



[Crystal \(Minn.\).](#)  
[City Council Minutes and Agenda Packets.](#)

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SENT WITH PRELIMINARY AGENDA 7/15/83

Council minutes of July 5, 1983.

Planning Commission minutes of 7/11/83.

Appli. for gambling lic. for Crystal Fire Relief Assoc. for Crystal Frolics.

Appli. of St. Raphael's for a bingo lic. for Aug. 5, 6, 7.

Letter from Wm. Mavity, representing Steven Weisman, Crystal Lounge, re pig roast.

Ord. amending PUD ord.

Letter from Town Taxi of 7/7; copy of ords. of Columbia Hts., Robbs., St. Louis Pk. & Richfield re licensing of cabs; memo from City Clerk of 7/11 re change in insurance requirements in cab ord.

Letter from Mr. Vomhof re waiver of costs for Fair Sampler (open house).

Letter from Village Builders of 7/8 re extension of agreement.

Memo from City Eng. (feas. report) re Impr. 63-F.

Recommendation from Engr. re sanitary sewer reconstruction on Lilac Dr., 34th Pl. to 35th Ave.

Memo from Engr. re Seal Coat Impr. 63-B for 1983.

Memo from City Attny. of 6/14 ; ord. of SRA Uniform Gas Franchise (Minnegasco).

Copy of agreement of Bassett Creek Flood Control reorganization.

Letter from AMM of 6/30 re reappointment of Legislative Policy Committee members.

Park & Rec. Adv. Comm. agenda for 7/13.

Park & Rec. Adv. Comm. minutes of June 1.

May 26 and June 30 HRA minutes.

Park & Rec. Dept. June monthly report.

1982 annual report of Park & Rec. Dept.

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## COUNCIL AGENDA

July 19, 1983

Pursuant to due call and notice thereof, the regular meeting of the Crystal City Council was held on July 19, 1983, at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota. The Secretary of the Council called the roll and the following were present:

### Councilmembers

a Herbes  
a Aaker  
✓ Bird  
a Schaaf  
✓ Meintsma  
✓ Lundgren  
✓ Rygg

### Staff

✓ Irving  
✓ Kennedy  
✓ Olson  
✓ ~~Smith~~ Sherburne  
✓ Peterson  
✓ Wilson  
✓ Ahmann

The Mayor led the Council and the audience in the Pledge of Allegiance to the Flag.

The minutes of the regular Council meeting of July 5, 1983 were approved, with the following exceptions: \_\_\_\_\_

### CONSENT AGENDA

1. Set 7:00 P.M., or as soon thereafter as the matter may be heard, August 2, 1983, as the time and date for public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Michael G. Dolence for a variance in the side street setback to build an addition to a detached garage at 3948 Florida Avenue North.
2. Set 7:00 P.M., or as soon thereafter as the matter may be heard, August 16, 1983, as the time and date for a public hearing to consider a request from Gordon Stoneburner for tentative approval of the proposed plat Stoneburner Addition located between Adair and Zane Avenue North, north of 34th Avenue.
3. Set 7:00 P.M., or as soon thereafter as the matter may be heard, August 16, 1983, as the time and date for a public hearing to consider a request from the Crystal HRA for tentative approval of the proposed plat HRA Addition located at 5517 Xenia Avenue North.
4. Set 7:00 P.M., or as soon thereafter as the matter may be heard, August 16, 1983, as the time and date for a public hearing to consider a request from the Crystal HRA for tentative approval of the proposed plat HRA 2nd Addition located at 3054 Douglas Drive.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to remove items \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ from the Consent Agenda. Motion Carried.

Moved by Councilmember Lu and seconded by Councilmember B to approve the Consent Agenda. Motion Carried.

REGULAR AGENDA

- ✓ 1. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Meintsma declared this was the time and date as advertised for the public hearing, at which time the City Council would sit as a Board of Adjustments and Appeals, to consider a request from David Nelson for a variance to expand a non-conforming use (said non-conformity being the existing house encroaches 3.9' in the required 25' side street side yard setback) to allow the construction of a 20'x22' detached garage and a 10'x14' deck at 5800 Quail Avenue North. The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were:
- u r C, -

Moved by Councilmember B and seconded by Councilmember Lu to grant authorization, pursuant to Section 515.55 of the Crystal City Code, to vary or modify the strict application of Section 515.05, Subd. 2), to vary 3.9' in the required 25' side street side yard setback to allow the construction of a 20'x22' detached garage and a 10'x14' deck at 5800 Quail Avenue North, Lot 5, Block 2, Larson's Twin Lake Park Addition, as requested in Variance Application #83-53T by David Nelson.

Motion Carried.

Moved by Councilmember        and seconded by Councilmember        to (deny) (continue until        the discussion of) Variance Application #83-53T to allow the construction of a detached garage and a deck at 5800 Quail Avenue North.

Motion Carried.

- ✓ 2. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Meintsma declared this was the time and date as advertised for the public hearing, at which time the City Council would sit as a Board of Adjustments and Appeals, to consider a request from Robert E. Kurki for a variance to expand a non-conforming use (said non-conformity being the existing house encroaches 20' in the required 40' rear yard setback) to allow the construction of ~~an addition to the house and~~ an 11'x14' deck at 3732 Adair Avenue North.
- u r C, -

Sec 7105

Moved by Councilmember ly and seconded by Councilmember B to grant authorization, pursuant to Section 515.55 of the Crystal City Code, to vary or modify the strict application of Section 515.05, Subd. 2, to allow the expansion of a non-conforming use, the existing house encroaches 20' in the required 40' rear yard setback, to allow the construction of an 11'x14' deck at 3732 Adair Avenue North, Lot 4, Block 2, Stromberg Sunnyslopes First Addition as requested in Variance Application #83-54A by Robert and Patricia Kurki.

Motion Carried.



## (Item 2, continued)

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) Variance Application #83-54A to allow the expansion of a non-conforming use for the construction of an 11'x14' deck at 3732 Adair Avenue North. Motion Carried.

- ✓ 3. It being 7:00 P.M. or as soon thereafter as the matter could be heard, Mayor Meintsma declared this was the time and date as advertised for the public hearing, at which time the City Council would sit as a Board of Adjustments and Appeals, to consider a request from Thomas K. Cary for a variance in the square footage requirements (lot is 1,059.72 sq. ft. short of the required 7500 sq. ft.) to allow the construction of a 24'x24' detached garage at 4856 Zane Avenue North. The Mayor asked those present to voice their opinions or ask questions concerning the variances. Those present and heard were:
- on C.*
- Ke O. - 7:08 -*

Moved by Councilmember S and seconded by Councilmember B to grant authorization, pursuant to section 515.55 of the Crystal City Code, to vary or modify the strict application of Section 515.15, Subd. 2 c) to vary 1,059.72 sq. ft. in the required 7500 sq. ft. lot area to allow the construction of a 24'x24' detached garage at 4856 Zane Avenue North, Lot 18, Block 3, West Lilac Terrace Fourth Unit as requested in Application #83-55A by Thomas Cary. Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) Variance Application #83-55A to allow the construction of a 24'x24' detached garage at 4856 Zane Avenue North. Motion Carried.

4. ✓ The City Council considered the First Reading of an ordinance rezoning property at 5301 Douglas Drive from B-4 (community commercial) to B-3 (auto-oriented commercial) (Octopus Car Wash). *John H.*

*Bonnie Wms. C. Jack*

Moved by Councilmember *A* and seconded by Councilmember *Ry* to adopt the following ordinance:

ORDINANCE NO. 83-

AN ORDINANCE RELATING TO ZONING:  
CHANGING THE USE CLASSIFICATION OF CERTAIN LANDS

and further, that the second and final reading be held August 2, 1983.

Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) rezoning property at 5301 Douglas Drive from B-4 to B-3 (Octopus Car Wash). Motion Carried.

5. The City Council considered a request for a gambling license from the Crystal Firemen's Relief Association and waiver of bond.

Moved by Councilmember *A* and seconded by Councilmember *B* to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) a gambling license for the Crystal Firemen's Relief Association, and further, to waive the bond requirement. Motion Carried.

*Issued*

6. ✓ The City Council considered a request from St. Raphael's Church to hold a carnival at the St. Raphael's Festival on August 5, 6 and 7, 1983, and to waive the fee.

*Issued*

Moved by Councilmember S and seconded by Councilmember B to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) a carnival license for St. Raphael's Church, to be held at their Festival on August 5, 6 and 7, 1983, and further, to waive the fee. Motion Carried.

7. ✓ The City Council considered a request from St. Raphael's Church for a Bingo license for the St. Raphael's Festival on August 5, 6 and 7, 1983, and waiver of bond.

*W. H. C. 7:12*

*Issued*

Moved by Councilmember Ry and seconded by Councilmember Lu to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) a bingo license for the St. Raphael's Church for their Festival on August 5, 6 and 7, 1983 and further, to waive the bond. W. H. C.

8. ✓ The City Council considered a request from St. Raphael's Church for a 3.2 beer stand at the St. Raphael's Festival on August 5, 6 and 7, 1983, at 7301 Bass Lake Road.

*Issued*

Moved by Councilmember S and seconded by Councilmember B to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) a 3.2 beer stand for St. Raphael's Church for their Festival on August 5, 6 and 7, 1983, at 7301 Bass Lake Road.

Motion Carried.

July 19, 1983

9. William J. Mavity, representing Steven Weisman of the Crystal Lounge, appeared before the City Council to discuss having a pig roast on August 27, 1983.

*O = H, B, Ry, Lu*  
*W = A, me*  
*— u B,*

Moved by Councilmember Lu and seconded by Councilmember H to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) extending limits, relating to the on-sale liquor license of Steven Weisman Industries, of the licensed premises to include the parking lot at the Crystal Lounge, 4900 West Broadway, for one day on August 27, 1983.

Motion Carried.

10. The City Council discussed amendments to the PUD Ordinance relative to settlement of the Halley Land lawsuit.

*Dick Schieffer*  
*Mike Halley*

*— u B, — Ry, — u B,*

*— u Lu & 007 & — 6) 7 + — 11 9 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100*

11. The City Council considered a request by Bob Thorbrogger for JKA Women's Softball Team to operate an itinerant food establishment at Welcome Park, July 23 and 24, 1983 during a softball tournament, and to waive the fee.

*Bob Thorbrogger Clerk*

*Issued*

- A. Moved by Councilmember L and seconded by Councilmember B to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) a license to operate an itinerant food establishment at Welcome Park on July 23 and 24, 1983, during a softball tournament as requested by JKA Women's Softball Team.

Motion Carried.

- B. Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) waiving the fee for an itinerant food establishment license at Welcome Park on July 23 and 24, 1983.

Motion Carried.



12. The City Council considered a request from Town Taxi Company for a change in the Taxi Cab Ordinance to permit only licensed cabs to pick up in Crystal, and a change in insurance coverage requirements for cab companies.

*Bierbrauer*  
advertising manager, Town, also appeared -

*40 E. 21st St. B. Bierbrauer*  
*Ryzden* *See*  
*OH B Lu Ryz me* *See 79*

*US* *u B/*

13. ~~Carroll Vomhof~~ appeared to discuss a waiver of costs involved in putting up signs to advertise the annual Fair Sampler (open house) at Fair Community Education Center on September 19, 1983.

✓ A. Moved by Councilmember Ryz and seconded by Councilmember B to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) waiver of the permit fee for the sign advertising the annual Fair Sampler at Fair Community Education Center on September 19, 1983. Motion Carried.

B. Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) waiving the requirement that the temporary sign permit be requested by a licensed sign hanger for a temporary sign at Fair Community Education Center on September 19, 1983. Motion Carried.

- ✓ 14. The City Council considered accepting surety and entering into agreement and authorizing the issuance of building permit and grading permit to Village Builders for Nevada Court Condominiums, located at Nevada Court and Valley Place.



## (Item 14 Continued)

- ✓ A. Moved by Councilmember S and seconded by Councilmember Ry to accept surety in the amount of \$43,500 from Village Builders as a guaranty of faithful performance of certain work requirements as a condition of issuance of a building permit for 3351 Nevada Avenue (Nevada Court Condominiums). Motion Carried.

- ✓ B. Moved by Councilmember S and seconded by Councilmember B to enter into agreeemnt with Village Builders for the purpose of guaranteeing faithful performance for certain work requirements as a condition of issuance of a building permit for 3351 Nevada Avenue (Nevada Court Condominiums), and further, to authorize the Mayor and City Manager to sign such agreeemnt. 11/15/1983 Motion Carried.  
O B S Ry du me  
- H

- ✓ C. Moved by Councilmember Ry and seconded by Councilmember S to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) the authorization to issue building permit #5076 for 3351 Nevada Ave. N. as part of Nevada Court Condominiums, to Village Builders, subject to standard procedure, as recommended by the Planning Commission. Motion Carried.

- ✓ D. Moved by Councilmember S and seconded by Councilmember Ry to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) the authorization to issue grading permit #5057 for 3333 through 3351 Nevada Ave. N. to Village Builders for Nevada Court Condominiums. Motion Carried.

- ✓ 15. The City Council considered accepting a feasibility report for Improvement No. 63-F, 45th Place North, Florida to dead end east, and setting a public hearing.

- A. Moved by Councilmember S and seconded by Councilmember B to (accept) (reject) (continue until \_\_\_\_\_ the discussion of) a feasibility report for Improvemnt No. 63-F, 45th Place North, from Florida Avenue North to dead end east. Motion Carried.

- B. Moved by Councilmember S and seconded by Councilmember B to set 7:00 P.M., or as soon thereafter as the matter may be heard, August 16, 1983, as the time and date for the public hearing to consider Improvement No. 63-F, 45th Place North, from Florida to dead end east. Motion Carried.

16. The City Council considered awarding a contract for sanitary sewer reconstruction on Lilac Drive from 34th Place to 35th Avenue N.

*S = H*

RESOLUTION NO. 83-

RESOLUTION AWARDDING BID

By roll call and voting aye: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; voting  
no: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; absent, not voting: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.  
*Motion carried.*

17. The City Council considered awarding a contract for Seal Coat Improvement No. 63-B for 1983.

*Ry I*

RESOLUTION NO. 83-

RESOLUTION AWARDDING BID

By roll call and voting aye: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; voting  
no: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; absent, not voting: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.  
*Motion Carried.*

- ✓ 18. The City Council considered the first reading of an ordinance adopting the SRA Uniform Gas Franchise (Minnegasco).

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to adopt the following ordinance:

ORDINANCE NO. 83-

AN ORDINANCE ADOPTING THE SRA UNIFORM GAS FRANCHISE  
(MINNEGASCO) approved by SRA Board of Directors  
April 20, 1983

and further, that the second and final reading be held on August 2, 1983.  
*Motion Carried.*

July 19, 1983

19. The City Council considered the Bassett Creek Flood Control reorganization.

$$S = B \eta \frac{e - b_1}{-u b_1}$$

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

## RESOLUTION NO. 83-

A RESOLUTION APPROVING THE CITY OF CRYSTAL  
EXECUTING A JOINT AND COOPERATIVE AGREEMENT FOR THE  
ESTABLISHMENT OF A BASSETT CREEK WATERSHED MANAGEMENT  
COMMISSION TO PLAN, CONTROL, AND PROVIDE FOR THE  
DEVELOPMENT OF BASSETT CREEK

By roll call and voting aye: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; voting  
no: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; absent, not voting: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

Motion Carried.

The City Council considered the replacement of Paul Rosenthal on the Joint Airport Zoning Board.

Moved by Councilmember S and seconded by Councilmember AB to appoint Meintoma to the Joint Airport Zoning Board for a term expiring December 31, 19     . Motion Carried.

Moved by Councilmember Ry and seconded by Councilmember S to approve  
the list of license applications. Motion Carried.

Moved by Councilmember S and seconded by Councilmember B to adjourn  
the meeting. Motion Carried.



APPLICATION FOR LICENSES

July 19, 1983

VENDING - Nonperishable (\$8.75 1st mach + \$4.50 ea. addnl  
machine in same location)

Coca Cola Bottling Midwest Inc. for Palace Liquor  
Coca Cola Bottling Midwest Inc. for Sinclair Station  
Coca Cola Bottling Midwest Inc. for Holiday Station  
Coca Cola Bottling Midwest Inc. for Dick's Clark Station

FOOD ESTABLISHMENT - Itinerant (Exempt)

Fair School, 3915 Adair Ave. No.-Sept. 19, bake sale  
Knights of Columbus, 4947 W. Bdwy, Crystal Frolics 7-29-31, 83  
Crystal Fire Dept. Aux., Crystal Frolics, 7-29-31, 83  
St. Raphael Church Festival, Aug 5-7, 1983 (10 stands)

GARBAGE HAULERS - (\$27.50 Co. Lic. + \$16.50 each vehicle)

A & B Trucking, 187 James Avenue North  
Browning Ferris Waste Systems, 9813 Flying Cloud Drive  
Art Willman & Son, Inc., 62-26th Ave. No.  
Woodlake Sanitary Service, 4000 Hamel Road

AUCTIONEER: (\$18.25 per day)

David J. Voss at St. Raphael's Church, one day, 8/6/83 (Festival)

AMUSEMENT CENTER: (\$30.00 ea. additional machine)

Aladdin's Castle, Inc. dba Balley's Great Escape (1 addn'l.)

PLUMBING - (\$30.25)

Charles L. Moses dba Penn Plumbing  
Robert J. Stant dba Stant Plumbing and Heating  
George L. Torkelson dba Doc's Emergency Plumbing

GAS FITTERS - (\$30.25)

T.V. Thompson Heating & Air Conditioning, Inc.



July 15, 1983

Dear Councilmembers:

Tuesday night's Council meeting is a combination of a lot of requests, but most of them seem fairly normal. We start out with a four-item Consent Agenda and they are merely motions setting hearings, all of which could be held on August 2. The hearings are to consider one variance and three plats, two of which are requested by the HRA on recently-purchased property.

The Consent Agenda is as follows:

<u>ITEM</u>	<u>SUPPORTING DATA</u>
1. Set Public Hearing to consider a request from Michael G. Dolence for a variance in the side street setback to build an addition to a detached garage at 3948 Florida Ave. N.	None.
2. Set Public Hearing to consider a request from Gordon Stoneburner for tentative approval of the proposed plat Stoneburner Addition located between Adair and Zane, north of 34th Avenue.	Planning Commission minutes of 7/11/83, item 2.
3. Set Public Hearing to consider a request from the Crystal HRA for tentative approval of the proposed plat HRA Addition located at 5517 Xenia.	Planning Commission minutes of 7/11/83, item 3.
4. Set Public Hearing to consider a request from the Crystal HRA for tentative approval of the proposed plat HRA 2nd Addition located at 3054 Douglas Dr.	Planning Commission minutes of 7/11, item 4.

The minutes of the regular meeting of July 5, 1983, are enclosed for your review.

The regular agenda should go somewhat as follows:

1. Public Hearing to consider a request from David Nelson for a variance to expand a non-conforming use (said non-conformity being the existing house	None.
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## 1. (Continued)

encroaches 3.90 feet in the required 25' side street side yard setback) to allow the construction of a 20'x22' detached garage and a 10'x14' deck at 5800 Quail Ave. N.

2. Public Hearing to consider a request from Robert E. Kurki for a variance to expand a non-conforming use (said non-conformity being the existing house encroaches 20' in the required 40' rear yard setback) to allow the construction of an addition to the house and an 11'x14' deck at 3732 Adair Ave. N. (two variances). None.

3. Public Hearing to consider a request from Thomas K. Cary for a variance in the square footage requirements (lot is 1,059.72 sq. ft. short of the required 7,500 sq. ft.) to allow the construction of a 24'x24' detached garage at 4856 Zane Ave. N. None.

I think the lead-ins on Items #1, #2 and #3 are self-explanatory. More detailed information can be given Tuesday evening.

4. Consideration of the First Reading of an ordinance rezoning property at 5301 Douglas Drive from B-4 (community commercial) to B-3 (auto-oriented commercial) (Octopus Car Wash). Planning Commission minutes of 7/11/83, item 1.

I recommend you read Item #1 of the Planning Commission minutes of July 11. It appears that the car wash is a non-conforming use in that zoning and they wish to expand and remodel, so it is necessary for them to request proper zoning, which they have done. The Planning Commission has recommended approval.

5. Consideration of a request for a gambling license from the Crystal Firemen's Relief Association, and waiver of bond. Copy of application.

The Fire Relief Association wishes to request a waiver of bond. This is allowable under State Law and our ordinance, and has been done for non-profit organizations in the past for both bingo and gambling. They propose to go door to door on a raffle and sell pull tabs at Becker Park throughout the Frolics.

6. Consideration of a request from St. Raphael's Church to hold a carnival at the St. Raphael's Festival on August 5, 6 and 7, 1983, and waiver of fee. None.
7. Consideration of a request from St. Raphael's for a bingo license for the St. Raphael's Festival on August 5, 6, and 7, 1983, and waiver of bond. Copy of application.
8. Consideration of a request from St. Raphael's Church for a 3.2 beer stand at the St. Raphael's Festival on August 5, 6, and 7, 1983, at 7301 Bass Lake Road. None.

St. Raphael's has asked for a waiver of the fee for the carnival license in item #6, and asked for a waiver of the bond for a bingo license in Item #7. This has been done in the past and has created no problem.

9. Appearance by William J. Mavity, representing Steven Weisman, Crystal Lounge, to discuss having a pig roast on August 27, 1983. Letter from Mr. Mavity dated 6/29/83.

I think Bill Mavity's letter is self-explanatory. It is my understanding he will be in to make a presentation. The only comment staff can make is that to the best of our knowledge, we had no problem with his pig roast last year.

He will very likely need the same action that he had last year which was some kind of extension of his license for that one day for the parking lot so that his customers may leave the bar area and go outside and observe the pig roasting, with a drink in their hand that they purchased inside. We will look up the action that was taken last year and have it ready for you Tuesday evening, no matter which way you decide to move on this issue.

10. Discussion of amendments to the PUD ordinance relative to settlement of Halley Land lawsuit. Copy of proposed ordinance amendments.

Although Bill Sherburne, who has had a large part in putting this ordinance together, will be on vacation, Dick Schieffer, attorney with Dave Kennedy's firm, will be present as he is the drafter and worked with Bill, myself and Dick Krier, representing Mike Halley.

I think it is only fair to say that we believe we have gone as far as we can to write the ordinance so that it will fit Halley's proposal and we still have not made the grade. Still, a number of variances will be required.



## 10. (Continued)

I believe the Council must make a decision after reading this ordinance and having it explained to you by Dick Schieffer---whether or not the Council wants to settle the Halley Land proposal and lawsuit by this method, or just be granting all the necessary variances without an ordinance change. Bill Sherburne and I think that may be the best way to do it and then spend some more time drafting a new PUD ordinance that isn't colored by the fact that we are trying to work around a proposed settlement of a lawsuit.

I don't think Dick Schieffer, the attorney, agrees with us 100 percent, and I expect you should ask him his reasons Tuesday evening. This may be too big a nut to crack in one meeting so you may want to table any action and review it at your leisure between the meetings. That's probably the best way to do it, although I am aware of the fact that you all received a letter from Mike Halley, requesting that you expedite this process so that he can get about the business of building on the Halley Land project.

11. Consideration of a request by Bob Thorbrogger for JKA Women's Softball Team to operate an Itinerant Food Establishment at Welcome Park, July 23 and 24 during a softball tournament, and a waiver of fee. None.

This is one of our local teams that is in the tournament and are wishing to make money to purchase uniforms as they have lost their sponsor. It is my understanding that they will be before you asking for a waiver of the license fee.

12. Consideration of a request from Town Taxi Co. for a change in the taxicab ordinance to permit only licensed cabs to pick up in Crystal, and a change in insurance coverage requirements for cab companies. Letter from Town Taxi of 7/7; copy of ordinances from Columbia Heights, Robbinsdale, St. Louis Park & Richfield; memo from City Clerk of 7/11 re change in taxicab ordinance.

You may have read in Thursday's Community portion of the Mpls. Star a report on this same application which was before the City Council of Golden Valley. I will let Mr. Bierbrauer make his own presentation. I think the enclosed letter is sufficient description of what he will be requesting.

I want to call your attention to the memo Delores gave me regarding the insurance coverage for taxicabs. I concur

## 12. (Continued)

with her that the insurance coverage we require now is almost meaningless and I would hope that Dave will have some figures in mind for Tuesday night and can then make a recommendation to you. It would seem to me that these insurance changes should be made whether or not you agree with the taxicab people about their non-reciprocal licenses.

13. Appearance by Carroll Vomhof to discuss a waiver of costs involved in putting up signs to advertise the annual Fair Sampler (open house) at Fair Community Education Center on Sept. 19. Copy of letter from Mr. Vomhof dated 7/8/83.

The wording in the lead-in says a waiver of costs involved in putting up signs. We have already indicated to Carroll that we would recommend a waiver of the permit fee, as we did last year. He wants to appear before you to ask the Council to waive the requirement that the permit be requested by a licensed sign hanger, which is a specific part of our ordinance. He has indicated to me that a licensed sign hanger wants \$25 to make the application for him, as he does assume some responsibility if somebody is hurt by the sign once the sign is installed.

It is my opinion that this requirement is necessary for the safety of the people who come to the Sampler and for the safety of the people in that neighborhood who are walking by.

It seems like a small amount of money they are trying to save in asking us to waive the responsibility. Dave may have a different opinion, but by waiving this, I would think we would assume the responsibility that is the sign hanger's under every other situation in the City. This requirement has never been waived in the past. I have already indicated to Carroll that I would recommend that the Council deny that request, but waive the permit fee.

14. Consideration of accepting surety and entering into agreement and authorize the issuance of building permit and grading permit to Village Builders for Nevada Court Condominiums, located at Nevada Court and Valley Place. Letter from Village Builders of 7/8 re extension of agreement

Village Builders will be in to present surety, enter into agreement, and request authorization for a building permit and a grading permit. It is my understanding, although I haven't seen them at this writing, that the surety, agreement, and building permit will be for one building, and that they will be using this as a model. The grading permit, however, will be for the whole site.



## 14. (Continued)

The confusing part to me is that at the same time they are asking this of you, they are in the process of requesting, through the HRA, tax increment financing for the whole project. Approval has not yet been recommended by the HRA, but if everything is in order, it seems to me the HRA, although maybe not unanimously, will approve it.

There appears to me to be some concern about issuing the building permit because of some language in the State Law and in one of the agreements that they have submitted to us. I understand Dave said this will not create a problem. I haven't been able to verify this with Dave because he is on vacation. I think this should be asked on Tuesday evening.

15. Consideration of accepting a feasibility report for Improvement No. 63-F, 45th Avenue, Florida to dead end east and setting a public hearing. Copy of letter from City Engineer dated 7/12/83.

I have not read Bill's letter of feasibility, but if that is in order, the hearing can be set for August 16. At least that is the earliest date it can be set for. I don't know how big a public hearing this will be, but you should keep in mind that the public hearing on the Bass Lake Road/Becker Park project is the same evening. It seems to me that they both could be held, but you should be the judge of that.

16. Consideration of awarding a contract for sanitary sewer reconstruction on Lilac Drive from 34th Place to 35th Ave. Copy of letter from City Engineer dated 7/14/83.

I think there is enough detail in Bill's letter so I don't have to say any more. If more questions are necessary Tuesday night, we will have the answers, as Bill will be on vacation.

17. Consideration of awarding a contract for Seal Coat Improvement No. 63-B for 1983. Copy of letter from City Engineer dated 7/14/83.

Again, I think Bill's letter is self-explanatory.

18. Consideration of adopting the SRA Uniform Gas Franchise (Minnegasco). Memo from City Attorney of 6/14; copy of ordinance adopted by the City of Plymouth.

It may seem strange to you that we would send out a copy of the ordinance adopted by the City of Plymouth, but Dave has given that ordinance to me because that is the ordinance prepared by the Suburban Rate Authority for all those communities that are in the Suburban Rate Authority.

## 18. (Continued)

Dave's partner, Clayt LeFevere, is the attorney for the Suburban Rate Authority and that ordinance was drafted in their office. I am certain Dave has nothing to change as he may have had a part in its drafting.

## 19. Consideration of Bassett Creek Flood Control reorganization. Copy of agreement.

This is the issue that was brought up at the last meeting and somebody wished to have a copy of the agreement prior to any action. Please find that copy enclosed.

## 20. Consideration of the replacement of Paul Rosenthal on the Joint Airport Zoning Board. None.

I think this item is self-explanatory.

That should take care of the meeting as we see it at this writing. As always, there may be some minor changes, and if there is, we will have them for you Tuesday evening.

I have also enclosed for your information the following items:

1. Letter from AMM dated 6/30/83 re reappointment of Legislative Policy Committee members.
2. Park & Recreation Advisory Commission agenda for 7/13/83.
3. Copy of May 26 and June 30, 1983 HRA meeting minutes.
4. Park & Recreation Advisory Commission minutes of June 1, 1983.
5. Park & Recreation Department June monthly report.

Have a nice weekend. See you Tuesday.

J A C K

da  
enc.

APPLICATION FOR LICENSES

July 19, 1983

VENDING - Nonperishable (\$8.75 1st mach + \$4.50 ea. addnl  
machine in same location)

Coca Cola Bottling Midwest Inc. for Palace Liquor  
Coca Cola Bottling Midwest Inc. for Sinclair Station  
Coca Cola Bottling Midwest Inc. for Holiday Station  
Coca Cola Bottling Midwest Inc. for Dick's Clark Station

FOOD ESTABLISHMENT - Itinerant (Exempt)

Fair School, 3915 Adair Ave. No.-Sept. 19, bake sale  
Knights of Columbus, 4947 W. Bdwy, Crystal Frolics 7-29-31,83  
Crystal Fire Dept. Aux., Crystal Frolics, 7-29-31, 83  
St. Raphael Church Festival, Aug 5-7, 1983 (10 stands)

GARBAGE HAULERS - (\$27.50 Co. Lic. + \$16.50 each vehicle)

A & B Trucking, 187 James Avenue North  
Browning Ferris Waste Systems, 9813 Flying Cloud Drive  
Art Willman & Son, Inc., 62-26th Ave. No.  
Woodlake Sanitary Service, 4000 Hamel Road

AUCTIONEER: (\$18.25 per day)

David J. Voss at St. Raphael's Church, one day, 8/6/83 (Festival)

AMUSEMENT CENTER: (\$30.00 ea. additional machine)

Aladdin's Castle, Inc. dba Balley's Great Escape (1 addn'l.)

PLUMBING - (\$30.25)

Charles L. Moses dba Penn Plumbing  
Robert J. Stant dba Stant Plumbing and Heating  
George L. Torkelson dba Doc's Emergency Plumbing

GAS FITTERS - (\$30.25)

T.V. Thompson Heating & Air Conditioning, Inc.



gh  
DUE DATE: NOON WEDNESDAY  
JULY 13, 1983

MEMO TO: John T. Irving, City Manager  
FROM: John A. Olson, Assistant City Manager

ACTION NEEDED MEMO: From the July 5, 1983, Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of July 5, 1983. These items should be taken care of by noon, Wednesday, preceding the next regularly scheduled Council meeting and returned to the Assistant City Manager for his review.

CONSENT AGENDA

DEPARTMENT                      ITEM

ASST. CITY MGR.	1.	Set public hearing to consider a request for a variance at 5800 Quail Avenue North. ACTION NEEDED: Place item on July 19, 1983 Council Agenda. ACTION TAKEN: Item placed on July 19, 1983 Council Agenda.
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BLDG. INSPECTOR		ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Notices mailed. Owner called 7-13-83.
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ASST. CITY MGR.	2.	Set public hearing to consider a request for a variance at 3732 Adair Avenue North. ACTION NEEDED: Place item on July 19, 1983 Council Agenda. ACTION TAKEN: Item placed on July 19, 1983 Council Agenda.
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BLDG. INSPECTOR		ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Notices mailed.
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<u>DEPARTMENT</u>	<u>ITEM</u>	
ASST. CITY MGR.	3.	Set public hearing to consider a request for a variance at 4856 Zane Avenue North. ACTION NEEDED: Place item on July 19, 1983 Council Agenda. ACTION TAKEN: Placed item on July 19, 1983 Council Agenda.
BLDG. DEPT.		ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Notices mailed.

REGULAR AGENDA

<u>DEPARTMENT</u>	<u>ITEM</u>	
BLDG. DEPT.	1.	Public hearing to consider a request for a variance to build a deck at 3041 Douglas Drive. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant present at meeting.
BLDG. DEPT.	2.	Public hearing to consider a request for a variance to build an addition and a deck at 3301 Wisconsin Avenue North. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant present at meeting.
BLDG. DEPT.	3.	Public hearing to consider a request for a variance to build a deck at 5440 Unity Avenue North. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant present at meeting.
BLDG. DEPT.	4.	Public hearing to consider a request for a variance to build a detached garage at 5518 - 54th Avenue North. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant notified.



<u>DEPARTMENT</u>	<u>ITEM</u>	
ENGINEERING	5.	Public hearing to consider a request for a variance to modify the location of perimeter curb at 4705 - 36th Avenue North. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant present at meeting.
ENGINEERING	6.	Public hearing to consider a request for a variance to allow two curb cut accesses at 4909 Douglas Drive. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant present at meeting.
BLDG. DEPT.	7.	Continued public hearing to consider a request for a variance in the sign ordinance for a non-conforming sign at 6000 - 42nd Avenue North. ACTION NEEDED: Notify applicant of Council denial. ACTION TAKEN: Applicant present at meeting.
ENGINEERING	8.	Consideration of final approval of Van-Glo Addition located at 45th Place between Douglas Drive and Florida Avenue. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant present at meeting.
ENGINEERING	9.	Consideration of a request for a street to be opened and improved on 45th Place from Florida to the dead end east. ACTION NEEDED: Prepare feasibility report on improvements and street construction on 45th Place. ACTION TAKEN: Feasibility report prepared 7-12-83.

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY CLERK	10.	Consideration of a request for a bingo license from the Crystal Jaycees for July 29, 30 and 31, 1983 at Becker Park (Crystal Frolics). ACTION NEEDED: Issue license. ACTION TAKEN: License issued.
CITY CLERK	11.	Consideration of a request from Klein Shows for a carnival license on July 29, 30 and 31, 1983 at Becker Park (Crystal Frolics). ACTION NEEDED: Issue license ACTION TAKEN: License issued.
CITY CLERK	12.	Consideration of a request from the Crystal Fire Department for permits to operate a 3.2 beer stand at Welcome Park and Becker Park on July 29, 30 and 31, 1983 and waive the fees. ACTION NEEDED: Issue license. ACTION TAKEN: License issued.
CITY MANAGER	13.	Consideration of a request from the Crystal Fire Department and Lions Club to have a street dance from 8:00 P.M. to 11:00 P.M. on July 30, 1983 on 55th Avenue between West Broadway and Douglas Drive. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant present at meeting.
CITY CLERK	14.	Consideration of a request for a small show license for the Crystal Shopping Center on July 12 through July 16, 1983. ACTION NEEDED: Issue license. ACTION TAKEN: License issued.

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY CLERK	15.	<p>Consideration of second reading of an ordinance incorporating and changing City ordinances to comply with newly passed legislation.</p> <p>ACTION NEEDED: Publish ordinance.</p> <p>ACTION TAKEN: Sent for publishing 7-6-83.</p>
ENGINEERING	16.	<p>Consideration of bids for 72" rotary front mower for the Park Department.</p> <p>ACTION NEEDED: Notify low bidder of Council action.</p> <p>ACTION TAKEN: Purchase Order issued.</p>
CITY MANAGER	17.	<p>Consideration of Joint Powers Agreement with Bassett Creek Flood Control Commission.</p> <p>ACTION NEEDED: Distribute copies of agreement to the Council members.</p> <p>ACTION TAKEN: To be distributed 7-19-83.</p>
ASST. CITY MGR.		<p>ACTION NEEDED: Place item on July 19, 1983 Council agenda.</p> <p>ACTION TAKEN: Item placed on July 19, 1983 Council Agenda.</p>
CITY ENGINEER	18.	<p>Consideration of bids for an air compressor for the Street Department.</p> <p>ACTION NEEDED: Notify low bidder of Council action.</p> <p>ACTION TAKEN: Purchase Order issued.</p>
CITY MANAGER	19.	<p>Consideration of setting a public hearing to consider the redevelopment and tax increment financing plan for the Bass Lake Road/Becker Park area.</p> <p>ACTION NEEDED: Notify Hennepin County and School District 281 of public hearing and send copy of redevelopment and tax increment financing plan.</p> <p>ACTION TAKEN: Letters sent 7-12-83.</p>



DEPARTMENTITEM

Item 19 (continued)

ASST. CITY MGR.

ACTION NEEDED: Place item on August 16, 1983 Council agenda.

ACTION TAKEN: Item to be placed on August 16, 1983 Council agenda.

ASST. CITY MGR.

20.

Consideration of approving an application for contingency community development funds.

ACTION NEEDED: Forward applications as approved by City Council.

ACTION TAKEN: Applications forwarded to Hennepin County 7-6-83.

CITY MANAGER

21.

Consideration of sewer backup problem along 32nd and Adair.

-ACTION NEEDED: Pursue solutions to emergency generator situation.

ACTION TAKEN: Under discussion.

CITY MANAGER

22.

Request by Council to commend City employees who worked during the weekend on storm cleanup.

ACTION NEEDED: Commendation to City employees.

ACTION TAKEN: No action taken.

CITY CLERK

23.

Licenses

ACTION NEEDED: Issue licenses.

ACTION TAKEN: Licenses issued.

July 14, 1983

John T. Irving  
City Manager  
City of Crystal, MN

Re: Bids - Sanitary Sewer Imp. No. 63-E  
Lilac Drive - 34th Pl. to 35th Ave.

Dear Mr. Irving:

The sealed bids received on July 13, 1983, were checked for completeness and accuracy. The results are as follows:

Crossings, Inc.	\$ 28,650.00
Orvedahl Construction, Inc.	32,200.00
G. L. Contracting, Inc.	34,000.00
Dawson Construction, Inc.	49,357.60

The 1983 Sewer Department budget included a \$16,000 appropriation for this construction. At the time of budgeting, all factors were not known such as the depth of poor soil foundation and the ground water level. These are the major factors affecting the disparity between budget amount and low bid of \$28,650.00.

The reconstruction is critical and should not be delayed another year for further funding. I recommend that \$13,000 be appropriated from the "sewer emergency" fund and that the fund then be restored by appropriation in the 1984 budget.

It is recommended that the contract be awarded to low bidder, Crossings, Inc., in the amount of \$28,650.00.

Very truly yours,

*Wm. L. Sherburne*  
William L. Sherburne, P.E.  
City Engineer

WLS/mb

July 14, 1983

John T. Irving  
City Manager  
City of Crystal, MN

Re: Bids - Sealcoat Imp. No. 63-B

Dear Mr. Irving:

The sealed bids received on July 13, 1983, were checked for completeness and accuracy. The results are as follows:

Allied Blacktop Co.	\$ 123,968.50
Midwest Paving & Recycling Co.	41 127,008.00
Buffalo Bituminous Inc.	30 11 128,767.50
Engineer's Estimate	24 41 \$ 134,155.00

It is recommended that the contract be awarded to the low bidder, Allied Blacktop Co., in the amount of \$123,968.50.

Very truly yours,

*Wm. L. Sherburne*  
William L. Sherburne,  
City Engineer

WLS/mb



July 12, 1983

Honorable Mayor & City Council  
City of Crystal, MN

Re: Feasibility Report  
Improvement 63-F  
45th Pl. - Florida Ave. to 350' E.

Dear Councilmembers:

Investigation has been made of the feasibility of constructing 45th Place from Florida Ave. to a point approximately 350' east.

This project was considered at a public hearing held on March 1, 1983. The City Council denied the construction at that time. The costs of construction considered herein are the same as the previous report dated 1/28/83. Costs were reviewed and considered to have no significant change from that time.

The facets of construction considered and included herein consist of: grading, base, drainage and blacktop; sanitary sewer; watermain; curb & gutter.

The east end of the project will terminate in a cul-de-sac having a roadway diameter of 70' in a 100' wide right-of-way. The straight roadway will be 30' wide in a 60' right-of-way, typical of Crystal standards.

The project is feasible to construct.

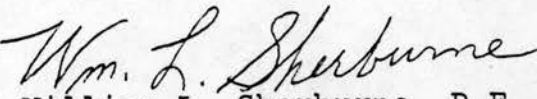
Costs set forth do not include the costs of right-of-way required. All costs attributable to the project are proposed to be levied as a special assessment against the abutting properties.

Cost estimates are as follows:

Grading, Base and Blacktop Imp. 63-F . . . . .	\$ 67,488
Cost per front foot - \$107.72	
Curb & Gutter Imp. 63-F . . . . .	\$ 9,180
Cost per front foot - \$14.65	
Sanitary Sewer Imp. 63-F . . . . .	\$ 23,061
Cost per front foot - \$30.08 + stub - \$845.00	
Water Lateral Imp. 63-F . . . . .	\$ 12,498
Cost per front foot - \$13.05 + stub - \$562.00	
TOTAL PROJECT COST . . . . .	\$112,335

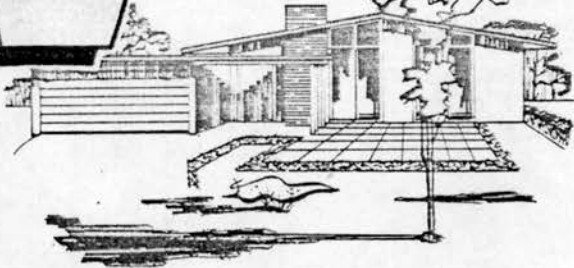
A 70' wide lot on this project would be subject to an estimated special assessment of \$12,992.00, plus a pro rata share of any right-of-way costs.

Very truly yours,

  
William L. Sherburne, P.E.  
City Engineer

WLS/mb

# VILLAGE BUILDERS INC



6048 LAKELAND AVE. NO.  
Minneapolis, Minn. 55428  
Phone 535-3361

July 8, 1983

Mr. William L. Sherburne, P.E.  
City Engineer  
City of Crystal  
4141 Douglas Drive  
Crystal, MN 55422

Re: Nevada Court

Dear Mr. Sherburne:

I am requesting an extension on our Development Agreement with the City of Crystal dated September 1, 1983. We would like to request an extension to November 15, 1983. The reason for this request is that we were unable to begin this project as early as we had hoped.

Also, please find enclosed our Letter of Credit from Norwest Bank Camden.

Thank you for your assistance regarding the above.

Sincerely,

VILLAGE BUILDERS, INC.

  
Edwin E. Kauffmann

EEk/md

Enclosure

26 MAY 1983

MINUTES OF THE MEETING OF THE  
HOUSING AND REDEVELOPMENT AUTHORITY  
OF THE CITY OF CRYSTAL, MINNESOTA

The regular meeting of the Crystal Housing and Redevelopment Authority was called to order by Chairperson Loel Bertrand at 4:15 P.M.

Those members present were: Loel Bertrand, Barbara Bird, Sharon Garber, Barbara Nemer and Gerald Newton.

Those members absent were: None

Staff members were: David Kennedy and John A. Olson

Consultants present were: Bill Weber, BRW, Incorporated; Rebecca Yanisch, James McComb and Associates

Others present were: Richard and Ed Kauffmann of Village Builders, Incorporated.

The minutes of the regular meeting of April 21, 1983 and the Special Meeting of April 28, 1983 were approved as presented.

Chairperson Bertrand asked for the Executive Director's Report. Mr. Olson indicated that there was no Executive Director's Report other than what was on the agenda for the meeting and comments on those items would be made when they were discussed on the agenda.

Mr. Bertrand then asked for discussion on the proposal by Village Builders for tax increment financing for a project on Nevada and Valley Place. He indicated that there were no attachments with the meeting notice, however, information had been provided subsequently for review by HRA members.

He also indicated there was a staff recommendation regarding the proposal. Discussion followed as to whether the proposal would meet tax increment financing criteria, whether the project would be able to be accomplished without tax increment financing, whether the income limits suggested would assist the HRA in meeting family housing goals and whether the prices of the units would be affordable to families without the subsidy.

Following discussion it was moved by Commissioner Newton and seconded by Commissioner Bird to approve in concept the tax increment proposal by Village Builders, to authorize the HRA staff to retain a consultant to prepare the tax increment financing findings and to authorize the staff to prepare a development agreement which would provide for at least 10 percent of the units to be available for persons who meet the federal or state family income guidelines.

During the discussion on the motion Mr. Kennedy suggested that Holmes and Graven, Chartered, should be retained since they are familiar with the project. Following, a vote was taken on the motion. Voting in favor: Loel Bertrand, Barbara Bird and Gerald Newton. Voting against: Barbara Nemer and Sharon Garber. Motion Carried.



The HRA then discussed the Single Family Home Loan Program and subsidy. Mr. Olson indicated that the state was still in the process of finding financing and would not know until next week but asked that the HRA authorize to proceed with the program and ratify the action taken by the staff in proceeding with the variances and replattings necessary on the properties.

Moved by Commissioner Nemer and seconded by Commissioner Newton to ratify the action taken by the staff to prepare the properties for sale and authorize staff to proceed with the Single Family Home Loan Program and subsidy. Motion Carried.

Chairperson Bertrand then asked for discussion on the use of 1980 Jobs Bill allocation for the Bass Lake Road Redevelopment Project. Mr. Olson indicated that the staff would be preparing an application for 1983 Jobs Bill funding to assist in the Anderson Floral project.

In addition, an application would be prepared for assistance to developing the shopping center where A.C. Carlson is located. He indicated that to proceed with application the staff would need HRA authorization.

Moved by Commissioner Garber and seconded by Commissioner Nemer to authorize the HRA staff to prepare application for jobs bill funding for the Anderson Floral project and for the shopping center area where A.C. Carlson is presently located. Motion Carried.

Mr. Bertrand asked for a report on the senior citizen housing. Mr. Olson indicated that approximately 140 units had been allocated under the Section 202 Program by the federal government to the metropolitan area.

He also stated that the local HUD office is not willing to accept any project proposals of more than 60 units. He indicated that the Volunteers of America had asked whether the HRA wished to proceed with the 60 in an application or to pursue other alternatives.

Moved by Commissioner Nemer and seconded by Commissioner Newton to inform the Volunteers of America that the HRA was not interested in proceeding with an application of only 60 units. Motion Carried.

Bill Weber of BRW, Incorporated and Rebecca Yanisch of James McComb and Associates then presented their reports regarding the Bass Lake Road Redevelopment Project. The preliminary redevelopment and tax increment financing plan was presented showing changes regarding Anderson Floral, purchase of the Bungalow, the retention of Carl's Tire Service in the area, and a town house project behind the Crystal Shopping Center.

Mr. Weber indicated that the plan would be staged so that housing components would come first and such staging would allow for the sale of bonds later on in the project and thus, make the project more financially feasible.

Ms. Yanisch described the financing procedure and time table which was discussed by HRA members. Mr. Weber indicated that the City staff and BRW, Incorporated had been approached by a firm who wished to construct the retail component of the plan but asked that that section of the plan be moved up in time.

He also indicated that Mr. Irving had said that the acquisition of the Bungalow should be moved up in the proposed time table. He said these changes would be reviewed to determine how feasible they would be in regard to the financing plan. He asked that the HRA authorize them to proceed to review those changes and asked that the HRA forward the redevelopment plan to the Planning Commission for review in relation to the Comprehensive Plan.

Moved by Commissioner Nemer and seconded by Commissioner Newton to refer the redevelopment plan to the Crystal Planning Commission for comment as to its consistency with the City Comprehensive Plan and that the staff and consultants be authorized to review the change in the time table for the retail development and the Bungalow acquisition.  
Motion Carried.

Discussion was then held as to when the next meeting should be scheduled. Mr. Weber indicated that he would not be ready for the regular meeting day of June 9, 1983 but asked that a later date be scheduled.

Chairperson Bertrand indicated that he felt that the regular meeting schedule should be adhered to and that a meeting on June 9th be held to consider any other matters the HRA would have to deal with and that a Special Meeting on the Bass Lake Road plan could be scheduled at that time.

Moved by Commissioner Nemer and seconded by Commissioner Newton to set the regular meeting of the HRA at 4:00 P.M. June 9, 1983 at the Crystal City Hall.  
Motion Carried.

Moved by Commissioner Newton and seconded by Commissioner Garber to adjourn the meeting. Meeting was adjourned at 7:15 P.M.

30 JUNE, 1983

MINUTES OF THE MEETING OF THE  
HOUSING AND REDEVELOPMENT AUTHORITY  
OF THE CITY OF CRYSTAL, MINNESOTA

Chairperson Loel Bertrand called a Special Meeting of the Crystal HRA to order at 7:35 P.M.

Those members present were: Barbara Bird, Sharon Garber, Loel Bertrand and Gerald Newton.

Those members absent were: Barbara Nemer

Staff members present were: John T. Irving, David Kennedy and John A. Olson.

Consultants present were: Bill Weber, BRW, Incorporated; Becky Yanish, James McComb and Associates.

Chairman Bertrand indicated that the purpose of the Special Meeting was for discussion of the Bass Lake Road/Becker Park Redevelopment Tax Increment Financing Plan.

Mr. Bertrand asked Bill Weber to begin discussion and Mr. Weber briefly explained the changes in the scheduling of the development project. He indicated that following the discussion and review at the meeting, if the HRA so wished, they could forward the plan to the City Council and request the City Council to set a hearing for approval of the plan and the sale of bonds.

Mr. Weber explained the public and private improvements and the years in which they would occur which are outlined in the revised redevelopment plan dated June 30, 1983.

Mr. Weber then asked Becky Yanish of James McComb and Associates to explain the changes in the financing plan.

Ms. Yanish explained how a change in the schedule could work by starting the project with a retail development and ending with the park improvements and the second phase of the condominium housing.

Mr. Kennedy then reviewed some of the assumptions made in the plan to clarify for the HRA the basis for the financing plan.

Moved by Commissioner Newton and seconded by Commissioner Garber to adopt the following resolution, the reading of which was dispensed with by unanimous consent:



RESOLUTION NO. 83-

RESOLUTION APPROVING A REDEVELOPMENT  
PLAN AND TAX INCREMENT FINANCING PLAN  
FOR THE BASS LAKE ROAD - BECKER PARK  
REDEVELOPMENT PROJECT: REQUESTING THE  
CRYSTAL CITY COUNCIL TO CONDUCT PUBLIC  
HEARINGS THEREON; AND RECOMMENDING  
APPROVAL OF THE PLANS.

BE IT RESOLVED By the Housing and Redevelopment Authority of the City of Crystal (Authority) as follows:

Section 1. Background.

1.01. The City Council of the City of Crystal (City) by Resolution 83-8 of February 8, 1983, initiated and referred to the Authority a proposal for a redevelopment project in the portion of the City generally known as the Bass Lake Road - Becker Park Area (Study Area).

1.02. The proposal, referred to as the BRW Plan, has been studied and reviewed by the Authority with the assistance of its consultants, Bennett, Ringrose, Wolsfeld, Jarvis & Gardner, Inc.

1.03. The Authority has, on the basis of such study and review, prepared a redevelopment plan and program (Redevelopment Plan) for the Study Area in accordance with Sections 462.421 and 462.445 of Minnesota Statutes, Sections 462.411 to 462.716 (Redevelopment Act), and has prepared a tax increment financing plan (TIF Plan) in accordance with Section 273.74 of Minnesota Statutes, Sections 273.71 to 273.78 (TIF Act).

1.04. The Redevelopment Plan and TIF Plan are contained in a document entitled "Bass Lake Road - Becker Park Redevelopment and Tax Increment Financing Plan" dated June 30, 1983 now on file with the Authority.

1.05. The Redevelopment Plan and TIF Plan have been, in accordance with the Acts, referred to the City of Crystal Planning Commission which by action taken on June 13, 1983 has found that the Redevelopment Plan and TIF Plan conform to and are not in conflict with the general plan for the development or redevelopment of the City as a whole.

Section 2. Referrals.

2.01. The Authority finds and determines that the objectives of the Redevelopment Act and TIF Act and the City's and Authority's objectives for the redevelopment of the Study Area will be accomplished by the adoption and implementation of the Redevelopment Plan and the TIF Plan.

2.02 The Redevelopment Plan and the TIF Plan are approved and adopted by the Authority.

2.03. The Executive Director is authorized and directed to transmit copies of the Plans to the governing body of Independent School District No. 281 and the Board of Commissioners of Hennepin County for their review and comment as provided by the TIF Act.

Section 3. Establishment of TIF District.

3.01. The Authority respectfully requests the City Council to conduct the public hearings required by Section 462.521 of the Redevelopment Act and Section 273.74 of the TIF Act as soon as convenient, and further recommends to the City Council that it approve the Redevelopment Plan and TIF Plan.

3.02. The Executive Director is authorized and directed to transmit a certified copy of the resolution and the Plans to the City Council.

Section 4. Further Action: Financing.

4.01. The Authority intends to request the City Council from time to time to assist in the financing of the public redevelopment costs identified in the TIF Plan by the issuance of general obligation bonds of the City payable from tax increments from the TIF District and special assessments against benefitted properties therein.

4.02. The Authority also intends to request the City Council from time to time to consider various other actions necessary to the implementation of the Plans including but not limited to, rezoning of property, the use of eminent domain authority, the execution of joint and cooperative agreements, and the use of other powers which the City is authorized to exercise on behalf of and in conjunction with the Authority pursuant to the Redevelopment Act and the TIF Act.

4.03. The Authority pledges its cooperation to the City Council in carrying out the Redevelopment Plan.

\_\_\_\_\_  
Loel Bertrand  
Chairman

Attest:

\_\_\_\_\_  
Executive Director

Having no further business it was moved by Commissioner Garber and seconded by Commissioner Newton to adjourn the meeting. The meeting was adjourned at 9:20 P.M.

The next regular meeting of the Crystal HRA will be held July 14, 1983.

WILLIAM J. MAVITY  
ATTORNEY AT LAW  
916 MIDWEST PLAZA WEST  
801 NICOLLET MALL  
MINNEAPOLIS, MINNESOTA 55402  
(612) 341-0707

June 29, 1983

John T. Irving, City Manager  
City of Crystal  
4141 Douglas Drive  
Crystal, MN 55422

Dear Mr. Irving:

I represent Mr. Steven Weisman, owner of the Crystal Lounge, 4900 W. Broadway, Crystal, Minnesota. Mr. Weisman is planning a second annual pig roast/customer appreciation day at the Crystal Lounge on August 27, 1983. This event will involve the all-day roasting of a pig in the Crystal Lounge parking lot, which will then be served without charge to customers around 6:00 p.m.

Mr. Weisman held a similar event during July, 1982. At that time the Crystal City Council granted Mr. Weisman's request that his customers be allowed to consume drinks in his parking lot while observing the roasting of the pig. Mr. Weisman assigned several bouncers to monitor the parking lot activity and police the area, keeping it free from litter. The activities ran smoothly and without incident.

Mr. Weisman requests Council approval to conduct this activity again, this year on August 27. He will have sufficient staff assigned to his parking lot to prevent any problems posed by the activities. I would be happy to appear before the Council on this matter at any time on Mr. Weisman's behalf.

I look forward to hearing from you.

Sincerely,

*William J. Mavity*  
William J. Mavity

WJM/gsm

*Steven Weisman*  
*meeting*  
*July 19th*  
*Council meeting*



LeFevere  
Lefler  
Kennedy  
O'Brien &  
Drawz

A Professional  
Association

2000 First Bank Place West  
Minneapolis  
Minnesota 55402

Telephone 612-333-0543

June 21, 1983

Clayton L. LeFevere  
Herbert P. Lefler  
J. Dennis O'Brien  
John E. Drawz  
David J. Kennedy  
John B. Dean  
Glenn E. Purdue  
Richard J. Schieffer  
Charles L. LeFevere  
Herbert P. Lefler III  
Jeffrey J. Strand  
Mary J. Bjorklund  
John G. Kressel  
Dayle Nolan  
Cindy L. Lavorato  
Michael A. Nash  
Luke R. Komarek  
Joan N. Ericksen  
Elizabeth D. Moran  
Brian F. Rice  
Lorraine S. Clugg  
James J. Thomson, Jr.

Jack Irving ✓  
Bill Sherburne  
City of Crystal  
4141 Douglas Drive North  
Crystal, Minnesota 55422

Re: Halley Land

Dear Jack and Bill:

Enclosed is the final draft of the Ordinance amending the Zoning Code with respect to planned unit developments.

Changes from the sixth draft are as follows:

1. We have stricken "utility right-of-way" and added an exclusion for railroad right-of-way on page 12, subdivision 4b) (5).
2. We have changed the minimum area to which a PUD is applicable on page 13 and have added subdivision 12 on page 14, which is necessary because another part of the Ordinance gives a density bonus insert in cases which we do not want to increase or repeat.
3. We have renumbered the Ordinance throughout to correspond with the numbering sequence in the existing Code.

Please give me a call if any further changes are required.

Sincerely,

LeFEVERE, LEFLER, KENNEDY,  
O'BRIEN & DRAWZ

  
Richard J. Schieffer

RJS/cd  
Enclosure  
cc: Dick Krier

CITY OF CRYSTAL

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE PLANNED  
UNIT DEVELOPMENT PROVISIONS OF  
THE CRYSTAL ZONING ORDINANCE

The City Council of the City of Crystal does ordain as follows:

SECTION I

Chapter 515 of the Crystal City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material.

~~515.15.d) Lot area per unit.---(The lot area per unit requirement for townhouses, condominiums and planned unit developments shall be calculated on the basis of the total area in the project and as controlled by single or joint ownership.)~~

~~515.49.---PUD, Planned Unit Development District.---Subdivision 1.---Purpose.---The purpose of the PUD, Planned Unit Development District, is to provide for the integration and coordination of land parcels as well as the combination of varying types of residential, commercial and industrial uses.~~

~~Subd. 2.---The following are permitted uses in a PUD District:~~

~~a)---All uses allowed in Sub Sections 515.19 through 515.47 of this Code.~~

~~Subd. 3.---The following are permitted accessory uses in a PUD District:~~

~~a)---All accessory uses allowed in Sub Sections 515.19 through 515.47 of this Code.~~

~~Subd. 4.---The following are conditional uses in a PUD District.---(Requires a conditional use permit based upon procedures set forth in and regulated by Sub Section 515.53 of this Code.)~~

~~a)---All conditional uses as allowed in Sub Sections 515.19 through 515.47 of this Code.~~

~~Subd. 5.---Special Procedures.---The establishment of a PUD, Planned Unit Development District, shall be subject to the amendment requirements as outlined in Sub Section 515.53~~

of this Code, plus the procedures and conditions imposed by Sub-Section 515.51 of this Code.

515.51.---Planned Unit Development---Subdivision 1.---Purpose and Intent.---The purpose of this Section of the Zoning Code is to provide for the grouping of land parcels for development as an integrated, coordinated unit as opposed to traditional parcel-by-parcel, piecemeal, sporadic and unplanned approach to development.---This Section is intended to introduce flexibility of site design and architecture for the conservation of land and open space through clustering of buildings and activities.---It is further intended that Planned Unit Developments are to be characterized by central management, integrated planning and architecture, joint or common use of parking, maintenance of open space and other similar facilities, and a harmonious selection and efficient distribution of uses.

Subd. 2.---Procedures for Establishing a Planned Unit Development and Subsequent Review.

a)---An application for a conditional use permit shall be filed and processed based upon procedures established by Sub-Section 515.53 of this Code.

b)---An application for subdivision shall be filed and processed simultaneously with the conditional use permit and shall be subject to the requirements of Section 505 of the City Code.

c)---Preliminary Development Plan.

1)---General area-wide development plan (general outline of the site and surrounding area).

i.---Uses.

ii.---Zoning.

iii.---Streets.

iv.---Grade or topography.

v.---Densities.

2)---Specific site plan.

i.---The entire outline, overall dimensions and area of the tract described in the application.

ii.---The use, zoning and ownership of all adjacent properties within 100 feet of the tract boundaries including the location of all structures thereon and the right-of-way width of all adjacent public roadways.



- iii.---The-existing-and-proposed-topography-of the-tract-with-contour-intervals-not greater-than-two-feet.
- iv.---The-location, general-exterior-dimensions and-approximate-gross-floor-areas-of-all proposed-buildings.
- v.---The-type-of-each-use-proposed-to-occupy each-building-and-the-approximate-amount of-building-floor-area-devoted-to-each separate-user.
- vi.---The-proposed-location, arrangement-and number-of-automobile-parking-stalls.
- vii.---The-proposed-location, arrangement-and general-dimensions-of-all-truck-loading facilities.
- viii.---The-location-and-dimensions-of-all-vehicular-entrances, exits, and-driveways-and their-relationship-to-all-existing-or proposed-public-streets.
- ix.---The-location-and-dimensions-of-all-walls, fences-and-plantings-designed-to-screen the-proposed-district-from-adjacent-uses.
- x.---The-general-drainage-system.
- xi.---The-location-and-dimensions-of-all-walls, fences-and-plantings-designed-to-screen the-proposed-district-from-adjacent-uses.
- xii.---The-types-of-all-ground-covers.
- xiii.---Standards-for-exterior-signs, architectural-style, and-other-variables-which will-be-controlled-in-the-design-of buildings-in-the-development-area.

d)---Development-Schedule.---The-applicant-shall-submit-a proposed-schedule-of-construction.---If-the-construction-of-the-proposed-Planned-Unit-Development-is-to be-in-stages, then-the-components-contained-in-each stage-must-be-clearly-delineated.---The-development schedule-shall-indicate-the-starting-date-and-the completion-date-of-the-complete-development-plan.

Subd.---3---Review-and-Evaluation-Criteria.---The-evaluation of-the-proposed-plan-and-development-shall-include-but-not-be limited-to-the-following-criteria:

- a)---Adequate property control is provided to protect the individual owners' rights and property values and the public responsibility for maintenance and upkeep.
- b)---The interior circulation plan plus access from and onto public right-of-ways does not create congestion or dangers and is adequate for the safety of the project residents and the general public.
- c)---A sufficient amount of useable open space is provided.
- d)---The arrangement of buildings, structures and accessory uses does not unreasonably disturb the privacy or property values of the surrounding residential uses.
- e)---Acoustical controls for interior areas and facilities are at minimum in compliance with the current standards of Section 406 of the City Code.
- f)---The architectural design of the project is compatible with the surrounding area.
- g)---The drainage and utility system plans are submitted to the City Engineer and the final drainage and utility plans shall be subject to his approval.
- h)---The development schedule insures a logical development of the site which will protect the public interest and conserve land.
- i)---The development is in compliance with the requirements of Section 505 of the City Code.
- j)---Dwelling unit and accessory use requirements are in compliance with the district provisions in which the development is planned.
- k)---The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 4--Council Action

- a)---If the Council after the required review as regulated by Sub-Section 515.53 of this Code finds that the preliminary development plan meets all of the requirements of a conditional use permit, the Council shall approve the same as the Final Development Plan and the applicant shall then be entitled to make application for necessary building permits.

b)---If the Council after the required review as regulated by Sub-Section 515.53 of this Ordinance finds that the preliminary development plan contains conditions that must be amended in order to meet the requirements of the conditional use permit, they shall return said application together with a statement of the necessary changes and upon receipt of an amended, altered and changed plan meeting the requirements of the City Council, the Council after review and report by the Planning Commission and city staff shall approve said plan as the Final Development Plan and thereupon the applicant shall be eligible to obtain the necessary building permits.

e)---The Final Development Plan, together with such covenants, deed restrictions, reservations, controls or variances as are a part thereof, shall become a part of the official file of the City.

Subd. 5.---General Implementation Provisions.

a)---Compliance with the final development plan and changes.

1)---The development of the Planned Unit Development shall be in compliance with the final development plan.

2)---Differences between the actual development and proposed development shown in the final development plan not permitted under the foregoing provisions of this Section will be permitted only if the final development plan is changed with the approval of the City Council. Proposed changes shall be reviewed by the Planning Commission and recommendations forwarded to the Council.

b)---Building Permits.---Applications for building permits shall be reviewed and approved by the Building Inspector after considering action and conditions imposed by the City Council. Such applications shall be examined to determine if they are in compliance with this Code and the final development plan. The following, as appropriate, shall be submitted with any building permit application:

1)---Preliminary plans, elevations, sections and specifications of materials and structural systems for the proposed building or buildings, approved by a registered architect or engineer.

2)---A site plan for traffic engineering analysis, showing location and design of the buildings, driveways, driveway intersections with streets,



parking areas, loading areas, maneuvering areas and sidewalks.

- 3)---A site grading plan and a planting plan, including screen walls and fences, for analysis of adequacy of surface drainage, erosion control, visual screening and landscaping, including sodding.
- 4)---A site plan showing utilities and utility easements.
- 5)---Plans for all signs to be erected including details of sign locations, design, size, color and lighting.
- 6)---A description of the proposed operations in sufficient detail to enable the Building Inspector to determine if the proposed land use is within the uses permitted in the established district.
- e)---The Building Inspection Department shall process the permit in compliance with the codes of the City of Crystal. The application submitted to the Building Inspector shall include complete and final plans, elevations, sections, and specifications of materials and structural systems for the proposed building or buildings, prepared by a registered architect.

#### Subd.-6.--General Development Requirements

##### a)---Property Control.

- 1)---In order that the purposes of this subdivision may be achieved, the property shall be in single ownership or under the management and supervision of a central authority or otherwise subject to such supervisory lease or ownership as may be necessary to carry out the provisions of this Code.
- 2)---Prior to the use or occupancy or sale or the execution of contracts for sale of an individual building unit, parcel, tract, townhouse, apartment, or common area, a declaration of covenants, conditions and restrictions or an equivalent document or a document such as specified by Laws 1963, Chapter 457, Section 11 and a set of floor plans such as specified by Laws 1963, Chapter 457, Section 13 shall be filed with the City of Crystal, said filing with the City to be made prior to

the filings of said declaration or document or floor plans with the recording officers of Hennepin County, Minnesota.

- 3)---Approval of the City of Crystal shall be secured as to the documents described in paragraph 2) above.
- 4)---The declaration of covenants, conditions and restrictions or equivalent document shall specify that deeds, leases, or documents of conveyance affecting buildings, units, parcels, tracts, townhouses, or apartments shall subject said properties to the terms of said declaration.
- 5)---The declaration of covenants, conditions and restrictions shall provide that an owners' association or corporation shall be formed and that all owners shall be members of said association or corporation which shall maintain all properties and common areas in good repair and which shall assess individual property owners proportionate shares of joint or common costs.---This declaration shall be subject to the review and approval of the City Attorney. The intent of this requirement is to protect the property values of the individual owner through establishing effective private control.
- 6)---The declaration shall additionally, amongst other things, provide that in the event the association or corporation fails to maintain properties in accordance with the applicable rules and regulations of the City of Crystal or fails to pay taxes or assessments on properties as they become due and in the event the said City of Crystal incurs any expenses in enforcing its rules and regulations, which said expenses are not immediately reimbursed by the association or corporation, then the City of Crystal shall have the right to assess each property its prorata share of said expenses.---Such assessments, together with interest thereon and costs of collection, shall be a lien on each property against which each such assessment is made.
- 7)---It is the intent of the Code to require subdivision of property simultaneous with application for conditional use.---The subdivision and platting of land as a planned unit development shall be subject to the requirements for approval and recording with the Hennepin

County-Recording-Office-as-have-been-estab-  
lished-by-the-City-of-Crystal.

b)---Public-Services---The-proposed-project-shall-be  
served-by-the-City-water-and-sewer-system-and-fire  
hydrants-shall-be-installed-at-such-locations-as  
necessary-to-provide-fire-protection.

c)---Utility-Connections.

1)---Water-Connections---Where-more-than-one-property  
is-served-from-the-same-service-line,a-shut-  
off-valve-must-be-located-in-such-a-way-that  
each-unit's-service-may-be-shut-off-by-the  
City,in-addition-to-the-normally-supplied  
shut-off-at-the-street.

2)---Sewer-Connections---Where-more-than-one-unit  
is-served-by-a-sanitary-sewer-lateral-which  
exceeds-300-feet-in-length,provision-must-be  
made-for-a-manhole-to-allow-adequate-cleaning  
and-maintenance-of-the-lateral---All-mainten-  
ance-and-cleaning-shall-be-the-responsibility  
of-the-property-owners-association-or-owner.

d)---Building-Height.

1)---Height-limitations-shall-be-the-same-as-imposed  
in-the-respective-districts.

e)---Roadways.

1)---Private-roadways-within-the-project-shall-have  
an-improved-surface-to-20-feet-or-more-in  
width-and-shall-be-so-designed-as-to-permit  
the-City-firetrucks-to-provide-protection-to  
each-building.

2)---No-portion-of-the-required-20-foot-road-system  
may-be-used-in-calculating-required-off-street  
parking-space-or-be-used-for-parking.

Subd.-7---Planned-Unit-Development--Townhouses,Coopera-  
tives,Condominiums,Multiple-Family-Structures--Requirements.

a)---No-single-townhouse-structure-shall-contain-more  
than-eight-dwelling-units.

b)---Minimum-unit-lot-frontage-for-townhouses-shall-be  
not-less-than-20-feet.

c)---Dwelling-unit-and-accessory-use-requirements-are-in  
compliance-with-the-district-provisions-in-which  
the-development-is-planned.



d)---No-building-within-the-project-shall-be-nearer-to another-building-than-one-half-the-sum-of-the building-heights-of-the-two-buildings.

Subd.-8.---Planned-Unit-Development---General-Residential.

a)---Purpose---It-is-the-intent-of-this-Section-of-this Code-to-establish-provisions-for-the-granting-of-a conditional-use-permit-for-Planned-Unit-Development-- General-Residential-projects-which-are-in-compliance with-the-permitted-and-conditional-uses-allowed-in a-specific-district-including-dwellings, offices and-institutional-uses-of-one-or-more-buildings-in relation-to-an-overall-design, and-integrated physical-plan-and-in-accordance-with-the-provisions and-procedures-as-prescribed-in-this-Code.

b)---Minimum-Project-Size---The-tract-of-land-for-which a-Planned-Unit-Development---General-Residential project-is-proposed-and-permit-requested-shall-contain-not-less-than-two-and-one-half-acres-of-land.

c)---Required-Frontage---The-tract-of-land-for-which-a project-is-proposed-and-permit-requested-shall-not have-less-than-200-feet-of-frontage-on-the-public right-of-way.

d)---Yards.

1)---The-front-and-side-yard-restrictions-at-the periphery-of-the-Planned-Unit-Development-site at-a-minimum-shall-be-the-same-as-imposed-in the-respective-districts.

2)---No-building-shall-be-nearer-than-its-building height-to-the-rear-or-side-property-line-when such-line-abuts-an-R-1-or-R-2-use-district.

3)---No-building-shall-be-located-less-than-15-feet from-the-back-of-the-curb-line-along-these roadways-which-are-part-of-the-integral-street pattern.

4)---No-building-within-the-project-shall-be-nearer to-another-building-than-one-half-the-sum-of the-building-heights-of-the-two-buildings.

e)---Density-Bonus---As-a-consequence-of-a-Planned-Unit Development's-planned-and-integrated-character, the number-of-dwelling-units-allowed-within-the-respective-zoning-district-may-be-increased-by-five percent---The-building, parking-and-similar-requirements-for-these-extra-units-shall-be-observed-in compliance-with-this-Code.

Subd.-9.-Planned-Unit-Development--Commercial-and-Industrial-

- a)---Purpose---The intent of this Section of this Code is to establish provisions for the granting of a conditional use permit to erect Planned Unit Development--Commercial and Industrial projects which are in compliance with the permitted and conditional uses allowed in a specific district in one or more buildings in relation to an overall design, an integrated physical plan and in accordance with the provisions and procedures as prescribed in this Code.
- b)---Minimum Project Size---The tract of land for which a Planned Unit Development--Commercial or Industrial project is proposed and permit is requested shall contain not less than two and one-half acres for commercial projects and five acres for industrial projects.
- c)---Frontage---The tract of land for which a project is proposed and a permit requested shall not have less than 200 feet of frontage on a public right-of-way.
- d)---Yard---No building shall be nearer than 50 feet to the side or rear property line when such line abuts an R-1, R-2 or R-3 use district.
- e)---Landscaping, Screening and Surfacing
- 1)---The entire site other than that taken up by structures or landscaping shall be surfaced with a material to control dust and drainage.
  - 2)---A drainage system subject to the approval of the City Engineer shall be installed.
  - 3)---Developments abutting an R-1, R-2 or R-3 district shall be screened and landscaped in compliance with Sub-Section 515.07, Subd.-9 of this Code.

515.49. PUD, Planned Unit Development District. Subdivision 1. Purpose and Intent. The purpose of the PUD, Planned Unit Development District, is to provide an overlay zone for the integration and coordinated development of land parcels as well as the combining of varying types of residential, commercial and industrial uses in compatible arrangements. The Planned Unit Development is intended to promote creative and flexible site design and architecture, and to conserve land, open spaces and natural resources through the clustering of buildings and activities. It is further intended that the Planned Unit Developments are to be characterized by central management of those facilities shared in common by substantially all residents, by integrated planning and

architecture, and by the joint and common use of parking, open spaces, and other similar facilities.

Subd. 2. Permitted Uses. The following are permitted uses in a PUD District:

- a) All uses allowed in Sub-Sections 515.19 through 515.47 of this Code.

Subd. 3. Accessory Uses. The following are permitted accessory uses in a PUD District:

- a) All accessory uses allowed in Sub-Sections 515.19 through 515.47 of this Code.

Subd. 4. Conditional Uses. The following are conditional uses in a PUD District which require a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.

- a) All conditional uses as allowed in Sub-Sections 515.19 through 515.47 of this Code.

515.50. District Standards. All construction and development in the PUD District shall be regulated by the following standards:

Subd. 1. Access. All Lots shall abut on a public street or have adequate access to a public street by means of a private street. All public and private streets must connect effectively with the City's existing street system and with those arterial and collector streets proposed in its future land use plan.

Subd. 2. Architectural Style. The architectural style, color and texture of individual structures, and the landscaping within the PUD, shall be compatible with other structures and landscaping in the PUD, with overall site design and with surrounding land uses.

Subd. 3. Usable Open Space. Usable open space, either public or private, shall be provided in the quantity, shape, location and suitability for its intended purpose, as determined by the City Council. Whenever possible, and when suitable as determined by the City Council, such open space shall be linked to the open space areas of surrounding developments.

Subd. 4. Determining District Standards. Standards for lot width, lot depth, lot area, area per dwelling unit, yard requirements, and similar district requirements shall be governed by the standards of the Zoning District most similar in function to the proposed PUD use as determined by the City Council, subject to the following:



- a) Area. Lot area and area per dwelling unit shall be calculated by dividing the gross area of the PUD by the total number of lots or dwelling units.
- b) Gross Area. The gross area of the PUD shall be the sum of the following:
- (1) The sum of the area of all of the lots in the PUD;
  - (2) One-half of the area of the public street right-of-way within the PUD devoted to boulevard;
  - (3) One-half of the area of the private street right-of-way within the PUD which is devoted to boulevard and which serves two or more lots or dwelling units;
  - (4) The total area of public dedicated open space and permanent private open space within the PUD;
  - (5) One-half of the area of any public dedicated open space or permanent private open space abutting upon the PUD and lying within one hundred lineal feet (measured at right angles to the boundaries of the PUD) of the boundary of the PUD, such as parks, lakes, cemeteries, and similar open, undeveloped areas, but excluding abutting railroad and street right-of-way.
- c) Discretionary Reduction of Area Requirements. The City Council, in the reasonable exercise of its discretion, may permit a further reduction in the land area requirement in an amount not to exceed five percent of the land area requirement per lot or per dwelling unit for each of the following criteria:
- (1) The use of existing and proposed landscaping, buffering and screening provides visual relief, privacy and noise control which offsets the effects of the increased density;
  - (2) The design quality and varying styles of architecture within the proposed PUD reduce the crowding effect of the increased density;
  - (3) Specific measures have been proposed and will be implemented to reduce the impact of the increased density on the environment;

(4) Specific measures have been proposed to reduce the impact of the increased density on public utilities, including storm water, sanitary sewer, water supply, police protection, fire protection, schools, streets, traffic patterns and other items of a similar nature.

d) Width, Depth and Yard Requirements. Reduction in lot width, depth and yard requirements may be permitted by the City Council, to the extent necessary to accommodate the approved reductions in land area requirements on the site, not to exceed twenty-five percent, provided however, that in the case of single family attached housing, interior side yards may be reduced to zero.

Subd. 5. Exterior Boundary Setback. No principal building shall be set back less than 25 feet or the height of the building, whichever is greater, from the exterior of a PUD or an exterior public street right-of-way. No commercial or industrial structure shall be nearer than 50 feet to its side or rear property lines where such line abuts a single family residential District. The reductions in yard requirements described in Subdivision 4(d) of this section shall not apply to the Exterior Boundary Setback described in this Subdivision 5.

Subd. 6. Property Owner's Association. Where private driveways, parking lots, open spaces or other amenities are provided for the private use and enjoyment of all or substantially all of the residents or owners of the PUD, membership in a property owner's association shall be mandatory for all residents of the PUD and the property owner's association, in such instance, shall own and maintain all common open space and private interior streets and other common amenities. Adequate property rights and controls shall be provided to protect the rights and property values of individual owners and set forth owners responsibilities for maintenance and upkeep of common areas.

Subd. 7. Minimum PUD Development Area. The minimum area for development of a PUD shall be as follows:

- |   |                             |
|---|-----------------------------|
| a) <u>Primarily residential developments</u>            | <u>7.5</u><br><u>acres;</u> |
| b) <u>Primarily commercial developments</u>             | <u>5.0</u><br><u>acres;</u> |
| c) <u>Any project containing industrial development</u> | <u>5.0</u><br><u>acres.</u> |

Subd. 8. Maximum Hard Cover. Each PUD shall provide a reasonable amount of usable open space. Each residential PUD shall provide that hard cover which increases the speed or quantity of surface water run off shall not exceed 35% of each lot area or fifteen percent of the gross area of the PUD as defined herein, whichever is the least restrictive.

Subd. 9. Protection of Adjacent Land. The arrangement of buildings, structures and accessory uses shall not unreasonably disturb the privacy or property values of the surrounding uses.

Subd. 10. Noise. Acoustical controls for the PUD shall be in compliance with the standards set forth in Section 645 of the City Code.

Subd. 11. Platting Required. The PUD shall be in compliance with the subdivision regulations of the City, to the extent the subdivision regulations are not inconsistent with the approved PUD.

Subd. 12. Density Bonus Not Applicable. The density bonus in §515.27 Subd. 4(d) of this Code does not apply to PUD developments.

515.51. Procedures for Establishing a Planned Unit Development. Application for a Planned Unit Development approval shall consist of the following:

- a) Review of the preliminary development plan by the Planning Commission and approval by the City Council pursuant to Subdivision 515.57 of this Code;
- b) Approval of a rezoning of the subject property to PUD;
- c) Final approval of the Planned Unit Development by the issuance of a Conditional Use Permit, based upon criteria and purposes set forth in Sections 515.53 Subdivision 1(e) and 515.53 Subdivision 3;
- d) Approval of a Subdivision, if required, to implement the approved plans.

Subd. 2. Application for Preliminary Development Plan Approval. The applicant shall submit to the City Manager or designee, a preliminary development plan which shall include the following information. The City Manager or designee may waive any requirement not needed for Preliminary Development Plan approvals. Any requirement so waived shall be provided in final form at Final Development Plan approval stage.



- a) A vicinity map showing sufficient area surrounding the proposed PUD to demonstrate the development's relationship to the adjacent land uses and street system, said vicinity map to indicate the land uses, zoning, street patterns, and densities of the vicinity;
- b) A site plan showing the lot lines, building locations, street systems, parking spaces, driveways, common open space areas, recreational improvements, structures, proposed parks, proposed schools, and significant natural features;
- c) Preliminary utility plan for all public utilities;
- d) A preliminary grading and drainage plan showing existing topography and proposed topography at one foot contour intervals;
- e) Preliminary landscape and screening plan;
- f) Building elevation drawings for all proposed structures.
- g) A construction schedule which clearly delineates the construction which is to occur in each phase, the commencement and completion dates of each phase, in a sequence of logical development which will protect the public interest and conserve natural resources.
- h) A summary sheet indicating the area of land in each land use, the number of units proposed, the density of the development, the percentage of land devoted to hard cover, soft cover, usable open space, and common open space;
- i) The number of parking spaces provided;
- j) Typical floor plans for each type of building.

Subd. 3. Preliminary Development Plan Approval, Documents Required. The applicant shall submit the application for preliminary development plan approval.

- a) City Council Approval. The City Manager or designee shall present the Preliminary Development Plan to the Planning Commission and the Planning Commission shall make recommendations to the City Council on the application. The City Council may approve or deny the application after consideration of the following:

- (1) The preliminary development plan is consistent or inconsistent with the standards and criteria set forth in this Chapter;
  - (2) The rezoning of the property to the proposed PUD does or does not meet the standards for zoning amendments set forth by the City Code.
- b) Conditional Approval. In approving a preliminary development plan the City Council may attach such conditions and restrictions as are necessary to protect the health, safety and welfare of the citizens.

Subd. 4. Application for Final Development Plan Approval. The applicant shall submit an application for final development plan approval to the City Manager or designee within 12 months after the preliminary development plan has been approved or the preliminary approval shall be null and void. The final development plan shall be in substantial compliance with the approved preliminary plan. Substantial compliance means that densities and proposed use remain the same, that all special conditions and changes prescribed by the preliminary approval have been incorporated into the final plan and that the original development concept has not been altered.

Subd. 5. Content of Application for Final Plan Approval. Application for final development plan approval shall include the following:

- a) A request for final approval of the development plan by issuance of a Conditional Use Permit;
- b) A request for approval of the rezoning to PUD;
- c) Submission of the preliminary plat if not previously submitted, and submission of the final plat if preliminary plat approval has been previously obtained;
- d) Final site plan with all dimensions shown;
- e) Final grading, drainage, utility, lighting and landscape plans;
- f) Sign plan specifying the design, height, location, size and illumination;
- g) Restrictive covenants, deed restrictions, right-of-way dedications, easements, declarations of covenants, conditions and restrictions, by-laws of any proposed homeowner's association, and any other legal documents required by the City Attorney to

insure the maintenance and preservation of all public rights and such private rights as are held in common among future residents of the PUD;

- h) Building elevation drawings, including specifications except for detached single family dwellings which meet the requirements of R-1 or R-2 District Standards. The requirement for building elevations may be waived by the City Manager or his designee;
- i) Such other information as may be necessary for the City Council to make a comprehensive evaluation of the applications for approval.

Subd. 6. Final Development Plan Approval. After the final development plan is submitted, the City Council shall review such plan as to its conformity with the preliminary development plan, the fulfillment of all required conditions, and continued compliance with all findings required for preliminary development plan approval. The Council shall either grant, grant subject to further conditions, or deny the final development plan. If approval is granted a Planned Unit Development Conditional Use permit shall be issued to the applicant by the City Manager which permit shall set forth in full all conditions required by the City Council.

Subd. 7. Additional Approvals. Upon approval of the final development plan the City Council shall approve or deny the request for rezoning to PUD in accordance with the final development plan, and shall approve or deny the final plat. Upon completion of all approvals, the City Council shall amend the official zoning map to designate the subject property as PUD. Any required changes in the City's comprehensive land use plan shall be undertaken by the Planning Commission and the City Council.

515.52. Amendment of the Final Development Plan. Any significant changes in the approved final development plan may be made only by the City Council after a public hearing held by the Planning Commission. No changes in the final development plan may be made unless the applicant demonstrates that such changes are required by changes in conditions or circumstances not foreseen at the time of final plan approval. All substantial changes shall be recorded as amendments to the approved final development plan. Minor changes may be approved by the City Manager.

Subd. 1. Termination or Abandonment of Final Development Plan Approval. Subdivision 1. Abandonment. Final development plan approval shall be considered abandoned if the applicant fails to commence development of the property within 12 months or upon a finding by the City Council that there has not been substantial development within the subject property within 16 months after final development plan approval.



Subd. 2. Cancellation. Any final development plan approval found to be abandoned shall be terminated, the conditional use permit shall be revoked, and the zoning of the property shall revert to the zoning which existed prior to PUD zoning.

Subd. 3. Building Permit Approval. Applications for building permits shall be reviewed and approved by the building official and the City Engineer. No building permits shall be approved until the Building Official and the City Engineer certify that the proposed plans are in compliance with the final development plan approval, the conditional use permit, the rezoning to PUD, and the approved final plat.

## SECTION II

This Ordinance shall become effective after adoption and legal publication. Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

\_\_\_\_\_  
Mayor

ATTEST: .

\_\_\_\_\_  
Clerk

Date of Publication: \_\_\_\_\_

Effective Date: \_\_\_\_\_

# *Town Taxi Company*

---

7570 HIGHWAY 65  
MINNEAPOLIS, MN. 55432  
PHONE: 780-1161

July 7, 1983

Crystal City Council  
4141 North Douglas Drive  
Crystal, MN 55428

Dear Councilmembers:

Town Taxi is requesting to be put on the next council agenda for the purpose of discussing the taxicab ordinance, specifically the portion dealing with reciprocity. We are seeking to have the ordinance changed so that, in order to pick up passengers in Crystal, a cab has to be licensed in Crystal.

The City of Minneapolis changed their ordinance a while ago to prevent non-licensed cabs to pick up passengers in Minneapolis. This took away a good share of our business. Most of your residents that took our cabs into Minneapolis would call us to bring them back to Crystal. Some of the reasons for this were our good service, quality of drivers, the quality of our equipment and that we knew the suburbs so there was no overcharging by going out of the way.

The Minneapolis cabs now have the privilege of having all the business in Minneapolis plus picking up passengers in Crystal. The passengers they pick up in Crystal are supposed to be going to Minneapolis or the airport and these are good, profitable runs. We have, for many years, served your residents for any type of cab run, the elderly going to medical appointments, the children going to school, people going grocery shopping and the intoxicated going home. In short, we have served all the taxicab needs of your residents and the business community from the two block grocery run to the trip to the airport.

To pick up the lost business that we have incurred because of the Minneapolis ordinance change, we wish to prevent the Minneapolis cabs, the various independent cabs that work out of the airport, and Airport Cab Co. from picking up passengers in Crystal. These other companies have no real interest in serving all the needs of your community. They

# *Town Taxi Company*

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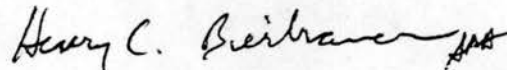
Page 2

7570 HIGHWAY 65  
MINNEAPOLIS, MN. 55432  
PHONE: 780-1161

are just taking the profitable long runs. If they were truly interested in serving Crystal they would have applied for licenses a long time ago.

The Robbinsdale and Columbia Heights taxicab ordinances are non-reciprocal. St. Louis Park changed their taxicab ordinance to a non-reciprocal status after Minneapolis made their change. On June 27, 1983 the City of Richfield adopted a non-reciprocal ordinance and on July 5, 1983 the City of Golden Valley agreed to change their ordinance also. The Golden Valley City Attorney is now drafting the new ordinance and it should be ready for council approval the first meeting in August. Enclosed are copies of the pertinent parts of each of the other ordinances.

Respectfully,



Henry C. Bierbrauer,  
President

HCB/ch



LeFevere  
Lefler  
Kennedy  
O'Brien &  
Drawz

A Professional  
Association

2000 First Bank Place West  
Minneapolis  
Minnesota 55402  
  
Telephone 612-333-0543

June 14, 1983

Clayton L. LeFevere  
Herbert P. Lefler  
J. Dennis O'Brien  
John E. Drawz  
David J. Kennedy  
John B. Dean  
Glenn E. Purdue  
Richard J. Schieffer  
Charles L. LeFevere  
Herbert P. Lefler III  
Jeffrey J. Strand  
Mary J. Björklund  
John G. Kressel  
Dayle Nolan  
Cindy L. Lavorato  
Michael A. Nash  
Luke R. Komarek  
Joan N. Eriksen  
Elizabeth D. Moran  
Brian F. Rice  
Lorraine S. Clugg  
James J. Thomson, Jr.

Mr. Jack Irving  
City Manager  
City of Crystal  
4141 Douglas Drive North  
Crystal, Minnesota 55422

Re: Gas Franchise

Dear Jack:

Enclosed you will find an ordinance of the City of Plymouth granting a franchise to Minnegasco. The ordinance has been prepared by our office for the Suburban Rate Authority and is being generally adopted by members of the SRA.

You recall some time back you sent me a copy of the company's proposed franchise which varies in many respects from the enclosed. I recommend that the City adopt the uniform gas franchise prepared by the SRA.

Yours very truly,

  
David J. Kennedy

DJK:caw  
Enclosure

*Item  
July 19  
meet*

SRA UNIFORM GAS FRANCHISE (MINNEGASCO)  
Approved by SRA Board of Directors  
April 20, 1983

ORDINANCE NO. 83-03

CITY OF PLYMOUTH, HENNEPIN COUNTY, MINNESOTA

An ordinance granting Minnegasco, Inc., a Minnesota corporation, its successors and assigns, a nonexclusive franchise to construct, operate, repair and maintain facilities and equipment for the transportation, distribution, manufacture and sale of gas energy for public and private use and to use the public ground of the City of \_\_\_\_\_, Minnesota for such purposes; and prescribing certain terms and conditions thereof.

THE CITY COUNCIL OF PLYMOUTH ORDAINS:

SECTION 1. DEFINITIONS. The following terms shall mean:

1.1. Company. Minnegasco, Inc., a Minnesota corporation, its successors and assigns.

1.2. Gas. Natural gas, manufactured gas, mixture of natural gas and manufactured gas or other forms of gas energy.

1.3. Municipality, Municipal Council, Municipal Clerk. These terms mean respectively, the City of \_\_\_\_\_, the Council of the City of \_\_\_\_\_ and the Clerk of the City of \_\_\_\_\_.

1.4. Public Ground. All streets, alleys, public ways, utility easements and public grounds of the Municipality as to which it has the right to grant the use to the Company.

SECTION 2. FRANCHISE GENERALLY.

2.1. Grant of Franchise. There is hereby granted to the Company, from the effective date hereof through June 30, 2003, the right to import, manufacture, transport, distribute and sell gas for public and private use in the Municipality, and for these purposes to construct, operate, repair and maintain in, on, over, under and across the Public Ground of the Municipality, all facilities and equipment used in connection therewith, and to do all things which are necessary or customary in the accomplishment of these objectives, subject to zoning ordinances, other applicable ordinances, permit procedures, customary practices, and the provisions of this franchise.

2.2. Effective Date; Written Acceptance. This franchise shall be in force and effect from and after its passage and publication as required by law, and its acceptance by the Company in writing filed with the Municipal Clerk within 60 days after publication.

2.3. Nonexclusive Franchise. This is not an exclusive franchise.

2.4. Franchise Fee. The Company may be required to pay to the Municipality, in the manner and at a rate prescribed by a separate ordinance, a fee determined by collections from sales of Gas, but not to exceed 5% of the Company's gross revenues from the sale of Gas within the Municipality. Such ordinance may be adopted, amended, repealed or readopted at any time during the term of this franchise. The fee, if required, shall be effective 90 days after written notice of the ordinance to the Company. No such fee shall be effective as to sales made before January 1, 1984. The fee shall be separately stated on gas bills rendered to customers within the Municipality.

2.5. Publication Expense. The expense of publication of this ordinance shall be paid by the Company.

2.6. Default. If the Company is in default in the performance of any material part of this franchise for more than 90 days after receiving written notice from the Municipality of such default, the Municipal Council may, by ordinance, terminate all rights granted hereunder to the Company. The notice of default shall be in writing and shall specify the provisions of this franchise under which the default is claimed and state the bases therefor. Such notice shall be served on the Company by personally delivering it to an officer thereof at its principal place of business in Minnesota.

If the Company is in default as to any part of this franchise, the Municipality may, after reasonable notice to the Company and the failure of the Company to cure the default within a reasonable time, take such action as may be reasonably necessary to abate the condition caused by the default, and the Company agrees to reimburse the Municipality for all its reasonable costs and for its costs of collection, including attorney fees.

Nothing in this section shall bar the Company from challenging the Municipality's claim that a default has occurred. In the event of disagreement over the existence of a default, the burden of proving the default shall be on the Municipality.

### SECTION 3. CONDITIONS OF USE.

3.1. Use of Public Ground. All utility facilities and equipment of the Company shall be located, constructed, installed and maintained so as not to endanger or unnecessarily interfere



with the usual and customary traffic, travel, and use of public ground, and shall be subject to permit conditions of the Municipality. The permit conditions may provide for the right of inspection by the Municipality, and the Company agrees to make its facilities and equipment available for inspection at all reasonable times and places.

3.2. Permit required. The Company shall not open or disturb the surface of any public ground for any purpose without first having obtained a permit from the Municipality, for which the Municipality may impose a reasonable fee to be paid by the Company. The permit conditions imposed on the Company shall not be more burdensome than those imposed on other utilities for similar facilities or work. The mains, services and other property placed pursuant to such permit shall be located as shall be designated by the Municipality.

The Company may, however, open and disturb the surface of any public ground without a permit where an emergency exists requiring the immediate repair of its facilities. The Company in such event shall request a permit not later than the second working day thereafter.

3.3. Restoration. Upon completion of any work requiring the opening of any Public Ground, the Company shall restore the same, including paving and its foundations, to as good condition as formerly, and shall exercise reasonable care to maintain the same for two years thereafter in good condition. Said work shall be completed as promptly as weather permits, and if the Company shall not promptly perform and complete the work, remove all dirt, rubbish, equipment and material, and put the Public Ground in good condition, the Municipality shall have the right to put it in good condition at the expense of the Company; and the Company shall, upon demand, pay to the Municipality the cost of such work done for or performed by the Municipality, including its administrative expense and overhead, together with ten percent additional as liquidated damages. This remedy shall be in addition to any other remedy available to the Municipality.

3.4. Relocation of Utility Facilities. The Company shall promptly, with due regard for seasonal working conditions, permanently relocate its facilities or equipment whenever the Municipality orders such relocation. If the relocation is a result of the proper exercise of the police power in grading, regrading, changing the location or shape of or otherwise improving any Public Ground or constructing or reconstructing any sewer or water system therein, the relocation shall be at the expense of the Company. If the relocation is not a result of the proper exercise of the police power, the relocation shall be at the expense of the Municipality. If such relocation is done without an agreement first being made as to who shall pay the relocation cost, such relocation of the facilities by the Company shall not be construed as a waiver of its right to be reimbursed for the

relocation cost. If the Company claims that it should be reimbursed for such relocation costs, it shall notify the Municipality within thirty days after receipt of such order. The Municipality shall give the Company reasonable notice of plans requiring such relocation.

Nothing contained in this subsection shall require the Company to remove and replace its mains or to cut and reconnect its service pipe running from the main to a customer's premises at its own expense where the removal and replacement or cutting and reconnecting is made for the purpose of a more expeditious operation for the construction or reconstruction of underground facilities; nor shall anything contained herein relieve any person from liability arising out of the failure to exercise reasonable care to avoid damaging the Company's facilities while performing any work in any Public Ground.

3.5. Relocation When Public Ground Vacated. The vacation of any Public Ground shall not operate to deprive the Company of the right to operate and maintain its facilities therein. Unless ordered under Section 3.4, the Company need not relocate until the reasonable cost of relocating and the loss and expense resulting from such relocation are first paid to the Company. When the vacation is for the benefit of the Municipality in the furtherance of a public purpose, the Company shall relocate at its own expense.

3.6. Street Improvements, Paving or Resurfacing. The Municipality shall give the Company reasonable written notice of plans for street improvements where paving or resurfacing of a permanent nature is involved. The notice shall contain the nature and character of the improvements, the streets upon which the improvements are to be made, the extent of the improvements and the time when the Municipality will start the work, and, if more than one street is involved, the order in which this work is to proceed. The notice shall be given to the Company a sufficient length of time, considering seasonable working conditions, in advance of the actual commencement of the work to permit the Company to make any additions, alterations or repairs to its facilities the Company deems necessary.

In cases where streets are at final width and grade, and the Municipality has installed underground sewer and water mains and service connections to the property line abutting the streets prior to a permanent paving or resurfacing of such streets, and the Company's main is located under such street, the Company may be required to install gas service connections prior to such paving or resurfacing, whenever it is apparent that gas service will be required during the five years following the paving or resurfacing.

SECTION 4. INDEMNIFICATION. The Company shall indemnify, keep and hold the Municipality, its elected officials, officers,



employees, and agents free and harmless from any and all claims and actions on account of injury or death of persons or damage to property occasioned by the construction, maintenance, repair, removal, or operation of the Company's property located in, on, over, under, or across the public ground of the Municipality, unless such injury or damage is the result of the negligence of the Municipality, its elected officials, employees, officers, or agents. The Municipality shall not be entitled to reimbursement for its costs incurred prior to notification to the Company of claims or actions and a reasonable opportunity for the Company to accept and undertake the defense.

If a claim or action shall be brought against the Municipality under circumstances where indemnification applies, the Company, at its sole cost and expense, shall defend the Municipality if written notice of the claim or action is promptly given to the Company within a period wherein the Company is not prejudiced by lack of such notice. The Company shall have complete control of such claim or action, but it may not settle without the consent of the Municipality, which shall not be unreasonably withheld. This section is not, as to third parties, a waiver of any defense or immunity otherwise available to the Municipality, and the Company in defending any action on behalf of the Municipality shall be entitled to assert every defense or immunity that the Municipality could assert in its own behalf.

SECTION 5. ASSIGNMENT. The Company, upon notice to the Municipality, shall have the right and authority to assign all rights conferred upon it by this franchise to any person. The assignee of such rights, by accepting such assignment, shall become subject to the terms and provisions of this franchise.

SECTION 6. CHANGE IN FORM OF GOVERNMENT. Any change in the form of government of the Municipality shall not affect the validity of this franchise. Any governmental unit succeeding the Municipality shall, without the consent of the Company, automatically succeed to all of the rights and obligations of the Municipality provided in this franchise.

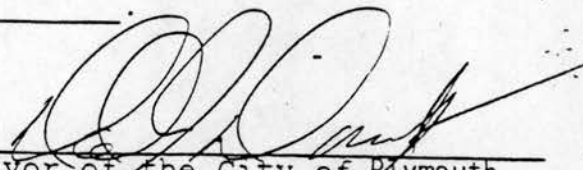
SECTION 7. SEVERABILITY. If any portion of this franchise is found to be invalid for any reason whatsoever, the validity of the rest of this franchise shall not be affected.

SECTION 8. NOTICES. Any notice required by this franchise shall be sufficient if, in the case of notice to the Company, it is delivered to Minnegasco, Inc., attention Vice President, Minnesota Operations, 201 South Seventh Street, Minneapolis, Minnesota 55402, and, in the case of the Municipality, it is delivered to:

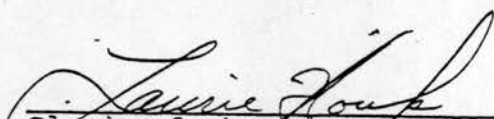


SECTION 9. PREVIOUS FRANCHISES SUPERCEDED. This franchise supercedes all previous franchises granted to the Company or its predecessors.

Passed and approved June 6, 1983

  
Mayor of the City of Plymouth  
Minnesota

ATTEST:

  
Clerk of the City of Plymouth  
Minnesota

SENT WITH PRELIMINARY AGENDA 7/29/83

Council minutes of 7/19/83.

List of Election Judges & Polling Places.

Letter from Mr. Mosher of 7/27 of Boschwitz's office

Appli. of Michael Culhane for Long-Range Planning.

Appli. of conditional use permit, 5301 D.D.

Ord. re taxicabs.

ord. re natural gas franchise.

Memo from Dan Smith re C & G Impr. No. 63-C.

Memo from Fire Chief re bids for fire rescue vehicle

Letter from Dave Kennedy re installation of satellite dish at Crystal Village Apts.; letter from Adrian Herbst of 7/20 re same.

Sub-lease from Waste Management Brd.

Appli. for LAWCON Funds.

Human Relations Comm. minutes of 7/25.

Zoning book additions.

Action Alert of 7/26 re reduction of '84 LGA.

P & R Adv. Comm. agenda for 8/3.

Letter from Golden Skillet of 7/22 re serving free wine & beer in tents to franchise holders.

## COUNCIL AGENDA

August 2, 1983

Pursuant to due call and notice thereof, the regular meeting of the Crystal City Council was held on August 2, 1983, at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota. The Secretary of the Council called the roll and the following were present:

<u>Councilmembers</u>	
✓	Herbes
✓	Aaker
✓	Bird
✓	Schaaf
✓	Meintsma
✓	Lundgren - 8:53 - left
✓	Rygg

<u>Staff</u>	
✓	Irving
✓	Kennedy 7:01
✓	Olson
✓	Sherburne
✓	Peterson
✓	Wilson
✓	Ahmann George

The Mayor led the Council and the audience in the Pledge of Allegiance to the Flag.

The minutes of the regular Council meeting of July 19, 1983 were approved, with the following exceptions: \_\_\_\_\_

### CONSENT AGENDA

1. Set 7:00 P.M., or as soon thereafter as the matter may be heard, August 16, 1983, as the time and date for a public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from John R. Schnell for a variance to build a 14'x28' addition to an existing attached garage at 3852 Edgewood Avenue North.
2. Set 7:00 P.M., or as soon thereafter as the matter may be heard, August 16, 1983, as the time and date for a public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Stanley C. Anderson for a variance to build an 18'x28' all-season porch and an 18'x16' redwood deck at 6708 - 45th Place North.
3. Approve the list of election judges and polling places for the September 13, 1983, Primary Election, as submitted by the City Clerk.



CONSENT AGENDA (continued)

Moved by Councilmember A and seconded by Councilmember H to remove items \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ from the Consent Agenda. Motion Carried.

Moved by Councilmember A and seconded by Councilmember H to approve the Consent Agenda. Motion Carried.

REGULAR AGENDA

1. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Meintsma declared this was the time and date as advertised for the public hearing, at which time the City Council would sit as a Board of Adjustments and Appeals, to consider a request from Michael G. Dolence for a variance to expand a non-conforming use (said non-conformity being the existing garage encroaches 10' in the required 30' side street side yard setback) to allow the construction of a 22'x18' addition to the detached garage at 3948 Florida Avenue North. The Mayor asked those present to voice their opinions or ask questions concerning the variances. Those present and heard were:

Moved by Councilmember H and seconded by Councilmember A to grant authorization, pursuant to Section 515.55 of the Crystal City Code, to vary or modify the strict application of Section 515.05, Subd. 2) to vary 10' in the required 30' side street side yard setback to allow the construction of a 22'x18' addition to the detached garage at 3948 Florida Avenue North, Lot 14, Block 2, Gaulke's 4th Addition, as requested in Variance Application #83-57A by Michael G. Dolence. Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) Variance Application #83-57A to allow the construction of an addition to the detached garage at 3948 Florida Avenue North. Motion Carried.

2. Don Mosher, of Senator Boschwitz's office, appeared to discuss matters of concern to the City and Federal Government.

*Ry 93 - Res. Shaming support - yes  
 Res. F.V. Support - Voted against dereg. issue  
 Res. Inc. Support - yes*

*Schoof - Military = rejuvinate <sup>military facilities</sup> bases in Minn. for addtl. \$ in Minn.*

*Schoof Bus Tax = where will \$ flow back to? (54)  
 14 - mass transit \$2.4 Billion  
 44 - H.W. - trust fund \$12.6 Billion (1984)*

3. The City Council considered the application of Michael Culhane for the Long-Range Planning Commission, with term expiring December 31, 1983.

*applicant appeared  
 but materials = Darlene - John*

Moved by Councilmember A and seconded by Councilmember H to appoint Michael Culhane to the Long-Range Planning Commission for a term expiring December 31, 1983. Motion Carried.

4. The City Council considered the Second Reading of an Ordinance Rezoning Property at 5301 Douglas Drive from B-4 (community-commercial) to B-3 (auto-oriented commercial).

Moved by Councilmember S and seconded by Councilmember R to adopt the following ordinance:

#### ORDINANCE NO. 83-9

#### AN ORDINANCE RELATING TO ZONING: CHANGING THE USE CLASSIFICATION OF CERTAIN LANDS

and further, that this be the second and final reading.

Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) rezoning property at 5301 Douglas Drive from B-4 to B-3 (Octopus Car Wash). Motion Carried.

myself

August 2, 1983

5. The City Council considered a conditional use permit to allow a car wash in a B-3 zoning district at 5301 Douglas Drive.

Moved by Councilmember B and seconded by Councilmember H to grant as recommended by the Planning Commission) (deny) (continue until the discussion of) Conditional Use Permit #83-43T to allow a car wash in a B-3 zoning district at 5301 Douglas Drive.

Motion Carried.

6. The City Council considered the First Reading of an ordinance to permit only licensed taxicabs to pick up passengers in Crystal and to change the insurance coverage requirements for cab companies.

Moved by Councilmember A and seconded by Councilmember H to adopt the following ordinance:

ORDINANCE NO. 83-

AN ORDINANCE RELATING TO TAXICABS:  
AMENDING CRYSTAL CITY CODE, SUBSECTIONS 1150.17 AND 1150.19;  
AND AMENDING CRYSTAL CITY CODE, SECTION 1150 BY ADDING  
A NEW SUBDIVISION THERETO

and further, that the second and final reading be held August 16, 1983.

Motion Carried.

S-720 Restaye  
S-720  
Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) an ordinance to permit only licensed taxicabs to pick up passengers in Crystal and changing the insurance coverage requirements for cab companies.

Motion Carried.



7. The City Council considered a Second Reading of an ordinance pertaining to a natural gas franchise in Crystal.

Moved by Councilmember S and seconded by Councilmember R to adopt the following ordinance:

ORDINANCE NO. 83-10

AN ORDINANCE GRANTING MINNEGASCO, INCORPORATED, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, A NONEXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE, REPAIR AND MAINTAIN FACILITIES AND EQUIPMENT FOR THE TRANSPORTATION, DISTRIBUTION, MANUFACTURE AND SALE OF GAS ENERGY FOR PUBLIC AND PRIVATE USE AND TO USE THE PUBLIC GROUND OF THE CITY OF CRYSTAL, MINNESOTA, FOR SUCH PURPOSES; AND PRESCRIBING CERTAIN TERMS AND CONDITIONS THEREOF

and further, that this be the second and final reading.

Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) an ordinance pertaining to a natural gas franchise in Crystal. Motion Carried.

8. The City Council considered bids for Curb and Gutter Improvement No. 63-C.

Moved by Councilmember A and seconded by Councilmember H to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 83-45

RESOLUTION AWARDDING BID

By roll call and voting aye: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; voting no: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; absent, not voting: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. Motion carried. resolution declared adopted.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (reject) (continue until \_\_\_\_\_ the discussion of) bids for Curb and Gutter Improvement No. 63-C. Motion Carried.

*L/S to reject bids for Curb & Gutter Improvement No. 63-C, as recommended by the City Engineer and further, to advertise for bids in the Spring of 1984. Motion Carried.*

9. The City Council considered bids for a fire rescue vehicle.

*Moved while serving*  
 Moved by Councilmember B and seconded by Councilmember H to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 83-40

RESOLUTION AWARDING BID

By roll call and voting aye: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; voting  
 no: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; absent, not voting: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. Motion  
 carried, resolution declared adopted.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (reject)  
 (continue until \_\_\_\_\_ the discussion of) bids for fire rescue vehicle.  
 Motion Carried.

10. The City Council considered a building permit to install a satellite dish at Crystal Village Apartments.

*Burrows?*  
 Mr. Burrows

Mr. *Burrows*  
*SMH*

Moved by Councilmember L and seconded by Councilmember H to (approve, as recommended by the Planning Commission) (deny) (continue until \_\_\_\_\_ the discussion of) Building Permit #4935 to allow the installation of a satellite dish at Crystal Village Apartments located at 3010-3060 Sumter Avenue North and further, that if this is a franchisable system, a franchise will be applied for. Motion Carried.

*Chetani - Schaaf*  
*No - Rygg*

11. The City Council considered the agreement between Crystal and New Hope for Nevada Avenue Improvement No. 63-D.

Moved by Councilmember B and seconded by Councilmember L to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 83-41

RESOLUTION APPROVING AGREEMENT BETWEEN  
CRYSTAL AND NEW HOPE FOR  
NEVADA AVENUE IMPROVEMENT NO. 63-D

By roll call and voting aye: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; voting no: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; absent, not voting: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. Motion carried, resolution declared adopted.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (disapprove) (continue until \_\_\_\_\_ the discussion of) an agreement between Crystal and New Hope for Nevada Avenue Improvement No. 63-D.  
Motion Carried.

12. The City Council considered taking from the table, the reorganization of the Bassett Creek Flood Control Commission resolution.

A. Moved by Councilmember S and seconded by Councilmember A to remove from the table a resolution on the reorganization of the Bassett Creek Flood Control Commission.  
Motion Carried.

B. Moved by Councilmember Schaaf and seconded by Councilmember Bird to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 83-42

A RESOLUTION APPROVING THE CITY OF CRYSTAL  
EXECUTING A JOINT AND COOPERATIVE AGREEMENT FOR THE  
ESTABLISHMENT OF A BASSETT CREEK WATER SHED  
MANAGEMENT COMMISSION TO PLAN, CONTROL AND  
PROVIDE FOR THE DEVELOPMENT OF BASSETT CREEK



Item 12 (continued)

By roll call and voting aye: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; voting  
no: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; absent, not voting: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. Motion  
carried, resolution declared adopted.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny)  
(continue until \_\_\_\_\_ the discussion of) reorganization of the Bassett  
Creek Flood Control Commission resolution. Motion Carried.

- May 13.* The City Council considered a sub-lease from the Waste Management Board for an  
additional room at Thorson Community Center.

*talk to Charlie first*  
Moved by Councilmember A and seconded by Councilmember B to adopt  
the following resolution, the reading of which was dispensed with by unanimous consent:

## RESOLUTION NO. 83-43

RESOLUTION RELATING TO AN AGREEMENT WITH  
THE WASTE MANAGEMENT BOARD

By roll call and voting aye: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; voting  
no: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; absent, not voting: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. Motion  
carried, resolution declared adopted.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to  
(disapprove) (continue until \_\_\_\_\_ the discussion of) a sub-lease  
with the Waste Management Board for an additional room at Thorson Community Center.  
Motion Carried.

14. The City Council considered an application for LAWCON funds for Becker Park  
development.

Moved by Councilmember B and seconded by Councilmember S to  
(approve) (disapprove) (continue until \_\_\_\_\_ the discussion of)  
an application for LAWCON funds for Becker Park development. Motion Carried.

*No - Herbes*  
*No - Lundgren*

August 2, 1983

- \*\* The City Council Considered final approval of plat Fairview Acres Fourth Unit located at 6728-6730 - 44th Avenue North.

Moved by Councilmember A and seconded by Councilmember to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 83-44

## RESOLUTION APPROVING PLAT

By roll call and voting aye: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_; absent, not voting: \_\_\_\_\_: voting  
no: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. Motion carried. Resolution  
declared adopted.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_  
to (deny) (continue until \_\_\_\_\_ the discussion of)  
~~final~~ approval of plat Fairview Acres Fourth Unit.

Motion Carried.

- \*\* Waido's Pizza Joynt - Itinerant Food Establishment license for July 29-31, 1983 at Becker Park for Crystal Frolics.

ratified  
license

3. B - 71. 2<sup>nd</sup>

16, 1983

- \*\* / Set hearing for revocation of Arbor Tree Service license to trim trees. (Do not have proof of workers compensation insurance in - state law).

Moved by Councilmember B and seconded by Councilmember H to approve the list of license applications. Motion Carried.

~~John Series~~

(Joint Res. of 32<sup>nd</sup> & 33<sup>rd</sup>)

Moved by Councilmember A and seconded by Councilmember A to adjourn the meeting.  
Motion Carried.

~~2.8 Kp. with list~~  
~~4. 20. 13 (over)~~

~~Beating~~

APPLICATION FOR LICENSE

AUGUST 2, 1983

FOOD ESTABLISHMENT - Itinerant (Exempt)

North Memorial Cancer Services Benefit Softball Game  
at Becker Park, one day only August 16, 1983  
Tax Exempt #21524

GARBAGE HAULER (\$27.50 Co. Lic. + \$16.50 ea. vehicle)

Dave's Sanitation, 4072 Hamel Rd, Hamel, MN  
G & H Sanitation, 12448 Penn Ave, Savage, MN  
Midwest Grease Buyers, Redwood Falls, MN  
Walter's Disposal, Blaine, MN

SIGN HANGERS - (\$66.00)

Roger R. Schmidt & Crown CoCo., Inc.



July 29, 1983

Dear Councilmembers:

Vacation is over and now it's back to work. The first real order of business is the preliminary agenda for Tuesday night's meeting. As you can see, there are three items for the Consent Agenda--setting two public hearings regarding variances, and the third item, consideration of a list of election judges and polling places for the September 13 primary election, if one is necessary.

The minutes of the regular meeting of July 19, 1983, are enclosed for your review.

Consent Agenda

ITEM

SUPPORTING DATA

- |  |       |
|--|-------|
| 1. Set Public Hearing to consider a request from John R. Schnell for a variance to build a 14'x28' addition to an existing attached garage at 3852 Edgewood Ave. N.          | None. |
| 2. Set Public Hearing to consider a request from Stanley C. Anderson for a variance to build an 18'x28' all-season porch and an 18'x16' redwood deck at 6708 - 45th Place N. | None. |
| 3. Consideration of list of election judges and polling places for the September 13, 1983, Primary Election, as submitted by the City Clerk.                                 | List. |

Regular Agenda

- |   |       |
|---|-------|
| 1. Public Hearing to consider a request from Michael G. Dolence for a variance to expand a non-conforming use (said non-conformity being the existing garage encroaches 10' in the required 30' side street side yard setback) to allow the construction of a 22'x18' addition to the detached garage at 3948 Florida Ave. N. | None. |
|---|-------|

## 1. (Continued)

I believe the lead-in is adequate. Details will be provided by Don Peterson Tuesday evening.

2. Appearance by Don Mosher of Senator Boschwitz's office to discuss matters of concern to the City and Federal Government. Letter from Mr. Mosher of July 27, 1983.

It is my understanding that Senator Boschwitz's office requested 7:15 P.M. as the time for them to appear on the agenda. Hopefully, Mr. Mosher will be here for the second item.

3. Consideration of the application of Michael Culhane for the Long-Range Planning Commission, with term expiring December 31, 1983. Application.
4. Consideration of the Second Reading of an ordinance rezoning property at 5301 Douglas Drive from B-4 (community commercial) to B-3 (auto-oriented commercial). None.

As you were informed at the last meeting, this rezoning is necessary so that the owners of the property can do some remodeling or make some additions to the present car wash that is presently located in a non-conforming use in a B-4 District.

5. Consideration of a conditional use permit to allow a car wash in a B-3 zoning district at 5301 Douglas Drive. Application.
6. Consideration of the First Reading of an ordinance to permit only licensed taxicabs to pick up passengers in Crystal, and to change the insurance coverage requirements for cab companies. Copy of proposed ordinance.

This preliminary agenda will not go out until "Friday"-- I'm dictating it on Thursday. As yet, I have not received Dave's proposed ordinance amendments, but I understand it is in the mail. If so, it will be included tomorrow in your packet.

7. Consideration of the Second Reading of an ordinance pertaining to a natural gas franchise in Crystal. Copy of ordinance; copy of letter from Minnegasco of 7/27/83.

## 7. (Continued)

Most of this was explained at the last meeting. Dave did put it in its proper form so it does apply to Crystal and Crystal only.

8. Consideration of bids for Curb & Gutter Improvement No. 63-C.      Letter from Dan Smith of 7/28/83.

Dan Smith's letter explaining the process and the one bid does not have a recommendation. Dan, Bill and I will sit down on Monday when Bill gets back from his vacation and see if we can make a recommendation to you on Tuesday evening. We received only one bid and that bid is much higher than the estimate, but we do understand there is an abnormal amount of curb and gutter work to be done in the metropolitan area this year and we were told at one time we wouldn't receive any bids, so we do want to talk this over with Bill before we make a recommendation.

9. Consideration of bids for a fire rescue vehicle.      Copy of memo from Fire Chief of July 22; memo from Fire Chief of 7/25.

Please find the memo to me from the Fire Chief with its recommendations.

10. Consideration of a building permit to install a satellite dish at Crystal Village Apartments.      Letter from Dave Kennedy of 7/22/83; letter from Adrian Herbst of 7/20/83.

I have a memo from Dave Kennedy and a memo from Adrian Herbst, the Cable Commission's attorney. I tend to agree with Dave Kennedy and suggest that we make certain that the developer of this system understands that if the Supreme Court decides it is a franchisable system, they will be required to apply for a franchise. The recommendation from the Planning Commission was for just one block of B.T. & A.'s apartments on 32nd, just east of Winnetka, rather than the whole complex.

11. Consideration of the agreement between Crystal and New Hope for Nevada Avenue Improvement No. 63-D.      Agreement.

At the present time we do not have the agreement from New Hope, but have been told we will have it before this preliminary agenda goes out. If we don't, we will just remove this item from the agenda and have it at the next Council meeting. If we do receive it, we will send it to you and you can take action, if you wish.



12. Consideration of taking from the table the reorganization of the Bassett Creek Flood Control Commission. None.

This item was tabled at the last meeting. It is on again for your consideration and we will try to provide a more in-depth rundown on what is being changed to accommodate the new legislation. It is my understanding that Adrian was concerned about the language that allowed the Commission to greatly increase their budget, thereby increasing its members' costs. We will get as much information as we can for Tuesday evening.

13. Consideration of a sub-lease from the Waste Management Board for an additional room at Thorson Community Center. Copy of sub-lease.

If there are any questions about this sub-lease, Charlie Wilson will explain them Tuesday evening.

14. Consideration of an application for LAWCON Funds for Becker Park development. Copy of preliminary application.

The approval of the application is contingent upon your decision regarding tax increment financing and the Bass Lake Road project. The local share will come from tax increment resources. If you have any questions, we will answer them Tuesday evening.

That should take care of the agenda as we see it at this writing. I have, however, sent along some additional items for your information.

1. Human Relations Commission minutes of 7/25/83.
2. Zoning book additions.
3. Action Alert of 7/26/83 re reduction of 1984 LGA-alternative methods
4. Park & Recreation Advisory Commission agenda for Aug. 3, 1983.
5. Letter from Golden Skillet of July 22 re serving free wine and beer in tents to their franchise holders.

Regarding Item #5, the letter from the Golden Skillet, we can find no requirement that they have a license or a permit to serve wine or beer to their guests at no charge, and it is my understanding that all of the food that will be served in the tents on the shopping center site will be cooked in the Golden Skillet, so that would not require additional permits.

If I do not hear from you, at least by Council meeting time Tuesday evening, with any specific restrictions that you would like to impose, I will write a letter of approval for their party. With the letter from the Golden Skillet, they did include a plat map which shows where the tents will be placed. It is a large map and rather than make copies, we can pass it around at the table Tuesday evening.

See you Tuesday.

J A C K

APPLICATION FOR LICENSE

AUGUST 2, 1983

FOOD ESTABLISHMENT - Itinerant (Exempt)

North Memorial Cancer Services Benefit Softball Game  
at Becker Park, one day only August 16, 1983  
Tax Exempt #21524

GARBAGE HAULER (\$27.50 Co. Lic. + \$16.50 ea. vehicle)

Dave's Sanitation, 4072 Hamel Rd, Hamel, MN  
G & H Sanitation, 12448 Penn Ave, Savage, MN  
Midwest Grease Buyers, Redwood Falls, MN  
Walter's Disposal, Blaine, MN

SIGN HANGERS - (\$66.00)

Roger R. Schmidt & Crown CoCo., Inc.

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DUE DATE: NOON, WEDNESDAY  
JULY 27, 1983

MEMO TO: John T. Irving, City Manager  
FROM: John A. Olson, Assistant City Manager

ACTION NEEDED MEMO: From the July 19, 1983, Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of July 19, 1983. These items should be taken care of by noon, Wednesday, preceding the next regularly scheduled Council meeting and returned to the Assistant City Manager for his review.

CONSENT AGENDA

<u>DEPARTMENT</u>	<u>ITEM</u>	
ASST. CITY MGR.	1.	Set public hearing to consider a request for a variance at 3948 Florida Avenue North. ACTION NEEDED: Place item on August 2, 1983 Council Agenda. ACTION TAKEN: Item placed on August 2, 1983 Council Agenda.
BLDG. DEPT.		ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Notices mailed 7-22-83.
ASST. CITY MGR.	2.	Set public hearing to consider tentative approval of the proposed plat Stoneburner Addition located between Adair and Zane Avenue North and 34th Avenue. ACTION NEEDED: Place item on August 16, 1983 Council Agenda. ACTION TAKEN: Item to be placed on August 16, 1983 Council Agenda.
CITY ENGINEER		ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Notices mailed 7-21-83.



<u>DEPARTMENT</u>	<u>ITEM</u>	
ASST. CITY MGR.	3.	<p>Set public hearing to consider a request for tentative approval of the proposed plat HRA Addition located at 5517 Xenia Avenue North.</p> <p>ACTION NEEDED: Place item on August 16, 1983 Council Agenda.</p> <p>ACTION TAKEN: Item to be placed on August 16, 1983 Council Agenda.</p>

CITY ENGINEER		<p>ACTION NEEDED: Notify affected property owners.</p> <p>ACTION TAKEN: Property owner notified.</p>
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ASST. CITY MGR.	4.	<p>Set public hearing to consider a request for tentative approval of proposed plat HRA 2nd Addition located at 3054 Douglas Drive.</p> <p>ACTION NEEDED: Place item on August 16, 1983 Council Agenda.</p> <p>ACTION TAKEN: Item to be placed on August 16, 1983 Council Agenda.</p>
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CITY ENGINEER		<p>ACTION NEEDED: Notify affected property owners.</p> <p>ACTION TAKEN: Property owner notified.</p>
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#### REGULAR AGENDA

BLDG. DEPT.	1.	<p>Public hearing to consider a request for a variance at 5800 Quail Avenue North.</p> <p>ACTION NEEDED: Notify applicant of Council approval.</p> <p>ACTION TAKEN: Permit issued.</p>
-------------	----	--

BLDG. DEPT.	2.	<p>Public hearing to consider a request for a variance at 3732 Adair Avenue North.</p> <p>ACTION NEEDED: Notify applicant of Council approval.</p> <p>ACTION TAKEN: Permit issued.</p>
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<u>DEPARTMENT</u>	<u>ITEM</u>	
BLDG. DEPT.	3.	Public hearing to consider a request for a variance at 4856 Zane Avenue North. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Permit issued.
ASST. CITY MGR.	4.	Consideration of First Reading of an ordinance rezoning property at 5301 Douglas Drive from B-4 to B-3. ACTION NEEDED: Place Second Reading on August 2, 1983 Council Agenda. ACTION TAKEN: Item placed on August 2, 1983 Council Agenda.
CITY CLERK	5.	Consideration of a gambling license and waiver of bond from Crystal Firemen's Relief Association. ACTION NEEDED: Issue license. ACTION TAKEN: License issued.
CITY CLERK	6.	Consideration of a request from St. Raphael's Church to hold a carnival on August 5, 6 and 7, 1983 and waive the fee. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: License issued. Applicant present.
CITY CLERK	7.	Consideration of a request from St. Raphael's Church for a bingo license for the St. Raphael's Festival on August 5, 6 and 7, 1983 and waive the bond. ACTION NEEDED: Issue license. ACTION TAKEN: License issued.
CITY CLERK	8.	Consideration of a request from St. Raphael's Church for a 3.2 beer stand at the St. Raphael's Festival August 5, 6 and 7, 1983. ACTION NEEDED: Issue license for beer stand. ACTION TAKEN: License issued.

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY CLERK	9.	<p>Consideration of a request for a pig roast on August 27, 1983 at Crystal Lounge.</p> <p>ACTION NEEDED: Notify applicant of Council approval.</p> <p>ACTION TAKEN: Applicant's representative present at meeting.</p>
HEALTH DEPT.		<p>ACTION NEEDED: Check cooking facilities for compliance with ordinances and health code.</p> <p>ACTION TAKEN: <b>Not completed.</b></p>
CITY ENGINEER	10.	<p>Consideration of amendments to the PUD Ordinance relative to the settlement with Halley Land Corporation.</p> <p>ACTION NEEDED: Place discussion of PUD Ordinance and changes on Planning Commission agenda.</p> <p>ACTION TAKEN: Placed on Council Agenda for 8-8-83.</p>
ASST. CITY MGR.		<p>ACTION NEEDED: Set 7:00 P.M., August 9, 1983 for Executive Session to consider settlement with Halley Land Corporation.</p> <p>ACTION TAKEN: Special meeting set for August 9, 1983.</p>
CITY CLERK	11.	<p>Consideration of a request from JKA Women's Softball Team for an itinerant food establishment license for Welcome Park on July 23 and 24, 1983.</p> <p>ACTION NEEDED: Notify applicant of Council approval and no waiver of fee.</p> <p>ACTION TAKEN: License issued. Applicant present.</p>
CITY ATTORNEY	12.	<p>Consideration of a request from Town Taxi regarding Taxi Cab Ordinance.</p> <p>ACTION NEEDED: Prepare a draft ordinance to include changes as requested for the next Council meeting.</p> <p>ACTION TAKEN: Draft ordinance being prepared.</p>



<u>DEPARTMENT</u>	<u>ITEM</u>	
BLDG. DEPT.	13.	<p>Consideration of waiver of the fee for a sign for the Fair Sampler at Fair Community Education Center on September 19, 1983.</p> <p>ACTION NEEDED: When sign is applied for, waive permit fee.</p> <p>ACTION TAKEN: No permit applied for as yet.</p>
CITY ENGINEER	14.	<p>Consideration of a request from Village Builders for accepting surety and entering into agreement for Nevada Court Condominiums.</p> <p>ACTION NEEDED: Notify applicant of Council approval.</p> <p>ACTION TAKEN: Applicant present at meeting.</p> <p>Mailed applicant copy of signed agreement.</p>
BLDG. DEPT.		<p>Consideration of a request for a building permit at 3351 Nevada Avenue North and a grading permit for 3333-3351 Nevada Avenue North.</p> <p>ACTION NEEDED: Notify applicant of Council approval.</p> <p>ACTION TAKEN: Permit issued.</p>
ASST. CITY MGR.	15.	<p>Consideration of accepting feasibility report for Improvement #63-F, 45th Place - Florida to dead end east and setting a public hearing.</p> <p>ACTION NEEDED: Place item on August 16, 1983 Council Agenda.</p> <p>ACTION TAKEN: Item placed on August 16, 1983 Council Agenda.</p>
CITY ENGINEER	16.	<p>Consideration of awarding a contract for sanitary sewer reconstruction on Lilac Drive from 34th Place to 35th Avenue North.</p> <p>ACTION NEEDED: Notify low bidder of Council approval.</p> <p>ACTION TAKEN: Mailed contract 7-20-83.</p>

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY ENGINEER	17.	Consideration of awarding a contract for Seal Coat Improvement #63-B for 1983. ACTION NEEDED: Notify low bidder of Council approval. ACTION TAKEN: Contracts mailed 7-20-83.
ASST. CITY MGR.	18.	Consideration of First Reading of an ordinance adopting the SRA Uniform Gas Franchise (Minnegasco). ACTION NEEDED: Place Second Reading on August 2, 1983 Council Agenda. ACTION TAKEN: Item placed on August 2, 1983 Council Agenda.
ASST. CITY MGR.	19.	Consideration of the Bassett Creek Flood Reorganization. ACTION NEEDED: Place item on August 2, 1983 Council Agenda. Item tabled. ACTION TAKEN: Item placed on August 2, 1983 Council Agenda.
ASST. CITY MGR.	20.	Consideration of the replacement of Paul Rosenthal on the Joint Airport Zoning Board. ACTION NEEDED: Notify consultant of Mayor Meintsma's appointment to the Zoning Board. ACTION TAKEN: Consultant notified.
CITY MANAGER	21.	Consideration of the application of David B. Anderson for appointment to the Long Range Planning Commission. ACTION NEEDED: Notify applicant of approval of application and send packet of information. ACTION TAKEN: Letter sent 7-20-83.
CITY CLERK	22.	Licenses ACTION NEEDED: Issue licenses. ACTION TAKEN: Licenses issued.

C I T Y   O F   C R Y S T A L  
ELECTION JUDGES & POLLING PLACES

September 13, 1983

<u>WARD 1, PRECINCT 1</u> <u>NEILL SCHOOL</u>	<u>WARD 1, PRECINCT 2</u> <u>CRYSTAL HEIGHTS SCHOOL</u>	<u>WARD 2, PRECINCT 1</u> <u>FAIR SCHOOL</u>
D   *Liz Reid 5417 Vera Cruz 537-1058	R   *Sandra Dolence 6118 39th Ave. 533-3792	R   *Florence Gaulke 3924 Douglas Drive 537-6147
D   Delores Lejcher 3024 Florida 545-4531	D   Mary Hurt 6609 38th Ave. 533-2062	D   Hesther Truax 3717 Vera Cruz 537-6639
R   Maureen Bennett 3308 Welcome 536-8211	D   Beth Knight 3113 Yukon 545-3778	D   Pearle Balzer 3409 Perry 588-4818
R   Donna Saucier 3000 Florida 544-2341	R   Helen Carlson 6603 42nd Ave. 537-6415	R   Carl Carlson 5566 Unity Ave. 537-0554
<u>WARD 2, PRECINCT 2</u> <u>CITY HALL</u>	<u>WARD 2, PRECINCT 3</u> <u>CHURCH OF THE OPEN DOOR</u>	<u>WARD 2, PRECINCT 4</u> <u>WINNETKA VILLAGE APTS.</u>
R   *Marilyn Duxbury 4407 Douglas Drive 537-8704	R   *Jeanne Sherburne 3633 Colorado 533-5535	D   *Peg Wellik 3648 Colorado 537-1080
D   Marty Ann Klika 4016 Idaho Ave. 536-9677	R   Karen Evenocheck 3001 Utah 545-6231	D   Berniece Fitzpatrick 2940 Louisiana 545-0022
R   Eileen Broman 3857 Idaho 537-5216	D   Emily Melhuse 4552 Brunswick 537-0442	R   Beverly Hanson 2701 Lamplighter Lane 545-5227
D   Beverly White 6511 45th Place 533-8434		

\*Head Judge



September 13, 1983

WARD 3, PRECINCT 1

D \*Diane Malmberg  
6807 47th Ave.  
537-7470

R Arlene VanRisseghem  
4500 Brunswick  
537-2174

R Vidar Fladmoe  
4501 Brunswick  
537-9410

D Irene Bernu  
2901 Idaho Ave.  
545-4219

WARD 4, PRECINCT 1  
VFW POST #494

D \*Suzanne Smith  
5423 Xenia Ave.  
533-6995

D Ethel Amundsen  
4710 58th Ave. N. #304  
533-9252

R Ed Hassig  
6620 41st Ave.  
537-3748

R Phyllis Adamson  
5724 Twin Lake Terrace  
537-4994

WARD 3, PRECINCT 2

R \*Shirley Burg  
5826 Jersey Ave.  
537-5463

D Barbara Halverson  
4807 Hampshire  
537-7907

R Bernice Jubert  
4819 Hampshire Ave.  
533-2006

D Ethel Wolff  
5300 Kentucky  
537-9235

WARD 4, PRECINCT 2  
THORSON COMMUNITY CENTER

R \*Bernadine Plasencia  
5841 Pennsylvania  
537-6095

D Marjorie Olson  
6600 Dudley  
537-6568

D Marilyn Blore  
5742 Rhode Island  
533-0759

R Roy W. Kottke  
4033 Jersey Ave.  
533-8509

WARD 3, PRECINCT 3

R \*Terry Fink  
3455 Hampshire  
537-1677

D Rena Kopczeski  
5115 Fairview  
537-2111

D Janet Pilon  
4836 Quail  
535-4115

R C. N. Paris  
6520 41st Ave.  
533-8901

\*Head Judge

## CITY OF CRYSTAL

83-437

4141 DOUGLAS DRIVE NORTH  
Crystal, MN 55422  
Phone: 537-8421

Date: MAY 24, 1983

TYPE OF REQUEST: ( ) Rezoning (X) Conditional Use Permit  
( ) Variance ( ) Plat Approval  
( ) Sign Variance ( ) Other

Street Location of Property: 5301 DOUGLAS DRIVE NOLegal Description of Property: LOT 1 BLOCK 1 WHINNERY TERRACE  
LOT 2 BLOCK 1 WHINNERY TERRACEOwner: WILLIAM & JOHN JURKENS  
(Print Name)5301 DOUGLAS DR  
(Address)533-4581  
(Phone No.)Applicant: SAME  
(Print Name)

(Address)

(Phone No.)

DESCRIPTION OF REQUEST: CONDITIONAL USE PERMIT TO CONTINUE  
OPERATING AS A CAR WASH AFTER 19 YEARS OF CONTINUOUS  
OPERATION AS A CAR WASHAPPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED:  
(attach additional sheets if necessary)CONTINUE TO MAKE MY LIVING

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT  
(Circle one)William Jurkens  
(Applicant's Signature)William Jurkens  
(Owner's Signature)515.35 Lined 4 to

(Office Use Only)

FEE: \$ 75.00

DATE RECEIVED: 5/24/83

RECEIPT #

5/24/83

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

August 2, 1983

TO: John T. Irving, City Manager  
FROM: William L. Sherburne, City Engineer  
RE: Curb & Gutter Bids

*Bill*

Upon review and investigation of the bid received for Curb & Gutter Improvement No. 63-C, it is my recommendation that the single bid received from Concrete Curb Co. in the amount of \$123,130.50 be rejected, and that construction be scheduled for 1984 with bids being received in the spring of 1984.



July 28, 1983

John T. Irving  
City Manager  
City of Crystal, MN

Re: Bids - Curb & Gutter  
Improvement No. 63-C

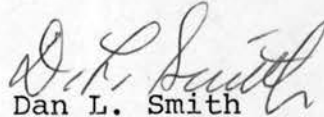
Dear Mr. Irving:

Only one bid was received on July 27, 1983, for the above referenced project, and was checked for completeness and accuracy. The result is as follows:

Concrete Curb Co. - \$ 123,130.50

Engineer's Estimate - \$ 88,000.00

Very truly yours,



Dan L. Smith  
Assistant City Engineer

DLS/mb

JOINT AND COOPERATIVE AGREEMENT  
FOR BITUMINOUS OVERLAY ON NEVADA AVENUE  
NORTH BETWEEN 45TH AND 49TH AVENUES NORTH

THIS AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 1983, by and between the City of Crystal, a Minnesota Municipal Corporation ("Crystal") and the City of New Hope, a Minnesota Municipal Corporation ("New Hope").

WITNESSETH:

WHEREAS, Crystal and New Hope are adjacent municipalities with a common boundary; and

WHEREAS, Crystal and New Hope have been negotiating to bring about the improvement of that portion of Nevada Avenue North lying between 45th and 49th Avenues North, which improvement includes milling of bituminous surface adjacent to existing concrete curb and gutter, and construction of a 1-1/2 inch thick bituminous overlay, all per the plans and specifications prepared by Bonestroo, Rosene, Anderlik and Associates, Inc., hereinafter referred to as New Hope Engineers, to be approved by the Council of each party.

WHEREAS, Crystal and New Hope have been further negotiating since the bid letting for the preparation of Change Order #1 which includes construction of concrete curb and gutter, bituminous patching, and restoration of driveways and boulevards for Nevada Avenue North between 47th Avenue North and 48th Avenue North with said work being constructed per the New Hope specifications pursuant to plans and quantities furnished by Crystal.

WHEREAS, the parties deem it desirable, feasible and practical to carry out the construction as outlined herein as one contract under the engineering supervision of New Hope Engineers, the City Councils of each municipality have duly ordered participation in this Joint Powers Agreement pursuant to the following improvement projects:

a) Crystal Street Improvement No. \_\_\_\_ ordered the \_\_\_\_ day of \_\_\_\_\_, 1983.

b) New Hope Street Improvement No. 379 ordered the 27th day of June, 1983.

WHEREAS, the total estimated construction cost of the Joint Project is \$550,420.00 consisting of \$20,000 in costs for the Crystal project and \$530,420.00 in costs for the New Hope project as estimated by the New Hope Engineers.

WHEREAS, Crystal and New Hope have determined that it is in their best interests to construct the bituminous overlay on Nevada Avenue North as a joint and cooperative undertaking, pursuant to Minnesota Statutes, Section 471.59.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, Crystal and New Hope agree as follows:

I. CONSTRUCTION OF THE JOINT PROJECT

1. The Joint Project shall be constructed and the cost shared by Crystal and New Hope as provided in this agreement.

1.01. Chapter 429 Proceedings. The Crystal Project and the New Hope Project shall be constructed as a single contract under the supervision and



direction of the New Hope Engineer in accordance with the procedures set forth in Minnesota Statutes, Chapter 429.

1.02. Plans and Specifications. Plans and specifications for the bituminous milling and overlay for both the New Hope and Crystal project shall be prepared by the New Hope Engineer. Plans for Change Order #1 shall be provided to the New Hope Engineer by the Crystal Engineer, however all work constructed as part of Change Order #1 shall be in accordance with the specifications provided by the New Hope Engineer. All plans and specifications for each project and Change Order #1 shall be approved by each City Council before commencement of construction.

1.03. Contracts. The Crystal and New Hope Projects will be performed as a single contract. The contract shall be let by New Hope pursuant to the terms of this agreement. The New Hope Engineer will be responsible for the advertisement of bids and tabulation of bids to determine the successful bidder.

1.04. Supervision. The construction of the respective Projects shall be supervised by the New Hope Engineer. The Crystal engineer and his staff shall cooperate fully with the New Hope Engineer or his staff at their request. All records, reports and other data relating to the Project and necessary to its successful completion shall be made available for inspection by the New Hope Engineer.

## II. COST AND COST SHARING

2. Cost of Joint Project. The Cost of the Joint Project shall be determined and apportioned to the cities as provided in this Article.

2.01. Determination of Cost. The Cost of the Project includes construction costs, normal contingencies, engineering costs and legal costs associated with the preparation of this Joint Powers Agreement. All other administrative and legal costs normally attributed by the cities to projects under Minnesota Statutes, Chapter 429 shall be paid for by the Municipality which incurs the costs.

Contract construction costs shall be determined on a unit price basis as set forth in the contracts and based upon final quantities as measured by the New Hope Engineer upon completion of the project.

2.02 Sharing of Costs. It is further agreed that the New Hope Engineer's estimate of costs referred to on page 2 of this agreement is an estimate of the construction costs of said project and that the unit prices set forth in the contract with the successful bidder and the final quantities as measured by the New Hope Engineer shall govern in computing the total final construction cost for apportioning the cost of said project to each municipality.

The final construction cost to be apportioned to each municipality shall be the total cost for construction of all B618 concrete curb and gutters, milling adjacent to existing concrete curb and gutters and restoration of all driveways and boulevards occurring on each municipality's respective side of Nevada Avenue North between 45th Avenue North and 49th Avenue North. All costs associated with the construction of the 1-1/2 inch thick bituminous overlay on Nevada Avenue North between 45th Avenue North and 49th Avenue North shall be apportioned equally between each municipality unless said costs are direct pay items, the payment of which shall be controlled by paragraph 2.03 of this agreement.

Crystal further agrees to pay for all engineering costs associated with the preparation of plans and specifications for bituminous milling and overlay. Said costs shall be determined by the New Hope Engineer on a percentage basis by determining the total construction costs to Crystal and multiplying that cost by 4.77%.

Crystal further agrees to pay for all engineering costs associated with the preparation of Change Order #1 for construction of concrete curb and gutter, bituminous patching and restoration of boulevards and driveways in Crystal on Nevada Avenue North between 47th and 48th Avenues North. Said costs shall be determined by the New Hope Engineer and computed based on the 1983 per diem rates of the New Hope Engineers. The normal contingency costs, legal costs associated with the preparation of this Joint Powers Agreement and all other engineering costs associated with this project shall be deemed construction supervision costs. Construction supervision costs shall be determined by the New Hope Engineer and shall be apportioned to each municipality and multiplying that cost by a percentage determined by dividing the project's total construction supervision cost by its total construction cost.

2.03. Direct Pay Items. Direct pay items shall including but not be limited to relocation and/or adjustment of utility structures such as manholes, hydrants, and catch basins, insulation of water mains, and adjustment of alignments or grades at intersections. The number of direct pay items and to which municipality the cost will be apportioned shall be determined by the New Hope Engineers per their plans and specifications. The costs associated with these



items shall be deemed a cost of the project; however, said costs shall be borne by the municipality wherein such work is performed. Payment of direct pay items shall be made in accordance with Section 2.04.

2.04. Progress Billings and Reports. The New Hope Engineer will prepare monthly progress reports which shall include identification of direct pay items, if any. A copy of these reports will be furnished to Crystal.

Based on said reports the New Hope Engineer will submit monthly progress billings to New Hope and Crystal. Within thirty (30) days after Crystal is billed by New Hope, Crystal shall pay New Hope ninety-five percent (95%) of the amount billed, retaining 5 percent until final completion of the Project. Upon the completion of the project and submittal to Crystal of a final billing for the project showing Crystal's final share of the cost, all retainage and any additional amount then due New Hope shall be paid by Crystal within thirty (30) days as their final payment for this project.

### III. MISCELLANEOUS

3.01. Limitation of Liabilities. It is further agreed that any and all employees of New Hope and all other persons engaged by New Hope in the performance of any work or services required, volunteered, or provided for herein to be performed by New Hope shall not be considered employees of Crystal and that any and all claims that may or might arise under the Worker's Compensation Act of the State of Minnesota on behalf of said employees while so engaged in any of the work or services provided to be rendered herein, shall in no way be the obligation or responsibility of Crystal and all other persons engaged by Crystal in the performance of any work or services required or provided for

herein to be performed by Crystal shall not be considered employees of New Hope, and that any and all claims that may or might arise under the Worker's Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any and all claims by any third parties as a consequence of any act or omission on the part of said employees so engaged in any of the work or services provided to be rendered herein shall in no way be the obligation or responsibility of New Hope.

3.02. Terms of Agreement. This agreement shall remain in force until the project is completed and accepted in accord with the approved plans and specifications by each city to this Joint Project.

3.03. Amendment. This Agreement may be amended at any time by mutual consent of the cities set forth in a written statement hereto.

IN WITNESS WHEREOF, the cities have caused this AGREEMENT to be executed by their proper officers on their behalf, pursuant to resolutions duly adopted by their respective governing bodies.

CITY OF CRYSTAL

By \_\_\_\_\_  
Its Mayor

By \_\_\_\_\_  
Its Manager

CITY OF NEW HOPE

By \_\_\_\_\_  
Its Mayor

By \_\_\_\_\_  
Its Manager

SENT WITH PRELIMINARY AGENDA 8/12/83-

Council minutes of 8/2/83.

Planning Commission Minutes of 8/8/83.

Notice of Public Hearing Improvements No. 63-F  
(8/16/83)

Letter from Charles Q. Hillstrom dated 8/10/83.

Letter from Patricia Jacobson dated 8/11/83.

(Two above letters regarding Improvement #63-F)

Copy of memo and new maps from BRW re: Bass  
Lakee Road/Becker Park Redevelopment.

Copy of letter from District #281 re: Tax  
Increment Financing. (Letter dated 7-26-83)

Copy of letter from Dave Kennedy dated 8/11/83  
re: Tax Increment Financing, along with  
copy of resolution.

Copy of letter from Richard Locketz re: Rezoning  
ordinance for 6105 - 42nd Avenue North.

Memo dated 8-8-83 to John T. Irving from John A.  
Olson Re: North Fire Station

Memo from City Engineer dated 8-12-83 re:  
Improvement Needs, Nevada Court.

HRA Minutes of 7-14-83.

Crystal Park & Recreation Advisory Commission  
Meeting minutes of 7-13-83.

Crystal Park & Recreation Dept. Monthly Report  
for July, 1983.

Park & Recreation Evaluation: Crystal Frolics

Thank you letter to Park & Recreation Dept. from  
Tom Rother dated 6-20-83.

Letter from Eric Moore dated 8-12-83 re: Sewer  
Backups on 7-3-83.

SENT WITH AGENDA 8/16/83

Letter from John E. Derus of 8/9/83 re Bass Lake  
Rd./Becker Park area.

Notice of Metro Area Regional meeting on 9/29  
in Bloomington (IMC/AMM).

Halley Land Schedule



## COUNCIL AGENDA

August 16, 1983

Pursuant to due call and notice thereof, the regular meeting of the Crystal City Council was held on August 16, 1983, at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota. The Secretary of the Council called the roll and the following were present:

### Councilmembers

✓ Herbes  
✓ Aaker  
✓ Bird  
✓ Schaaf  
✓ Meintsma  
✓ Lundgren  
✓ Rygg

### Staff

✓ Irving  
✓ Kennedy  
✓ Olson  
✓ Sherburne  
✓ Peterson  
✓ Wilson  
✓ Ahmann

The Mayor led the Council and the audience in the Pledge of Allegiance to the Flag.

The minutes of the regular Council meeting of August 2, 1983 were approved, with the following exceptions: \_\_\_\_\_

### CONSENT AGENDA

1. Set 7:00 P.M., or as soon thereafter as the matter may be heard, September 6, 1983, as the time and date for a public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from John Redmond for a variance to build a canopy which will encroach 8'1" in the front yard setback at the Golden Skillet Restaurant, Crystal Shopping Center.
2. Set 7:00 P.M., or as soon thereafter as the matter may be heard, September 6, 1983, as the time and date for a public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from William Jurkens, of Octopus Car Wash, for variances to expand a non-conforming use (said non-conformity being the existing building encroaches 3' in the required 25' side street side yard setback); and to vary the side street side yard setback requirements at 5301 Douglas Drive.
3. Set 7:00 P.M., or as soon thereafter as the matter may be heard, September 6, 1983, as the time and date for a public hearing, to consider the franchise for the distribution of natural gas in the City of Crystal.
4. Set 7:00 P.M., or as soon thereafter as the matter may be heard, September 6, 1983, as the time and date for a public hearing to consider the vacation of a portion of Quail Avenue south of 53rd Avenue and a portion of Vera Cruz Avenue south of 53rd Avenue.

~~(Consent Agenda continued)~~

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to remove items \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ from the Consent Agenda.

Moved by Councilmember A and seconded by Councilmember A to approve the Consent Agenda. Motion Carried.

REGULAR AGENDA

- ✓ 1. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Meintsma declared this was the time and date as advertised for the public hearing, at which time the City Council would sit as a Board of Adjustments and Appeals, to consider a request from John R. Schnell for a variance to expand a non-conforming use (said non-conformity being the existing dwelling encroaches 16' in the required 40' rear yard setback) and to further encroach 14' for the construction of a 14'x28' addition to the attached garage at 3852 Edgewood Avenue North. The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were:

Moved by Councilmember H and seconded by Councilmember B to grant authorization, pursuant to Section 515.55 of the Crystal City Code, to vary or modify the strict application of Section 515.05, Subd. 2, to allow the expansion of a non-conforming use, the existing dwelling encroaches 16' in the required 40' rear yard setback, and to further the encroachment an additional 14' by building a 14'x28' addition to the attached garage varying Section 515.13, Subd. 4 a) at 3852 Edgewood Avenue North, Lot 8, Block 1, Gaulke's 5th Addition, as requested in Variance Applications #83-58A and #83-59A by John Schnell. Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) Variance Applications #83-58A and #83-59A to allow the construction of an addition to the attached garage at 3852 Edgewood Avenue North. Motion Carried.

August 16, 1983

2. ✓ It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Meintsma declared this was the time and date as advertised for the public hearing, at which time the City Council would sit as a Board of Adjustments and Appeals, to consider a request from Stanley C. Anderson for a variance of 12.56' in the required 40' rear yard setback to build an 18'x28' all-season porch and an 18'x16' deck at 6708 - 45th Place North. The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were:

Moved by Councilmember A and seconded by Councilmember H to grant authorization, pursuant to Section 515.55 of the Crystal City Code, to vary or modify the strict application of Section 515.13, Subd. 4 a) to allow a variance of 12.56' in the required 40' rear yard setback for the construction of an 18'x28' all-season porch and an 18'x16' deck at 6708 - 45th Place North, (legal description), as requested in Variance Application #83-68A by Stanley Anderson. Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) Variance Application #83-68A to allow the construction of an all-season porch and a deck at 6708 - 45th Place North. Motion Carried.

3. ✓ It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Meintsma declared this was the time and date as advertised for the public hearing, at which time the City Council would consider a request from Gordon Stoneburner for tentative approval of the proposed plat Stoneburner Addition located between Adair and Zane, north of 34th Avenue. The Mayor asked those present to voice their opinions or ask questions concerning the proposed plat. Those present and heard were:

Stoneburner C.

Moved by Councilmember L and seconded by Councilmember B to grant (disapprove) (continue until \_\_\_\_\_ the discussion of) tentative approval of the proposed plat Stoneburner Addition located between Adair and Zane, north of 34th Avenue. Motion Carried.



August 16, 1983

4. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Meintsma declared this was the time and date as advertised for the public hearing, at which time the City Council would consider a request from the Crystal HRA for tentative approval of the proposed plat HRA Addition located at 5517 Xenia Avenue North. The Mayor asked those present to voice their opinions or ask questions concerning the proposed plat. Those present and heard were:

Moved by Councilmember B and seconded by Councilmember Ry to (grant) (disapprove) (continue until \_\_\_\_\_ the discussion of) tentative approval of the proposed plat HRA Addition, located at 5517 Xenia Avenue North. Motion Carried.

5. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Meintsma declared this was the time and date as advertised for the public hearing, at which time the City Council would consider a request from the Crystal HRA for tentative approval of the proposed plat HRA Second Addition located at 3054 Douglas Drive. The Mayor asked those present to voice their opinions or ask questions concerning the proposed plat. Those present and heard were:

Moved by Councilmember Lu and seconded by Councilmember A to (grant) (disapprove) (continue until \_\_\_\_\_ the discussion of) tentative approval of the proposed plat HRA Second Addition, located at 3054 Douglas Drive. Motion Carried.

6. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Meintsma declared this was the time and date as advertised for the public hearing, at which time the City Council would consider the revocation of the tree trimmer's license for Arbor Tree Service. The Mayor asked those present to voice their opinions or ask questions concerning the proposed revocation. Those present and heard were:

Moved by Councilmember Ry and seconded by Councilmember Lu to (approve) (disapprove) (continue until \_\_\_\_\_ the discussion of) the revocation of the tree trimmer's license for Arbor Tree Service for the year of 1983. Motion Carried.

August 16, 1983

4. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Meintsma declared this was the time and date as advertised for the public hearing, at which time the City Council would consider Improvement Project No. 63-F, 45th Place from Florida to the dead end east. The Mayor asked those present to voice their opinions or ask questions concerning Improvement Project No. 63-F. Those present and heard were:

Tom Van Housen 6404-45th Ave.

Mrs. Jacobson

Mrs. Helstrom owner of 4532 Fla.

B. S. Rymer  
H. A. Lu

Moved by Councilmember Ry and seconded by Councilmember S to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

## RESOLUTION NO. 83-

## RESOLUTION ORDERING IN IMPROVEMENT PROJECT NO. 63-F

By roll call and voting aye: B, S, Ry, Me, \_\_\_\_\_; voting no: H, A, Lu, \_\_\_\_\_; absent, not voting: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. Motion carried, resolution declared adopted. lost.

Moved by Councilmember A and seconded by Councilmember H to (disapprove) (continue until \_\_\_\_\_ the discussion of) Improvement Project No. 63-F, 45th Place from Florida to the dead end east.

H. A. B. Lu Ry Me

Motion Carried.

8. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Meintsma declared this was the time and date as advertised for the public hearing, to consider the Redevelopment and Tax Increment Financing Plan for the Bass Lake Road/Becker Park area. The Mayor asked those present to voice their opinions or ask questions concerning the Plan. Those present and heard were:

3.05 B, S, Ry, Me, \_\_\_\_\_

Bill Weber - BRW, Inc.

Jim McComb - BRW, Inc.

Mike Sanko - businessmen

Geo. Merriam

Ray Jordhomer 4849 D.D.

Marty Campion

Sharon Gardner - HRA

Ray Mathew 5756 Her.

Mr. Ziska - D.D.

Bob Benedict - C. Medical Center

Ed Thonander

Council Agenda

Item-8 (continued)

Moved by Councilmember A and seconded by Councilmember S to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 83-

RESOLUTION APPROVING A REDEVELOPMENT PLAN AND  
TAX INCREMENT FINANCING PLAN FOR THE  
BASS LAKE ROAD/BECKER PARK REDEVELOPMENT PROJECT:  
ESTABLISHING A REDEVELOPMENT PROJECT AREA;  
ESTABLISHING A REDEVELOPMENT TAX INCREMENT  
FINANCING DISTRICT

By roll call and voting aye: A, S, Ry, Me, \_\_\_\_\_; voting  
no: H, B, Lu, \_\_\_\_\_; absent, not voting: \_\_\_\_\_; Motion  
carried, resolution declared adopted.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to  
(disapprove) (continue until \_\_\_\_\_ the discussion of) the  
Redevelopment and Tax Increment Financing Plan for the Bass Lake Road/Becker Park  
Area. Motion Carried.

9. The City Council considered the First Reading of an ordinance rezoning property at  
6105 - 42nd Avenue North from B-4 (community commercial) to I-1 (warehousing and  
light industrial). Liberty Barment Co

Richard Lockus

Moved by Councilmember S and seconded by Councilmember A to adopt  
the following ordinance:

ORDINANCE NO. 83-

AN ORDINANCE RELATING TO ZONING: CHANGING THE  
USE CLASSIFICATION OF CERTAIN LANDS

and further, that the second and final reading be held on September 6, 1983.

Motion Carried.

10. Twila Donley, of Fantasia Together Hair Design, appeared regarding the license fee for  
a massage parlor.

Douglas Herdan - ministerial church

A = H Street - B



- ✓ 11. The City Council considered the Second Reading of an ordinance regarding the regulating of taxicab service in the City of Crystal.

Moved by Councilmember A and seconded by Councilmember H to adopt the following ordinance:

ORDINANCE NO. 83-11

AN ORDINANCE RELATING TO TAXICABS:  
AMENDING CRYSTAL CITY CODE,  
SUBSECTIONS 1150.17 AND 1150.19; AND  
AMENDING CRYSTAL CITY CODE,  
SECTION 1150 BY ADDING A NEW  
SUBDIVISION THERETO

and further, that this be the second and final reading.

Motion Carried.

Moved by Councilmember        and seconded by Councilmember        to (disapprove) (continue until        the discussion of) an ordinance to permit only licensed taxicabs to pick up passengers in Crystal and changing the insurance coverage requirements for cab companies. Motion Carried.

- ✓ 12. The City Council considered setting surety in the amount of \$17,000 for improvement needs as part of building permit approval for 3 four-plexes at Nevada Court Condominiums.

✓ A. Moved by Councilmember A and seconded by Councilmember S to set surety in the amount of \$17,000 as a guaranty of faithful performance of certain work requirements as a condition of building permit approval for 3 four-plexes at Nevada Court Condominiums, as recommended by the City Engineer. Motion Carried.

✓ B. Moved by Councilmember Ry and seconded by Councilmember B to accept surety in the amount of \$17,000 as a guaranty of faithful performance of certain work requirements as a condition of issuance of building permits for 3 four-plexes at Nevada Court Condominiums. Motion Carried.



*Lick Aspen*  
*gift to Gustafson*

*u B = A 16 - Gustafson Co. 5 - 9-8-84*

*New Orleans*

*Herbes  
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Bird* } *went to go*

*u Lu = A over 427 1 - 5 26.15*  
*Lu = A 10 6 3/2 of 0 6 1 10*  
*41 ? 10*

Moved by Councilmember B and seconded by Councilmember A to approve the list of license applications.

Motion Carried.

Moved by Councilmember A and seconded by Councilmember B to adjourn the meeting.

Motion Carried.



APPLICATION FOR LICENSE

AUGUST 16, 1983

FOOD ESTABLISHMENT - Itinerant (\$27.50 1st day + \$11.00 ea.  
addnl day.

Golden Skillet, 6827 Bass Lake Road - Territory Operators'  
meeting, one day only on August 30, 1983

PLUMBING - \$30.25

Ken Boutin Plumbing  
Dale B. Currier dba Currier's Plumbing  
Nova-Frost, Incorporated

GAS FITTER - \$30.25

Dean's Heating & Air Conditioning, Inc.

AMUSEMENT CENTER: (\$30.00 ea. addn'l. machine)

Aladdin's Castle, Inc. dba Balley's Great Escape (1 machine)

*Delores*

August 12, 1983

Dear Councilmembers:

For those of you who knew Louie Paulson of Cabin Liquors, he died and was buried yesterday. I would have informed you earlier because I feel he is a long time Crystal businessman but I didn't find out about it until after the funeral which was held yesterday. I will send along a letter expressing the City's sympathy to Mrs. Paulson. The license was to a corporation and in my opinion, will need no changes. As you will see as you read the Preliminary Agenda, there are a number of public hearings, a few of which may take some time, so you should be prepared to spend a full evening. The Council meeting should go somewhat as follows:

The Consent Agenda is as follows:

ITEM

SUPPORTING DATA

- |  |  |
|--|--|
| 1. Set public hearing to consider a request from John Redmond for a variance to build a canopy which will encroach 8'1" in the front yard setback at the Golden Skillet Restaurant, Crystal Shopping Center.   | Planning Commission minutes of 8-8-83, Item 4. |
| 2. Set public hearing to consider a request from William Jurkens of Octopus Car Wash for variances to expand non-conforming use (said non-conformity being the existing building encroaches 3' in the required 25' side street side yard setback); to vary the side street side yard setback requirements at 5301 Douglas Drive. | Planning Commission minutes of 8-8-83, Item 6. |
| 3. Set public hearing to consider the franchise for the distribution of natural gas in the City of Crystal.  | None   |
| 4. Consideration of setting a public hearing to vacate a portion of Quail Avenue south of 53rd Avenue and a portion of Vera Cruz Avenue south of 53rd Avenue for 7:00 P.M. or as soon thereafter as the matter can be heard, September 6, 1983.  | None   |

You may wonder why Item #3 is on the Consent Agenda but it is on there because the Charter requires a public hearing to be held for any franchise. We failed to do so when the Council adopted the franchise ordinance. Before the franchise ordinance is submitted to the Gas Company we feel it advisable to hold a public hearing.

Item #4 is there as part of the process for approving the Halley Land compromise proposal. By Tuesday evening we will have a schedule of events for you. It is prepared now but since it's writing we realize there are a couple of steps we omitted. We will correct those errors and hand it to you on Tuesday evening. We have met with Halley and his planners and it is our understanding that they agree to the changes you requested in their proposal and also agree that they can live with the timetable. Staff is putting on these two vacations of street right-of-way because vacations are done by ordinance which takes two readings and 30 days publication to be effective. We feel for Halley to get going in a timely fashion if the Council finally does approve everything after the hearing, this process on vacation must start immediately. You will see when we give you the timebale on Tuesday how much has to be accomplished and the timetable of events if Halley is to meet the schedule he suggested in our meeting Thursday. If he slips at any point in this process it may cause further delay but I feel he understands that and will do everything in his power to be on time.

The Regular Agenda should go as follows:

ITEMSUPPORTING DATA

- |    |   |      |
|----|---|------|
| 1. | Public hearing to consider a request from John R. Schnell for a variance to expand a non-conforming use (said non-conformity being the existing dwelling encroaches 16' in the required 40' rear yard setback) and to further encroach 14' for the construction of a 14'x20' addition to the attached garage at 3852 Edgewood Avenue North. | None |
| 2. | Public hearing to consider a request from Stanley C. Anderson for a variance of 12.56' in the required 40' rear yard setback to build an 18'x28' all-season porch and an 18'x16' deck at 6708 - 45th Place North.   | None |

I believe the lead-in for Item #1 and Item #2 are self-explanatory. If not, more detailed information can be given in the hearing Tuesday evening.

- |    |  |      |
|----|--|------|
| 3. | Public hearing to consider a request from Gordon Stoneburner for tentative approval of the proposed plat Stoneburner Addition located between Adair and Zane north of 34th Avenue. | None |
|----|--|------|

This plat merely divides a long lot that runs between Adair and Zane in half and the Planning Commission recommended approval at their July 11, 1983 meeting.

- |    |  |      |
|----|--|------|
| 4. | Public hearing to consider a request from the Crystal HRA for tentative approval of the proposed plat HRA Addition located at 5517 Xenia Avenue North. | None |
|----|--|------|



ITEMSUPPORTING DATA

5. Public hearing to consider a request from the Crystal HRA for tentative approval of the proposed plat HRA Second Addition located at 3054 Douglas Drive. None

Item #4 and Item #5 are divisions of single lots into two (2) lots for the HRA and did receive approval of the Planning Commission at their July 11, 1983 meeting.

6. Public hearing to consider the revocation of the Tree Trimmer's License for Arbor Tree Service. None

As I explained at the last Council meeting, you approved the Tree Trimmer's License for Arbor Tree Service earlier in the year but the City has never received the necessary insurance confirmation from them. After repeated attempts to get them to submit the insurance certificates failed, we have informed them that you will be holding this public hearing for them to show cause why their license should not be revoked.

7. Public hearing to consider Improvement Project No. 63-F, 45th Place from Florida to the dead end east. Copy of Notice of Public Hearing; Letter from Charles Hillstrom dated 8-10-83. Letter from Patricia Jacobson dated 8-11-83.

I don't think anything need be said about this public hearing. I have a feeling both sides of the issue will be aired again Tuesday evening.

8. Public hearing to consider the Redevelopment and Tax Increment Financing Plan for the Bass Lake Road/Becker Park area. Copy of memo and new maps from BRW; Copy of letter from District 281 dated 7-26-83; Letter from Dave Kennedy dated 8-11-83.

I really don't know what to say about this issue. I think you all know about it in great detail. At last night's HRA meeting they approved and incorporated into the plan the changes made by BRW which I described in the enclosed memo. As indicated by an enclosure we have received written comments from District 281 and very likely will receive written comments from the County prior to Tuesday night's meeting. At this time we have only received verbal comments but those comments indicate to us that the written comments will be positive and in approval form. I have no way of judging who will be in for this hearing but I expect there will be a delegation. That is the only speculation on my part. I have enclosed for your consideration a copy of a resolution prepared by Dave Kennedy which is necessary if you are to approve the proposal as recommended by the HRA. Please read Dave's cover letter as I agree with his suggestions on procedure. It would be my suggestion that the Mayor open the hearing with a brief description of the long process that has gone on by the Council, the Task Force and the HRA. Then follow by having Dave make his presentation.

I have also enclosed a copy of partial answers to some questions Shirly Lundgren raised since the last meeting. If possible we will have the rest of her answers by Tuesday night.

ITEMSUPPORTING DATA

- |  |   |
|--|---|
| 9. Consideration of First Reading of an ordinance rezoning property at 6105 - 42nd Avenue North from B-4 (community commercial) to I-1 (warehousing and light industrial). | Planning Commission minutes of 8-8-83, Item 1; Copy of a letter from Richard Locketz. |
|--|---|

For your information this is the Northwest Bell Telephone garage site on 42nd Avenue and the proposal is to install a retail and storage facility for clothing. The Planning Commission did recommend it's approval.

- |  |      |
|--|------|
| 10. Appearance by Twila Donley regarding a license fee for massage parlor. | None |
|--|------|

Twila Donley will be in to request the City Council to reduce the cost of a massage parlor license. For your information the present license fee is \$1100 and was set that high by previous councils in an effort to reduce the chance of unsavory people using massage parlors for a front for other activities. That position was a realistic position because at the time, two people of questionable character were asking for massage parlor licenses and their reputation of those massage parlors in the Minneapolis area was questionable. Twila indicates that she proposes to run a legitimate massage operation at the site of her present beauty shop and sun tanning operation and hopes the Council would consider reducing the fee to somewhere in the neighborhood of \$200 to \$300 as she and her associates feel it is somewhat discriminatory to charge exorbitant rates in an effort to keep out illegitimate operations. I suspect she would argue that the police powers of the City should take care of that element and reasonable license fees should be in place for reasonable operations. I have already said too much and should let Twila plead her own case but that is what she has asked of me to this point.

- |  |  |
|--|--|
| 11. Consideration of Second Reading of an ordinance regarding the regulating of taxicab service in the City of Crystal.  | None                                     |
| 12. Consideration of setting bond in the amount of \$17,000 for improvement needs as part of building permit approval for 3 four-plexes at Nevada Court Condominiums.      | Letter from City Engineer dated 8-12-83. |
| 13. Consideration of reaffirmation of the action taken by the City Council in the Executive Session on August 9, 1983 regarding the law suit with Halley Land Corporation. | None                                     |

On Wednesday after the Executive Session, Dick Scheiffer and Dave Kennedy discussed the action of the previous night. I also discussed those actions with Dave and wondered what form the memorandum or minutes of the previous meeting would take as we had been told no minutes would be necessary and that the attorney would prepare a memorandum that would take care of the legal requirements. I felt that the two (2) actions you took must be recorded someplace as actions of the Council for the future.

August 12, 1983

Dave agreed and then felt that the Council should reaffirm those actions at the regular meeting on Tuesday evening. We will have information available to assist you in those actions Tuesday evening.

That should take care of the meeting as we see it presently. As always, minor changes may be made. I certainly believe you can see that the meeting could take some time because there are a number of items that will need considerable discussion. (I am saying this because every time I indicate the meeting will be long, we get out at an early hour and when I say it should be short, it is a long one. I am hoping my absolute "zero" percentage of prediction continues.) I have enclosed some informational items for you. They are listed below:

1. Minutes of the HRA meeting of July 14, 1983.
2. Crystal Park & Recreation Advisory Commission Meeting minutes of July 13, 1983 meeting.
3. Crystal Park & Recreation Department Monthly Report.
4. Crystal Park & Recreation Evaluation: Crystal Frolics.
5. Thank-You letter from Tom Rother for creating and maintaining Bassett Creek Park.

That is all I have for now. Have a nice weekend and see you Tuesday.

J a c k

P.S.

I just received the enclosed memo from Eric Moore, 3236 Adair Avenue North requesting an appearance before the Council regarding the power outage and emergency engine failure on July 3, 1983. He has indicated what questions they are concerned about and I have informed him because of the lateness of his request, we will work him in where we can because we have several public hearings that must be held prior to other items.

P.P.S.

I have just received a telephone call from Shrin Murthy representing the Golden Skillet, asking that their request for a variance for a canopy be delayed until the September 6, 1983 meeting. I indicated to him I would recommend to the Council to do so.

Again, this should take care of the meeting as we see it now.



APPLICATION FOR LICENSE

AUGUST 16, 1983

FOOD ESTABLISHMENT - Itinerant (\$27.50 1st day + \$11.00 ea.  
addnl day.

Golden Skillet, 6827 Bass Lake Road - Territory Operators'  
meeting, one day only on August 30, 1983

PLUMBING - \$30.25

Ken Boutin Plumbing  
Dale B. Currier dba Currier's Plumbing  
Nova-Frost, Incorporated

GAS FITTER - \$30.25

Dean's Heating & Air Conditioning, Inc.

AMUSEMENT CENTER: (\$30.00 ea. addn'l. machine)

Aladdin's Castle, Inc. dba Balley's Great Escape (1 machine)

*Barlene*

DUE DATE: NOON, WEDNESDAY  
AUGUST 10, 1983

MEMO TO: John T. Irving, City Manager  
FROM: John A. Olson, Assistant City Manager

ACTION NEEDED MEMO: From the August 2, 1983, Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of August 2, 1983. These items should be taken care of by noon, Wednesday, preceding the next regularly scheduled Council meeting and returned to the Assistant City Manager for his review.

CONSENT AGENDA

<u>DEPARTMENT</u>	<u>ITEM</u>	
ASST. CITY MGR.	1.	Set public hearing to consider a request for a variance at 3852 Edgewood Avenue North. ACTION NEEDED: Place item on August 16, 1983 Council Agenda. ACTION TAKEN: Item placed on August 16, 1983 Council Agenda.
ASST. CITY MGR.	2.	Set public hearing to consider a request for a variance at 6708 - 45th Place North. ACTION NEEDED: Place item on August 16, 1983 Council Agenda. ACTION TAKEN: Item placed on the August 16, 1983 Council Agenda.
CITY CLERK	3.	Consideration of the list of election judges and polling places. ACTION NEEDED: Proceed with election preparations. ACTION TAKEN: Will proceed with election preparations.

REGULAR AGENDA

<u>DEPARTMENT</u>	<u>ITEM</u>	
BLDG. DEPT.	1.	Public hearing to consider a request for a variance at 3948 Florida Avenue North. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant present at meeting.

<u>DEPARTMENT</u>	<u>ITEM</u>	
	2.	Appearance by Don Mosher to discuss matters of concern to the City Council. ACTION NEEDED: None
CITY MANAGER	3.	Consideration of the application of Michael Culhane to the Long-Range Planning Commission. ACTION NEEDED: Notify Mr. Culhane of Council approval and supply materials for review. ACTION TAKEN: Letter written and information sent to applicant 8-3-83.
CITY CLERK	4.	Consideration of Second Reading of an ordinance rezoning property at 5301 Douglas Drive from B-4 to B-3. ACTION NEEDED: Publish ordinance in newspaper. ACTION TAKEN: Sent for publishing 8-3-83.
CITY ENGINEER	5.	Consideration of a conditional use permit to allow a car wash in a B-3 district at 5301 Douglas Drive. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant present at meeting.
ASST. CITY MGR.	6.	Consideration of the First Reading of an ordinance to permit licensed taxicabs to pick up passengers in Crystal. ACTION NEEDED: Place Second Reading on August 16, 1983 Council agenda. ACTION TAKEN: Second Reading placed on August 16, 1983 Council Agenda.
CITY CLERK	7.	Consideration of Second Reading of an ordinance pertaining to natural gas franchise in Crystal. ACTION NEEDED: Publish ordinance. ACTION TAKEN: Sent for publishing 8-3-83; Public Hearing on franchise set for 9-6-83.



<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY ENGINEER	8.	Consideration of bids for Curb & Gutter Improvement Project No. 63-C. ACTION NEEDED: Notify the low bidder of Council decision not to award bids. ACTION TAKEN: Letter sent 8-3-83.
FIRE DEPT. ENGINEERING DEPT.	9.	Consideration of bids for a fire rescue vehicle. ACTION NEEDED: Notify low bidder of Council approval. ACTION TAKEN: Purchase order mailed to low bidder on 8-4-83.
BLDG. DEPT.	10.	Consideration of a building permit to install a satellite dish at the Crystal Village Apartments (3010-3060 Sumter Avenue North only). ACTION NEEDED: Issue building permit for the addresses listed only. ACTION TAKEN: Permit issued.
CITY ENGINEER	11.	Consideration of agreement between the City of Crystal and City of New Hope for Nevada Avenue Improvement Project No. 63-D. ACTION NEEDED: Notify New Hope of Council approval. ACTION TAKEN: Contracts delivered to New Hope on 8-3-83.
CITY ENGINEER	12.	Consideration of a resolution reorganizing the Bassett Creek Flood Control Commission. ACTION NEEDED: Notify Commission of Council approval of resolution. ACTION TAKEN: Copy sent 8-4-83.

<u>DEPARTMENT</u>	<u>ITEM</u>	
ADMIN. ASST.	13.	<p>Consideration of sub-lease with the Waste Management Board for an additional room at Thorson Community Center.</p> <p>ACTION NEEDED: Notify Waste Management Board of Council action.</p> <p>ACTION TAKEN: Notified 8-3-83.</p>
PARK & REC. DIRECTOR	14.	<p>Consideration of an application for LAWCON funds for Becker Park development.</p> <p>ACTION NEEDED: Proceed with application and review with Park Commission.</p> <p>ACTION TAKEN: Application submitted by deadline.</p>
CITY ENGINEER	15.	<p>Consideration of the final plat of Fairview Acres Fourth Unit.</p> <p>ACTION NEEDED: Notify applicant of Council approval.</p> <p>ACTION TAKEN: Applicant notified; material picked up 8-4-83.</p>
CITY CLERK	16.	<p>Consideration of the revocation of the tree license for Arbor Tree Service.</p> <p>ACTION NEEDED: Notify licensee of Council decision to hold hearing regarding license on August 16, 1983.</p> <p>ACTION TAKEN: Letter sent to Robert Carlson 8-4-83; Placed on 8-16-83 Council Agenda.</p>
CITY MGR.	17.	<p>Review of the Twin Lake resolution and preparation of a new letter to Hennepin County regarding Twin Lake.</p> <p>ACTION NEEDED: Investigate last action by Council and prepare a letter.</p> <p>ACTION TAKEN: <b>Not completed.</b></p>
CITY MGR.	18.	<p>Consideration of the list of requests to be posed to businesses for contributions.</p> <p>ACTION NEEDED: Continue with program as suggested by Council.</p> <p>ACTION TAKEN: In process.</p>

DEPARTMENT

ITEM

CITY CLERK

19.

Licenses

ACTION NEEDED: Issue licenses.

ACTION TAKEN: Licenses issued.



LeFevere  
Lefler  
Kennedy  
O'Brien &  
Drawz

A Professional  
Association

2000 First Bank Place West  
Minneapolis  
Minnesota 55402

Telephone 612-333-0543

Clayton L. LeFevere  
Herbert P. Lefler  
J. Dennis O'Brien  
John E. Drawz  
David J. Kennedy  
John B. Dean  
Glenn E. Purdue  
Richard J. Schieffer  
Charles L. LeFevere  
Herbert P. Lefler III  
Jeffrey J. Strand  
Mary J. Bjorklund  
John G. Kressel  
Dayle Nolan  
Cindy L. Lavorato  
Michael A. Nash  
Luke R. Komarek  
Joan N. Ericksen  
Elizabeth D. Moran  
Brian F. Rice  
Lorraine S. Clugg  
James J. Thomson, Jr.

August 11, 1983

Mr. Jack Irving  
City Manager  
City of Crystal  
4141 Douglas Drive  
Crystal, Minnesota 55422

Re: Becker Park - Bass Lake Road Redevelopment Project

Dear Jack:

Enclosed find the text of a resolution approving the above project and the related TIF District.

The findings sections set out the findings required to be made by statute together with additional language drawn for the most part from the Redevelopment Plan and Tax Increment Financing Plan. If the Council adopts the resolution on Tuesday it should then be sent to the County for certification of the original assessed value, but not until the written comments of the County Board have been received by the City.

I think it would be useful if before the public hearing is opened that the Mayor or yourself give some background information on the development of the plans and that I be asked to explain briefly the contents of the resolution and the mechanics of the relationship between the Council and the HRA in the implementation of the project and its financing.

Yours very truly,

David J. Kennedy

DJK:np  
enclosure  
cc BRW, Inc.  
Loel Bertrand  
Chairman, HRA

RESOLUTION NO. 83-\_\_\_\_\_

RESOLUTION APPROVING A REDEVELOPMENT PLAN  
AND TAX INCREMENT FINANCING PLAN FOR THE  
BASS LAKE ROAD - BECKER PARK REDEVELOPMENT PROJECT:  
ESTABLISHING A REDEVELOPMENT PROJECT AREA;  
ESTABLISHING A REDEVELOPMENT TAX INCREMENT FINANCING DISTRICT.

BE IT RESOLVED By the City Council of the City of Crystal, Minnesota (City) as follows:

Section 1. Background.

1.01. The City Council of the City by Resolution 83-8 of February 8, 1983, initiated and referred to the Housing and Redevelopment Authority of the City of Crystal (Authority) a proposal for a redevelopment project in the portion of the City generally known as the Bass Lake Road - Becker Park Area (Project Area).

1.02. The proposal, referred to as the BRW Plan, has been studied and reviewed by the Authority with the assistance of its consultants, Bennett, Ringrose, Wolsfeld, Jarvis & Gardner, Inc.

1.03. The Authority has, on the basis of such study and review, prepared a redevelopment plan and program (Redevelopment Plan) for the Project Area in accordance with Sections 462.421 and 462.445 of Minnesota Statutes, Sections 462.411 to 462.716 (Redevelopment Act), and has prepared a tax increment financing plan (TIF Plan) in accordance with Section 273.74 of Minnesota Statutes, Section 273.71 to 273.78 (TIF Act).

1.04. The Redevelopment Plan and TIF Plan are contained in a document entitled "Bass Lake Road - Becker Park Redevelopment and Tax Increment Financing Plan" dated June 30, 1983 now on file with the City Clerk.

1.05. The Redevelopment Plan and TIF Plan have been, in accordance with the Acts, referred to the City planning commission which by action taken on June 13, 1983 has found that the Redevelopment Plan and TIF Plan conform to and are not in conflict with the general plan for the development or redevelopment of the City as a whole.

1.06. The Authority by resolution of June 30, 1983 has approved the Redevelopment Plan and the TIF Plan for a redevelopment tax increment financing district (TIF District) and referred them to this Council for public hearing and consideration as provided by the Acts.

1.07. This Council has this date conducted the required public hearing at which the views of all interested parties were heard. Copies of the TIF Plan have been forwarded to Independent School District No. 281 and Hennepin County as required by the TIF Act.

1.08. This Council has fully reviewed the contents of the Redevelopment Plan and TIF Plan.

Section 2. Findings; Redevelopment Project.

2.01. It is hereby found and determined that within the Project Area there exist conditions of economic obsolescence, physical deterioration, underutilization and inappropriate uses of land, inadequate platting, and improper off-street parking access.

2.02. It is further found and determined that within the Project Area there are deficiencies in economic viability, visual appearance, traffic circulation, and pedestrian travel. In addition it is found that the design of Becker Park in the Project Area is inadequate to serve public recreational needs and does not enhance the economic vitality of the Project Area.

2.03. It is further determined that physical deterioration of buildings and structures in the Project Area is so extensive as later described herein as to meet the standards of a Redevelopment District set forth in the TIF Act.

2.04. It is further specifically found and determined that:

- a) the land in the Project Area would not be made available for redevelopment without the public intervention and financial aid described in the Redevelopment Plan and TIF Plan;
- b) the Redevelopment Plan for the Project Area will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Project Area by private enterprise;
- c) the Redevelopment Plan conforms to the general development plan of the City as set forth in the comprehensive municipal plan.

2.05. The findings in this section are made in compliance with Section 462.521, Subdivision 2 of the Redevelopment Act for the purpose of showing the City's intent to exercise, in conjunction with the Authority, the powers granted to the City and the Authority by that Act in order to achieve the objectives of that Act.

Section 3. Findings: Redevelopment Tax Increment Financing District.

3.01. It is found and determined that it is necessary and desirable to the sound and orderly development and redevelopment of the Project Area and the City as a whole, and for the protection and preservation of the public health, safety, and general welfare, that the authority of the TIF Act be exercised by the Authority and the City to provide public financial assistance to the Redevelopment Project.



3.02. It is further found and determined that the TIF District is a redevelopment district, and that the following conditions are reasonably distributed throughout the TIF District:

- a) more than 70 percent of the parcels of land in the TIF District are occupied by buildings, streets, or utilities or other improvements;
- b) at least 20 percent of the buildings are structurally substandard; and
- c) an additional 30 percent of the buildings require substantial renovation or clearance in order to remove such existing conditions as inadequate street layout, incompatible land use relationships, overcrowding of buildings on the land, excessive dwelling unit density, obsolete buildings not suitable for improvement or conversion, and other hazards to health and safety identified in the TIF Plan and Redevelopment Plan.)

3.03. It is further found and determined, and it is the reasoned opinion of the Authority and this Council, that the redevelopment proposed by the Redevelopment Plan and the TIF Plan could not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and that therefore the use of tax increment financing is necessary. No substantial new private development has occurred in the Project Area in the past several years notwithstanding the presence of vacant and underutilized land, low property values, expanding commercial and residential markets, and high public visibility of the Project Area.

3.04. The TIF Plan conforms to the general plan of development of the City as a whole. The City comprehensive municipal plan calls for major commercial development, park improvements, and residential development in the TIF District, and the Planning Commission of the City has submitted its written comments to this Council to that effect.

3.05. The TIF Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole for the redevelopment of the TIF District by private enterprise. It is anticipated that all project developments set out in the TIF Plan will be constructed by private enterprise, except public park and ~~railway~~ <sup>roadway</sup> improvements which are designed to stimulate private investment.

3.06. The City does not elect the method of tax increment computation set forth in Section 273.76, Subdivision 3, clause (b) of the TIF Act. It is essential to the success of the TIF District and Project Area that no fiscal disparities contribution be made by commercial-industrial properties within the TIF District.

#### Section 4. Project and District Established: Certification: Filing.

4.01. The Redevelopment Plan is approved. The Redevelopment Project is approved. The Project Area is established.

4.02. The TIF Plan is approved. The TIF District is established.

4.03. The geographic boundaries of the Project Area and the TIF District are coterminous and as described in the Redevelopment Plan and TIF Plan which document is adopted herein by reference.

4.04. The City Clerk is <sup>auth</sup>authorized and directed to transmit a certified copy of this resolution together with a certified copy of the Redevelopment Plan and TIF Plan to the Director of Property Taxation of Hennepin County with a request that the original assessed valuation of the TIF District be certified to the <sup>auth</sup>City pursuant to Section 273.76, Subdivision 1 of the TIF Act. The Clerk is further <sup>auth</sup>authorized and directed to file a copy of the Redevelopment Plan and TIF Plan with the Minnesota Energy and Economic Development Authority as required by the TIF Act.

4.05. This Council shall at the appropriate time and at the request of the Authority take action to issue and sell its general obligation bonds pursuant to the TIF Act to finance public redevelopment costs identified in the TIF Plan.

4.06. The Clerk is authorized and directed to transmit a certified copy of the resolution to the Authority.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

Clerk

LeFevere  
Lefler  
Kennedy  
O'Brien &  
Drawz

A Professional  
Association

2000 First Bank Place West  
Minneapolis  
Minnesota 55402

Telephone 612-333-0543

July 28, 1983

Clayton L. LeFevere  
Herbert P. Lefler  
J. Dennis O'Brien  
John E. Drawz  
David J. Kennedy  
John B. Dean  
Glenn E. Purdue  
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Dayle Nolan  
Cindy L. Lavorato  
Michael A. Nash  
Luke R. Komarek  
Joan N. Erickson  
Elizabeth D. Moran  
Brian F. Rice  
Lorraine S. Clugg  
James J. Thomson, Jr.

Mr. Jack Irving  
City Manager  
City of Crystal  
4141 Douglas Drive North  
Crystal, Minnesota 55422

Re: Taxicab Ordinance

Dear Jack:

Enclosed you will find a draft ordinance relating to taxicabs making the amendments requested by Town Taxi at the last Council meeting.

I have also amended the ordinance to increase the insurance requirements as directed by the Council.

Yours very truly,

  
David J. Kennedy

DJK:caw  
Enclosure



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE

RELATING TO TAXICABS: AMENDING  
CRYSTAL CITY CODE, SUBSECTIONS  
1150.17 AND 1150.19; AND AMENDING  
CRYSTAL CITY CODE, SECTION 1150  
BY ADDING A NEW SUBDIVISION  
THERE TO.

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code, Subsection 1150.17 is amended to read:

"1150.17. Office Location. No taxicab office shall be maintained nor shall taxicabs be routed from any ~~place located~~ location in the a residential area defined by the ~~Zoning Regulations-of-the-City~~ Code."

Sec. 2. Crystal City Code, Subsection 1150.19, is amended to read:

"1150.19. Insurance. Before a taxicab license is issued to any operator he shall deposit with the Clerk a policy or policies issued by an insurance company or companies duly licensed to transact the business of insurance in the State of Minnesota. The policy or policies shall insure the operator of the taxicab to be licensed against loss or liability imposed by law for damages on account of bodily injuries or death, or for damages to property resulting from the ownership, maintenance or use of any taxicab to be owned or operated under such license. The policy or policies of insurance shall agree to pay any judgment creditor to the extent of the amounts specified in the policy and final judgment rendered against the assured by reason of such liability. The policy or policies shall be approved by the City Attorney as to form and compliance with this Section. The limit in any such insurance policy of such liability of the insurer on less than ~~\$10,000~~ \$100,000 for bodily injury to or death of one person and ~~\$20,000~~ \$300,000 on account of any one accident; ~~\$20,000~~ \$300,000 on account of any one accident resulting in injuries to ~~and/or~~ and death of more than one person; and a total of ~~\$5,000~~ \$50,000 liability for damage to property of others arising out of any one accident."

Sec. 3. Crystal City Code, Section 1150, is amended by adding a new subsection to read:

"1150.23. Passenger Pick-Up. Subdivision 1. Licensed by Other Cities. Any taxicab licensed to operate in another political subdivision of this state including the Minneapolis-St. Paul International Airport may carry passengers to any place or point within the city; but neither the owner nor operator of such vehicle shall solicit or pick-up business on the streets of the city or otherwise operate within the city without being licensed under the provisions of this section.

Subd. 2. Soliciting Passengers. Any taxicab driver licensed to operate in another political subdivision in this state, including the Minneapolis-St. Paul International Airport may carry passengers from such political subdivision into the city and may freely enter and travel upon its streets and thoroughfares for that purpose, and in such case it shall not be necessary for the driver to obtain a Crystal taxicab driver's license; but such driver shall not be permitted to solicit or pick up business on the streets of the city or to otherwise operate within the city without being licensed under the provisions of this section. While in the city the unlicensed driver shall observe all the regulations and conditions of this section."

Sec. 4. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

August 12, 1983 Friday

To: Mr. Jack Irving  
City Manager  
City Of Crystal  
4141 N. Douglas Drive  
Crystal, Mn.

Concerning: Request to appear before the city council meeting  
scheduled for tuesday, 8/16/83.

Regarding: A. What action has been taken  
to prevent sewer back up when  
electric power is lost, in area  
of 32nd @ Adair & Brunswick Ave's.

B. Why the Insurer for the city of Crystal  
is refusing to cover any of the losses  
of the people in this area from the  
July 3rd, 1983 incident.

Eric S. Moore  
3236 Adair Ave. N.  
Crystal, Mn. 55422 533-0543  
522-3351

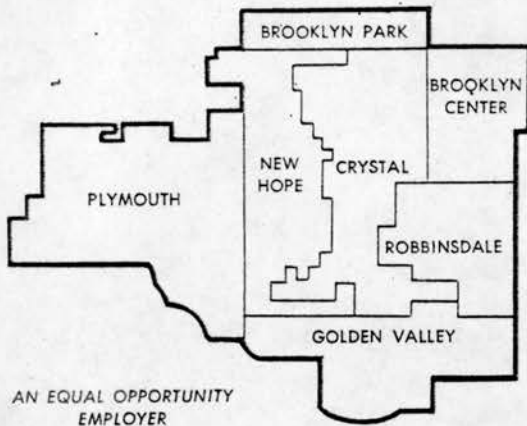
Kathy Smaagaard  
3210 Adair Ave. N.  
Crystal, Mn. 55422 537-1422

Karen Looft  
3265 Adair Ave. N.  
Crystal, Mn. 55422 533-0701

William Jones  
3242 Adair Ave. N.  
Crystal, Mn. 55422 537-6445

Bruce Krogstad  
3236 Brunswick Ave. N.  
Crystal, Mn. 55422 537-6660





# INDEPENDENT SCHOOL DISTRICT 281

DR. LEROY E. HOOD, SUPERINTENDENT

4148 WINNETKA AVENUE NORTH, MINNEAPOLIS, MINNESOTA 55427

(612) 533-2781

FRED WEBBER, Chairperson  
DAVID SOUTHWARD, Treasurer

• WILLIAM BERGQUIST, Vice-chairperson  
• WILLIAM FUHRMANN, Director  
JOHN SCHAEFER, Director

• PATRICIA NORBY, Clerk  
• MYRNA MAROFSKY, Director

July 26, 1983

John T. Irving, City Manager  
City of Crystal  
4141 Douglas Drive North  
Crystal, MN 55422

Dear Jack:

Dr. Carter asked that I respond to your letter of July 12, 1983. We have examined the plan for Redevelopment and Tax Increment Financing for the Bass Lake Road/Becker Park Area of Crystal. We find that there is no significant negative impact on School District 281.

This looks like a creative and positive proposal and we wish the City of Crystal well in putting all the pieces together. It should be a very welcome addition to your fine city.

Sincerely,

Robert Cameron  
Director of Administrative Services

RC:mh

JOHN E. DERUS  
CHAIRMAN



PHONE  
348-3086

## BOARD OF HENNEPIN COUNTY COMMISSIONERS

2400 GOVERNMENT CENTER  
MINNEAPOLIS, MINNESOTA 55487

August 9, 1983

Mr. John T. Irving  
Crystal City Manager  
4141 Douglas Drive North  
Crystal, MN 55422

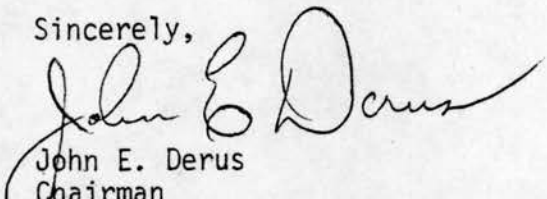
Dear John:

Thank you for referring the Bass Lake Becker Park redevelopment and tax increment financing plan to the Hennepin County Board of Commissioners for its review and comment. I am pleased to advise that the plan as submitted conforms with the Board's guidelines for tax increment districts, as promulgated in Resolution 80-8-729(R).

To minimize the amount of tax increment required for this project and to ensure that the affected properties are fully returned to the tax rolls at the earliest date possible, the board prefers that excess tax increment in any year be used to prepay the outstanding bond, discharge the pledge of tax increment or pay into an escrow account dedicated to the payment of such bonds. These options are preferable to other options listed at page 58 of the plan.

Please have this letter read into the record of the public hearing on this plan.

Sincerely,

  
John E. Derus  
Chairman  
Hennepin County Board of Commissioners

JED:ed

Enclosure

cc Commissioner Jeff Spartz  
Commissioner Randy Johnson  
Commissioner Richard E. Kremer  
Commissioner E. F. Robb, Jr.  
Commissioner Sam S. Sivanich  
Commissioner Mark Andrew  
Dale Ackmann

City of Crystal  
4141 Douglas Drive North  
Crystal, Minnesota 55422

Re: Request for Zoning Change at 6105 - 42nd Avenue  
North by Liberty Garment Manufacturing Co., et al.

Ladies and Gentlemen:

The following statement is submitted as the basis of Applicants' request for the attached zoning change.

Owner. The premises at 6105 - 42nd Avenue North are owned by Norwest Bank of Minneapolis ("Norwest"). Norwest has entered into a purchase agreement with one of the Applicants for the sale of the premises. The purchase is contingent upon obtaining the necessary zoning change from the City of Crystal on or before October 15, 1983.

Applicants. The applicants are Michael B. Locketz, Richard D. Locketz and Sidney Locketz, who propose to form a partnership to own the subject premises. The premises will then be leased to Liberty Garment Manufacturing Co., also an applicant herein. Liberty Garment Manufacturing Co. is a Minnesota corporation whose shareholders consist solely of Messrs. Locketz.

Present Use and Zoning. The premises are presently classified as B-4 and are leased by Norwest to Northwestern Bell Telephone Company for use as a garage and storage. The premises also contain several small offices.



Applicants' Proposed Use. Applicants propose to convert the premises into a center for the distribution of its men's and women's apparel to its retail customers (clothing stores in the Upper Midwest). The premises consist of approximately 9,180 square feet, approximately 1,500 of which would be used for a showroom for retail sales and the balance would be used for the storage of merchandise and an office for management and administration. Liberty Garment Manufacturing Co.'s manufacturing is done in the northeastern part of the United States. It receives merchandise from its factory not more than once per week. In addition, there is a daily UPS delivery and pick-up. Clothing is stored on racks until shipped to customers or sold through the retail outlet.

Parking . Present plans (see attached diagram) provide for 36 parking spaces. This number exceeds the number of customers and employees which Liberty Garment usually has in its premises and would exceed the number of parking spaces required by the Crystal City Code. It should be noted that if the subject premises were converted to a total retail use, applicants have been advised that at least 59 parking spaces would be needed and that the premises would not accommodate such number of spaces.

Factors in Favor of Zoning Change. Applicants believe that the zoning change for the subject premises to permit it to use the premises for the storage and distribution of men's and women's clothing, in addition to its retail outlet, is justified by the following factors:

- A. Applicants believe that the retail outlet will provide a useful and convenient service to area residents. Currently, area residents would be required to travel to Ridgedale, Brookdale, Downtown Minneapolis or similar distances to purchase men's and women's quality apparel. One exception, however, is another "factory outlet" store selling men's apparel located on 42nd Avenue North & Winnetka. Applicants believe that the proposed retail outlet to be located within the premises is consistent with the City's Comprehensive Plan which states that neighborhood commercial centers should be located on the periphery of neighborhood districts and provide only those goods and services needed on a daily, convenience basis. In contrast, the existing use of the premises provides no convenient use or service to area residents.
- B. Applicants believe that the best use of the existing premises and structure would be for its proposed use (storage and distribution of goods and retail outlet). Any other commercial use would, applicants are advised, require more parking spaces than feasible.

- C. Applicants' proposed use will conserve and probably increase property values and contribute to increased values of surrounding commercial property.
- D. The proposed use is consistent and compatible with uses in the surrounding areas. Neighboring businesses include Tyra's Super Valu (facing Douglas Drive), an adjacent small restaurant, cleaners, barber shop and bank. Across the street are a variety of commercial businesses including office supplies and laundromat.
- E. The proposed use will not increase traffic or create any vehicular or pedestrian hazards. The applicants' retail trade is not a high-volume business. Applicants estimate that they receive no more than 30 customers per day during the week and possibly slightly more on Saturdays. Applicants do not operate their retail outlet on Sundays.
- F. Applicants do not believe that their proposed use will create any public health, safety or welfare problems or place any great or additional burdens on municipal services offered by the City.

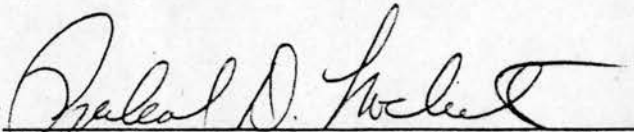
Applicants understand that the B-4 use includes the sale of men's and women's apparel and related accessories. It would also include department and discount stores. Because the applicants warehouse and distribute clothing, it appears that they technically fall within the I-1 zoning classification which includes wholesale and retail showrooms and offices, provided that at least 50% of the principal building is devoted to storage or warehousing of merchandise. Applicants, because of the nature of their business, do not wish to locate in a traditional industrial use area. Current industrial areas (i.e., between West Broadway and Highway 52) would not be conducive to applicants' proposed retail use. Applicants believe that the subject premises, if zoned to permit both storage of goods and sale at a retail level, would be the best use of such premises.

The attached diagram shows the proposed plan for development of the premises, including required parking spaces.

If any further information is desired, please do not hesitate to contact us.

Your consideration of this request is greatly appreciated.

Very truly yours,

By   
Richard D. Locketz, Individually  
and on Behalf of Liberty Garment  
Manufacturing Co.

August 10, 1983

The Honourable Mayor Peter E. Meintsma  
and City of Crystal Councilmembers  
Crystal Municipal Building  
4141 Douglas Drive N.  
Crystal, MN 55422

RE: Proposed Special Assessments  
Improvements No. 63-F  
45th Place - Florida Ave. to 350 Ft. East

Dear Mayor Meintsma and City of Crystal Councilmembers:

I am writing this letter to state that I object to the levying of any special assessment for the proposed project against my property located at 4532 Florida Ave. No., Crystal, Minnesota, because my property presently has all of the services which are proposed to be installed and my property will not be benefited by the improvements.

From the information I have received the test of the validity of a special assessment is whether the improvement for which the assessment was levied has increased the market value of the property against which the assessment operates in at least the amount of the assessment.

"A special assessment which exceeds the special benefits to the property, measured by the difference in market value before and after the improvements, is a taking of the property without fair compensation, in violation of the Fourteenth Amendment, U.S.C.A. Const. Amend 14."

From this standpoint, I would like to request that the city conduct before and after appraisals of my property. I believe that the net result of this would be that the market value is not increased proportionately to the amount of the proposed assessments.

Further, I would like to be excluded from the proposed assessments since I receive no benefits and am being penalized because of loss of privacy and excess traffic if the utility easement is changed to a dead end cul-de-sac which would ONLY benefit the developer, Mr. Van Housen and the property owners that gain an additional lot. Neither myself nor Pat Jacobsen gain an extra lot, as everyone else, we would only be assessed for someone else's benefit.

Thank you for your consideration in this matter.

Sincerely,

*Charles Q. Hillstrom*

Charles Q. Hillstrom



# HALLEY LAND SCHEDULE

August 9	C.C.	Set date of public hearing for consideration of variances (special meeting August 30).
August 16	C.C.	Set date of public hearing to vacate streets (Sept. 6).
August 17	Staff	Mail notice of hearing to consider variances to property within 350' (Aug. 30) (10 days prior to hearing).
August 23	Staff	Mail notice of hearing to vacate streets to abutting property (Sept. 6).
August 25	Staff	Publish notice of public hearing to vacate streets N. Henn. Post (Sept. 6).
August 30	C.C.	Meeting 7:00 p.m. public hearing to consider variance requests, setback, width, area, etc.
September 6	C.C.	Set date of public hearing for "Rolling Green of Crystal."
September 6	C.C.	Hold hearing vacate streets (Quail & Vera Cruz)- 1st reading of ordinance.
September 8	Staff	Publish notice of plat "R.G.of C." N. Henn. Post.
September 12	P.C.	Tentative approval of plat "R.G.of C.".
September 20	C.C.	Public hearing tentative approval of plat "R.G.of C."
September 20	C.C.	Vacate streets (Quail & Vera Cruz) - 2nd reading of ordinance.
September 29	Staff	Publish ordinance to vacate streets (Quail & Vera Cruz).
October 4	C.C.	Set improvement bond - as condition of plat approval.
October 11	P.C.	Final approval of plat "R.G.of C.".
October 18	C.C.	Accept bond enter agreement - final approval plat "R.G.of C.".
October 29		Street vacation becomes final (30 days).

CITY OF CRYSTAL  
NOTICE OF PUBLIC HEARING

Improvements No. 63-F  
August 16, 1983

Notice is hereby given that the City Council of the City of Crystal will meet in the Council Chambers at the Crystal City Hall, 4141 Douglas Drive, on Tuesday, August 16, 1983, at 7:00 P.M., or as soon thereafter as the matter can be heard, to hear and consider all oral and written arguments both for or against the following proposed improvements:

GRADING, BASE AND BLACKTOP IMPROVEMENT NO. 63-F

45th Place - Florida Ave. to 350 ft. East

Estimated Total Cost: \$67,488.00

CURB & GUTTER IMPROVEMENT NO. 63-F

45th Place - Florida Ave. to 350 ft. East

Estimated Total Cost: \$9,180.00

SANITARY SEWER IMPROVEMENT NO. 63-F

45th Place - Florida Ave. to 350 ft. East

Estimated Total Cost: \$23,169.00

WATER LATERAL IMPROVEMENT NO. 63-F

45th Place - Florida Ave. to 350 ft. East

Estimated Total Cost: \$12,498.00

All properties abutting this project and listed in this notice are subject to special assessment for the cost of such improvements, and the owners thereof may submit their opinions at said Public Hearing.

BY ORDER OF THE CITY COUNCIL  
Delores Ahmann, City Clerk

(Published in The North Hennepin Post August 4 and 11, 1983.)

ESTIMATED COST PER FOOT

Grading, Base and Blacktop:	\$107.72
Curb & Gutter:	14.65
Sanitary Sewer:	30.08 + stub @ \$845.00
Water Lateral:	13.05 + stub @ \$562.00

August 12, 1983

Honorable Mayor & City Council  
City of Crystal, MN

Re: Improvement Needs  
Nevada Court

Dear Councilmembers:

A study was made of the improvement needs as they pertain to the above captioned site.

The items listed below were found to be reasonable and necessary for the orderly development of the City of Crystal and the site, also being in the best interests of the public:

- Construct V6 cast-in-place concrete barrier curb per approved plot plan.
- Construct parking area, access aisles and drives with a minimum of 6" Class 5 base and 2" bituminous surface.
- Stripe parking stalls with white paint.
- Erect 1 handicap parking stall sign.
- Prepare and submit "as built" utility plans.
- Area lighting shall conform to Section 515.07, Subd. 10, of the Crystal City Code.
- Landscape all open areas.
- Provide all lot irons in place and to grade at the time of final acceptance.

It is recommended that the above work be required as a condition of issuance of a building permit; that the work be completed prior to issuance of an occupancy permit but not later than June 15, 1984; that the work be unconditionally guaranteed for a period of one year from date of final acceptance of all the work; and that surety in the amount of \$17,000 be required as a guarantee of the faithful performance of the above construction and requirements.

Very truly yours,



William L. Sherburne, P.E.  
City Engineer

WLS/bl

cc: John T. Irving, City Manager  
Don Peterson, Building Inspector  
Village Builders



83 = 69A  
 ④ Ben ~~Amper~~ 5303 - 53rd Mr. Olson  
 ⑤ Ellen Elliott 5441 Scott  
 ⑥ ~~Louise~~ ~~Mo~~ Bouley 5003 - 53rd  
 ⑦ Mr. ~~W~~ Miller 5530  
 ⑧ Ms. Moe Bonnerville?  
 Mr Mike Halley

Moved by Councilmember A and seconded by Councilmember B to  
adjourn the meeting. Motion Carried.

da  
August 26, 1983

Dear Councilmembers:

Just a reminder of the public hearing Tuesday evening regarding the variances requested for Halley Land.

I have enclosed, for your information, a copy of the six applications for variances and a list of how the variance requests affect each particular lot in the project.

I believe this information should help you understand what some of the problems are and what is necessary to make Halley Land's proposals workable.

Ed Thonander was in yesterday and he received a copy of the proposal in plat form from Bill Sherburne and I think this is all the information you need at this time.

Any questions you still have can be answered at the hearing Tuesday.

Have a nice weekend!

J A C K

da  
enc.



NOTICE OF PUBLIC HEARING  
ON VARIANCE APPLICATIONS

Applications #83-69A, 70A, 71A,  
72A, 73A, 74A, & 75A

City of Crystal, MN

NOTICE IS HEREBY GIVEN that the City Council of the City of Crystal, serving as the Board of Adjustments and Appeals, will meet on Tuesday, August 30, 1983, at 7:00 p.m., or as soon thereafter as the matter may be heard, at the Crystal Municipal Building, 4141 Douglas Drive in said City, to consider variance requests of the following requirements:

Front yard setback on proposed lots  
Side yard setback on proposed lots  
Rear yard setback on proposed lots  
Lot width on proposed lots  
Lot depth on proposed lots  
Lot area on proposed lots  
Street R/W width on Angeline Avenue, Unity Court and Angeline Circle

Said variances will affect a proposed development of 31 single family detached dwelling units and 56 single family attached dwelling units.

The property is described as that parcel of land lying north of the Soo Line Railroad R/W; south of Murray Lane 8th Addition; east of Vera Cruz Ave. and west of Quail Ave.

The proposed variance applications have been submitted by Halley Land Corporation.

Persons desiring to be heard on this matter may do so at this time.

DATED: August 9, 1983

BY ORDER OF THE CITY COUNCIL  
CITY OF CRYSTAL  
DELORES AHMANN, CITY CLERK

83-694

## CITY OF CRYSTAL

4141 DOUGLAS DRIVE NORTH  
 Crystal, MN 55422  
 Phone: 537-8421

Date: 8-15-83

TYPE OF REQUEST: ( ) Rezoning ( ) Conditional Use Permit  
 (X) Variance ( ) Plat Approval  
 ( ) Sign Variance ( ) Other

Street Location of Property: northeast of Vera Cruz Ave. & Soo Line RR tracks (approx. 53rd Ave North)  
 Legal Description of Property: see attached

Property Identification Number: 9-118-21-12-0001

Owner: Halley Land Corporation (contract purchaser); Midwest Federal S & L (fee owner)  
 (Print Name)

3140 North Harbor Lane, Ste. 103; Plymouth; MN 55441  
 (Address)

559-7300  
 (Phone No.)

Applicant: Halley Land Corporation  
 (Print Name)

3140 North Harbor Lane, Ste. 103; Plymouth; MN 55441  
 (Address)

559-7300  
 (Phone No.)

DESCRIPTION OF REQUEST: Variance in street right-of-way width from 60 feet to 50 feet and 40 feet, as per the proposed final plat of Rolling Green of Crystal.

APPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED:  
 (attach additional sheets if necessary)

- 1) Voluntary park dedication of 0.79 acres 2) Reduction of minimum yard area and street requirements to move building units away from the railroad and, thereby, minimizing the noise impact 3) to respect existing utility easements along the south property line  
 4) Due to the past R-4 zoning of the site

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT  
 (Circle one)

Halley Land Corporation

By

(Applicant's Signature)

Michael A. Halley, its President  
 Midwest Federal Savings & Loan Association  
 of Minneapolis

By

(Owner's Signature)

Its Vice President

(Office Use Only)

FEE: \$ 75.00

DATE RECEIVED: 8/23/83

RECEIPT # 15499

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

## CITY OF CRYSTAL

4141 DOUGLAS DRIVE NORTH  
Crystal, MN 55422  
Phone: 537-8421

Date: 8-15-83.

TYPE OF REQUEST:    ( )    Rezoning                      ( )    Conditional Use Permit  
                         ( X )    Variance                      ( )    Plat Approval  
                         ( )    Sign Variance                ( )    Other

Street Location of Property: northeast of Vera Cruz Ave. & Soo Line RR tracks 53rd Ave (approx. North)

Legal Description of Property: see attached

Property Identification Number: 9-118-21-12-0001

Owner: Halley Land Corporation (contract purchaser); Midwest Federal S & L (fee owner)  
(Print Name)

3140 North Harbor Lane, Ste. 103; Plymouth; MN 55441  
(Address)

559-7300  
(Phone No.)

Applicant: Halley Land Corporation  
(Print Name)

3140 North Harbor Lane, Ste. 103: Plymouth: MN 55441  
(Address)

559-7300  
(Phone No.)

DESCRIPTION OF REQUEST: Variance to the minimum front yard setback of 60 feet from street centerline (30 ft. min. from street R-O-W line) to 20 feet from the street R-O-W line for all lots as per the attached sheet.

APPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED:  
(attach additional sheets if necessary)

1) Voluntary park dedication of 0.79 acres 2) Reduction of minimum yard area and street requirements to move building units away from the railroad and, thereby, minimizing the noise impact 3) to respect existing utility easements along the south property line 4) Due to the past R-4 zoning of the site

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT  
(Circle one)

Halley Land Corporation

By Michael A. Halley (Applicant's Signature)  
Michael A. Halley, its President  
Midwest Federal Savings & Loan Association  
of Minneapolis

By R.K. Nelson  
(Owner's Signature)  
Its Vice President

(Office Use Only)

FEE: S 75.00

DATE RECEIVED: 8/23/83

RECEIPT # 15499

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)



## CITY OF CRYSTAL

4141 DOUGLAS DRIVE NORTH  
Crystal, MN 55422  
Phone: 537-8421

Date: 8-15-83

TYPE OF REQUEST: ( ) Rezoning ( ) Conditional Use Permit  
(X) Variance ( ) Plat Approval  
( ) Sign Variance ( ) Other

Street Location of Property: northeast of Vera Cruz Ave. & Soo Line RR tracks 53rd Ave (approx.  
Legal Description of Property: see attached North)

Property Identification Number: 9-118-21-12-0001

Owner: Halley Land Corporation (contract purchaser): Midwest Federal S & L (fee owner)  
(Print Name)

3140 North Harbor Lane, Ste. 103: Plymouth; MN 55441 559-7300  
(Address) (Phone No.)

Applicant: Halley Land Corporation  
(Print Name)

3140 North Harbor Lane, Ste. 103: Plymouth: MN 55441 559-7300  
(Address) (Phone No.)

DESCRIPTION OF REQUEST: Variance to the minimum rear yard setback of 40 feet to 20  
feet and 25 feet to the existing residential lots of Murray Lane Eighth Addition, as per  
the attached sheet.

APPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED:  
(attach additional sheets if necessary)

- 1) Voluntary park dedication of 0.79 acres 2) Reduction of minimum yard area and street  
requirements to move building units away from the railroad and, thereby, minimizing the  
noise impact 3) to respect existing utility easements along the south property line  
4) Due to the past R-4 zoning of the site

NOTE: Attach plan or survey of proposal.

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Halley Land Corporation

By Michael A. Halley

(Applicant's Signature)  
Michael A. Halley, its President  
Midwest Federal Savings & Loan Association  
of Minneapolis

By R.K. Nelson

(Owner's Signature)  
Its Vice President

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 8/23/83 RECEIPT # 15499

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

## CITY OF CRYSTAL

4141 DOUGLAS DRIVE NORTH  
Crystal, MN 55422  
Phone: 537-8421

Date: 8-15-83

TYPE OF REQUEST:    (    )   Rezoning                                    (    )   Conditional Use Permit  
                          ( X )   Variance                                (    )   Plat Approval  
                          (    )   Sign Variance                        (    )   Other

Street Location of Property: northeast of Vera Cruz Ave. & Soo Line RR tracks 53rd Ave (approx. North)  
Legal Description of Property: see attached

Property Identification Number: 9-118-21-12-0001

Owner: Halley Land Corporation (contract purchaser): Midwest Federal S & L (fee owner)  
(Print Name)

3140 North Harbor Lane, Ste. 103; Plymouth; MN 55441	559-7300
(Address)	(Phone No.)

Applicant: Halley Land Corporation  
(Print Name)

3140 North Harbor Lane, Ste. 103; Plymouth: MN 55441 559-7300  
(Address) (Phone No.)

DESCRIPTION OF REQUEST: Variance to minimum side yard setback of 5 feet to 0 feet  
for the common lot line between the following lots: Block 2, lots 1 & 2, 3 & 4, 5 & 6,  
7 & 8, 9 & 10, 11 & 12, 13 & 14, 15 & 16, 17 & 18, 19 & 20, 21 & 22, 23 & 24, 25 & 26,  
27 & 28, 29 & 30; Block 3, lots 16 & 17, 18 & 19, 20 & 21, 22 & 23, 24 & 25, 26 & 27, 28 & 29  
30 & 31, 32 & 33, 34 & 35, 36 & 37, 38 & 39, 40 & 41 as per the attached sheet.  
APPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED:  
(attach additional sheets if necessary)

1) Voluntary park dedication of 0.79 acres 2) Reduction of minimum yard area and street requirements to move building units away from the railroad and, thereby, minimizing the noise impact 3) to respect existing utility easements along the south property line 4) Due to the past R-4 zoning of the site

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT  
(Circle one)

Halley Land Corporation

By Michael A. Halley  
(Applicant's Signature)  
Michael A. Halley, its President  
Midwest Federal Savings & Loan Association  
of Minneapolis

By R. K. Nelson  
(Owner's Signature)  
Its Vice President

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 8/23/83 RECEIPT # 15499

(Approved) (Denied) - Planning Commission \_\_\_\_\_  
(Date)

(Approved) (Denied) - City Council \_\_\_\_\_  
(Date)

## CITY OF CRYSTAL

4141 DOUGLAS DRIVE NORTH  
Crystal, MN 55422  
Phone: 537-8421

Date: 8-15-83

TYPE OF REQUEST: ( ) Rezoning ( ) Conditional Use Permit  
(X) Variance ( ) Plat Approval  
( ) Sign Variance ( ) Other

Street Location of Property: northeast of Vera Cruz Ave. & Soo Line RR tracks 53rd Ave (approx.  
North)

Legal Description of Property: see attached

Property Identification Number: 9-118-21-12-0001

Owner: Halley Land Corporation (contract purchaser); Midwest Federal S & L (fee owner)  
(Print Name)

3140 North Harbor Lane, Ste. 103; Plymouth: MN 55441  
(Address)

559-7300  
(Phone No.)

Applicant: Halley Land Corporation  
(Print Name)

3140 North Harbor Lane, Ste. 103; Plymouth: MN 55441  
(Address)

559-7300  
(Phone No.)

DESCRIPTION OF REQUEST: Variance in minimum lot area from 7500 square feet to areas  
as shown on the attached sheet.

APPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED:  
(attach additional sheets if necessary)

- 1) Voluntary park dedication of 0.79 acres 2) Reduction of minimum yard area and street  
requirements to move building units away from the railroad and, thereby, minimizing the  
noise impact 3) to respect existing utility easements along the south property line  
4) Due to the past R-4 zoning of the site

NOTE: Attach plan or survey of proposal.

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Halley Land Corporation

By Michael A. Halley

(Applicant's Signature)  
Michael A. Halley, its President  
Midwest Federal Savings & Loan Association  
of Minneapolis

By R.K. Nelson

(Owner's Signature)  
Its Vice President

(Office Use Only)

FEE: \$ 75.00

DATE RECEIVED: 8/23/83

RECEIPT # 15499

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)



## CITY OF CRYSTAL

4141 DOUGLAS DRIVE NORTH  
Crystal, MN 55422  
Phone: 537-8421

Date: 8-15-83

TYPE OF REQUEST:    (    )   Rezoning                                    (    )   Conditional Use Permit  
                          ( X )   Variance                                (    )   Plat Approval  
                          (    )   Sign Variance                        (    )   Other

Street Location of Property: northeast of Vera Cruz Ave. & Soo Line RR tracks (approx. 53rd Ave North)

Legal Description of Property: see attached

Property Identification Number: 9-118-21-12-0001

Owner: Halley Land Corporation (contract purchaser): Midwest Federal S & L (fee owner)  
(Print Name)

3140 North Harbor Lane, Ste. 103; Plymouth: MN 55441	559-7300
(Address)	(Phone No.)

Applicant: Halley Land Corporation  
(Print Name)

3140 North Harbor Lane, Ste. 103; Plymouth: MN 55441 559-7300  
(Address) (Phone No.)

DESCRIPTION OF REQUEST: Variance in minimum lot depths from 100 feet to depths  
as shown on the attached sheet.

APPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED:  
(attach additional sheets if necessary)

1) Voluntary park dedication of 0.79 acres 2) Reduction of minimum yard area and street requirements to move building units away from the railroad and, thereby, minimizing the noise impact 3) to respect existing utility easements along the south property line 4) Due to the past R-4 zoning of the site

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT  
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Halley Land Corporation

By Michael A. Halley  
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Michael A. Halley, its President  
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of Minneapolis  
By R.K. Nelson  
(Owner's Signature)  
Its Vice President

(Office Use Only)

FEE: \$ 75.00      DATE RECEIVED: 8/23/83      RECEIPT #: 15499

(Approved) (Denied) - Planning Commission \_\_\_\_\_  
(Date)

(Approved) (Denied) - City Council \_\_\_\_\_  
(Date)

CITY OF CRYSTAL

4141 DOUGLAS DRIVE NORTE  
Crystal, MN 55422  
Phone: 537-8421

Date: 8-15-83.

TYPE OF REQUEST: ( ) Rezoning ( ) Conditional Use Permit  
(X) Variance ( ) Plat Approval  
( ) Sign Variance ( ) Other

Street Location of Property: northeast of Vera Cruz Ave. & Soo Line RR tracks 53rd Ave (approx. North)  
Legal Description of Property: see attached

Property Identification Number: 9-118-21-12-0001

Owner: Halley Land Corporation (contract purchaser): Midwest Federal S & L (fee owner)  
(Print Name)

3140 North Harbor Lane. Ste. 103; Plymouth: MN 55441 559-7300  
(Address) (Phone No.)

Applicant: Halley Land Corporation  
(Print Name)

3140 North Harbor Lane. Ste. 103; Plymouth: MN 55441 559-7300  
(Address) (Phone No.)

DESCRIPTION OF REQUEST: Variance in minimum lot width (as measured at the normal setback line) from 60 feet to widths and in minimum lot frontage as shown on the attached sheet.

APPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED:  
(attach additional sheets if necessary)

- 1) Voluntary park dedication of 0.79 acres
- 2) Reduction of minimum yard, area and street requirements to move building units away from the railroad and, thereby, minimizing the noise impact
- 3) to respect existing utility easements along the south property line
- 4) Due to the past R-4 zoning of the site

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT  
(Circle one)

Halley Land Corporation  
By Michael A. Halley (Applicant's Signature)  
Michael A. Halley, its President  
Midwest Federal Savings & Loan Association  
of Minneapolis  
By R.K. Nelson (Owner's Signature)  
Its Vice President

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 8/23/83 RECEIPT #: 15499

(Approved) (Denied) - Planning Commission (Date)

(Approved) (Denied) - City Council

August 15, 1983

## Variance Requests for ROLLING GREEN OF CRYSTAL

	Proposed lot width at normal building setback 1/	75-A Proposed minimum lot width 2/	74-A Proposed lot depths 3	73-A Proposed Lot Area Square Ft. 4/	72-A Proposed side yard setback - 0 feet (one side only) 5/	71-A Proposed rear yard setback 20'/25' 6/	70-A Proposed front yard setback 20 feet 7/
Block 1 - lot 1	-	-	86	5637		35' *	
lot 2	50	50	86	4300		X	X
lot 3	50	50	86	4300		X	X
lot 4	50	50	86	4300		X	X
lot 5	51	48	86	4489		X	X
lot 6	51	49	86	4704		X	X
lot 7	55	46	97	5566		X	X
lot 8	-	48	83	5750		X	X
lot 9	52	52	83	4169		X	X
lot 10	-	25	47	5188		X	X
lot 11	-	38	47	6903		X	X
lot 12	-	-	80	4930		X	X
lot 13	-	-	80	6101		X	X
lot 14	-	57	85	7103		X	X
lot 15	52	48	85	4360		X	X
lot 16	57	55	85	5104		X	X
Block 2 - lot 1	44	44	-	4432	X	X	X
lot 2	36	36	-	3608	X	X	X
lot 3	31	31	99	3144	X	X	X
lot 4	33	28	99	3616	X	X	X
lot 5	35	20	-	4807	X	X	X
lot 6	35	20	-	-	X	X	X
lot 7	35	20	-	-	X	X	X
lot 8	35	20	-	-	X	X*	X
lot 9	34	20	-	5559	X	X*	X
lot 10	34	20	-	6004	X	X*	X
lot 11	34	25	-	-	X	X*	X
lot 12	37	25	-	5795	X	X	X
lot 13	47	47	81	3600	X	X	X
lot 14	47	46	-	4298	X	X	X
lot 15	53	18	-	5012	X	X	X
lot 16	42	12	-	4714	X	X	X
lot 17	31	30	-	3730	X	X	X
lot 18	31	30	-	3605	X	X	X
lot 19	34	25	-	3672	X	X	X
lot 20	33	25	-	6337	X	X	X
lot 21	33	26	-	-	X	X*	X
lot 22	33	26	-	6934	X	X*	X
lot 23	30	30	-	6158	X	X*	X
lot 24	30	30	-	4350	X	X*	X
lot 25	30	30	-	4350	X	X*	X
lot 26	30	30	-	4350	X	X*	X
lot 27	30	30	-	4350	X	X*	X
lot 28	32	30	-	4350	X	X*	X
lot 29	33	25	-	4953	X	X*	X
lot 30	33	25	-	4157	X	X	X
				3906	X	X	X
Block 3 - lot 1	-	-	85	5577		X	X
lot 2	50	50	85	4250		X	X
lot 3	50	50	85	4250		X	X
lot 4	50	50	85	4250		X	X
lot 5	50	50	85	4250		X	X
lot 6	50	50	85	4250		X	X
lot 7	50	50	85	4250		X	X
lot 8	50	50	85	4264		X	X
lot 9	50	50	86	4414		X	X
lot 10	50	50	90	4642		X	X
lot 11	50	50	95	4872		X	X
lot 12	50	50	99	5101		X	X
lot 13	-	39	84	4798		X	X
lot 14	-	35	84	6685		X	X
lot 15	-	-	95	7332		X	X
lot 16	36	30	-	6637		X	X
lot 17	30	30	97	3877	X	X	X
lot 18	36	21	95	2987	X	X	X
lot 19	36	21	95	4089	X	X	X
lot 20	34	20	96	4103	X	X	X
lot 21	34	20	-	4340	X	X	X
lot 22	41	36	-	5591	X	X	X
lot 23	30	30	-	6228	X	X*	X
lot 24	31	31	-	4687	X	X*	X
lot 25	31	31	-	5149	X	X*	X
lot 26	31	31	-	5107	X	X*	X
lot 27	31	31	-	5065	X	X*	X
lot 28	32	32	-	5023	X	X*	X
lot 29	32	32	-	5139	X	X*	X
lot 30	32	32	-	5094	X	X*	X
lot 31	32	32	-	5045	X	X*	X
lot 32	32	32	-	4923	X	X*	X
lot 33	32	32	-	4638	X	X*	X
lot 34	32	32	-	4501	X	X*	X
lot 35	32	32	-	4365	X	X*	X
lot 36	32	32	-	4228	X	X	X
lot 37	32	32	-	4092	X	X	X
lot 38	32	32	-	3955	X	X	X
lot 39	32	32	-	3819	X	X	X
lot 40	30	30	-	3685	X	X	X
lot 41	50	50	-	3344	X	X	X
				5456	X	X	X



#### FOOTNOTES

- 1/ Normal minimum lot width is 60 feet as measured at the normal front building setback line (60 feet from the street centerline, but not less than 20 feet from the front lot line).
  - 2/ Proposed minimum lot width at front or rear of lot.
  - 3/ Normal minimum lot depth is 100 feet.
  - 4/ Normal minimum lot area is 7500 square feet.
  - 5/ Normal minimum side yard setback is 5 feet. Variance request is for the common line between the single family attached units only.
  - 6/ Normal minimum rear yard setback is 40 feet. Proposed rear yard setback is 20 feet. There shall be a 25 foot rear yard setback for those lots with abutting rear lot lines to Murray Lane Eighth Addition.
  - 7/ Normal minimum front yard is 60 feet from the street centerline, but not less than 30 feet from the front lot line.
- (All lot widths, depths and areas have been rounded down to the nearest foot)

Variance Requests for ROLLING GREEN OF CRYSTAL

VARIANCE REQUESTS FOR ROLLING GREEN OF CRYSTAL							
	75-A	74-A	73-A	72-A	71-A	70-A	
	Proposed lot width at normal building setback 1/	Proposed minimum lot width 2/	Proposed lot depths 3/	Proposed Lot Area Square Ft. 4/	Proposed side yard setback - 0 feet (one side only) 5/	Proposed rear yard setback 20', 25' 6/	Proposed front yard setback 20 feet 7/
Block 1 - lot 1	-	-	86	5637		X	X
lot 2	50	50	86	4300		X	X
lot 3	50	50	86	4300		X	X
lot 4	50	50	86	4300		X	X
lot 5	51	48	86	4489		X	X
lot 6	51	49	86	4704		X	X
lot 7	55	46	97	5566		X	X
lot 8	-	48	83	5750		X	X
lot 9	52	52	83	4169		X	X
lot 10	-	25	47	5188		X	X
lot 11	-	38	47	6903		X	X
lot 12	-	-	80	4930		X	X
lot 13	-	-	80	6101		X	X
lot 14	-	57	85	7103		X	X
lot 15	52	48	85	4360		X	X
lot 16	57	55	85	5104		X	X
Block 2 - lot 1	44	44	-	4432	X	X	X
lot 2	36	36	-	3608	X	X	X
lot 3	31	31	99	3144	X	X	X
lot 4	33	28	99	3616	X	X	X
lot 5	35	20	-	4807	X	X	X
lot 6	35	20	-	-	X	X	X
lot 7	35	20	-	-	X	X	X
lot 8	35	20	-	5559	X	X	X
lot 9	34	20	-	6004	X	X	X
lot 10	34	20	-	-	X	X	X
lot 11	34	25	-	5795	X	X	X
lot 12	37	25	-	3600	X	X	X
lot 13	47	47	81	4298	X	X	X
lot 14	47	46	-	5012	X	X	X
lot 15	53	18	-	4714	X	X	X
lot 16	42	12	-	3730	X	X	X
lot 17	31	30	-	3605	X	X	X
lot 18	31	30	-	3672	X	X	X
lot 19	34	25	-	6337	X	X	X
lot 20	33	25	-	-	X	X	X
lot 21	33	26	-	6934	X	X	X
lot 22	33	26	-	6158	X	X	X
lot 23	30	30	-	4350	X	X	X
lot 24	30	30	-	4350	X	X	X
lot 25	30	30	-	4350	X	X	X
lot 26	30	30	-	4350	X	X	X
lot 27	30	30	-	4350	X	X	X
lot 28	32	30	-	4953	X	X	X
lot 29	33	25	-	4157	X	X	X
lot 30	33	25	-	3906	X	X	X
Block 3 - lot 1	-	-	85	5577		X	X
lot 2	50	50	85	4250		X	X
lot 3	50	50	85	4250		X	X
lot 4	50	50	85	4250		X	X
lot 5	50	50	85	4250		X	X
lot 6	50	50	85	4250		X	X
lot 7	50	50	85	4264		X	X
lot 8	50	50	86	4414		X	X
lot 9	50	50	90	4642		X	X
lot 10	50	50	95	4872		X	X
lot 11	50	50	99	5101		X	X
lot 12	50	50	84	4798		X	X
lot 13	-	39	84	6685		X	X
lot 14	-	35	95	7332		X	X
lot 15	-	-	-	6637		X	X
lot 16	36	30	97	3877	X	X	X
lot 17	30	30	95	2987	X	X	X
lot 18	36	21	95	4089	X	X	X
lot 19	36	21	96	4103	X	X	X
lot 20	34	20	-	4340	X	X	X
lot 21	34	20	-	5591	X	X	X
lot 22	41	36	-	6228	X	X	X
lot 23	30	30	-	4687	X	X	X
lot 24	31	31	-	5149	X	X	X
lot 25	31	31	-	5107	X	X	X
lot 26	31	31	-	5065	X	X	X
lot 27	31	31	-	5023	X	X	X
lot 28	32	32	-	5139	X	X	X
lot 29	32	32	-	5094	X	X	X
lot 30	32	32	-	5045	X	X	X
lot 31	32	32	-	4923	X	X	X
lot 32	32	32	-	4638	X	X	X
lot 33	32	32	-	4501	X	X	X
lot 34	32	32	-	4365	X	X	X
lot 35	32	32	-	4228	X	X	X
lot 36	32	32	-	4092	X	X	X
lot 37	32	32	-	3955	X	X	X
lot 38	32	32	-	3819	X	X	X
lot 39	32	32	-	3685	X	X	X
lot 40	30	30	-	3344	X	X	X
lot 41	50	50	-	5456	X	X	X

August 30, 1983

Dear Councilmembers:

Late Friday I received the enclosed list of questions from Barbara Bird (marked Exhibit "A"). She asked that we attempt to answer these questions prior to tonight's hearing. We have made every effort to answer these questions some of which are really the same questions repeated.

Please find enclosed, marked Exhibit "B", a report to me from Roger Olson, answering questions 1 and 3. We feel #2, #4, #5, and #7 are sufficiently similar and the answer to them is enclosed and marked Exhibit "C".

Question #6 is more difficult as staff has never been asked to generate a report which would answer these questions for any individual or group of homes or businesses developed in the City of Crystal--at least for the last twenty years.

We have contacted the Chamber of Commerce to see if they have estimates of these kinds of retail dollars that can be expected to be generated by new households. At this writing, they have not responded with any answers, but did say they would check with other organizations they have access to, to see if they have compiled this kind of information.

We have also imposed on Jim McComb, who has provided some of the financial information of the Bass Lake Road/Becker Park project. Both Jim and Becky are out of town, but Jim is supposed to be back in town today and is to return our call with an answer if possible.

If we do get some kind of response from Jim or find another source we will add it to this information. If not, if you think its important, we will continue after the hearing to come up with the answers, if possible.

J A C K

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It has been repeatedly stated that the development of the Midwest Federal property by the Halley Land Corporation would benefit Crystal by increasing its tax base.

#### QUESTIONS

- 1)     - What is the estimated increase (in dollars) in the tax base that  
        - can be expected from development of this property according to  
        - the proposed plan?
- 2)     - What additional expenses can the City of Crystal be expected to  
        - incur for providing fire and police protection, street maintenance,  
        - water, sewer, lighting, and all other services customarily asso-  
        - ciated with maintaining residential properties?
- 3)     - What will the net gain (or loss) be prorated on a per property  
        - basis for taxpayers of Crystal? In other words, can individual  
        - Crystal Property owners expect a increase or decrease in their  
        - property taxes as a result of this development?
- 4)     - In the event the City incurs additional expenses for maintaining  
        - or improving existing services to this site (for example, repair-  
        - ing or improving local streets used to access the property, install-  
        - ing traffic control devices, special equipment for snow removal,  
        - etc.), will these costs be borne by all the property owners in  
        - Crystal....only the residents of the new development....or only  
        - by those residents of Northeast Crystal directly affected?
- 5)     - What portion of these additional expenses (if incurred) will be  
        - borne by Halley Land Corporation?
- 6)     - What increase, if any, in retail dollars spent in the City of  
        - Crystal can be expected to be generated by each new household  
        - in the development?  
        - How will this increase, if it occurs, benefit individual residents  
        - throughout Crystal?
- 7)     In the event the project fails to meet its goal of building 87  
        dwelling units, who will bear the cost of maintaining city ser-  
        vices (for example, street maintenance and snow removal, water  
        and sewer, etc.) to the project site?

## M E M O R A N D U M

TO: John T. Irving, City Manager  
 FROM: Roger M. Olson, City Assessor  
 SUBJECT: Questions Regarding Halley Land Development  
 DATE: August 30, 1983

## Question No. (1) Estimate Tax Base Increase

- Assumptions:
- a. 87 units with a market value of approximately \$75,000 each
  - b. All completed and on the tax roll by Jan 2, 1985, first tax payable 1986
  - c. Using current assessment classification percentages

First let us see how much of the existing tax requirements will be shared by 87 new \$75,000.00 homes. Each \$75,000.00 unit is assessed at about 93% or \$70,000.00.

Thus:

\$70,000	
- 30,000 @ 17%	= \$ 5,100
- 30,000 @ 19%	= 5,700
<u>10,000 @ 30%</u>	<u>= 3,000</u>
	\$13,800 Assessed Value each

Now, \$13,800 A.V. x .116650 Mill Rate = \$1,609.77 Tax not counting the State Paid Homestead Credit of 54% or a maximum of \$650.00 per parcel.

Thus: \$1,609.77 x 87 units = \$140,049.99 taxes

Say \$140,000.00 even.

This breaks down as follows:

Each Unit	Each Authority
\$ 241.47	City 15% = \$ 21,000
\$ 450.74	County 28% = \$ 39,200
\$ 820.98	S.D. 281 51% = \$ 71,400
\$ 16.10	Vo.S.D. 1% = \$ 1,400
\$ 80.48	Misc. Levies 5% = \$ 7,000
\$1,609.77	100% = \$140,000

Now let us see how this expanded tax base benefits the other 7,800 taxable parcels in Crystal.

Say \$140,000.00 increased tax base. This amount is very close to (1) percent of the total tax dollars levied in Crystal for all taxing authorities.

City Portion	15%	= \$ 21,000 ÷ 7,800 parcels	= \$ 2.69 each
County "	28%	= \$ 39,200 ÷ 7,800 parcels	= \$ 5.03 each
S.D. 281 "	51%	= \$ 71,400 ÷ 7,800 parcels	= \$ 9.15 each
Voc. S.D. "	1%	= \$ 1,400 ÷ 7,800 parcels	= \$ .18 each
Misc. levies	5%	= \$ 7,000 ÷ 7,800 parcels	= \$ .90 each
Totals	100%	= \$140,000 ÷ 7,800 parcels	= \$17.95 each

Question No (3) Prorated gain (or loss) per property.

If no additional costs were incurred, the average benefit per taxable parcel would be about \$17.95. This however, is an average amount and would vary greatly as property values vary, lower values receiving smaller benefits and higher values receiving larger benefits. A figure of approximately (1) percent of current taxes would be close.

It should also be noted that this expanded tax base could occur in a year of normal tax increases, and could be felt only as a smaller increase than would have otherwise occurred.



EXHIBIT "C"

The City does not plan to increase personnel nor purchase new equipment as a result of the project proposed by the Halley Land Corporation.

As in the past, fire and police protection and street maintenance are part of the general fund budget, the costs of which are shared by all the taxpayers of Crystal, no matter whether they are a single family homeowner or a business, and no matter whether the property is improved or vacant.

Similarly, water and sewer and street lighting costs are apportioned to each parcel by usage and share of the total cost.

No area of the City or new project pays more for general City services. New projects are absorbed into the City tax base and share with other properties in the cost of operating City services.