



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

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COUNCIL AGENDA

June 26, 1984

Pursuant to due call and notice thereof, the Special meeting of the Crystal City Council was held on June 26, 1984, 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
 _____ Rygg
 _____ Schaaf
 _____ Pieri
 _____ Meintsma
 _____ Aaker
 _____ Smothers

Staff

✓ Irving
✓ Kennedy
~~✓ Mossey~~
✓ Olson
Sherburne
~~Peterson~~
✓ Deno
✓ Ahmann

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

1. The City Council discussed public safety—specifically, the Police Department.

② _____ ¹¹⁶⁷ Pgs - 26 / 26 7:30 / B.P.

(3) — am l...
— y Am ...
— am w - ...

4. $\frac{a+b}{a-b} = \frac{a+b}{a-b}$

~~2 Jan 90 SKK 14.25 a vacancy 5 yr~~
~~10 Jan 90 SKK 14.25 a vacancy 5 yr~~
 ⑤ ~~15 Jan 90 SKK 14.25 a vacancy 5 yr~~

⑥ $\rightarrow A = S / \sim$

⑦ ① $H = \frac{\sigma}{\epsilon_0} \int \cos \theta \, dA$

(2) $\neg A = \text{don't } \rightarrow$
 $O H P \text{ don't } Rye \rightarrow B$

(3) f. ~ A
O H O Am. Reg - u B/
~ A a

⑧ $\rightarrow A \cap Z = \emptyset$ $\rightarrow B$

9.

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

LeFevere
Lefler
Kennedy
O'Brien &
Drawz

A Professional
Association

June 25, 1984

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
Brian F. Rice
Lorraine S. Clugg
James J. Thomson, Jr.
James M. Strommen
Mary C. Nielsen

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

Re: Vacancy in the Office of Mayor

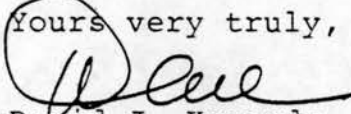
Dear Jack:

I understand that Mayor Meintsma will be submitting his resignation as Mayor at the close of the special meeting tomorrow evening and that he will at that time be taking his oath of office as Chairman of the Metropolitan Waste Control Commission. Either of those actions create a vacancy in the office of Mayor.

The procedure for filling vacancies on the City Council is controlled by Section 2.07 of the City Charter, copy attached.

The charter provisions are clear and unambiguous. The City Council should accept the resignation, declare a vacancy in the office of Mayor by resolution, and undertake to "forthwith" appoint an eligible person to fill that office until the next regular municipal election at which time the office is filled by election for the unexpired term. In my judgment the term "forthwith" means as soon as reasonably possible, and I think a 30 day period is reasonable under the circumstances. The term "eligible person" means any qualified voter of the City and includes members of the City Council. If a member of the City Council is appointed to the office of Mayor that Councilperson's office becomes vacant and the same charter procedure applies except that the person appointed to the Councilperson's vacancy must be from the appropriate district or ward.

Yours very truly,


David J. Kennedy

DJK:caw

taken so that each ward shall contain not more than 30% nor less than 20% of the population of the city. Reapportionment shall be by ordinance. If the council shall fail to reapportion within the period prescribed, the mayor and councilmen shall forfeit all remuneration until the wards of the city are reapportioned as required by this charter.

The city shall be divided into four wards designated and bounded as follows:

First Ward shall be bounded on the north by the center line of Thirty-sixth Avenue and on the east, south, and west by the limits of the city.

Second Ward shall be bounded on the south by the center line of Thirty-sixth Avenue and on the north by the center line of Forty-sixth Avenue and on the east and west by the limits of the city.

Third Ward shall be bounded on the south by the center line of Forty-sixth Avenue and on the north by the center line of Fifty-fourth Avenue and on the east and west by the limits of the city.

Fourth Ward shall be bounded on the south by the center line of Fifty-fourth Avenue and on the west, north, and east by the limits of the city.

Section 2.06. INCOMPATIBLE OFFICES

No member of the council shall be appointed city manager, nor shall any member hold any paid municipal office or employment under the city; and until one year after the expiration of his term as mayor or councilman no former member shall be appointed to any paid appointive office or employment under the city.

Section 2.07. VACANCIES IN THE COUNCIL.

A vacancy in the council shall be deemed to exist in case of the failure of any person elected thereto to qualify on or before the date of the second regular meeting of the new council, or by reason of the death, resignation, removal from office, removal from the city, ward, or section, continuous absence from the city for more than three months, or conviction of a felony of any such person whether before or after his qualification, or by reason of the failure of any councilman without good cause to perform any of the duties of membership in the council for a period of three months. In each such case the council shall by resolution declare such vacancy to exist and, except in the case of recall, shall forthwith appoint an eligible person to fill the same until the next regular municipal election, when the office shall be filled for the unexpired term.

Section 2.08. THE MAYOR.

The mayor shall be the presiding officer of the council, except

shall hold office at the pleasure of the council and shall serve as mayor in case of the mayor's disability or absence from the city, or in case a vacancy in the office of mayor until a successor has been appointed and qualified. The mayor shall have a vote as a member of the council. He shall exercise all powers and perform all duties conferred and imposed upon him by this charter, the ordinances of the city, and the laws of the state. He shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for the purposes of martial law. He shall study the operations of the city government and shall report to the council any neglect, dereliction of duty, or waste on the part of any officer or department of the city. In time of public danger or emergency he may, with the consent of the council, take command of the police, maintain order and enforce the law.

Section 2.09. SALARIES.

The monthly salary of councilmen shall be \$75.00 per month, and the monthly salary of the mayor shall be \$100.00 per month until changed by ordinance, but shall not be increased during the current term of office of the councilmen or mayor at the time of the enactment of such ordinance.

Section 2.10. INVESTIGATION OF CITY AFFAIRS.

The council and the city manager, or either of them, and any officer or officers formally authorized by them, or either of them, shall have power to make investigations into the city's affairs, to subpoena witnesses, administer oaths, and compel the production of books and papers. The council shall provide for an audit of the city's accounts at least once a year by the state department in charge of such work or by a certified public accountant. The council may at any time provide for an examination or audit of the accounts of any officer or department of the city government and it may cause to be made any survey or research study of any subject of municipal concern.

Section 2.11. INTERFERENCES WITH ADMINISTRATION.

The council or any member thereof shall not dictate the appointment of any person to office or employment by the city manager, or in any manner interfere with the city manager or prevent him from exercising his own judgment in the appointment of officers and employees in the administrative service. Except for the purpose of inquiry the council and its members shall deal with and control the administration service solely through the city

orders to any of the subordinates of the city manager, either publicly or privately.

Section 2.12. COURTS

Until a municipal court is established and in operation pursuant to state law, there shall be two justices of the peace of the city who shall have all power and authority now vested in the justices of the peace of the Village of Crystal under state law. The present two justices of the peace of the village shall continue as such justices of the peace of the city until their present terms respectively expire. Vacancies in the office of justice of the peace shall be filled for the remainder of the term by the council.

Chapter 3 Procedure of Council

Section 3.01. COUNCIL MEETINGS.

On the first business day of January following a regular municipal election, the council shall meet at the usual place and time for the holding of council meetings. At this time the newly elected members of the council shall assume their duties. Thereafter the council shall meet at such times each month as may be prescribed by ordinance or resolution, but not less frequently than once each month. The mayor or any three members of the council may call special meetings of the council upon at least twelve hours' notice to each member of the council. Such notice shall be delivered personally to each member or shall be left at his usual place of residence with some responsible person. All meetings of the council shall be public, and any citizen shall have access to the minutes and records thereof at all reasonable times.

Section 3.02. COUNCIL MEETING OFFICERS.

The council shall choose such officers and employees as may be necessary to serve at its meetings. The council shall appoint a secretary of the council. He shall give notice of its meetings, shall keep the journal of its proceedings and shall perform such other duties as shall be required by this charter or by ordinance. The council may designate any official or employee of the city, except the city manager, the mayor, or a member of the council, as secretary.

Section 3.03. RULES OF PROCEDURE AND QUORUM.

The council shall determine its own rules and order of business. A majority of all members elected shall constitute a quorum to do business, but a smaller number may adjourn from time to time. The council may by ordinance provide a means by which a mi-

Section 3.04. ORDINANCES, RESOLUTIONS, AND MOTIONS.

Except as in this charter otherwise provided, all legislation shall be by ordinance. The "yes" or "no" vote on ordinances, resolutions, and motions shall be recorded unless the vote is unanimous. An affirmative vote of a majority of all the members of the council shall be required for the passage of all ordinances, resolutions, except as otherwise provided in this charter.

Section 3.05. PROCEDURE OF ORDINANCES.

The enacting clause of all ordinances shall be in the words, "City of Crystal does ordain." Every ordinance shall be prepared in writing. No ordinance, except an emergency ordinance, shall be passed at the meeting at which it is introduced and at least four days shall elapse between its introduction and final passage.

Section 3.06. EMERGENCY ORDINANCES.

An emergency ordinance is an ordinance necessary for the immediate preservation of the peace, health, morals, safety, or welfare in which the emergency is defined and declared in a preamble thereto, and is adopted by a vote of at least five members of the council. No prosecution shall be based upon the provisions of any emergency ordinance until twenty-four hours after the ordinance has been filed with the clerk and posted in three conspicuous places or until the ordinance has been published, and the person charged with violation had actual notice of the passage of the ordinance prior to the violation or omission complained of.

Section 3.07. PROCEDURE OF RESOLUTIONS.

Every resolution shall be presented in writing and read in full before a vote is taken thereon unless the reading of a resolution is dispensed with by unanimous consent.

Section 3.08. SIGNING AND PUBLICATION OF ORDINANCES & RESOLUTIONS.

Every ordinance or resolution passed by the council shall be signed by the mayor or by any other members, attested by the city clerk and filed and preserved by him. Every ordinance shall be published at least once in the official newspaper. To the extent and in the manner provided by law an ordinance may incorporate by reference a statute of the state of Minnesota, a state administrative code, or a regulation, a code, or a part thereof without publishing the material referred to in full.

Phone: 537-8421

City of Crystal



OFFICE OF THE MAYOR

Peter E. Meintsma

June 26, 1984

TO: • Mayor Pro-tem Adrian Rygg
Councilmember Thomas Aaker
Councilmember Betty Herbes
Councilmember Ronald Pieri
Councilmember John Schaaf
Councilmember Rollie Smothers

It is with considerable regret that I formally submit my resignation as Mayor of the City of Crystal, effective June 26, 1984.

These years have been productive and stimulating. Our successive councils have been characterized by dedication to the well being of the citizens of the City of Crystal. I especially treasure the re-enforcement and support I have received from so many of the councilmembers with whom I have served since January, 1974.

I am also deeply indebted to a fine and dedicated staff and to the residents and voters of this City.

I can't resist a concluding exhortation: Be courageous; be open and fair; have a vision for the future.

Sincerely,

Peter E. Meintsma
Mayor

PEM:djg

June 26, 1984

TO: City of Crystal Councilmembers
FROM: Peter E. Meintsma, Mayor

1. Attached is a summary of ideas gathered in a meeting of several community officials regarding future highway needs. Please note the tentative time table and suggested meeting date for the next committee discussion.
2. At the appropriate time (perhaps near the end of our meeting tonight) I will be formally offering my resignation as Mayor of Crystal. Immediately following that I would ask your indulgence in a modest ceremony. I would like to have Delores Ahmann administer my new oath of office in your presence. That, it seems to me, would be suitable to my 11½ years as Mayor.
3. Discussion of or action on the mayoral succession may occur at tonight's meeting with unanimous consent of the Council. If that is your interest I would like to offer some suggestions.

First, discuss the process. When should a decision occur, what are the advantages/disadvantages of an immediate decision versus a delay of one to three weeks, or longer? Second, agree that the appointment of a Mayor occur only when all councilmembers are present.

After that, GOOD LUCK!!

I will miss you, but hope occasionally to visit you.



SUMMARY OF MEETING WITH SEVERAL OFFICIALS ALONG HIGHWAY 100

From Golden Valley, the Mayor, Mary Anderson, expressed concern about the highway interchange at 36th Avenue and Highway 100. She favors a grade separation at that interchange. She is somewhat worried of the building of six lanes of highway on Highway 100.

Councilmember Mike Holtz from Robbinsdale agreed that the 36th Avenue Interchange needs to be improved. He is somewhat ambivalent about closing the 39th Avenue access to Highway 100. Further he believes that the walkway over Highway 100 could be eliminated. At 42nd and Highway 100, Mr. Holtz agrees that the diamond should be completed. Also Mike wants the Highway Department to finalize plans so that land which they have acquired can be freed up for residential use when it is determined that the land is no longer needed for highway construction.

Dan Donahue, Manager of New Hope, says that the concern of New Hope is principally about 42nd Avenue, especially the pressures for increasing traffic signals there. Mr. Donahue is also concerned about the future of 36th Avenue from Crystal to Highway 18.

Brooklyn Center Manager, Gerry Splinter, strongly agrees that Highway 100 needs to be improved. He believes that Highway 100 must be six lanes. That opinion rests upon the fact that Brooklyn Center has a real jam-up of traffic at the Mississippi River.

Councilmember Engh of Brooklyn Park had no special concerns about the highways in the several cities. He is, however, supportive of our interests.

There was general agreement that the cities need to work together and support one another in their mutual needs. Tentatively it was agreed that the committee should meet in the Fall, should work with the Highway Department, the committee should establish priorities of highway needs that then should be referred to their respective councils for their approval. Following that approval, then the priorities should be sent to our legislators as a legislative program. Hopefully they can all be agreed upon before the 1985 legislative session.

There was also agreement about a tentative meeting date that was set for Wednesday, September 26, 1984, at 7:30 A.M. in Brooklyn Center. The notice of that meeting will come from the Brooklyn Center City Manager, Gerry Splinter.

UPDATE ON PROJECTS IN BASS LAKE ROAD
REDEVELOPMENT AREA
6-18-84

APPRAISED VALUE:
REAL ESTATE
AND
FIXTURES

BUSINESS

NEGOTIATIONS

Crystal Furniture	\$355,991.00	Ilene Saunders, owner, had it appraised at over \$630,000. Because of spread in appraisals, have authorized another appraisal - negotiations are continuing.
Crystal Linoleum	\$140,348.00	Negotiating at present - are \$80,000 apart; have shown some interest in 140' strip of City property north of Timesavers, east of Douglas Drive.
Waterbeds, Minnesota	\$ 49,746.00	Payment to be made in the amount of \$5,092 for immovable fixtures to Waterbeds, Minnesota, this being the appraised value of immovables.
T. L. Gifts	\$ 15,333.00	Nicklow Brothers - we are negotiating with their attorney - at present they are having appraisals made.
Dependable Finance	\$ 43,152.00	Nicklow Brothers - we are negotiating with their attorney - at present they are having appraisals made.

BUSINESSAPPRAISED VALUE:
AND
FIXTURESNEGOTIATIONS

Large Parking Lot	\$ 36,000.00	Nicklow Brothers - we are negotiating with their attorney - at present they are having appraisals made.
Auto Sports Center	\$ 48,218.00	Nicklow Brothers - we are negotiating with their attorney - at present they are having appraisals made.
Photo Time	\$ 62,757.00	Nicklow Brothers - we are negotiating with their attorney - at present they are having appraisals made.
Small Parking Lot	\$ 11,000.00	Nicklow Brothers - we are negotiating with their attorney - at present they are having appraisals made.
Armed Forces Re- Recruiting Offices	\$ 85,853.00	Nicklow Brothers - we are negotiating with their attorney - at present they are having appraisals made.
Navy Recruiting	\$ 25,000.00	Nicklow Brothers - we are negotiating with their attorney - at present they are having appraisals made.

**APPRAISED VALUE:
REAL ESTATE
AND
FIXTURES**

BUSINESS

NEGOTIATIONS

Metro Gold & Silver	\$ 35,068.00	No negotiations to date.
Parnell Cleaners	\$ 44,220.00	Nicklow Brothers - we are negotiating with their attorney - at present they are having appraisals made.
Crystal Steak House	\$ 92,105.00	Nicklow Brothers - we are negotiating with their attorney - at present they are having appraisals made.
MN Foam & Products	\$138,666.00	No negotiations to date.
Crystal Electric Motors	\$ 93,828.00	At the advice of Von Klug and Associates, Relocation Specialists, it is necessary to order a new appraisal on this property as the first seems to be inappropriately low.
Keating Music	\$ 25,848.00	Owner is getting his own appraisal.

**APPRAISED VALUE:
REAL ESTATE
AND
FIXTURES**

BUSINESS

NEGOTIATIONS

Naegele Ad Sign (6519 Bass Lake Road)	\$ 16,250.00	Getting their own appraisal.
Naegele Ad Sign (5560 W. Broadway)	\$ 16,100.00	Getting their own appraisal.
Bungalow Restaurant/ Motel	\$ 777,000.00 Estimate provided by appraiser for tax increment projections.	Made second payment for purchase. One payment remaining in November, 1984. Our purchase price was \$1,200,000 as Elmer Hartwig's appraisal came in at \$1,325,000.00.
Saul & Morris Brandys Residence	Not appraised yet	No negotiations
Anderson Floral D & B Hair Design	\$ 252,000.00	Negotiations underway with low priority for early buyout.
Stan Zieska Residence	\$ 81,000.00	No negotiations to date.

BUSINESSAPPRAISED VALUE:
REAL ESTATE
AND
FIXTURESNEGOTIATIONS

Minnesota Mini Storage	Not appraised yet	No negotiations to date.
Old Phelps-Drake Property	\$ 375,000.00	Already purchased by HRA for \$300,000.00.
Elderly Site	\$ 187,000.00 & \$ 240,000.00	Already purchased by HRA for \$210,000.00.
Fire Station Site	\$ 100,000.00	Already purchased by HRA for \$100,000.00.
Metro Liquor/Bucks Stoves Bienias Property	\$ 145,965.00	Purchased by HRA for \$155,965.00 on June 6th. Agreed to \$10,000.00 over appraised value of real estate since Bienias had an appraisal for \$20,000.00 over ours.
Pirates Cove Dog Grooming	Not appraised yet	No negotiations.

APPRAISED VALUE:
REAL ESTATE
AND
FIXTURES

BUSINESS

NEGOTIATIONS

Wally's Barber Shop	Not appraised yet	No negotiations.
Andy's Shoe Repair	Not appraised yet	No negotiations.
Colvin Insurance Agency	Not appraised yet	No negotiations.
Imported Auto Parts	Not appraised yet	No negotiations.
H & R Block	Not appraised yet	No negotiations.
Fire Control Anderson T.V. Northstar Furniture Mart Racers Exchange	Not appraised yet	No negotiations.

APPRAISED VALUE:
REAL ESTATE
AND
FIXTURES

BUSINESS

NEGOTIATIONS

Duane's Used Car Lot	Not appraised yet	No negotiations.
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SENT WITH PRELIMINARY AGENDA 6/29/84

Council minutes of 6/19/84.

Council minutes of Special meeting 6/26/84.

Planning Commission minutes of 6/11/84.

Improvement Needs letter of 6/20 re Crystal Lounge
from City Engr.

Appli. of Diamondhead Gold & Silver, Inc. for pawn-
brokers lic.

Memo from City Engr. of 6/20 re reducing surety
for Rolling Green of Crystal.

Impr. Needs letter from City Engr. of 6/26 re setting
surety for Crystal Green.

Petition re signs being posted at Idaho & 52nd &
54th prohibiting semi-trailer trucks.

Memo from Adm. Ass't. of 6/19 re hiring a consultant
re Employee Right to Know program.

Human Relations Comm. minutes of 6/25/84.

Newsletter.

SENT WITH AGENDA 7/3/84

Exercise program from League magazine.

Portions of City Code pertaining to Target

Letter from DBT, Vern Genzlinger dated 6-29-84

Memo from Nancy Deno Re: Employee Right To Know
dated 7-2-84.

COUNCIL AGENDA

July 3, 1984

Pursuant to due call and notice thereof, the meeting of the Crystal City Council was held on July 3, 1984, 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

P Herbes
P Rygg
P Schaaf
abs A Pieri
P Aaker
abs A Smothers

Staff

P Irving
P Kennedy
P Olson
P Sherburne Smith
P Peterson
P Deno
P Ahmann George

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

The minutes of the regular Council meeting of June 19, 1984, and Special Meeting of June 26, 1984, were approved, with the following exceptions: Page 5 - change
Ivan Dickerson to Fern Dickerson (Betty Herbes made the
correction).

CONSENT AGENDA

1. Set 7:00 P.M., or as soon thereafter as the matter may be heard, July 17, 1984, as the date and time for the public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a variance in lot width (lot is 50' wide; required 60') to build a 22'x22' detached garage at 4606 Douglas Drive North.
2. Set 7:00 P.M., or as soon thereafter as the matter may be heard, July 17, 1984, as the date and time for the public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a variance to encroach in the front half of the lot to build a garage and to vary the curb cut location (corner lot is 52' and curb cuts must be 50' from corner) at 4958 Quail Avenue North.

Moved by Councilmember _____ and seconded by Councilmember _____ to remove items _____ and _____ from the Consent Agenda. Motion Carried.

Moved by Councilmember Aaker and seconded by Councilmember Herbes 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 Pro-tem Rygg declared this was the time and date as advertised for a public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Donald Middlestadt for a variance to occupy more than 30% of the rear yard and to encroach in the rear yard by building two decks 19'x10' and 12'x12' at 5400 Vera Cruz Avenue North. The Mayor Pro-tem asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were:

Moved by Aker, 2nd by Herber to carry this item to July 17th meeting for lack of $\frac{2}{3}$ majority vote. Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to approve, as recommended by and based on the findings of fact of the Planning Commission, the authorization to grant a variance, pursuant to Section 515.13, Subd. 4a) to grant a variance of 20' in the required 40' rear yard setback; and Section 515.07, Subd. 5b) to occupy more than 30% of the rear yard, to allow the construction of two decks (19'x10' and 12'x12') at 5400 Vera Cruz Avenue North as requested in Variance Applications #84-10A and #84-11A by Donald Middlestadt. Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Applications #84-10A and #84-11A. Motion Carried.

2. It being 7:00 P.M., or as soon thereafter as the matter may be heard, Mayor Pro-tem Rygg declared this was the time and date as advertised for a public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Jeanine Widseth for a variance of 7'6" in the required 30' front yard setback for a 12'x15'6" addition to the existing dwelling at 3511 Zane Avenue North. The Mayor Pro-tem asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were:

Moved by Aker, 2nd by Herber to carry this item to July 17th meeting for lack of $\frac{2}{3}$ majority vote. Motion Carried

Moved by Councilmember _____ and seconded by Councilmember _____ to approve, as recommended and based on the findings of fact of the Planning Commission, the authorization to grant a variance pursuant to Section 515.13, Subd. 2a), to grant a variance of 7'6" in the required 30' front yard setback for a 12'x15'6" addition to the existing dwelling at 3511 Zane Avenue North, as requested in Variance Application #84-21T by Jeanine Widseth. Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Application #84-21T. Motion Carried.

July 3, 1984

3. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Pro-tem Rygg declared that this was the time and date as advertised for the public hearing, at which time the City Council will consider a request for vacation of a utility easement at 7022 Corvallis Avenue North. The Mayor Pro-tem asked those present to voice their opinions or ask questions concerning this matter. Those present and heard were:

*Moved by Aaker, second by Herkes to carry over to July 17
for lack of 2/3 Majority Vote. Motion Carried
Adopted - 3-2-1*

Moved by Councilmember _____ and seconded by Councilmember _____ to adopt the following ordinance:

ORDINANCE NO. 84-

AN ORDINANCE VACATING A UTILITY EASEMENT
WITHIN THE CITY OF CRYSTAL

and further that the second and final reading be held on July 17, 1984.

Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) a request to vacate a utility easement at 7022 Corvallis Avenue North. Motion Carried.

4. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Pro-tem Rygg declared that this was the time and date as advertised for the public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Steven Weisman of the Crystal Lounge to expand a non-conforming use (said non-conformity being the existing building encroaches 21'+ in the required 22' front yard setback) and a variance in the required number of parking stalls (57 stalls required; 29 available) at 4900 West Broadway. The Mayor Pro-tem asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were:

Same as 3

- A. Moved by Councilmember _____ and seconded by Councilmember _____ to approve, as recommended by and based on the findings of fact of the Planning Commission, the authorization to grant a variance pursuant to Section 515.13, Subd. 2b) to expand a non-conforming use (said non-conformity being the existing building encroaches 21'+ in the required 22' front yard setback at 4900 West Broadway, as requested in Variance Application #84-25A of Steven Weisman. Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Application #84-25A. Motion Carried.

4. (continued)

- B. Moved by Councilmember _____ and seconded by Councilmember _____ to approve, as recommended by and based on the findings of fact of the Planning Commission, the authorization to grant a variance pursuant to Section 515.09, Subd. 8v) to grant a variance of 28 off-street parking spaces at 4900 West Broadway, as requested in Variance Application #84-24A of Steven Weisman. Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Application #84-24A. Motion Carried.

- Item (15) at this point ~~was~~ dismissed 36th Ave. people because of majority vote rule =*
5. The City Council considered a request from the Crystal Fire Relief Association for a carnival license; a gambling license, with a waiver of the gambling manager's bond; and 3.2 special beer stand licenses at Welcome Park and Becker Park, and a waiver of fees therefor; for July 27, 28, 29, 1984 (Crystal Frolics).

Don Doane of the Fire Department appeared and requested approval of use of ~~park~~ ^{park de route, welcome Becker Park} for softball tournament, ~~parade route~~ and the use of Becker Park for a carnival.

Moved by Councilmember Herber and seconded by Councilmember Aaker to (approve) (deny) (continue until _____ the discussion of) a request from the Crystal Fire Relief Association for a carnival license; a gambling license, with a waiver of the gambling manager's bond; and 3.2 special beer stand licenses at Welcome Park and Becker Park, and a waiver of fees therefor; for July 27, 28, 29, 1984 (Crystal Frolics), and *Exp 60-128, 106, 9-11*. Motion Carried.

6. The City Council considered reducing surety for Rolling Green of Crystal.

Moved by Councilmember Herber and seconded by Councilmember Aaker to (approve) (deny) (continue until _____ the discussion of) reducing surety for Rolling Green of Crystal. Motion Carried.

*from \$334,000
to \$90,000*

July 3, 1984

7. The City Council considered setting surety in the amount of \$310,000 for work to be completed as part of final approval of plat Crystal Green (Soo Line Property).

Mike Halley appeared and presented a letter to the Council from Olson, Gunn, & Seran, Ltd. Law Offices. dated July 3, 1984 regarding C re Plat G.
(Delaware: it's included in your packet)

- A. Moved by Councilmember Acker and seconded by Councilmember Schoof to set surety in the amount of \$310,000 for work to be completed as part of final approval of plat Crystal Green. Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) setting surety in the amount of \$310,000 for work to be completed as part of final approval of plat Crystal Green. Motion Carried.

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

RESOLUTION NO. 84-57

RESOLUTION APPROVING PLAT

By roll call and voting aye: Herber, Schoof, Rygg, Acker, _____, _____, _____; voting no: 0, _____, _____, _____; absent, not voting: Pieri, Smither, _____. Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) the final approval of plat Crystal Green (Soo Line Property). Motion Carried.

8. The City Council considered accepting ^aletter of credit and entering into agreement with Eugene DeVito to plat two lots into one lot at 3515-17 Major Avenue North to allow building expansion on the property.

Moved by Councilmember Aaker and seconded by Councilmember Schaeff to accept ^a letter of credit and enter into agreement with Eugene DeVito for the purpose of guaranteeing faithful performance for certain work requirements of the condition of issuance of a building permit to plat two lots into one lot at 3515-17 Major Avenue North to allow building expansion on the property, and further, to authorize the Mayor Pro-tem and City Manager to sign such agreement. Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) accepting letter of credit and entering into agreement with Eugene DeVito to plat two lots into one lot at 3515-17 Major Avenue North to allow building expansion on the property.

Motion Carried.

9. The City Council considered the Second Reading of an ordinance vacating the alley south of Lot 2, Block 1, Rockford Road Addition.

*Motion Aaker, 2nd Verker to move item to July 17 meeting
for lack of 2/3 majority vote.*

Motion Carried

Moved by Councilmember _____ and seconded by Councilmember _____ to adopt the following ordinance:

ORDINANCE NO. 84-

AN ORDINANCE VACATING AN ALLEY WITHIN THE CITY OF CRYSTAL
(ABUTTING THE SOUTH SIDE OF LOT 2, BLOCK 1, ROCKFORD ROAD ADDITION)

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) a petition to vacate an alley abutting south side of Lot 2, Block 1, Rockford Road Addition (south side of Liberty Garment Company, 6105 - 42nd Avenue North).

Motion Carried.

July 3, 1984

10. The City Council considered a report from the City Manager regarding negotiation status with Target.

Jack informed them of handout of portion of ordinance in their packets and discussion followed.
By City Mgr. advised to continue discussions with Target and report back to Council.

11. The City Council considered a petition requesting signs be posted at intersections of Idaho and 52nd and 54th prohibiting semi-trailer trucks.

DeLaure.

moved by Baker, 2nd by Herkes to have Engineering Dept. and City Staff look into alternatives and report to resuming the semi trailer trucks and report at July 17 meeting.

Motion Carried.

12. The City Council considered the re-alignment of Douglas Drive in the redevelopment district.

Harold Sikelstad of BRW made presentation.
Sharon Gardner, ~~Chairman~~ ^{Chairman} of HRA, was in attendance and spoke.

Motion by Schaaf, 2nd by Herkes to direct Staff and Park Adv. Commission to ^{work with consultants to} realign Douglas Drive in the redevelopment district so that it takes as little of the park land as possible.

*Roll Call: Aye: Herkes, Schaaf, Baker
 No: Rygg
 Absent: Sicri, Smother*

Motion Failed for lack of majority vote.

13. The City Council considered hiring a consultant to complete the Employee Right to Know program.

Nancy Reno made a presentation
Moved by Aaker, second Herbes to ^{direct staff to} obtain bids from 3 consultants for presentation at July 17 meeting.
Motion Carried.

14. The City Council considered a request by Councilmember Herbes to discuss the Civil Service Commission.

(2-2, 8-2, 10-2, 12-2, 14-2, 16-2, 18-2, 20-2, 22-2, 24-2, 26-2, 28-2, 30-2, 32-2, 34-2, 36-2, 38-2, 40-2, 42-2, 44-2, 46-2, 48-2, 50-2, 52-2, 54-2, 56-2, 58-2, 60-2, 62-2, 64-2, 66-2, 68-2, 70-2, 72-2, 74-2, 76-2, 78-2, 80-2, 82-2, 84-2, 86-2, 88-2, 90-2, 92-2, 94-2, 96-2, 98-2, 100-2)
Directed staff to review Delores's files to see who has applied. No motion was made. Will be brought up after new mayor is chosen.
Delores: at this point Betty informed Council of the "Wellness Programs" info that was included in their packets. It was agreed to place on agenda after July 17 as there would be so many items on that one.

15. The City Council considered Hennepin County Highway Department's response to the Council's request of reconsideration of the intersection of 36th Avenue North and Douglas Drive.

Moved up to #5 spot

4, 2, 1 and passed out copies of 200
The City Manager read the Ordinance
pertaining to Temporary Parking permits.
Discussion followed.

Moved by Councilmember Adler and seconded by Councilmember Schubert to approve
the list of license applications.

Motion Carried.

Moved by Councilmember Adler and seconded by Councilmember Schubert to adjourn
the meeting.

Motion Carried.

APPLICATIONS FOR LICENSE

July 3, 1984

SIGN HANGERS (\$66.00)

Cragg Inc.
Kaufman Outdoor Advertising
Leroy Signs, Inc.

PLUMBING (\$30.25)

Dave Dempsey Plumbing
Key Plumbing & Heating, Inc.

FOOD ESTABLISHMENT - Itinerant (Exempt)

Crystal J.C.'s Women at Crystal Frolics, July 27-30, 84

FOOD ESTABLISHMENT - Restaurant (Exempt)

Volunteers of America at Thorson School 7323 58th Ave. No.
(Congregate Dining)

GARBAGE AND REFUSE HAULERS (\$27.50 Co. Lic. + \$16.50 ea. vehicle)

Bautsch Disposal, Blaine, Minnesota
Crosstown Sanitation, Excelsior, MN
Art Willman & Son, Minneapolis, MN

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

Crystal Merchants Association at Crystal Shopping Center
July 16-21, 1984 (2 trucks)

TREE TRIMMING: (\$55.00 per yr.)

Horizon Tree Service

3.2 BEER OFF-SALE: (\$42.00)

PDQ Stores, 7200 - 56th Avenue North

June 29, 1984

Dear Councilmembers:

Tuesday night's meeting should be a normal meeting which should allow everyone to get out early enough so they can start their 4th of July celebration early if that is their choice. I don't see a lot of controversy in this preliminary agenda, but then I've been fooled before. However, it should go as follows:

The minutes of the regular meeting of June 19, 1984 and the Special meeting of June 26, 1984, are enclosed for your review.

Consent Agenda

ITEM

SUPPORTING DATA

- | | |
|---|-------|
| 1. Set Public Hearing to consider a request from Kenneth Mattson for a variance in lot width (lot is 50' wide; required 60') to build a 22'x22' detached garage at 4606 Douglas Drive. | None. |
| 2. Set Public Hearing to consider a request from Jerome Fluth for a variance to encroach in the front half of the lot to build a garage and to vary the curb cut location (corner lot is 52' and curb cuts must be 50' from corner) at 4958 Quail Ave. N. | None. |

As you can see, the Consent Agenda consists of two items--merely setting public hearings for variances.

The regular agenda has several public hearings to start with.

- | | |
|---|---|
| 1. Public Hearing to consider a request from Donald Middlestadt for a variance to occupy more than 30% of the rear yard and to encroach in the rear yard by building two decks 19'x10' and 12'x12' at 5400 Vera Cruz N. | Planning Commission minutes of 6/11/84, item 3. |
| 2. Public Hearing to consider a request from Jeanine Widseth for a variance of 7'6" in the required 30' front yard setback for a 12'x15'6" addition to the existing dwelling at 3511 Zane. | Planning Commission minutes of 6/11/84, item 5. |

2. (Continued)

Please read the Planning Commission minutes on the above two items and I am certain Don will have additional information for you Tuesday evening.

3. Public Hearing to consider a request None.
for vacation of a utility easement at
7022 Corvallis Ave. N.

We see no problem with granting the vacation request. A problem may come about regarding setback when the building permit is applied for. I will by that time have an opinion from the City Attorney regarding that setback problem.

4. Public Hearing to consider a request Planning Commission minutes
for a variance from Steven Weisman of of 6/11/84, item 9; improve-
the Crystal Lounge to expand a non- ment needs letter from City
conforming use (said non-conformity Engineer dated 6/20/84.
being the existing building encroaches
21'+ in the required 22' front yard set-
back) and a variance in the required
number of parking stalls (57 stalls re-
quired; 29 available) at 4900 W. Broadway.

I request that you read all the supporting data and make the suggestion that the variance approval not be granted until you have all the assurances, including the bond, to guarantee the performance required. It is my understanding that today they will be in with their application for a Sunday liquor license. It would be my recommendation that once the bond is set and accepted and the building permit reinstated, and all assurances are received, that you then could approve the Sunday liquor, subject to the completion of the required work.

What I am really saying is that the last thing to happen should be the issuance of the Sunday liquor license and I do think that is important. Mr. Mavity and Mr. Weisman would like some kind of assurances that they will get that license if they are going to perform all the work. I think the Council has always attempted to give them that assurance verbally and I think should continue to do so if that is your pleasure.

5. Consideration of a request from
Diamondhead Gold & Silver, Inc.,
5563 Lakeland Ave. N., for a pawn-
broker's license.

We have never had a request for a pawnbroker's license before and do not have an ordinance to cover it. Delores called Dave and he said since we have a license fee set for a pawnbroker, we must accept their application for it.

6. Consideration of a request from the Crystal Fire Relief Association for a carnival license; a gambling license, with a waiver of the gambling manager's bond; and 3.2 special beer stand licenses at Welcome Park and Becker Park, and a waiver of fees therefor; for July 27, 28, 29, 1984 (Crystal Frolics). None.
7. Consideration of reducing surety for Rolling Green of Crystal. Letter from City Engineer dated 6/20/84.
8. Consideration of setting surety in the amount of \$310,000 for work to be completed as part of final approval of plat Crystal Green. Copy of improvement needs letter from City Engineer dated 6/26/84.

As of this writing, we have not received the letter of credit required. If we do before Tuesday, we will make that known to you at that time. Then you can accept the letter of credit, enter into agreement and grant final approval. Otherwise, the only action necessary would be to set the surety.

9. Consideration of accepting letter of credit and entering into agreement with Eugene DeVito to plat two lots into one lot at 3515-17 Major Ave. N. to allow building expansion on the property. None.

Again, at this writing we have not received the letter of credit but have been advised it will be here before Tuesday. The same suggestion is made that was made in Item #8.

10. Consideration of the Second Reading of an ordinance vacating the alley south of Lot 2, Block 1, Rockford Road Addition. None.

We are in the process of getting values on this easement. The Second Reading would not affect that.

11. Consideration of a report from the City Manager regarding negotiation status with Target. None.

I expect to have a meeting with the Target people between now and Tuesday's meeting. I will report on the progress Tuesday night. You may have noticed that they are reducing the number of trailers, at least for the present.

12. Consideration of a petition requesting signs be posted at intersections of Idaho and 52nd and 54th prohibiting semi-trailer trucks. Copy of petition.

I suspect some people will be in on this item.

June 29, 1984

13. Consideration of the alignment of Douglas Drive in the redevelopment district. None.

Representatives of BRW will be here to present information on the new alignment. It has been presented to the HRA and they have recommended that the Council approve the alignment.

14. Consideration of hiring a consultant to complete the Employee Right to Know program. Memo from Administrative Assistant dated 6/19/84.

You may or may not know, but the Employee Right to Know program is mandated by the State Legislature. The report from Nancy which is enclosed is not complete. She will have a more detailed report ready for you Tuesday evening and will make a verbal presentation.

15. Consideration of a request by Councilmember Herbes to discuss the Civil Service Commission. None.

This item is on the agenda as stated at the request of Betty. You may recall Peter Meintsma made some recommendations in one of his recent reports to you. These appointments are made by the Mayor, upon the approval of the City Council, but certainly discussion regarding appointments to the Civil Service Commission is in order and has been for some time.

That should take care of the agenda as we see it. As in the past, if any items come up between now and Tuesday night and merit your immediate consideration, we will add them to the agenda and you can act on them as you see fit.

For your information, I have included the following:

1. Human Relations Commission minutes of 6/25/84.
2. Newsletter.

Have a nice weekend. See you Tuesday.

J A C K

da
enc.

APPLICATIONS FOR LICENSE

July 3, 1984

SIGN HANGERS (\$66.00)

Cragg Inc.
Kaufman Outdoor Advertising
Leroy Signs, Inc.

PLUMBING (\$30.25)

Dave Dempsey Plumbing
Key Plumbing & Heating, Inc.

FOOD ESTABLISHMENT - Itinerant (Exempt)

Crystal J.C.'s Women at Crystal Frolics, July 27-30, 84

FOOD ESTABLISHMENT - Restaurant (Exempt)

Volunteers of America at Thorson School 7323 58th Ave. No.
(Congregate Dining)

GARBAGE AND REFUSE HAULERS (\$27.50 Co. Lic. + \$16.50 ea. vehicle)

Bautsch Disposal, Blaine, Minnesota
Crosstown Sanitation, Excelsior, MN
Art Willman & Son, Minneapolis, MN

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

Crystal Merchants Association at Crystal Shopping Center
July 16-21, 1984 (2 trucks)

TREE TRIMMING: (\$55.00 per yr.)

Horizon Tree Service

3.2 BEER OFF-SALE: (\$42)

PDQ Stores, 7200-56th Ave. N.

DUE DATE: NOON, WEDNESDAY
JUNE 27, 1984

MEMO TO: John T. Irving, City Manager

FROM: John A. Olson, Assistant City Manager

ACTION NEEDED MEMO: From the June 19, 1984, Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of June 19, 1984. 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.

<u>DEPARTMENT</u>	<u>ITEM</u>
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CITY CLERK

ACTION NEEDED: Change minutes of June 5 regular meeting to reflect no additional Pledge of Allegiance.
ACTION TAKEN: Change made.

CONSENT AGENDA

<u>DEPARTMENT</u>	<u>ITEM</u>
-------------------	-------------

BLDG. INSPECTOR

1.

Set public hearing to consider a request for a variance at 5400 Vera Cruz.
ACTION NEEDED: Notify affected property owners.
ACTION TAKEN: Applicant present at meeting.

ASST. CITY MGR.

ACTION NEEDED: Place item on July 3, 1984 Council Agenda.
ACTION TAKEN: Item placed on July 3, 1984 Council Agenda.

BLDG. INSPECTOR

2.

Set public hearing to consider a request for variance at 3511 Zane Avenue North.
ACTION NEEDED: Notify affected property owners.
ACTION TAKEN: Notices sent June 18, 1984.

ASST. CITY MGR.

ACTION NEEDED: Place item on July 3, 1984 Council Agenda.
ACTION TAKEN: Item placed on July 3, 1984 Council Agenda.

<u>DEPARTMENT</u>	<u>ITEM</u>
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BLDG. INSPECTOR CITY ENGINEER	3.	Set public hearing to consider a request for variances at 4900 West Broadway. ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Notices sent June 18, 1984.
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ASST. CITY MGR.		ACTION NEEDED: Place item on July 3, 1984 Council Agenda. ACTION TAKEN: Item placed on July 3, 1984 Council Agenda.
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REGULAR AGENDA

<u>DEPARTMENT</u>	<u>ITEM</u>
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BLDG. INSPECTOR	1.	Public hearing to consider a request for a variance at 6713 - 45th Avenue North. ACTION NEEDED: Notify affected property owner of Council approval. ACTION TAKEN: Permit issued.
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BLDG. INSPECTOR	2.	Public hearing to consider a request for a variance at 5805 Elmhurst. ACTION NEEDED: Notify property owner of Council approval. ACTION TAKEN: Permit issued.
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CITY ENGINEER	3.	Public hearing to consider Seal Coat Improvement Project No. 64-C. ACTION NEEDED: Proceed with seal coat project as approved by Council. ACTION TAKEN: In progress.
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<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY CLERK	4.	Public hearing to consider request for industrial revenue bonds from Crystal Galleries. ACTION NEEDED: Certify resolution and proceed as authorized for industrial revenue bonds. ACTION TAKEN: Proceeding.
CITY CLERK	5.	Public hearing to consider Improvement Project No. 64-B, Douglas Drive from 27th to 42nd Avenues North. ACTION NEEDED: Certify resolution ordering in the construction as amended by the City Council. ACTION TAKEN: Certified resolution 6-17-84.
CITY ENGINEER	6.	Consideration of a request from Paradise Seafood for a conditional use permit to allow seafood sales in a B-4 district. ACTION NEEDED: Notify applicant of Council denial. ACTION TAKEN: Applicant present at meeting.
ASST. CITY MGR.	7.	Consideration of a petition to vacate an alley abutting the south side of Lot 2, Block 1, Rockford Road Addition. ACTION NEEDED: Place second reading on July 3, 1984 Council Agenda. ACTION TAKEN: Item placed on July 3, 1984 Council Agenda.
CITY MANAGER		ACTION NEEDED: Get appraisal of property as requested by Council. ACTION TAKEN: In progress.
CITY ENGINEER	8.	Consideration of setting surety in the amount of \$46,000 for 5108 West Broadway. ACTION NEEDED: Notify applicant of setting surety. ACTION TAKEN: Applicant present at meeting.

DEPARTMENTITEM

(Item 8 continued)

CITY ENGINEER

ACTION NEEDED: Receive surety and signed agreement.
ACTION TAKEN: Waiting for surety.

BLDG. INSPECTOR

ACTION NEEDED: Issue building permit subject to receipt of surety and signed agreement within 14 days.
ACTION TAKEN: Waiting for surety.

CITY CLERK

9.

Consideration of second reading of an ordinance to allow two-family dwelling units in an R-3 district.
ACTION NEEDED: Publish ordinance.
ACTION TAKEN: Sent for publishing.

CITY MANAGER

10.

Consideration of the application of Kenneth Retzlaff for appointment to the Human Relations Commission.
ACTION NEEDED: Notify Mr. Retzlaff of his appointment and meeting time.
ACTION TAKEN: Letter sent.

BLDG. INSPECTOR

11.

Consideration of a request from Landvesco Corporation for a grading permit at 3640 Winnetka.
ACTION NEEDED: Notify applicant of Council approval and issue permit.
ACTION TAKEN: Applicant present at meeting; no permit applied for.

CITY MANAGER

12.

Consideration of liquor licenses and the liquor license of the Iron Horse.
ACTION NEEDED: Direct the Police and Fire Departments to prepare quarterly reports regarding the Iron Horse.
ACTION TAKEN: Talked to departments.

DEPARTMENT

ITEM

(Item 12 continued)

FIRE MARSHALL

ACTION NEEDED: Check to make sure Iron Horse has posted the basement for capacity.

ACTION TAKEN: Orders issued on 6-21-84 to install occupancy signs on both levels in 10 days.

CITY CLERK

ACTION NEEDED: Issue on-sale liquor licenses.

ACTION TAKEN: Issued.

CITY MANAGER

13.

Consideration of the selection of a consultant for a computer needs study.

ACTION NEEDED: Notify McGladrey, Hendrickson and Pullen of Council award of contract.

ACTION TAKEN: Working on contract.

CITY MANAGER

14.

Consideration of selection of consultant for job classification and evaluation.

ACTION NEEDED: Notify DCA Stanton of Council award of contract to them.

ACTION TAKEN: Working on contract.

PARK & REC.
DIRECTOR

15.

Consideration of bids for roof at Twin Oak Park Shelter.

ACTION NEEDED: Notify consultant to tell low bidder of Council approval.

ACTION TAKEN: Consultant notified 6-28-84.

CITY ENGINEER

16.

Consideration of final approval of St. James Addition located at 4615 Hampshire Avenue North.

ACTION NEEDED: Notify applicant of Council approval.

ACTION TAKEN: Applicant present at meeting.

DEPARTMENTITEM

(Item 16 continued)

CITY CLERK

ACTION NEEDED: Certify a resolution.
ACTION TAKEN: Certified and plat signed.

CITY CLERK

17.

Consideration of the second reading of an ordinance changing water rates in the City of Crystal.
ACTION NEEDED: Publish ordinance.
ACTION TAKEN: Sent for publishing.

CITY ENGINEER

18.

Consideration of bids for North Lions Park improvement.
ACTION NEEDED: Notify low bidder of Council approval.
ACTION TAKEN: Low bidder notified 6-20-84.

CITY ENGINEER

19.

Consideration of a resolution concurring in the sale of certain land by the Metropolitan Waste Control Commission.
ACTION NEEDED: Notify Commission of Council approval.
ACTION TAKEN: Letter sent with resolution.

CITY CLERK

ACTION NEEDED: Certify resolution.
ACTION TAKEN: Certified resolution 6-27-84.

CITY MANAGER

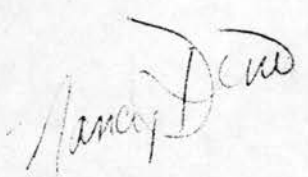
20.

Consideration of Animal Control contract with Funk Animal Hospital.
ACTION NEEDED: Forward contract with changes for 1984 to Funk Animal Hospital for signature.
ACTION TAKEN: In process.

<u>DEPARTMENT</u>	<u>ITEM</u>	
ADMIN. ASSIST.	21.	<p>Consideration of a lease agreement for Congregate Dining at Thorson Community Center.</p> <p>ACTION NEEDED: Notify Congregate Dining of Council approval.</p> <p>ACTION TAKEN: Notified.</p>
CITY MANAGER	22.	<p>Consideration of authorizing councilmembers to attend the National League of Cities Conference in Indianapolis November 24 through November 28.</p> <p>ACTION NEEDED: Prepare necessary registration for Councilmembers Herbes, Schaaf and Smothers.</p> <p>ACTION TAKEN: Herbes completed; waiting for Schaaf and Smothers to turn in their papers..</p>
CITY CLERK	23.	<p>Consideration of setting a special meeting for 7:00 P.M., Tuesday, June 26, 1984.</p> <p>ACTION NEEDED: Notify newspaper of special meeting.</p> <p>ACTION TAKEN: Too late for newspaper - posted in City Hall.</p>
CITY CLERK	24.	<p>Licenses.</p> <p>ACTION NEEDED: Issue licenses.</p> <p>ACTION TAKEN: Issued.</p>

July 3, 1984

To: John T. Irving, City Manager
From: Nancy Deno, Administrative Assistant
Re: Congregate Dining Program / Thorson Community Center



Congregate Dining will begin serving meals Thursday July 5, 1984 at Thorson Community Center. Meals are served daily, Monday thru Fridays at noon.

Congregate Dining is sponsored by the Volunteers of America. Meals are served to those 60 years or older. To reserve a meal at noon, reservations are taken by site coordinator Virginia Martin at 537-6077.

If the Council is interested, they are welcome to come to Thorson Community Center opening day July 5, 1984 to see the Dining Program in action. As of Tuesday afternoon, 80 reservations had been made for the 5th.

June 20, 1984

Honorable Mayor & City Council
City of Crystal, MN

Re: Improvement Needs
Crystal Lounge
4900 West Broadway

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:

- Prepare and record plat of property.
- Construct B618 concrete curb & gutter adjacent to site and repair street.
- Construct 5' wide concrete sidewalk adjacent to site.
- Construct V6 cast-in-place concrete barrier curb per approved plot plan.
- Stripe parking stalls with white paint.
- Erect 1 handicap parking stall sign.
- Erect "No Parking" signs on street adjacent to the site.
- 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 release of a building permit and consequent expansion of use; that the work be completed prior to issuance of an occupancy permit but not later than September 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 \$22,000 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/mb

cc: John T. Irving, City Manager
Don Peterson, Building Inspector
Steve Weisman c/o Crystal Lounge
Wm. J. Mavity, Attorney

Encl.

June 20, 1984

Honorable Mayor & City Council
City of Crystal, MN

Re: Surety Reduction
Rolling Green of Crystal


Dear Councilmembers:

A portion of the work required to be performed as a condition of approval of the above captioned plat has been completed.

It is recommended that the surety currently held in the amount of \$334,000 be reduced to \$90,000.

The work completed to date appears to be satisfactory, however, final acceptance, and commencement of the guarantee period will not take place until all of the required work has been completed and found acceptable.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Wm. L. Sherburne". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

William L. Sherburne, P.E.
City Engineer

WLS/mb

Ref.: Letter of Credit 83-83
First Robbinsdale State Bank

June 26, 1984

Honorable Mayor & City Council
City of Crystal, MN

Re: Improvement Needs
Crystal Green

Dear Councilmembers:


A study was made of the improvement needs as they pertain to the above captioned plat.

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 sanitary sewer and appurtenances to serve all parcels in accordance with approved plan.
- Construct watermain and appurtenances to serve all parcels in accordance with approved plan.
- Construct B618 concrete curb & gutter on all streets.
- Grade and sod boulevards to conform to Crystal standards.
- Construct streets with a minimum of 6" Class 5 base and 2" bituminous surface.
- Construct storm sewer and appurtenances in accordance with approved plan.
- Erect street name signs.
- Prepare and submit "as built" utility plans.
- 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 final approval of the plat; that the work be completed not later than September 1, 1985; 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 \$310,000 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/mb

cc: John T. Irving, City Manager
Mike Halley, c/o Halley Land Corp.
Jack Lynch, c/o Westwood Planning & Engineering

OLSON, GUNN AND SERAN, Ltd.

LAW OFFICES

315 Peavey Building
730 Second Avenue South
Minneapolis, Minnesota 55402-2473
612 339-8846

July 3, 1984

City Council
City of Crystal
4141 Douglas Drive North
Crystal, Minnesota 55422

Re: Crystal Green Plat approval

Dear Councilmembers:

Our office is representing the developer of the proposed Crystal Green Addition in connection with the plat approval of said addition. I am writing to request a modification of the tentative approval granted by the Council at its meeting of March 27, 1984.

The Crystal Green subdivision consists of approximately 15.59 acres of land near the southeast intersection of Highway 52 and Wilshire Boulevard. The Council previously indicated it would approve the proposed plat, provided that the developer dedicate to the public or to the City a 1.79-acre tract adjoining Highway 52. It is our understanding that this tract is desired for a possible future frontage road.

At this time, we respectfully request the Council to approve the Crystal Green plat with the 1.79-acre tract simply reserved as an outlot. In the event the frontage road project becomes a reality, this land would be available for acquisition as a single, undeveloped parcel. On the other hand, if the frontage road is never constructed, then the owner will not have been deprived of property without justification or compensation.

We do not believe this is an unreasonable request. If the City denies our request and requires the dedication, however, then the developer will, under protest, dedicate the 1.79-acre tract. It is simply not economically feasible

Wayne H. Olson
Richard J. Gunn

Alonzo B. Seran
David R. Knodell

Harold H. Sheff
Michelle J. Ulrich

Bradley J. Gunn

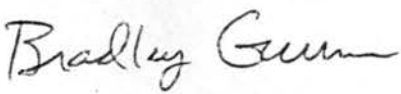
July 3, 1984
Page 2

for the developer to hold the Crystal Green property idle and vacant, while attempting to litigate the propriety of this dedication.

Thank you for your consideration.

Respectfully submitted,

OLSON, GUNN AND SERAN, LTD.

By 
Bradley J. Gunn

RJG:sjm

SENT WITH PRELIMINARY AGENDA 8/13/84

Council minutes of 7/3/84.

Planning Commission minutes of 7/9/84.

Reminder memo from D. Kennedy re: appointment process

Planning Commission minutes of 6/11/84.

Improvement Needs letter from City Engineer
dated 6/20/84.

Bingo Application for St. Raphael's Church Festival

Newspaper article of 7/13/84 re: Diamondhead Gold
& Silver, Inc. (Mpls. Star-Tribune)

Copy of application for Crystal Jaycees' bingo
license.

Copy of bid tabulation & recommendation letter
for 1984 Seal Coat Project.

Copy of letter of recommendation re: fire vehicle

Copy of bids and letter of recommendation from
consultant re: North Fire Station.

Copy of letter dated 7/10/84 re: \$19,000 bond
for Fantasia Beauty Salon.

Copy of ordinance & letter from City Attorney
re: Minn. State Uniform Fire Code.

Copy of letter from Hennepin County of 6/29/84
re: changes at 36th & Douglas Drive.

Copy of memo and agreement for Greater Mpls. Day
Care Assoc. for use of CDBG funds for child
care sliding fee program.

COUNCIL AGENDA

July 17, 1984

Pursuant to due call and notice thereof, the meeting of the Crystal City Council was held on July 17, 1984, 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

f Herbes
f Rygg
f Schaaf
f Pieri
f
f Aaker
f Smothers

Staff

f Irving
f Kennedy
f Olson
f Sherburne
f Peterson
f Deno
f Ahmann George

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

The minutes of the regular Council meeting of July 3, 1984, 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 7, 1984, as the date and time for the public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a variance to encroach 9' in the side street side yard setback to build an addition at 5335 Hampshire Avenue North.
2. Set 7:00 P.M., or as soon thereafter as the matter may be heard, August 7, 1984, as the date and time for the public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a variance of 3' in the required rear yard setback to build a screen porch and a deck at 2742 Brookridge Avenue North.
3. Set 7:00 P.M., or as soon thereafter as the matter may be heard, August 7, 1984, as the time and date for the public hearing at which time the City Council will consider tentative approval of the proposed plat DeVito Addition located at 3515-3517 Major Avenue North.

July 17, 1984

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

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

REGULAR AGENDA

1. The City Council considered appointing an eligible person to fill the vacancy in the office of Mayor of the City of Crystal.

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

RESOLUTION NO. 84-58

RESOLUTION APPOINTING AN ELIGIBLE PERSON TO FILL THE VACANCY IN THE OFFICE OF MAYOR

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) consideration of a resolution appointing an eligible person to fill the vacancy in the Office of Mayor. Motion Carried.

- ~~B.~~ Moved by Councilmember Herke and seconded by Councilmember Schoaf to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 84-59

RESOLUTION DECLARING A VACANCY IN THE OFFICE OF COUNCILMEMBER

By roll call and voting aye: ALL, _____, _____, _____, _____, _____, _____; voting no: _____, _____, _____, _____; absent, not voting: _____, _____, _____. Motion Carried, resolution declared adopted.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) consideration of a resolution declaring a vacancy in the Office of Councilmember. Motion Carried.

Refer
to attached
sheet

The City Council considered appointing an eligible person to fill the vacancy in the office of Mayor of the City of Crystal.

Moved by Councilmember Smothers and seconded by Betty Herbes to nominate Betty Herbes for the office of Mayor.

By roll call and voting aye: Herbes, Smothers; voting no: Schaaf, Pieri, Aaker, Rygg; absent, not voting: none. Motion Failed.

Moved by Councilmember Aaker and seconded by Councilmember Rygg to nominate Thomas Aaker for the office of Mayor.

By roll call and voting aye: Aaker, Rygg; Voting no: Herbes, Schaaf, Pieri, Smothers; absent, not voting: none. Motion Failed.

Moved by John Schaaf to nominate John Schaaf for the office of Mayor. Motion failed for lack of a second.

Councilmember Pieri proposed that each councilmember be considered and a vote taken for each. Councilmember Smothers declined due to lack of time and qualifications to "run the City of Crystal". The City Attorney advised that motions could be made with no second needed.

The Mayor Pro tem Rygg established slate as follows:

Councilmember Herbes:

By roll call and voting aye: Herbes, Smothers; voting no: Schaaf, Pieri, Aaker, Rygg; absent, not voting: none. Motion Failed.

Councilmember Schaaf:

By roll call and voting aye: Schaaf; voting no: Herbes, Pieri, Rygg, Aaker, Smothers; absent, not voting: None. Motion Failed.

Councilmember Pieri:

By roll call and voting aye: Pieri; voting no: Herbes, Schaaf, Rygg, Aaker, Smothers; absent, not voting: None. Motion Failed.

Councilmember Aaker:

By roll call and voting aye: Pieri, Rygg, Aaker; voting no: Herbes, Schaaf, Smothers; absent, not voting: none. Motion Failed.

Councilmember Rygg:

By roll call and voting aye: none; voting no: Herbes, Schaaf, Pieri, Rygg, Aaker, Smothers; absent, not voting: none. Motion Failed.

Councilmember Aaker:

By roll call and voting aye: Schaaf, Pieri, Rygg, Aaker, Smothers; voting no: Herbes; absent, not voting: none. Motion Carried.

Shirlie Lundgren, 6307 - 34th Avenue North appeared expressing her desire to be appointed Mayor.

Moved by Councilmember Smothers and seconded by Councilmember Herbes to appoint Shirlie Lundgren as Mayor of the City of Crystal.

By roll call and voting aye: Herbes, Smothers; voting no: Schaaf, Pieri, Aaker, Rygg; absent, not voting: none. Motion Failed.

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

RESOLUTION NO. 84-

RESOLUTION APPOINTING AN ELIGIBLE PERSON TO
FILL THE VACANCY IN THE OFFICE OF MAYOR

By roll call and voting aye: Schaaf, Pieri, Rygg, Aaker, Smothers; voting no: Herbes; absent, not voting: None.

Motion Carried, resolution declared adopted.

Mayor Aaker resumed the Chair

The City Council considered appointing an eligible person to fill the vacancy of Councilmember Aaker.

*B.** Pauline Langsdorf appeared to submit a letter of qualification and express her desire to be considered for councilmember to fill the vacancy.

Moved by Councilmember Herbes and seconded by Councilmember Smothers to wait until notification of vacancy could be given to newspaper and Cable TV.

By roll call and voting aye: Herbes, Schaaf, Pieri, Aaker, Smothers; voting no: Rygg; absent, not voting: none. Motion Carried.

Moved by Councilmember Schaaf and seconded by Councilmember Pieri to amend the motion to August 7, 1984 Council meeting.

By roll call and voting aye: Herbes, Schaaf, Pieri, Aaker, Smothers; voting no: Rygg; absent, not voting: none. Motion Carried.

2. It being 7:00 P.M., or as soon thereafter as the matter could be heard, the Mayor declared this was the time and date as advertised for the continued public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Donald Middlestadt for a variance to occupy more than 30% of the rear yard and to encroach in the rear yard by building two decks 19'x10' and 12'x12' at 5400 Vera Cruz 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 Pieri and seconded by Councilmember Kygg to approve, as recommended by and based on the findings of fact of the Planning Commission, the authorization to grant a variance, pursuant to Section 515.13, Subd. 4a) to grant a variance of 20' in the required 40' rear yard setback; and Section 515.07, Subd. 5b) to occupy more than 30% of the rear yard, to allow the construction of two decks (19'x10' and 12'x12') at 5400 Vera Cruz Avenue North as requested in Variance Applications #84-10A and #84-11A by Donald Middlestadt.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Applications #84-10A and #84-11A. Motion Carried.

3. It being 7:00 P.M., or as soon thereafter as the matter may be heard, the Mayor declared this was the time and date as advertised for the continued public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Jeanine Widseth for a variance of 7'6" in the required 30' front yard setback for a 12'x15'6" addition to the existing dwelling at 3511 Zane 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 Herbert and seconded by Councilmember Smithers to approve, as recommended and based on the findings of fact of the Planning Commission, the authorization to grant a variance pursuant to Section 515.13, Subd. 2a, to grant a variance of 7'6" in the required 30' front yard setback for a 12'x15'6" addition to the existing dwelling at 3511 Zane Avenue North, as requested in Variance Application #84-21T by Jeanine Widseth.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Application #84-21T. Motion Carried.

4. It being 7:00 P.M., or as soon thereafter as the matter could be heard, the Mayor declared that this was the time and date as advertised for the continued public hearing, at which time the City Council will consider a request for vacation of a utility easement at 7022 Corvallis Avenue North. The Mayor asked those present to voice their opinions or ask questions concerning this matter. Those present and heard were:

Moved by Councilmember Imathus and seconded by Councilmember Schuy to adopt the following ordinance:

ORDINANCE NO. 84-~~87~~

AN ORDINANCE VACATING A UTILITY EASEMENT
WITHIN THE CITY OF CRYSTAL

and further that the second and final reading be held on August 7, 1984.

Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) a request to vacate a utility easement at 7022 Corvallis Avenue North. Motion Carried.

5. It being 7:00 P.M., or as soon thereafter as the matter could be heard, the Mayor declared that this was the time and date as advertised for the continued public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Steven Weisman of the Crystal Lounge to expand a non-conforming use (said non-conformity being the existing building encroaches 21'+ in the required 22' front yard setback) and a variance in the required number of parking stalls (57 stalls required; 29 available) at 4900 West Broadway. The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were:

Bill Mavity, Attorney for Steven Weisman
Cyril Saukup, 4736 Venia Avenue North

- A. Moved by Councilmember Schuy and seconded by Councilmember Giri to approve, as recommended by and based on the findings of fact of the Planning Commission, the authorization to grant a variance pursuant to Section 515.13, Subd. 2b) to expand a non-conforming use (said non-conformity being the existing building encroaches 21'+ in the required 22' front yard setback at 4900 West Broadway, as requested in Variance Application #84-25A of Steven Weisman. Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Application #84-25A. Motion Carried.

5. (continued)

- B. Moved by Councilmember Smathers and seconded by Councilmember Schaaf to approve, as recommended by and based on the findings of fact of the Planning Commission, the authorization to grant a variance pursuant to Section 515.09, Subd. 8v), to grant a variance of 28 off-street parking spaces at 4900 West Broadway, as requested in Variance Application #84-24A of Steven Weisman. Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Application #84-24A. Motion Carried.

Refer to back of sheet.

6. It being 7:00 P.M., or as soon thereafter as the matter could be heard, the Mayor declared this was the time and date as advertised for a public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Kenneth Mattson for a variance in lot width (lot is 50' wide; required 60'), lot area (6,750 sq. ft.; 7,500 sq. ft. required) to build a 22'x22' detached garage at 4606 Douglas Drive. The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were:

Moved by Councilmember Herber and seconded by Councilmember Smathers to approve, the authorization to grant a variance pursuant to Section 515.15, Subd. 2a & 2c), to allow the construction of a 22'x22' detached garage at 4606 Douglas Drive as requested in Variance Application #84-28A by Kenneth Mattson. Motion Carried.

Roll call: yes - Herber, Lygg, Smathers; no: Schaaf, Piri, Baker Motion Failed

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Application #84-28A. Motion Carried.

Moved by Councilmember Schaaf and seconded by Councilmember Herber that ~~Ken~~ Kenneth Mattson should return ~~to the Council~~ after looking into with ~~some~~ variance at the next Council meeting, in the meantime looking into grading with City Engineer. Motion Carried

Moved by Councilmember Herber and seconded by Councilmember Smathers to accept a letter of credit in the amount of \$22,000.

As a guarantee of faithful performance of certain work requirements as a condition of issuance of a building permit #5534 - ~~(to be issued)~~ Motion Carried

Moved by Councilmember Schaaf and seconded by Councilmember Smathers to enter into agreement and authorize ~~signature~~ of the Mayor and City Manager. to sign such agreement Motion Carried

Moved by ^{Councilmember} Smathers and seconded by Councilmember Herber to approve the Sunday Liquor license upon completion of all necessary on and off-site improvements.

Motion Carried

July 17, 1984

7. It being 7:00 P.M., or as soon thereafter as the matter could be heard, the Mayor declared this was the time and date as advertised for a public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Jerome Fluth for a variance to encroach in the front half of the lot to build a garage and to vary the curb cut location (corner lot is 52' and curb cuts must be 50' from corner) at 4958 Quail 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 Schaefer and seconded by Councilmember Herber to approve, the authorization to grant a variance, pursuant to Section 515.07, Subd. 5c)3) to grant a variance to encroach in the front half of the lot to build a 20'x20' detached garage and to authorize to grant a variance pursuant to Section 515.09, Subd. 4h)4) to allow a curb cut to encroach 20' in the required 50' from the intersection at 4958 Quail Avenue North as requested in Variance Applications #84-29T and #84-30T by Jerome Fluth. Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Applications #84-29T and #84-30T. Motion Carried.

8. The City Council considered the Second Reading of an ordinance vacating the alley south of Lot 2, Block 1, Rockford Road Addition.

Moved by Councilmember Herber and seconded by Councilmember Schaefer to adopt the following ordinance:

ORDINANCE NO. 84- 9

AN ORDINANCE VACATING AN ALLEY WITHIN THE CITY OF CRYSTAL
(abutting the south side of Lot 2, Block 1, Rockford Road Addition)

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) a petition to vacate an alley abutting the south side of Lot 2, Block 1, Rockford Road Addition (south side of Liberty Garment Company, 6105-42nd Avenue North).

Motion Carried.

9. The City Council considered the re-alignment of Douglas Drive as it relates to the Becker Park/Bass Lake Road Redevelopment Area.

Harold Skjelhostad, B.R.W., Inc. Appeared
Skjelhostad
Moved by Council member Schaaf and seconded by
Council member Smathers to accept the ~~drawing~~ as
presented by BRW. ~~plan for~~ design of the
relocated Douglas Dr in the *Motion Carried.*
redevelopment area

10. The City Council considered a request from St. Raphael's Church to hold a carnival, with a waiver of the fee; to operate bingo games, with a waiver of the Bingo Manager's bond; to hold an auction (on 8-4-84 only); and to operate a 3.2 beer stand at St. Raphael's Festival to be held at 7301 Bass Lake Road on August 3, 4, and 5, 1984.

Moved by Council member *Skjelhostad* *and seconded by Council member* *Smathers* *to*
(approve) (deny) (continue until *the discussion of) a request*
from St. Raphael's Church to hold a carnival, with a waiver of the fee; to operate
bingo games, with a waiver of the Bingo Manager's bond; to hold an auction (on 8-4-
84 only); and to operate a 3.2 beer stand at St. Raphael's Festival to be held at 7301
Bass Lake Road on August 3, 4 and 5, 1984. *Motion Carried.*

11. The City Council considered a request from the Crystal Jaycees for a bingo license, and a waiver of the Bingo Manager's bond, for the Crystal Frolics on July 27, 28, and 29, 1984, at Becker Park.

Moved by Council member *Skjelhostad* *and seconded by Council member* *Schaaf* *to*
(approve) (deny) (continue until *the discussion of) a request*
from the Crystal Jaycees for a bingo license and a waiver of the Bingo Manager's bond
for the Crystal Frolics on July 27, 28, and 29, 1984 at Becker Park.

Motion Carried.

12. The City Council considered awarding a contract for the 1984 Seal Coat Project.

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

RESOLUTION NO. 84-60

Allied Blacktop

RESOLUTION AWARDING A CONTRACT

By roll call and voting aye: Herbes, Schaaf, Pisci, Rygg, Aaker, Smathers; voting no: 0, _____, _____, _____; absent, not voting: 0, _____, _____; Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) consideration of a resolution awarding a contract for the 1984 Seal Coat Project.. Motion Carried.

13. The City Council considered bids for a fire vehicle.

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

RESOLUTION NO. 84-61

Mid-Central Fire

RESOLUTION AWARDING A CONTRACT

By roll call and voting aye: Herbes, Schaaf, Pisci, Rygg, Aaker, Smathers; voting no: 0, _____, _____, _____; absent, not voting: 0, _____, _____; Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) consideration of a resolution awarding a contract for a fire vehicle. Motion Carried.

14. The City Council considered bids for the North Fire Station.

~~Moved by Councilmember Schaaf~~

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

RESOLUTION NO. 84-62 *R. K. Construction with options*
9 Nov 84

RESOLUTION AWARDING A CONTRACT

By roll call and voting aye: Herbes, Schaaf, Ricci, Rygg, Baker, Smathers; voting no: _____; absent, not voting: _____

Motion carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) awarding a contract for the North Fire Station. Motion Carried.

15. The City Council considered the release of surety in the amount of \$19,000 for Fantasia Beauty Salon at 2756 Douglas Drive.

Moved by Councilmember Herbes and seconded by Councilmember Ricci to (approve) (deny) (continue until _____ the discussion of) releasing surety for Fantasia Beauty Salon, 2756 Douglas Drive. Motion Carried.

16. The City Council considered the First Reading of an ordinance adopting the Minnesota State Uniform Fire Code.

Moved by Councilmember Pieri and seconded by Councilmember Herbes to adopt the following ordinance:

ORDINANCE NO. 84-

AN ORDINANCE RELATING TO FIRE PREVENTION;
AMENDING CRYSTAL CITY CODE, SECTION 905, AND
REPEALING CERTAIN SUB SECTIONS THEREOF

and further, that the second and final reading be held on August 7, 1984.

Motion Carried.

17. The City Council considered Hennepin County's response to the Council's request of reconsideration of the intersection of 36th Avenue North and Douglas Drive.

Recardo Castro, 3670-36th Ave. Appeared.

Moved by Councilmember Pieri and seconded by Councilmember Herbes to accept Hennepin County's letter of 6-29-84 as alternative to the original proposal.

Motion Carried

18. The City Council considered a contract with the Greater Minneapolis Day Care Association for use of CDBG funds for a child care sliding fee program and to authorize the Mayor and City Manager to sign the agreement.

Moved by Councilmember Quiri and seconded by Councilmember Smathers to (approve) (deny) (continue until _____ the discussion of) consideration of a contract with the Greater Minneapolis Day Care Association for the use of CDBG funds for a child care sliding fee program.

Motion Carried.

19. The City Council considered alternate methods for banning semi-trailer trucks on Idaho, 52nd Avenue and 54th Avenue.

~~5222 Idaho~~
Mr. Jorgenson 5213 "
Mr. Ekstrand 5248 "
Mr. Guetter 5243 "

Moved by Councilmember Quiri and seconded by Councilmember Smathers to direct staff to study and come up with alternate solutions to be presented at August 7, 1984 meeting. Staff to inform business people in the area.

Motion Carried

~~Councilmember Smathers~~
The City Council considered housing for the ~~band~~
Drum & Bugle Corps from LaCrosse, Wisconsin
who will be ~~performing~~ ^{participating} in the Crystal Trellis.

Moved by Councilmember Rygg and seconded
by Councilmember Smathers to allow the Drum and
Bugle Corps to sleep in the Community Room
of City Hall. ~~for reasons of~~ ~~see letter security,~~
~~letter~~ on the evening of Friday, Motion Carried
July 27

~~Councilmember Schaaf presented a copy of a
letter of questions he had written to Lincoln Properties
regarding the Bass Lake Road/Decker Park
Redevelopment Project.~~

~~Councilmember Piri requested that a copy of the
letter be sent to members of the
Crystal HRA.~~

~~Sharon Garber appeared as Liaison to the HRA.~~

Moved by Councilmember Rygg and seconded by Councilmember Smathers to approve
the list of license applications.

Motion Carried.

Moved by Councilmember Rygg and seconded by Councilmember Smathers to adjourn
the meeting.

Motion Carried.

APPLICATIONS FOR LICENSE
July 17, 1984

GARBAGE AND REFUSE HAULERS (\$27.50 Co. Lic. + \$16.50 ea. vehicle)

A & B Trucking, Minneapolis, Minnesota
Brooklyn Disposal, Anoka, Minnesota
Countrywide Sanitation, Montrose, MN
L & N Disposal, Brooklyn Park, Minnesota
Ray's Trucking Service, Minnetonka, MN

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

Tastee Treats for Crystal Frolics July 27-29, 1984, ice cream truck
Waldo's Pizza Joynt, for Crystal Frolics, July 27-29, 1984, stand

FOOD ESTABLISHMENT - Itinerant (Exempt)

Crystal Fire Department, Becker Park for Crystal Frolics
Crystal Knights of Columbus, food stand at Becker Park for the
Crystal Frolics, July 27-29, 1984
Crystal Fire Dept. Auxiliary, food wagons (2) Welcome Park for
Crystal Frolics, July 27-29, 1984

OFF SALE 3.2 BEER (\$42.00)

Tom Thumb Superette, 2708 Douglas Drive

GARBAGE AND REFUSE HAULERS (16.50 for addn'l truck)

Bautch Disposal Service, Blaine, Minnesota

TREE TRIMMER (\$55.00)

Design Tree Service

FOOD ESTABLISHMENT Itinerant (Exempt)

St. Raphael Church, 7301 Bass Lake Road for their Festival
August 3-5, 1984 (10 stands)

PLUMBING LICENSE (\$30.25)

Robert E. Clark dba Clark Plumbing
George L. Torkelson dba Doc's Emergency Plumbing
Elander Plumbing Company

SIGN HANGERS (\$66.00)

Attracta Sign, Inc.
DeMars Signs

GAS FITTERS (\$30.25)

Kraemer Heating
Loop Belden Porter, Inc.
Thermex

SA
July 13, 1984

Dear Councilmembers:

Tuesday night's meeting may seem long, but remember, you were unable to act on six or seven items at the last Council meeting because of the number of Councilmembers present. Those continued items do appear in this agenda.

The minutes of the July 3, 1984, regular Council meeting are enclosed for your review.

The Consent Agenda consists of three items, all of which are merely setting public hearings, listed as follows:

ITEM

SUPPORTING DATA

- | | |
|--|---|
| 1. Set Public Hearing to consider a request from Donald and Debra Lhotka for a variance to encroach 9' in the side street side yard setback to build an addition at 5335 Hampshire Ave. N. | None. |
| 2. Set Public Hearing to consider a request from Wayne Gorian for a variance of 3' in the required rear yard setback to build a screen porch and deck at 2742 Brookridge. | Planning Commission minutes of 7/9, item 1. |
| 3. Set Public Hearing to consider tentative approval of the proposed plat DeVito Addition located at 3515-3517 Major Ave. N. | Planning Commission minutes of 7/9, item 3. |

The regular agenda will go as follows:

- | | |
|---|--|
| 1. Consideration of an appointment to fill the vacancy existing in the Office of Mayor. | Reminder memo from Dave Kennedy regarding the appointment process. |
|---|--|

I took the liberty of putting the appointment of the Mayor first on the agenda because I felt you might want to get that out of the way prior to taking on the rest of the items on the agenda. If this does not meet with everybody's approval, I suspect you could agree to put it on at any time during the night, but as I stated earlier, it seems to me you would want to get that important item out of the way first.

2. Continued Public Hearing to consider a request from Donald Middlestadt for a variance to occupy more than 30% of the rear yard and to encroach in the rear yard by building two decks 19'x10' and 12'x12' at 5400 Vera Cruz. Planning Commission minutes of 6/11/84, item 3.
3. Continued Public Hearing to consider a request from Jeanine Widseth for a variance of 7'6" in the required 30' front yard setback for a 12'x15'6" addition to the existing dwelling at 3511 Zane Ave. N. Planning Commission minutes of 6/11, item 5.

Items #2 and #3 are public hearings on variances and the Planning Commission recommends their approval. Please see Planning Commission minutes enclosed as suggested in supporting data.

4. Continued Public Hearing to consider a request for vacation of a utility easement at 7022 Corvallis Ave. N. None.

#4 is in order, and as I suggested before, creates no problem. The only problem that may be created may occur when the applicant requests a permit to build the garage he proposes to build. A variance regarding setback will be necessary and Dave Kennedy has been asked to make a decision on whether this lot should be considered an interior lot or a corner lot. That decision, whichever way it goes, will require a different size setback requirement. I give you this as background. It need not be considered Tuesday evening.

5. Continued Public Hearing to consider a variance from Steven Weisman of the Crystal Lounge, to expand a non-conforming use (said non-conformity being the existing building encroaches 21'+ in the required 22' front yard setback) and a variance in the required number of parking stalls (57 required; 29 available) at 4900 West Broadway. Planning Commission minutes of 6/11, item 9; Improvement Needs letter from City Engineer dated 6/20/84.

As I suggested previously, the bond should be set prior to approval of the variance. You may recall this item was continued from the July 3 meeting.

6. Public Hearing to consider a request from Kenneth Mattson for a variance in lot width (lot is 50' wide; required 60') to build a 22'x22' detached garage at 4606 Douglas Drive. None.

7. Public Hearing to consider a request from Jerome Fluth for a variance to encroach in the front half of the lot to build a garage and to vary the curb cut location (corner lot is 52' and curb cuts must be 50' from corner) at 4958 Quail Ave. N. None.
8. Consideration of the Second Reading of an ordinance vacating an alley south of Lot 2, Block 1, Rockford Road Addition. None.

You may recall in considering Item #8, previously I had indicated that with this vacation, the property reverts to the City of Crystal and can be sold to the abutting property if they wish to purchase. From our conversations with them, they are not certain at this time if they want to purchase the property.

9. Consideration of realignment of Douglas Drive as it relates to Becker Park/Bass Lake Road redevelopment area. None.

Representatives of BRW will be present to explain what has been accomplished since your direction at the last meeting.

Douglas Drive has been realigned so that the active part of Becker Park will now be 12 acres as opposed to 11.8 acres it presently is. By shifting the street in the manner it has been done would require a purchase of approximately 500 square feet from Carl's Tire. This piece of property is not being used for anything but landscaping at the present time. If you do not wish to purchase the property, a variance would be needed to allow a driveway within 50' of a street intersection.

As I indicated earlier, BRW will explain Tuesday evening.

10. Consideration of requests from St. Raphael's Church to hold a carnival, with a waiver of the fee; to operate bingo games, with a waiver of the bingo manager's bond; to hold an auction (on 8/4 only); and to operate a 3.2 beer stand at St. Raphael's Festival to be held at 7301 Bass Lake Road on August 3, 4 and 5, 1984. Bingo application.
11. Consideration of a request for a pawnbroker's license for Diamondhead Gold & Silver, Inc., at 5563 Lakeland. Newspaper article of 7/13/84 Mpls. Star-Tribune.

Just happened to notice the newspaper article this morning. Thought I'd send it along for your information.

12. Consideration of a request from the Crystal Jaycees for a bingo license for the Crystal Frolics on July 27, 28 and 29, 1984, at Becker Park; and a waiver of the bingo manager's bond. Copy of application.
13. Consideration of awarding a contract for the 1984 seal coat project. Copy of bid tabulation and recommendation letter.
14. Consideration of bids for a fire vehicle. Copy of letter of recommendation.
15. Consideration of bids for the North Fire Station. Copy of bids and letter of recommendation from consultant.

The letter of recommendation from the consultant is not here at this writing, and we'll include it if it comes, but if not, we will send it under separate cover on Monday.

16. Consideration of release of bond in the amount of \$19,000 for Fantasia Beauty Salon at 2756 Douglas Drive. Copy of letter dated 7/10/84.
17. Consideration of an ordinance adopting the Minnesota State Uniform Fire Code. Copy of ordinance and letter from City Attorney.
18. Consideration of the response from Hennepin County regarding the changes the City Council requested at 36th and Douglas Drive. Copy of letter from Hennepin County of 6/29/84.

As you can see from the letter, the County agrees to all your suggestions with the exception of pinning down absolutely the type of signalization. They feel they must have more flexibility than that and have suggested that they will install the type of phasing most appropriate to accommodate the traffic conditions.

19. Consideration of a contract with the Greater Minneapolis Day Care Association for use of CDBG funds for a child care sliding fee program. Copy of memo and agreement.

You may recall, last year you set aside some CDBG funds for this purpose. It now appears that we must enter into agreement with Minneapolis Day Care Association to accomplish their and your desires.

20. Consideration of alternative methods for banning semi-trailer trucks on Idaho, 52nd Avenue and 54th Avenue. None.

20. (Continued)

We have reviewed this situation and are not absolutely certain at this time what our recommendation will be. It still concerns me that if we put no truck traffic on Idaho Avenue, without putting it on 52nd, 52nd will then become the truck route and another group of people will be appearing before you asking the same kinds of questions that the people on Idaho are doing at the present time.

Eliminating either normal truck traffic or semi-truck traffic on Idaho Avenue will prohibit Boyd's Cabinets from receiving or making deliveries as some of their material comes in on semi-trailers--some on regular trucks. Their deliveries are all made on regular trucks, but in either case, they must use Idaho Avenue as their trucks and the trucks of people delivering materials to them have been stopped from time to time using the private road on the Soo Line property, per the owner of Boyd's Cabinets.

It was suggested at the last meeting that we barricade the private road from using Idaho. I doubt whether any of you were on the Council at the time when that same suggestion was made in the case of 43rd Avenue, west of Louisiana Avenue, stopping the traffic from using that street when they were going to and from an apartment complex in New Hope. We were advised by an attorney, Clayt LeFevere, that we could not prohibit those people from using that street because it was dedicated to the public for their use. It seems to me that this same condition would hold true in the case of the Soo Line private road entering onto Idaho Avenue. I know that the private road also enters and exists on Douglas Drive, giving them a way of egress and ingress, but the same condition existed in the case of the apartment house--they had driveway openings on Nevada Avenue also.

I suspect Dave Kennedy would have to advise you to these conditions. You may also recall, at one time, "No Trucks" signs were installed on Idaho Avenue and the City Council directed staff to remove them. As you can see, it's not an easy problem to solve and may take a little more time for a reasonable approach to be found.

That appears to be the agenda as we see it now. I have, however, included some informational items which are listed as follows:

1. Environmental Commission Agenda and minutes of May 17 and June 21, 1984.
2. Park & Rec. Adv. Commission minutes of 6/6/84.
3. Park & Rec. Dept. monthly report for June.

July 13, 1984

Have a nice weekend! See you next week.

J A C K

JTI/da
enc.

P.S. You may recall that you had asked Nancy Deno to attempt to find another consultant to make a proposal to the City Council regarding Employees Right to Know legislation. Another firm has been found, but sufficient time was not available for those people to prepare and make a presentation to you Tuesday evening, so we are intending to put that on the agenda on the first meeting in August. Nancy is putting together some information for you. She will distribute it to you Tuesday evening so that you will have the necessary background to make a decision at the August meeting.

P.S. We just received a telephone call from Rosie Ranallo and she asked to have her application dropped from consideration.

P.S. It appears to us that Steve Weisman will be requesting his Sunday liquor license. It would be staff's recommendation that if you are so disposed to issue that at this time, that it would be subject to his completing all the necessary on and off-site improvements.

APPLICATIONS FOR LICENSE
July 17, 1984

GARBAGE AND REFUSE HAULERS (\$27.50 Co. Lic. + \$16.50 ea. vehicle)

A. & B Trucking, Minneapolis, Minnesota
Brooklyn Disposal, Anoka, Minnesota
Countrywide Sanitation, Montrose, MN
L & N Disposal, Brooklyn Park, Minnesota
Ray's Trucking Service, Minnetonka, MN

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

Tastee Treats for Crystal Frolics July 27-29, 1984, ice cream truck
Waldo's Pizza Joynt, for Crystal Frolics, July 27-29, 1984, stand

FOOD ESTABLISHMENT - Itinerant (Exempt)

Crystal Fire Department, Becker Park for Crystal Frolics
Crystal Knights of Columbus, food stand at Becker Park for the
Crystal Frolics, July 27-29, 1984
Crystal Fire Dept. Auxiliary, food wagons (2) Welcome Park for
Crystal Frolics, July 27-29, 1984

OFF SALE 3.2 BEER (\$42.00)

Tom Thumb Superette, 2708 Douglas Drive

GARBAGE AND REFUSE HAULERS (16.50 for addn'l truck)

Bautch Disposal Service, Blaine, Minnesota

TREE TRIMMER (\$55.00)

Design Tree Service

FOOD ESTABLISHMENT Itinerant (Exempt)

St. Raphael Church, 7301 Bass Lake Road for their Festival
August 3-5, 1984 (10 stands)

PLUMBING LICENSE (\$30.25)

Robert E. Clark dba Clark Plumbing
George L. Torkelson dba Doc's Emergency Plumbing
Elander Plumbing Company

SIGN HANGERS (\$66.00)

Attracta Sign, Inc.
DeMars Signs

GAS FITTERS (\$30.25)

Kraemer Heating
Loop Belden Porter, Inc.
Thermex

DUE DATE: NOON, WEDNESDAY
JULY 11, 1984

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

ACTION NEEDED MEMO: From the July 3, 1984, Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of July 3, 1984. 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

BLDG. INSPECTOR 1. Set public hearing to consider request for a variance at 4606 Douglas Drive.
ACTION NEEDED: Notify affected property owners of public hearing.
ACTION TAKEN: Notices sent 7-6-84.

ASST. CITY MGR. ACTION NEEDED: Place item on July 17, 1984 Council Agenda.
ACTION TAKEN: Item placed on July 17 Council Agenda.

BLDG. INSPECTOR 2. Set public hearing to consider a request for a variance at 4958 Quail Avenue North.
ACTION NEEDED: Notify affected property owners of public hearing.
ACTION TAKEN: Notices sent 7-6-84.

ASST. CITY MGR. ACTION NEEDED: Place item on July 17, 1984 Council Agenda.
ACTION TAKEN: Item placed on July 17 Council Agenda.

REGULAR AGENDA

<u>DEPARTMENT</u>	<u>ITEM</u>	
ASST. CITY MGR.	1.	Public hearing to consider a request for a variance at 5400 Vera Cruz Avenue North. ACTION NEEDED: Place item on July 17, 1984 Council Agenda. ACTION TAKEN: Item placed on July 17 Council Agenda.
ASST. CITY MGR.	2.	Public hearing to consider a request for a variance at 3511 Zane Avenue North. ACTION NEEDED: Place item on July 17, 1984 Council Agenda. ACTION TAKEN: Item placed on July 17 Council Agenda.
ASST. CITY MGR.	3.	Public hearing to consider a request for vacation of a utility easement at 7022 Corvallis Avenue North. ACTION NEEDED: Place item on July 17, 1984 Council Agenda. ACTION TAKEN: Item placed on July 17 Council Agenda.
ASST. CITY MGR.	4.	Public hearing to consider a request for variances at 4900 West Broadway. ACTION NEEDED: Place item on July 17, 1984 Council Agenda. ACTION TAKEN: Item placed on July 17 Council Agenda.
CITY CLERK	5.	Consideration of a request from Crystal Fire Relief Association for a carnival license, gambling license, waiver of gambling manager's bond; 3.2 beer stand licenses at Welcome Park and waiver of fees for the Crystal Frolics. Also use of parks, approval of parade route and use of Becker Park for carnival. ACTION NEEDED: Issue licenses and waiver fees. ACTION TAKEN: Issued as approved.

Item 5 continued

<u>DEPARTMENT</u>	<u>ITEM</u>	
PARK DEPARTMENT	5.	ACTION NEEDED: Schedule parks for carnival and other activities. ACTION TAKEN: Scheduling in progress.
ENGINEERING DEPT.	6.	Consideration of reducing surety for Rolling Green of Crystal. ACTION NEEDED: Notify applicant of Council approval to reduce surety. ACTION TAKEN: Applicant present at meeting.
ENGINEERING DEPT.	7.	Consideration of setting surety in the amount of \$310,000 for Crystal Green. ACTION NEEDED: Notify applicant of setting surety and approval of plat pending receipt of surety and signed agreement. ACTION TAKEN: Applicant present at meeting.
ENGINEERING DEPT.	8.	Consideration of accepting letter of credit and entering into agreement for platting of two lots into one at 3515-17 Major Avenue North. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Notified.
ASST. CITY MGR.	9.	Consideration of Second Reading of an ordinance vacating an alley south of Lot 2, Block 1, Rockford Road Addition. ACTION NEEDED: Place item on July 17, 1984 Council Agenda. ACTION TAKEN: Item placed on July 17 Council Agenda.

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY MANAGER	10.	<p>Consideration of a report from the City Manager regarding negotiations on parking of semi-trailers at Target.</p> <p>ACTION NEEDED: Continue discussions with Target and report back to Council.</p> <p>ACTION TAKEN: Discussions continuing.</p>
ENGINEERING DEPT.	11.	<p>Consideration of a petition requesting signs be posted at intersections of Idaho and 54th and 52nd prohibiting semi-trailer trucks.</p> <p>ACTION NEEDED: Prepare staff recommendation for alternatives to the posting of signs.</p> <p>ACTION TAKEN: Being studied.</p>
CITY MANAGER	12.	<p>Consideration of the realignment of Douglas Drive in the redevelopment district.</p> <p>ACTION NEEDED: Work with consultants to change the realignment to provide more park area.</p> <p>ACTION TAKEN: Item taken to Park & Recreation Advisory Commission 7-11-84.</p>
ADMIN. ASST.	13.	<p>Consideration of hiring a consultant to complete the Employee Right To Know Program.</p> <p>ACTION NEEDED: Contact third consultant for proposal.</p> <p>ACTION TAKEN: Consultant contacted to be present at August 7 Council meeting.</p>
ASST. CITY MGR.		<p>ACTION NEEDED: Place item on July 17, 1984 Council Agenda.</p> <p>ACTION TAKEN: Item placed on July 17 Council Agenda.</p>

<u>DEPARTMENT</u>	<u>ITEM</u>	
ASST. CITY MGR.	14.	Consideration of a request to discuss the Civil Service Commission. ACTION NEEDED: Place item on August 7, 1984 Council Agenda for discussion with new Mayor. ACTION TAKEN: Item to be placed on August 7 Council Agenda.
ASST. CITY MGR.	15.	Consideration of Hennepin County's response to the change at the intersection of 36th and Douglas Drive. ACTION NEEDED: Place item on July 17, 1984 Council Agenda. ACTION TAKEN: Item placed on July 17 Council Agenda.
ASST. CITY MGR.	16.	Consideration of a fitness program for the Police Department. ACTION NEEDED: Place item on August 7, 1984 Council Agenda. ACTION TAKEN: Item to be placed on August 7 Council Agenda.
CITY CLERK	17.	Licenses ACTION NEEDED: Issue licenses. ACTION TAKEN: Licenses issued.

Barlene

July 13, 1984

TO: John T. Irving, City Manager
FROM: Nancy Deno, Administrative Assistant
RE: Employee Right To Know

N. Deno

On July 12, 1984 I met with James R. Thill of Industrial Health Engineering Associates, Incorporated, the possible third consultant for the Employee Right To Know Act. Mr. Thill stated he needed a longer period of time to put together a proposal in writing concerning the Employee Right To Know law. He stated he would have a proposal submitted to our office by August 1, 1984. I am asking that this item be delayed until the Council meeting of August 7, 1984.

I have gathered together five (5) pieces of information for the Council to read concerning the Employee Right To Know law. This information may help the councilmembers to understand the law. Most of the information is gathered from seminars which I have attended on the topic. The largest handout gives a listing of all hazardous substances, harmful physical agents, and infectious agents covered by the law.

On a quick walk through of City Hall and the Street, Parks, and Water/Sewer Garages, one consultant estimated we have between 200 and 300 hazardous substances, harmful physical agents, infectious agents which fall under the law.

June 20, 1984

Honorable Mayor & City Council
City of Crystal, MN

Re: Improvement Needs
Crystal Lounge
4900 West Broadway

Dear Councilmembers:

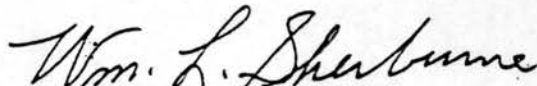
A study was made of the improvement needs as they pertain to the above captioned site.

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:

- Prepare and record plat of property.
- Construct B618 concrete curb & gutter adjacent to site and repair street.
- Construct 5' wide concrete sidewalk adjacent to site.
- Construct V6 cast-in-place concrete barrier curb per approved plot plan.
- Stripe parking stalls with white paint.
- Erect 1 handicap parking stall sign.
- Erect "No Parking" signs on street adjacent to the site.
- 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 release of a building permit and consequent expansion of use; that the work be completed prior to issuance of an occupancy permit but not later than September 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 \$22,000 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/mb

cc: John T. Irving, City Manager
Don Peterson, Building Inspector
Steve Weisman c/o Crystal Lounge
Wm. J. Mavity, Attorney

Encl.

Suburban news

Suspended sentence granted in steak house fire fraud case

Kenneth J. Ranallo has been given a suspended one-year prison sentence in connection with an insurance fraud case involving a 1982 fire that destroyed the Richfield Family Steak House, 6519 Nicollet Av. S.

Ranallo, who owned the restaurant, pleaded guilty in May to attempted theft of more than \$150 by false representation for overstating in an insurance claim the value of meat damaged in the fire.

Hennepin County District Judge Eugene Minenko stayed Ranallo's sen-

tence on condition that he serve six months in the county workhouse, make restitution in an amount not yet determined and be on probation for two years. The sentence was imposed June 25.

The guilty plea prevented Ranallo from collecting a \$140,000 insurance claim for the fire, said Dan Mabley, an assistant county attorney. Second-degree arson and other charges were dropped, as were charges against Ranallo's wife, Rosemary, he said. Mabley said the incident violated Ranallo's probation for a previous theft conviction.

July 10, 1984

Honorable Mayor & City Council
City of Crystal, MN

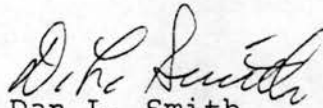
Re: Bond Release
Fantasia Beauty Salon
2756 Douglas Drive

Dear Councilmembers:

The work required to be performed as a condition of building permit approval for the above captioned development has been completed to conform to the standards of the City of Crystal.

It is recommended that the work be accepted by the City of Crystal, subject to the guarantee provisions of the agreement effective this date, and that the Bond in the amount of \$19,000 be released, subject to said guarantee.

Very truly yours,



Dan L. Smith
Assistant City Engineer

DLS/bl

cc: John T. Irving, City Manager
Don Peterson, Building Inspector
Twila Donley, 2756 Douglas Drive, Crystal, MN 55422

M E M O R A N D U M

TO: John T. Irving, City Manager
FROM: Leslie Nerenberg, Redevelopment Coordinator
RE: CDBG Program - Funding for Child Care Sliding Fee
DATE: July 10, 1984

In March the City Council allocated \$10,000 of its Urban Hennepin County Community Development Block Grant funds (Program Year X) for the purpose of supporting the Child Care Sliding Fee program administered by the Greater Minneapolis Day Care Association (GMDCA). Each city funding Day Care activities with CDBG monies must sign a public service agreement with GMDCA. An agreement has been developed and attached hereto, requiring approval by the City Council and execution by yourself and the Mayor. If you have any questions, please let me know.

LN:bm

PUBLIC SERVICE AGREEMENT/DAY CARE

This agreement made and entered into by and between the City of Crystal, hereinafter referred to as the "City", and the Greater Minneapolis Day Care Association, a public service agency, hereinafter referred to as the "Agency",

WITNESSETH"

WHEREAS, the City is an authorized subgrantee participant in the Urban Hennepin County Development Block Grant program by virtue of a joint cooperation agreement executed between the City and Hennepin County pursuant to MSA 471.59, and

WHEREAS, the City has allocated Urban Hennepin County Community Development Block Grant funds in Program Year X for the purpose of supporting the Child Care Sliding Fee program administered by the Agency,

NOW THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement, the parties hereto mutually agree to the following terms and conditions:

I

The City agrees to provide 10,000 dollars in Urban Hennepin County Community Development Block Grant funds to the Agency in support of the Child Care Sliding Fee program.

II

The City and Agency agree to an Agency administration fee paid out of the 10,000 dollar Community Development Block Grant allocation not to exceed ten (10) percent of funds paid out to recipients.

III

The Agency agrees to provide the City:

1. Affidavit of Agency service fee schedule.
2. A financial statement for the past full year.
3. A statement of public revenue sources for the period from June 1, 1982 through June 1, 1983.

IV

The Agency agrees to award funds to eligible applicants on a first come first served basis with maintenance of a waiting list of eligible applicants.

V

The Agency agrees to allocate funds to eligible recipients based on the State of Minnesota Department of Public Welfare Sliding Fee Scale with U.S. Department of Housing and Urban Development Section 8 income limits used as a ceiling cutoff for eligibility.

VI

The Agency provides assurance that it will comply with:

1. Administrative reporting requirements of the City.
2. Title VI of the Civil Rights Act of 1964 (PL88-352). (Nondiscrimination in program or activities receiving Federal financial assistance.)
3. Section 109 of the Housing and Community Development Act of 1974 as amended. (Nondiscrimination in any program or activity subject to provision of the HCDA.)
4. OMB Circular A-102 Attachment 0, Section 14, paragraph (h) by assuring the grantee, federal grantor agency, the Comptroller General of the United States or any duly authorized representative access to all records directly pertinent to this contract for the purpose of making audit examinations, excerpts, and transcriptions.
5. OMB Circular A-102 Attachment C (2), and maintain all required records for a period of three years after receiving final payment.

VII

The Agency, prior to financial reimbursement from the City, shall provide the City with:

1. Application.
2. Individual Data Confidentiality form.
3. Listing of clients, their addresses, and amount of assistance per client.

VII

This Agreement is effective as of July 1, 1984, and shall continue in full force and effect until all funds made available under this Agreement have been expended in accordance with paragraphs I-VII, but no later than June 30, 1985.

IN TESTIMONY WHEREOF, the parties hereto have set their hands and affixed their seals this _____ day of _____, 19____.

Upon proper execution, this Agreement will be legally valid and binding.

GREATER MINNEAPOLIS DAY CARE
ASSOCIATION

CITY OF CRYSTAL
STATE OF MINNESOTA

By _____

By _____
Mayor

and _____

AND _____
City Manager

July 11, 1984

John T. Irving
City Manager
City of Crystal, MN

Re: Bids -
Sealcoat Improvement No. 64-C

Dear Mr. Irving:

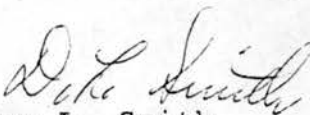
The sealed bids received on July 11, 1984, were checked for completeness and accuracy. The results are as follows:

Allied Blacktop Co.	¹⁰ \$77,696.50
Bituminous Roadways, Inc.	78,262.00
Buffalo Bituminous, Inc.	78,865.00
Midwest Asphalt Corp.	83,270.00
Northern Asphalt Construction, Inc.	86,548.50
Engineer's Estimate	\$81,920.00

Handwritten: 35 3 45

It is recommended that the contract be awarded to the low bidder, Allied Blacktop Co., in the amount of \$77,696.50.

Very truly yours,


Dan L. Smith
Assistant City Engineer

DLS/bl

SENT WITH PRELIMINARY AGENDA 8/3/84

Council minutes of July 17, 1984.

Letters from Propsective Candidates for Sec. I Councilmember.

Planning Comm. minutes of 7/9.

Letter from Mr. Becher of 7/27 re adj. in special food handling license fee.

Appli. & State Lic. of C. Mel Strunk for auction.

Appli. & State Lic. of Gregory J. Christian for auction.

Copy of 3rd proposal for Employee Right to Know program.

Memo from Steve Weisman of 7/30 re pig roast.

City Engr. letter of 8/2 re bids for alley improv. 48th Ave. to Xenia bet. Welcome & Xenia.

Memo from Ass't City. Mgr. of 7/3 and letter from Rahn Peterson re parking ban signs on major streets.

Letter from Chamber President of 7/10 re Board member to be appointed.

Letter from Greg Moore of 7/27 re Repr. of Crystal for Board of Directors of CAC.

Memo from Tom Heenan of 7/20 re Gustafson property at 4849 Xenia & copy of Tom's letter to Gustafsons of 7/20/84.

Env. Comm. agenda for 8/6 & minutes of 7/19 mtg.

Park & Rec. Adv. Comm. agenda for 8/1.

Proposed Gift Guide for donations to City.

Park & Rec. Adv. Comm. minutes of 7/11

Park & Rec. Dept. monthly July report.

Zoning & City Code additions.

COUNCIL AGENDA

August 7, 1984

Pursuant to due call and notice thereof, the meeting of the Crystal City Council was held on August 7, 1984, 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
☒ Rygg
☒ Schaaf
☒ Pieri

☒ Aaker
☒ Smothers

Staff

☒ Irving
☒ Kennedy
☒ Olson
☒ Sherburne
☒ Peterson
☒ Deno
☒ 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 17, 1984, 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 21, 1984, as the date and time for the public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a variance of 20.5' to build a 24'x26' detached garage in the front half of the lot at 6822 - 45th Avenue North as requested by Ronald A. Vander Heiden.
2. Set 7:00 P.M., or as soon thereafter as the matter may be heard, August 21, 1984, as the date and time for the public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a variance to build a 24'x24' attached garage at 7022 Corvallis Avenue North as requested by Mike Kauffmann.
3. Set 7:00 P.M., or as soon thereafter as the matter may be heard, August 21, 1984, as the date and time for the public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a variance of 7' in the required 40' rear yard setback to build a 14'x10' deck at 5432 Unity Avenue North as requested by Robert W. Krause.
4. Set 7:00 P.M., or as soon thereafter as the matter may be heard, September 4, 1984, as the date and time for the public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a variance in parking at 36th Avenue North and Highway 100 as requested by Burger King.

CONSENT AGENDA (continued)

- ✓ 5. Set 7:00 P.M., or as soon thereafter as the matter may be heard, August 21, 1984, as the date and time for the public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a variance to encroach 21' in the required 40' rear yard setback to build a 12'x23' deck at 4828 Zane Avenue North as requested by Patrick E. Cosgrove.

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

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

REGULAR AGENDA

- ✓ 1. The City Council considered appointing an eligible person to fill the vacancy in the Office of Councilmember, Section I, in the City of Crystal.

Rayline Langedorf (1) *Ry - [unclear]*
Greg Peppin (2) *P - [unclear]*
John Moraver (3) *S - [unclear]*
[unclear] *Ry a - [unclear]*

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

RESOLUTION NO. 84-

RESOLUTION APPOINTING AN ELIGIBLE PERSON TO
 FILL THE VACANCY IN THE OFFICE OF COUNCILMEMBER,
 SECTION I

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) consideration of resolution appointing an eligible person to fill the vacancy in the Office of Councilmember, Section I. Motion Carried.

on 8/15/84 7:30 - 11/11/84 7:35

August 7, 1984

2. It being 7:00 P.M., or as soon thereafter as the matter may be heard, Mayor Aaker declared this was the date and time advertised for a continued public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Kenneth Mattson for a variance in lot width (lot is 50' wide; required 60'), lot area (6,750 sq. ft.; 7,500 sq. ft. required) to build a 22'x22' detached garage at 4606 Douglas Drive. The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were: *Rec'd*

*Ind. var. 1. For Carport
52' x 22' for 1 Carport*

Moved by Councilmember H and seconded by Councilmember O to approve the authorization to grant a variance pursuant to Section 515.15, Subd. 2a and 2c), to allow the construction of a 22'x22' detached garage at 4606 Douglas Drive as requested in Variance Application #84-28A by Kenneth Mattson. *9-11*

Motion Carried.

O M Am H Ry P A
Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Application #84-28A.

Motion Carried.

3. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Aaker declared this was the time and date as advertised for a public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Donald and Debra Lhotka to consider a variance of 9' in the required 30' side street, side yard setback to build an addition at 5335 Hampshire 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 Am to approve the authorization to grant a variance pursuant to Section 515.13, Subd. 3a)2(ii) to build a 34'x20' addition to their existing house at 5335 Hampshire Avenue North, as requested in Variance Application #84-32 by Donald and Debra Lhotka.

Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Application #84-32.

Motion Carried.

August 7, 1984

4. ✓ It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Aaker declared this was the time and date as advertised for a public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Wayne Gorian for a variance of 3' in the required 40' rear yard setback to build a screened porch and deck at 2742 Brookridge 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 A and seconded by Councilmember Jim to approve, as recommended by and based on the findings of fact of the Planning Commission, the authorization to grant a variance pursuant to Section 515.13, Subd.4a), to build a screened porch and deck at 2742 Brookridge Avenue North as requested in Variance Application #84-26A by Wayne Gorian. Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Application #84-26A. Motion Carried.

5. ✓ It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Aaker declared this was the time and date as advertised for the public hearing, at which time the City Council will consider tentative approval of the proposed plat DeVito Addition located at 3515-3517 Major 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 A and seconded by Councilmember H to (approve as recommended by the Planning Commission) (deny) (continue until _____ the discussion of) tentative approval of proposed plat DeVito Addition located at 3515-3517 Major Avenue North. Motion Carried.

August 7, 1984

6. ✓ Steven L. Becher of Becher Enterprises, appeared before the City Council regarding an adjustment in the special food handling license fee. *2. 7 850600*
2/15 1984

- ✓ 7. The City Council considered accepting surety in the amount of \$46,000 from John Neznik dba Crystal Collision Center; entering into agreement and authorizing building permit #5716, to construct a 165'x70' masonry building at 5108 West Broadway.

- A. Moved by Councilmember Ry and seconded by Councilmember P to accept surety in the amount of \$46,000 from John Neznik dba Crystal Collision Center, as a guarantee of faithful performance of certain work requirements as a condition of issuance of building permit #5716 to construct a 165'x70' masonry building at 5108 West Broadway. Motion Carried.

- B. Moved by Councilmember Ry and seconded by Councilmember P to enter into agreement with John Neznik dba Crystal Collision Center for the purpose of guaranteeing faithful performance for certain work requirements as a condition of issuing building permit #5716 to construct a 165'x70' masonry building at 5108 West Broadway, and further, to authorize the Mayor and City Manager to sign such agreement. Motion Carried.

- C. Moved by Councilmember Sono and seconded by Councilmember H to (approve) (deny) (continue until _____ the discussion of) the authorization to issue building permit #5716 for Crystal Collision Center at 5108 West Broadway, to John Neznik, subject to standard procedure. Motion Carried.

August 7, 1984

8. The City Council considered a request for an auctioneer's license from C. Mel Strunk for an auction at Nicklow's, 3516 North Lilac Drive, on August 18, 1984.

Moved by Councilmember P and seconded by Councilmember Adly to (approve) (deny) (continue until _____ the discussion of) the auctioneer's license from C. Mel Strunk for an auction at Nicklow's, 3516 North Lilac Drive on August 18, 1984. Motion Carried.

9. The City Council considered a request for an auctioneer's license from Gregory J. Christian dba Quickie Auction House, for an auction at 6230 - 56th Avenue North on August 14, 1984.

9a ① Ry = M Adly to the discussion of the license from G. J. Christian for an at 6230 - 56th Avenue North on August 14, 1984. Motion Carried. 1411 told him on phone 8/8/84.

9b ② to the discussion of the license from G. J. Christian for an at 6230 - 56th Avenue North, on August 14, 1984. Motion Carried. 1411

10. William A. O'Connor, PACE Laboratories, Incorporated; ^{Margaret} Peggy Krieser, Occupational Health, Incorporated; James Thill, Industrial Health Engineering Associates, Incorporated, appeared before the City Council to present their proposals concerning the Employee Right To Know law.

① P = H on Occupational Health to the discussion of the license from G. J. Christian for an at 6230 - 56th Avenue North, on August 14, 1984. Motion Carried. 1411

to 13.

22

- ① $\Delta \text{Ans} = H$ more cells in B1

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

AN ORDINANCE RELATING TO FIRE PREVENTION;
AMENDING CRYSTAL CITY CODE, SECTION 905, AND
REPEALING CERTAIN SUBSECTIONS THEREOF

Motion Carried.

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

AN ORDINANCE VACATING A UTILITY EASEMENT
WITHIN THE CITY OF CRYSTAL

Motion Carried.

1-# 20

August 7, 1984

14. The City Council considered bids for improvement of an alley from 48th Avenue North to Xenia, between Welcome and Xenia.

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

RESOLUTION NO. 84- 65

RESOLUTION AWARDING A CONTRACT

By roll call vote 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) consideration of a resolution awarding a contract. Motion Carried.

15. The City Council considered the installation of parking ban signs on major streets entering the City of Crystal.

- ✓ 16. The City Council considered appointing a representative to the Board of Twin West Chamber of Commerce for one (1) year, beginning October 1, 1984.

- ✓ 17. The City Council considered recommending a person to the Northwest Suburbs Cable Communications Commission to represent Crystal on the Board of Directors of the Community Access Corporation.

→ H = H no # a. → B, -

- ✓ 18. The City Council considered a proposal received from Target Corporation regarding parking.

- ✓ 19. The City Council considered requesting MNDOT District 5 to request funds for the upgrading of the intersection of Trunk Highway 169 and Bass Lake Road.

600,000 / → H = H no # a. → B, -
①

- ✓ 20. The City Council considered a request for a food establishment license for Nankin Express, 6800 - 56th Avenue North.

→ P = H
9, 2, 7, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 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, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 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628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 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1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170

APPLICATIONS FOR LICENSE
AUGUST 7, 1984

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

Coca Cola Bottling Midwest Co. for Auto Pro, 5333 Lakeland

GARBAGE AND REFUSE HAULERS (\$27.50 Co. Lic. + \$16.50 ea. vehicle)

Dave's Sanitation, Hamel, Minnesota
Gallagher's Service, Minneapolis, MN
Metro Refuse Inc., Savage, Minnesota

MECHANICAL AMUSEMENTS: (\$104.50 ea. machine)

Advance Carter Co. for Crystal Lounge, 4900 W. Broadway (7 mach.)

PLUMBING LICENSE (\$30.25)

Bredahl Plumbing, Inc.
Doran Enterprises
Harris Mechanical Contracting Co.
Leo's Plumbing
Stant Plumbing & Heating

GAS FITTERS (\$30.25)

Ron Erickson Heating & Air Conditioning
Stant Plumbing & Heating

SIGN HANGERS (\$66.00)

Nordquist Sign Co.

August 3, 1984

Dear Councilmembers:

Now that the redevelopment program has officially started with the groundbreaking ceremony yesterday, we can get back to the business of running the rest of the City. With the exception of a couple of items, Tuesday night's Council meeting should really be housekeeping in nature and should go somewhat as follows:

The minutes of the regular meeting of July 17, 1984, are enclosed for your review.

The Consent Agenda will consist of setting five public hearings for requested variances to the City Code and will be listed as follows:

Consent Agenda

<u>ITEM</u>	<u>SUPPORTING DATA</u>
1. Set Public Hearing to consider a request from Ronald A. Vander Heiden for a variance of 20.5' to build a 24'x26' detached garage in the front half of the lot at 6822 - 45th Ave. N.	None.
2. Set Public Hearing to consider a request from Mike Kauffmann for a variance to build a 24'x24' attached garage at 7022 Corvallis Ave. N.	None.
3. Set Public Hearing to consider a request from Robert W. Krause for a variance of 7' in the required 40' rear yard setback to build a 14'x10' deck at 5432 Unity Ave. N.	None.
4. Set Public Hearing to consider a request from Burger King for a variance in parking at 36th Ave. N. and Highway 100.	None.
5. Set Public Hearing to consider a request from Patrick E. Cosgrove for a variance to encroach 21' in the required 40' rear yard setback to build a 12'x23' deck at 4828 Zane Ave. N.	None.

Consent Agenda (Continued)

With the exception of Item #4, all public hearings will be set for August 21. In the case of Item #4, the proposer did not think they would have their information in order before September 4; hence, they requested that date.

The regular agenda should go as follows:

Regular Agenda

1. Consideration of the appointment of an eligible person to fill the vacancy in the position of Section I Councilmember. Letters from prospective candidates.

Item #1 is the first exception to the housekeeping remark I made earlier. I have enclosed the letters I received from the candidates. Staff did not receive Pauline Langsdorf's original letter so I cannot include that. Hopefully, all of you have kept that one and will have it for reference purposes Tuesday night. It is always possible that some candidate that we do not know about has contacted some of you individually, or possibly all of you, and if that is the case, time will be allowed for their interview also.

2. Continued Public Hearing to consider a request from Kenneth Mattson for a variance in lot width (lot is 50' wide) to build a 22'x22' detached garage at 4606 Douglas Drive. None.

You may recall this was on the agenda last Council meeting and there was some discussion about varying grades on the portion of the lot they propose to build the garage. It is my understanding that the proponent will be in to discuss any changes he has in mind prior to your making a decision on his request.

3. Public Hearing to consider a request from Donald and Debra Lhotka for a variance to encroach 9' in the side street side yard setback to build an addition at 5335 Hampshire Ave. N. None.

This one comes directly to the Council and has not been to the Planning Commission; hence, no recommendation from them.

4. Public Hearing to consider a request from Wayne Gorian for a variance of 3' in the required 40' rear yard setback to build a screened porch and deck at 2742 Brookridge. Planning Commission minutes of 7/9/84, item 1.

5. Public Hearing to consider a request for tentative approval of the proposed plat DeVito Addition located at 3515-3517 Major Ave. N. Planning Commission minutes of 7/9/84, item 3.

On Items #4 and #5, the Planning Commission has recommended approval.

6. Appearance of Stephen L. Becher of Becher Enterprises regarding an adjustment in the Special Food Handling license fee. Letter from Mr. Becher dated 7/27/84.

I believe Mr. Becher's letter is self-explanatory and he will be in to discuss it with you Tuesday evening.

7. Consideration of accepting surety in the amount of \$46,000 from John Neznik dba Crystal Collision Center; entering into agreement and authorizing building permit #5716, to construct a 165'x70' masonry building at 5108 West Broadway. None.

We do have the letter of credit from the owner of Crystal Collision Center and he will be in today to sign the agreement.

8. Consideration of a request for an auctioneer's license from C. Mel Strunk for an auction at Nicklow's, 3516 Lilac Drive, on August 18, 1984. Copy of application and applicant's State license.
9. Consideration of a request for an auctioneer's license from Gregory J. Christian dba Quickie Auction House, for an auction at 6230 - 56th Ave. N. on August 14, 1984. Copy of application and applicant's State license.

We have asked that the auctioneers be present to explain to you what they intend to do at the Nicklow site and the old A. C. Carlson site.

10. Appearance of consultants regarding Employee Right to Know proposals. Copy of 3rd proposal.

As you can see from the packet, Nancy has found a third consultant who wishes to make a proposal regarding the Employee Right to Know program. I don't know how serious that proposal is and I say that because I am comparing the fees suggested. I think extensive questioning should be done regarding what all three of them propose to do for the money they suggest it will cost us. The third proposal is astronomically high, in my estimation.

11. Consideration of a request from Steve Weisman, Crystal Lounge, to hold a pig roast and allow drinking in the parking lot on September ? . Memo from Mr. Weisman dated 7/30/84.

As you can see from the memo from Steve, he is not certain which day he intends to have the pig roast. I asked him why and he said he hadn't contacted the person who will do the roast and provide the equipment to do so. I asked him if he found out between now and Tuesday, to inform us so we can inform you. I don't know as yet if he will do that. You may want to withhold approval to get a definite date, although a motion could be made that would only approve one or the other of the dates suggested if that is your desire. Hopefully Steve will make the decision prior to your need for action.

12. Consideration of the Second Reading of an Ordinance Adopting the Minnesota State Uniform Fire Code. None.
13. Consideration of the Second Reading of an Ordinance Vacating a Utility Easement within the City of Crystal (7022 Corvallis Ave. N.). None.
14. Consideration of bids for improvement of an alley from 48th Ave. N. to Xenia between Welcome and Xenia. Copy of letter from City Engineer dated 8/2/84.
15. Consideration of the installation of parking ban signs on major streets entering the City. Copy of memo from Ass't City Mgr. dated 7/3/84 and letter from Rahn Peterson, 5825 - 46th.

I put this item on the agenda to get some direction from the Council regarding the installation of some signs that would inform visitors and others of our over-night parking ban. The letter from Mr. Peterson is only an example of many questions we have received and comments that are made regarding notification. I feel strongly that every household in the City has been notified of the parking ban or its consideration on two or three occasions. Still, people say they did not receive information.

If everyone would receive two or three notifications, that does not say that visitors and other people going through the City are aware. The signs could provide that awareness if we are to continue with the present ordinance.

There has been some concern indicated by some Council people that some adjustments in the ordinance may be forthcoming. If they are substantive, it would seem to me that we should hold off in ordering the signs or placing them until decisions are made.

15. (Continued)

It seems to me that the heat staff, and possibly Council, received immediately after the effective date of the ordinance has diminished. It is my opinion it will do so to further degrees as time goes by. Concern, as I indicated before, will be renewed around December 1 when parking permits are prohibited. There will be a large hue and cry at that time, but it too will subside if past experience is any indication. People seem to learn to live with regulations more easily as time passes.

16. Consideration of appointing a representative to the Board of TwinWest Chamber of Commerce for one year beginning October 1. Letter from Chamber President dated 7/10/84.

I believe the letter from the Chamber President is self-explanatory and gives the direction necessary.

17. Consideration of recommending a person to the NWSCCC to represent Crystal on the Board of Directors of the Community Access Corporation. Letter from Greg Moore dated 7/27/84.

I think Greg's letter is self-explanatory. Our present representative on the CAC is Mayor Aaker. It would be my opinion that he would desire to continue, but I suspect I should let him speak for himself. I can only say that he has done an excellent job, both on the Cable Commission and the CAC. It would be my recommendation that the Council recommend him for reappointment, if he is willing to serve.

18. Consideration of a proposal received from Target Corporation regarding parking. None.

As I had mentioned before, the Target people indicated they would have some kind of proposal for our consideration by the end of July. They met that date by meeting with me on July 31. I have some plans that they presented for your review. The purpose of the review is to see if this is the direction you wish for them to take. If it is, I will get back to them and somebody from Target will appear at a future Council meeting to discuss their plans with you.

19. Consideration of requesting MnDOT District 5 to request funds for the upgrading of the intersection of Trunk Highway 169 and Bass Lake Road. None.

19. (Continued)

As I indicated before, staff has been working with the staffs of MnDOT and Hennepin County in an attempt to upgrade the intersection of 169 and Bass Lake Road. It appears that there is a possibility that the State can get funding for their share of its construction. To do so, they need a supporting letter from the City of Crystal. It would be sufficient for me to write the letter, but before I do so, I want to get direction from you as to whether I should or not. It seems to me that this has been a long-standing objective of the City of Crystal and we should do whatever is in our power to speed up the process.

It wasn't too long ago that the representatives of MnDOT indicated the upgrading would not be in our lifetime. This change in thinking is welcomed. I will explain it in greater detail Tuesday evening.

That should take care of the Council meeting as we see it now. I have, however, included some informational items for you which are listed as follows:

1. Memo from Tom Heenan of 7/20/84 re Gustafson property at 4849 Xenia & copy of Tom's letter to the Gustafsons of 7/20/84.
2. Environmental Commission agenda for 8/6/84 and minutes of 7/19 meeting.
3. Park & Recreation Advisory Commission agenda for 8/1/84.
4. Copy of proposed Gift Guide for donations to the City.
5. Park & Recreation Advisory Commission minutes of 7/11.
6. Park & Recreation Dept. monthly report for July.
7. Zoning & City Code book additions.

At Tuesday night's meeting, I would like to explain what I think the process is on the Gustafson situation. With the help of Dave Kennedy, I think I can put the time frame in perspective.

I first thought that the approach we were taking would confiscate the home from the Gustafson's, and in effect, it may do that, but because of tax laws, it may be a long time in coming. The Court may order the City to make the improvements and then assess the costs against the property. In effect, that may possibly cause the Gustafson children to lose the house or sell it merely to pay the taxes. If not, it is my opinion that they could very likely live there for the next five to seven years before the property can be taken as tax forfeit property. If I am in error in that opinion, I am sure Dave Kennedy will correct me.

August 3, 1984

It is for this reason that staff, from time to time, suggests that a stronger housing code, with some teeth in it, be adopted so these kinds of situations can be taken care of in a more timely fashion. With our suggestion, the correction of the problem will take substantially the same amount of time, but the property and the building could be declared unfit for human occupancy and boarded up until it is completely repaired. This prohibits the people from living in it and thereby making the problems worse.

At a future meeting, it would be my recommendation that some consideration be given to amending our present ordinance to provide the where-withal for staff to deal with these kinds of situations in a more timely fashion. We can discuss that later.

I have also enclosed a copy of the proposed Gift Guide for your comment before it is printed and sent out to businesses and individuals in the City of Crystal. It is patterned somewhat after other gift guides created by communities in this area. You may want some changes. If so, let us know. It will be going to print soon so we can distribute it.

Have a nice weekend. See you Tuesday.

J A C K

da
enc.

P. S. Nankin Express just submitted their application for a food establishment license. They wish to open on August 13 so I am putting this item on the regular agenda, and if you desire to approve it I recommend you do so, subject to completion of the requirements for occupancy.

APPLICATIONS FOR LICENSE
AUGUST 7, 1984

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

Coca Cola Bottling Midwest Co. for Auto Pro, 5333 Lakeland

GARBAGE AND REFUSE HAULERS (\$27.50 Co. Lic. + \$16.50 ea. vehicle)

Dave's Sanitation, Hamel, Minnesota
Gallagher's Service, Minneapolis, MN
Metro Refuse Inc., Savage, Minnesota

MECHANICAL AMUSEMENTS: (\$104.50 ea. machine)

Advance Carter Co. for Crystal Lounge, 4900 W. Broadway (7 mach.)

PLUMBING LICENSE (\$30.25)

Bredahl Plumbing, Inc.
Doran Enterprises
Harris Mechanical Contracting Co.
Leo's Plumbing
Stant Plumbing & Heating

GAS FITTERS (\$30.25)

Ron Erickson Heating & Air Conditioning
Stant Plumbing & Heating

SIGN HANGERS (\$66.00)

Nordquist Sign Co.

DUE DATE: NOON, WEDNESDAY
AUGUST 1, 1984

MEMO TO: John T. Irving, City Manager

FROM: John A. Olson, Assistant City Manager

ACTION NEEDED MEMO: From the July 17, 1984, Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of July 17, 1984. 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 5335 Hampshire Avenue North. ACTION NEEDED: Place item on August 7, 1984 Council Agenda. ACTION TAKEN: Item placed on August 7, 1984 Council Agenda.
BLDG. DEPT.		ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Owner notified.
ASST. CITY MGR.	2.	Set public hearing to consider a request for a variance at 2742 Brookridge Avenue North. ACTION NEEDED: Place item on August 7, 1984 Council Agenda. ACTION TAKEN: Item placed on August 7, 1984 Council Agenda.
BLDG. DEPT.		ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Owner notified.

<u>DEPARTMENT</u>	<u>ITEM</u>	
ASST. CITY MGR.	3.	Set public hearing to consider a request for tentative approval of the proposed plat DeVito Addition at 3515-3517 Major Avenue North. ACTION NEEDED: Place item on August 7, 1984 Council Agenda. ACTION TAKEN: Item placed on August 7, 1984 Council Agenda.

CITY ENGINEER		ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Notice published.
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REGULAR AGENDA

<u>DEPARTMENT</u>	<u>ITEM</u>	
	1.	Consideration of appointment of a person to fill the vacancy of the Office of Mayor. ACTION NEEDED: None
ASST. CITY MGR. CITY CLERK		Consideration of vacancy in Office of Section I Council-member. ACTION NEEDED: Place notice in newspaper and on Cable Television. ACTION TAKEN: Notice placed in newspaper and on Cable TV.
BLDG. INSPECTOR	2.	Public hearing to consider a request for variance at 5400 Vera Cruz. ACTION NEEDED: Notify applicant of Council Approval. ACTION TAKEN: Applicant notified.
BLDG. INSPECTOR	3.	Public hearing to consider a request for variance at 3511 Zane Avenue North. ACTION NEEDED: Notify applicant of Council Approval. ACTION TAKEN: Applicant notified.

<u>DEPARTMENT</u>	<u>ITEM</u>	
BLDG. DEPT.	4.	Public hearing to consider a request for vacation of utility easement at 7022 Corvallis. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant present at meeting.
BLDG. INSPECTOR	5.	Public hearing to consider a request for variances at 4900 West Broadway. ACTION NEEDED: Notify applicant of Council approval of two variances. ACTION TAKEN: Applicant present.
CITY ENGINEER		ACTION NEEDED: Accept letter of credit and enter into agreement. ACTION TAKEN: Signed copy sent to Steve Weisman.
CITY CLERK		ACTION NEEDED: File necessary forms for Sunday Liquor after required improvements are made. ACTION TAKEN: Noted.
ASST. CITY MGR.	6.	Public hearing to consider a request for variance at 4606 Douglas Drive. ACTION NEEDED: Place item on August 7, 1984 Council Agenda. ACTION TAKEN: Item placed on August 7, 1984 Council Agenda.
CITY ENGINEER BLDG. INSPECTOR		ACTION NEEDED: Look at possible changes in grading to change variance request. ACTION TAKEN: Area checked on 7-20-84.

<u>DEPARTMENT</u>	<u>ITEM</u>	
BLDG. DEPT.	7.	Public hearing to consider a request for variance at 4958 Quail Avenue North. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant present at meeting.
CITY CLERK	8.	Consideration of the Second Reading of an ordinance vacating alley south of Lot 2, Block 1, Rockford Road Addition. ACTION NEEDED: Publish ordinance. ACTION TAKEN: Ordinance mailed 7-18-84.
CITY MANAGER	9.	Consideration of the re-alignment of Douglas Drive in the Bass Lake Road/Becker Park Redevelopment area. ACTION NEEDED: Proceed as approved with the alignment of Douglas Drive. ACTION TAKEN: Consultant proceeding with re-alignment.
CITY CLERK	10.	Consideration of a request from St. Raphael's for a carnival, waiver of fee, bingo games and auction at 7301 Bass Lake Road for August 3, 4 and 5, 1984. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Licenses mailed 7-19-84.
CITY CLERK	11.	Consideration of a request from the Crystal Jaycees for a bingo license and waiver of bingo manager's bond for the Crystal Frolics, July 27, 28 and 29, 1984 at Becker Park. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: License mailed 7-18-84.
CITY ENGINEER	12.	Consideration of awarding a contract for 1984 Seal Coat Project. ACTION NEEDED: Notify low bidder of Council approval. ACTION TAKEN: Bidder notified; waiting for bond and insurance certificate.

<u>DEPARTMENT</u>	<u>ITEM</u>	
FIRE CHIEF	13.	<p>Consideration of bids for fire vehicle.</p> <p>ACTION NEEDED: Notify low bidder of Council approval.</p> <p>ACTION TAKEN: Purchase order issued to low bidder; agreement in process of being signed.</p>
FIRE CHIEF & CONSULTANT	14.	<p>Consideration of bids for North Fire Station.</p> <p>ACTION NEEDED: Notify low bidder of Council approval as outlined by consultant.</p> <p>ACTION TAKEN: Agreements in process of being signed.</p>
CITY ENGINEER	15.	<p>Consideration of release of surety in the amount of \$19,000 for Fantasia Beauty Salon at 2756 Douglas Drive.</p> <p>ACTION NEEDED: Notify applicant of Council approval.</p> <p>ACTION TAKEN: Letter sent.</p>
ASST. CITY MGR.	16.	<p>Consideration of First Reading of an ordinance adopting Minnesota State Uniform Fire Code.</p> <p>ACTION NEEDED: Place Second Reading on August 7, 1984 Council Agenda.</p> <p>ACTION TAKEN: Second Reading placed on August 7, 1984 Council Agenda.</p>
CITY ENGINEER	17.	<p>Consideration of Hennepin County's response to the change in intersection of 36th & Douglas Drive.</p> <p>ACTION NEEDED: Notify Hennepin County of Council approval of change.</p> <p>ACTION TAKEN: Oral notice given to Vern Genzlinger.</p>
ASST. CITY MGR.	18.	<p>Consideration of a contract with the Greater Minneapolis Day Care Association.</p> <p>ACTION NEEDED: Send agreement to Day Care Association for signing.</p> <p>ACTION TAKEN: Agreement sent to Day Care Association 8-2-84.</p>

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY ENGINEER	19.	<p>Consideration of alternate methods of banning semi-trailer trucks on Idaho, 52nd and 54th Avenues.</p> <p>ACTION NEEDED: Pursue alternate methods of banning trucks.</p> <p>ACTION TAKEN: Alternative methods still being discussed.</p>
ASST. CITY MGR.	20.	<p>Consideration of allowing the Drum & Bugle Corps from LaCrosse, Wisconsin to sleep in the Community Room in City Hall on July 27, 1984.</p> <p>ACTION NEEDED: Notify band of Council approval.</p> <p>ACTION TAKEN: Band notified.</p>
CITY CLERK	21.	<p>Licenses</p> <p>ACTION NEEDED: Issue licenses.</p> <p>ACTION TAKEN: Licenses issued.</p>

August 2, 1984

John T. Irving
City Manager
City of Crystal, MN

RE: Bids - Blacktop Alley Improvement No. 64-A

Dear Mr. Irving:

The sealed bids received on August 1, 1984, were checked for completeness and accuracy. The results are as follows:

H. L. Johnson Co.	\$14,515.00
Midwest Asphalt Corp.	17,777.25
Munn Blacktop, Inc.	18,267.50
Bituminous Roadways, Inc.	18,737.00
Barber Construction Co., Inc.	19,382.95
Engineer's Estimate	(3) 10 \$15,205.00

It is recommended that the contract be awarded to the low bidder, H. L. Johnson Co., in the amount of \$14,515.00.

Very truly yours,

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

WLS:jrs

LeFevere
Lefler
Kennedy
O'Brien &
Drawz

A Professional
Association

August 7, 1984

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
Brian F. Rice
Lorraine S. Clugg
James J. Thomson, Jr.
James M. Strommen
Mary C. Nielsen

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

Re: 7022 Corvallis Avenue North

Dear Jack:

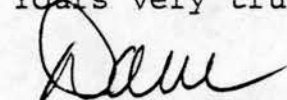
You have asked for my opinion as to the proper treatment under the City Zoning Ordinance of the structure at 7022 Corvallis Avenue North. The structure is located on a lot at the northwest quadrant of the intersection of Corvallis and an unopened but dedicated extension of Louisiana Avenue North. A ten foot portion of the Louisiana extension was previously vacated to allow construction of the structure but a drainage utility easement was retained by the City. The Council will give second reading to an ordinance vacating the utility easement at the Tuesday, August 7, Council meeting.

The owner of the structure wishes to erect a garage on that portion of the lot facing the Louisiana extension and the construction of the garage will require a set back variance of some amount depending on whether the lot is an "interior lot" or a "corner lot" as those terms are defined in the Zoning Ordinance.

Subsection 515.03, Subdivision 115, of the Zoning Code defines a corner lot as "a lot situated at the junction of and abutting on two or more intersecting streets; ...", and an interior lot as "a lot, other than a corner lot ..."

The lot in question is, in my judgment, a corner lot. The Louisiana extension, although unopened, is still a public street dedicated to the public as such. The set back rules applying to corner lots should be applied to the request for construction of the garage.

Yours very truly,



David J. Kennedy

DJK:np

July 3, 1984

TO: John T. Irving, City Manager
FROM: John A. Olson, Assistant City Manager
RE: Parking Ordinance Signs

The following information was provided to me by Neal Robinson regarding cost for parking ordinance signs. As I understood your request the sign should say "Overnight Parking Prohibited - Ordinance Strictly Enforced". Neal gave me two alternative prices.

Fifteen (15) signs with 2" letters on an 18"x24" reflective sign with the above wording would cost \$20.80 each. The same sign 24"x30" with 3" letters would cost \$31.25 each.

According to Neal, the 2" letters can be read at approximately 125' at night. The 3" letters can be read at approximately 200' at night.

August 2, 1984

TO: John T. Irving, City Manager
FROM: Nancy Deno, Administrative Assistant
RE: 3rd Consultant: Employee Right to Know Law

On August 1, 1984, I received a third written proposal from James R. Thill, of Industrial Health Engineering Associates, Inc., concerning the Employee Right to Know law. Enclosed is the proposal from Mr. Thill, along with copies of the proposals from Pace and from Occupational Health, Inc., for the Council's reviewal.

As of August 1, 1984, I have been informed that all three consultants will be at the Council Meeting of Tuesday, August 7, 1984.

NED/mc

encl.

Estimated Cost for City of Crystal
Employee-Right-to-Know Program Services

HAZARD IDENTIFICATION

Walk through survey of facilities and brief meetings with supervisors	\$280.
Perform inventory of selected storage and work areas	\$ 90.

EMPLOYEE - EXPOSURE IDENTIFICATION

Review of completed inventory for determination of legal, MSDS and training requirements	\$240.
--	--------

MATERIAL SAFETY DATA SHEET REVIEW

(100 MSDS's estimated)

OHI staff to obtain MSDS's by information requests	
Review of each MSDS for completeness, correctness and generic categorization	
Origination of unobtainable MSDS's	
Provide Glossary of MSDS terms	
Origination of Physical Hazard MSDS information	\$2,200.

TRAINING OF EMPLOYEES

Develop site-specific training modules including: General Concepts, MSDS use, Generic	\$840.
Provide slide/talk programs specific to work procedures	
OHI staff to conduct training sessions	\$1050.

LABELING

Assess any existing labeling system

Design system to obtain MSDS's and disseminate information

Conduct orientation meeting with personnel responsible
for implementation and continuation of program operation \$100. - +

INFORMATION AND MATERIALS MANAGEMENT

All editing, typing, correspondence, and clerical support
services necessary to complete the above tasks 540.

1710 Douglas Drive North ☐ Minneapolis, MN 55422 ☐ Phone (612) 544-5543

April 17, 1984

Ms. Nancy Deno
City of Crystal
4141 Douglas Drive North
Crystal, MN 55428

Dear Ms. Deno:

The following is our proposal to assist you in achieving compliance with the information and training provisions in the Minnesota Right to Know Act. This proposal is based on our recent visit and discussions. The training will be accomplished in general accordance with the sample manual and training plan we presented.

The following outlines our understandings of the various tasks associated with this project:

- 1) The City of Crystal will conduct an in-house survey to identify all hazardous substances, physical and infectious agents. It is our understanding that you may have approximately 100 substances used at your facilities.
- 2) To supplement the survey, PACE Laboratories, Inc. Industrial Hygiene staff will perform a detailed walk-through of your maintenance shop to become familiar with usage and handling procedures. During the walk-through the hazardous substances used in each department will be identified by the City of Crystal. Those areas where there is exposure to noise or other harmful physical agents or infectious agents will also be identified during the walk-through.
- 3) Based upon the information obtained in the above tasks, PACE Laboratories, Inc., will determine which of the materials listed in the inventory are hazardous substances, physical or infectious agents.
- 4) The City of Crystal will obtain and provide to PACE Laboratories, Inc., copies of the Material Safety Data Sheets (MSDS) for all substances identified in Step 3.
- 5) A Certified Industrial Hygienist will supervise the examination of the MSDS's for completeness and accuracy of information. Where appropriate, we will develop the MSDS's to supply missing information and/or simplify any potentially confusing language. It has been our experience that approximately 50% of all MSDS's as supplied by the manufacturer do not meet the informational requirements in the Right to Know Law.

Ms. Nancy Deno
City of Crystal

- 6) The MSDS's will be sorted and grouped according to "generic" classes of which will be determined jointly by PACE Laboratories, Inc., and the City of Crystal. A suitable numbering or coding system will also be developed to facilitate locating a specific MSDS. The completed data sheets will be assembled in a "master" reference manual by PACE Laboratories, Inc., and will be arranged according to generic class and numerically ordered within each class. It is our understanding that two training manuals will be created. One training manual would be specific to the substances used by the City of Crystal. Another training manual would cover all generic types and be used to train the police, fire and Health Department personnel.
- 7) An employee training manual would be developed and would follow the general outline below. It is intended that each employee would be provided with a manual.
 - a. A statement regarding use of the manual, the employees and the employee's rights under the Law and a statement of management support of the program. The statement would be signed by an appropriate upper management official such as the city manager.
 - b. A general information section would detail manual usage, general information on hazardous substances, (i.e. toxicity vs hazards) a listing of common terms associated with the MSDS and a procedure for employees to locate a given MSDS.
 - c. For each generic substance class, a one or two page explanation of the properties of those substances, normal routes of entry and acute and chronic health effects.
 - d. A section will explain City's labeling system including how to interpret the label and how to locate an MSDS for a given substance.
 - e. An open book, multiple choice test will be developed along with the manual to be used with the training. Included with the test will be a training verification form for the employee to sign which will be retained by City.

The preliminary training manual will be submitted to City of Crystal for comment and approval.
- 8) PACE personnel will conduct three training sessions for up to 100 individuals identified by the City of Crystal. The training would involve distribution of the manual by the City of Crystal along with appropriate instructions for study and test taking.

Ms. Nancy Deno
City of Crystal

After the appropriate period of independent study, PACE Laboratories, Inc., will conduct a session to administer the test, to review test answers and to provide demonstration of any appropriate safety equipment.

- 9) Annual retraining, training of new hires and transfers will be conducted in the same fashion as outlined above by the City.

The estimated cost breakdown for the above described efforts is shown below:

<u>TASK</u>	<u>ESTIMATED COST</u>
Walk-through	\$ 300
Examine, revise and group MSDS's	\$1,000 - \$1,500
Develop two master manuals	\$ 750 - \$1,500
On-site training by PACE Laboratories (3 sessions)	<u>\$ 800</u>
TOTALS	\$2,850 - \$4,100
Annual Retraining by PACE (Optional)	\$ 800

It should be noted that since the exact size, configuration and number of manuals has not yet been determined, the costs for reproduction have not been included.

There are several options for the city of Crystal relative to the reproduction of the employee manual which are as follows:

- 1) An employee manual can be produced for each of the 100 workers to be trained or a smaller number such as 20 to 30 manuals can be retained by management and distributed to employees during training.
- 2) The employee manuals can be produced in a GBC plastic ring binder for approximately \$5.00 per manual or in a 3 ring binder at approximately \$10.00 per manual.
- 3) PACE Laboratories, Inc., can be contracted to reproduce the number and type of employee manuals selected by the City of Crystal or you can arrange to reproduce the manuals in-house.

PACE Laboratories, Inc.

April 17, 1984

- 4 -

Ms. Nancy Devo
City of Crystal

The above estimate does not include any assessment of exposure to harmful physical agents. If the scope of services is changed by the City of Crystal, PACE Laboratories, Inc., and the City of Crystal mutually agree to renegotiate the costs. Receipt of a purchase order will be considered as authorization to proceed. This proposal is valid for 90 days.

We can begin effort on this project within 15 days of notification to proceed. We anticipate that material development and training of the first line supervisors will be completed by July 1, 1984 contingent upon receipt of all required MSDS's by PACE Laboratories, Inc., by May 1, 1984. Update of all MSDS's may not be completed until after July 1, 1984.

Thank you for the opportunity to submit this proposal and please call if you have any questions. We look forward to a productive effort.

Yours truly,



William A. O'Connor, C.P.C.
Vice President

WAO/gl

ORDINANCE NO. 84 -10

An Ordinance

relating to fire prevention: amending
Crystal City Code, Section 905, and
repealing certain Subsections thereof.

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code, Section 905 is amended by
adding a new Subsection to read as follows:

905.02. Adoption of Minnesota Uniform Fire Code. Subdivision 1.
Minnesota Uniform Fire Code Adopted. The Minnesota Uniform Fire
Code, as promulgated by the Minnesota Department of Public
Safety, Fire Marshal Division, is hereby adopted and made a part
of this code as if fully set forth herein, except for those
provisions as modified, deleted, or amended by this Subsection.

Subd. 2. Amendments, Modifications, Deletions.

- a) Section 2.103 of the Uniform Fire Code is retained
in its entirety.
- b) Section 2.303 is amended as follows: Whenever the
Uniform Fire Code is silent on any subject, for
any reason, in any situation, the provision of
protection shall be in accordance with the
'National Fire Codes, 1981' issued by the National
Fire Protection Association (Quincy,
Massachusetts, 1981,) which are adopted by refer-
ence as part of this code as though set forth
herein in their entireties.
- c) Article 4, Permits and certificates is retained
subject to the following modifications: Permit
required. Sec. 4.101. It shall be unlawful for
any person, firm, or corporation to use a building
or premises or engage in any activities for which
a permit is required by this code without first
having obtained such permit. Permits are required
from the Bureau of Fire Prevention for the follow-
ing activities:
 1. Automobile wrecking yard, junk or waste
material handling plant. See Article 34.
 2. Cyrogens. Except where federal or state
regulations apply and except for fuel systems
of the vehicle, permits are required to
produce, store or handle cryogenic fluids in

excess of the amounts shown in the table in
Sec. 4.101.11 of Article 4.

3. Garages. To use any structure as a place of
business for repairing motor vehicles. See
Article 29.
4. Hazardous materials. To store, transport, or
handle more than 55 gallons of corrosive
liquids or more than 500 pounds of oxidizing
materials or more than 10 pounds of organic
peroxides or more than 500 pounds of
nitromethane or 1000 pounds or more of
ammonia nitrate, ammonia nitrate fertilizers
and fertilizer mixtures; or any amount of
highly toxic materials, pyrophoric materials,
hypergolic materials, cryogenic or poisonous
gases. See Article 80. X
5. Flammable or combustible liquids and tanks.
To install, alter, remove, abandon, place
temporarily out of service or otherwise
dispose of any flammable or combustible
liquid tank.
6. Resurfacing and Refinishing. To conduct
bowling pin refinishing, bowling alley or
roller skating rink or resurfacing or refin-
ishing in any other public assembly occupancy
involving the use and application of
flammable liquids or materials. See Article
26.
7. Spraying or Dipping. To operate a spraying
or dipping enterprise utilizing flammable
liquids included within the scope of Article
45.
8. Tents and Air Supported Structures. To erect
or operate a tent or air-supported structure
covering an area in excess of 200 square feet
unless such structures are used exclusively
for camping. See Article 32.
9. Welding and Cutting Operations. To conduct
welding or cutting operations in any
occupancy. Welding or cutting done in
response to an emergency call after normal
working hours are exempt.

Sec. 2. Crystal City Code, Subsection 905.05, Subdivision 1
is amended to read:

905.05. Bureau of Fire Prevention. Subdivision 1. Established. The Uniform Fire Code ~~Fire-Prevention-Code~~ is enforced by the Bureau of Fire Prevention in the Fire Department which is operated under the supervision of the Fire Marshal who is subordinate to the Chief of the Fire Department of the City.

Sec. 3. Crystal City Code, Subsection 905.05, Subd. 4, is amended to read:

Subd. 4. Report. A report of the Bureau of Fire Prevention shall be made annually at the end of each year and transmitted through the Chief of the Fire Department to the Manager. This report shall contain all proceedings under this Code, with such statistics as the Fire Marshal may wish to include therein. The Chief of the Fire Department shall also recommend any amendments to the Code which, in his judgment, shall be desirable.

Sec. 4. Crystal City Code, Subsection 905.07, is amended to read:

905.07. Definitions. Wherever the term ~~word~~ "Municipality" is used in the ~~Fire-Prevention~~ Uniform Fire Code, it means the City of Crystal, Hennepin County, Minnesota. Wherever the term "Corporation Counsel" is used in the Fire Prevention Code, it means the City Attorney, City of Crystal. X

Sec. 5. Crystal City Code, Section 905 is amended by adding a new Subsection to read as follows:

905.08. Storage of Flammable Liquids, Liquified Petroleum and Explosives. Subdivision 1. Flammable or Combustible Liquids in Outside Above Ground Tanks. The storage of flammable or combustible liquids in outside above ground tanks is permitted within I-1 and I-2 zoning districts only:

Subd. 2. Storage of Liquified Petroleum Gasses. The storage of liquified petroleum gasses is permitted in I-1 and I-2 zoning districts only:

Subd. 3. Storage of Explosives and Blasting Agents. The storage of explosives and blasting agents is permitted in I-1 and I-2 zoning districts only:

Sec. 6. Crystal City Code, Subsection 905.15 is amended to read:

905.15. Special Use Permits. No storage of flammable liquids in outside aboveground tanks is permitted, nor is the establishment

of a bulk plant for flammable liquids, nor is the bulk storage of liquified petroleum gasses, nor is the storage of explosives and blasting agents permitted within the corporate limits of the City, except in an M-1 I-1 and M-2 I-2 Zoning District, after approval of the Fire Marshal, Building Inspector, the Planning Commission and upon a special use permit duly granted by the Council.

Sec. 7. Crystal City Code, Subsection 905.21, is amended to read:

905.21. Orders of the Fire Department. ~~An order issued under Section 1.5 of the Fire Prevention Code shall forthwith be complied with by the owner or occupant of the premises or building according to the terms of the order, subject to the right of appeal.~~ Any order or notice issued or served as provided in this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the order or notice pertains; subject to the right of appeal within 24 hours after the issuance of such an order. The Manager shall review such order and file his decision thereon. The decision of the Manager may be appealed to the Council no later than the next regular Council meeting. The Council shall review such order and make its decision thereon. Unless the order of the Fire Department has been revoked or modified it shall remain in full force and effect and be obeyed by such owner or occupant. An owner or occupant failing to comply with such order within ten days after said appeal has been determined, or if no appeal taken, then within ten days after the service of said order, shall be liable to the penalties as provided in this Section.

Sec. 8. Crystal City Code, Subsection 905.23, is amended to read:

905.23. Modifications. The Manager shall have power to modify any of the provisions of the Fire-Prevention Uniform Fire Code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Manager thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant and the Chief of the Fire Department.

Sec. 9. Crystal City Code, Subsection 905.25, is amended to read:

905.25. Appeals. Whenever the Manager shall disapprove an application or refuse to grant a permit applied for or when it is claimed that the provisions of the Fire-Prevention Uniform Fire Code do not apply or that the true intent and meaning of the code has been misconstrued or wrongly interpreted, the applicant may

appeal from the decision of the Manager to the Council, within 30 days from the date of the decision.

Sec. 10. Crystal City Code, Subsection 905.29 is amended to read:

905.29. Permit Fees; Enforcement. There shall be no charge for the issuance of a burning permit. The fee for all other permits issued under this Section shall be ~~\$1.00~~ \$20.00. All permits shall expire on December 31 of each calendar year. No permit shall be issued or renewed for any premises that are in violation of the provisions or requirements of this Section. No penalty shall be imposed under this Section until after an up-to-date inspection of the premises shall have been made by the Fire Marshal or his assistant and the owner or occupant of the premises has been notified in writing of the deficiencies found in such inspection and 30 days shall have been allowed the owner or occupant to correct such deficiencies after notification thereof. The Council may in its discretion provide for an increase or decrease in the permit fees as set forth in this Section by a resolution duly adopted.

Sec. 11. Crystal City Code, Section 905, is amended by adding Subsections to read as follows:

905.47. Fires or Barbeques on Balconies or Patios. Subdivision 1. General Rule. No person shall set, kindle, maintain, cause or permit any fire or open flame on any balcony above ground level or on any ground floor patio immediately adjacent to, under, or within ten feet of any multiple unit dwelling or apartment building. No person shall store or use any fuel, barbeque, torch or other similar heating or lighting chemicals or devices in either of the above places. Buildings and balconies of Type I (Masonry) construction are exempt from this Subsection.

Subd. 2. Flammable Materials. The storage or use of any flammable, compressed, or liquified gas on any balcony above ground level or on any ground floor patio immediately adjacent to, under, or within ten feet of any multiple unit dwelling or apartment building is prohibited.

905.49. Inspection of Ventilation Systems: Cleaning. Any person performing ventilation system cleaning in the City shall prior to performing such ventilation system cleaning, obtain a permit from the bureau of fire prevention for each job and pay a \$25.00 permit fee. Upon completion of each job, notify the bureau of fire prevention of the completion of the job and prior to leaving the job site, allow for inspection of the work by a member of the bureau of fire prevention.

Sec. 12. Repeals. Crystal City Code, Subsections 905.01, 905.03, 905.09, 905.11, 905.13, 905.19, 905.31 and 905.45 are repealed.

Sec. 13. Effective Date. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11.

Mayor

Attest:

Clerk

R. # 19587

APPLICATION FOR LICENSE

4141 Douglas Drive, Crystal, Minnesota 55422

7/31/84

HONORABLE CITY COUNCIL
CRYSTAL, MINNESOTA

COUNCILMEMBERS:

I Gregory J. Christian dba
WE Quickie Auction House

Rt. 3

Osseo, MN 55369

Fee, \$ 18.25 per day

New ☒ Renewal ☐

Telephone 428-2271

-4217

enclose the sum of EIGHTEEN and 25/100 DOLLARS
to the City of Crystal as required by the Ordinances of said City and have complied with all the
requirements of said Ordinances necessary for obtaining this License:

NOW, THEREFORE, I

Gregory J. Christian dba Quickie Auction House - 41.lic # 2764 hereby make application to

hold an auction at 6230 - 56th Ave. N. in Crystal

for the period one day only through August 14, 1984 subject to all
conditions and provisions of said Ordinance.

City Use Only

Greg Christian

Print Name of Applicant

Greg Christian

Signature of Applicant

License No. 27-64

License Fee \$20.00

Auctioneer's License

Gregory J. Christian, residing at 139 Hillplace Drive
 (Street No. if any)
 in the City of Rogers

in the County of Hennepin, State of Minnesota, having given satisfactory evidence
 that he is 18 years of age or over and is now and has been a resident of said county for at least six
 months immediately preceding the date of his application for an auctioneer's license; and having paid
 into the county treasury of said county the fee of \$20.00;

IS HEREBY LICENSED to conduct the business of an auctioneer in the State of Minnesota for
 the period of ONE YEAR from August 1st, 1984.

Dated this 1st day of August, 1984.

Walter L. K. Co.
 County Auditor
 By [Signature]
 Deputy

Bond Exp: 5/1/85

Lic Exp: 7/31/85

ORIGINAL

JOHN G. MORAVEC
6801 35th Av. No.
535-0165

PERSONAL BACKGROUND

Married with two children
Member, Parish Community of St. Joseph's
24 year area resident
Crystal homeowner since 1978

PROFESSIONAL EXPERIENCE

Marketing representative for the Stearns and Foster Company. I am responsible for a multi-million dollar area. Budgeting, marketing and administering are all very important in the execution of my responsibilities. Prior to working for the Stearns and Foster Company, I was employed by the United States Bedding Company and was among their top achievers.

COMMUNITY

Neill School PTSA
Tiger Cub - Cub Scout father
Member, Crystal Environmental Commission
Member, Friends of Children and Schools
Annual Northwest YMCA fundraising volunteer
Longtime involvement in state and local politics:
Precinct caucus and district convention participant since 1972
Two term Fifth Congressional Representative for the 46th Senate District DFL
Legislative Director and precinct chair in the local DFL party
Member, North Central Home Furnishings Representative Association

EDUCATION

St. Mary of the Lake School
Robbinsdale Area School District
St. John's University : major field of study - Government, supporting studies in
Business and Psychology
University of Minnesota

2716 Lamplighter Lane
Crystal, Minnesota 55422
August 1, 1984

To the Mayor of Crystal and City Council Members:

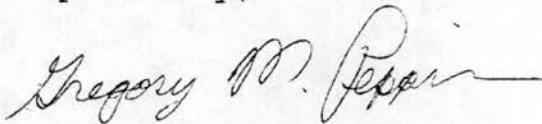
I am writing to express my interest in being considered an applicant for the recent opening of the Section I city council seat.

I have recently graduated from the University of Minnesota with a degree in Political Science. I believe this, coupled with my enthusiasm for local government and my experience in dealing with constituent concerns due to a legislative internship this past winter, will enable me to represent the citizens of Crystal in a fair and efficient manner. I have resided in Crystal for over ten years and am aware of and interested in the issues that confront the city.

Enclosed please find a resume outlining my educational background, political and work experience. I look forward to appearing before the city council to further discuss my abilities and answer any questions you may have.

Thank you for your consideration.

Respectfully,

A handwritten signature in cursive script, reading "Gregory M. Peppin". The signature is fluid and includes a long horizontal flourish at the end.

Gregory M. Peppin

Enclosure

GREGORY MARK PEPPIN
2716 Lamplighter Lane
Crystal, Minnesota 55422
(612) 546-0154

EDUCATION

1979-1984 University of Minnesota, Minneapolis, Minnesota.
Bachelor of Arts degree in Political Science;
Minor in American History with concentration in
Speech-Communication.
Graduated with 3.3 GPA.

1976-1979 Graduated from Robbinsdale Senior High School,
Robbinsdale, Minnesota, in June 1979.

SIGNIFICANT COURSE WORK

United States Congress	International Politics
American Presidency	Bureaucracy
Political Parties	Minnesota State Government
International Bargaining and Diplomacy	American and European History

POLITICAL EXPERIENCE

Currently serving as Vice-Chair of the Crystal Human Relations
Commission.
Member of the Minnesota College Republicans.
Delegate to the 5th District IR Convention.
Alternate to State IR Convention.
Doug Bergman campaign, State District 46B.
People for Boschwitz campaign.

WORK EXPERIENCE

January 1984 - Legislative internship for State Senator Earl
May 1984 Renneke (District 35)

Job description: Traced progress of pending
legislation (i.e., MTC reorganization bill),
research, assistance in office administra-
tion.

1980 - present Lunds Inc.
Highway 101
Wayzata, Minnesota

Supervisor: Larry Walsh

Position: Stock Clerk

Job Description: Stock, cashier, admini-
stered inventory procedures, front end
manager.

GREGORY MARK PEPPIN
Page Two

WORK EXPERIENCE (cont'd.)

1979-1980

Tom Thumb Inc.
2708 Douglas Drive
Crystal, Minnesota 55422
(612) 544-9640

Supervisor: Jim Smith

Position: Stock clerk and cashier

1978-1980

Nicklow's Restaurant
36th Avenue North and Highway 100
Crystal, Minnesota 55422
(612) 529-7751

Supervisors: Bill and Tony Nicklow

Position: Prep cook and kitchen aide.

References furnished upon request.

Mr. Jack Irving, City Manager
Crystal City Hall
4141 Douglas Dr.
Crystal Mn. 55427
July 27, 1984

Dear Mr. Irving:

According to todays POST I am to submit to you a letter indicating my interest in being appointed to the Crystal City Council for the vacant seat in Section I.

I am definately interested in this appointment. I find City government facinating. I have served on two advisory commissions to the City Council having co-authored the ordinance which was subsequently passed by the council forming the Environmental Advisory Commission. I served as the first chair of this Commission.

The following briefly indicates the extent of my background:

Municipal Employment:

Police Department
Inspectional Services
Recreation Department

Schools:

Teacher - art in all grades 1-12
Substituted in all 281 High Schools and Jr. Highs
Worked with administrators and staff on various programs

Statewide Involvement

Minnesota Environmental Education Council - appointed by the governor - advisory to the Legislature, Dept. of Natural Resources and Department of Education

League of Women Voters - state legislative lobbyist on solid waste and environmental education issues

Community Involvement:

Extensive - chosen "Man of the Year in 1970" for the City of Crystal by SUN Newspapers because of my community involvement.

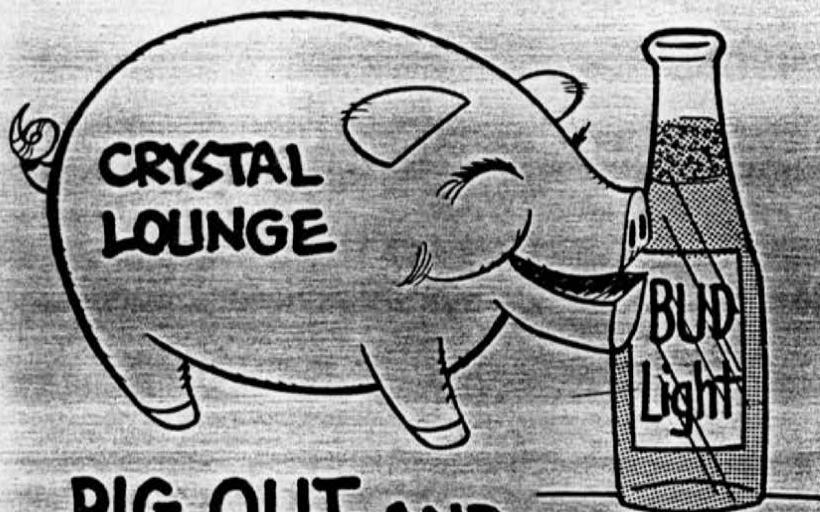
I submitted more extensive data sheets on my experiences to the Council members at the July 17th meeting. I look forward to responding to Council questions August 7th.

Sincerely,

Pauline A. Langsdorf
Pauline A. Langsdorf



4900 W. Broadway
Crystal, MN 55429



**PIG OUT AND
DRINK LIGHT AT THE
CRYSTAL LOUNGE
SATURDAY • AUG. 7TH**

FROM THE DESK OF

Steven Weisman

7-30-84

Jack re: Pig Roast
1. either Sept 15 (22)
2. drinking in parking lot
3. Pig will be roasted in
parking lot.

Thank you
Steve

July 3, 1984

TO: John T. Irving, City Manager
FROM: John A. Olson, Assistant City Manager
RE: Parking Ordinance Signs

The following information was provided to me by Neal Robinson regarding cost for parking ordinance signs. As I understood your request the sign should say "Overnight Parking Prohibited - Ordinance Strictly Enforced". Neal gave me two alternative prices.

Fifteen (15) signs with 2" letters on an 18"x24" reflective sign with the above wording would cost \$20.80 each. The same sign 24"x30" with 3" letters would cost \$31.25 each.

According to Neal, the 2" letters can be read at approximately 125' at night. The 3" letters can be read at approximately 200' at night.

Rahn S. Peterson
5825 46 Avenue North
Crystal, Minnesota 55422

City Council
City Administrative Offices
4141 Douglas Drive
Crystal, Minnesota 55422

Dear Sirs,

I received ~~a~~ parking ticket on July 23, 1984.

There are no signs that say no parking anywhere near my house. We did not receive any letter stating that you were going to change the parking rules for the city of Crystal.

I came out to my van that morning which was parked in front of my house and found a ticket there. I don't feel that is a very good way of notifying people of a change in policy.

Just because you have to find something to do is no reason for you to take away some more of the very little freedom that we have left, by saying that we can't park in front of our own houses any more.

Throught out Crystal the majority of the streets, including our street, are residential streets with very little traffic, and parking on them poses no threat to traffic flow, especially from 3:00 A.M. to 6:00 A.M.

I should fight this ticket, but all that would happen is that I would lose time off of work and still end up paying the ticket, trying to fight the bureaucracy.

Sincerely,
Rahn S. Peterson

Twin West*

CHAMBER OF COMMERCE

400 South County Road 18, Shelard Plaza South, Suite 352
St. Louis Park, Minnesota 55426, Telephone (612) 540-0234

July 10, 1984

City Manager John T. Irving
City of Crystal
4141 Douglas Drive
Crystal, MN 55428

Dear Mr. Irving:

The TwinWest Chamber's Bylaws call for a Board Member of the Chamber to be named by each City Council in our service area as follows:

1.3 Class C - City Council Appointees. The city council of each of the following cities shall be requested to appoint a person to represent their city on the Board of Directors: Crystal, Golden Valley, Hopkins, Minnetonka, New Hope, Plymouth and St. Louis Park. The appointee may be the Mayor, the City Manager or a member of the Council. The appointment shall be for a one year term; however, the appointee may be reappointed for no more than three consecutive one year terms.

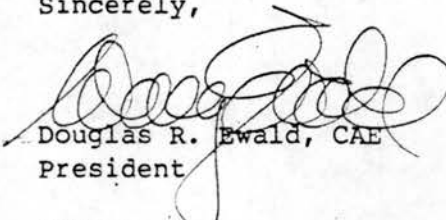
This provision was made in the interest of developing close working relationships with each of our municipalities as well as assuring equal representation from each city.

We are currently in the process of establishing our 1984-85 Board of Directors, terms of which will begin on October 1. I am, therefore, requesting that the Crystal City Council consider its nominee and submit his or her name to me by August 30.

The TwinWest Chamber Board will consist of twenty-seven members and meets every other month usually for 1 ½ - 2 hours. We do ask that Board Members attend regularly, be committed to the Chamber's program and participate in it.

I look forward to hearing from you in this regard and hope you will call if I can be of any assistance.

Sincerely,


Douglas R. Ewald, CAE
President

DRE:lp

cc: Holly Schadow



NORTHWEST SUBURBS CABLE COMMUNICATIONS COMMISSION

6901 Winnetka Avenue North
Brooklyn Park, MN 55428
(612) 536-8355

July 27, 1984

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

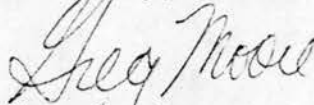
Dear Mr. Irving:

In October of 1984 the term of office of Thomas Aaker who serves on the Community Access Corporation Board of Directors expires. Mr. Aaker was appointed by the Commission to represent the City of Crystal.

The Commission is requesting that the City of Crystal make a recommendation to the Commission regarding the appointment of a Director for your city.

Would you please provide your recommendation to the Commission no later than September 1, 1984.

Sincerely,


Greg Moore
Executive Director

GM/gh

cc: Thomas Aaker

M E M O R A N D U M

TO: John T. Irving, City Manager
FROM: Thomas L. Heenan, Supervising Sanitarian *TLH*
RE: Gustafson - 4849 Xenia Avenue North
DATE: July 20, 1984

Assistant City Attorney, Cindy Lavorato, has informed me that service has been accomplished on all the Gustafsons. She expects a court order allowing the City to start work by August 15, 1984.

TLH:jt

JACK - for your info

Phone: 537-8421

City of Crystal



4141 DOUGLAS DRIVE NORTH
CRYSTAL, MINNESOTA 55422

ADMINISTRATIVE OFFICE

July 20, 1984

Dwight & Kelly Gustafson
4849 Xenia Avenue North
Crystal, MN 55429

You are hereby notified that the dumpster full of refuse in the driveway at 4849 Xenia Avenue North, Crystal, Minnesota, is in violation of Section 605, Subdivision 3.

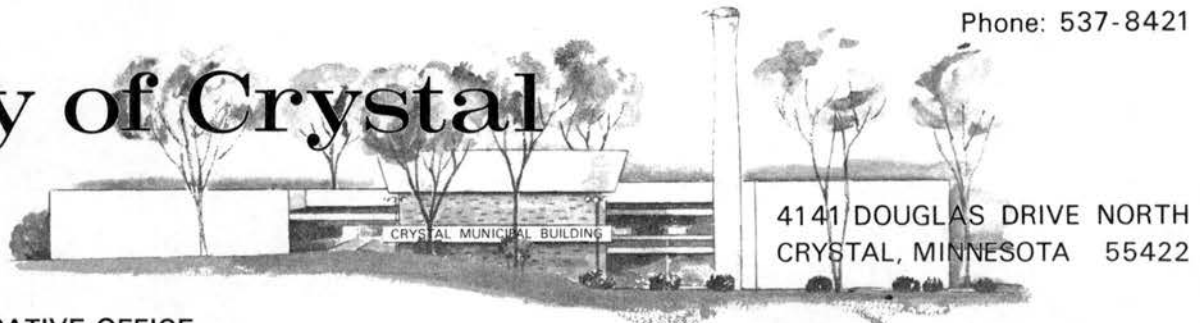
Under the provisions of Section 605.09, it must be removed prior to July 30, 1984, or the City will cause the removal and assess the property in the manner specified by law.

Sincerely,

Thomas L. Heenan
Health Authority
Crystal Health Department

TLH:jt

City of Crystal



ADMINISTRATIVE OFFICE

September 11, 1984

TO: City of Crystal Councilmembers

FROM: John T. Irving, City Manager

Dear Councilmembers:

I have enclosed some information for you regarding the budget that I think you should have prior to Friday's Preliminary Agenda so that if you are in the process of reviewing the budget this week, you would have the benefit of this additional information.

In giving me a memo early on which laid out the levy requirements and the levy limits, Miles overlooked the fact that he had inserted the maximum levy limit number in the General Fund levy for 1984/1985, which required a different mill levy to secure that money. We noticed the error and Miles has since corrected it so the memo entitled "1985 Budget Estimate Figures" that I have enclosed, should replace the one that is already in your budget packet.

As you will note, rather than the levy going up approximately three-tenths of a mill, it will go down about one-tenth of a mill. Not a substantial change but different from what I originally told you. As an offset to that change we have increased membership appropriation in the amount of \$8200. I have enclosed a memo I received from Bill Sherburne regarding the dues and budget for Shingle Creek Water Management Organization. We received this information considerably after the budget was put together and even after it was sent out to you. The affect of this is what you see on the memo from Miles. The \$8200 is already in those figures so we are now approximately \$70,000 under the levy limits as opposed to the \$78,000 I had originally informed you of in the budget message.

Again, if you have any questions please feel free to call.

You may all have been concerned or wondering why I haven't contacted you regarding any changes in the guidelines for parking permits. I have enclosed a memo which provides answers to some of the questions you had at the last Council meeting. I was concerned about the affect of any adjustment we would make in the guidelines, I asked the Police Department to give me a breakdown of reasons for permit refusals. Item #3 of Craig Thomseth's memo lists those reasons. As you can see, 130 or 84% of all turn-downs were because people had ample room to park but wanted to avoid jockeying of cars. Based on comments made by the Council, to people in the audience during several hearings we had on the parking ordinance, it was apparent to staff that the Council didn't think a sufficient reason for granting a permit would be just because they had to jockey cars. As you can see, the only substantial change in the guidelines would be for us to use that as an adequate reason to grant a permit.

It didn't seem to me that the Council favored that approach. It is possible now, that you have changed your mind, but I wanted you to know the problems as we see them. I didn't want to adjust the guidelines and give the impression we had done our job and only change ten or twelve permits. I felt you might feel we were making light of the whole situation. We didn't want that impression to be left with you, so as of now, we have made no changes.

If you still have strong feelings after reading the report, I would certainly like to hear from you. If not, you can give us more specific direction next Tuesday evening. I have taken this approach because I don't think two weeks are going to make a substantial change in the attitudes of people. As you can see from Item #1, the need for enforcement is reducing steadily and as I had indicated in answer to one of your questions that we are probably approving about 20%, it would seem that the figure is closer to 25%. I think you should look at this report and make some decisions in your own mind as to what the next step should be.

J A C K

September 10, 1984

TO: John T. Irving, City Manager
FROM: Miles D. Johnson, City Treasurer
SUBJECT: 1985 Budget Estimate Figures

The figures below are based on what information I have at this time.
As I get better information, I will continue to update this information.

	<u>1983/84</u>		<u>1984/85</u>	
<u>Levy for:</u>	<u>\$</u>	<u>Mills</u>	<u>\$</u>	<u>Mills</u>
General Fund	\$ 1,668,763.	12.752	\$ 1,804,312.	12.981
Audit Fund	11,500.	.088	12,000.	.087
Police Relief	172,233.	1.317	217,794.	1.567
Fire Relief	29,800.	.228	30,800.	.222
Debt Service Fund	48,100.	.368	25,300.	.182
City Pension Fund	238,380.	1.822	200,000.	1.439
	<u>\$ 2,168,776.</u>	<u>16.575</u>	<u>\$ 2,290,206.</u>	<u>16.478</u>
HRA	44,286.	.333	46,332.	.333
	<u>\$ 2,213,062.</u>	<u>16.908</u>	<u>\$ 2,336,538.</u>	<u>16.811</u>

The above 1984/85 calculations are based on preliminary assessed valuation of \$139,000,000.

1985 Levy Limits

Calculations of Levy Limits

General Fund - Max.	\$ 1,876,409.	
Audit Fund	12,000.	
Police Relief Assoc.	217,794.	
Fire Relief Assoc.	30,800.	
Debt Service Fund	25,300.	
City Pension Fund	200,000.	
		\$ 2,362,303.
Less items authorized to be <u>excluded</u> from Levy Limitations		<u>- 410,432.</u>
Maximum levy as set by State of Minnesota (1984 Base + 5%)		\$ 1,951,871.

MDJ/mc

TO: John T. Irving
FROM: William L. Sherburne *WLS*
DATE: September 7, 1984
RE: Shingle Creek Water Management Organization
Budget - 1984

The organizational meeting of the SCWMO was held on 9/6/84. An item of discussion was the 1985 budget. This being the first meeting, budget items have not been determined and set; however, it is anticipated that the 1985 budget would require \$8,200 from the City of Crystal. This amount is based on a \$30,000 organizational expense fund established by the Joint Powers Agreement as a 1984 levy and an anticipated budget for 1985 of \$60,000.

It is recommended that \$8,200 be appropriated in the 1985 City of Crystal budget for payments to the SCWMO.

WLS:jrs

To: Chief Mossey
From: Manager Thomseth
Subj: New Parking Ordinance
Enforcement, Permits Issued, Permits Denied
Date: September 6, 1984

1. ENFORCEMENT

During the month of August enforcement of the new parking ordinance showed growing compliance as enforcement continued.

<u>DATES</u>	<u>VIOLATIONS</u>
August 2 to August 6	128
August 8 to August 12	112
August 15 to August 18	77
August 22 to August 25	46

2. PERMITS ISSUED

As of this date 46 parking permits have been issued. Attached is a list of the permits which are still valid and the vehicles they have been issued to.

3. APPLICATIONS FOR PERMITS DENIED

As of this date 201 requests for permits have been received. From those applications 155 have been denied permits for the following reasons:

130 (84%)	Sufficient off-street parking available
14 (9%)	Sufficient off-street parking but available space occupied by recreational vehicles
5 (3%)	Sufficient off-street parking but available space occupied by commercial vehicles
2 (1.3%)	Sufficient off-street parking available but available space occupied by collector or antique vehicles
2 (1.3%)	Sufficient off-street parking but available space occupied by other items
2 (1.3%)	Adequate space for one vehicle per resident but number of vehicles exceeds one per licensed resident

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. Schietter
Charles L. LeFevere
Herbert P. Lefler III
Jeffrey J. Strand
Mary J. Bjorklund
John G. Kressel
Dayle Nolan
Cindy L. Lavorato
Michael A. Nash
Brian F. Rice
Lorraine S. Clugg
James J. Thomson, Jr.
James M. Strommen
Mary C. Nielsen

April 12, 1984

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

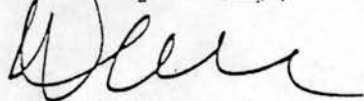
Re: Amendments to Fire Code

Dear Jack:

Enclosed you will find a draft ordinance which makes a series of amendments to Section 905 of the Crystal City Code dealing with fire prevention. All of these changes have been suggested by Art Quady and you may recall that some time back I dropped you a note indicating that I thought they were in proper form and that I would be preparing the ordinance. For some reason I overlooked doing that and I have told Art that I was sorry for the delay.

Most of the changes simply update the ordinance to comply with state law and add a few more stringent requirements which is permitted under the governing statute, Minnesota Statutes, Chapter 299F. The sections on barbecues and ventilating systems are new and inserted at Art's request.

Yours very truly,



David J. Kennedy

DJK:caw
Enclosure
cc: Art Quady

SENT WITH PRELIMINARY AGENDA 8/17/84

Council minutes of 8/7/84.

Planning Commission minutes of 8/13/84.

List of polling places and election judges.

Letter from Marshall Everson of 8/6 re waiver of ~~fire~~ fire-life safety code for Montessori School; report from Fire Inspector.

Petitions re Iron Horse operation (against).

Criteria for issuing parking permits; letter from A. Rygg re Perlick's problem re parking.

Park land dedication requirements.

Memo from Tom Heenan; copy of Brooklyn Park's housing maintenance code.

Letter from Lee L Verstandig of 7/18; remarks of the Pres. at signing of drinking age legislation of 7/17; remarks of Pres. to 44th Conf. of Nat'l. Sheriff's Ass'n. of 6/20.

Letter from Dave Kennedy of 8/3 re increase in his hourly rate of salary.

Letter from Maple Grove & remarks from Crystal businessman re business climate.

Memo from Roger Olson of 8/8 re Paul Nyquist property at 3553 June.

Letter from Rosenthal & Rondoni law firm; letter to Paul Rosenthal from Chief Mossey of 8/16, responding to Rosenthal & Rondoni information.

SENT WITH AGENDA 8/21/84

Memo to Council re negotiations on Bass Lake Road properties Update #1.

Montessori Day Care Center, Inc. sublease agreement.

COUNCIL AGENDA

August 21, 1984

Pursuant to due call and notice thereof, the meeting of the Crystal City Council was held on August 21, 1984, 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
_____ Rygg
_____ Schaaf
_____ *AP* Pieri
_____ Aaker
_____ *AM* Moravec
_____ Smothers

Staff

_____ Irving
_____ Kennedy
_____ Olson
_____ Sherburne
_____ Peterson
_____ Deno
_____ 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 7, 1984, 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 4, 1984, as the date and time for the public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a variance to build a 14'x14' deck which encroaches 7.75' in the required 24.75' side street side yard setback at 6021 - 34th Avenue North as requested by Edwin Puumala.
2. Set 7:00 P.M., or as soon thereafter as the matter could be heard, September 4, 1984, as the date and time for the public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a variance of 20 off-street parking spaces in the required 66 outdoor off-street parking spaces at 4710 - 58th Avenue North (Twin Lake North Condominiums) as requested by Melvin Gittleman.
3. The City Council considered appointment of election judges and designation of polling places for the September 11, 1984, Primary Election, as per list submitted by the City Clerk.

August 21, 1984

CONSENT AGENDA (continued)

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

Moved by Councilmember S and seconded by Councilmember S to approve the Consent Agenda. (Motion Carried.)

REGULAR AGENDA

It being 7:00 P.M., or as soon thereafter as the matter may be heard, Mayor Aaker declared this was the date and time as advertised for a public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Ronald A. Vander Heiden for a variance of 20.5' in the required 30' front yard setback to build a 24'x26' detached garage at 6822 - 45th Avenue North. The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were: *Rec. [illegible]*

Those present and heard were: R.C.
 Al Jackson 7510 Jersey - Cn air - Cn dr - ...
 to encroach 20.5' S v 1/2 S ...

Moved by Councilmember H and seconded by Councilmember L to approve the authorization to grant a variance pursuant to Section 515.07, Subd. 5c(3), to allow the construction of a 24'x26' detached garage at 6822 - 45th Avenue North as requested in Variance Application #84-34A. 100213-2222 Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Application #84-34A. Motion Carried.

2. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Aaker declared this was the time and date as advertised for a public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Michael Kauffmann for a variance of 13.6' in the required 16.6' side street side yard setback to build a 24'x24' attached garage at 7022 Corvallis 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 Ry and seconded by Councilmember Sm to approve the authorization to grant a variance pursuant to Section 515.13, Subd. 3a)2), to allow the construction of a 24'x24' attached garage at 7022 Corvallis Avenue North as requested in Variance Application #84-31T. Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Application #84-31T. Motion Carried.

3. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Aaker declared this was the time and date as advertised for a public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Robert W. Krause for a variance of 7' in the required 40' rear yard setback to build a 14'x10' deck at 5432 Unity 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 Shy and seconded by Councilmember Sm to approve the authorization to grant a variance pursuant to Section 515.13, Subd. 4a), to build a 14'x10' deck at 5433 Unity Avenue North as requested in Variance Application #84-35. Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Application #84-35. Motion Carried.

August 21, 1984

4. It being 7:00 P.M., or as soon thereafter as the matter could be heard, Mayor Aaker declared this was the time and date as advertised for a public hearing, at which time the City Council will sit as a Board of Adjustments and Appeals, to consider a request from Patrick E. Cosgrove for a variance of 21' in the required 40' rear yard setback to build a deck at 4828 Zane 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 S and seconded by Councilmember H to approve the authorization to grant a variance pursuant to Section 515.13, Subd. 4a), to build a deck at 4828 Zane Avenue North, as requested in Variance Application #84-36.

Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) Variance Application #84-36.

Motion Carried.

5. The City Council considered a request from Godfather's Pizza for a building permit to remodel a 50'x64' existing building at 99 Willow Bend (Crystal Shopping Center).

Sid Rolf - 372 Godfather's.

Moved by Councilmember S and seconded by Councilmember Don to (approve as recommended by the Planning Commission) (deny) (continue until _____ the discussion of) building permit approval to remodel a 50'x64' existing building for Godfather's Pizza at 99 Willow Bend.

Motion Carried.

6. Marilyn Gitler of Northwest YMCA appeared before the City Council to discuss the Detached Worker program.

Mike Roff - detached worker.

Reg. 2/1/85 - 3-3-85

August 21, 1984

10. The City Council considered a request from Gregory Christian dba Quickie Auction for an auctioneer's license for an auction at the Bungalow Motel and Restaurant on September 18 and 20, 1984.

Moved by Councilmember Am and seconded by Councilmember A to (approve) (deny) (continue until _____ the discussion of) the auctioneer's license from Gregory Christian dba Quickie Auction for an auction at the Bungalow Motel and Restaurant on September 18 and 20, 1984.

Motion Carried.

11. The City Council considered a request from Milton Andersen dba Andersen Auctioneering & Appraising for an auctioneer's license for an auction at 4809 Idaho Avenue North on September 8, 1984.

u & Ry = Am u B

12. The City Council considered methods to reduce truck traffic on Idaho and 54th Avenue North.

5221 Idaho Mr. Dominick
 ① u S tackle 4, 5 & 6 u Ry u B
 ② u Ry u B u H

52, 19:10 t
 52, 19:20 t

13. The City Council considered petitions regarding the Iron Horse and its operation.

Gary Bundlach
 357 57 adair
 Dan Cook 5624
 Bob Wetzka 5648 Brunswick
 Judy Briebe 5632 Brunswick
 Ronald Briebe 5632 Brunswick
 Mr. Briebe
 Constance Joppa 5757 Brunswick
 Chris Gund 5642
 Roger Joppa 5757 Brunswick
 Ron Wroblewski 5640 Brunswick
 Joe Strahan 5608

u Ry u B u H u S u G u M u P u R u T u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B 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u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X 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u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F u G u H u I u J u K u L u M u N u O u P u Q u R u S u T u U u V u W u X u Y u Z u A u B u C u D u E u F <

August 21, 1984

14. The City Council considered the criteria used as guidelines for issuing temporary parking permit.

Admit. Sophia Perlick 3401 Edgem.

Thurcie Lundgren

Thirle Lundgren
① - 4 Rys. 0100 (23) 10-0. 2, 5, 10 = 75

① $H^0(R_{\mathcal{A}})$

$\sim \frac{1}{\sqrt{\lambda}} \ln \lambda$

122022nd Feb - 6

- ✓ 15. The City Council considered Mayor Aaker's appointments to the Civil Service Commission.

Commission.
Art Cunningham convenes in Sept. 86

Cyril Soukup - Ea 84

Agnes Soukup - 81
Karen Baker (Mrs. Vern) 85

$$\xrightarrow{u} S = H, \xrightarrow{u} \theta_1,$$

- ✓ 16. The City Council considered a request from Councilmember Herbes to discuss park land dedication in platting.

- ✓ 17. The City Council considered a request by Councilmember Schaaf to discuss the Housing Maintenance Code. *Tom Heener* 4.1.18 *Q. 181-182*

9 ~ 21, 6-6, 75-6-8.

\rightarrow Ist eine (600) Gitterebene, d.h. $d = \frac{a}{\sqrt{3}}$

100. 1 - (1) 100. 1 - (1)

- ✓ 18. The City Council considered a request by Councilmember Herbes urging the legislature to raise the drinking age to 21 years of age.

Jan Scofield
3656 Colo. 4 C 1/2

— H-5 ~~170810~~ 170810

O Am A H
 ~ a Reg ~ b/
 2 - b. P. M.

2-6. P. 1 m.

19. The City Council considered a request from David Kennedy to increase the hourly rate of legal services provided to the City of Crystal.

— Ry = *L* *one* *6* *one* *—* *481*

one *1000* *600* *600* *260/170/600* *Lo.* *Jan 1 1985*

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

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

APPLICATIONS FOR LICENSE

AUGUST 21, 1984

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

Thriftway Market, 5715 West Bdwy., Coke and hot dog
promotion August 23 to 25th, 1984.

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

Woodside Enterprises at Arnolds Hamburger Grill,
5518 Lakeland Ave. North

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

Baldy Sanitation, Maple Plaine, Minnesota

CIGARETTES: (\$12.00 ea. machine and/or over counter sales) Pro-rated
Arnold's Hamburger Grill - 5518 Lakeland Ave. N.

GAS FITTERS (\$30.25)

Challeen Mechanical Inc.
Metro Gas Installers
Northwestern Service, Inc.

PLUMBING (\$30.25)

Galaxy Mechanical Contractor
Groth Sewer & Water

August 17, 1984

Dear Councilmembers:

Tuesday night's meeting will consist of a lot of last-minute Councilmember requests for discussion items on the agenda, all of which, in my opinion, seem to be somewhat important. I am not certain that you will reach a conclusion on many of them in one meeting, but discussion certainly should start.

The meeting should go somewhat as follows:

The minutes of the regular meeting of August 7, 1984, are enclosed for your review.

Consent Agenda

ITEM

SUPPORTING DATA

- | | |
|---|---|
| 1. Set Public Hearing to consider a request from Edwin Puumala for a variance to build a 14'x14' deck which encroaches 7.75' in the required 24.75' side street side yard setback at 6021 34th Ave. N. | None. |
| 2. Set Public Hearing to consider a request from Melvin Gittleman of Gittleman Corporation for a variance of 20 off-street parking spaces in the required 66 outdoor off-street parking spaces at 4710 - 58th Ave. N. (Twin Lake North Condominiums). | Planning Commission minutes of 8/13/84, item 3. |
| 3. Appoint election judges and designate polling places for the September 11, 1984, Primary Election, as per list submitted by the City Clerk. | List of polling places and judges. |

As you can see, the first two items are merely setting public hearings for variances to the strict compliance of City ordinances.

The third item is appointing ballot judges and designating polling places for the September 11, 1984 Primary Election. Later on you will be appointing ballot judges for the General Election of November 6, 1984.

The regular meeting will go as follows:

Regular Agenda

1. Public Hearing to consider a request from Ronald A. Vander Heiden for a variance to build a 24'x26' detached garage which will encroach in the front half of the lot at 6822-45th Ave. N. None.

It is my understanding that some of the neighbors may be in objecting to this additional garage on that site--at least I have been informed by one neighbor who has suggested that.

2. Public Hearing to consider a request from Michael Kauffmann for a variance to build a 24'x24' garage that will encroach 13.6' in the side street side yard setback at 7022 Corvallis Ave.N. None.

Much discussion has been held regarding this variance as it relates to the corner lot or an interior lot. It was decided that under no conditions could it be determined anything other than a corner lot; hence, the 13.6' variance request.

3. Public Hearing to consider a request from Robert W. Krause for a variance of 7' in the required 40' rear yard setback to build a 14'x10' deck at 5432 Unity Ave. N. None.
4. Public Hearing to consider a request from Patrick Cosgrove for a variance of 21' in the required 40' rear yard setback to build a 12'x23' deck at 4828 Zane Ave. N. None.

Don Peterson will explain Items #3 and #4 in sufficient detail Tuesday night. I believe the lead-ins provide you some information so that if you desire to drive by, you will understand what you are looking at.

5. Appearance by Marilyn Gitler of the Northwest YMCA to discuss the detached worker program. None.

Marilyn will be in to discuss the detached worker program and request that the Council set aside additional funds for its participation in the detached worker program for the year 1985.

6. Appearance by Marshall Everson of Montessori Academy, Inc., concerning waiver of the fire-life safety code. Letter from Mr. Everson dated 8/6/84; report from Fire Inspector.

6. (Continued)

I believe sufficient supporting data is enclosed. If you have further questions of either Mr. Everson or the Fire Department, both will be present Tuesday evening. It is my understanding parents from the Infant Day Care Center will be present to assist Mr. Everson in his appeal.

7. Consideration of rezoning property north of Super Valu (42nd & Douglas Drive) on Colorado Ave. (Lot 2, Block 1, Lois 8th Addition) from R-1 to R-3, as requested by John Paulson. Planning Commission minutes of 8/13, item 1.

The Planning Commission did recommend approval of this item.

8. Consideration of a request from Olivet Baptist Church for approval of two wall signs (23'9"x1'3" on the west wall and 19'x1' sign on the west wall. None.

I suspect somebody from the church will be present. If not, Don can explain or answer any questions you may have Tuesday evening.

9. Consideration of a request from God-father's Pizza to consider a building permit to remodel a 50'x64' existing building at 99 Willow Bend (Crystal Shopping Center). None.

The Planning Commission recommended approval on this item.

10. Consideration of a request from Gregory Christian dba Quickie Auction for an auctioneer's license for an auction at the Bungalow Motel and Restaurant on September 18 & 20, 1984. None.

Mr. Christian will be present this time. No action at the last meeting on the A. C. Carlson site I think thoroughly convinced him that he should be in attendance when asked to be.

11. Consideration of methods to reduce truck traffic on Idaho & 54th. None.

By Tuesday evening staff will have a recommendation for you to consider. It is a very difficult problem to solve in my opinion. Each time we come up with what we think is a good solution of the problem, we immediately proceed to poke holes in it. But, as requested by the Council, we will make some form of recommendation to you on Tuesday evening.

12. Consideration of petitions regarding the Iron Horse operation. Copy of petitions.

It is my understanding that Councilmember Herbes will be in this morning with a copy of two petitions. I have been advised that they will request the closing of the Iron Horse, although I have not as yet seen the petitions so I am not certain that is true. When Betty comes in, we will copy those petitions and enclose them for your information. (P.S. - She just walked in the door.)

13. Consideration of criteria used as guidelines for issuing temporary parking permits. Criteria for issuing permits; Letter from Ade Rygg.

I believe the information enclosed regarding the guidelines used in issuing some temporary parking permits is self-explanatory and they are at the request of the Council. Ade Rygg's letter raises another issue, but has to do with the parking ordinance so I thought we could double up and discuss both items at the same time.

Edgewood Avenue was dedicated and partially developed with the Perlick Addition. It was dedicated in that plat which was signed by Sophia Perlick and others. Sophia Perlick is the person who indicates it is not a dedicated street merely because we do not plow it. Under normal circumstances, if she had a driveway on the north side of her property that required egress and ingress to occur on Edgewood Avenue, we would plow the street, but Sophia Perlick has chosen not to build a driveway, or a garage, so it has been our determination that it is unnecessary to plow that street during the wintertime as it goes nowhere and accomplishes nothing.

The reason tags are issued on that stretch of street is because almost constantly five to seven cars are parked there, repaired there, and left there with "for sale" signs on them, and we receive complaints about that from time to time. Using the same criteria that the Council used twice in denying personal requests from a resident on the corner of 51st Place and Florida, who had a similar situation, a street that went nowhere, was not blacktopped and they were requesting the Council in person to allow them to park on that street as they were the only people on that street.

Their major reason was that the driveway to their single car garage was not long enough to allow them to park a car in the garage and one in the driveway without the car sticking out in the street. On both occasions, the Council refused their request. Those people have since demolished the small garage and are building a double garage to accommodate their two cars and locating it in a different position on their lot so they would have a normal length driveway to park their cars and off the street.

13. (Continued)

Using that as a basis for our decision, we felt it would be a difficult position for us to put the City in if the Council had previously denied that request and then staff would turn around and approve the request of Sophia Perlick who has not availed herself to remedies even less expensive than the people at 51st Place and Florida Avenue.

I am sure, as you can see from Ade's letter, he will have more to say on this subject. We will have with us supporting information regarding my claims.

14. Consideration of Mayor Aaker's appointments to the Civil Service Commission. None.

Mayor Aaker requested that I put this on the agenda. He will make his appointments Tuesday evening. As you all know, the Mayor makes the appointments with the approval of the Council.

15. Consideration of a request from Councilmember Herbes to discuss park land dedication in platting. Park land dedication requirements.

I am sure Betty will make a presentation on this suggestion Tuesday evening.

16. Consideration of a request by Councilmember Schaaf to discuss the housing maintenance code. Memo from Tom Heenan, Sanitarian; copy of Brooklyn Park's housing maintenance code.

It is my understanding from a discussion with Councilmember Schaaf that neighbors of Gustafson's on 48th and Xenia will be in to request the Council to consider amendments to the present housing code. I have asked Tom Heenan to get a copy of the present Brooklyn Park ordinance that has the kinds of direction and authority needed in our ordinance to accomplish the things the Council has hoped they could do when situations occur like those that have occurred over the last couple of years at the Gustafson home on Xenia.

Tom will also appear to answer questions regarding the enforcement problems, if any, in Brooklyn Park and in Brooklyn Center, who has a very similar ordinance to the Brooklyn Park ordinance. As you may or may not know, Tom is the enforcement officer in both those communities under our joint powers agreement.

17. Consideration of a request by Councilmember Herbes to discuss urging the legislature to raise the drinking age to 21 years of age. Letter from Lee L. Verstandig of 7/18; remarks of the President at signing of drinking age legislation of 7/17; remarks of the President to 44th Conf. of Nat'l. Sheriff's Ass'n. of 6/20

17. (Continued)

Again, I am sure Betty will explain her reasons for asking for this to be on the agenda.

18. Consideration of a request from Dave Kennedy to increase his hourly rate. Copy of letter from Dave Kennedy dated 8/3/84.

I believe Dave will fully explain his request and answer questions for you Tuesday evening.

That should be it for the Council meeting Tuesday night. As always, if something urgent comes up between now and then, we will attempt to make room for it on the agenda.

I have also included for your information the following items:

1. Letter from Maple Grove and remarks from a Crystal businessman.
2. Memo from Roger Olson of 8/8/84 re Paul Nyquist property at 3553 June Ave. N.
3. Letter from Rosenthal & Rondoni law firm; letter to Paul Rosenthal from Chief Mossey of 8/16/84, responding to Rosenthal & Rondoni information.

Have a nice weekend. See you Tuesday.

J A C K

da
enc.

APPLICATIONS FOR LICENSE

AUGUST 21, 1984

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

Thriftway Market, 5715 West Bdwy., Coke and hot dog
promotion August 23 to 25th, 1984.

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

Woodside Enterprises at Arnolds Hamburger Grill,
5518 Lakeland Ave. North

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

Baldy Sanitation, Maple Plaine, Minnesota

CIGARETTES: (\$12.00 ea. machine and/or over counter sales) Pro-rated
Arnold's Hamburger Grill - 5518 Lakeland Ave. N.

GAS FITTERS (\$30.25)

Challeen Mechanical Inc.
Metro Gas Installers
Northwestern Service, Inc.

PLUMBING (\$30.25)

Galaxy Mechanical Contractor
Groth Sewer & Water

Da
DUE DATE: NOON, WEDNESDAY
AUGUST 15, 1984

MEMO TO: John T. Irving, City Manager

FROM: John A. Olson, Assistant City Manager

ACTION NEEDED MEMO: From the August 7, 1984, Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of August 7, 1984. 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 6822 - 45th Avenue North.
ACTION NEEDED: Place item on August 21, 1984 Council Agenda.
ACTION TAKEN: Item placed on August 21, 1984 Council Agenda.

BLDG. INSPECTOR ACTION NEEDED: Notify affected property owners.
ACTION TAKEN: Notice mailed 8-8-84.

ASST. CITY MGR. 2. Set public hearing to consider a request for a variance at 7022 Corvallis Avenue North.
ACTION NEEDED: Place item on August 21, 1984 Council Agenda.
ACTION TAKEN: Item placed on August 21, 1984, Council Agenda.

BLDG. INSPECTOR ACTION NEEDED: Notify affected property owners.
ACTION TAKEN: Notice mailed 8-8-84.

<u>DEPARTMENT</u>	<u>ITEM</u>	
ASST. CITY MGR.	3.	<p>Set public hearing to consider a request for a variance at 5432 Unity Avenue North.</p> <p>ACTION NEEDED: Place item on August 21, 1984 Council Agenda.</p> <p>ACTION TAKEN: Item placed on August 21, 1984, Council Agenda.</p>
BLDG. INSPECTOR		<p>ACTION NEEDED: Notify affected property owners.</p> <p>ACTION TAKEN: Notice sent 8-8-84.</p>
ASST. CITY MGR.	4.	<p>Set public hearing to consider a request for a variance in parking at Burger King, 36th Avenue North and Highway 100.</p> <p>ACTION NEEDED: Place item on September 4, 1984 Council Agenda.</p> <p>ACTION TAKEN: Item to be placed on September 4, 1984 Council Agenda.</p>
ENGINEERING DEPT.		<p>ACTION NEEDED: Notify affected property owners.</p> <p>ACTION TAKEN: Notices ready for mailing.</p>
ASST. CITY MGR.	5.	<p>Set public hearing to consider a request for a variance at 4828 Zane Avenue North.</p> <p>ACTION NEEDED: Place item on August 21, 1984 Council Agenda.</p> <p>ACTION TAKEN: Item placed on August 21, 1984, Council Agenda.</p>
BLDG. INSPECTOR		<p>ACTION NEEDED: Notify affected property owners.</p> <p>ACTION TAKEN: Notice sent 8-8-84.</p>

REGULAR AGENDA

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY MANAGER	1.	Consideration of the appointment of a person to fill the vacancy of Section I Councilmember. ACTION NEEDED: Note necessary changes to reflect Mr. Moravec's appointment. ACTION TAKEN: Changes noted.
BLDG. DEPT.	2.	Public hearing to consider a request for a variance to build a detached garage at 4606 Douglas Drive. ACTION NEEDED: Notify property owner of Council approval. ACTION TAKEN: Applicant present at meeting.
BLDG. DEPT.	3.	Public hearing to consider a request for a variance in the side street side yard setback at 5335 Hampshire Avenue North. ACTION NEEDED: Notify property owner of Council approval. ACTION TAKEN: Applicant present at meeting.
BLDG. INSPECTOR	4.	Public hearing to consider a request for a variance in the rear yard setback at 2742 Brookridge. ACTION NEEDED: Notify property owner of Council approval. ACTION TAKEN: Applicant present at meeting.
CITY ENGINEER	5.	Public hearing to consider a request for tentative approval of the proposed plat DeVito Addition located at 3515-3517 Major Avenue North. ACTION NEEDED: Notify property owner of Council approval. ACTION TAKEN: Surveyor notified by phone to proceed to final preparation.

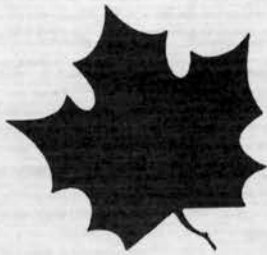
<u>DEPARTMENT</u>	<u>ITEM</u>	
	6.	Appearance by Steven L. Becher regarding adjustment in special food handling license fee. ACTION NEEDED: No action needed at this time.
CITY ENGINEER	7.	Consideration of accepting surety in the amount of \$46,000 from John Neznik for Crystal Collision Center. ACTION NEEDED: Accept surety in the amount of \$46,000. ACTION TAKEN: Agreement signed and mailed to John Neznik and documents filed.
CITY MANAGER		ACTION NEEDED: Sign agreement for work requirements at 5108 West Broadway. ACTION TAKEN: Agreement signed.
BLDG. DEPARTMENT		ACTION NEEDED: Issue permit for a 165'x70' masonry building at 5108 West Broadway. ACTION TAKEN: Permit issued.
CITY CLERK	8.	Consideration of a request for an auctioneer's license from C. Mel Strunk for an auction at 3516 North Lilac Drive on August 18, 1984. ACTION NEEDED: Notify Mr. Strunk of Council approval. ACTION TAKEN: License issued.
CITY CLERK	9.	Consideration of a request for an auctioneer's license from Gregory J. Christian dba Quickie Auction, for an auction at 6230 - 56th Avenue North on August 14, 1984. ACTION NEEDED: Notify applicant of Council denial. ACTION TAKEN: Applicant notified.

<u>DEPARTMENT</u>	<u>ITEM</u>	
ADMIN. ASST.	10.	Consideration of consultant to assist the City with the Employee Right To Know law. ACTION NEEDED: Notify Occupational Health, Incorporated that they have received the approval of the Council and an agreement must be signed. ACTION TAKEN: Meeting with Occupational Health to set up program and sign contract.
CITY CLERK	11.	Consideration of a request from Steven Weisman of the Crystal Lounge to hold a pig roast and allow drinking in the parking lot on September 22, 1984. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant notified.
CITY CLERK	12.	Consideration of the Second Reading of an ordinance adopting the Minnesota State Uniform Fire Code. ACTION NEEDED: Publish ordinance. ACTION TAKEN: Ordinance submitted for publishing.
CITY CLERK	13.	Consideration of Second Reading of an ordinance vacating utility easement at 7022 Corvallis Avenue North. ACTION NEEDED: Publish ordinance. ACTION TAKEN: Ordinance submitted for publishing.
CITY ENGINEER	14.	Consideration of bids for an improvement of an alley from 48th to Xenia between Welcome and Xenia. ACTION NEEDED: Notify low bidder of Council approval. ACTION TAKEN: Contract forwarded to H. L. Johnson for signature, bond and insurance.

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY MANAGER	15.	Consideration of the installation of parking ban signs on major streets entering the City. ACTION NEEDED: Council disapproved of installing "no parking" signs; provide Council with criteria used in issuing permits. ACTION TAKEN: Criteria provided in Council packet.
CITY CLERK	16.	Consideration of appointing a representative to the Board of Twin West Chamber of Commerce. ACTION NEEDED: Notify Chamber of Commerce of the appointment of Councilmember Rygg. ACTION TAKEN: Chamber of Commerce notified 8-14-84.
CITY CLERK	17.	Consideration of recommending a person to the Northwest Suburbs Cable Communications Commission to represent Crystal on the Board of Directors of the Community Access Corporation. ACTION NEEDED: Notify Northwest Cable Commission of the appointment of Tom Aaker to the CAC. ACTION TAKEN: Northwest Cable notified 8-14-84.
CITY MANAGER	18.	Consideration of a proposal received from Target regarding parking. ACTION NEEDED: Pursue further negotiations in line with Council discussion. ACTION TAKEN: Negotiations to be pursued.
CITY MANAGER	19.	Consideration of sending the Mn/DOT a letter requesting funds for the upgrading of the intersection of #169 and Bass Lake Road. ACTION NEEDED: Proceed with letter. ACTION TAKEN: Letter sent 8-9-84.

<u>DEPARTMENT</u>	<u>ITEM</u>	
HEALTH DEPT.	20.	<p>Consideration of a request for a food establishment license for Nankin Express, 6800 - 56th Avenue North.</p> <p>ACTION NEEDED: Issue license pending the passing of inspections.</p> <p>ACTION TAKEN: No action taken.</p>
CITY CLERK	21.	<p>Consideration of a special meeting to discuss two departments in the City.</p> <p>ACTION NEEDED: Notify newspaper of August 28, 1984 special meeting.</p> <p>ACTION TAKEN: Special meeting notice posted in City Hall. North Hennepin Post was present at meeting.</p>
CITY CLERK	22.	<p>Consideration of sending Mayor Aaker to the conference in Indianapolis.</p> <p>ACTION NEEDED: Prepare registration materials and travel arrangements.</p> <p>ACTION TAKEN: Registration materials in process.</p>
ADMIN. ASST.	23.	<p>Consideration of the appointment of a Council liaison to the Environmental Commission.</p> <p>ACTION NEEDED: Notify Commission of the appointment of John Moravec as liaison to the Commission.</p> <p>ACTION TAKEN: Commission to be notified 8-16-84.</p>
ASST. CITY MGR.	24.	<p>Review of the Crystal Gift Guide.</p> <p>ACTION NEEDED: Prepare wording to indicate small donations are accepted also.</p> <p>ACTION TAKEN: Proceeding with publication of Gift Guide.</p>
FIRE CHIEF & ARCHITECT	25.	<p>Consideration of naming the new North Fire Station in honor of John T. Irving.</p> <p>ACTION NEEDED: Prepare plaque indicating that the fire station is to be called the John T. Irving Fire Station.</p> <p>ACTION TAKEN: Plaque to be prepared during building construction.</p>

<u>DEPARTMENT</u>	<u>ITEM</u>	
PARK & REC.	26.	Consideration of sending a letter of thanks and appreciation to the part-time Park & Recreation workers for the summer. ACTION NEEDED: Prepare letter and send with checks. ACTION TAKEN: Letter sent 8-10-84.
CITY MANAGER	27.	Consideration of purchasing the Gustafson property by the HRA. ACTION NEEDED: Notify HRA of Council desire to have HRA investigate possible purchase of property. ACTION TAKEN: HRA notified 8-9-84.
CITY CLERK	28.	Licenses ACTION NEEDED: Issue licenses. ACTION TAKEN: Licenses issued.



CITY OF
maple grove

9401 FERNBROOK LANE / MAPLE GROVE, MINNESOTA 55369 - 9998 / PHONE: 420-4000

MAYOR James Deane
COUNCILMEMBER David Burtness
COUNCILMEMBER Charles Dehn
COUNCILMEMBER Donald Ramstad
COUNCILMEMBER Donna Ryon

CITY ADMINISTRATOR Douglas S. Reeder

GREETINGS FROM THE CITY OF MAPLE GROVE

As a growing business, your firm may be looking for the opportunity to expand through the construction of a new building or larger lease space. In Maple Grove, I know we can meet your needs. We are strongly promoting commercial and industrial development, and it would be our pleasure to serve you.

Enclosed you will find material on our City. We ask that you consider our community should you be in the need of lease space or land for your own facility. Our City also has access to numerous below-market rate financing programs which may be beneficial to you. If I can be of further assistance, please do not hesitate to call me at 420-4000.

Sincerely,

Alan A. Madsen
Economic Development Director

*To: Crystal Pinnell
& Mayor*

AAM:ct
Enclosure

*What does the city of Crystal offer?
except a hard way to go at every turn!
Our city has the worst reputation
in the State for being negative
toward business.
A Crystal Businessman*

ROSENTHAL & RONDONI, LTD.
ATTORNEYS AT LAW
SUITE 120
7600 BASS LAKE ROAD
MINNEAPOLIS, MINNESOTA 55428-3891

PAUL W. ROSENTHAL
FRANCIS J. RONDONI
PETER A. MACMILLAN

August 2, 1984

AREA CODE 612
533-4938

Honorable Mayor and Councilmembers
City of Crystal
4141 Douglas Drive
Crystal, Minnesota 55422

Re: Prosecution

Dear Mayor and Councilmembers:

We have been prosecuting for the City of Crystal for three months now. There was a minimum of difficulty in the transitional process, and things have progressed quite smoothly. In addition to some miscellaneous residue in the papers received from the other firm, we have opened 669 files, and the volume has steadily increased. Early on, there were some minor communication problems between our office the Police Department which were easily and immediately solved when brought to light. We have been impressed by the performance of the officers and particularly appreciate the fine cooperation and assistance of the Chief and Luella; she is a gem.

Our system is to open one file per defendant, no matter how many charges; often there are several charges against a defendant. Our practice has been to open a file only in those instances which require our action or approval. In that regard, please refer to the enclosed correspondence to Jack Irving relating to the "5:59" a.m. parking ticket issued to Cortner.

Enclosed are samples of the weekly disposition reports we send to the Police Department. Also enclosed is a statistical summary of closed cases, by type of offense. Thus far no case has gone to jury trial, but we have several each week that are tried to the Court. We anticipate the possibility that two or three cases may be tried to a jury in the next two months. (I believe that only two or three cases went to jury trial in all of 1983).

Our present staff consists of three attorneys and three and one-half secretaries, one of whom spends the majority of her time on prosecution matters. Each of the attorneys is involved in the prosecution process. Mr. Rondoni and I have each attended a one-day training session on the new Intoxilyzer 5,000, which, together with recent statutory laws, should result in better enforcement of the drinking-driving laws. Mr. MacMillan and I also attended a two-day prosecution seminar put on by the Minnesota County Attorneys' Association.

Honorable Mayor and Councilmembers
Page Two
August 2, 1984

We have a definite policy established as to plea negotiations and, if you feel it to be a prudent disclosure, we will furnish it to you in writing.

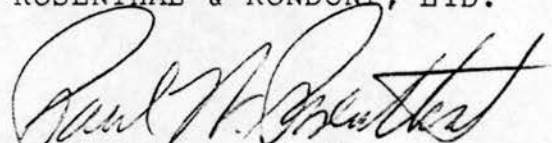
Judges are, as you know, eventually subject to the political process of election and each has his or her own philosophy on crime and punishment. As a general observation we feel that they are too lenient on fines. This may be an item you might want to pursue.

There have been significant changes in statutory law and developments in the case law so we want to present a case law/legislation up-date session for the Police Department in the near future.

We would be happy to meet with the City Council or members of the staff any time, at a regular meeting or special informational session, to answer any questions you may have.

Sincerely,

ROSENTHAL & RONDONI, LTD.

A handwritten signature in dark ink, appearing to read "Paul W. Rosenthal", written in a cursive style.

Paul W. Rosenthal

PWR/jk

ROSENTHAL & RONDONI, LTD.

ATTORNEYS AT LAW

SUITE 120

7600 BASS LAKE ROAD

MINNEAPOLIS, MINNESOTA 55428-3891

July 27, 1984

PAUL W. ROSENTHAL
FRANCIS J. RONDONI
PETER A. MACMILLAN

AREA CODE 612
533-4938

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

Re: Dismissal of Citations

Dear Jack:

Each week we receive several "Recommendations For Dismissal of Citation" forms signed by Jim Mossey. Enclosed is a sample of the form that is used. As you can see, if someone were to call our office and inquire about the status of John Doe's parking ticket, we would have no way of knowing.

As these are received, Frank Rondoni takes them to the Courthouse and places them in the appropriate "in basket" and they are processed by the Court without any further contact with us. Presumably, they take prompt action in doing so, but once we have placed them with the Court they are beyond our control. These notices are delivered to the Court by Frank within two days at most after we receive them.

These could be handled in a couple of different ways. We are informed by the Court that many communities simply have their police officers deliver them to the "in basket". That would not have to involve a special trip but could be done when an officer is going to the Court for some other reason. On the other hand, we can continue to deliver them for you. If we do that, I would recommend a change in the form so that it includes the full name of the registered owner of the vehicle so that we could properly respond to inquiries such as we have had on Cortner. Because these dismissals require no action or approval on our part other than to deliver the chief's recommendation, we have not maintained a file on them, but we would be happy to do so. In view of the "emotions-politics" of the parking ordinance, perhaps it would be a good idea for a file to be maintained, either by us or the Police Department.

I am sending a copy of this letter to Jim so that he can get in touch with me if he wants to set up a different system. We of course stand ready to do whatever we can to assist the City of Crystal.

Sincerely,

ROSENTHAL & RONDONI, LTD.

Paul W. Rosenthal

RECOMMENDATION FOR DISMISSAL OF CITATION

TO: THE CITY ATTORNEY

DATE July 24, 1984

CITY OF CRYSTAL

CITATION NO. 284-045323-3

I hereby recommend your motion to the Court for dismissal of the charge noted on the above issued citation for the following reason:

Vehicle, Lic # DOW 213, has been issued a

parking permit to PARK ON the Street

From 0300 - 0600 hrs AND WAS issued

a citation for NO PARKING Between these
hours

City Attorney approval.

Respectfully submitted,

Officer Todd Gustafson

Police Chief

James A. Hagan

CRYSTAL PROSECUTIONS - FINAL DISPOSITIONS WEEK OF July 16 - 20, 1984

DATE	DEFENDANT	DATE OF OFFENSE	CHARGE	OFFICER	DISPOSITION AND SENTENCE
7-19-84	Michael Deziel	12-6-83 and 2-2-84	fail to obtain sign permit fail to obtain sign permit		Fine of \$55.00 or 5 days Fine of \$55.00 or 5 days
7-19-84	Steven Russell Jones	6-23-84	DWI; BAC over .10	Michael C. Harty	Fine of \$500.00 stayed \$300.00 30 days parole after 2.
7-19-84	Thomas Donald Kucala	6-21-84	DWI; BAC over .10	Rick Zimmermann	Fine of \$500.00 stayed \$150.00 30 days parole after 2.
7-19-84	Gary Pat Skoglund	6-21-84	DWI; BAC over .10	Ray Wredberg	Fine of \$500.00 stayed \$300.00 30 days parole after 2.
7-19-84	David Skoby	6-16-84	Careless driving		Fine of \$88.00 or 8 days.
7-19-84	Daniel Eugene Collins	6-27-84	DWI and BAC over .10	Michael C. Harty	Amend DWI to careless; Fine of \$700.00 30 days parole after 2.
7-19-84	Walter Barry Iverson	6-1-84	DWI/BAC	D. T. Bordwell	Fine of \$500.00 stayed \$200.00; 30 days parole after 2.

CITY OF CRYSTAL
VIOLATION STATISTICS
April 30, 1984 - July 20, 1984

Illegal truck and tire storage	1
False identification	2
Use of another's license	9
Speed	13
Driving after revocation	13
Driving after suspension	6
Driving after cancellation	1
Sale liquor to minors	2
Sell without a permit	1
No parking between 3-6 a.m.	1
Open bottle	2
Blood Alcohol Content	2
Driving while intoxicated	87
Aggravated Driving while intoxicated	9
Theft/Shoplifting	22
Failure to remove garbage	1
Disorderly conduct	10
Possession of small amount of marijuana	4
Careless driving	5
Failure to use signal	1
Trespassing	4
Loose Dog	1
3 dogs without kennel license	1
Parked over 6 hours	2
Parking violation	2
Noise	3
Worthless check	6
Fleeing an officer	1
Assault	7
Harassing telephone calls	1
Possession of firearms	1
Limited driver's license	3
Permit Violation	2
Failure to obey signs and signals	8

In creating this summary we have, in those arrests involving more than one charge, counted only the most or one of the most serious charge.



August 6, 1984

Mr. Jack Irving
City Manager
City of Crystal
4144 Douglas Drive
Crystal, MN. 55422

Re: Waiver of Fire-Life Safety Ratios for Infants and Toddlers at
Thorsen Community Center, Crystal, MN.

Dear Mr. Irving;

Thank you for our phone call of today, 8/6/84, in which I related I would send you a letter from us to another political jurisdiction in which the captioned was waived, and a possible waiver method on the part of the Fire Chief through the use of the Uniform Fire Code.

Our letter of 5/22/84 to the City of Minneapolis for the waiver at our location near the University of Minnesota campus is enclosed, and I've been told Chief Quade could waive the captioned by using article 2; division 3; section 2; 301 of the Uniform Fire Code.

Should the Uniform Fire Code section, division, and article numbers prove incorrect, I'll get the proper numbers for you, and if this procedure is deemed inappropriate, I'll be very happy to appear before the City Council.

Thank you for your consideration, and I'll call you in about one week to get your ideas.

Sincerely yours,

A handwritten signature in cursive script that reads "Marshall H. Everson".

Marshall H. Everson

cc: Carla Brown, Division of Human Services
Irene Bornhorst, Crystal Montessori

MONTESSORI ACADEMY, INC. AND LA PEPINIERE MONTESSORI SCHOOL, INC.
MONTESSORI DAY CARE CENTER INC.



May 22, 1984

Mr. Howard Prentice, Inspector
Bureau of Fire Prevention
230 City Hall
Minneapolis, MN

RE: 1215 5th Street SE, Minneapolis, MN - St. Lawrence Church
University Montessori School
Your orders of 1/16/84

Dear Inspector Prentice:

Please be advised we have ordered the smoke detectors as listed on Item #3 from Comtech, Inc. in St. Paul. The installation will be set-up on the schedule of Comtech, the contractor.

The church is going to replace the straight bore nozzles on the fire hose as requested in #1, and we have complied with #4.

Mr. Martin Kroening of St. Lawrence has discussed Item #5 with you personally, and it's my understanding it was determined the windows in the classrooms can be used for emergency rescue or ventilation and also be opened from the inside.

Item #2 has been discussed with you, and it was agreed fire-life safety code staff ratios for the ages 0 - 2 and ages 2 - 3 would be waived.

We are in the process of obtaining a state license for the infant program, and the issuance has been held up because of the subject orders.

It should be pointed out that most of the delay encountered was due to the fact the St. Lawrence parishioner who knew the location of the existing panel for the fire-bell alarm system was in Florida all winter and just returned. Strangely enough, no one else knew the location, and it should be remembered it's a large complex.

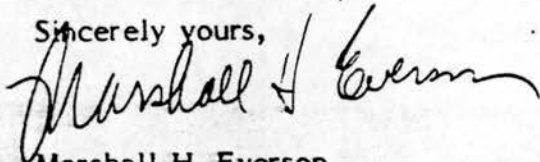
MONTESSORI ACADEMY, INC. AND LA PEPINIERE MONTESSORI SCHOOL, INC.
MONTESSORI DAY CARE CENTER INC.

OFFICE 6515 BARRIE ROAD EDINA MINNESOTA 55435

TELEPHONE 612-920-5457

Therefore, it's our belief the orders will be complied with in the immediate future. Thanks!

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Marshall H. Everson". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Marshall H. Everson
President

ME/jb

cc: Martin Kroening, St. Lawrence Church
Barb Hoese, LaPepiniere Montessori Schools, Inc.
Bev Moran, D.P.W., Day Care Licensing

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. Schietter
Charles L. LeFevere
Herbert P. Lefler III
Jeffrey J. Strand
Mary J. Bjorklund
John G. Kressel
Dayle Nolan
Cindy L. Lavorato
Michael A. Nash
Brian F. Rice
Lorraine S. Clugg
James J. Thomson, Jr.
James M. Strommen
Mary C. Nielsen

August 3, 1984

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

Re: 1985 Hourly Rates: Legal Services

Dear Jack:

You'll recall that I've mentioned to you that we would be requesting an increase in our hourly rates for the 1985 budget year. After some analysis I've concluded that we must propose to increase our hourly rate from \$60 to \$70 beginning January 1, 1985. We are not proposing any increase in our present monthly retainer fee of \$1,000.

I don't think this increase would have a significant budget impact for City work as I note that in the two months since we discontinued our prosecution work for the City we've averaged about 10 hours per month non-retainer work and I think that figure would continue: if so this item would increase from \$7,200 annually (120 hours x \$60) to \$8,400 (120 hours x \$70). There would be an impact, however, on the HRA budget. Thus far this year we have averaged 30 hours per month and I think it realistic to say that that figure would probably increase to 35 hours per month in 1985. Thus the comparison is (360 hours x \$60) \$21,600 at \$60/hr. and (360 x \$70) \$25,200 at \$70/hr.

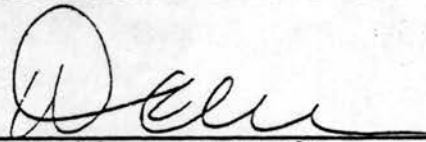
Mr. John. T. Irving
August 3, 1984
Page 2

I hope that you will consider this request favorably and recommend it to the Council and to the HRA as appropriate. We feel the rate requested is reasonable and compares favorably with charges for legal services in other cities. I'm confident too in saying that the services we perform for Crystal are supplied by the most knowledgeable and experienced municipal law firm in the state and that the City and HRA realize significant savings because of that expertise and the related efficiency we can achieve.

Yours very truly,

LeFEVERE, LEFLER, KENNEDY,
O'BRIEN & DRAWZ
a Professional Association

By



David J. Kennedy

DJK:caw

August 15, 1984

TO: John T. Irving, City Manager

FROM: Ron Halpaus, Fire Inspector

RE: Thorson Community Center Montessori School.

In reply to your request for additional information relating to the Fire Dept. denial of the Montessori School's request for a waiver from the requirements of NFPA-101, Life Safety Code, further information supporting our position and clarification of some items are attached.

If you need any additional documentation or have any questions, please let me know.

1. APPLE VALLEY WAIVER. August 2, 1984 telecon with Dean Running, Fire Marshal, a waiver was granted for 2-5 year old group only due to the full time cooks on duty which may be used in an emergency.
2. MINNEAPOLIS WAIVER. This is not an actual waiver. The Fire Dept. chose not to enforce that part of the Life Safety Code.
3. Crystal Fire Dept. inspection was done using the Minnesota Uniform Fire Code . NFPA-101, Life Safety Code, is part of the MUFC. Section 11-7, Child Day Care Centers is the standard to be complied with. Marshall Everson will argue NFPA-101 is not a recognized standard. NFPA-101 is part of 16 volumes of the National Fire Code which is used nationwide by local, state, and federal agencies, in addition to private industry.
4. The Life Safety Code establishes minimum requirements that will provide a reasonable degree of safety from fire in buildings consistent with the public interest. This code does not prevent the use of alternative arrangements that will afford no less safety to life from fire.
5. The 1976 Edition of the Life Safety Code did not contain staff ratio requirements. The 1981 edition does contain the requirement. The Minn. DPW Rule 3 requirements are less strict than the Life Safety Code. On that basis the Minn. DPW requests the use of the Life Safety Code as they do not enforce the Rule 3 ratios.

6. The requirements of Section 11-7 of the Life Safety Code are based on the minimum staff to child ratio. When there is a deviation from the minimum requirements an increase in the hazard to life and safety occurs. It then becomes necessary to ask for additional fire protection to offset the increased hazard.
7. The Crystal/New Hope Montessori School occupies nine (9) rooms in the east Wing of Thorson Community Center. The entire building is served by open and unobstructed corridors. Smoke detection is present in the corridor of the Day Care Center only.

It is our concern that fire and/or smoke travelling down these corridors would make the Day Care Center corridor and its exits unusable in a matter of minutes. In that instance the only alternative exits would be from the exterior exits connected directly to the individual rooms.

We asked for additional fire protection in the form of sprinklers in the day care center area or the installation of smoke barriers to impede the spread of smoke. Either of the above features would confine fire and/or smoke long enough to allow partial or complete evacuation of the building. Partial evacuation maybe desirable during the winter months when exposure of infants to a sub zero climate poses its own hazards. These infants (0-2 years) are incapable of self-preservation and therefore must rely upon a staff member to carry them out of the building or to a safe area of refuge in the event of an emergency. The proposed placement of four (4) infants per crib, is not a recognized or desirable method of evacuating a building.

8. The following options are possible solutions to the problem:
- a. Increase staff to comply with NFPA-101.
 - b. Installation of a sprinkler system in the day care area.
 - c. Installation of smoke barriers in the corridors which would provide two separate compartments within the day care area.
 - d. Grant a waiver from the requirements of NFPA-101. If a waiver is granted by the City; Minnesota State Statute 299F.011 Sub.5., requires approval also by the State Fire Marshal.
 - e. Closure of the infant care facility.

List of Attachments

1. Minn. DPW Request for fire inspection.
2. Fire inspection report of January 26, 1984.
3. Fire inspection report or January 31, 1984.
4. Fire Dept. letter giving extension of compliance date.
5. Montessori letter requesting waiver.
6. Fire Dept. letter denying waiver.
7. Montessori letter to parents advising of closing of infant care.
8. Montessori letter advising employees of termination.
9. Montessori letter to City Manager.
10. Extract Minn. state statute 299F.011.
11. Extract NFPA-101, Life Safety Code, Section 11-7.
12. Minn. DPW Rule 3. -*REQUESTED FROM DPW.*

WEX
296-3802

Return to: State of Minnesota
Department of Public Welfare
Licensing Division
Centennial Office Building
St. Paul, Minnesota 55155

INTERAGENCY REQUEST FOR INSPECTIONS FOR
GROUP DAY CARE/DEVELOPMENTAL ACHIEVEMENT CENTERS

FIRE MARSHAL

TO: CITY OF CRYSTAL
4141 DOUGLAS DR N
CRYSTAL 55422

☐ State/Local Health Inspector
☐ Local Building Code Inspector
☒ State/Local Fire Inspector

FROM: CAROL BROWN

Licensing Consultant Date: 1/26/84

Prior to issuing a license, verification is required that a facility is in compliance with appropriate state or local codes for health, building and fire. Please complete the appropriate section and return to the Licensing Division with any orders attached. A copy of orders should be provided to the program.

Name of Facility: Thorson Community Center Proposed use: DAC Day Care ☒

Name of Program: Crystal/New Hope Montessori Phone: 535-4439

Address: 7323 58th Ave N Crystal 55428 Hennepin
street city zip county

Contact Person: Irene Bornhorst Phone: 535-4439

Address: _____
street city zip

Area to be used:
Basement ☐
First ☒
Second ☐
Other ☐ specify _____

Numbers and Age Ranges of Participants:
6 wks. to 16 mos. 24
16 mos. to 2½ yrs. 21
2½ yrs. to 6 yrs. 90
6 yrs. to 12 yrs. 10
over 12 yrs. _____

Facility plans to serve handicapped:
Yes ☐
No ☒

145

HEALTH REQUEST: ☐ Licensed ☐ Not licensed ☐ Application left or mailed ☐ N/A
☐ No orders necessary at time of inspection ☐ Major orders issued
☐ Minor orders issued ☐ Major revisions needed before license can be issued

Signature: _____ Date: _____ Comments: Reverse side.

BUILDING CODE REQUEST: ☐ Not applicable; facility is located in a non-code area of state.
Date of referendum vote removing code requirements _____

Signature and Title of Local Official: _____ Date: _____

An inspection is required for all proposed facilities located in a code area which involved new construction, major renovating or change in occupancy i.e. any facility not currently used for the proposed usage. Inspections shall be in accordance with the E-3 Occupancy of the Minnesota Uniform Building Code.

☐ Facility meets requirements
☐ Facility does not meet requirements and cannot be occupied until orders are met.
☐ Facility does not meet requirements, but may temporarily be occupied pending completion of orders, until _____

Signature of Building Code Inspector: _____

Certificate Number: _____ Date: _____

Comments: Reverse side.

FIRE CODE REQUEST: A fire inspection is required for all proposed facilities.

Facilities located in an area of the state under the Uniform Building Code must meet the E-3 occupancy requirements of that code in addition to applicable fire code requirements. (If both codes address a specific area, the UBC takes precedence over the fire code.)

Facilities located in an area of the state not under the Uniform Building Code must meet applicable fire code requirements.

In either instance, the Minnesota Uniform Fire Code applies.

- ☐ Facility meets requirements of the fire code.
- ☐ Facility does not meet requirements of the fire code and cannot be occupied until orders are met.
- ☒ Facility does not meet requirements, but may temporarily be occupied pending completion of orders until March 31, 1984.

Signature of Fire Inspector: Ron Halpaus

Ron Halpaus

Date: Feb. 7, 1984

Comments: Below.

COMMENTS: This program has recently expanded to over 100.

Fire Inspection of 1-26-84 and 1-31-84:

The conditions found on 1-26-84 relate to building maintenance and as such are the responsibility of the building owner to correct.

Orders were issued on 1-31-84 to bring the child - supervisor ratio into compliance with NFPA 101 (Life Safety Code) within 60 days.

COPIES ATTACHED -

CRYSTAL FIRE DEPARTMENT

FIRE PREVENTION BUREAU

INSPECTION REPORT

DATE 1-31-84 ADDRESS THORSON COMM CTR NAME DAY CARE

EMERGENCY CALL _____ NAME _____ PHONE _____

INSPECTION	GOOD	FAIR	CORRECTION
FIRE EXTINGUISHERS			SUPERVISOR TO CHILD RATIO
HOUSEKEEPING			PER LIFE SAFETY CODE 101.
EXITS			1-3 0-2 YRS
HALLWAYS & STAIRWAYS			1-5 2-3 +
MOTORS & APPLIANCES			1-10 3-5 +
HEATING EQUIPMENT			1-12 5-7 +
FLAMMABLE LIQ. & PAINT			1-15 7+ OVER
ELECTRICAL EQUIP.			NOT IN COMPLIANCE AT THIS TIME
REFERRED TO INSP. DEPT.			ELECT. PLUMBING BUILDING

60 DAYS TO CORRECT HAZARDOUS CONDITIONS LISTED.

REMARKS _____

INSPECTOR RON HALPAUS

CRYSTAL FIRE DEPARTMENT

FIRE PREVENTION BUREAU

INSPECTION REPORT

DATE 1-26-84 ADDRESS THORSON COMM. CTR NAME DAY CARE

EMERGENCY CALL _____ NAME _____ PHONE _____

INSPECTION	GOOD	FAIR	CORRECTION
FIRE EXTINGUISHERS			08-83
HOUSEKEEPING			
EXITS			REPLACE BURNED OUT BULBS IN EXIT
HALLWAYS & STAIRWAYS			SIGNS.
MOTORS & APPLIANCES			ROOM 102 - CEILING FIXTURE REPAIR WIRING &
HEATING EQUIPMENT			ROOM 101 - " " " COVER
FLAMMABLE LIQ. & PAINT			ROOM 103 " " "
ELECTRICAL EQUIP.			ROOM 107
REFERRED TO INSP. DEPT.			Room 109 - REPAIR BATHROOM EXHAUST FAN.

_____ DAYS TO CORRECT HAZARDOUS CONDITIONS LISTED.

REMARKS CORRIDOR - S. EXIT - CAP OUTLET

INSPECTOR RON HALPAUS

FEB. 28, 1984

Montessori Day Care, Inc.
6515 Barrie Road
Edina, MN 55435

Attention: Marsh Everson

Dear Sir:

In reference to our recent conversation, the State Fire Marshal's office has advised me that the staff ratios in Day Care Centers are to be enforced in accordance with NFPA-101, Life Safety Code. Inspections made after December 12, 1983, are to carry a 180 day period to comply, unless there is imminent danger to life and safety.

The orders written on January 31, 1984, requested compliance within 60 days. These orders are now revised to carry a 180 day compliance period, which is July 30, 1984.

Any request for a variance relative to staff ratios, shall be submitted in writing - stating, in detail, the alternative methods to be employed; why the Code cannot be complied with, and the effect it may have in safeguarding human life and safety.

If I can be of any further assistance, please contact me.

Yours truly,



Ron Halpaus
Fire Inspector

RH/mc



February 29, 1984

Crystal Fire Prevention Department
City of Crystal
4141 N. Douglas Dr.
Crystal, MN
ATTN: Ron Halpaus

RE: Rule #101, Fire and Life Safety, Infant and Toddler
Staff Ratio, Crystal-New Hope Montessori School,
Thorsen Community Center, 7323 58th Ave. N., Crystal, MN

Gentlemen:

Please accept this letter as evidence of our request for a waiver from the captioned rule and subject because the entire program and building is otherwise in substantial compliance.

The invocation of the rule in the infant and toddler programs will cause a severe financial hardship and cause us to abandon these offerings because the parents wouldn't be able to afford to pay for the services because of our increased labor costs.

Our evacuation procedures contemplate and require the placement of four infants in one crib to minimize panic and confusion in the event of a fire. Our evacuation times have been excellent in our fire drills.

Our fee schedules for the infant and toddler programs are normally pegged at a break-even point, and at this particular center, we have instituted a lower, start-up tuition to attract parents to these new programs. Thus, the use of the fire-life safety staff ratio, under Rule #101, exacerbates the financial problem at our Crystal-New Hope Montessori School in Thorsen Community Center.

MONTESSORI ACADEMY, INC. AND LA PEPINIERE MONTESSORI SCHOOL, INC.
MONTESSORI DAY CARE CENTER INC.

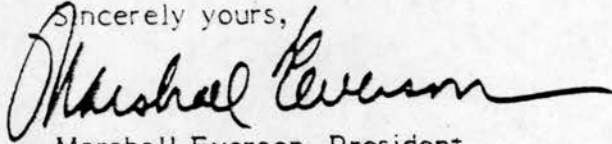
OFFICE 6515 BARRIE ROAD EDINA MINNESOTA 55435

TELEPHONE 612-920-5457

Therefore, we request you grant us a waiver from Rule #101 for infant and toddler staff ratios beyond the March 31, 1984, or July 31, 1984 extensions you have granted us.

Thank you.

Sincerely yours,

A handwritten signature in cursive script, reading "Marshall Everson". The signature is fluid and extends to the right.

Marshall Everson, President
LaPepiniere Montessori Schools, Inc.

ME/jb

cc: Irene Bornhorst, Crystal-New Hope Montessori School
Edward Constantine, Supervisor, Non-Residential Licensing
Carla Brown, Licensing Consultant
Kathleen Burek, LCRAR Executive Director
Rep. Wayne Simoneau, Chairman, LCRAR

FILE

March 14, 1984

Marshall Everson, President
La Pepiniere Montessori Schools, Inc.
6515 Barrie Road
Edina, MN 55435

RE: Request for Waiver from NFPA Life Safety Code Staff Ratios
at 7323 - 58th Avenue North, Crystal, MN

Dear Sir:

The Life Safety Code, NFPA-101, establishes the minimum requirements that will provide a reasonable degree of safety from fire in buildings and structures, consistent with the public interest.

Your request for a waiver from the minimum staff ratios, as addressed in Section 10-7.1.1.1., does not demonstrate any equivalent or superior methods to be employed or as to how the safeguarding of human life and safety will be maintained.

Your waiver request, dated February 29, 1984, is, therefore, denied in the interest of public safety from fire.

Yours truly,

Ron Halpaus,
Fire Inspector

RH/mc

cc: Ed Constantine, Supervisor, Non-residential Licensing
State of Minnesota Dept. of Public Welfare



July 30, 1984

Dear Parents:

We have received notice from the Crystal Fire Department informing us that the Fire Department would be enforcing the newly adopted National Fire Protection Association Life Safety Code. This code calls for a 1:3 staff:child ratio for infants. Current requirements under the Minnesota Department of Human Services call for a ratio of 1:4. We applied for waiver to this requirement to the City Fire Inspector, and last week received final word that our waiver request had been denied. The new ratio would be enforced as of July 31, 1984.

This change in the requirement for staffing makes it financially unfeasible to continue to operate this program. Regretfully then, we must inform you that we will be closing the infant program effective August 31, 1984. We are sorry for any problems or inconvenience you may encounter because of cessation of this program at Crystal.

If your child is approaching 16 months of age, we hope you will consider enrolling him/her in the toddler program. In addition to our toddler program at Crystal, you may also wish to consider toddler programs at the following locations:

University Montessori
St. Anthony Montessori
Downtown Child Care
Center
Wayzata Montessori

1215 5th St. SE, Minneapolis
2620 Highway 88, Minneapolis
115 2nd Ave. S., Minneapolis
15300 Wayzata Blvd., Wayzata

Thank you for your patronage and please call us at 920-5457 if you have questions regarding a transfer to another program or location. Also, please call me personally at the same number if you have any questions.

Sincerely,

Marshall H. Everson, President
LaPepiniere Montessori Schools, Inc.

ME/jb

MONTESSORI ACADEMY, INC. AND LA PEPINIERE MONTESSORI SCHOOL, INC.
MONTESSORI DAY CARE CENTER INC.

OFFICE 6515 BARRIE ROAD EDINA MINNESOTA 55435

TELEPHONE 612-920-5457



July 30, 1984

TO: The Infant Program Employees of the Crystal-New Hope Montessori Center

FROM: Marsh Everson, Montessori Day Care Centers, Inc. and LaPepiniere Montessori Schools, Inc.

RE: Infant Program: Staff Ratio and Discontinuance of the program at Crystal, effective 8/31/84

The Fire Inspector and Fire Department of the City of Crystal have denied our request for a waiver from the National Fire Protection Association Life Safety Code on Staff Ratio. For the infant program, this means staffing at a 1:3 rather than a 1:4 staff:child ratio, which is currently required by the Minnesota Department of Human Services.

This change in the requirement for staffing makes it financially unfeasible to continue to operate the program. Regretfully then, we must inform you that we will be closing the infant program at the end of August, 1984, thus terminating your position.

Should you be interested in a transfer to another position either at the Crystal location or at another center, please contact Barb Hoese at our Main Office in Edina at 920-5457.

I would like to thank all of you for your services to the program.

MONTESSORI ACADEMY, INC. AND LA PEPINIERE MONTESSORI SCHOOL, INC.
MONTESSORI DAY CARE CENTER INC.

OFFICE 6515 BARRIE ROAD, EDINA, MINNESOTA 55435

TELEPHONE 612-920-5457



August 6, 1984

Mr. Jack Irving
City Manager
City of Crystal
4144 Douglas Drive
Crystal, MN. 55422

Re: Waiver of Fire-Life Safety Ratios for Infants and Toddlers at
Thorsen Community Center, Crystal, MN.

Dear Mr. Irving;

Thank you for our phone call of today, 8/6/84, in which I related I would send you a letter from us to another political jurisdiction in which the captioned was waived, and a possible waiver method on the part of the Fire Chief through the use of the Uniform Fire Code.

Our letter of 5/22/84 to the City of Minneapolis for the waiver at our location near the University of Minnesota campus is enclosed, and I've been told Chief Quade could waive the captioned by using article 2; division 3; section 2; 301 of the Uniform Fire Code.

Should the Uniform Fire Code section, division, and article numbers prove incorrect, I'll get the proper numbers for you, and if this procedure is deemed inappropriate, I'll be very happy to appear before the City Council.

Thank you for your consideration, and I'll call you in about one week to get your ideas.

Sincerely yours,

Marshall H. Everson

cc: Carla Brown, Division of Human Services
Irene Bornhorst, Crystal Montessori

MONTESSORI ACADEMY, INC. AND LA PEPINIERE MONTESSORI SCHOOL, INC.
MONTESSORI DAY CARE CENTER INC

OFFICE 6515 BARRIE ROAD EDINA, MINNESOTA 55435

TELEPHONE 612-920-5457



348-
2546

May 22, 1984

Mr. Howard Prentice, Inspector
Bureau of Fire Prevention
230 City Hall
Minneapolis, MN

RE: 1215 5th Street SE, Minneapolis, MN - St. Lawrence Church
University Montessori School
Your orders of 1/16/84

Dear Inspector Prentice:

Please be advised we have ordered the smoke detectors as listed on Item #3 from Comtech, Inc. in St. Paul. The installation will be set-up on the schedule of Comtech, the contractor.

The church is going to replace the straight bore nozzles on the fire hose as requested in #1, and we have complied with #4.

Mr. Martin Kroening of St. Lawrence has discussed Item #5 with you personally, and it's my understanding it was determined the windows in the classrooms can be used for emergency rescue or ventilation and also be opened from the inside.

X Item #2 has been discussed with you, and it was agreed fire-life safety code staff ratios for the ages 0 - 2 and ages 2 - 3 would be waived.

We are in the process of obtaining a state license for the infant program, and the issuance has been held up because of the subject orders.

It should be pointed out that most of the delay encountered was due to the fact the St. Lawrence parishioner who knew the location of the existing panel for the fire-bell alarm system was in Florida all winter and just returned. Strangely enough, no one else knew the location, and it should be remembered it's a large complex.

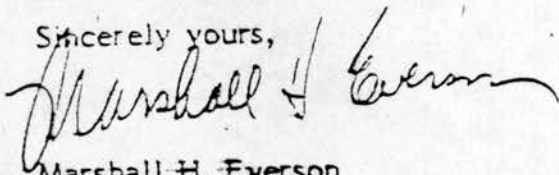
MONTESSORI ACADEMY, INC. AND LA PEPINIERE MONTESSORI SCHOOL, INC.
MONTESSORI DAY CARE CENTER INC.

OFFICE 6515 BARRIE ROAD EDINA MINNESOTA 55435

TELEPHONE 612-920-5457

Therefore, it's our belief the orders will be complied with in the immediate future. Thanks!

Sincerely yours,



Marshall H. Everson
President

ME/jb

cc: Martin Kroening, St. Lawrence Church
Barb Hoese, LaPepiniere Montessori Schools, Inc.
*Bev Moran, D.P.W., Day Care Licensing - 296.3850

299F.011 UNIFORM FIRE CODE: ADOPTION.

Subdivision 1. The commissioner of public safety through the division of fire marshal may promulgate a uniform fire code and make amendments thereto in accordance with the administrative procedure act in chapter 14. The code and its amendments shall conform insofar as practicable to model fire codes generally accepted and in use throughout the United States, with consideration given to existing statewide specialty codes presently in use in the state of Minnesota. Statewide specialty codes and model codes with necessary modifications may be adopted by reference in accordance with section 14.07, subdivision 4.

Subd. 2. [Repealed, 1981 c 106 s 16]

Subd. 3. The commissioner shall adopt rules as may be necessary to administer and enforce the code, specifically including but not limited to rules for inspection of buildings and other structures covered by the code and conforming the code to the governmental organization of Minnesota state agencies, political subdivisions and local governments.

Subd. 4. The uniform fire code shall be applicable throughout the state and in all political subdivisions and municipalities therein. However, nothing in this subdivision shall prohibit a local unit of government otherwise authorized by law from adopting or enforcing any ordinance or regulation which specifies requirements equal to, in addition to, or more stringent than the requirements of the uniform fire code. Any ordinance or regulation adopted by a local unit which differs from the uniform fire code must be directly related to the safeguarding of life and property from the hazards of fire, must be uniform for each class or kind of building covered, and may not exceed the applicable requirements of the uniform building code adopted pursuant to sections 16.83 to 16.867.

Subd. 5. Upon application, the state fire marshal may grant variances from the minimum requirements specified in the code if there is substantial compliance with the provisions of the code, the safety of the public and occupants of such building will not be jeopardized, and undue hardship will result to the applicant unless such variance is granted. No appeal to the state fire marshal for a variance from the uniform fire code shall be accepted until the applicant has first made application to the local governing body and the local unit has acted on the application. The state fire marshal shall consider the decision of the local governing body. Any person aggrieved by a decision made by the fire marshal under this subdivision may proceed before the fire marshal as with a contested case in accordance with the administrative procedure act.

Subd. 6. A person who violates a provision of the uniform fire code shall be guilty of a misdemeanor. No person shall be convicted for violating the uniform fire code unless he shall have been given notice of the violation in writing and reasonable time to comply.

History: 1974 c 550 s 1; 1978 c 777 s 1; 1981 c 106 s 1; 1982 c 424 s 114,130

299F.015 USE OF WASTE OIL BURNERS.

Subdivision 1. Definitions. For the purposes of this section, the following terms shall have the meanings given:

(a) "Waste oil" means a refined oil which has been used for the lubrication of an internal combustion engine or in a similar crankcase application or other applications in connection with motor vehicles and has been contaminated by impurities as a result of that use.

(b) "Approved waste oil burner" means a device designed to burn waste oil for heating purposes, which is found by a recognized independent testing laboratory to provide a degree of safety substantially equivalent to other devices approved for similar purposes under the uniform fire code or state building code.

(c) Ducts penetrating atmospheric separation walls, partitions, or doors shall be equipped with an approved automatic-closing smoke damper when having openings into more than one atmosphere, or the atmospheric separation shall be maintained by an approved method of smoke control.

(d) All automatic-closing fire assemblies installed in the atmospheric separation shall be activated by approved smoke detectors.

(e) Janitor closets and storage rooms shall be enclosed by materials having 1-hour fire resistance. Stages and enclosed platforms shall be constructed in accordance with Chapter 9.

Exception: Doors to janitor closets may have ventilating louvers.

SECTION 11-7 CHILD DAY-CARE CENTERS

(See also Sections 11-8 and 11-9.)

11-7.1 General Requirements.

11-7.1.1 Application.

11-7.1.1.1 The requirements detailed in Section 11-7, Child Day-Care Centers (more than 12 children), are based on the minimum staff-to-child ratios given below:

Staff Ratio	Age
1:3	0 to 2
1:5	2 to 3
1:10	3 to 5
1:12	5 to 7
1:15	7 and over

11-7.1.1.2 This section establishes life safety requirements for child day-care centers in which more than 12 children receive care, maintenance, and supervision for 24 hours or less per day. The provisions of Sections 11-2 through 11-6 shall not apply to this section unless a specific requirement is referenced by this section.

11-7.1.1.3 The text principally applies to centers in which children 5 years old or less may be sleeping during their time in the facility, but the provisions are for all facilities unless otherwise indicated.

11-7.1.1.4 Centers housing children 6 years of age and older shall conform to the requirements for educational occupancies, except as noted herein.

11-7.1.1.5 Where a facility houses more than one age group, the requirements for the younger children shall apply, unless the area housing the younger children is maintained as a separate fire area.

11-7.1.2 Mixed Occupancies.

(a) Where centers are located in a building containing mixed occupancies, the separation requirements of the locally applicable building code or, if none exists, a nationally recognized model code shall be satisfied.

(b) Centers in apartment buildings.

1. If the two exit accesses from the center enter the same corridor as the apartment occupancy, the exit accesses shall be separated in the corridor by a smoke barrier having not less than a 1-hour fire resistance rating. The smoke barrier shall be so located that there is an exit on each side of it.

2. The door in the smoke barrier shall be not less than 36 in. (91.44 cm) wide.

Exception: Existing doors not less than 32 in. (81.28 cm) wide may be accepted.

3. The door and frame assembly in the smoke barrier shall have a fire protection rating of at least 20 minutes and shall be equipped with a self-closing device, a latch, and an automatic hold-open device activated by a smoke detector. (See also 5-2.1.2.3.)

11-7.1.3 Special Definitions. (None.)

11-7.1.4 Classification of Occupancy. For the purposes of this section, children are classified in age groups, as follows: children under 3 years of age, children from 3 through 5 years of age, and children 6 years of age and older.

11-7.1.5 Classification of Hazard of Contents. (Not specifically classified.)

11-7.1.6 Minimum Construction Standards.

11-7.1.6.1 Centers shall not be located above the heights indicated for the types of construction given in Table 11-7.1.6.1.

11-7.1.6.2 Location. The story below the level of exit discharge may be used in buildings of any type other than Type II (000), Type III (200), and Type V (000). (See 11-7.2.4.2.)

11-7.1.7 Occupant Load. The occupant load for which means of egress shall be provided for any floor shall be the maximum number of persons intended to occupy that floor but not less than one person for each 35 sq ft (3.25 sq m) of net floor area used by the children.

11-7.2 Means of Egress Requirements.**11-7.2.1 General. (None.)****11-7.2.2 Types of Exits. (See 11-2.2.)****Table 11-7.1.6.1 Height and Construction Limits**

Type of Construction	Age Group	Number of Stories (Stories are counted starting at floor of exit discharge)			
		1	2	3	4 and over
I (443)	0 to 3	X	X	X	X
I (332)	3 thru 5	X	X	X	X
II (222)	6 and older	X	X	X	X
II (111)					
III (211)	0 to 3	X	See Note 1	Not Permitted	
V (111)	3 thru 5	X	X	See Note 1	
	6 and older	X	X	See Note 1	
IV (21111)	0 to 3	X	See Note 1		
	3 thru 5	X	See Note 1		
	6 and older	X	See Note 1		
II (000)	0 to 3	X	See Note 1		
	3 thru 5	X	See Note 1		
	6 and older	X	See Note 1		
III (200)	0 thru 3			Not Permitted	
V (000)	3 thru 5			See Note 2	
	6 and older			See Note 2	

NOTE 1: Permitted if entire building is protected throughout by an approved automatic sprinkler system.

NOTE 2: May be permitted for children 3 years of age and older if the children are limited to the first floor and the number of children is limited to 50 and there are two remote exits; or if they are limited to the first floor and the number of children is limited to 100 and each room has an exit directly to the outside.

11-7.2.2.1 Stairs.

(a) Exit stairs shall be enclosed in accordance with 11-3.1.2.

(b) There shall be no enclosed usable space under stairs in an exit enclosure nor shall the open space within the enclosure either under or adjacent to the stairs be used for any purpose.

11-7.2.2.2 Areas of Refuge. In buildings over five stories above ground level, areas of refuge shall be provided for occupants of child day-care centers, either by smokeproof towers or horizontal exits.

11-7.2.3 Capacity of Means of Egress. (See 11-2.3.)**11-7.2.4 Number of Exits.**

11-7.2.4.1 Each floor occupied by children shall have not less than two remote exits.

11-7.2.4.2 When the story below the exit discharge is used (see 11-7.1.6.2), the following conditions shall be met:

(a) For up to 30 children there shall be two remote exits. One exit shall discharge directly outside and the vertical travel to ground level shall not exceed 8 ft (243.84 cm). There shall be no unprotected opening into the enclosure of the second exit.

(b) For over 30 children a minimum of two exits shall be provided directly outside with one of the two exiting at ground level.

Exception No. 1: The exit directly to ground level is not required if the exits are protected in accordance with §-1.3. There shall be no openings into the exit other than for ingress and egress. Smoke detectors shall be provided in that story and the story of discharge.

Exception No. 2: The exit directly to ground level is not required if one exit complies with Exception No. 1 and sprinklers are used in that story and the story of exit discharge.

11-7.2.5 Arrangement of Means of Egress. (When the story below the exit discharge is used, see also 11-7.2.4.2.)

11-7.2.6 Measurement of Travel Distance to Exits.

11-7.2.6.1 Travel distance shall be measured in accordance with Section §-6.

11-7.2.6.2 Travel distance (a) between any room door intended as exit access and an exit shall not exceed 100 ft (30.48 m); (b) between any point in a room and an exit shall not exceed 150 ft (45.72 m); (c) between any point in a sleeping room or suite and an exit access door of that room or suite shall not exceed 50 ft (15.24 m).

Exception: The travel distance in (a) and (b) above may be increased by 50 ft (15.24 m) in buildings protected throughout by an approved automatic sprinkler system in accordance with Section 7-7.

11-7.2.6.3 The travel distance to exits in open plan centers for children 3 years of age and older shall be in accordance with 11-6.2.2 for open plan schools.

11-7.2.7 Discharge from Exits. (When the story below the exit discharge is used, see also 11-7.2.4.2.) All such exits shall discharge directly to the outside.

11-7.2.8 Illumination of Means of Egress. If the facility is used after daylight hours, it shall comply with Section §-8.

11-7.2.9 Emergency Lighting. Means of egress in each day care center shall be provided with emergency lighting, in accordance with Section 5-9.

11-7.2.10 Marking of Means of Egress. (No additional special requirements.) (See Section 5-10.)

11-7.2.11 Special Features.

11-7.2.11.1 Doors in means of egress shall swing in the direction of exit travel and shall meet the requirements of 11-2.11.2.

Exception: Doors from an existing center to an exit access in apartment buildings.

11-7.2.11.2 Every closet door latch shall be such that children can open the door from inside the closet.

11-7.2.11.3 Every bathroom door lock shall be designed to permit opening of the locked door from the outside in an emergency, and the opening device shall be readily accessible to the staff.

11-7.3 Protection.

11-7.3.1 Protection of Vertical Openings. Any vertical opening in centers shall be enclosed and protected in accordance with Section 6-2.

11-7.3.2 Protection from Hazards. Rooms or spaces for the storage, processing, or use of the materials specified in this section shall be protected in accordance with the following:

(a) Rooms or spaces used for the storage of combustible supplies in quantities deemed hazardous by the authority having jurisdiction, hazardous materials in quantities deemed hazardous by recognized standards, or fuel shall be separated from the remainder of the building by construction having not less than a 1-hour fire-resistive rating with all openings protected by self-closing or smoke-actuated fire doors, or such rooms or spaces may be protected by an automatic extinguishing system as set forth in Section 6-4.

(b) Rooms or spaces used for processing or use of combustible supplies in quantities considered hazardous by the authority having jurisdiction, hazardous materials, or for flammable or combustible liquids in quantities deemed hazardous by recognized standards shall be separated from the remainder of the building by construction having not less than a 1-hour fire-resistive rating with all openings protected by self-closing or smoke-actuated fire doors and shall also be protected by an automatic extinguishing system as set forth in Section 6-4.

(c) Boiler and furnace rooms, laundries, and maintenance shops, including woodworking and painting areas, shall be separated from the remainder of the building by construction having not less than a 1-hour fire-resistive rating with all openings protected by self-closing or smoke-actuated fire doors.

Exception: Rooms enclosing air handling equipment.