tr>
<td>Turf Maintenance Mowing</td>
<td>XXXX</td>
<td>XXXX</td>
<td>XXXX</td>
<td></td>
<td>XOOO</td>
<td></td>
</tr>
<tr>
<td>Mower Damage Prevention</td>
<td>XXXX</td>
<td>XXXX</td>
<td>XXXX</td>
<td></td>
<td>XOOO</td>
<td></td>
</tr>
<tr>
<td>Replanting</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evergreen Trees</td>
<td>OOOO</td>
<td>OOXX</td>
<td>XXXO</td>
<td>OXXX</td>
<td>XO</td>
<td></td>
</tr>
<tr>
<td>Deciduous Trees</td>
<td>OOOO</td>
<td>OOOX</td>
<td>XXXO</td>
<td>OXXX</td>
<td>OX</td>
<td></td>
</tr>
<tr>
<td>Container Plants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Turf</td>
<td>OOOO</td>
<td>OOOX</td>
<td>XXXX</td>
<td></td>
<td>OO</td>
<td></td>
</tr>
</tbody>
</table>

X - Optimum Time  
O - Less than Optimum Time

* Undiluted white latex paint is recommended, repaint as necessary until trees reach 4” caliper.
**TABLE 3. DESCRIPTIONS OF TYPES OF PRUNING**

<table>
<thead>
<tr>
<th>TYPES OF PRUNING</th>
<th>WHEN TO PRUNE</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disease Removal</td>
<td>After Diagnosis</td>
<td>Removal of fungal bacterial growths. Sterilize pruners between cuts.</td>
</tr>
<tr>
<td>Deadwood Removal</td>
<td>See Table 1</td>
<td>Removal of dead branches, normally from the interior portion of the crown.</td>
</tr>
<tr>
<td>Training</td>
<td>See Table 1</td>
<td>Maintaining the central leaders and acceptable symmetry in evergreen, shade and ornamental trees. Removal of suckers and water sprouts.</td>
</tr>
<tr>
<td>Corrective</td>
<td>See Table 1</td>
<td>Removal of storm-damaged, vehicle-damaged or vandalized limbs.</td>
</tr>
<tr>
<td>Renewal</td>
<td>See Table 1</td>
<td>Removing all top growth at or near the ground line and mulch. Or removal of 1/3 of the oldest stems at the ground line.</td>
</tr>
</tbody>
</table>

**TABLE 4. WEED CONTROL METHODS - INTEGRATED APPROACH**

<table>
<thead>
<tr>
<th>METHOD</th>
<th>CATEGORY</th>
<th>TREES</th>
<th>SHRUB BEDS</th>
<th>TURF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Replanting - Filling Voids</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fertilization</td>
<td></td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Remulch*</td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Herbicides</td>
<td></td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Weed Whip</td>
<td>No</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

* Wood chip mulch should be replenished around shade trees and low growing shrubs every 3-5 years. Place mulch to a 4" depth. Mulching will help control weeds, reduce mower damage and conserve moisture.

**TABLE 5. FERTILIZATION SCHEDULE**

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>FREQUENCY</th>
<th>TIME OF APPLICATION</th>
<th>ANALYSIS **</th>
<th>RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mowed Turf</td>
<td>Every 3 Years</td>
<td>April or October</td>
<td>23-0-30</td>
<td>1 lb (N)/1000 sq. ft.</td>
</tr>
<tr>
<td>Shrub Beds*</td>
<td>Every 3 Years</td>
<td>October or April</td>
<td>23-0-30</td>
<td>1 lb (N)/1000 sq. ft.</td>
</tr>
<tr>
<td>Shade Trees*</td>
<td>Every 3 Years</td>
<td>October or April</td>
<td>23-0-30</td>
<td>.5 lbs/1 Cu. Yd. of soil</td>
</tr>
</tbody>
</table>

Note: Do not fertilize trees and turf during the same season. Offset tree fertilization by one season in order to prevent fertilizer burn on turf.

* Plants that fix nitrogen, like Silver Buffaloberry, Caragana, Honeylocust, Russian Olive or other legumes, should not be fertilized except under special conditions. Tall shrubs do not need to be fertilized if leaf color remains normal.

** Analysis will be allowed within the following ranges: N (16-24) – P (0) – K (20-30).
RESOLUTION AUTHORIZING THE CITY OF NORTH ST. PAUL TO ENTER INTO A LANDSCAPE PARTNERSHIP AGREEMENT WITH THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION

BE IT RESOLVED, that the City of North St. Paul enter into Mn/DOT Agreement No. 97467 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the City of the State’s share of the costs of the landscape materials acquisition to be placed along and adjacent to Trunk Highway No. 36 from 300 feet west of McKnight Road to 500 feet east of Margaret Street within the corporate City limits under State Project No. 6211-969C.

BE IT FURTHER RESOLVED, that the Mayor and the City Manager/Clerk are authorized to execute the Agreement and any amendments to the Agreement.

BE IT FURTHER RESOLVED, by the City Council of the City of North St. Paul, it hereby approves the Landscape Partnership Agreement No. 97467 between the City of North St. Paul and the State of Minnesota, Department of Transportation.

ADOPTED this 17th day of August, 2010.

Motion by Council Member Waleczak
Second by Council Member Bruton

Voting: Aye: Council Member Zick
Council Member Waleczak
Council Member Bruton
Mayor Kuehn
Nay: None
Absent: Council Member Furlong

Attest: Walter T. Wysopal, City Manager

Michael R. Kuehn, Mayor
CERTIFICATION

I certify that the above Resolution is an accurate copy of the Resolution adopted by the Council of the City of North St. Paul at an authorized meeting held on the 17th day of August, 2010, as shown by the minutes of the meeting in my possession.

Mary Mills  
(Signature)

Mary Mills  
(Type or Print Name)

Deputy Clerk  
(Title)

Subscribed and sworn to before me this 18th day of August, 2010  
Notary Public  

My Commission Expires  

(Stamp)
M&C 2010-076 LANDSCAPE PARTNERSHIP AGREEMENT WITH MN/DOT
The City of North St. Paul has received the proposed agreement between the Minnesota Department of Transportation (Mn/DOT) and the City of North St. Paul. This agreement provides for payment to the City of the State’s share of the costs of landscape materials acquisition by the City for use adjacent to TH 36 within the corporate City limits in accordance with the State’s “Community Roadside Landscaping Partnership Program”. The area the materials are to be placed are along and adjacent to Trunk Highway No. 36 from 300 feet west of McKnight Road to 500 feet east of Margaret Street within the corporate City limits under State Project No. 6211-969C.

This agreement provides $40,000 for the first phase of the project, which will be completed this year. Council Member Walczak stated that volunteers are needed on September 18 and 19, 2010 to begin the plantings. In order for this agreement to happen the City had to have 70 volunteers signed up. The volunteers come from the North St. Paul Greens, EAC, and high school students.

On motion by Council Member Walczak, seconded by Council Member Bruton, with all present voting aye, Council Member Furlong absent, motion carried to adopt Resolution No. 2010-096 authorizing the City to enter in Mn/DOT Agreement No. 97467, Landscaping Partnership Agreement, with the State of Minnesota, Department of Transportation.
VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS
E. ELECTION OF OFFICERS

ACTIONS TO BE CONSIDERED

Election of 2017 Environmental Advisory Commission Officers

FACTS

- According to Ordinance 737, Chapter 32 Chairperson. At the first regular meeting of the calendar year, the Board or Commission shall elect a Chairperson and a Vice-Chairperson from among its appointed members, each for a term of one (1) year. No person shall serve more than three (3) consecutive one-year terms as Chairperson of a particular Board or Commission, unless a challenge is not present then the existing Chairperson may remain for an additional term.

ATTACHMENTS

Attached is Ordinance 737, Chapter 32
CITY OF NORTH ST. PAUL
ORDINANCE NO. 737

AN ORDINANCE AMENDING THE
NORTH SAINT PAUL CITY CODE OF ORDINANCES
TITLE III, GOVERNANCE,
CHAPTER 32, BOARDS AND COMMISSIONS

The City Council of the City of North St. Paul does hereby ordain:

Section I.

Chapter 32 of the North St. Paul City Code is hereby repealed and replaced in its entirety.

Section II.

CHAPTER 32 BOARDS AND COMMISSIONS.

32.01 GENERALLY.

The City shall create and support organizations that enhance community engagement in the City’s decision-making process. All Boards and Commissions shall be subject to the provisions of this chapter, unless otherwise specified in City ordinance or state law.

32.02 OPEN MEETING LAW.

All meetings of the Boards or Commissions established under this Chapter shall be held in compliance with the Open Meeting Law, M.S. Chapter 13D, as it may be amended from time to time.

32.03 PUBLIC PROCESS.

As part of its obligations and responsibilities, the North St. Paul City Council recognizes the value of public process. Such public process can be achieved by citizen-based representation on Boards and Commissions. Therefore, from time to time, the City Council shall come to rely on the advice and consent of its Boards and Commissions in making its decisions.

32.04 ESTABLISHMENT.

Authority to Establish. Pursuant to M.S. § 412.621, and other such statutes as are specifically cited, the Council establishes the following Boards and Commissions. The City Council has the authority to establish and abolish such Boards and Commissions as it deems necessary.

32.05 MEMBERSHIP.

(A) Regular Members. Regular members of Boards and Commission established by the Council shall be adult residents or business owners located within the North St. Paul City limits unless otherwise expressly stated by ordinance. Members who discontinue legal residency in the City shall automatically be deemed to have resigned from office as of the date of such discontinuance.

(B) Student Members. Student members shall be residents located within the North St. Paul City limits and enrolled full-time in secondary school. Student members shall be non-voting.

(C) Ex Officio. The City Council may, in its discretion, appoint other persons to serve on the Board or Commission in a non-voting capacity.
32.06 APPOINTMENT AND TERMS.

(A) Appointment. Regular members of Boards and Commissions shall be appointed by the Mayor with the approval of the City Council.

(B) Student Members. Student members shall be appointed by majority vote of the Council and shall serve terms of membership not to exceed one (1) year per term.

(C) Terms. Board and Commission member appointees shall serve staggered terms of membership not to exceed three (3) years per term, except as noted below, commencing on the first day of January in the year of the appointment. Upon expiration of a term, the appointee shall continue until reappointed or a successor is appointed.

(D) Staggered Terms. Terms of membership shall be staggered so that no more than one-half of the terms on a Board or Commission expire in any particular year.

(E) Resignation and Removal. Members may resign voluntarily by letter or email to the City clerk or be removed by majority vote of the Council or pursuant to Section 32.05 Membership or 32.12 Attendance Requirements.

(F) Vacancies. Vacancies in membership shall be filled by the Mayor with the approval of the City Council for the balance of the unexpired term.

(G) Oath. Every appointed member shall, before exercising any of his or her duties, take an oral oath that he or she will faithfully discharge the duties of the office.

32.07 COMMITTEES AND SUBCOMMITTEES.

(A) Establishment. A Board or Commission may, with specific approval of the Council, establish committees, subcommittees, committees of the whole or working groups that include members of the Board or Commission and additional persons as requested by the Board or Commission.

(B) Scope. A committee, subcommittee, committee of the whole or working group may not engage in activities, functions, or duties outside the scope of authority granted to the Board or Commission by which it was established.

32.08 ORGANIZATION.

(A) Chairperson. At the first regular meeting of the calendar year, the Board or Commission shall elect a Chairperson and a Vice-Chairperson from among its appointed members, each for a term of one (1) year. No person shall serve more than three (3) consecutive one-year terms as Chairperson of a particular Board or Commission, unless a challenge is not present then the existing Chairperson may remain for an additional term.

(B) City Staff. The City Clerk or Administrator, Building Official, City Planner, City Engineer, City Attorney, or other City Staff may act as staff for the Boards or Commissions. The City Staff may provide the Boards and Commissions with information, memorandums, perform secretarial duties, and may be responsible for the keeping of records.

32.09 TIME, LOCATION AND CONDUCT OF MEETINGS.

(A) Regular Meetings. All Board and Commission meetings are open meetings subject to the Minnesota Open Meeting Law and shall be held at a fixed time and on a fixed date as shall be determined by the Board or Commission. The City clerk shall give notice of all Board and Commission meetings and locations as required for meetings of public bodies.

(B) Public Comment. All Board and Commission meetings shall include scheduled time for public comment.

(C) Quorum. A simple majority of voting members, appointed and serving, shall constitute a quorum for any regular or special meeting. If a quorum is not established or maintained during the course of a meeting, no votes on Board or Commission business may be taken except a motion to adjourn or recess.

(D) Special Meetings. Any Board or Commission Chairperson, or in the case of the Chairperson’s absence, by the Vice-Chairperson, may call a special meeting. A special meeting may also be directed by the City Council or Mayor.
32.10 PURPOSES AND DUTIES GENERALLY.

(A) Scope. All Boards and Commissions established by the Council shall be advisory to the Council and shall have the responsibility to:

(1) Investigate matters within the scope of the particular Board or Commission or as specifically directed by the Council.

(2) Communicate the viewpoint or advice of the Board or Commission to the City Council.

(3) At the direction of the Council, hold hearings, receive evidence, conduct investigations, and, on the basis of such hearings, evidence and investigations, make decisions and recommendations to the Council.

(B) Annual Report. All Boards and Commissions shall prepare a report to the City Council by the second Council meeting of each year outlining the actions and activities during the preceding year.

32.11 MEETING MINUTES.

(A) Official Record. Approved minutes of Board or Commission proceedings shall be public record; the City shall retain a copy of the official minutes of each Board or Commission meeting in accordance with applicable state law.

(B) Recording. Each Board or Commission shall have meeting minutes prepared and recorded. Minutes so recorded shall be reviewed and approved by the Board or Commission and a copy forwarded to the City clerk. The manager may make available City staff members to record and prepare minutes of Board and Commission meetings.

(C) Distributed to City Council. Official minutes of each Board or Commission meeting shall be distributed to the Council prior to the first regular Council meeting after approval of the minutes by the Board or Commission.

32.12 ATTENDANCE REQUIREMENTS.

(A) Purpose. To assist Boards and Commissions in fulfilling their purposes and duties and to ensure that they are not prevented from doing so by the repeated absence of their members, the Council hereby establishes an attendance policy for members serving on Boards and Commissions.

(B) Attendance. Duly appointed members of Boards and Commissions shall be required to attend no less than half the official meetings of the Board or Commission held within a given calendar year unless specifically excused by the Chair of such Board or Commission and said excused absences noted in the minutes. Failure to attend no less than half of the official meetings within a given calendar year, without excuse of the Chairperson, shall be considered as formal notice of resignation from said Board or Commission. In addition, failure to attend four-consecutive regular meetings without excuse of the Chairperson, shall be considered as formal notice of resignation from said Board or Commission.

(C) Exceptions. The requirements of this subsection shall not apply to attendance at special meetings, or of meetings of committees or subcommittees, including committees of the whole, established by a Board or Commission pursuant to Section 32.07 Committees and Subcommittees.

(D) Annual Review. The Council shall conduct an annual review of the attendance of members of Boards and Commissions established by the Council.

(E) Vacancies. The successor to any member of a Board or Commission who has been removed pursuant to this subsection shall be appointed pursuant to Section 32.06 Appointment and Terms.

32.13 CONTINUING EDUCATION.

Members of the Boards and Commissions shall be required to complete various continuing education courses, lectures, webinars or seminars as outlined by City Council or City Staff on an annual basis.

32.14 COMPENSATION.

Members of the Boards and Commissions shall serve on a strictly non-compensated volunteer basis.
32.15 EXPENDITURES.

No expenditures by a Board or Commission shall be made unless and until authorized for the purpose by the City Council.

32.16 COUNCIL LIAISON.

(A) City Council Member. A Council Member may to be appointed to a Board or Commission as a liaison by the Mayor with approval of the City Council. The Council liaison shall serve for a one-year term, to expire on December 31 of each year. The Council liaison shall serve as a non-voting member of the Board or Commission and shall not count for quorum purposes. Council liaisons may participate in discussion of matters before the Board or Commission. The Council liaison may not hold an office on the Board or Commission, such as the Chairperson or Vice-Chairperson.

(B) Alternates. In the event the City Council liaison is not able to attend the Board or Commission meeting, the selected alternate shall take their place. This alternate shall be a City Council member and selected by the Mayor with the approval of the City Council.

32.20 PLANNING COMMISSION.

32.21 ESTABLISHMENT OF THE PLANNING COMMISSION.

A Planning Commission for the City is hereby established. The Planning Commission shall be the City planning agency authorized by M.S. § 462.354, Subd. 1, as it may be amended from time to time. Accept as otherwise provided in this ordinance, the Planning Commission shall be advisory directly to the City Council.

32.22 COMPOSITION.

The Planning Commission shall consist of seven (7) members to be appointed by the Mayor with the approval of the City Council.

32.23 POWERS AND DUTIES.

(A) Generally. The Planning Commission shall have the powers and duties given to City planning agencies generally by law, including the authority to conduct public hearings as directed by City Council or City policy. The Planning Commission shall also exercise the duties conferred upon it by this code.

(B) Comprehensive Plan. It shall be the purpose of the Planning Commission to prepare and adopt a Comprehensive Plan for the physical development of the City, including proposed public buildings, street arrangements and improvements, efficient design of major thoroughfares for moving of traffic, parking facilities, public utilities services, parks and playgrounds, a general land use plan and other matters relating to the physical development of the City. This plan may be prepared in sections, each of which shall relate to a Comprehensive Plan program. After the City Council has adopted the Comprehensive Plan, the Planning Commission may periodically, but at least every five years, review the Comprehensive Plan and any ordinances or programs implementing the plan.

(C) Means of Executing Plan. Upon the adoption of a comprehensive plan or any section thereof, it shall be the concern of the Planning Commission to recommend to the City Council reasonable and practical means for putting into effect the plan or section thereof, in order that it will serve as a pattern and guide for the orderly physical development of the City and as a basis for judging the timely disbursements of funds to implement the objective. Means of effectuating the plan shall, among other things, consist of a zoning ordinance, subdivision regulations, capital improvement programming and technical review, and recommendations of matters referred to the Planning Commission by the City Council.

(D) Zoning Ordinance. Pursuant to M.S. § 462.357, Subd. 3, as it may be amended from time to time, after adoption of a Comprehensive Plan, the Planning Commission shall review all proposed amendments to the zoning ordinance, conduct public hearings as directed by City Council or City policy, and make recommendations to the City Council concerning zoning ordinance amendments and their relation to the City’s Comprehensive Plan and other land use controls. The Planning Commission shall report its recommendations to the City Council for action.

(E) Conditional Use Permits. The Planning Commission may make recommendations on all requests for a conditional use permit under the terms of the zoning ordinance and conduct public hearings as directed by
City Council or City policy. The Planning Commission shall report its recommendations to the City Council for action.

(F) Interim Use Permits. The Planning Commission may make recommendations on all requests for an interim use permit under the terms of the zoning ordinance and conduct public hearings as directed by City Council or City policy. The Planning Commission shall report its recommendations to the City Council for action.

(G) Subdivision Regulations. The Planning Commission may make recommendations in relation to the subdividing of land as prescribed by the ordinance. The Planning Commission shall report its recommendations to the City Council for action.

(H) Variances. All applications for variances shall be referred to the Planning Commission and forwarded with or without recommendations directly to the City Council for its decision.

(I) Site Plan Review. The Planning Commission may make recommendations on all requests for site plan review under the terms of the zoning ordinance and conduct public hearings as directed by City Council or City policy. The Planning Commission shall report its recommendations to the City Council for action.

(J) Official Map. Pursuant to M.S. § 462.359, Subd. 2, as it may be amended from time to time, after adoption of a major thoroughfare plan and a community facilities plan (which may be contained in the City comprehensive plan or adopted separately), the Planning Commission, for the purpose of carrying out the policies of the major thoroughfare plan and community facilities plan, may prepare and recommend to the governing body a proposed official map covering the entire municipality or any portion thereof. The official map or maps shall be prepared in sufficient detail to permit the establishment of the future acquisition lines on the ground. In unplatted areas, a minimum of a centerline survey shall have been made prior to the preparation of the final draft of the official map. The accuracy of the future acquisition lines shown on the official map shall be attested to by a licensed land surveyor.

(K) Appeals to Denials of Zoning, Land Use or Building Permits Based on the Official Map. All appeals to denials of zoning, land use or building permits based on the official map may be referred to the Planning Commission, and forwarded with or without recommendations directly to the City Council. The City Council shall have the powers of a Board of Appeals and Adjustments as provided for in M.S. § 462.359, Subd. 4, as it may be amended from time to time for its decision.

(L) Purchase and Sale of Real Property. Pursuant to M.S. § 462.356, Subd. 2, as it may be amended from time to time, after adoption of a Comprehensive Plan, the Planning Commission shall review all proposed acquisitions or disposals of publically owned interests in real property within the City by the municipality, or any special district or any agency thereof, or any other political subdivision having jurisdiction within the municipality, and make findings as to the compliance of the proposed acquisition or disposal of real property with the Comprehensive Plan. The City Council may by resolution adopted by two-thirds vote dispense with the requirements of this section when in its judgment it finds that the proposed acquisition or disposal of real property has no relationship to the Comprehensive Plan.

(M) Capital Improvements. Pursuant to M.S. § 462.356, Subd. 2, as it may be amended from time to time, after adoption of a Comprehensive Plan, the Planning Commission shall review all proposed capital improvements within the City by the municipality, or any special district or any agency thereof, or any other political subdivision having jurisdiction within the municipality, and make findings as to the compliance of the proposed capital improvements with the Comprehensive Plan.

(N) Comprehensive Plan Amendments. Pursuant to M.S. § 462.355, Subd. 2, 3, as it may be amended from time to time, after adoption of Comprehensive Plan, the Planning Commission shall review all proposed amendments to the Comprehensive Plan, hold at least one public hearing, and make recommendations to the City Council Comprehensive Plan amendments and their relation to the City Comprehensive Plan and other land use controls. The Planning Commission shall report its recommendations to the City Council for action.

(O) City Plans. After adoption of the Downtown Design Manual, Redevelopment Master Plan, Living Streets Plan, and Park Improvement Plan, the Planning Commission shall review all proposed amendments, conduct public hearings as directed by City Council or City policy, and make recommendations to the City Council concerning the amendments and their relation to the City’s Comprehensive Plan and other land use controls. The Planning Commission shall report its recommendations to the City Council for action.

32.30 DESIGN REVIEW COMMISSION.

32.31 ESTABLISHMENT OF THE DESIGN REVIEW COMMISSION.

A Design Review Commission for the City is hereby established. The City Council hereby declares as a matter of public policy that the encouragement of the orderly and harmonious physical development of the Downtown as
intended by the City’s Comprehensive Plan and the Downtown Design Manual. The historic preservation, restoration, and enhancement and use of sites, buildings, structures and other objects is a public necessity and is required in the interest of the people. Except as otherwise provided in this ordinance, the Design Review Commission shall be advisory directly to the City Council.

32.32 COMPOSITION.

The Design Review Commission shall consist of five (5) members to be appointed by the Mayor with the approval of the City Council.

32.33 POWERS AND DUTIES.

(A) Generally. The Design Review Commission shall have the powers and duties to safeguard the resources of the Downtown by preserving and enhancing sites, structures, districts and landmarks which reflect elements of the City’s cultural, social, economic, political or architectural history.

(B) Purpose. The Design Review Commission is established to encourage harmonious growth and appearance of structures and properties, preserve historical heritage, maintain and improve property values by ensuring property owner compliance with design regulations of the Zoning Code, and to encourage development of properties as intended by the City’s Comprehensive Plan and Zoning Code.

(C) Duties. The Design Review Commission shall have the following duties:

1. Design Review Applications. The Design Review Commission may make recommendations on all requests for Design Review applications under the terms of the Zoning Code, Downtown Design Manual, and conduct public meetings as directed by City Council or City policy. The Design Review Commission shall report its recommendations to the City Council for action.

2. Comprehensive Plan. It shall be the directive of the Design Review Commission to give due regard to the City’s Comprehensive Plan which specifically refers to the Downtown; promoting and preserving historical elements, creating visual interest, providing for additional landmarks and creating user friendly edges and form.

3. Downtown Design Manual. The Design Review Commission shall give due regard to the Downtown Design Manual. After the City Council has adopted the Downtown Design Manual, the Commission may periodically, but at least every five years, review the manual, and if necessary, update the manual. The Commission shall review all proposed amendments to the Downtown Design Manual, conduct public hearings as directed by City Council or City policy, and make recommendations to the City Council concerning the amendments and their relation to the City’s Comprehensive Plan and other land use controls. The Commission shall report its recommendations to the City Council for action.

4. Redevelopment Master Plan. It shall be the directive of the Design Review Commission to give due regard to the City’s Redevelopment Master Plan which specifically refers to the Downtown; promoting commercial and mixed-use transitions and pedestrian-friendly amenities.

32.40 ENVIRONMENTAL ADVISORY COMMISSION.

32.41 ESTABLISHMENT OF THE ENVIRONMENTAL ADVISORY COMMISSION.

An Environmental Advisory Commission for the City is hereby established. The City Council hereby declares as a matter of public policy that the environmental policies, education, and quality of the environment is a public necessity and is required in the interest of the people. Except as otherwise provided in this ordinance, the Environmental Advisory Commission shall be advisory directly to the City Council.

32.42 COMPOSITION.

The Environmental Advisory Commission shall consist of five (5) members to be appointed by the Mayor with the approval of the City Council. One non-resident of the City of North St. Paul is allowed to serve as a voting member of the five member Commission and shall count for quorum purposes.

32.43 POWERS AND DUTIES.

(A) Generally. The Environmental Advisory Commission shall have the powers and duties to provide recommendations to advance the City’s environmental goals, policies, and programs, engage the
community, encourage relationships and partnerships, and assist with other environmental interests and concerns that the Council may deem appropriate.

(B) Purpose. To enhance the City’s environmental stewardship, elicit community feedback, provide for community outreach and education, promote awareness of environmental issues, and enhance the quality of the City’s lakes, ponds and streams.

(C) Duties. The Environmental Advisory Commission shall have the following duties:

(1) Policy. Advise the City Council with respect to environmental policies including:

(a) Review and promote ordinances relating to protecting the environment including erosion control, shoreland zoning, surface water management, and wetland protection.

(b) Comprehensive Plan. It shall be the directive of the Commission to give due regard to the City’s Comprehensive Plan which specifically refers to the natural environment where the City’s environmental qualities need to be protected and preserved.

(c) Living Streets Plan. The Commission shall give due regard to the Living Streets Plan. The Commission may periodically, but at least every five years, review the manual, and if necessary, update the plan. The Commission shall review all proposed amendments to the Living Streets Plan, conduct public hearings as directed by City Council or City policy, and make recommendations to the City Council concerning the amendments and their relation to the City’s Comprehensive Plan and other land use controls. The Commission shall report its recommendations to the City Council for action.

(d) Select Committee on Recycling and the Environment (SCORE). As part of Minnesota’s Waste Management Act, score funding provides counties with resources to develop waste reduction, recycling and solid waste management programs. The Commission shall recommend score fund allocation to the City Council.

(e) Tree Board. The Commission shall serve as the Tree Board for the Tree City USA program and review requests and make recommendations to the City Council.

(f) Storm Water Pollution Prevention Plan (SWPPP). The Commission shall serve in a supportive capacity to the public participation and educational elements of the SWPPP minimum control measures.

(2) Education. Promote public awareness of the environment, sustainability, and natural resource management.

32.50 PARKS AND RECREATION COMMISSION.

32.51 ESTABLISHMENT OF THE PARKS AND RECREATION COMMISSION.

A Parks and Recreation Commission for the City is hereby established. The City Council hereby declares as a matter of public policy that parks, open spaces and trails and associated open water, lakes, ponds, streams and wetlands contribute significantly to enhancement and image of the City as intended by the City’s Comprehensive Plan and the Park Improvement Plan. Accept as otherwise provided in this ordinance, the Parks and Recreation Commission shall be advisory directly to the City Council.

32.52 COMPOSITION.

The Parks and Recreation Commission shall consist of nine (9) members to be appointed by the Mayor with the approval of the City Council.

32.53 POWERS AND DUTIES.

(A) Generally. The Parks and Recreation Commission shall have the powers and duties to establish, improve, develop and maintain the parks, open spaces and trails system which include policies governing the maintenance and public use of the parks and trails within the City as well as activity surrounding the associated open water, lakes, ponds, streams and wetlands.

(B) Purpose. The Parks and Recreation Commission is established in recognition the importance of adequate, useful and attractive parks, open spaces, trails and associated open water to promote public health and active living, provide for leisure activities, maintain property values and sustain a high quality of life in the community.

(C) Duties. The Parks and Recreation Commission shall have the following duties:

(1) Use. Prepare operating policies and procedures for use of existing parks.
(2) Park Fund. Make recommendations to the City Council related to programs, projects, and improvements.

(3) Public Land Dedication. Review requests and make recommendations to the City Council.

(4) Comprehensive Plan. It shall be the directive of the Park and Recreation Commission to give due regard to the City’s Comprehensive Plan which specifically refers to Parks, Open Spaces and Trails and its coordinating map in which the goal and vision is to enhance and expand the City’s system.

(5) Park Improvement Plan. The Park and Recreation Commission shall give due regard to the Park Improvement Plan. The Park Improvement Plan shall incorporate the Policies and Program elements of the Parks, Open Spaces and Trails chapter of the City’s Comprehensive Plan and shall include a five-year Capital Improvement Plan. After the City Council has adopted the Park Improvement Plan, the Commission shall annually review the manual, and if necessary, update the plan. The Commission shall review all proposed amendments to the Park Improvement Plan, conduct public hearings as directed by City Council or City policy, and make recommendations to the City Council concerning the amendments and their relation to the City’s Comprehensive Plan and other land use controls. The Commission shall report its recommendations to the City Council for action.

(6) Capital Improvement Plan. Prepare, and annually update for City Council approval, a five-year Capital Improvement Plan for the development of the City’s Parks, Open Spaces and Trails system.

32.60 BOARD OF APPEALS AND ADJUSTMENT.

32.61 ESTABLISHMENT OF THE BOARD OF APPEALS AND ADJUSTMENT.

A Board of Appeals and Adjustment for the City is hereby established. The Planning Commission shall serve as the Board of Appeals and Adjustment. Except as otherwise provided in this ordinance, the Board of Appeals and Adjustment shall be advisory directly to the City Council.

32.62 COMPOSITION.

The Board of Appeals and Adjustment shall consist of seven (7) members to be appointed by the Mayor with the approval of the City Council.

32.63 POWERS AND DUTIES.

(A) Generally. The Board of Appeals and Adjustment shall act upon all questions that may arise in the administration of the zoning provisions, including interpretation of the zoning maps.

(B) Purpose. The Board of Appeals and Adjustment is established in order to grant variances and decide appeals.

(C) Duties. The Board of Appeals and Adjustment shall have the following duties:

   (1) Variances. The Board shall make recommendations to the City Council regarding variances to the zoning provisions.

   (2) Appeals. The Board shall hear and make recommendations to the City Council regarding appeals from and review any order, requirement, decision or determination made by an administrative official charged with enforcing the zoning provisions. The appeal may be taken by any person aggrieved or by any officer, department, board or bureau of a municipality, county or state.

(D) Hearings.

   (1) Hearings shall be held by the Planning Commission in accordance with the Board’s adopted rules for the transaction of its business. Any party may appear at the hearing in person or by agent or attorney.

(E) Decision and Order.

   (1) The Board may recommend to reverse, affirm wholly or partly, or modify the order, requirement, decision, or determination appealed and to that end shall have all the powers of the officer from whom the appeal was taken and may issue or direct issuance of the permit to the City Council. The City Council’s decision shall be final except to the extent the aggrieved party may have a right to appeal questions of law and fact to the Ramsey County District Court.
Section III.

This ordinance shall take full effect and be in force from and after its adoption. The City Clerk is hereby directed to publish this ordinance as required by law.

ADOPTED by the City Council of the City of North St. Paul this 16th day of June, 2015.

On motion by Council Member Petersen
Second by Council Member Furlong

Voting:  Ayes:  Mayor Kuehn
          Council Member Furlong
          Council Member Walczak
          Council Member Petersen
          Council Member Sonnek

Absen:  None
Abstain: None

/s/ Michael R. Kuehn, Mayor

ATTEST:

/s/ Jason Ziemer, City Manager

Summary published in Review: July 1, 2015
VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS
F. BIG TREE REGISTRY RECOGNITION

ACTIONS TO BE CONSIDERED

Big Tree Registry Recognition

FACTS

- At the November 2016 meeting the Commission asked staff to created certificates for their signature. Staff is planning to bring certificates to the meeting.
- The Big Tree Registry Program was included in an upcoming Newsletter and on the website, attached is the front page of the city website.
- Staff ordered the traveling big registry sign.
- The recognition plans to be further developed.

ATTACHMENTS
Welcome to North St. Paul

North St. Paul is a town of 3.1 square miles, with a six block-long Main Street. A small industrial village turned first-ring suburb, North St. Paul embraces its small-town feel but also recognizes it is part of a larger region.

With over 125 years of history, North St. Paul is a tight-knit community with bonds to the town atmosphere, its neighbors, and their shared past. But it is also a town that looks to the future, embracing technology and seeking new ways to capture the next wave of innovation and ingenuity to propel the community forward.

With an abundance of city parks, schools, churches, a quaint downtown district, and peaceful neighborhoods, North St. Paul is a town with a great quality of life. It is connected to a thriving metropolitan region, and appreciates how this enhances residents’ access to a diversity of jobs, cultural and recreational opportunities, quality health care, and higher education opportunities. Although as a community North St. Paul seeks to become more “urban” by investing in progressive infrastructure improvements and more compact development, it will strive to preserve the small-town atmosphere by ensuring that future projects adhere to a quality design standard and aesthetic character.

Informational Open House - 2017 Mill & Overlay Improvements Project
An informational open house open to the public will be held on January 10 at City Hall from 6:00 p.m. to 7:00 p.m. A draft set of project plans will be available for public viewing. City staff and representatives from WSB & Associates, Inc. will be available to discuss the current project plans and answer questions and receive your input. Learn more.

Champion Trees of North St. Paul
The North St. Paul Environmental Commission received 10 nominations from residents that included Bur, Red and White Oaks, Sugar Maple, Green Ash and a Silver Maple. Learn more.

Casey, Hause and Northwood Rinks Open
The rinks at Casey, Hause and Northwood Parks will be open on Tuesday, December 27, weather permitting. The warming house at Northwood; the only location with a warming house, will generally be open Monday through Friday from 4-8 p.m., Saturdays 12-8 p.m., and Sundays from 12-6 p.m.

Winter Parking
A friendly reminder that winter parking regulations are in effect November 1 through March 31, 2017. Learn more.

EARN YOUR BADGE
Go behind the scenes and experience how City government really works. Register now for Citizens Academy; a nine-week program designed to give citizens of North St. Paul a comprehensive look into City government. Learn more.

Minnesota Master Naturalist Big Woods Big Rivers Class
If you enjoy exploring nature and are curious about the state’s geology, animal life, plants, ecology, water, and history, then this is the class for you. Learn more.

Looking for the perfect venue for a birthday party, family gathering or work picnic?
Park reservations for 2017 are open. Learn more.

Fixing Up Your Home? Low Cost Financing Loans Now Available
The City of North St. Paul Housing & Redevelopment Authority (HRA) is pleased to announce its partnership with the Greater Metro Housing Corporation’s (GMHC) Housing Resource Centers to offer low cost financing to fix up your home. Learn more about the programs offered by the City’s HRA.
VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS

G. DATE FOR THE INVASIVE SPECIES WORKSHOP

ACTIONS TO BE CONSIDERED

Date for the Invasive Species Workshop

FACTS

- Staff would like Commission Feedback regarding scheduling an Invasive Species Workshop with Carole Gernes.
- Attached is an email from Carole she suggested possibly May, starting a half hour after the EAC meeting. Monday, 22, 2017 at 6:30 p.m.

ATTACHMENTS

Email from Carole Gernes / Ramsey Conservation District
Hi Debra;

I’d prefer April or May; since I’m working three weekends in April and you never know what you’ll get weather-wise in March. Is May open?

I see the Master Naturalist class is held on Tuesdays and is done May 2nd. Maybe we could draw them in for training as part of their 40 hours.

Carole

Debra Gustafson,

It was included in the newsletter, which was mailed out to all households in the City. We have a population of 11,460.

We also make the newsletter available online (unsure of how many views).

Yes, we are interested in offering another invasive species class with you. Do you have a date in mind? I would prefer to have it the same night as the EAC if possible. Would one of the following nights work?

March 27 or April 24? I’d also like to run it by the Environmental Advisory Commission (EAC) before we finalize the date, the next EAC meeting is on January 23, 2017.

Thanks, Debra

Debra Gustafson
Strategic Operations Director

direct 651.747.2423
office 651.747.2400
fax 651.747.2425
debra.gustafson@northstpaul.org

From: Carole Gernes
Hi Debra;

I'm preparing my annual educational activity report for the year. Dis the Planting Your Yard to Help Nature Article put on the city website or only in the newsletter? Can you give me an approximate reach /number of views?

Is the city interested in scheduling another Invasive Plant Patrol Training? I know you are holding a Master Naturalist class and don't want to interfere with its schedule. I already have one class scheduled for Tamarack Nature Center on Saturday, April 15th.

Thank you & have a great winter!

Carole Gernes
Ramsey Conservation District
Ramsey County CWMA
c/o Ramsey Washington Metro Watershed District
2665 Noel Drive
Little Canada, MN 55117
(651) 792-7977  Mondays and Wednesdays
VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS

H. TREE WATERING

ACTIONS TO BE CONSIDERED

Tree Watering

FACTS

- The Public Works Director and City Forester requested feedback from the EAC regarding development of watering plan/process for the newly planted trees in North St. Paul. Attached is a list of possible watering ideas and the email received from the Public Works Director.

ATTACHMENTS

Email from Public Works Director
Watering Ideas
Debra

Josh is curious regarding the below whether the EAC would have some ideas for watering trees in the parks utilizing volunteers.

Potentially a single volunteer that has access to small equipment that would monitor the tree watering bags and keep them topped off.

Thanks

Nick Fleischhacker
Director Of Public Works

direct 651.747.2446
office 651.747.2400
fax 651.747.2445
Nick.Fleischhacker@northstpaul.org

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From: Josh Bond
Sent: Monday, January 9, 2017 11:54 AM
To: Nick Fleischhacker <Nick.Fleischhacker@northstpaul.org>
Subject: Fw: LCCMR Training Check-In

We should start planning stuff, what do you think about getting the EAC involved with the watering stuff and classes?

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From: Ashley Reichard <reich343@umn.edu>
Sent: Monday, January 9, 2017 11:32 AM
To: Josh Bond
Subject: Re: LCCMR Training Check-In

Hello Josh,

I just wanted to check in again and see if I could help with anything as we plan training sessions for the upcoming year in regards to Tree Steward, Pruning, and Watering. I'm looking to start locking in final spring training dates so
we at the University can assist with planning and recruitment (we've got some new students helping out with this specifically). My March, April and June are starting to get very busy.

On another note, the DNR wants to start kicking off watering programs for each community so there is aftercare for newly planted trees. I've attached a document that has a wide range of ideas to get volunteers engaged in the watering process. The DNR is asking that each community choose or create their own watering plan/process so we can start implementing it this year. Let me know if you have more questions about it or if you need assistance in planning.

Thanks and let me know when you want to plan for the next training and how you would like to address watering in your community.

All the best,

Ashley
As we dive into our 2017 growing season, watering your community’s newly planted trees is always a concern. The DNR is asking that each community choose some method of watering that will allow volunteers to get involved in the process. This isn’t an easy issue to solve, but we have included a few ways that may work in your community. Feel free to develop your own plan or merge ideas to create a solution that will have volunteers involved with watering. Below are a few ideas for you to think about or build upon:

- **Door Hangers**
  - Have or create door hangers with watering information for volunteers to deliver to homeowners where newly planted trees have recently or will be installed.

- **Adopt a Tree/Park**
  - Open up the opportunity for volunteers to adopt a tree/park/etc. that they will commit to watering regularly and keep an eye on over the growing season.
  - Ask volunteers to approach their local neighbors about the ability to adopt a tree(s) to help care for the urban trees as well.

- **Watering Events**
  - Create pre-planned watering events where city staff will supervise volunteers watering trees in designated areas such as parks or isolated boulevard areas.

- **Park Water Access**
  - Provide volunteers access to water access so they may water trees nearby such as in parks/close boulevards/etc.

- **Rain Barrels**
  - Purchase and locate rain barrels in parks or easy to reach areas near boulevards so local business owners or volunteers can water new trees.

- **Trailer with Gravity Fed Barrel**
  - Provide a trailer that would be available for volunteers with appropriate vehicles to check out and water newly planted trees.

- **Gator/Utility Vehicle with Gravity Fed Barrel**
  - Provide a watering vehicle that would be available for volunteers to check out or utilize at watering events. There could be a sign out method for volunteers.

- **Water Truck**
  - Provide a watering truck that would be available for volunteers to check out and water newly planted trees. This could be a sign out method for volunteers.

If you have any more questions, please contact Valerie McClanahan at valerie.mcclannahan@state.mn.us or Ashley Reichard reich343@umn.edu to help you create a volunteer watering plan or if you have any further questions regarding the need to water in your community.