



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

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SENT WITH AGENDA 8/28/84

Letter from Elk River re Regional Meeting,  
Sept. 13, 1984, of the League of Cities.

Copy of Agreement with City of Minnetonka  
re Industrial Revenue Bonds, and copy of  
resolution re same.

2a

August 28, 1984

Pursuant to due call and notice thereof, the Special meeting of the Crystal City Council was held on August 28, 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  
\_\_\_\_\_ 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.

1. Discussion with Ed Brandeen, Director of Parks and Recreation, regarding present and future plans of the Park and Recreation Department.
2. Discussion with Miles Johnson, Finance Director, regarding present and future plans of the Finance Department.

3. Discussion, with the consent of the City Council, of entering into a Joint Powers Agreement with the City of Minnetonka regarding Industrial Revenue Bonds allotment.

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

## AGREEMENT

THIS AGREEMENT, entered into as of this \_\_\_\_ day of August, 1984, by and between the City of Minnetonka, a municipal corporation in Hennepin County, Minnesota (Minnetonka) and the City of Crystal, a municipal corporation in Hennepin County, Minnesota (Crystal):

### WITNESSETH:

In consideration of the mutual undertakings set forth herein, Minnetonka and Crystal agree as follows:

### I.

This Agreement is entered into pursuant to the authority granted to Minnetonka and Crystal by Minnesota Statutes, Section 471.59 and Laws 1984, Chapter 582 (collectively, Act). The purpose of this Agreement is to enable Crystal to issue its industrial development revenue bonds (Bonds) for an approved project or projects pursuant to an allocation made by the Act to Minnetonka as an entitlement issuer under the Act.

### II.

2.01. Minnetonka has received a final certified allocation as an entitlement issuer in the amount of \$13,098,933. Crystal is a local issuer but is not an entitlement issuer.

2.02. Crystal wishes to issue its Bonds for a project or projects in the amount of not to exceed \$6,000,000.

2.03. Minnetonka finds it is desirable to make available to Crystal from Minnetonka's allocation the sum of \$6,000,000.

### III.

3.01. In order to induce Minnetonka to enter into this Agreement Crystal represents and agrees as follows:

- a) Crystal has before it a proposal or proposals for a project or projects requiring Bonds in an amount of at least \$6,000,000;
- b) Crystal intends to issue Bonds for said project or projects prior to December 31, 1984;
- c) Crystal will make available to Minnetonka prior to September 1, 1984 the deposit required by the Act in order to obtain the allocation contemplated by this Agreement;
- d) Crystal will and hereby does indemnify Minnetonka for all costs and expenses associated with the transactions contemplated hereby and hereby releases Minnetonka from any claim Crystal may have arising out of the transactions contemplated hereby;
- e) Crystal will timely and promptly notify Minnetonka of all proceedings relating to the approval of a project or projects and the issuance of Bonds therefor.

3.02. In recognition of its undertakings under this Agreement Minnetonka represents and agrees as follows:

- a) Minnetonka will promptly and timely submit to the Authority all documents, deposits, and other papers necessary to carry out the transaction contemplated hereby;
- b) Minnetonka represents that it has the necessary amounts of uncommitted allocation to enable it to enter into this Agreement;

- c) Minnetonka will use its best efforts to inform Crystal of any modification of its allocation or of any other facts coming to its intention which may materially affect its ability to carry out and give effect to the transaction contemplated hereby.

#### IV.

4.01. As used in this Agreement the terms

- a) entitlement issuer,
- b) local issuer,
- c) allocation,
- d) bonds, and
- e) project

have the meanings given them by the Act and by Minnesota Statutes, Chapter 474. The term "Authority" means the Minnesota Department of Energy and Economic Development.

IN WITNESS WHEREBY, Crystal and Minnetonka have caused this Agreement to be executed by their respective duly authorized officers as of the date first written above.

CITY OF MINNETONKA

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

By \_\_\_\_\_  
City Manager

CITY OF CRYSTAL

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

By \_\_\_\_\_  
City Manager

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE EXECUTION  
OF A JOINT POWERS AGREEMENT WITH  
THE CITY OF \_\_\_\_\_

BE IT RESOLVED by the City Council of the City of \_\_\_\_\_:

1. The city of Crystal and the city of Minnetonka are desirous of entering into a joint powers agreement pursuant to Laws 1984, Chapter 582 for the sharing of entitlement amounts of industrial development revenue bond financing.

2. This council has received a proposed joint powers agreement between the cities for the purpose stated in Section 1, and finds that the execution of the agreement is in the best financial interest of the city of \_\_\_\_\_.

3. The Mayor and City Manager are authorized and directed to execute the agreement on behalf of the City.

4. The City Manager is directed to transmit a certified copy of the resolution to the City Manager of the City of \_\_\_\_\_.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk

SENT WITH PRELIMINARY AGENDA 8/31/84

Council minutes of Aug. 21, & special mtg. of 8/28.

Planning Commission minutes of 8/13/84.

Memo from Sanitarian of 8/17; appli.; letter to neighbors of 8/24 & petition re private kennel lic. request at 6410 Corvallis Ave. N.

Copy of criteria for parking permits.

Copy of Joint Powers Agreement re overlay project on Winnetka from 56th to 67th.

Letter from City Engr. of 8/29 re Independent Business Machines, 5353 W. B'way.

Memo from City Engr. of 8/29 re Suttle Car Wash release of bond.

Letter of resignation of Dennis Taylor from Envr. Comm.

Letter from City Attny. of 8/2; copy of proposed ord. re newsracks.

Memo & Agreement for CDBG Program.

Cigy Engr's. recommendation re bids for baseball backstop and line fencing for No. Lions Park.

1985 Budget book.

Letter frm MnDOT re funding possibilities for Bass Lake Road and Highway 169.

Park & Rec. Adv. Comm. agenda for 9/5/84.

T2, 10/1/84

COUNCIL AGENDA

September 4, 1984

Pursuant to due call and notice thereof, the regular meeting of the Crystal City Council was held on September 4, 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  
aba Moravec  
\_\_\_\_\_ Smothers

Staff

\_\_\_\_\_ Irving  
\_\_\_\_\_ Kennedy Thompson  
all 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 21, 1984 and the Special meeting of August 28, 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 18, 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 22'x20' garage at 4754 Xenia Avenue North as requested by William A. ~~Govina~~ Griuna
2. Set 7:00 P.M., or as soon thereafter as the matter may be heard, October 2, 1984, as the date and time for the public hearing at which time the City Council will consider assessment hearing for Improvement Project Nos. 63-C, 64-A, 59-A Storm Sewer (Bassett Creek), Diseased Tree Removal 1985 and Debris Removal 1985.

Moved by Councilmember H and seconded by Councilmember Jim <sup>adviser</sup> ~~to remove~~ items \_\_\_\_\_ and \_\_\_\_\_ from the Consent Agenda. Motion Carried.

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

REGULAR AGENDA

- ✓ 1. It being 7:00 P.M., or as soon thereafter as the matter may 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 Edward Puumala for a variance of 7.75' in the required 24.75' side street side yard setback to build a 14'x14' deck at 6021 - 34th 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 SH and seconded by Councilmember L to approve the authorization, pursuant to Section 515.13, Subd. 3a)2(ii) to allow a variance of 7.75' in the required 24.75' side street side yard setback to build a 14'x14' deck at 6021 - 34th Avenue North as requested in Variance Application #84-37T.

Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) Variance Application #84-37T.

Motion Carried.

- ✓ 2. It being 7:00 P.M., or as soon thereafter as the matter may 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 Melvin Gittleman of Gittleman Corporation, managers for Twin Lake North Condominium Association, for 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). The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were: Bucklin

Moved by Councilmember P and seconded by Councilmember L 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. 8c, to allow 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 in Variance Application #84-33T.

Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) Variance Application #84-33T.

Motion Carried.

TO #4

September 4, 1984

3. It being 7:00 P.M., or as soon thereafter as the matter may be heard, Mayor Aaker 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 Burger King Corporation for a variance of 374 off-street parking spaces, and to also consider a conditional use permit at 3516 North Lilac Drive, Anthony Shopping Center. The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were:

*Linda Fisher, B...*  
*Bob Hoida Site Z*  
*J. Benshoof*

*466 Rec*

*405 Rec C. Galloway*

- ① A. Moved by Councilmember S and seconded by Councilmember m to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) a conditional use permit to allow a convenience food establishment in a B-4 district at 3516 North Lilac Drive, Anthony Shopping Center. Motion Carried.

*BO Ry Spm m A*

- B. Moved by Councilmember Ry and seconded by Councilmember Sm to approve the authorization and grant a variance pursuant to Section 515.09, Subd. 8v) to allow a variance of ~~374~~ off-street parking spaces at 3516 North Lilac Drive, Anthony Shopping Center, as requested in Variance Application #84-18T by the Burger King Corporation. Motion Carried.

*18. v H*  
*0 Sm m B A Ry A*

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) Variance Application #84-18T. Motion Carried.

*TO # 2*

4. The City Council considered a request for a private kennel license from James and Betty Corbett, 6410 Corvallis Avenue North.

*Issued 9/5/84*

Moved by Councilmember Ry and seconded by Councilmember H to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) the private kennel license application of James and Betty Corbett, 6410 Corvallis Avenue North. Motion Carried.



5-9101-21191101

Council Agenda

- 5 -

September 4, 1984

- ✓ 8. The City Council considered a Joint Powers Agreement with New Hope regarding the bituminous overlay project on Winnetka Avenue from 56th to 62nd Avenue North.

Moved by Councilmember Sm and seconded by Councilmember P to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) a Joint Powers Agreement with New Hope regarding the bituminous overlay project on Winnetka Avenue from 56th to 62nd Avenue North. Motion Carried.

- ✓ 9. The City Council considered the release of surety in the amount of \$8,500 for Independent Business Machines, 5353 West Broadway.

Moved by Councilmember Ry and seconded by Councilmember H to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) releasing surety for Independent Business Machines, 5353 West Broadway.

Motion Carried.

- ✓ 10. The City Council considered the release of surety in the amount of \$46,000 for Suttle Car Wash, 5160 West Broadway.

Moved by Councilmember H and seconded by Councilmember Sm to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) releasing surety for Suttle Car Wash, 5160 West Broadway. Motion Carried.

September 4, 1984

- ✓ 11. The City Council considered a letter of resignation from Dennis Taylor from the Environmental Commission.

*Letter sent  
9/5/84*

Moved by Councilmember *AS* and seconded by Councilmember *m* to accept the resignation of Dennis Taylor from the Environmental Commission and to direct the City Manager to send him a letter of thanks and appreciation.

Motion Carried.

12. The City Council considered an ordinance regarding newsracks. *Skip*

- ✓ 13. The City Council considered a Joint Cooperation Agreement for the Community Development Block Grant Program.

*Res. # ~~B~~  
84-69*      *Certified  
9/12/84*

Moved by Councilmember *AS* and seconded by Councilmember *H* to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) a Joint Cooperation Agreement for the Community Development Block Grant Program.

Motion Carried.

- ✓ 14. The City Council considered bids for a baseball backstop and line fencing for North Lions Park.

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

RESOLUTION NO. 84-

*Century Fence Co.*

A RESOLUTION AWARDING A CONTRACT

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) the consideration of bids for a baseball backstop and line fencing for North Lions Park.

Motion Carried.

- ✓ 15. The City Council considered the 1985 City of Crystal Budget.

*W/9*  
*" ) W/2 H = \$mo - -*  
*W/9 - W/81*

*See 1984 City Budget '84 W/ '84 on 12/1/85 -*  
*under*

*H = 200,000*

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

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

APPLICATIONS FOR LICENSE

September 4, 1984

GAS FITTERS (\$30.25)

Bowler Company

SIGN HANGER (\$66.00)

Naegele Outdoor Advertising Co. of the Twin Cities, Inc.

August 30, 1984

Dear Councilmembers:

This preliminary agenda is being dictated on Wednesday afternoon for several reasons---the crunch of putting the budget together, the holiday on Monday, the day before a Council meeting, and the necessity to do the work we normally do on Monday on either Thursday or Friday, and the fact that some of us will be on vacation on Friday. When we put out an agenda this early in the week, we don't always have all the necessary supporting data that we would like to send you under normal circumstances, but that which is missing will be given to you Tuesday evening and because this is being dictated early enough, there may be an additional item on Tuesday's agenda and as always, if that is the case, we'll bring the supporting data to you in your packets Tuesday evening.

Now after saying all of that, the agenda should be somewhat as follows:

The minutes of the regular meeting of August 21, 1984 and the Special meeting of August 28, 1984 are enclosed for your review.

Consent Agenda

ITEM

SUPPORTING DATA

- |  |       |
|--|-------|
| 1. <i>Govina</i> Set Public Hearing for September 18, to consider a request from William A. Govina for a variance to build a 22'x20' garage at 4754 Xenia Ave. N.                    | None. |
| 2. Set assessment hearing for Improvement Projects No. 63-C, 64-A, 59-A Storm Sewer (Bassett Creek), Diseased Tree Removal 1985 and Debris Removal 1985 for 7 P.M., October 2, 1984. | None. |

As you can see, the Consent Agenda merely sets hearings--one to consider a variance, and one to set the assessment hearing for certain improvement projects.

The regular agenda should go as follows:

- |   |       |
|---|-------|
| 1. Public Hearing to consider a request from Edward 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. |
|---|-------|

As usual, Don will have a transparency and detailed information for you Tuesday evening.

2. Public Hearing to consider a request from Melvin Gittleman of Gittleman Corporation, managers for Twin Lake North Condominium Association, 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.

Bill will explain the request in detail on Tuesday evening. As you can see, the Planning Commission recommends approval.

3. Public Hearing to consider a request from Burger King for a variance in parking at 36th Ave. N. and Highway 100. Letter from Benshoof & Assoc. of 8/8/84 re Proposed Burger King Restaurant.

The City Council should first consider a conditional use permit; then a variance for parking. We have plans of the proposal by Burger King, but they are too bulky to include. Bill will lay them out and explain them with the help of the proposers on Tuesday evening. You may recall that you directed the Planning Commission to study the parking requirements as they presently are, and as they are recommended to be by BRW. No report on that study is made at this time so the Council will have to make some decisions without the benefit of that report at this time.

4. Consideration of a request for a private kennel license from James and Betty Corbett, 6410 Corvallis Avenue North. Memo from Kristin Lee, Sanitarian dated 8/17; application; letter to neighbors adjacent to residence of 8/24; and petition.
5. Consideration of a request from Steve Weisman dba Steven Weisman Industries, Inc., for a 3.2 off-sale beer license at 4900 West Broadway. None.

Steve is requesting a 3.2 beer license so that he can sell the new L. A. beer off-sale to his patrons. We have asked that he come in and make his presentation to you and you can ask him any detailed questions you have. At the present time no other on-sale that doesn't have a regular off-sale intoxicating liquor license can sell 3.2 beer or any other kind of beer off-sale. If this one is approved, he will be the only on-sale intoxicating liquor license holder able to sell only 3.2 beer off-sale.

6. Consideration of the Second Reading of an ord. rezoning property north of Super Valu (42nd & Douglas on Colorado, Lot 2, Block 1, Lois 8th Addition), from R-1 to R-3, as requested by John Paulson. None.

## 6. (Continued)

I think the lead-in is self-explanatory.

7. Consideration of the criteria for obtaining parking permits. Copy of criteria.

You may recall you tabled this item at the last meeting because all the members of the Council were not present.

8. Consideration of a Joint Powers Agreement with New Hope regarding the bituminous overlay project on Winnetka Ave. from 56th to 67th. Copy of Agreement.

Action could be to authorize the Mayor and City Manager to sign the enclosed agreement.

9. Consideration of release of surety in the amount of \$8,500 for Independent Business Machines, 5353 West Broadway. Letter from City Engr. dated 8/29/84.
10. Consideration of release of surety in the amount of \$46,000 for Suttle Car Wash, 5160 West Broadway. Letter from City Engr. of 8/29.

On Items #9 and #10, I think the letter from the City Engineer is self-explanatory.

11. Consideration of the resignation of Dennis Taylor from the Environmental Commission. Letter of resignation.
12. Consideration of an ordinance regarding newsracks. Letter from Dave Kennedy dated 8/2; copy of proposed ordinance

Dave Kennedy will explain this ordinance and our need to adopt it in greater detail, if necessary, on Tuesday evening.

13. Consideration of a Joint Cooperation Agreement for the Community Development Block Grant Program. Copy of memo and Agreement.

Again, I think the memo from Leslie is self-explanatory. If there is any need for any greater detail on Tuesday, John or I will be able to answer your questions.

14. Consideration of awarding the bid for a baseball backstop and line fencing for North Lions Park. Copy of City Engineer's recommendation.
15. Presentation of the 1985 City of Crystal Budget. Budget book.

As you can see, the budget is enclosed and if you get an

## 15. (Continued)

opportunity to look at it, we will be prepared to answer some questions Tuesday evening. It would be my suggestion that you spend some time studying it and that we have a Special meeting. It is only fair to tell you that I will be out of town at a Conference at the second meeting in September, and I will be out of town for that whole week, so it may be necessary to have some special meetings to discuss the budget.

Also, there is a need to set a public hearing for budget adoption. That can be done Tuesday evening too. I think you should decide on what evenings you would want to spend on the budget and decide when you would like to have the budget hearing. It could be on an off Tuesday, or any other night of your choice.

In the past we have had the budget hearing at the first meeting in October so that it could be continued, if necessary, and still have time to certify the budget to the County Auditor by October 10, which is required by law.

I call your attention to the fact, however, that in the Consent Agenda, you are establishing the first meeting in October for an assessment hearing. Those hearings include the portion of Douglas Drive recently completed, and possibly Bassetts Creek Flood Control improvement. It is possible that we could have a large number of people present and the hearings could be time consuming so you may want to pick another night for the budget.

That should take care of the agenda as we see it this afternoon. As I said earlier, if something comes up, we will provide space on the agenda for its consideration.

I have also included a letter I received from MnDOT regarding funding possibilities for Bass Lake Road and Highway 169, and the Park and Recreation Advisory Commission agenda for September 5, 1984.

Have a nice long weekend. See you Tuesday night.

J A C K

da  
enc.

APPLICATIONS FOR LICENSE

September 4, 1984

GAS FITTERS (\$30.25)

Bowler Company

SIGN HANGER (\$66.00)

Naegele Outdoor Advertising Co. of the Twin Cities, Inc.

DUE DATE: NOON, WEDNESDAY  
AUGUST 29, 1982

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

ACTION NEEDED MEMO: From the August 21, 1984, Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of August 21, 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 for a variance at 6021 - 34th Avenue North. ACTION NEEDED: Place item on September 4, 1984 Council Agenda. ACTION TAKEN: Item placed on September 4, 1984 Council Agenda.
BLDG. INSPECTOR		ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Property owners notified.
ASST. CITY MGR.	2.	Set public hearing to consider a request for a variance of off-street parking places at 4710 - 58th Avenue North. ACTION NEEDED: Place item on September 4, 1984 Council Agenda. ACTION TAKEN: Item placed on September 4, 1984 Council Agenda.
CITY ENGINEER		ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Notices mailed 8-23-84.

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY CLERK	3.	<p>Consideration of the appointment of election judges and designation of polling places for the Primary Election.</p> <p>ACTION NEEDED: Proceed with election activities and notify judges.</p> <p>ACTION TAKEN: In progress.</p>

### REGULAR AGENDA

<u>DEPARTMENT</u>	<u>ITEM</u>	
BLDG. INSPECTOR	1.	<p>Consideration of a request for a variance to build a detached garage at 6822 - 45th Avenue North.</p> <p>ACTION NEEDED: Notify property owner of Council approval.</p> <p>ACTION TAKEN: Applicant present at meeting.</p>
BLDG. INSPECTOR	2.	<p>Public hearing to consider a request for a variance in the side street side yard setback to build an attached garage at 7022 Corvallis Avenue North.</p> <p>ACTION NEEDED: Notify property owner of Council approval.</p> <p>ACTION TAKEN: Applicant present at meeting.</p>
BLDG. INSPECTOR	3.	<p>Public hearing to consider a request for a variance in the rear yard setback to build a deck at 5432 Unity Avenue North.</p> <p>ACTION NEEDED: Notify property owner of Council approval.</p> <p>ACTION TAKEN: Applicant present at meeting.</p>
BLDG. INSPECTOR	4.	<p>Public hearing to consider a request for a variance in the rear yard setback to build a deck at 4828 Zane Avenue North.</p> <p>ACTION NEEDED: Notify property owner of Council approval.</p> <p>ACTION TAKEN: Applicant present at meeting.</p>

<u>DEPARTMENT</u>	<u>ITEM</u>	
BLDG. INSPECTOR	5.	<p>Consideration of a request from Godfather's Pizza for a building permit to remodel existing building at 99 Willow Bend.</p> <p>ACTION NEEDED: Notify owner of Council approval.</p> <p>ACTION TAKEN: Applicant present at meeting.</p>
CITY MANAGER	6.	<p>Appearance by Marilyn Gitter of the Northwest YMCA to discuss the Detached Worker program.</p> <p>ACTION NEEDED: Note Council recommendation to increase contribution by \$2,000.</p> <p>ACTION TAKEN: Consideration given in budget for \$2,000 increase.</p>
	7.	<p>Appearance by Marshall Everson regarding the waiver of fire-life safety codes for Montessori Academy.</p> <p>ACTION NEEDED: No action needed at this time.</p>
ADMIN. ASST.		<p>ACTION NEEDED: Consideration of a lease for the Montessori Academy, Inc. for Thorson School.</p> <p>ACTION NEEDED: Execute lease agreement and forward to Montessori Academy.</p> <p>ACTION TAKEN: Lease executed and forwarded.</p>
ASST. CITY MGR.	8.	<p>Consideration of First Reading of an ordinance rezoning property north of Super Valu on Colorado.</p> <p>ACTION NEEDED: Place Second Reading on September 4, 1984 Council agenda.</p> <p>ACTION TAKEN: Item placed on September 4, 1984 Council Agenda.</p>

<u>DEPARTMENT</u>	<u>ITEM</u>	
BLDG. INSPECTOR	9.	Consideration of a request for wall signs by the Olivet Baptist Church at 3415 Louisiana Avenue North. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant present at meeting.
CITY CLERK	10.	Consideration of a request from Gregory Christian for an auctioneer's license for an auction at the Bungalow Motel and Restaurant on September 18 and 20, 1984. ACTION NEEDED: Issue license to Quickie Auction. ACTION TAKEN: License issued 8-22-84.
CITY CLERK	11.	Consideration of a request from Milton Andersen for an auctioneer's license for an auction at 4809 Idaho Avenue North. ACTION NEEDED: Issue license. ACTION TAKEN: License issued 8-22-84.
CITY ENGINEER	12.	Consideration of methods to reduce truck traffic on Idaho and 54th, 53rd and 52nd Avenues North. ACTION NEEDED: Post "no trucks" signs on the western end of the Soo Line Property at Boyd's cabinet. ACTION TAKEN: Signs posted 8-24-84.
CITY MANAGER	13.	Consideration of petitions regarding the Iron Horse. ACTION NEEDED: Submit quarterly report to Council when available and include a head count on crowd capacity at the Iron Horse and other liquor establishments. ACTION TAKEN: Quarterly report to be submitted in late September.

<u>DEPARTMENT</u>	<u>ITEM</u>	
ASST. CITY MGR.	14.	<p>Consideration of the criteria for issuing temporary parking permits.</p> <p>ACTION NEEDED: Place item on September 4, 1984 Council Agenda.</p> <p>ACTION TAKEN: Item placed on September 4, 1984 Council Agenda.</p>
CITY MANAGER	15.	<p>Consideration of appointments to the Civil Service Commission.</p> <p>ACTION NEEDED: Notify Art Cunningham, Cyril Soukup and Karen Baker of appointment to the Civil Service Commission and ask Art Cunningham to be convener of the group.</p> <p>ACTION TAKEN: Letter sent 8-23-84.</p>
CITY MANAGER	16.	<p>Consideration of a park land dedication procedure in platting.</p> <p>ACTION NEEDED: Review the platting material provided and make recommendations to the Council regarding its appropriateness for the City.</p> <p>ACTION TAKEN: In process.</p>
CITY MANAGER	17.	<p>Consideration of a request to discuss the Housing Maintenance Code.</p> <p>ACTION NEEDED: Prepare necessary changes in ordinance to accomplish a change to the Brooklyn Center type ordinance and review this document with the HRA and Planning Commission prior to returning to the City Council.</p> <p>ACTION TAKEN: In process.</p>
CITY MANAGER	18.	<p>Consideration of a request urging the legislature to raise the drinking age to 21 years of age.</p> <p>ACTION NEEDED: Prepare letter for Mayor's signature regarding Council's action to urge this change.</p> <p>ACTION TAKEN: In process.</p>

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY ATTORNEY	19.	<p>Consideration of a request to increase the hourly rate for legal services provided to the City of Crystal.</p> <p>ACTION NEEDED: Proceed with change as of January 1, 1985.</p> <p>ACTION TAKEN: Changes noted.</p>
CITY CLERK	20.	<p>Licenses.</p> <p>ACTION NEEDED: Issue licenses.</p> <p>ACTION TAKEN: Licenses issued 8-22-84.</p>



# BENSHOOF AND ASSOCIATES

TRANSPORTATION PLANNING AND ENGINEERING CONSULTANTS

7901 FLYING CLOUD DRIVE, SUITE 119 / EDEN PRAIRIE, MINNESOTA 55344 / (612) 944-7590

August 8, 1984

REFER TO FILE: 84-34-24

## MEMORANDUM

TO: Robert Hoida, Burger King Corporation  
FROM: James A. Benshoof <sup>JAB</sup> and Michael L. Wonson <sup>MLW</sup>  
SUBJ: Proposed Burger King Restaurant in the City of Crystal

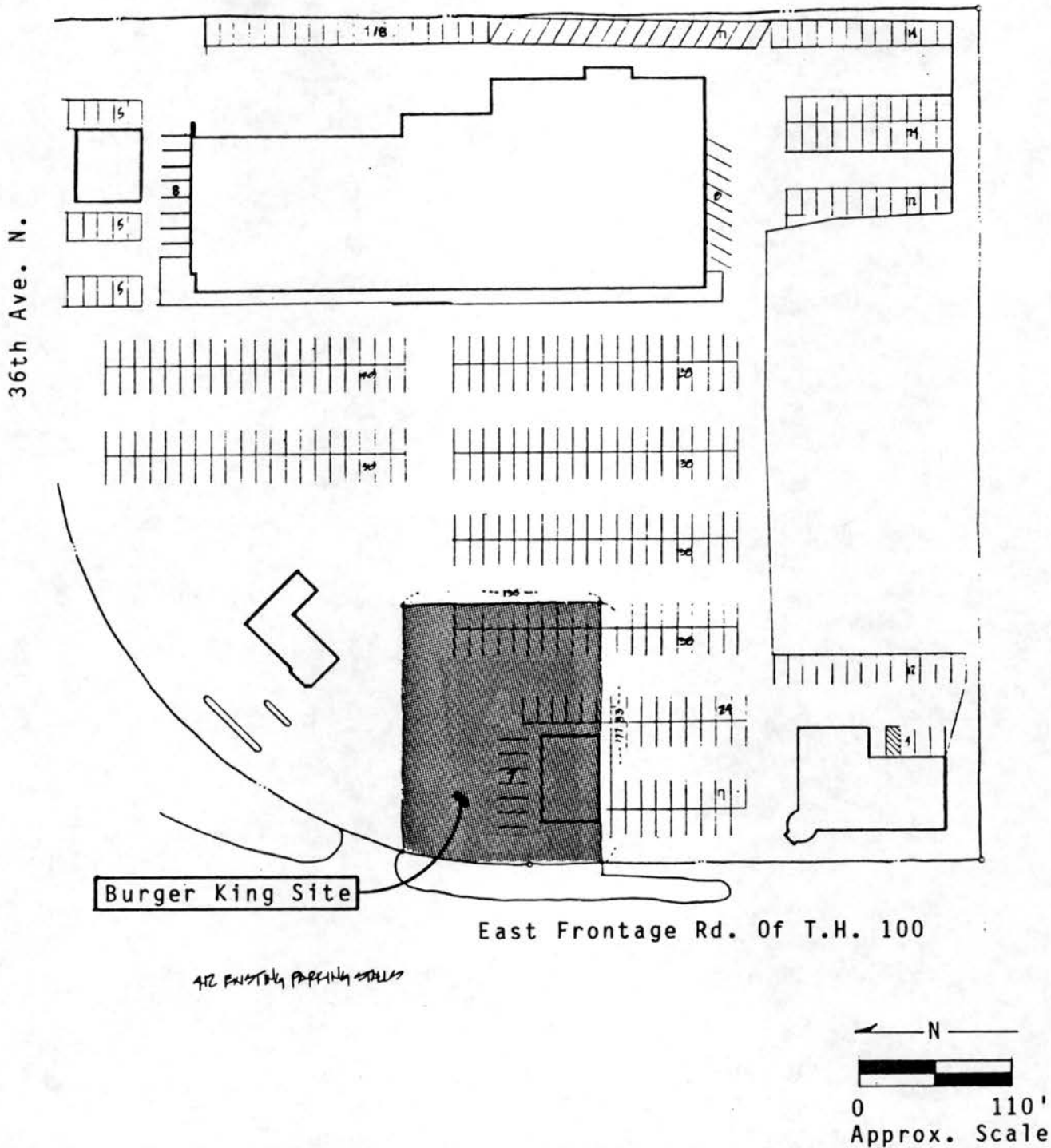
Per your request, we have analyzed the parking and traffic implications of the Burger King restaurant proposed to be located north of Nicklow's restaurant in the City of Crystal. As we understand it, the building will be a "typical" Burger King facility with drive-up window service. Current access points from the public roadway system to the existing shopping center complex will be utilized, as no new access points are proposed.

## EXISTING PARKING SUPPLY AND USE

Figure 1 shows the existing parking supply and layout. A total of 412 striped spaces are available, with the majority located either to the front (west) of the main shopping center building or adjacent to Nicklow's restaurant. In addition to the striped parking stalls, the unpaved area east of Nicklow's is available for parking, as is the general area around the gas station.

The first step in the analysis of the parking implications of the proposal is to assess current usage of the existing parking facilities. To this end, field surveys were conducted at the shopping center on Friday, June 1, 1984 and Saturday, June 23, 1984. The surveys consisted of counting all vehicles parked at the center by 15 minute periods for the hours of 11:00 a.m. to 1:00 p.m. and 5:00 p.m. to 8:00 p.m. on June 1 and 11:00 a.m. to 1:00 p.m. on June 23. The parking counts were tabulated for 8 sub areas of the entire lot to allow analysis of not only the total parking observed, but also the locations of heaviest usage.

Figure 2 presents the results of the parking counts. This graphic shows the number of spaces available in each sub area and the maximum number of parked vehicles for the three general time periods surveyed.



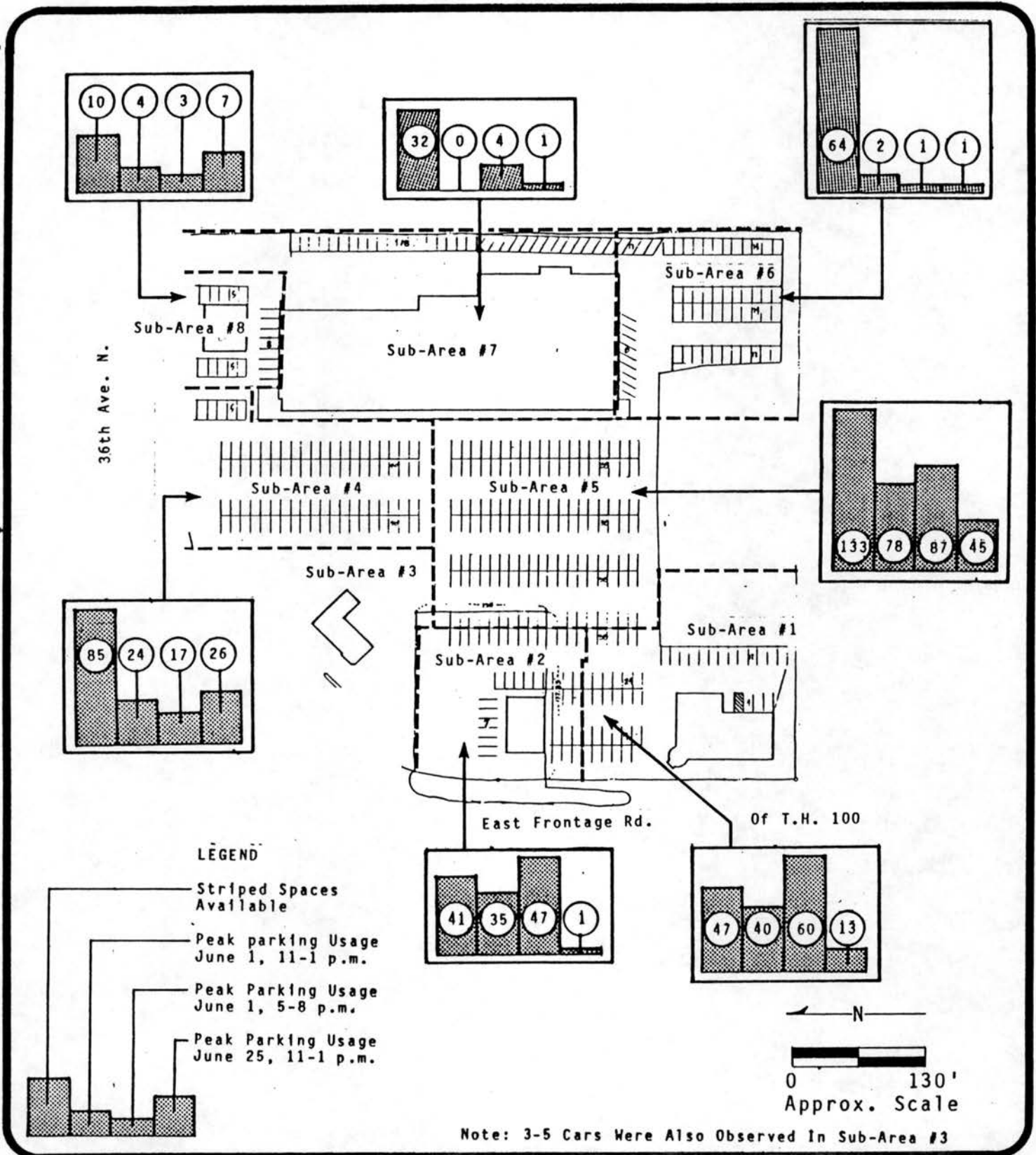
BURGER KING CORPORATION

BENSHOOF AND ASSOCIATES  
TRANSPORTATION PLANNING AND ENGINEERING CONSULTANTS

PROPOSED RESTAURANT  
IN CRYSTAL

FIGURE 1

EXISTING SHOPPING  
CENTER AND PARKING  
LOT LAYOUT



BURGER KING CORPORATION

BENSHOOF AND ASSOCIATES  
TRANSPORTATION PLANNING AND ENGINEERING CONSULTANTS

PROPOSED RESTAURANT  
IN CRYSTAL

FIGURE 2

PEAK OBSERVED PARKING  
DEMAND BY SUB-AREA

The following points can be noted from Figure 2:

- The fact that parking in sub areas 1 and 2 exceeds the number of available spaces on Friday evening results from parking in the unstriped areas east of Nicklow's and north of the vacant cabinet shop. These unstriped areas were not included in the calculation of available spaces.
- The heaviest parking usage occurred in sub areas 1 and 2, adjacent to Nicklow's, and sub area 5 to the front of the center. The remaining areas exhibited minimal to moderate use.
- The highest parking count for the total area was 222 vehicles, observed on Friday evening at 8:00 p.m.

The field surveys indicate that the highest parking demand surveyed on June 1 and 25 (222 cars) represents utilization of only 54% of the available on site parking (412 spaces). In order to further refine the parking demand for the existing commercial complex, it is appropriate to analyze parking needs in light of two additional criteria: parking demand for the peak retail period at Christmas time and parking demand were the center to become more successful.

Recent data from the Urban Land Institute, 1983, indicate that retail parking demand in June represents 75% of the peak demand which occurs in December. While peak restaurant demand occurs during the summer, a worst case assumption would be that the June parking counts for the entire complex represent 75% of peak demand. Adjusting the observed counts upwards to account for this factor yields a peak demand of approximately 300 cars for the existing commercial uses (73% of the 412 available spaces).

The second criteria is to estimate parking demand if the center were to become more successful. The following parking rates, previously calculated for parking studies prepared by Benshoof & Associates and confirmed by the recent Urban Land Institute report, represent appropriate parking ratios for successful businesses:

Retail -- 3.8 spaces per 1,000 sq. ft.  
Restaurant/Lounge -- 20 spaces per 1,000 sq. ft.  
Night Club/Bar -- 30 spaces per 1,000 sq. ft.

Based upon the square feet currently existing for the entire complex, the peak parking demand calculated by these rates is approximately 395 spaces, 17 fewer than the 412 spaces available.

It can therefore be concluded, that the current parking available is adequate to accommodate peak parking demand for the existing commercial development during the peak retail shopping season and also is adequate even if the center were to become more successful.

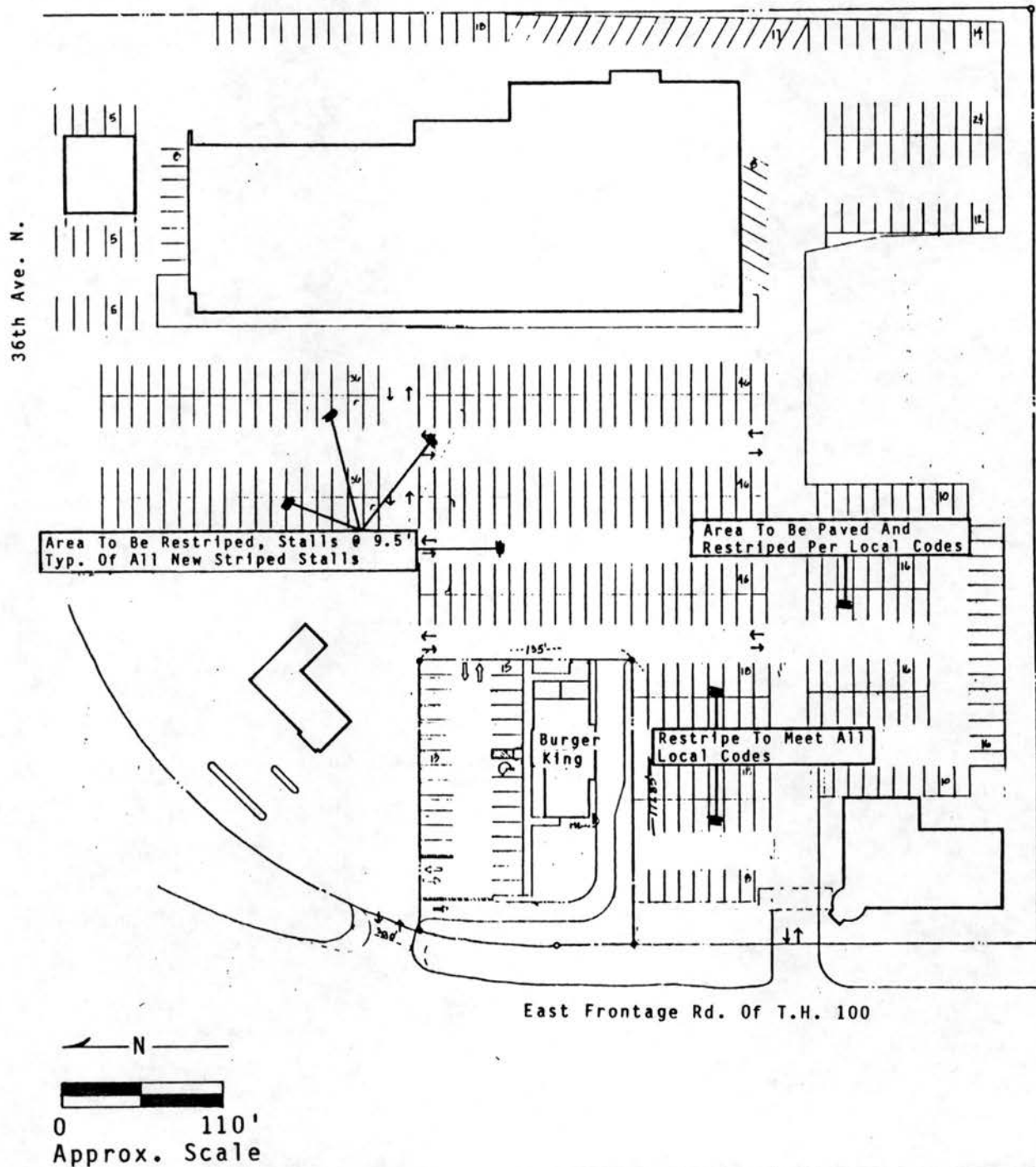
#### PROPOSED PARKING AVAILABILITY AND USE

Figure 3 presents the proposed shopping center parking plan with the proposed Burger King restaurant. In order to fully meet the parking needs associated with the proposed Burger King development, additional parking spaces are proposed to be constructed, in conjunction with restriping portions of the existing parking lot. As shown in Figure 3, the proposed plan involves new parking spaces being added both to the north of the proposed restaurant, adjacent to the front entrance, and to the east of Nicklow's on the currently unpaved area. This parking will be consistent with City code requirements of 9.5' x 20' stalls with 24' drive aisles. The area between Nicklow's and Burger King will be restriped consistent with City Code in conjunction with removal of existing parking on the public right-of-way adjacent to Nicklow's entrance. The area in front of the shopping center (east of Burger King) will be restriped to provide 9.5' x 20' stalls. Drive aisles will be 21'-22' in width as sufficient area does not exist to create 24' drive aisles (current drive aisles are approximately 20' in width). This parking plan provides an additional 54 spaces for a total of 466 parking stalls.

As we understand it, these additional 54 spaces are more than necessary to meet City Zoning Code requirements for the Burger King restaurant based upon a detailed analysis of public and non-public floor area of the proposed facility.

In order to further determine the adequacy of this amount of parking for the proposed restaurant, field surveys were conducted at a number of existing Burger King facilities. The following table represents the highest number of vehicles observed for any 15 minute period during the noon and evening peak hours of business for the various locations surveyed:

<u>Location of Burger King Restaurant</u>	<u>Peak Parking Observed</u>
7009 Bass Lake Road	29
Snelling Avenue and County Road B	47
90th Street and Penn Avenue	34
66th Street and Upton	36
University Avenue and T.H. 10	26



BURGER KING CORPORATION

BENSHOOF AND ASSOCIATES  
TRANSPORTATION PLANNING AND ENGINEERING CONSULTANTS

PROPOSED RESTAURANT  
IN CRYSTAL

FIGURE 3

PROPOSED SITE PLAN AND  
PARKING LOT IMPROVE-  
MENTS

As can be noted, at no time were more than 47 vehicles observed at any restaurant. Therefore, it can be concluded that the provision of 54 additional parking spaces for the overall parking lot will be fully adequate to meet the total parking needs for the shopping center following completion of the Burger King restaurant.

A further benefit is that the additional parking proposed by Burger King is located in the general area of highest demand (adjacent to Nicklow's) observed during the parking counts at the shopping center.

#### TRAFFIC ANALYSIS

The final step in the analysis was to consider the potential effects of the Burger King proposal on both internal traffic flow as well as on the public roadways.

Concerning internal traffic circulation, four major points should be noted:

- 1) The current access points and circulation pattern of the center will remain as they exist, such that no disruption will occur for the Burger King facility.
- 2) The orientation of the restaurant is away from the Nicklow's restaurant to avoid conflict between the pedestrian and vehicular traffic for the two uses.
- 3) The orientation of trips leaving the Burger King drive-thru lane is towards the middle of the existing parking lot allowing traffic to disburse to the most appropriate access point available.
- 4) The stacking distance available at the drive-up facility allows room for 11 cars (three from the window to the menu board and 8 from the menu board to the property line). The maximum number of queued vehicles observed at surveys of six Burger King facilities including the restaurant on Bass Lake Road was 8. As such, it can be concluded that sufficient stacking distance is provided at the drive-up facility to avoid vehicular queuing off site and to avoid any interference with vehicles entering the shopping center from the T.H. 100 service road.

Concerning the public roadway system, field observations of the adjacent roadways and the intersection of 36th Avenue and T.H. 100 during the noon and p.m. peak hours indicate that the roadways currently function effectively. Benshoof & Associates has previously conducted detailed traffic surveys

of a number of existing Burger King restaurants. These data and experiences, combined with the field observations at the proposed site, would indicate that the addition of Burger King traffic would not substantially increase traffic volumes. It is expected that the adjacent roadway system will continue to function effectively.

#### CONCLUSIONS

Based upon the analysis, the following conclusions are made:

- 1) Sufficient parking is currently available to accommodate existing parking demand at the shopping center, as well as the potential demand generated by a more successful center.
- 2) The provision of 54 additional parking spaces in conjunction with the Burger King development is fully adequate to accommodate its parking demand and meet City Code requirements for the restaurant. These spaces can be effectively utilized by other tenants of the shopping complex.
- 3) No negative effects on either internal traffic circulation or the functioning of the public roadway system are anticipated based upon field observations and Burger King traffic data.

M E M O R A N D U M

TO: John T. Irving, City Manager

FROM: Kristin A. Lee, Public Health Sanitarian

RE: Private Kennel License - James Corbett  
6410 Corvallis, Crystal, Minnesota

DATE: August 17, 1984

An inspection was made August 16, 1984 of the Corbett property at 6410 Corvallis Avenue North, Crystal, Minnesota.

The Corbetts have three (3) dogs. One dog is a Collie (Jason), one is a Lab (Kriss) and one is a small bull terrier, springer cross (Scruffy). The dogs are kept in the house day and night except when they have to relieve themselves. When they are let out, they are put on a chain, one at a time. The owners are always out with the animals when the dogs are off the chains. Feces are removed regularly. There does not appear to be any type of sanitation problem at this residence.

The dogs are of a friendly nature. They are clean and respond to owner's commands.

I do not anticipate any major problems if a Private Kennel license is approved at this residence.

KAL:jt  
Encl.

# APPLICATION FOR LICENSE

4141 Douglas Drive, Crystal, Minnesota 55422

HONORABLE CITY COUNCIL  
CRYSTAL, MINNESOTA

COUNCILMEMBERS:

I  
WE James Corbett  
6410 Corvallis Ave. No.  
Crystal, MN 55428

Fee, \$ 27.50

New XX Renewal

Telephone 537-2982  
533-8644 wk. husb.

enclose the sum of TWENTY SEVEN AND 50/100 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

James Corbett

.....hereby make application to  
operate a Private Kennel at 6410 Corvallis Avenue North

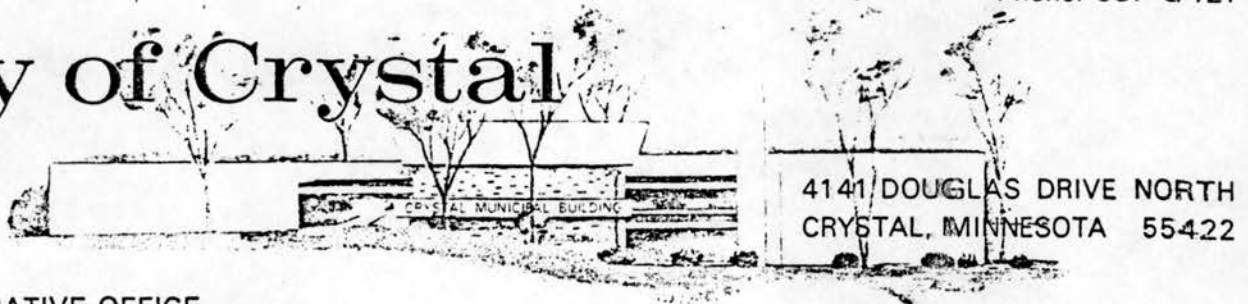
for the period .....through December 31, 1984.....subject to all  
conditions and provisions of said Ordinance.

City Use Only

BETTY CORBETT  
Print Name of Applicant

Betty Corbett  
Signature of Applicant

# City of Crystal



## ADMINISTRATIVE OFFICE

LETTERS SENT TO: Barry Wistey, 6402 Corvallis  
August 24, 1984 Martin Gustafson, 5115 Edgewood  
Douglas Diederichs, 6407 Corvallis  
Mark Warnack, 5102 Florida  
Ethel Sprague Charlotte Beckfeld, 6425 Corvallis  
5108 Florida Avenue North LeRoy Wickham, 6505 Corvallis  
Crystal, MN 55428

Dear Ms. Sprague:

This letter is being sent to inform you that the City Council of the City of Crystal will be considering the application for a Private Kennel license at 6410 Corvallis Avenue North. The Council will be considering this request on Tuesday, September 4, 1984, in the Crystal Municipal Building, 4141 Douglas Drive, in the Council Chambers.

The Council meeting will begin at 7:00 P.M. The City Code of the City of Crystal requires that, in any household containing more than two animals, a Private Kennel license is required. The applicants, in this case, have three dogs which necessitate their request.

If you have any comments you wish to make, your attendance will be appreciated. If you have any questions, please call me at 537-8421.

Sincerely,

Kristin A. Lee  
Public Health Sanitarian  
Crystal Health Department

KAL:jt

8-18-84

== DO NOT OBJECT  
TO CORBETTS HAVING  
A KENNEL LISENCE.

VO Dan Beck

X E Ray Wickham  
6505-Cornell

X Charlotte Beckfield  
6425-Cornell

X Mark & Maure Harnack

X Mr & Mrs Douglas Dieckhus  
5102-Florida  
6407-Cornell

X Mr & Mrs Martin Gustafson 5115-Edge #1

X Ethel V. Sprague 5108-Florida #1

X Perry W. Wistey 6402-Corn.

JOINT AND COOPERATIVE AGREEMENT  
FOR BITUMINOUS OVERLAY ON WINNETKA AVENUE  
NORTH BETWEEN BASS LAKE ROAD  
AND 62ND AVENUE NORTH

THIS AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 1984, by and between the City of Crystal, a Minnesota Municipal Corporation ("Crystal") and the City of New Hope, a Minnesota Municipal Corporation ("New Hope").

WITNESSETH:

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

WHEREAS, Crystal and New Hope have been negotiating to bring about the improvement of that portion of Winnetka Avenue North lying between Bass Lake Road and 62nd Avenue North, which improvement includes replacement of concrete curb and gutter where required, milling of bituminous surface adjacent to existing concrete curb and gutter, and construction of a 1-1/2 inch thick bituminous overlay, all per the plans and specifications prepared by Bonestroo, Rosene, Anderlik and Associates, Inc., hereinafter referred to as New Hope Engineers, to be approved by the Council of each party.

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

a) Crystal Street Improvement No. 64-D ordered the 5<sup>th</sup> day of June, 1984.

b) New Hope Street Improvement No. 387 Revised ordered the 23rd day of April, 1984.

WHEREAS, the total estimated construction cost of the Joint Project is \$121,540.00 consisting of \$21,195.00 in costs for the Crystal project and \$100,355.00 in costs for the New Hope project as estimated by the New Hope Engineers.

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

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

I. CONSTRUCTION OF THE JOINT PROJECT

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

1.01. Chapter 429 Proceedings. The Crystal Project and the New Hope Project shall be constructed as a single contract under the supervision and direction of the New Hope Engineer in accordance with the procedures set forth in Minnesota Statutes, Chapter 429.

1.02. Plans and Specifications. Plans and specifications for both the New Hope and Crystal project shall be prepared by the New Hope Engineer. All plans and specifications shall be approved by each City Council before commencement of construction.

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

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

## II. COST AND COST SHARING

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

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

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

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

The final construction cost to be apportioned to each municipality shall be the total cost for construction of all B618 concrete curb and gutters, milling adjacent to existing concrete curb and gutters and restoration of all driveways and boulevards occurring on each municipality's respective side of Winnetka Avenue North between Bass Lake Road and 62nd Avenue North. All costs associated with the construction of the 1-1/2 inch thick bituminous overlay on Winnetka Avenue North between Bass Lake Road and 62nd Avenue North shall be apportioned equally between each municipality unless said costs are direct pay items, the payment of which shall be controlled by paragraph 2.03 of this agreement.

The normal contingency costs, legal costs associated with the preparation of this Joint Powers Agreement and all other engineering costs associated with this project shall be deemed construction supervision costs. Construction supervision costs shall be determined by the New Hope Engineer and shall be apportioned to each municipality by multiplying that cost by a percentage determined by dividing the project's total construction supervision cost by its total construction cost.

2.03. Direct Pay Items. Direct pay items shall include but not be limited to relocation and/or adjustment of utility structures such as manholes, hydrants, and catch basins, insulation of water mains, and adjustment of alignments or grades at intersections. The number of direct pay items and to which municipality the cost will be apportioned shall be determined by the New Hope Engineers per their plans and specifications. The costs associated with these items shall be deemed a cost of the project; however, said costs shall be borne by the municipality wherein such work is performed. Payment of direct pay items shall be made in accordance with Section 2.04.

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

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

### III. MISCELLANEOUS

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

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

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

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

CITY OF CRYSTAL

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

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

CITY OF NEW HOPE

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

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

August 29, 1984

Honorable Mayor & City Council  
City of Crystal, MN

RE: Surety Release  
Independent Business Machines  
5353 West Broadway

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 approved by the City of Crystal subject to the guarantee provisions of the agreement effective this date, and that the bond of Great American Insurance Company of Ohio No. 2-37-31-18 in the amount of \$8,500 be released, subject to said guarantee.

Very truly yours,



William L. Sherburne, P.E.  
City Engineer

WLS:jrs

cc: John T. Irving, City Manager  
Don Peterson, Building Inspector  
Donald W. Rowe

August 29, 1984

Honorable Mayor & City Council  
City of Crystal, MN

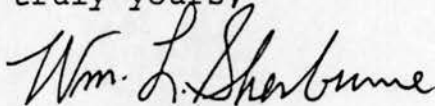
RE: Surety Release  
Suttle Car Wash  
5160 West Broadway

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 approved by the City of Crystal subject to the guarantee provisions of the agreement effective this date, and that the bond of Hartford Accident & Indemnity Co. of Connecticut in the amount of \$46,000 be released, subject to said guarantee.

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:JRS

cc: John T. Irving, City Manager  
Don Peterson, Building Inspector  
Edward C. Suttle

August 27, 1984

TO: John T. Irving, City Manager  
FROM: Leslie Nerenberg, Redevelopment Coordinator *fn*  
RE: Community Development Block Grant Program (CDBG)  
Joint Cooperation Agreement

The accompanying Joint Cooperation Agreement and resolution are transmitted for consideration by the City Council. The Agreement was developed by Hennepin County with the aid of an ad hoc committee made up of representatives of participating communities. It has been reviewed by the County Attorney's Office and is endorsed as to form.

Passage of the resolution and execution of the Joint Cooperation Agreement will commit the City to participate in the Urban Hennepin County Community Development Block Grant Program for Federal Fiscal Years 1985, 1986 and 1987. The corresponding Urban Hennepin County program years are XI, XII and XIII, respectively beginning July 1, 1985, July 1, 1986 and July 1, 1987.

By opting not to execute the Agreement, the City will be excluded from the Urban Hennepin County CDBG program for the same period.

JOINT COOPERATION AGREEMENT

THIS AGREEMENT made and entered into by and between the COUNTY OF HENNEPIN, State of Minnesota, hereinafter referred to as "COUNTY," and the CITY OF Crystal, hereinafter referred to as "COOPERATING UNIT," said parties to this Agreement each being governmental units of the State of Minnesota, and is made pursuant to Minnesota Statutes, Section 471.59;

WITNESSETH;


In consideration of the mutual covenants and promises contained in this Agreement, the parties mutually agree to the following terms and conditions.

I. DEFINITIONS

For purposes of this Agreement, the terms defined in this section have the meanings given them:

- A. "The Act" means the Housing and Community Development Act of 1974, Title I, of Public Law 93-383, as amended (42 USC 5301 et.seq.).
- B. "Regulations" means the rules and regulations promulgated pursuant to the Act, including but not limited to 24 CFR Part 570.
- C. "HUD" means the United States Department of Housing and Urban Development.
- D. "Cooperating Unit" means any city or town in Hennepin County which has entered into a cooperation agreement which is identical to this Agreement, as well as Hennepin County which is a party to each Agreement.
- E. "Statement of Objectives and Projected Use of Funds" means the document bearing that title and submitted to HUD for authorization to expend the entitlement amount and which is developed by the COUNTY in conjunction with COOPERATING UNITS as part of the Community Development Block Grant Program.
- F. "Planning Area" means one of the various regions of Hennepin County as defined in the Citizen Participation adopted for purposes of the Act by County by Resolution.

The definitions contained in 42 USC 5302 of the Act and 24 CFR 570.3 of the Regulations are incorporated herein by reference and made a part hereof.



## II. PURPOSE

COOPERATING UNIT and COUNTY have determined that it is desirable and in the interests of their citizens that COUNTY qualify as an Urban County within the provisions of the Act. This Agreement contemplates that identical agreements will be executed between COUNTY and any city or town in Hennepin County which does not qualify as a metropolitan city under the Act in such number as will enable COUNTY to so qualify as an Urban County under the Act.

The purpose of this Agreement is to authorize COUNTY and COOPERATING UNIT to cooperate in undertaking, or assisting in undertaking, community renewal and lower income housing activities, specifically urban renewal and publicly assisted housing and authorizes COUNTY to carry out these and other eligible activities which will be funded from annual Community Development Block Grants from Fiscal Years 1985, 1986 and 1987.

## III. TERM OF AGREEMENT

The term of this Agreement is for a period commencing on the effective date of October 1, 1984, and terminating no sooner than the end of program year thirteen (XIII) covered by the Statement of Objectives and the Projected Use of Funds for the basic grant amount approved by HUD subsequent to the effective date. This Agreement is extended automatically for each subsequent three year program period unless written notice of termination to be effective at the end of the three year program period is given by COOPERATING UNIT to COUNTY following the same schedule as the notification of opportunity to be excluded. COUNTY shall provide written notification to COOPERATING UNIT of the opportunity to be excluded and terminate this Agreement.

Notwithstanding any other provision of this Agreement, this Agreement shall be terminated at the end of the three year program period during which HUD withdraws its designation of COUNTY as an Urban County under the Act.

This Agreement shall be executed by the appropriate officers of COOPERATING UNIT and COUNTY pursuant to authority granted them by their respective governing bodies, and a copy of the authorizing resolution and executed Agreement shall be filed promptly by the COOPERATING UNIT in the office of the Hennepin County Administrator, and in no event shall the Agreement be filed later than September 14, 1984.

## IV. SCOPE OF ACTIVITIES

COOPERATING UNIT agrees that awarded grant funds will be used to undertake and carry out within the terms of this Agreement certain projects involving one or more of the essential activities eligible for funding under the Act. COUNTY agrees and will assist COOPERATING UNIT in the undertaking of such essential activities by providing the services specified in this Agreement.

A. COOPERATING UNIT further specifically agrees as follows:

1. COOPERATING UNIT will in accord with a COUNTY established schedule prepare and provide to COUNTY, in a prescribed form, an annual request for the use of Community Development Block Grant Funds consistent with program regulations and Urban Hennepin County program objectives.
2. COOPERATING UNIT will use all funds received pursuant to the Agreement for each annual program within eighteen (18) months of the approval by HUD of the basic grant amount. Expenditure period extensions shall not be permitted, except in cases where the funded activity has been initiated and/or subject of a contract to execute between the COOPERATING UNIT and a vendor.
3. COOPERATING UNITS will take actions necessary to accomplish the community development program and housing assistance goals as contained in the Urban Hennepin County Housing Assistance Plan.
4. COOPERATING UNIT will ensure that all programs and/or activities funded in part or in full by grant funds received pursuant to this agreement will be undertaken affirmatively with regard to fair housing, employment and business opportunities for minorities and women. It will in implementing all programs and/or activities funded by the basic grant amount comply with all applicable federal and Minnesota Laws, statutes, rules and regulations with regard to civil rights, affirmative action and equal employment opportunities.
5. COOPERATING UNIT will participate in the citizen participation process as established in the Urban Hennepin County Citizen Participation Plan.

B. COUNTY further specifically agrees as follows:

1. COUNTY shall prepare and submit to HUD and appropriate reviewing agencies on an annual basis all plans, statements and program documents necessary for receipt of a basic grant amount under the Act.
2. COUNTY shall provide, to the maximum extent feasible, technical assistance and coordinating services to COOPERATING UNIT in the preparation and submission of the request for funding.
3. COUNTY shall provide ongoing technical assistance to COOPERATING UNIT to aid COUNTY in fulfilling its responsibility to HUD for accomplishment of the community development program and housing assistance goals. The parties mutually agree to cooperate fully in the preparation of the Statement of Objectives and Projected Use of Funds to qualify for receipt of the basic grant amount.

4. COUNTY shall upon official request by COOPERATING UNIT agree to administer local housing rehabilitation grant programs funded pursuant to the Agreement provided that COUNTY shall receive reimbursement for costs associated with operating local housing rehabilitation programs, the amount of which shall be established on an annual basis.
5. COUNTY shall, as necessary for clarification and coordination of program administration, develop and implement Administrative Rules consistent with the Act, Regulations and HUD administrative directives.

The parties mutually agree to comply with all applicable requirements of the Act and the Regulations and other relevant Federal and/or Minnesota statutes or regulations in the use of basic grant amounts. Nothing in this Article shall be construed to lessen or abrogate COUNTY's responsibility to assume all obligations of an applicant under the Act, including the development of applications pursuant to 24 CFR 570.300 et seq.

#### V. ALLOCATION OF BASIC GRANT AMOUNTS

Basic grant amounts received by the COUNTY under the Act shall be allocated as follows:

- A. COUNTY shall retain ten percent (10%) of the total basic grant amount for the undertaking of eligible activities.
- B. The balance of the basic grant amount shall be apportioned by COUNTY to COOPERATING UNITS in accordance with the following formula for the purpose of allowing the COOPERATING UNITS to make requests for the use of funds so apportioned. The allocation is for planning purposes only and is not a guarantee of funding.

Each COOPERATING UNIT shall use as a target for planning purposes an amount which bears the same ratio to the balance of the basic grant amount as the average of the ratios between:

1. The population of COOPERATING UNIT and the population of all COOPERATING UNITS.
2. The extent of poverty in COOPERATING UNIT and the extent of poverty in all COOPERATING UNITS.
3. The extent of overcrowded housing by units in COOPERATING UNIT and the extent of overcrowded housing by units in all COOPERATING UNITS.
4. In determining the average of the above ratios, the ratio involving the extent of poverty shall be counted twice.

It is the intent of this paragraph that said planning allocation utilize the same basic elements for allocation of funds as are set forth in 42 CFR 507.4. The COUNTY shall develop these ratios based upon data to be furnished by HUD. The COUNTY assumes no duty to gather such data independently and assumes no liability for any errors in the data furnished by HUD.

In the event that any COOPERATING UNIT cannot commit, expend, does not apply or cannot qualify for a community development block grant, or a portion thereof, COUNTY will reallocate the unexpended or unallocated grant funds to a Countywide Discretionary account. The reallocation will include funds pursuant to Article IV paragraph A. 2. of this Agreement.

COUNTY will retain ten (10) percent of all funds placed in the Countywide Discretionary Account to help defray the administrative costs associated with planning and administering the Countywide Discretionary reallocation process.

COUNTY will inform each COOPERATING UNIT of the Countywide Discretionary account balance and will provide the opportunity to COOPERATING UNIT to make request for use of all or a portion of the funds.

## VI. FINANCIAL MATTERS

Reimbursement to the COOPERATING UNIT for expenditures for the implementation of activities funded under the Act shall be made upon receipt by the COUNTY of Summary of Project Disbursement form and Hennepin County Warrant Request, and supporting documentation.

All funds received by COUNTY under the Act as reimbursement for payment to COOPERATING UNITS for expenditure of local funds for activities funded under the Act shall be deposited in the County Treasury.

COOPERATING UNIT and COUNTY shall maintain financial and other records and accounts in accordance with requirements of the Act and Regulations. Such records and accounts will be in such form as to permit reports required of the COUNTY to be prepared therefrom and to permit the tracing of grant funds and program income to final expenditure.

COOPERATING UNIT and COUNTY agree to make available all records and accounts with respect to matters covered by this Agreement at all reasonable times to their respective personnel and duly authorized federal officials. Such records shall be retained as provided by law, but in no event for a period of less than three years from the last receipt of program income resulting from activity implementation. COUNTY shall perform all audits of the basic grant amount and resulting program income as required under the Act and Regulations. Program income derived from activities funded in total or part from the basic grant amount received by COOPERATING UNIT shall be returned to COUNTY for inclusion in the Countywide Discretionary Account, except that income generated from approved revolving account activities dependent on the return of said income, shall remain with the activity.

COOPERATING UNIT, having signed this Agreement, and the Hennepin County Board of Commissioners having duly approved this Agreement on \_\_\_\_\_, 19\_\_\_\_, and pursuant to such approval and the proper County official having signed this Agreement, the parties hereto agree to be bound by the provisions herein set forth.

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

COUNTY OF HENNEPIN, STATE OF MINNESOTA

By: \_\_\_\_\_  
Chairman of its County Board

  
Assistant County Attorney

And: \_\_\_\_\_  
Deputy/Associate County Administrator

Date: August 15, 1984

ATTEST: \_\_\_\_\_  
Clerk of the County Board

APPROVED AS TO EXECUTION:

CITY OF:

BY: \_\_\_\_\_  
Its

\_\_\_\_\_  
Assistant County Attorney

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

And: \_\_\_\_\_  
Its

CITY MUST CHECK ONE:

The City is organized pursuant  
to: Plan A Plan B Charter

CITY OF CRYSTAL, MINNESOTA

ITS

August 29, 1984

John T. Irving  
City Manager  
City of Crystal, MN

RE: Baseball Backstop & Line Fencing Bids

Dear Mr. Irving:

The sealed bids received for the furnishing and installation of a baseball backstop and foul line fencing for North Lions Park were checked for completeness and compliance with the specifications.

The tabulation is as follows:

Century Fence Co.	\$5,881.00
Midwest Fence	5,967.00
Viking Fence & Construction	6,485.00
Twin City Fence Co.	6,587.00
Crowley Co., Inc.	6,805.00
Cyclone Fence, U.S. Steel Corp.	7,844.00

It is recommended that the contract be awarded to Century Fence Co. in the amount of \$5,881.00.

Very truly yours,



William L. Sherburne, P.E.  
City Engineer

WLS:jrs



Minnesota  
Department of Transportation  
District 5  
2055 No. Lilac Drive  
Golden Valley, Minnesota 55422

(612) 545-3761

August 17, 1984

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

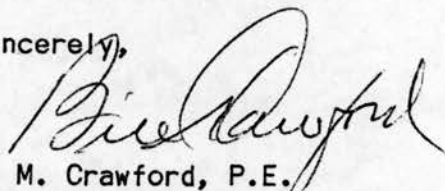
Dear Mr. Irving:

Your letter of August 8, 1984 in reference to Bass Lake Road and T.H. 169 has been received. We will begin necessary activity to identify possible funding sources for this proposed work.

I am sure you realize we are still bound by limited resources. There is much more that needs to be accomplished than we can possibly finance. This means that much work is in strong competition with other proposed improvements throughout the district and the state. It certainly helps when requesting programming for these types of projects that the affected municipalities and county are able to participate in the cost.

We will advise you as soon as we have pertinent information relative to a funding source that would allow us to enter into a cooperative agreement for the desired improvement of this intersection. If you have further questions on this matter, please contact me or Duane Brown of my staff. The phone number is 545-3761.

Sincerely,



W. M. Crawford, P.E.  
District Engineer

August 30, 1984

TO: City of Crystal Councilmembers

FROM: John T. Irving, City Manager

Dear Councilmembers:

As I indicated in the Preliminary Agenda, I am enclosing in your packet on Friday, the proposed budget for 1985. Some of you have never had the opportunity to review a proposed budget and sit in on the many discussions held regarding it. For that reason I will briefly run you through what we have sent to you.

As you can see the first page is merely a memorandum to me from John, informing me that this is the final budget based on a series of meetings John, I and other members of the staff have held over the last month and a half.

The next page is a summary of department appropriations. As you can see, the overall appropriation is \$4,589,165 plus \$182,171 for the operation of Thorson School which is in a separate fund.

The next two pages are merely indexing the budget document so that it is a little easier for you to find the departments. Each department as you can see, is separated by a green sheet of paper that summarizes that department's budget. In the case of capital outlay, we list the capital outlay that is included in the figures on the left hand page. I call your attention to Page 35. As you can see, the page just previous to Page 35 has the listing of the detail of the capital outlay proposal. This is carried out through the whole budget.

The next page in the budget is a memo from Miles Johnson to me indicating and comparing the proposed levy and mill requirement to accomplish that levy. It compares 1984-85 to 1983-84. As you can see, although the levy is up approximately \$190,000, the mill rate will only increase three tenths of a mill. This is based on the fact that there has been an increased assessed valuation for the City for the year 1983-84. In 1983 we figured the budget on \$131,000,000 of market value and in 1984 we are basing it on \$139,000,000 of market value. The lower portion of that page relates to our levy limits and this proposed budget is approximately \$78,000 under levy limits which means that if the Council desires, we could increase the expenditure appropriation by \$78,000 and not have any penalty imposed on us by the State. It has always been our hope that we can stay under the levy limits at least this amount so that if there are some things that staff has forgotten and the Council would like us to include, there is room without penalty.

Of course the appropriations are all offset by revenue income and the next three pages show our estimates of the revenue income for 1985. This is made up by taxes, licenses and permits, state aids and other miscellaneous services for which we receive fees. Some of the major items are reimbursement from other cities for our sanitarian service, recreation program, registration receipts, interest earned, court fines and reimbursement from other agencies and funds, and of course, swimming pool receipts. As you can see, the major item is previous year's general fund levy balances. As always, this budget is in balance.

I don't want to spend a lot of time reciting the obvious but as you go through the remaining part of the budget I am sure questions in your mind will be raised. I can explain some of the major items that we have included in the budget this year and also some of the major items that I have cut out of department head's requests so that the budget would be in balance and within the guidelines set forth by levy limits. Many of the changes come about in our review with the department heads where they have either missed something that we catch or collectively we see the need to add to their request or delete from their request because of past experience and some anticipated cost increases or decreases.

One of the major elements that have been included in the budget is \$25,000 to equip and remodel the basement room in the fire station for an exercise facility for City staff. We are not certain about the total figure but have estimated that it should cost us somewhere in the neighborhood of \$25,000. I have a proposal from our present architect, Dan Gallagher, to look over the building and see what is needed and give us some kind of a proposal to accomplish the necessary renovation. We do know the exercise equipment will cost us approximately \$8,000. Hopefully, we can do the necessary remodeling for the remaining \$17,000.

In the Police Department budget and when Jim appeared before you, he indicated he was proposing a CSO Program. I have removed that from the budget at this time because I feel somewhat uncomfortable including it in with the number of questions I have in my mind. Jim has been on vacation and I have not had the opportunity to sit down again with him and discuss it. If he can convince me and relieve me of my concerns, I may well recommend that we include this in the budget for your consideration. You, however, may feel strongly that his proposal is needed and may direct me to put it back in. I have no problem with that.

In Department 17 and Department 26, additional inspectors were requested. I have eliminated those from the budget as I feel that two building inspectors are adequate to serve the needs of the City and in Department 26 (Health), I feel we can maintain our level of service by employing summer time help as we have in the past and do an adequate job. By eliminating the additional sanitarian we also eliminate the cost of a car for that additional employee.

Several of the department heads asked for computers in their budget. In some cases they wanted them basically as word processors with the possibility of putting additional programs for their department on the computer system and using it in-house. I have removed all of those items from the budget and put a contingency fund in the amount of \$30,000 should the survey and study presently in progress indicate we need additional services or a change in direction. I believe sufficient funds are available to accomplish whatever is needed in that regard.

Another increase that I see as necessary is the addition of approximately \$17,000 in the Street Department budget to accomplish the replacement of all street signs. As you can tell from your travels around the City, it is getting almost impossible to read many of the signs that are in place. Many of them have been in place for 25 or 30 years and it seems to me it is time to replace all of them with a different, more readable sign. I hope you concur. In the case of the Street Department I have removed some items outright because I think we are a year or two away of needing the equipment requested. Two items, namely a replacement diesel dump truck and a large snowblower for removing snow along the curbs and gutters on major thoroughfares have been changed

from the "general fund" budget to the "equipment reserve" fund which is established for that purpose.

You may recall last week in Ed's presentation to you he indicated the need for a storage building to replace the quonset in Becker Park. He did request that and I have moved that amount from the general fund levy to the PIR fund. We propose at the present time, to build a metal storage building like the one we built two years ago for the Street Department at a cost of about \$38,000 and put it on the site where the present City Garages are. At this time we feel the lot can accommodate one more building but discussion is still being held regarding buying some additional property adjacent to the garage site to accommodate additional needed space if necessary. Those decisions haven't been made yet. Hopefully, they will be made before this budget needs to be adopted, and a recommendation can be made.

You may recall when the Detached Worker people made a presentation to you a couple of weeks ago, they asked for an additional \$2,000. We have accommodated that in this budget and raised our normal appropriation from \$8,000 to \$10,000 which is in line with the surrounding communities' contributions.

As you can see in some of the departments, there is a great difference between my budget and what the department heads asked for in capital outlay equipment. I have explained what I have done with some of those requests. Others I have just removed from the budget because I feel they are premature at this time or not needed for a year or two. In those cases, I have asked each department head where cuts were necessary to give me a list of their priorities so that we could cut what they felt was the lowest priority need for their department. Certainly they are never one hundred percent satisfied with the cuts I have to make, but in this fashion, most of them are reasonably happy because they have had a part in making the cuts and they do end up with the equipment that they think their department is in the most need of.

As I have indicated earlier, I will be out of town the second meeting of September so I suggest that you consider having a special meeting or two if you feel that is necessary. I have every confidence that John could handle a meeting while I am away and give you all of the answers that you need to make decisions necessary to adopt this budget. John has been in on all of the decisions made in the budget proposal you see before you and knows the reasons why things are included or excluded. Many of the decisions have been his by persuasion.

We also have to set a time for a budget hearing. As I indicated in the Preliminary Agenda, October 2, 1984 may be a tough time to do it but I have seen many large public hearings held on the same night that we have had budget hearings. People stay for the assessment hearing or the public hearing and leave when we start to talk about budget. It doesn't make a lot of sense but it happens. Other than that one week in September, I will be ready to meet at any time you choose.

I think I can stop here because it is much easier to answer your questions when you have had an opportunity to review the budget than to try to give you each and every detail that went into the six to eight months preparing this budget. See you Tuesday night!

J A C K

SENT WITH PRELIMINARY AGENDA 9/14/84

Council minutes of Sept. 4, 1984.

Planning Commission minutes of 9/10.

Memo from Engr. of 9/7 re setting surety for  
Burger King, 3526 Lilac Drive.

Copy of petition for alley paving between Vera Cruz  
& Welcome, 38th to 39th Ave.

Memo & Information from Bldg. Inspr. of 9/14 re var-  
iance at 3419 VERA Cruz.

Memo from Kris Lee of 9/4; appli; letter sent to  
adjacent property owners; petition--re private  
kennel lic. at 8000 Northern Drive.

Brochure & letter of 9/5 from Family & Children's  
Service.

Letter from City Attny. of 8/2 & proposed ord. re  
newsracks.

Notice of Opening Day Celebration for Congregate  
Dining at Thorson.

Park & Rec. Adv. Comm. minutes of 8/1/84.

Park & Rec. Dept.'s monthly report.

Copy of parking ord.

## COUNCIL AGENDA

September 18, 1984

Pursuant to due call and notice thereof, the regular meeting of the Crystal City Council was held on September 18, 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  
\_\_\_\_\_ *abs* Rygg  
\_\_\_\_\_ Schaaf  
\_\_\_\_\_ Pieri  
*all the rest present*  
\_\_\_\_\_ Aaker  
\_\_\_\_\_ Moravec  
\_\_\_\_\_ Smothers

### Staff

\_\_\_\_\_ *abs* Irving  
\_\_\_\_\_ Kennedy  
\_\_\_\_\_ Olson  
\_\_\_\_\_ Smith  
*all rest present*  
\_\_\_\_\_ 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 September 4, 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, October 2, 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 place a barrier curb on the property line along the south end of the property which will encroach in the required 5' setback at 6105 - 42nd Avenue North, as requested by Richard Locketz of Liberty Garment.
2. Set 7:00 P.M., or as soon thereafter as the matter may be heard, October 2, 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 1'9" in the required 5' side yard setback and 5' in the required 30' front yard setback to build a 6'9" x 34' addition to the existing garage at 3449 Noble Avenue North, as requested by Clarence D. Miller.
3. Set 7:00 P.M., or as soon thereafter as the matter may be heard, October 2, 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 5' in the required 30' side street side yard setback and a variance of 20.57' in the required 40' rear yard setback to build a 46'4" x 84'4" house at 6505 - 40th Avenue North, as requested by Eugene R. Posthumus.

CONSENT AGENDA (continued)

4. Set 7:00 P.M., or as soon thereafter as the matter may be heard, October 2, 1984, as the date and time for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a variance of 12'4" in the required 40' rear yard setback to build a 16' x 24' addition at 3427 Utah Avenue North, as requested by Marlys Fiterman.

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

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

REGULAR AGENDA

- ✓ 1. It being 7:00 P.M. or as soon thereafter as the matter may 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 William and Elsie Grivna for a variance of 5' in the required 25' side street side yard setback to build a 22' x 20' detached garage at 4754 Xenia Avenue North. The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were: Robert C. [unclear]

Moved by Councilmember HF and seconded by Councilmember A to approve the authorization pursuant to Section 515.07, Subd. 5 c) 7) to allow a variance of 5' in the required 25' side street side yard setback to build a 22' x 20' detached garage at 4754 Xenia Avenue North as requested in Variance Application #84-40T. Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of Variance Application #84-40T. Motion Carried.

2. The City Council considered setting surety in the amount of \$42,000 as a guarantee of faithful performance of certain requirements of the condition of building permit approval for Burger King restaurant at 3526 North Lilac Drive.

*Bob Hoide Burger King  
Hoide*

Moved by Councilmember S and seconded by Councilmember M to set surety in the amount of \$42,000 as a guarantee of faithful performance of certain work requirements as a condition of building permit approval for Burger King at 3526 North Lilac Drive.

Motion Carried.

*see also note  
in H = for 1st time - in B.*

3. The City Council considered a petition for alley paving for the alley between Vera Cruz and Welcome Avenue North, 38th to 39th Avenue North. *see also 5025 Council*

*work*

September 18, 1984

- ✓ 4. The City Council considered a request from James McLaughlin for a variance to the sign ordinance to change copy on a non-conforming sign at 3419 Vera Cruz Avenue North.

*James McLaughlin*

Moved by Councilmember A and seconded by Councilmember P to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) a variance to the sign ordinance to change copy on a non-conforming sign at 3419 Vera Cruz Avenue North. Motion Carried.

- ✓ 5. The City Council considered a request for a private kennel license from Arlon Linder, 8000 Northern Drive.

*Arlon Linder*

Moved by Councilmember 2H and seconded by Councilmember Sm to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) the private kennel license application of Arlon Linder, 8000 Northern Drive.

Motion Carried.

- ✓ 6. Marjorie Davis of Family & Children's Service appeared before the City Council to explain their services.

*Marjorie Davis*

- ✓ 7. The City Council considered an ordinance regarding newsracks.

*1st. H = P - B, -*  
*[Signature]*  
*[Signature]*



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

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

APPLICATIONS FOR LICENSE  
SEPTEMBER 18, 1984

VENDING - Nonperishable (\$8.75 1st mach. + \$4.50 ea.  
addn'l mach in same loc.)

Coca Cola Bottling Midwest for Rapid Oil, 5602 Lakeland

FOOD ESTABLISHMENT - Special Food Handling

Snack Pack at First Federal Savings Bank, 5440 W. Bdwy.

PLUMBING - (\$30.25)

Nova Frost, Incorporated

September 14, 1984

Dear Councilmembers:

Because I am going to be out of town and not in attendance at the Council meeting, I suspect you will be in and out in a hurry. From the looks of the agenda, it shouldn't take you too long. So I hope just because I'm gone, you don't set a record for shortness. But here goes.

The meeting should go somewhat as follows:

The minutes of the September 4, 1984, Council meeting are enclosed for your review.

Consent Agenda

ITEM

SUPPORTING DATA

- |  |  |
|--|--|
| 1. Set Public Hearing to consider a request by Liberty Garment for a variance to place a barrier curb on the property line along the south end of the property which will encroach in the required 5' setback at 6105 42nd Ave. N.                           | Planning Commission minutes of 9/10/84, item #3. |
| 2. Set Public Hearing to consider a request by Clarence D. Miller for a variance of 1'9" in the required 5' side yard setback and 5' in the required 30' front yard setback to build a 6'9"x34' addition to the existing garage at 3449 Noble Ave. N.        | Planning Commission minutes of 9/10, item #2.    |
| 3. Set Public Hearing to consider a request by Eugene R. Posthumus for a variance of 5' in the required 30' side street side yard setback and a variance of 20.57' in the required 40' rear yard setback to build a 46'4"x84'4" house at 6505 - 40th Ave. N. | Planning Commission minutes of 9/10, item #4.    |
| 4. Set Public Hearing to consider a request by Marllys Fiterman for a variance of 12'4" in the required 40' rear yard setback to build a 16'x24' addition at 3427 Utah Ave. N.   | None.  |

## (Continued - Consent Agenda)

Normally, we should set all the public hearings for the next Council meeting. That has been our standard practice. But I call your attention to the fact that the next meeting is October 2 and we have four or five public hearings that night which may run that meeting a lot longer than you normally would like. I would recommend that we wait until the middle of October for these public hearings, but as I read the requests, they all pertain to some kind of building project which would require the pouring of concrete. The later we get in the year, the more difficult it is for contractors to do that sort of work. By delaying the public hearings to the middle meeting of October, we may be putting these people in a position to delay their work until late next spring.

My recommendation would be that we set the hearings for October 2 to accommodate these four people and hope that the special assessment hearings don't last inordinately long.

The regular meeting should go as follows:

1. Public Hearing to consider a request      None.  
from William Grivna for a variance of  
5' in the required 25' side street side  
yard setback to build a 22'x20' detached  
garage at 4754 Xenia Ave. N.
2. Consideration of setting surety in the      Memo from City Engineer  
amount of \$42,000 for work required as      dated 9/7/84.  
a condition of issuance of a building  
permit for a Burger King restaurant at  
3526 Lilac Drive.

I call your attention to Item #5 in the September 10 Planning Commission minutes which are enclosed. There is a recommendation by the Planning Commission regarding the issuance of this building permit.

3. Consideration of a petition for alley      Copy of petition.  
paving for an alley between Vera Cruz  
and Welcome Avenues, 38th to 39th Ave. N.

At this meeting the Council could, and probably should, request a feasibility report.

4. Consideration of a request from James      Memo and information from  
McLaughlin for a variance to the sign      Don Peterson dated 9/14/84.  
ordinance to change copy on a non-con-  
forming sign at 3419 Vera Cruz Ave. N.

September 14, 1984

5. Consideration of a request for a private kennel license from Arlon Linder, 8000 Northern Drive.

Memo from Kristin Lee of 9/4; application; letter sent to adjacent property owners; petition

It seems to me Kris Lee's memo is self-explanatory and recommends approval.

6. Presentation by Marjorie Davis of Family & Children's Service to explain their services.

Copy of brochure & letter of 9/5/84.

It seems to me from my telephone conversation with Ms. Davis that she wants to appeal to the Council for dedication of some funds to her services. I asked her to put that in a letter to me so you would have a better idea of what she was appearing for. Obviously she thought the brochure was sufficient. I am sure you will have questions for her Tuesday night.

7. Consideration of an ordinance regarding newsracks.

Letter from Dave Kennedy dated 8/2 and proposed ord.

Dave Kennedy will be present Tuesday night and explain the need for the ordinance.

8. Discussion of 1985 City Budget.

None.

Again I say, John will be able to answer your questions if you have any on Tuesday night. So far, I haven't heard anything from any of you regarding the last memos I sent out, in which I asked that if you had any questions, please call.

I would like to call your attention to the fact that October 9 will be the public hearing for the budget, and the budget shouldn't be adopted until that night.

As I indicated earlier, it looked like a short agenda to me and that's what we have. You may want to discuss the parking guidelines some more, but I wasn't certain of that so I didn't put it on the agenda. As always, there is time to discuss those things which the Council wishes to discuss near the end of the meeting.

I have included, for your information, the following items:

1. Notice of Opening Day Celebration for Congregate Dining at Thorson Community Center.
2. Park & Recreation Advisory Commission minutes of 8/1/84.
3. Park & Recreation Dept.'s monthly report.
4. Copy of parking ordinance.

Nancy will probably want to encourage you to attend the opening day celebration of congregate dining as it seems to be a successful function.

Councilmembers

-4-

September 14, 1984

As I have indicated before, I will be out of town all next week. The rest of the staff will be here so if you have any problems, please contact them.

See you in a week or so.

J A C K

da  
enc.

P.S. The Chairman of United Way asks that you consider giving to this charity, and I have enclosed the proper forms for you.

APPLICATIONS FOR LICENSE  
SEPTEMBER 18, 1984

VENDING - Nonperishable (\$8.75 1st mach. + \$4.50 ea.  
addn'l mach in same loc.)

Coca Cola Bottling Midwest for Rapid Oil, 5602 Lakeland

FOOD ESTABLISHMENT - Special Food Handling

Snack Pack at First Federal Savings Bank, 5440 W. Bdwy.

PLUMBING - (\$30.25)

Nova Frost, Incorporated

DUE DATE: NOON, WEDNESDAY  
SEPTEMBER 12, 1984

MEMO TO: John T. Irving, City Manager

FROM: John A. Olson, Assistant City Manager

ACTION NEEDED MEMO: From the September 4, 1984, Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of September 4, 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>	
BLDG. INSPECTOR	1.	Set public hearing to consider a request for a variance at 4754 Xenia Avenue North. ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Property owners notified.
ASST. CITY MGR.		ACTION NEEDED: Place item on September 18, 1984 Council Agenda. ACTION TAKEN: Item placed on September 18, 1984 Council Agenda.
CITY ENGINEER	2.	Consideration of setting the date and time for public hearing on Improvement Projects No. 63-C, 64-A, 59-A Storm Sewer, Diseased Tree Removal for 1985 and Debris Removal 1985. ACTION NEEDED: Send out public notice. Notify affected properties. ACTION TAKEN: Notices sent.

REGULAR AGENDA

<u>DEPARTMENT</u>	<u>ITEM</u>	
BLDG. INSPECTOR	1.	Public hearing to consider request for a variance at 6021 - 34th Avenue North. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: No action taken.

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY ENGINEER	2.	Public hearing to consider a request for a variance at 4710 - 58th Avenue North. ACTION NEEDED: Notify applicant of Council approval of variance for parking. ACTION TAKEN: Applicant present at meeting.
CITY ENGINEER	3.	Public hearing to consider a request from Burger King Corporation for a conditional use permit and a variance of off-street parking at 3516 North Lilac Drive. ACTION NEEDED: Notify applicant of Council approval of conditional use permit and a variance of 264 off-street parking places. ACTION TAKEN: Applicant present at meeting.
CITY CLERK	4.	Consideration of a request for a private kennel license at 6410 Corvallis Avenue North. ACTION NEEDED: Issue license. ACTION TAKEN: License issued.
CITY CLERK	5.	Consideration of a request from Steven Weisman for a 3.2 off-sale beer license. ACTION NEEDED: Issue license. ACTION TAKEN: License issued.
CITY CLERK	6.	Consideration of Second Reading of an ordinance rezoning property on Lot 2, Block 1, Lois 8th Addition from R-1 to R-3. ACTION NEEDED: Publish ordinance. ACTION TAKEN: Sent for publishing.

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY MANAGER	7.	<p>Consideration of the criteria for obtaining parking permits.</p> <p>ACTION NEEDED: Review criteria with Police Chief to loosen the guide lines for the next three months.</p> <p>ACTION TAKEN: Criteria reviewed with Police Chief and information sent to Council.</p>
ASST. CITY MGR.		<p>ACTION NEEDED: Place notice of expiration of permits in newsletter and on Cable TV.</p> <p>ACTION TAKEN: Notices to be placed in newsletter and on Cable TV at appropriate time.</p>
CITY ENGINEER	8.	<p>Consideration of a Joint Powers Agreement for the bituminous overlay project on Winnetka Avenue from 56th to 62nd.</p> <p>ACTION NEEDED: Notify New Hope of Council approval of project.</p> <p>ACTION TAKEN: Agreement sent to New Hope.</p>
CITY ENGINEER	9.	<p>Consideration of a release of surety in the amount of \$8,500 for Independent Business Machines, 5353 West Broadway.</p> <p>ACTION NEEDED: Notify applicant of Council approval.</p> <p>ACTION TAKEN: Applicant notified.</p>
CITY ENGINEER	10.	<p>Consideration of a release of surety in the amount of \$46,000 for Suttle Car Wash, 5160 West Broadway.</p> <p>ACTION NEEDED: Notify applicant of Council approval.</p> <p>ACTION TAKEN: Applicant notified.</p>

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY MANAGER	11.	Consideration of a letter of resignation from Dennis Taylor from the Environmental Commission. ACTION NEEDED: Send a letter of thanks and appreciation. ACTION TAKEN: Letter sent 9/5/84.
ASST. CITY MGR.	12.	Consideration of an ordinance regarding newsracks. ACTION NEEDED: Item to be placed on September 18, 1984 Council Agenda. ACTION TAKEN: Item placed on September 18, 1984 Council Agenda.
COMMUNITY RE-DEVEL. COORD.	13.	Consideration of a Joint Cooperation Agreement for the Community Development Block Grant Program. ACTION NEEDED: Have agreement signed and sent to County. ACTION TAKEN: Resolution certified; sent 9/12/84.
CITY ENGINEER	14.	Consideration of bids for baseball backstop and line fencing North Lions Park. ACTION NEEDED: Notify low bidder of Council approval. ACTION TAKEN: Low bidder notified.
CITY CLERK	15.	Consideration of the 1985 City of Crystal Budget. ACTION NEEDED: Notify newspaper of public hearing on October 9, 1984. ACTION TAKEN: Sent for publishing.
CITY CLERK	16.	Licenses. ACTION NEEDED: Issue licenses. ACTION TAKEN: Licenses issued.

M E M O R A N D U M

TO: John T. Irving, City Manager

FROM: Kristin A. Lee, Public Health Sanitarian *K*

RE: Private Kennel License for Arlon Lindner,  
8000 Northern Drive, Crystal, Minnesota

DATE: September 4, 1984

An inspection was conducted August 28, 1984, at the Lindner property at 8000 Northern Drive, Crystal, Minnesota.

Mr. Lindner owns three (3) dogs: a doberman, a shepherd, and a cocker-poodle cross. The dogs are house dogs, only let out in the backyard to defecate and exercise. The entire backyard is surrounded by a 4 1/2 foot redwood fence. The Lindners clean up after the dogs several times a day. The dogs are only outside the house when the owners are home. If the owners take the animals out of the yard, they first put the dogs on a leash.

There does not appear to be any type of sanitation problem at this residence. The animals appeared healthy and were quite friendly.

I do not anticipate any major problem, if a Private Kennel license is approved at this residence.

KAL:jt

CITY OF CRYSTAL  
4141 Douglas Drive  
Crystal, Minnesota 55422

APPLICATION FOR KENNEL LICENSE

1. Applicant's Name Arden & Shirlee Lindner
2. Applicant's Address 8000 - Northern Drive  
Crystal, Mn. 55422
3. Applicant's Telephone Number 544-0265 - wk: 574-1220
4. Kennel Name \_\_\_\_\_
5. Kennel Address 8000 - Northern Drive
6. Kennel Telephone Number 544-0265
7. Type of Kennel (Check one): Commercial \_\_\_\_\_ Private X
8. Zoning Classification of Land \_\_\_\_\_
9. Adjacent Property Uses: North \_\_\_\_\_  
East \_\_\_\_\_  
South \_\_\_\_\_  
West \_\_\_\_\_
10. Nature and/or extent of kennel operation including number of animals on the premise \_\_\_\_\_  
3 dogs only (2 males & 1 spayed female)  
No breeding, pets only
11. Kennel Layout and Construction \_\_\_\_\_  
all are house dogs, fenced back yard for their  
exercising
12. If Private Kennel, provide copies of rabies certificates for both dogs and/or cats and Crystal license numbers for dogs.  
(in office file)
13. APPLICANT'S SIGNATURE X Arden Lindner DATE 8-24-84

LETTERS SENT TO THE FOLLOWING:

Phyllis Bourgeois, 8001 32nd Ave. No.  
Marilyn Daily, 8016 Northern Drive  
John B. Daily, 8016 Northern Drive  
Michelle Beach, 3125 No. Utah  
Nikki Edwards, 3132 Utah Ave. No.  
Warren Ditch, 3140 Utah Ave. No.  
Marica Ditch 3140 Utah Ave. No.

August 31, 1984

Nikki Edwards  
3132 Utah Avenue North  
Crystal, MN 55427

Dear Ms. Edwards:

This letter is being sent to inform you that the City Council for the City of Crystal will be considering the application for a Private Kennel license at 8000 Northern Drive, Crystal, Minnesota. The meeting will be held on September 18, 1984 at the Crystal City Hall, 4141 Douglas Drive in the Council Chambers.

The meeting will begin at 7:00 P.M. The City Code requires that, in any household containing more than two animals, a Private Kennel license is required. The applicants, in this case, have three dogs which necessitate their request.

If you have any comments you wish to make, your attendance will be appreciated. If you have any questions, please call me at 537-8421.

Sincerely,


Kristin A. Lee  
Public Health Sanitarian  
Crystal Health Department

KAL:jt

I do not object to the dog kennel in the Arlon Lindner home, 8000 Northern Drive, Crystal, MN., nor to the licensing thereof.

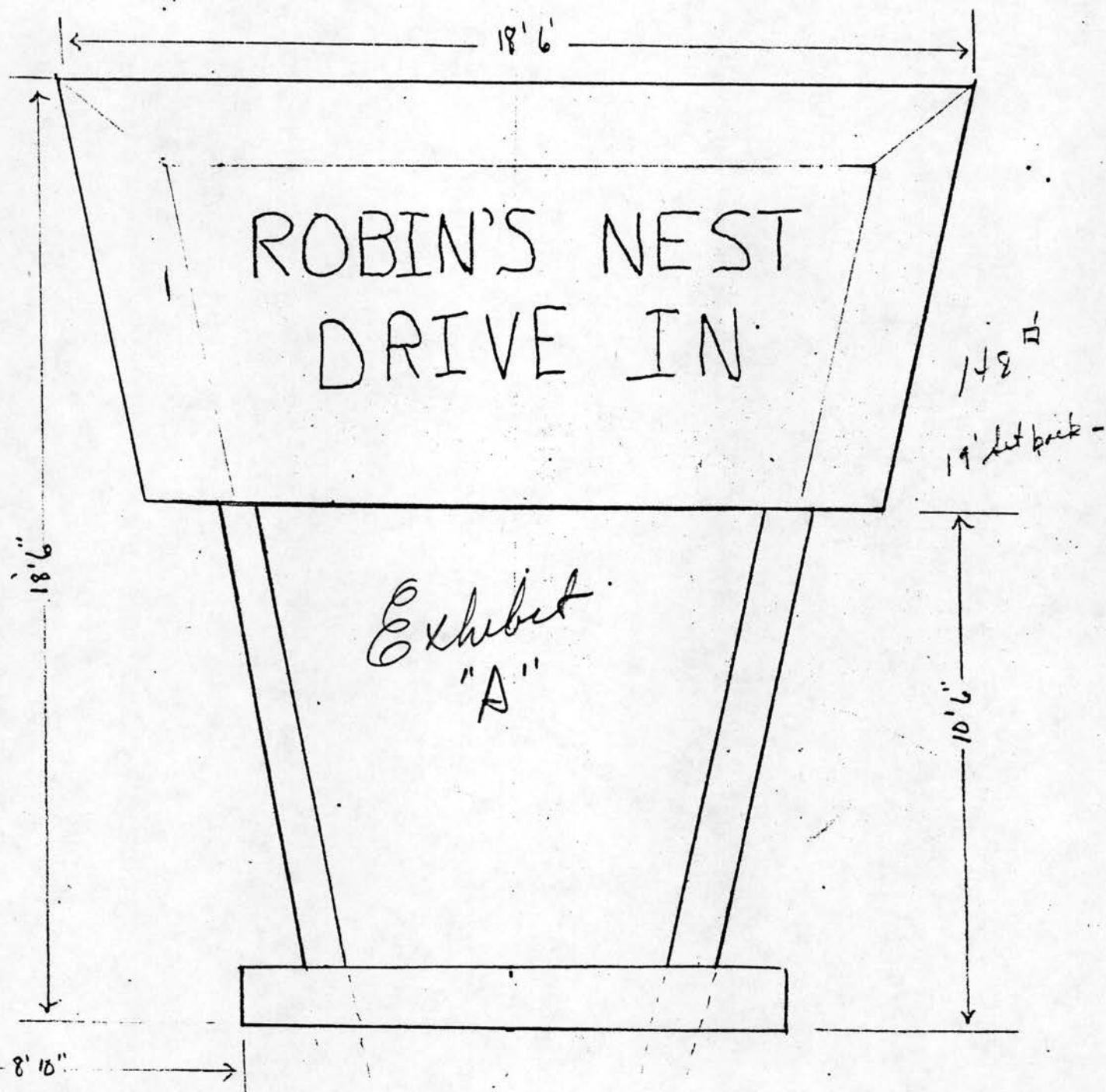
<u>Signature</u>	<u>Address</u>	<u>Date</u>
Thylli Bourgeois	8001 32 <sup>nd</sup> Ave. N.	8-17-84
Marilyn Daily	8016 Northern Drive	8-19-84
John B. Daily	8016 Northern Drive	8-19-84
Michelle Beach	3125 N. Utah Ave N.	8-20-84
Mike Edwards	3132 Utah Ave N.	8-20-84
Harriet Maria Beck	3140 Utah Ave N.	8-20-84

M E M O R A N D U M

TO: John T. Irving, City Manager  
FROM: Don Peterson, Building Inspector   
SUBJECT: Sign Variance S-80-1

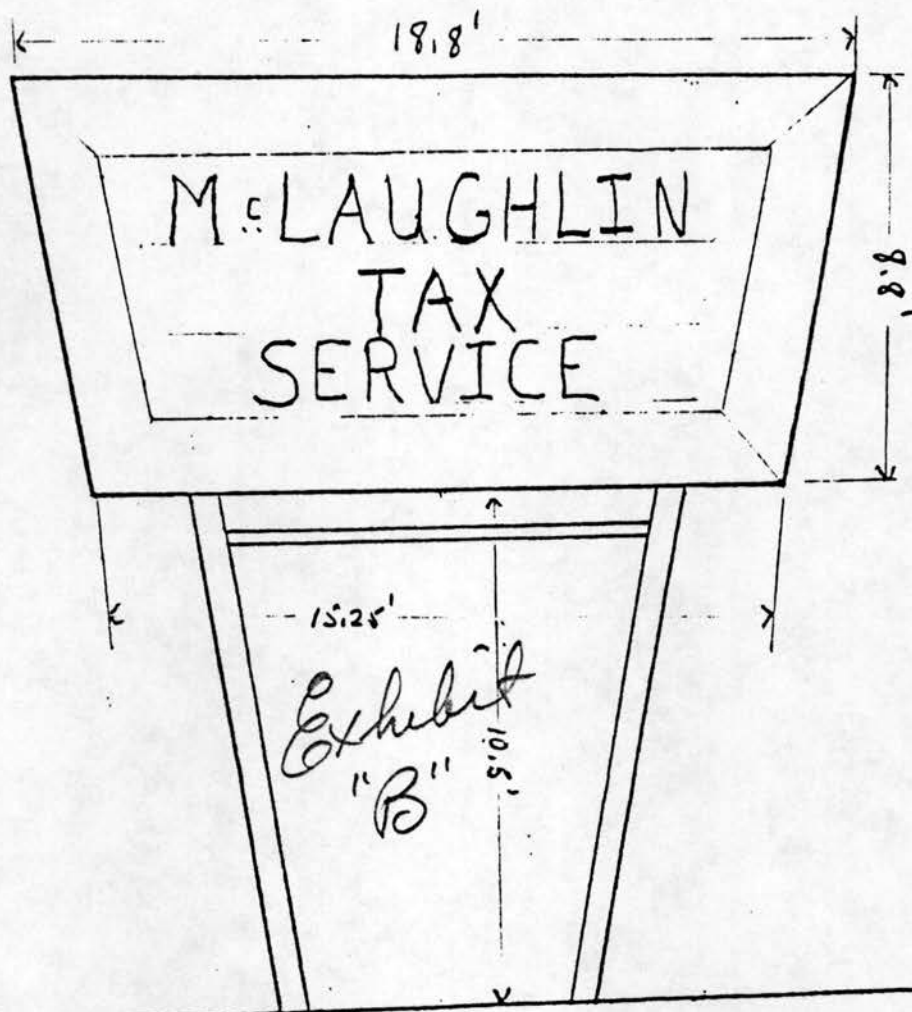
Section 406.31, Subdivision 2 (7) b. relates to the non-conforming sign at 3419 Vera Cruz (exhibit A), Robins Nest Drive-In which cannot be "continued for a period of more than 60 days after change in effective control of: the business to which the sign relates."

Mr. McLaughlin wishes to change the sign to read: (exhibit B) McLaughlin Tax Service; thus the request for the variance.



Proposed: to remove the lower 10'6' feet of sign facing to coincide with clearance minimum and the square ft area to 148.8. Removal of "AtW" logo to be replaced with "ROBIN'S NEST Drive IN." As indicated.

James R. McLaughlin



Proposed lettering 16" High Impact Plastic.

3419 Veva Cruz Ave N.

James R. McLaughlin.

BE SURE TO READ BEFORE SIGNING

P E T I T I O N

We, the undersigned, being owners of property within the area in the City of Crystal, hereinafter mentioned, do hereby petition the Honorable City Council of said City to improve the said property with \_\_\_\_\_

\_\_\_\_\_ and that the cost thereof be assessed against the abutting property benefited thereby. We also agree that in the event it is necessary to obtain easements for public access to the properties in order to proceed with the improvements herein requested, that such easements will be freely given when requested.

Location: Between Vera Cruz & Welcome Ave.  
38th - 39th Ave. N.

SIGNATURE OF HUSBAND  
AND WIFE INDIVIDUALLY

ADDRESS

16-34-

LEAVE BLANK

<u>Gregory P. Smith</u>	<u>3835 VERA CRUZ AVE. N. CRYSTAL</u>	<sup>60</sup> <u>N 1/2 LOT 1</u>	<u>41.5</u>
<u>Cheryl T. Smith</u>	<u>3835 Vera Cruz Ave N. Crystal</u>		
<u>William G. Gailor</u>	<u>3832 Welcome Ave. No.</u>	<sup>71</sup> <u>LOT 10</u>	<u>83.0</u>
<u>John P. McParlan</u>	<u>3832 Welcome Ave No</u>		
<u>Betty Miller</u>	<u>3817 Vera Cruz Ave. N. - Renter</u>		
<u>Richard Hanson</u>	<u>3823-Vera Cruz No</u>	<sup>63</sup> <u>N 60' LOT 3</u>	<u>60.0</u>
<u>Elaine L. Hanson</u>	<u>3823 Vera Cruz No</u>		
<u>Frank Hossing</u>	<u>3808 Welcome Ave No</u>	<sup>68</sup> <u>LOT 7</u>	<u>83.0</u>
<u>Harmon S. Hill</u>	<u>3824 welcome</u>	<sup>70</sup> <u>LOT 9</u>	<u>83.0</u>
<u>Lucile M. Hill</u>	<u>3804 "</u>		
			<u>350.5</u>

I, the undersigned, having circulated the above petition hereby attest that the signatures thereto are genuine, to the best of my knowledge and belief.

Gregory P. Smith Cheryl T. Smith  
(Signature)

Phone No. 533-7489 Date 9/8/84

SIGNERS - 350.5  
TOTAL - 832.8 = 42.1%



Family & Children's Service

414 South Eighth Street, Minneapolis, MN 55404 612-340-7444

September 5, 1984

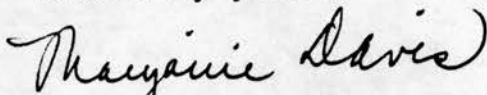
Jack Irving, City Manager  
City of Crystal  
4141 North Douglas Drive  
Crystal, Minnesota 55422

Dear Mr. Irving,

This is to follow up our telephone conversation relative to appearing on the council agenda to explain our services. I'm enclosing our brochure which describes the program in more detail.

Our presentation will be short and adaptable to your interest and needs.

Sincerely yours,



Marjorie Davis, M.S.W.  
Family Counselor

MD/kro

provides  
counseling services  
in these areas . . .

central services  
of family & children's  
service that may  
be used . . .

who is eligible . . .

fees . . .

location . . .

individual  
family  
couple relationships  
parent/child relationships  
divorce issues  
drugs and alcohol  
assessment & follow-up  
family violence  
youth diversion services

homemaker service  
family life education  
family advocacy

anyone living or working  
in Northern Hennepin County

individual's ability to pay

33 4th St. N.W.  
Osseo, MN 55369  
(612) 424-6353  
(612) 424-6211 (youth diversion)

SENT WITH PRELIMINARY AGENDA 9/26/84

Council minutes of 9/18/84.

Variance appli. for 4816 Quail.

List of potential polling places & election judges for Nov. 6 election.

Letter from Ass't. Engr. re surety for 101 Willow Bend.

Planning Comm. minutes of 9/10.

Notice of assessment hearing for projects completed this year; letters from James Litechy & Geo. Webinger re storm sewer assessment.

Res. determining assessments on tax forfeited land.

Parking agreement for Steve Weisman, 4900 W. B'way.

Amended newsrack ord.

Human Relations Comm. minutes of 9/24/84.

Park & Rec. Adv. Comm. agenda for 10/3/84.

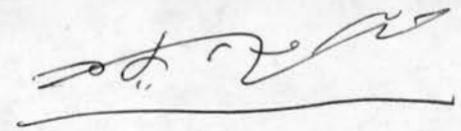
Quarterly reports for Iron Horse.

Memo from John Olson re questions raised on the budget for 1985.

SENT WITH THE AGENDA 10/2/84

Letter from Timothy Eckes of 9/30/84 objecting to Storm Sewer Assessment 59A.

Letter from John B. Morrissey of 10/2/84 objecting to Storm Sewer Assessment 59-A.

  
COUNCIL AGENDA

October 2, 1984

Pursuant to due call and notice thereof, the regular meeting of the Crystal City Council was held on October 2, 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  
*alt* \_\_\_\_\_ Pieri  
\_\_\_\_\_ Aaker  
\_\_\_\_\_ Moravec  
\_\_\_\_\_ Smothers

Staff

\_\_\_\_\_ Irving  
\_\_\_\_\_ Kennedy  
\_\_\_\_\_ Olson  
*alt* \_\_\_\_\_ 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 September 18, 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, October 16, 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 72' in the required 75' front yard setback to erect a storage building in front half of the lot at 4816 Quail Avenue North as requested by Steven Leppa.
2. Designation of polling places and appointment of election judges for the November 6, 1984 General Election.
3. Release of surety in the amount of \$7,000 for 101 Willow Bend, Crystal Shopping Center.

Moved by Councilmember *S* and seconded by Councilmember *H* 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.

*God*  
*re Steven C. 12*  
*Judd Anderson*

## REGULAR AGENDA

- Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) Variance Applications #84-38T and #84-39T. Motion Carried.

October 2, 1984

3. ✓ It being 7:00 P.M., or as soon thereafter as the matter may 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 Eugene R. Posthumus for a variance of 5' in the required 30' side street side yard setback and 20.57' in the required 40' rear yard setback to build a 46'4" x 84'4" house at 6505 - 40th Avenue North. The Mayor asked those present to voice their opinions or ask questions concerning the variances. Those present and heard were:

Moved by Councilmember H and seconded by Councilmember Ry to approve, as recommended by and based on the findings of fact of the Planning Commission, the authorization to grant variances pursuant to Sections 515.13, Subd. 3a) 2 iii, and Section 515.13, Subd. 4a, to allow variances of 5' in the required 30' side street side yard setback and 20.57' in the required 40' rear yard setback to build a 46'4" x 84'4" house at 6505 - 40th Avenue North as requested in Variance Applications #84-42 and #84-43. Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) Variance Applications #84-42 and #84-43. Motion Carried.

- ✓ 4. It being 7:00 P.M., or as soon thereafter as the matter may 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 Richard Locketz of Liberty Garment for a variance of 5' in the required 5' setback to place a barrier curb on the property line along the south end of the property at 6105 - 42nd 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 P 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 15.09, Subd. 4h) 15) to allow a variance of 5' in the required 5' setback to place a barrier curb on the property line along the south end of the property at 6105 - 42nd Avenue North (Liberty Garment) as requested in Variance Application #84-41A. Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) Variance Application #84-41A. Motion Carried.

62

October 2, 1984

5. It being 7:00 P.M., or as soon thereafter as the matter may be heard, Mayor Aaker declared this was the time and date as advertised for a public hearing at which time the City Council will consider assessments for projects completed this year. The Mayor asked those present to voice their opinions or ask questions concerning the assessments.

Those present and heard were:

~~John Doe~~ 60-D ~~Do. 4901 DD~~ ~~af. COK~~  
~~John Doe~~ 64-C ~~rr~~

~~John Doe~~ 63-C ~~rr C,~~

~~John Doe~~ 63-D ~~John Doe~~ 63-D, ~~rr C,~~

~~John Doe~~ 59-A

Jim Ecker 6507-36<sup>th</sup> Ave. N.

Margaret ~~Do. 3155 U.C.~~  
~~Do. 3155 U.C.~~

Joe Kelly 3232 Hampshire -

Andrew Rusinko 3418 Brunswick -

Bill Heenan 8401-32nd Ave N

Matt LaBissoniere 3120 DD

~~Do. 6925 Markwood~~ -

Russell Kidder 6917 " "

Wm McKee 332nd Ave 8001 -

Tony Brand(?) 3340 Utah

Dennis Dobs 3418 Fla.

Mr. ~~Do. 3418 Fla.~~  
 Northfield

Joe Ventenik 6833 Markwood

Sally Watz 3232 Md

Peter Ryffe } 32nd + Yates 3233 Yates

Debra Anderson 3709 Welcome

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

## RESOLUTION NO. 84-

RESOLUTION CONFIRMING ASSESSMENTS FOR IMPROVEMENTS INCLUDING SIDEWALK IMPROVEMENT NO. 6085 (60-D), CURB AND GUTTER IMPROVEMENT NO. 6085 (60-D), SEAL COAT IMPROVEMENT NO. 6485 (64-C), SEAL COAT ALLEY IMPROVEMENT NO. 6485 (64-C), CURB AND GUTTER IMPROVEMENT NO. 6385P (63-C), CURB AND GUTTER IMPROVEMENT NO. 6385 (63-D), STREET REPLACEMENT IMPROVEMENT NO. 6385 (63-D), STORM SEWER IMPROVEMENT NO. 5985 (59-A), DISEASED TREE REMOVAL 1985, DEBRIS REMOVAL 1985, DELINQUENT WEED CUTTING 1985, DELINQUENT SEWER & WATER UTILITY CHARGES & STREET LIGHTING 1985.

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) resolution confirming assessments for improvements in 1984. Motion Carried.

6. The City Council considered a resolution determining the assessments on tax forfeited property.

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

## RESOLUTION NO. 84-

RESOLUTION DETERMINING TOTAL AMOUNT THAT WOULD HAVE BEEN ASSESSED AGAINST CERTAIN PARCELS OF TAX-FORFEITED LANDS IF SUCH PROPERTIES HAD BEEN SUBJECT TO AN ASSESSMENT AT THE TIME OF DETERMINATION BY THE CITY COUNCIL OF THE AMOUNT TO BE ASSESSED IN THE MATTER OF THE IMPROVEMENTS NAMED IN THE FOLLOWING SCHEDULE: AND DIRECTING THE CITY CLERK TO PREPARE AN ABSTRACT SHOWING THE DESCRIPTION OF EACH PARCEL OF LAND FORFEITED TO THE STATE FOR NON-PAYMENT OF TAXES AND THE TOTAL AMOUNT THAT WOULD HAVE BEEN ASSESSED AGAINST EACH PARCEL IF IT HAD BEEN SUBJECT TO ASSESSMENT: AND DIRECTING SAID CITY CLERK TO CERTIFY THE SAME TO HENNEPIN COUNTY FINANCE DIVISION PURSUANT TO MINNESOTA STATUTES 282.01, SUBDIVISION 3.

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) the resolution determining the assessments on tax forfeited property. Motion Carried.

7. The City Council considered setting surety in the amount of \$42,000 as a guarantee of faithful performance of certain requirements of the condition of building permit approval for Burger King Restaurant at 3526 North Lilac Drive.

~~Hidalgo~~ Burger King C, ~~delete~~ 1 pillar  
① p 20 n C. 14.6 m. C. 17.7 m. 8-  
A = H → - u B -  
② - u S = P 1 n C. 6.6 p. 8. W 12, 5014 h. - u B

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to set surety in the amount of \$42,000 as a guarantee of faithful performance of certain work requirements as a condition of building permit approval for Burger King at 3526 North Lilac Drive.

Motion Carried.

October 2, 1984

8. The City Council considered a request for an additional food facility for Steven Weisman Industries, Inc., dba Crystal Lounge, 4900 West Broadway.

*one 1-6-84*  
*u S-H 191 8-11-84*

9. The City Council considered the Second Reading of an ordinance regarding newsracks in the City of Crystal.

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

ORDINANCE NO. 84-

AN ORDINANCE RELATING TO SIDEWALKS AND NEWSRACKS; AMENDING CRYSTAL CITY CODE BY ADDING A SUBSECTION

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

Motion Carried.

*u H = m*  
*Adler 11-1-84*

if v - Eder 15' 5' C -  
- 3' 2' -

Shoop  
Mike Shoop? Chairman  
of Sierra Club & 1 - Energy -

q. 3-6 (15 m. 20) T. L. casts 2 - 1 P.

my  
M-5  
egb  
- 4 B, -

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

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

APPLICATIONS FOR LICENSE  
OCTOBER 2, 1984

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

Coca Cola Bottling Midwest at Midas Muffler, 5701 W. Bdwy  
Coca Cola Bottling Midwest at Fournier Furniture, 7301 32nd

FOOD ESTABLISHMENT - Special Food Handling (\$33.00)

Tuthill's Party-Phernalia, 2746 Douglas Drive

SIGN HANGERS - (\$66.00)

Suburban Lighting, Inc.

PLUMBING - (\$30.25)

Medicine Lake Mechanical, Inc.  
P & D Mechanical Contracting Co.

*sla*

September 28, 1984

Dear Councilmembers:

Other than assessment hearings, Tuesday night's meeting should be pretty normal, and will go as follows:

The minutes of the regular Council meeting of September 18, 1984, are enclosed for your review.

Rollie Smothers, representing the Crystal Lions Club, will present a check to the Fire Department and Mayor Aaker in the amount of \$327 for the purchase of blackboards for the Fire Department as a result of the gift donation booklet publication--this being the first gift offered.

Consent Agenda

ITEM

SUPPORTING DATA

- |  |   |
|--|---|
| 1. Set Public Hearing to consider a request by Steven Leppa for a variance of 72' in the required 75' front yard setback to erect a storage building in the front half of the lot. | Copy of variance application.   |
| 2. Designate polling places and appoint election judges for the November 6, 1984 General Election.   | List of potential polling places and election judges from City Clerk. |
| 3. Release of surety for 101 Willow Bend, Crystal Shopping Center.   | Letter from Ass't. City Engineer.                                     |

Regular Agenda

- |   |   |
|---|---|
| 1. Public Hearing to consider a request from Marlys Fiterman for a variance to encroach 12'4" in the required 40' rear yard setback to build a 16'x24' addition at 3427 Utah Ave. N.  | None.   |
| 2. Public Hearing to consider a request from Clarence Miller for a variance to encroach 1'9" in the required 5' side yard setback and 5' in the required front yard setback to build a 6'9"x34' addition to the existing garage at 3449 Noble Ave. N. | Planning Commission minutes of September 10, item #2. |

3. Public Hearing to consider a request from Eugene Posthumus for a variance to encroach 5' in the required 30' side street side yard setback and 20.57' in the required 40' rear yard setback to build a 46'4"x84'4" single family home at 6505 - 40th Ave. N. Planning Commission minutes of 9/10, item 4.
4. Public Hearing to consider a request from Liberty Garment Company for a variance to place a barrier curb on the property which will encroach in the required 5' setback at 6105 - 42nd Ave. N. Planning Commission minutes of 9/10, item 3.

Item #1 comes directly to the Council on the recommendation of staff. Items #2, #3 and #4 have been reviewed by the Planning Commission and recommend your approval.

5. Public Hearing to consider assessments for projects completed this year. Notice of assessment hearing; letters from James & Nancy Litechy and Mr. & Mrs. George Webinger regarding storm sewer.

At the present time we are not certain how many people will appear because we haven't had a lot of inquiry at staff level, but because of the nature of some of the assessments, I am certain there will be people in attendance. I know some of you have received some calls, but keep in mind, we have notified over 3500 owners of parcels of land in the City and if you received one, two or three calls, that's still a very small number opposed to those notified.

Regarding the Douglas Drive assessment, Ray Gordhamer is meeting with staff and most certainly will be in attendance Tuesday evening. He believes his assessment is much larger than he had been led to believe because of the estimates for the public hearings. I have met with him once and did not want to be put in a position of defending numbers of Bill Sherburne's, so we will be meeting Monday morning when Bill returns. Ray will be in to discuss the actual assessment procedure with Bill. Hopefully, that will satisfy him, but I am sure you will agree with me, that is somewhat doubtful.

I have checked with staff and as I indicated before, other than Ray Gordhamer, we have had few calls and most of them were on the storm sewer and were wondering if the job was complete and were wondering exactly where it was.

6. Consideration of a resolution determining the assessments on tax forfeited property. Copy of resolution.

This is the procedure used by the City so that if forfeited property is ever sold, we have the opportunity to get the special assessment amount returned to us.

7. Consideration of setting surety in the amount of \$42,000 for work required as a condition of issuance of a building permit for Burger King Restaurant at 3526 Lilac Drive. None.

It is my understanding that you tabled this item so that Bill Sherburne could explain to you why all the required items were placed in the agreement expected to be signed by Burger King. I am certain that Bill will explain that to you Tuesday evening.

8. Consideration of a request for an additional food facility for Steven Weisman Industries, Inc., dba Crystal Lounge, 4900 West Broadway. Copy of parking agreement.

This is on the agenda because it is my understanding Steve Weisman is nearing completion of the project that will effectively give him Sunday liquor opportunities. It appears to me, from driving by the establishment, that the landscaping on the south end of his property is yet to be done. The interior work, such as, kitchen, etc. is near completion and will be inspected this week, I believe.

I have included what Steve calls his agreement and guarantee for parking across the street, as requested and required by the Council. If you want assurance that the landscaping is done, you could issue this license, subject to that being completed.

As far as the curb and gutter and parking lot, it seems to me they are all complete and he has done an excellent job on that.

9. Consideration of the Second Reading of an ordinance regarding newsracks. Amended newsrack ordinance.

This is the time and place for the Second Reading of the newsrack ordinance. Dave Kennedy, however, has asked me to ask you to continue this hearing until he has completed his discussions with the attorneys for the Minneapolis Star & Tribune. They have some questions about the ordinance and I believe it is Dave's feeling that we shouldn't go into this ordinance unless we are quite certain we have solved all the problems we possibly can. It would be a shame if we adopted an ordinance and the Mpls. Star & Tribune immediately took us to court to get it thrown out.

9. (Continued)

I agree with Dave that we should allow some time for that negotiation to continue and when a mutual agreement is reached, then have a second reading. I am sure Dave will elaborate on this Tuesday night.

That should take care of the agenda as we see it.

I have included for your information the following:

1. Human Relations Commission minutes of 9/24/84.
2. Park & Recreation Advisory Commission agenda for 10/3/84.

Also included are the quarterly police reports you requested on the Iron Horse and a report from the Fire Department relative to the occupancy capacity of all drinking establishments that have occupancy capacities posted.

I have also included a memo from John Olson that answers some of the questions raised by the Council regarding the budget. Because there is nothing scheduled for Tuesday evening regarding the budget, we will send out any other budget information under separate cover next week preparatory to the public hearing on October 9.

That should take care of it for now. Have a nice weekend. See you Tuesday.

J A C K

da  
enc.

APPLICATIONS FOR LICENSE  
OCTOBER 2, 1984

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

Coca Cola Bottling Midwest at Midas Muffler, 5701 W. Bdwy  
Coca Cola Bottling Midwest at Fournier Furniture, 7301 32nd

FOOD ESTABLISHMENT - Special Food Handling (\$33.00)

Tuthill's Party-Phernalia, 2746 Douglas Drive

SIGN HANGERS - (\$66.00)

Suburban Lighting, Inc.

PLUMBING - (\$30.25)

Medicine Lake Mechanical, Inc.  
P & D Mechanical Contracting Co.

DUE DATE: NOON, WEDNESDAY  
SEPTEMBER 26, 1984

MEMO TO: John T. Irving, City Manager

FROM: John A. Olson, Assistant City Manager

ACTION NEEDED MEMO: From the September 18, 1984, Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of September 18, 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 for a variance at 6105 - 42nd Avenue North. ACTION NEEDED: Place item on October 2, 1984 Council Agenda. ACTION TAKEN: Item placed on October 2, 1984 Council Agenda.
ENGINEERING		ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Notices mailed 9-19-84.
ASST. CITY MGR.	2.	Set public hearing to consider a request for a variance at 3449 Noble Avenue North. ACTION NEEDED: Place item on October 2, 1984 Council Agenda. ACTION TAKEN: Item placed on October 2, 1984 Council Agenda.
BLDG. DEPT.		ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Applicant present at meeting.

<u>DEPARTMENT</u>	<u>ITEM</u>	
ASST. CITY MGR.	3.	Set public hearing to consider a request for a variance at 6505 - 40th Avenue North. ACTION NEEDED: Place item on October 2, 1984 Council Agenda. ACTION TAKEN: Item placed on October 2, 1984 Council Agenda.
BLDG. DEPT.		ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Applicant present at meeting.
ASST. CITY MGR.	4.	Set public hearing to consider a request for a variance at 3427 Utah Avenue North. ACTION NEEDED: Place item on October 2, 1984 Council Agenda. ACTION TAKEN: Item placed on October 2, 1984 Council Agenda.
BLDG. DEPT.		ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Applicant present at meeting.

REGULAR AGENDA

<u>DEPARTMENT</u>	<u>ITEM</u>	
BLDG. DEPT.	1.	Public hearing to consider a request for a variance at 4754 Xenia Avenue North. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant present.

<u>DEPARTMENT</u>	<u>ITEM</u>	
ENGINEERING	2.	<p>Consideration of setting surety in the amount of \$42,000 for Burger King at 3526 North Lilac Drive.</p> <p>ACTION NEEDED: Item continued to next meeting to discuss the items in the City Engineer's letter.</p> <p>ACTION TAKEN: Item placed on October 2, 1984 Council Agenda.</p>
BLDG. DEPT.		<p>ACTION NEEDED: Permit to excavate property has been authorized by Council. Issue permit for excavation.</p> <p>ACTION TAKEN: Not applied for.</p>
CITY ENGINEER	3.	<p>Consideration of a petition for alley paving for the alley between Vera Cruz and Welcome, 38th to 39th Avenue North.</p> <p>ACTION NEEDED: Return petition to petitioners indicating Council's desire to have more than 50% of property owners on the petition.</p> <p>ACTION TAKEN: Petitioners notified.</p>
BLDG. INSPECTION	4.	<p>Consideration of a request for a variance of the sign ordinance to change copy on a non-conforming sign at 3419 Vera Cruz Avenue North.</p> <p>ACTION NEEDED: Notify property owner of Council approval.</p> <p>ACTION TAKEN: Applicant present.</p>
CITY CLERK	5.	<p>Consideration of request for a private kennel license from Arlon Linder, 8000 Northern Drive.</p> <p>ACTION NEEDED: Notify owner of Council approval.</p> <p>ACTION TAKEN: Licenses issued.</p>

<u>DEPARTMENT</u>	<u>ITEM</u>	
	6.	Appearance by Marjorie Davis of Family & Children's Services to discuss services. ACTION NEEDED: No action needed.
ASST. CITY MGR.	7.	Consideration of an ordinance regarding newsracks. ACTION NEEDED: Place item on the next Council Agenda. ACTION TAKEN: Item placed on October 2, 1984 Council Agenda.
CITY ENGINEER		ACTION NEEDED: Prepare diagrams illustrating ordinance. ACTION TAKEN: Diagrams being prepared.
CITY ATTORNEY		ACTION NEEDED: Incorporate notification of placement in ordinance. ACTION TAKEN: Revisions made.
ASST. CITY MGR.	8.	Consideration of the 1985 City of Crystal Budget. ACTION NEEDED: <ol style="list-style-type: none"> <li>1. Calculate percentage of increase for total budget.</li> <li>2. Receive written justification for shotguns in Police Department budget.</li> <li>3. Get estimate for exercise facility.</li> <li>4. Calculate percentage that Personal Services is of the entire budget request for 1985.</li> </ol> ACTION TAKEN: Information provided in memo to City Manager.
CITY CLERK	9.	Licenses. ACTION NEEDED: Issue licenses. ACTION TAKEN: Licenses issued.

September 7, 1984

Honorable Mayor & City Council  
City of Crystal, MN

RE: Improvement Needs Burger King, 3526 North Lilac Drive

Dear Councilmembers:

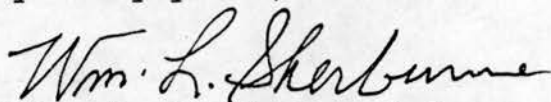
A study was made of the improvement needs as they pertain to the above-captioned site.

The items listed below were found to be reasonable and necessary for the orderly development of the City of Crystal and the site, also being in the best interests of the public:

- Construct V6 cast-in-place concrete barrier curb per City Engineer approved plot plan.
- Construct parking area, access aisles and drives with a minimum of 6" Class 5 base and 2" bituminous surface.
- Seal coat entire parking lot to restore bituminous surface and cover old striping.
- Restripe entire parking lot with white paint to conform to parking proposal.
- Erect 1 handicap parking stall sign.
- Prepare and submit "as built" utility plans.
- Area lighting shall conform to Section 515.07, Subd. 10, of the City Code.
- Remove entrance pillars from the public right-of-way.
- Landscape all open areas indicated on approved site plan.
- Provide all lot irons in place and to grade at the time of final acceptance.

It is recommended that the above work be required as a condition of issuance of a building permit; that the work be completed prior to issuance of an occupancy permit but not later than June 15, 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 \$42,000 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:jrs

cc: John T. Irving, City Manager  
Don Peterson, Building Inspector  
Bob Hoida, Burger King

Encls

CITY OF CRYSTAL  
NOTICE OF ASSESSMENT HEARING  
October 2, 1984

Notice is hereby given that the City Council of the City of Crystal, Minnesota, will meet in the Council chambers at the Crystal City Hall, 4141 Douglas Drive, on Tuesday, October 2, 1984, at 7:00 P.M., or as soon thereafter as the matter can be heard, to consider the assessments to be levied against the abutting properties, or those properties benefited by the following improvements:

SIDEWALK IMPROVEMENT NO. 6085 (60-D)		<u>COST PER FOOT:</u>
Douglas Drive	- 42nd Ave. to 51st Place	\$ 1.14 for R-1 (10%)
		\$11.44 for Com.

CURB & GUTTER IMPROVEMENT NO. 6085 (60-D)		<u>COST PER FOOT:</u>
Douglas Drive	- 42nd Ave. to 51st Place	\$ 8.83

SEALCOAT IMPROVEMENT NO. 6485 (64-C)		
Bernard Ave.	- Vera Cruz Ave. to Quail Ave.	
Corvallis Ave.	- Louisiana Ave. to Douglas Drive	
Corvallis Ave.	- Lakeland Ave. to Quail Ave.	
Douglas Drive	- 61st Ave. to 62nd Ave.	
Fairview Ave.	- Zane Ave. to West Broadway	
Florida Ave.	- 53rd Ave. to 210' north of 54th Ave.	
Idaho Ave.	- 52nd Ave. to 155' south of 52nd Ave.	
Jersey Ave.	- 56th Ave. to 57th Ave.	
Kentucky Ave.	- 57th Ave. to West Broadway	
Lakeland Ave.	- Wilshire Blvd. to 56th Ave. (west side)	
Lakeland Ave.	- Wilshire Blvd. to 56th Ave. (east side)	
Lakeland Ave.	- 56th Ave. to 58th Ave. (east side)	
Lakeland Ave.	- 60th Ave. to 62nd Ave.	
Louisiana Ave.	- 52nd Ave. to 120' south of 52nd Ave.	
Maryland Ave.	- 52nd Ave. to 54th Ave.	<u>COST PER FOOT:</u>
Maryland Ave.	- 58th Ave. to 59th Ave.	Streets: \$2.15
Nevada Ave.	- 54th Ave. to 56th Ave.	Alley: \$1.44
Nevada Ave.	- 58th Ave. to 59th Ave.	
Oregon Ave.	- 58th Ave. to 59th Ave.	
Perry Ave.	- Wilshire Blvd. to 56th Ave.	
Quail Ave.	- Fairview Ave. to Corvallis Ave.	
Quail Ave.	- 51st Ave. to 350' north of 52nd Ave.	
Quail Ave.	- 100' south of 53rd Ave. to 56th Ave.	
Regent Ave.	- 52nd Ave. to 300' north	
Scott Ave.	- 52nd Ave. to 270' north	
Scott Ave.	- 53rd Ave. to 160' south	
Toledo Ave.	- 51st Ave. to 220' north of 52nd Ave.	
Toledo Ave.	- Wilshire Blvd. to 56th Ave.	
Unity Ave.	- Wilshire Blvd. to 56th Ave.	
Vera Cruz Ave.	- Fairview Ave. to Corvallis Ave.	
Vera Cruz Ave.	- 51st Ave. to 120' north of 52nd Ave.	
Wilshire Blvd.	- Lakeland Ave. to Scott Ave.	
Xenia Ave.	- Wilshire Blvd. to 56th Ave.	
50th Ave.	- Louisiana Ave. to Douglas Drive	
50th Ave.	- Vera Cruz Ave. to Quail Ave.	
51st Ave.	- Lakeland Ave. to Quail Ave.	
51st Place	- Hampshire Ave. to 650' west	
51st Place	- Florida Ave. to Douglas Drive	
51st Place	- Douglas Drive to West Broadway	
52nd Ave.	- Vera Cruz Ave. to 210' east of Quail Ave.	
57th Ave.	- Kentucky Ave. to West Broadway	
57th Ave.	- Yates Ave. to Vera Cruz Ave.	
58th Ave.	- Sumter Ave. to Nevada Ave.	
59th Ave.	- Quebec Ave. to West Broadway	
60th Ave.	- West Broadway to Louisiana Ave.	

SEALCOAT ALLEY IMPROVEMENT NO. 6485 (64-C)  
Florida Ave. to Hampshire Ave. - between Fairview Ave. & 50th Ave.

BLACKTOP ALLEY IMPROVEMENT NO. 6485 (64-A)  
North of 48th Ave. - between Xenia and Welcome Ave.

CURB & GUTTER IMPROVEMENT NO. 6385P (63-C)

3933 Kentucky Ave. North  
6115 Douglas Drive North  
6820 32nd Ave. North  
3204 Louisiana Ave. North  
3300 Louisiana Ave. North  
3308 Louisiana Ave. North

COST PER FOOT:  
\$12.34

CURB & GUTTER IMPROVEMENT NO. 6385 (63-D)

Nevada Ave. - 47th Ave. to 48th Ave.

COST PER FOOT  
\$14.97

STREET REPLACEMENT IMPROVEMENT NO. 6385 (63-D)

Nevada Ave. - 45th Ave. to Fairview Ave.

COST PER FOOT  
\$ 7.00

STORM SEWER IMPROVEMENT NO. 5985 (59-A)

(Storm Sewer Drainage and Assessment Area Districts A, C, D & E)

Auditor's Subdivision #110  
Arnold's Addition  
Audrey Addition  
Morris Banke Addition  
Becon 2nd Addition  
Becon 3rd Addition  
Beelen Addition  
Benson Addition  
L. B. Berglund's Addition  
Blanche Terrace Addition  
John P. Boulton Addition  
Brenner Addition  
Breustedt Addition  
Brownwood Manor 2nd Addition: Lot 15, Bl. 1  
J. E. Carlson's 1st Addition  
Carter Terrace Addition  
Charles Christian Addition  
Circle E Addition  
Clark Oil Co. Addition  
Colonial Acres 2nd Addition  
Craig Nelson Estates Addition  
Cravens Gardens Addition  
Crystal Heights View Addition  
Crystal Heights View 2nd Addition  
Crystal Heights View 3rd Addition  
Crystal Highlands Addition: Lots 13 thru 24,  
Bl. 1; Blocks 2,3,4,5,6 & 7  
Crystal Terrace Addition  
Crystalwood Addition  
Crystalwood 2nd Addition  
Daniels Addition  
Clyde R. Dodds Addition  
Donna's Addition  
Doran's Addition  
Douglas Arms Addition  
Douglas Court Addition  
Douglas Court 2nd Addition  
Douglas Medical Plaza Addition  
Douglas Plaza Addition  
Douglas Terrace 1st Addition: Blocks 1 & 2  
Douglas Terrace 2nd Addition: Lots 2 thru 12,  
Bl. 2; Bl. 3  
Douglas Terrace 3rd Addition  
Dysart & Bolter Addition  
Edgewood Hills 1st Addition  
Edgewood Hills 2nd Addition  
Embretson Addition  
Embretson's 2nd Addition  
Embretson's 3rd Addition  
Engstrom's Valley View Addition  
Roger Evans Addition  
Falk's 1st Addition  
Falk's 2nd Addition  
B. Farr's Addition  
Fischbach Addition

COST PER SQ. FOOT  
Foss Addition \$0.0077  
Fout's Addition  
Franz Addition  
Freejohn Acres Addition  
Gardendale Acres Addition  
Gardner's Addition  
Ginsberg Addition  
Glad Addition  
Golden Rule Addition  
Gorian Addition  
Graceview Addition  
Griffin Addition  
Hajder-Richmond Addition  
Hansen's Belt Line Addition  
Hedenstrom's Addition  
Hendrickson's Addition  
Hendrickson's 2nd Addition  
Harold Herman Addition  
Herman & Miller Addition  
Hipp's Valley View Addition  
Hipp's Valley View 2nd Addition  
Hokkanen's Addition  
Hoskins Addition  
HRA Addition  
HRA 2nd Addition  
Elias Iversen Addition  
James Addition  
Lawrence Jaeger Addition  
E. M. Johnson Addition  
Robert A. Johnson Addition  
Johnson's Crystal Oaks Addition  
Judith Johnson Addition  
Jordan's Brookside Addition  
Julian Addition  
Julian 2nd Addition  
June's Addition  
Kastano's Addition  
Kauffmann 1st Addition  
Kauffmann 3rd Addition  
Kauffmann 4th Addition  
Keeler Addition  
Kiemele Addition  
Kirk's Addition  
Koch Addition  
Krickle Addition  
Krone Addition  
Beth Kusmaul Addition  
Kvigne Addition  
Lamplighter Square 1st Addition  
Lamplighter Square 2nd Addition  
Lamplighter Square 3rd Addition  
Lamplighter Square 4th Addition  
Lamplighter Square 5th Addition  
Lamplighter Square 6th Addition  
Lamplighter Square 7th Addition  
Lanes Addition

J. R. Larsons Addition  
 L.D.S. Addition  
 Londer's Addition  
 Lou-Ann Addition  
 Lynn Gardens Addition  
 Joseph Mack Addition  
 Mahlke's Addition  
 Malwood Heights Addition  
 Marcella Addition  
 Marcella 2nd Addition  
 Mark Addition  
 McAllister Addition  
 McKee's Bel Aire Addition  
 McLaughlin Addition  
 Meyer's Addition  
 Robert Middlemist Addition  
 Morningside Estates 4th Addition  
 Morningside Estates 5th Addition  
 Mount Crystal Addition  
 MSM Addition  
 Don Nelson Addition  
 Ray J. Nelson's 1st Addition  
 Nelson Terrace Addition  
 Nevada Court Addition  
 Noble Drug Addition  
 Nordenson's Addition  
 Perlick Addition  
 Mike Peterson 2nd Addition  
 Prestegard's Addition  
 Pure's Crystal Addition  
 Vernon Quam Addition  
 Raichle's Addition  
 Red Barn Addition: Lots 3 & 4, Bl. 1  
 Registered Land Survey #380  
 Registered Land Survey #470  
 Registered Land Survey #654  
 Registered Land Survey #750  
 Registered Land Survey #795  
 Registered Land Survey #801  
 Registered Land Survey #804  
 Registered Land Survey #851  
 Registered Land Survey #860  
 Registered Land Survey #925  
 Registered Land Survey #1008  
 Rgt. Blocks 4,5 & 6, Hansen's Belt Line  
 Addition  
 Ridgedale Addition  
 Ridgedale 2nd Addition  
 Ridgewood Park Addition  
 Ridgewood Park 2nd Addition  
 Robbinsdale Gardens Addition  
 Robbinsdale Gardens 2nd Addition  
 Lee Roberts Addition  
 Rock Croft Addition  
 Roeber's Addition  
 Rood's 1st Addition  
 Rosedale Acres Addition  
 Royal Oak Hills 8th Addition  
 Ruff Addition  
 Russell & Schuchard Addition  
 Sandberg's 1st Addition  
 Sandblades 1st Addition  
 Sandblades 2nd Addition  
 Scheuerman Estates  
 Joseph Schmitt Addition

Schoff Addition  
 Schulz Addition  
 Schwartz Addition  
 Schweitzer Addition  
 Sievert Terrace Addition  
 Stromberg Sunnyslopes 1st Addition:  
 Lots 1 thru 8, Bl. 1: Bl. 2  
 Stromberg Sunnyslopes 3rd Addition:  
 Lot 2, Bl. 2  
 Stoneburner Addition  
 Sunnybrook Acres Addition  
 Sunnybrook Acres 2nd Addition  
 Sunnybrook Acres 3rd Addition  
 Sunnybrook Acres 4th Addition  
 Sunnyview Hills Addition  
 Sunnyview Hills 2nd Addition  
 Kenneth H. Swanson Addition  
 Sween Addition  
 Temp Addition  
 Thill Addition  
 Thorson's Addition  
 Trinity Covenant Church Addition  
 Twin Oaks Addition  
 Unplatted in Section 16: West 1/2 of  
 Parcel 1100  
 Unplatted in Section 17: All parcels  
 Unplatted in Section 20: All parcels  
 Unplatted in Section 21: All parcels  
 Uzzell Gardens Addition  
 Valley View Park Addition  
 Valley View Park 2nd Addition  
 Thomas Vikouk Addition  
 Wallace 1st Addition  
 Weigel Addition  
 Westbrook Addition  
 West Winnetka Terrace Addition  
 West Winnetka Terrace 2nd Addition  
 West Winnetka Terrace 3rd Addition  
 West Winnetka Terrace 4th Addition  
 West Winnetka Terrace 5th Addition  
 West Winnetka Terrace 6th Addition  
 West Winnetka Terrace 7th Addition  
 Whitehills Addition  
 Whitehills 2nd Addition  
 Whitehills 3rd Addition  
 Whitehills 5th Addition  
 Whitehills 6th Addition  
 Wilder Park Addition  
 Wilder Park 2nd Addition  
 Earl Wilson Addition  
 Earl Wilson 2nd Addition  
 Earl Wilson 3rd Addition  
 Winnetka Industrial Center  
 Winnetka Park 1st Addition  
 Winnetka Park 2nd Addition  
 Winnetka Park 3rd Addition  
 Winnetka Park 4th Addition  
 Winnetka Park 5th Addition  
 Winnetka Village Addition  
 Woodland Homes Addition  
 Yager Addition  
 Fred S. Yesnes 2nd Addition  
 Lawrence Young Addition  
 Zappa Addition  
 Zubeck's Addition

#### DISEASED TREE REMOVAL 1985

5637 Zane Ave. North - P.I.D. #04-118-21-32-0082  
 3516 Zane Ave. North - P.I.D. #21-118-21-21-0081  
 3332 Yates Ave. North - P.I.D. #21-118-21-24-0133  
 3429 Lee Ave. North - P.I.D. #07-029-24-12-0133

#### DEBRIS REMOVAL 1985

4849 Xenia Ave. North - P.I.D. #09-118-21-31-0035

All delinquent sanitary sewer, water, street lighting and weed cutting charges will be assessed directly against the property that received the service. The entire amount assessed against any parcel of land for the sanitary sewer, water, street lighting or weed cutting charge will be payable in one installment and only with the general taxes for the year 1984, collectible with such taxes during the year 1985, if they are not prepaid by September 14, 1984.

The entire amount levied against any parcel of land will be payable, unless prepaid, in equal installments as designated for each improvement below:

Sidewalk #6085-R . . . . .	1 year
Sidewalk #6085-C . . . . .	10 years
Curb & Gutter #6085 . . . . .	10 years
Sealcoat #6485 . . . . .	2 years
Sealcoat Alley #6485 . . . . .	2 years
Blacktop Alley #6485 . . . . .	10 years
Curb & Gutter #6385-P . . . . .	10 years
Curb & Gutter #6385 . . . . .	10 years
Street Replacement #6385 . . . . .	5 years
Storm Sewer #5985 . . . . .	2 years
Diseased Tree Removal 1985 . . . . .	5 years
Debris Removal 1985 . . . . .	5 years
Delinquent Weed Cutting 1985 . . . . .	1 year
Delinquent Sewer & Water Utility Charges & Street Lighting 1985 . . .	1 year

For a period of thirty (30) days after the date of the resolution levying said assessment, the entire amount of the assessment against any parcel of land can be paid without interest. After that date, the entire balance of the assessment may be paid by November 15 of any year, with interest for the year in which payment is made. The first installment will be payable with interest at the rate of seven and one-half percent (7½%) per annum on the entire assessment from the date of the resolution levying said assessment to December 31, 1985, and each subsequent installment shall be paid with one (1) year's interest at said rate on all unpaid installments.

The proposed assessment roll is now on file in the office of the City Clerk and open to inspection by all parties interested.

Written or oral objections will be considered at the Hearing. An owner may appeal an assessment to District Court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or City Clerk within 30 days after the adoption of the assessment and filing such notice with the District Court within 10 days after service upon the Mayor or City Clerk. No such appeal as to the amount of an assessment on a specific parcel of land may be made unless the owner has either filed a signed written objection to that assessment with the City Clerk prior to the Hearing or has presented the written objection to the presiding officer at the Hearing.

By Order of the City Council  
Delores Ahmann, City Clerk

(Published in The North Hennepin Post September 13, 1984.)

Sept. 17, 1984  
3531 June Ave No.  
Crystal, Minn

City Clerk -

In regard to Storm Sewer 59A -

We strongly object to the  
assessment for this project.  
We do not need a storm  
sewer in this area and  
certainly can't afford (on  
our pension) to pay for  
the needs of the other side  
of the city -

Mr & Mrs. Geo. J. Wehringer

City Clerk  
City of Crystal  
4141 Douglas Drive  
Crystal, MN 55422

October 2, 1984

Re: Assessment Hearing  
Oct. 2, 1984 at 7:00 P.M.  
Storm Sewer 59A

I, John W. Morrissey, owner of property located in the City of Crystal, to wit: Lots 5, 6, Block 8, Woodland Homes, object to special assessment for storm sewer 59A on the aforesaid property.

Written Objection:

1. In the year 1979 when Storm Sewer 59A was proposed, aforesaid property was Tax Exempt, owned by the State of Minnesota, and not on the tax roll.
2. That the property is vacate undeveloped land which the City of Crystal provides no services to, such as: no city water, no city sewer, no city street or road way, no alley.

I respectfully request that special assessments on my property be removed and be applied to owners of property in the city of Crystal whom Storm Sewer 59A will benefit.

*John B. Morrissey*

John W. Morrissey  
6017 Pass 1k Rd.  
Crystal, Mn 55429

*Received 10/2/84  
Delores Ahmann,  
City Clerk*

9/30/84

TIMOTHY ECKES  
6507 36<sup>TH</sup> AVE. NO.  
CRYSTAL, MN. 55427

CITY OF CRYSTAL  
CITY CLERK, MAYOR  
4141 DOUGLAS DRIVE NO.  
CRYSTAL, MN. 55422

DEAR SIRS,

IN REFERENCE TO THE ASSESSMENT FOR STORM SEWER  
59 A, I HEREBY APPEAL THIS ASSESSMENT TO THE  
DISTRICT COURT PURSUANT TO MINNESOTA STATUTES SECTION 429.081.

I AM OF THE OPINION THAT CERTAIN HOME OWNERS  
BENEFITED FROM THIS FLOOD CONTROL PROJECT, AND THESE  
ARE THE ONES WHO SHOULD BE ASSESSED. THESE ARE THE  
HOME OWNERS WHOSE HOMES WERE WITHIN THE FLOOD  
PLAIN OF BASSETTS CREEK. MY HOME WAS NEVER IN  
JEOPARDY OF BEING FLOODED, AS IT WAS NEVER IN  
THE CREEK'S FLOOD PLAIN..

I ALSO THINK THAT IT WOULD BE, IN EFFECT,  
RUBBING SALT INTO THE WOUND TO BE ASSESSED FOR  
THIS, AS MY PROPERTY WAS GORGED, AND RAPED OF  
ALL VEGETATION AS A RESULT OF THIS CONSTRUCTION.

THEREFORE, I THINK IT VERY UNFAIR TO BE ASSESSED.  
SOMETHING THAT MORE ADVERSELY AFFECTED MY PROPERTY THAN  
BENEFITED IT.

I ALSO SUGGEST THAT A VIEWING OF MY  
PROPERTY MIGHT HELP YOU TO UNDERSTAND MY FEELINGS  
IN THIS MATTER.

SINCERELY,  
Samuel F. E. L.

Sept. 17, 1984

To the City of Crystal, (City clerk or Mayor)

We object to the storm sewer  
assessment 59A; total amount, \$ 80.78,  
Crystal Heights view.

We believe the assessment is without  
foundation and unwarranted!

Sincerely,

James E. Litecky  
(for) Nancy A. Litecky  
3549 Quail Ave No.  
Crystal) Mn. 55422

P.J.D 07-029-24-21-0047

9/30/84

TIMOTHY ECKES

6507 36<sup>TH</sup> AVE. NO.

CRYSTAL, MN. 55427

CITY OF CRYSTAL

CITY CLERK, MAYOR

4141 DOUGLAS DRIVE NO.

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I ALSO SUGGEST THAT A VIEWING OF MY  
PROPERTY MIGHT HELP YOU TO UNDERSTAND MY FEELINGS  
IN THIS MATTER.

SINCERELY,  
Samuel P. E. E.

C I T Y O F C R Y S T A L

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

Date: 9-26-84

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

Street Location of Property: 4816 Quail Avenue North, Crvstal, MN

Legal Description of Property: See exhibit A

Property Identification Number: 09-118-21-41-0051

Owner: Steven C. Leppa  
(Print Name)

4816 Quail Ave. North  
(Address)

533-8829  
(Phone No.)

Applicant: Same  
(Print Name)

(Address)

(Phone No.)

DESCRIPTION OF REQUEST: Variation of 515.07 Subd. 5 c) 1) to permit an  
accessory building to be erected upon the front half of the lot.

APPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED:  
(attach additional sheets if necessary)

The building is needed for storage of yard maintenance equipment required by  
the large lot and gardening activities. The location is the most isolated  
corner of the property and abuts the neighbors storage areas. It is very  
well shielded by trees and flowering shrubs from the adjoining areas. In this

NOTE: Attach plan or survey of proposal. (back side)

THIS PROPERTY IS:

TORRENS / ABSTRACT  
(Circle one)

Steven C. Leppa  
(Applicant's Signature)

Steven C. Leppa  
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00      DATE RECEIVED: 9/27/84      RECEIPT # 20793

(Approved) (Denied) - Planning Commission  
(Date)

(Approved) (Denied) - City Council  
(Date)

area of Crystal most garages and accessory buildings are along the street because the houses have been built to face the lake. It is in effect the rear of the house.

September 19, 1984

Honorable Mayor & City Council  
City of Crystal, MN

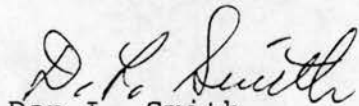
RE: Surety Release  
Crystal Shopping Center  
101 Willow Bend

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 letter of credit of Summit National Bank in the amount of \$7000 be released, subject to said guarantee.

Very truly yours,



Dan L. Smith  
Asst. City Engineer

DLS:jrs

cc: John T. Irving, City Manager  
Don Peterson, Building Inspector  
Paster Enterprises, Attn: Reed Banet

RESOLUTION NO. 84-

RESOLUTION CONCERNING TRANSPORTATION OF  
RADIOACTIVE MATERIALS THROUGH THE  
CITY OF CRYSTAL

WHEREAS, the City Council of the City of Crystal is concerned about the transportation of radioactive materials through the City, and

WHEREAS, this movement can pose a potential and dangerous health hazard to the residents of the City, and

WHEREAS, Northern States Power Company is considering the transportation of spent nuclear fuel through the City of Crystal,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Crystal, that prior to any transportation of spent nuclear fuel through the City be <sup>ing</sup> allowed, the Environmental Quality Board require that an environmental impact study be conducted.

*Send To  
Board Members.*

RESOLUTION NO. 84-

RESOLUTION DETERMINING TOTAL AMOUNTS THAT WOULD HAVE BEEN ASSESSED AGAINST CERTAIN PARCELS OF TAX-FORFEITED LANDS IF SUCH PROPERTIES HAD BEEN SUBJECT TO ASSESSMENT AT THE TIME OF DETERMINATION BY THE CITY COUNCIL OF THE AMOUNTS TO BE ASSESSED IN THE MATTER OF THE IMPROVEMENTS NAMED IN THE FOLLOWING SCHEDULE: AND DIRECTING THE CITY CLERK TO PREPARE AN ABSTRACT SHOWING THE DESCRIPTION OF EACH PARCEL OF LAND FORFEITED TO THE STATE FOR NON-PAYMENT OF TAXES AND THE TOTAL AMOUNT THAT WOULD HAVE BEEN ASSESSED AGAINST EACH PARCEL IF IT HAD BEEN SUBJECT TO ASSESSMENT: AND DIRECTING SAID CITY CLERK TO CERTIFY THE SAME TO HENNEPIN COUNTY FINANCE DIVISION PURSUANT TO MINNESOTA STATUTES 282.01, SUBD. 3.

BE IT RESOLVED by the City Council of the City of Crystal, Minnesota:

WHEREAS, at the time of the determination of the City Council of the City of Crystal of the total amounts of money to be assessed in the proceedings of the improvements listed below, certain parcels of land had been forfeited to the State, and were, therefore, not subject to assessment:

NOW, THEREFORE, pursuant to Minnesota Statutes 282.01, Subd. 3, the City Council does hereby determine that each of the parcels of land hereinafter described would have been assessed the amounts set opposite each such described parcel, if such parcel had not been tax-forfeited land and therefore not subject to assessment, and the City Council does hereby determine that each of said parcels has been benefited in an amount equal to the amount set opposite each of said parcels.

<u>Description</u>	<u>Improvement</u>	<u>Levy #</u>	<u>Amount</u>
P.I.D #08-118-21-21-002 Unplatted, Plat #54108; Parcel 5210	Tree Removal	9384	\$28.25

---

Mayor

ATTEST:

---

City Clerk

September 20, 1984

TO: John T. Irving, City Manager  
FROM: John A. Olson, Assistant City Manager  
RE: Questions from City Council regarding budget

At the September 18, 1984 Council meeting, there were several questions the Council asked that I indicated I would get the answers for before the next meeting.

Mr. Schaaf wasn't sure of the percentage increase of the 1985 Budget over the 1984 Budget so I recalculated the difference and it appears to be an 8.2 percentage increase from 1984 to 1985.

He also requested the percentage of personnel costs in the budget. I have calculated that the amount in personnel costs, (that is full-time salaries of employees other than water and sewer and Thorson), is 53.46 percent of the entire City General Fund budget.

Ms. Herbes had asked for a more detailed explanation of the need for shotguns in the Police Department than I was able to give at the meeting. I had, but did not refer to, the justification from the Police Department. At the time it slipped my mind. The justification is as follows.

"The present shotguns (Ithaca Model 37) have demonstrated on the firing range to be undependable for police use. The Ithacas do not always insert a fresh round in the chamber. They jam occasionally and drop shells onto the ground when racking the weapon. The above problems leave the weapon as unreliable, therefore, causing the officer not to use the shotguns in certain situations."

They are requesting the Remington Model 5033, Model 870P, a 12 gauge 18" shotgun with bead sight parkerized with Remington brand folding stocks. I hope this explains the shotgun request of the Police Department.

I believe the other questions they asked were sufficiently answered at the Council meeting. They have not scheduled any special meetings to discuss the budget other than the public hearing on October 9, 1984.

RESOLUTION NO. 84-

RESOLUTION DETERMINING TOTAL AMOUNTS THAT WOULD HAVE BEEN ASSESSED AGAINST CERTAIN PARCELS OF TAX-FORFEITED LANDS IF SUCH PROPERTIES HAD BEEN SUBJECT TO ASSESSMENT AT THE TIME OF DETERMINATION BY THE CITY COUNCIL OF THE AMOUNTS TO BE ASSESSED IN THE MATTER OF THE IMPROVEMENTS NAMED IN THE FOLLOWING SCHEDULE: AND DIRECTING THE CITY CLERK TO PREPARE AN ABSTRACT SHOWING THE DESCRIPTION OF EACH PARCEL OF LAND FORFEITED TO THE STATE FOR NON-PAYMENT OF TAXES AND THE TOTAL AMOUNT THAT WOULD HAVE BEEN ASSESSED AGAINST EACH PARCEL IF IT HAD BEEN SUBJECT TO ASSESSMENT: AND DIRECTING SAID CITY CLERK TO CERTIFY THE SAME TO HENNEPIN COUNTY FINANCE DIVISION PURSUANT TO MINNESOTA STATUTES 282.01, SUBD. 3.

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<u>Description</u>	<u>Improvement</u>	<u>Levy #</u>	<u>Amount</u>
P.I.D #08-118-21-21-002 Unplatted, Plat #54108; Parcel 5210	Tree Removal	9384	\$28.25

---

Mayor

ATTEST:

---

City Clerk

## PARKING LEASE AGREEMENT

This LEASE AGREEMENT is entered into this 29th day of July, 1983, by and between Aztec Carpet, Inc., 4801 Welcome Avenue, Crystal, Minnesota, hereinafter referred to as the Lessor, and Steven Weisman Industries, Inc., 4900 West Broadway, Crystal, Minnesota, hereinafter referred to as the Lessee.

1. WITNESSETH that the said Lessor has let to the said Lessee the following described premises:

the parking lot premises adjacent to the building at 4801 Welcome Avenue, 48th and West Broadway, Crystal, Minnesota.

2. The term of said Lease Agreement shall be one year, commencing on the 1st day of August, 1983, and ending on the 31st day of July, 1984, at the rent of One hundred fifty and no/100 Dollars (\$150.00) per month, payable without demand or notice on the 1st day of each month in advance.

3. The Lessee shall use said premises for parking purposes only and for no other purpose except with the written consent of the Lessor.

4. The Lessee may not assign this Lease or sublet any part of said premises without the written consent of the Lessor.

5. The Lessor shall bear the cost of removing snow from the said premises and agrees to keep the premises in good repair and maintenance.

6. The Lessor agrees that the Lessee shall not be liable for any damage either to person or persons or property, or for the loss of property, sustained by any person or persons due to the said demised premises. All insurance relative to the said premises, including public liability for personal injury and property damage, shall be maintained by the Lessor at his cost and expense. Lessor hereby releases Lessee from any claim for damages due to the said demised premises.

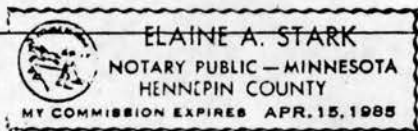
7. The Lessee agrees to keep the premises reasonably free of any waste and debris deposited on said premises due to his use thereof, or to make suitable alternative arrangements with Lessor for keeping clean said premises.

8. On or before 30 days prior to the completion of this Lease, the Lessee shall have the option to renew same for an additional period of one year, on the same terms and conditions, by giving written notice to the Lessor.

In witness whereof, the Lessor and Lessee have executed this Lease the day and year first above written.

Witness:

Elaine A. Stark



By:

Lawrence T. Vossen

Lessor - Lawrence T. Vossen  
Aztec Carpet, Inc.

Steven Weisman, Pres.

Lessee - Steven Weisman  
Steven Weisman  
Industries, Inc.

	#	1983	1984	1985
7/29/83				
<del>7/1/83</del>	4013	150.00	1/3/1 4641	150.00
9/1/83	4091	150.00	2/8/1 4892	150.00
10/1/83	4162	150.00	3/1/84 4947	150.00
11/1/83	4220	150.00	4/3/84 5041	150.00
12/1/83	4586	150.00	5/1 5109	150.00
1/3/84	4641		6/1 5196	150.00
			7/4/84 5266	150.00
			8/4/84 5483	150.00
			9/4/84 5585	150.00

# Wisconsin State Legislature



HOME:  
Route 4  
Cady's Lane  
Prescott Falls, WI 54022  
(715) 425-6850

OFFICE:  
10 North, State Capitol  
P.O. Box 8952  
Madison, WI 53708  
(608) 266-5504

**Earl Gilson**  
State Representative  
40th Assembly District

VICE CHAIRPERSON:  
Committee on Energy and  
Utilities  
MEMBER:  
Committee on State Affairs  
Committee on Environmental  
Resources  
Committee on Forest Productivity  
and Rural Development  
Minnesota-Wisconsin Boundary  
Area Commission Legislative  
Advisory Committee

To concerned citizens:

Northern States Power (NSP) has announced plans for shipping spent nuclear fuel assemblies from its electricity generating facility at Monticello, Minnesota to the General Electric Storage Area at Morris, Illinois for temporary storage. The shipments are to enter Wisconsin at Prescott on the Burlington Northern (BN) Railroad tracks and proceed through 26 cities, villages and municipalities along the Mississippi River, exiting Wisconsin at East Dubuque. Tentative shipping dates may be as early as November, 1984, and are likely to continue for a period of four to five years.

Hundreds of families living on the Wisconsin side of the Mississippi, and dozens of families from Minnesota have expressed grave concerns about the safety factors involved in shipment of radioactive waste by rail through this populated area. They suggest that proper procedures for insuring safety to the citizens has been overlooked or ignored by our federal and state governments. They question the need for the shipments of these 1058 spent fuel assemblies--NSP admits that storage at the Monticello plant site is capable of holding spent fuel assemblies generated for the next seven to ten years before they

reach full capacity. GE at Morris Illinois is only a temporary storage facility at best, and many persons are asking where the stuff will be moved when Morris is filled.

It is for that reason that I asked for a readable, workable, understandable ordinance outlining procedures for permitting shipments only after certain precautionary steps had been taken to insure public safety and protection in the event of an accidental or intentional derailment and subsequent release of radiation. I'm asking that you please review the model ordinance I've drafted--it's been taken in part from the Burlington, Iowa, ordinance--and consider adopting it in your municipality. It's important that this be done as quickly as possible, because that shipment date is coming up soon.

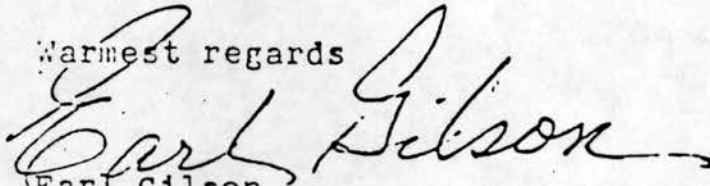
You should understand that there are unresolved legal issues concerning the power of local and state governments to regulate high-level nuclear waste shipments. It is possible that an ordinance will be challenged in court and it is difficult to predict the outcome of such a challenge. Nevertheless, this type of ordinance might withstand a legal challenge and, in any case, adopting the ordinance will send a clear message to NSP and GE about your municipality's attitude toward spent fuel shipments.

It is likely that the shipments will eventually be approved by the federal government--by the Nuclear Regulatory Commission and by the Department of Energy, with the blessings of the Interstate Commerce Commission, but I feel strongly that the State of Wisconsin, the cities, villages, and the townships through which these shipments are routed have the right and the responsibility to insist that public safety comes before all else. We in the Wisconsin Legislature are working on the proposed legislation. We want your input. Please contact me with your comments about possible state legislation. Let's join together and

make it work for all of us.

Thank you for taking the time to read this. I hope to hear from you soon.

Warmest regards

A handwritten signature in cursive script that reads "Earl Gilson". The signature is written in dark ink and is positioned above the printed name and title.

Earl Gilson

30th District

State Representative to the Assembly

Phone 1-800-362-9696 Legislative Hotline  
Phone 1-608-266-5504 Madison Office  
Phone 1-715-425-6850 Home Office

# Wisconsin State Legislature



HOME:  
Route 4  
Cady's Lane  
River Falls, WI 54022  
(715) 425-6850  
OFFICE:  
16 North, State Capitol  
P.O. Box 8952  
Madison, WI 53708  
(608) 266-5504

**Earl Gilson**  
State Representative  
40th Assembly District

VICE CHAIRPERSON:  
Committee on Energy and  
Utilities  
MEMBER:  
Committee on State Affairs  
Committee on Environmental  
Resources  
Committee on Forest Productivity  
and Rural Development  
Minnesota-Wisconsin Boundary  
Area Commission Legislative  
Advisory Committee

## PROPOSED ORDINANCE REGARDING THE TRANSPORTATION OF RADIOACTIVE MATERIALS STATE OF WISCONSIN

\_\_\_\_\_  
County

\_\_\_\_\_  
City, Village, or Township

### Section 1. Findings and Purposes

(a) The purposes of this ordinance are:

- (1) to protect public health and public safety;
- (2) to require a showing by the proposed shipper of most types of radioactive materials of the level of risk associated with and the reason for each proposed shipment or series of shipments.

(b) The governing body of \_\_\_\_\_ finds that:

- (1) the transportation of radioactive materials poses a potentially substantial threat to the health and safety of the people of \_\_\_\_\_;
- (2) there is currently no adequate regulation of shipments of radioactive materials by the Federal Government or the State of Wisconsin including, but not limited to, the fact that no agency of the Federal or State Government has the responsibility for

determining the necessity of shipments of radioactive materials.

(3) the protection of public health and safety in the event of a transportation accident involving radioactive materials requires the preparation of emergency response procedures and the training of public safety officials in the proper response to such an incident.

✓ (4) the training of local emergency response personnel and their equipment are currently inadequate to deal with the consequences of a release of radiation from a severe accident;

(5) the costs of emergency response procedures and training should properly be borne by those who introduce the risk, the producers and/or shippers of most types of radioactive material;

and (6) there has been a wide-spread expression of public concern about the risk to public health and safety of a proposed series of shipments, by rail, of radioactive material through Western Wisconsin to GE, Morris, Illinois.

## Section 2. When Certificates of Emergency Transport are Required

(a) Except as provided in par.(b), no person may transport any of the following materials into, within, or through the \_\_\_\_\_ without a Certificate of Emergency Transport:

(1) Plutonium isotopes in any quantity and form exceeding two grams or 20 curies, whichever is less;

(2) uranium enriched in the isotope U-235 exceeding 25 atomic percent of the total uranium content in quantities where the U-235 content exceeds one kilogram;

(3) any of the actinides (i.e., elements with atomic number 89 or greater), the activity of which exceeds 20 curies;

(4) spent reactor fuel elements, assemblies, or mixed fission products associated with such spent fuel elements the activity of which exceeds 20 curies, or;

(5) any quantity of radioactive material specified as a "Large Quantity" by the Nuclear Regulatory Commission in 10 CFR Part 71, entitled "Packaging of Radioactive Material for Transport."

- (b) Producers and /or transporters of small quantities of radioactive materials intended for therapeutic and biomedical research or educational purposes are not required to obtain a Certificate of Emergency Transport.

Section 3. Procedures for the Issuance of Certificates of Emergency Transport.

- (a) A shipper who is required by Section 2 to obtain a Certificate of Emergency Transport and who intends to begin movement of radioactive material into, within, or through \_\_\_\_\_ shall, at least 180 days prior to that date, apply to the Chief Executive Officer of the municipality or his designee for a Certificate of Emergency Transport. In addition to such information as the Chief Executive Officer of the municipality, or his designee, may require, the application for a Certificate of Emergency Transport shall include:
- (1) a description of the radioactive material, which shall be provided to the Chief Executive Officer of the municipality and to the public highway and railroad authorities of the \_\_\_\_\_ which have jurisdiction over the transportation routes within the \_\_\_\_\_;
  - (2) a written statement from the shipper certifying that the radioactive material described in the application is properly classified, described, labeled, and packaged, and that the radioactive material is in proper condition for shipment and transportation according to the applicable regulations of the Nuclear Regulatory Commission and the United States Department of Transportation.
  - (3) origin, route, and destination of the shipment and if a series of shipments is planned, the number of proposed shipments and the

period of time over which the shipments are planned;  
and (4) name, address, and telephone number of the carrier, description, identification and registration of the motor vehicle or railroad car/cars and the name and the license of the unit operator or operators.

(b) A Certificate of Emergency Transport may be issued by the Chief Executive Officer or his designee upon approval by the governing body of the \_\_\_\_\_ after finding, upon a clear showing by the producer and/or shipper, that:

(1) urgent public policy interests transcend the risks of the proposed shipments to the health and safety of the public.

Urgent public policy interests include medical, non-destructive radiographical testing, and educational interests. Mere economic considerations shall not constitute public policy interests.

(2) the appropriate procedures and precautions exist to protect the \_\_\_\_\_ and its inhabitants in the event of a transportation accident;

(3) the radioactive material has been or will be containerized and packaged, that warning labels will be affixed to the other container holding the radioactive material, and that the vehicle transporting such material will be operated and equipped in conformity with the regulations of the United States Nuclear Regulatory Commission, or any other federal agency or state agency having jurisdiction, regardless of whether the shipment is being made into, within, through, or out of \_\_\_\_\_;

and (4) the containers to be used in the proposed shipment have been tested, in their current model, so as to demonstrate the containers' ability to withstand without breach of containment, the impact of each possible severe accident under conditions which could actually be encountered.

(c) Notwithstanding par. (b), a Certificate of Emergency Transport shall be granted for:

(1) hectocurie and kilocurie cobalt-60 and cesium-137 teletherapy sources employed in therapeutic radiology and biomedical research or educational purposes and for medical purposes and devices for individual human application (i.e., cardiac pacemakers) containing plutonium-238, promethium-147 or other radioactive material or waste generated in these activities;

(2) sealed industrial radiography sources up to 100 curies.

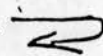
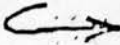
Section 4. Fees for the Issuance of the Certificate of Emergency Transport and Period of Validity.

- (a) Upon final approval by the governing body as contemplated in Section 3 (b) or (c) above, the shipper shall pay a fee in an amount to be determined by the governing body of \_\_\_\_\_ in consultation with appropriate governmental agencies. The Chief Executive Officer, or his designee may establish a proposed fee. The fee shall reflect the relative degree of hazard and potential threat to the public health and safety of the radioactive material based upon its volume, radioactivity, toxicity, the costs of preparation of the emergency response procedures, the costs of training and equipping public response officials to respond, and the costs of the issuance of the Certificate of Emergency Transport.
- (b) Upon receipt of such a fee, the Chief Executive Officer or his designee shall issue a Certificate of Emergency Transport and the fee shall be deposited in a "Radiologic Emergency Preparedness Fund."
- (c) The Certificate of Emergency Transport shall be valid for the period of time designated in the Certificate, but the Chief Executive Officer or his designee may, for good cause shown, grant an extension of time.

Section 5. Responsibility for Enforcement.

- (a) The law enforcement agency of \_\_\_\_\_ shall be responsible, to the extent of its capability, for the enforcement of this ordinance.
- (b) The shipper shall certify in writing, upon receipt of the Certificate of Emergency Transport, that he will hold any law enforcement agency harmless in the event of the involvement of officers of that agency.

Section 6. Enforcement, penalty.

- (a) Any person who violates this ordinance shall forfeit not less than \$100 nor more than \$1000 for each violation. Each violation of this ordinance constitutes a separate violation and each day of continued violation is a separate offense.
- (b) In addition to the penalty in par. (a), the municipal attorney shall apply to a court of competent jurisdiction for a temporary or a permanent injunction restraining any person from violating this ordinance.
- (c) The Chief Executive Officer of the municipality, with the approval of the governing body, shall revoke a Certificate of Emergency Transport issued under this ordinance if: 
-  the person who holds the Certificate:
- (1) made a material misstatement in the application for the Certificate;
  - (2) shipped radioactive material in violation of this ordinance;
  - or (3) shipped radioactive material of a type or quantity or in a manner not designated in the Certificate of Emergency Transport.



Minnesota Public Interest Research Foundation  
2412 University Avenue S.E. Minneapolis, Minnesota 55414  
Phone (612) 376-7556

## Radioactive Waste Project

October 3, 1984

Dear Jack:

Enclosed is a notice about the proposed shipments of nuclear waste by NSP. The Senate Environmental Protection subcommittee will be holding a hearing on the shipments on October 16, at 1:30, at the State Capitol. I would urge to attend and to testify to the subcommittee as to the concerns of the City of Crystal regarding these proposed shipments.

I understand your city council passed a resolution requesting the Minnesota Environmental Board to begin environmental review. Please send the MEQB a copy of the resolution before October 9th. The Board will be meeting on the 9th at 10:00 a.m., Metro Square Bldg, 7th and Robert Sts., St. Paul, on the 3rd floor, in the Metro Council Chamber. I hope you will attend that meeting and testify before the Board as to the city's concerns. It is important for Board members to hear from cities along the proposed route and I am sure your testimony will carry much weight.

If you have any questions, please call.

Sincerely,

Barbara J. Johnson  
Project Director

*Hand carried to  
Council on 10/4/84,  
and John Oles got a copy.*



Minnesota  
Environmental Quality Board

100 Capitol Square Building  
550 Cedar Street  
St. Paul, Minnesota 55101  
Phone \_\_\_\_\_

MINNESOTA ENVIRONMENTAL QUALITY BOARD  
SPECIAL MEETING

Tuesday, October 9, 1984  
Metropolitan Council Chambers  
3rd Floor, Metro Square Building  
7th and Robert Streets  
10:00 a.m.

Proposed Agenda

10:00 a.m.

Proposed Northern States Power (NSP)  
Company rail shipment of spent nuclear  
fuel from Monticello, Minnesota to  
Morris, Illinois. Determination of need  
for Environmental Assessment Worksheet.

C. R. "CHUCK" DAVIS  
Senator 18th District  
Room G-24 State Capitol  
St. Paul, Minnesota 55155  
Phone: (612) 296-2302  
and  
R.R. #2, Box 128  
Princeton, Minnesota 55371

Senate  
State of Minnesota

M E E T I N G   N O T I C E

ENVIRONMENTAL PROTECTION SUBCOMMITTEE

of the

Senate Agriculture and Natural Resources Committee

Senator Chuck Davis, Chairman

TUESDAY, OCTOBER 16, 1984  
1:30-4:30 p.m.  
ROOM 118 CAPITOL

A G E N D A

Planned shipments of spent fuel rods by NSP

If you have any questions, please contact Patt Becker (296-7593)

If you wish to testify, please contact Gerri Ulness (296-2302)