



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

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SENT WITH PRELIMINARY AGENDA 8/30/85

Council minutes of 8/20/85.

Planning Comm. minutes of 8/12/85

1986 Budget proposal

List of election judges & polling places for 11/5.

Letter of resignation from Ron Pieri from HRA.

Letter of 8/20 from Community Health Dept. re public meetings.

Letter from Henn. Cty. re refund check for 911 Automatic Location Identification costs.

Human Relations Comm. minutes of 8/26/85.

Park & Rec. Adv. Comm. agenda for 9/4/85.

SENT WITH AGENDA 9/3/85

Animal Control Contract amendment.

Memo from City Engr. re surety release for Olson Honey Co.

Letter from Metro Council re public hearing on Part 3, Water Resources Management Development Guide, Water Availability and Use, dated 8/26/85 from Chair Gardebring.

Memo from League - Action Alert - re Congressional Action on FLSA Needs Support from Cities.

Memo of 8/29/85 from City Attny re Nafsted Project;  
Res. calling public hearing on est. of TIF Dist.;  
Res. calling public hearing on housing program;  
Res. calling public hearing on issuance of housing bonds.

Memo from Jim Thomsen of 8/30 re Partytime, Inc. v City of Crystal; documents filed w/Court on City's behalf.

Memo from City Treas. of 8/28 re 1986 Budget Estimate & memo re status of PIR Fund.

Memo from Asst. City Mgr. of 8/29 re Major Changes in 1986 Budget Requests.

## COUNCIL AGENDA

September 3, 1985

Pursuant to due call and notice thereof, the regular meeting of the Crystal City Council was held on September 3, 1985, 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

✓ Schaaf  
✓ Smothers  
✓ Herbes  
~~Pieri~~  
✓ Aaker  
✓ Moravec  
✓ Rygg

### Staff

✓ Irving  
✓ Kennedy  
✓ Olson  
✓ Sherburne  
✓ ~~Peterson~~ *Barber*  
~~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 20, 1985 were approved, with the following exceptions: \_\_\_\_\_.

1. It being 7:00 P.M., or as soon thereafter as the matter can be heard, Mayor Aaker declared that this is the time and date as advertised for the public hearing at which time the City Council would sit as a Board of Adjustments and Appeals to consider a request from Lenard J. Braun for a variance in the required 7,500 sq. ft. lot area to allow the construction of a single family home at 5409 - 56th Ave. N. The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were: **(5 votes needed for approval)**

Moved by Councilmember S and seconded by Councilmember S, that pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.15, Subd. 2 c) 3) i) to grant a variance of 363.05 sq. ft. in the required 7,500 sq. ft. lot area at 5409 - 56th Ave. N., as requested in Application #85-23T, as recommended by and based on the findings of fact of the Planning Commission. Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) a variance in lot area at 5409 56th Avenue North. Motion Carried.

September 3, 1985

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 Steven C. Leppa for a variance in locating the barrier curb 1 ft. from the lot line in lieu of the required 5 ft. from lot line at 5241 West Broadway. The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were: (5 votes needed for approval)

Moved by Councilmember H and seconded by Councilmember S to (approve, as recommended by and based on the findings of fact of the Planning Commission) (deny) (continue until \_\_\_\_\_ the discussion of) the authorization to grant a variance pursuant to Section 515.09, Subd. 4 h) 15) to reduce the requirement for a 5' setback of curb from property line to 1' along line adjoining proposed Lot 1 & Lot 2 at 5241 West Broadway, as requested in Application #85-38 of Steven Leppa of Northside Property Management. Motion Carried.

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 Mr. & Mrs. Orval O. Perleberg for a variance to allow two curb cut openings at 4010 Douglas Drive. The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were: (5 votes needed for approval)

Moved by Councilmember Ry and seconded by Councilmember M to (approve, as recommended by and based on the findings of fact of the Planning Commission) (deny) (continue until \_\_\_\_\_ the discussion of) the authorization to grant a variance pursuant to Section 515.09, Subd. 4 h) 10), to allow two curb cuts on a single family lot at 4010 Douglas Drive, as requested in Application #85-40A of Mr. and Mrs. Orval O. Perleberg. Motion Carried.



September 3, 1985

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 the public hearing at which time the City Council would consider approval of \$780,000 commercial development revenue bonds for PBM Associates (Crystal Linoleum project). The Mayor asked those present to voice their opinions or ask questions concerning the project. ~~Those present and heard were:~~

*(for the record) Brother James & Howard Moore, Barber*  
*on BLRP was 4/1/85*  
*rose, 1/1/85*  
*(see, 1/1/85)*

*see (pm 2/1/85) 780,000*

*2 - 2 pm 2/1/85*



September 3, 1985

5. The City Council considered the Second Reading of an ordinance relating to plats and planning. (5 votes needed for approval)

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

## ORDINANCE NO. 85-14

AN ORDINANCE RELATING TO PLATS AND PLANNING:  
REPEALING CRYSTAL CITY CODE, SUBSECTION 505.03,  
SUBDIVISION 3, CLAUSE e)

To Be  
Published  
9/12/85

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

Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) the Second Reading of an ordinance relating to plats and planning. Motion Carried.

6. The City Council considered setting a date for the public hearing to discuss the 1986 City Budget and Revenue Sharing Budget.

② 9-24 7-14.4 5/11 8-6. — 8-11 — Posted on Bulletin Board - sent to Post for publishing 9/14/85

① Moved by Councilmember Sm and seconded by Councilmember A to set 7:00 P.M., or as soon thereafter as the matter may be heard, Oct 1, 1985, as the time and date for a public hearing to discuss the 1986 City Budget and the Revenue Sharing Budget. Motion Carried.

- sent for publishing 9/19/85

7. The City Council considered the appointment of election judges and designating polling places for the November 5, 1985 City Election.

Moved by Councilmember HF and seconded by Councilmember Sm to approve the list of election judges and polling places for the November 5, 1985 City Election, as submitted by the City Clerk. Motion Carried.

September 3, 1985

8. The City Council considered a letter of resignation from Ron Pieri from the City of Crystal Housing and Redevelopment Authority and declaring a vacancy on the HRA.

*for by - here*

Moved by Councilmember *for* and seconded by Councilmember *S* to accept the letter of resignation from Ron Pieri from the Crystal HRA, and to request the City Manager to send him a letter of thanks and appreciation for his service on the Authority. Motion Carried.

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

## RESOLUTION NO. 85-

A RESOLUTION DECLARING A VACANCY  
ON THE CRYSTAL HOUSING AND REDEVELOPMENT AUTHORITY

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

9. The City Council considered an amendment to the animal control contract with Dr. Funk.

Moved by Councilmember *Ryz* and seconded by Councilmember *H* to  
(approve, as recommended by the City Manager) (deny) (continue until  
the discussion of) the amendment to the animal control  
contract with Funk Animal Hospital. Motion Carried.

10. The City Council considered surety release in the amount of \$7,500 for Olson Honey Company at 5201 Douglas Drive.

Motion Carried.

- Motion Carried.

- Motion Carried.

- ①  $u_4 \# 1$   
 $\rightarrow u \text{ Sm} \text{ Ryz}$   
 $\rightarrow u B$

Bob Olsen,  
Engineer, of Meyer + Olsen

afstad. Henry  
Mr. Stenquist, architect  
E. J. - afstad  
Gary afstad, son.  
\$4.50 2, partly  
2, 2, 2.

②  $a_4 \neq 2$   $85-75$   
 $\quad \quad \quad \underline{a_4} \quad H = \Delta m$   
 $\quad \quad \quad \underline{a_4} \quad \quad \quad \underline{B}$

③  $u = 713$   $u = 713$   
 $u = 59m$   
 $u = 713$

-Exhibit A  
missing

all 3 published



September 3, 1985

*Presented a*

Bob Letterman  
Dale Rich ~~Ed~~ Eaton

Y-33rd,  $V_c \rightarrow E$  is not  
8409-33rd.

(9)

and some groups - inter- & prob  
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routings in app.  
= m th. l. d. i. c. s.  
f. b. u. n. p. r. o. g. r. e. s.

②  $S_1 \rightarrow 1.25 \times 10^3$

$$16 \text{ mg} = \frac{1}{3}$$

Don ~~Flower~~ <sup>plough</sup> → E 14 ✓  
3301 Brunswick

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$\sim H R_{\text{eff}} \sim \frac{1}{4} \delta$

2 H Ryj - 4 8/ -  
 10 - 8, 8:22 t - 4 Sn 8:37

(2) — u m y / adequacy v for ~~the~~<sup>the</sup> ~~the~~<sup>the</sup> ~~the~~<sup>the</sup> S = ~~an~~<sup>an</sup> — u b, ~

③  $u_y m = \Delta m = \sqrt{1 - \frac{u^2}{c^2}} m$

Joe E. Gier, P.P.S. Nov 16 1908

mega mall =  $7^2$  — 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

931/32V-

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

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



APPLICATIONS FOR LICENSE

September 3, 1985

FOOD ESTABLISHMENT - Special Food Handling (\$33.00)

Shinders at Crystal Gallery, 5546 West Broadway

CIGARETTES: (\$12.00 ea. machine and/or over counter sales)

Shinders at Crystal Gallery, 5546 West Broadway

TREE TRIMMERS: (\$55.00 per yr.)

Complete Stump Removal, owner - Rick Oman

20  
August 29, 1985

Dear Councilmembers:

Once or twice each year, time does not permit me giving you a proper preliminary agenda. Because the rest of the staff puts things together for me in preparation for the preliminary agenda, the information I am including is in good order. Generally we add some things to the agenda prior to my getting it to you. In this case, I'll make some comments about items that will be on that don't appear here, and I believe those comments will be self-explanatory when I get to them.

As you can see, we have nothing for the Consent Agenda and very few items on the agenda that have a great deal of consequence.

Items #1, #2 and #3 are self-explanatory.

Dave did and will explain in greater detail the public hearing for PBM Associates Commercial Development Bonds (Crystal Linoleum project). We are not certain at this time whether a decision on these bonds should be made Tuesday evening, or at the following meeting, but we will put action on the agenda to accommodate it if necessary for Tuesday night's meeting. Dave will advise you if you should delay that decision until the following meeting.

Item #5 is the Second Reading of an ordinance amending the platting ordinance. You may recall that Bill Sherburne advised you that the County used to prohibit Torrens and Abstract properties on one plat, and the County now accepts that and we want to update the ordinance to accommdate that acceptance.

Item #6 is the proposed budget which is enclosed. My cover letter will be presented to you on Tuesday evening. Generally, few, if any, questions are raised at that meeting and as I understand it, the Mayor has suggested a special meeting or two to discuss budget items during the month of September. We will, though, ask you to establish a date for the Budget and Revenue Sharing public hearing.

There should be some items on the agenda beyond Item #8. One very likely will be an amendment to our animal control contract with Dr. Funk. I have not had an opportunity to look at it, but will look at it between now and Tuesday and make a recommendation at Tuesday's meeting.

Dave Kennedy is also working on some information regarding the tax increment proposals made by Norm Nafstad at a prior meeting. There will be some action necessary by the Council to get that process started. As you will recall, Norm was interested in getting started before freeze-up. Everything appears to be in order and to our advantage to assist him wherever possible. As I indicated before, the pay-off for a tax increment program of this sort is much better than that one we have used in the redevelopment project in the Bass Lake Road/Becker Park area.

At this writing that is all I have in mind for Tuesday's agenda, but if something should come up between now and then, we will certainly put it on the agenda and provide as much information as we can so that you can make a proper decision.

I have included some items for your information, as you will note.

You may or may not know that the City of Crystal and its nudity ordinance prevailed in court and on the Appeal. Enforcement started yesterday and will proceed. It is my understanding that the Iron Horse is already making physical changes in the basement to accommodate different types of entertainment. I don't know as yet exactly what that will be, but through surveillance, we will be able to keep abreast of it.

I propose to take tomorrow (Friday) off and have a long weekend. I hope you enjoy your weekend as much as I propose to enjoy mine.

See you Tuesday evening.

J A C K

da  
enc.

P.S. You will find enclosed the bid of Allied Blacktop for Seal Coat Improvement No. 65-D, as requested by Councilmember Smothers.

Delores

APPLICATIONS FOR LICENSE

September 3, 1985

FOOD ESTABLISHMENT - Special Food Handling (\$33.00)

Shinders at Crystal Gallery, 5546 West Broadway

CIGARETTES: (\$12.00 ea. machine and/or over counter sales)

Shinders at Crystal Gallery, 5546 West Broadway

TREE TRIMMERS: (\$55.00 per yr.)

Complete Stump Removal, owner - Rick Oman



TENTATIVE AGENDA

FOR THE SEPTEMBER 3, 1985 COUNCIL MEETING

1. Minutes of the regular meeting of August 20, 1985.

CONSENT AGENDA

<u>ITEM</u>	<u>SUPPORTING DATA</u>	<u>COMMENTS</u>
1. Public Hearing to consider a request from Lenard J. Braun for a variance of 363.05 sq. ft. in the required 7500 sq. ft. lot area to allow the construction of a single family home at 5409 - 56th Ave. N.	Planning Commission minutes of 8-12-85, item 3.	Planning Commission recommended approval
2. Public hearing to consider a request from Steven C. Leppa for a variance in locating the barrier curb 1 ft. from the lot line in lieu of the required 5 ft. from lot line at 5241 West Broadway.	Planning Commission minutes of 8-12-85, item 4.	Planning Commission recommended approval
3. Public hearing to consider a request from Mr. & Mrs. Orval O. Perleberg for a variance to allow two curb cut openings at 4010 Douglas Drive.	Planning Commission minutes of 8-12-85 item 9.	Planning Commission recommended approval
4. Public hearing to consider the Commercial Development Bonds for PBM Associates.	None.	None.
5. Consideration of second reading of an ordinance amending the platting ordinance	None.	None.
6. Consideration of setting a date for public hearing to discuss the 1986 City Budget & Revenue Sharing Budget.	1986 Budget Proposal.	Council can also set work session dates.



Tentative Agenda - Page 2

<u>ITEM</u>	<u>SUPPORTING DATA</u>	<u>COMMENTS</u>
7. Consideration of appointment of election judges and designating polling places for the November 5, 1985 City Election.	Memo from City Clerk and list of judges.	None.
8. Consideration of a letter of resignation from Ron Pieri from the City of Crystal HRA and declaring a vacancy on the HRA.	Copy of letter of resignation dated 8-23-85.	Mayor makes appointment with City Council approval.

INFORMATIONAL ITEMS

1. Letter of 8-20-85 from Community Health Department regarding public meetings.
2. Letter from Hennepin County regarding refund check for 911 Automatic Location Identification costs.
3. Human Relations Commission minutes of 8-26-85.
4. Park & Rec. Adv. Comm. agenda for 9/4/85

9/4/85 WHE  
September 1, 1985

Petition to Seal Coat the Southern Half of 33rd Ave. No. Between  
Boone Ave. No. and Xylon Ave. No.

The undersigned residents of the City of Crystal respectfully request the City of Crystal to enter into an immediate contract with the City of New Hope to have the City of New Hope complete the seal coating of the southern half of 33rd Ave. No. bounded by Boone Ave. No. on the west end and Xylon Ave. No. on the east end.

The City of New Hope has quoted an estimated total cost of \$1,028.00 or \$60.47 for each of the seventeen affected homes. It is understood that this is only an estimate and that the actual cost may vary by as much as 10%. It is further understood that each of the affected property owners will be assessed for their proportionate share of the total actual cost by the City of Crystal and that the City of Crystal will reimburse the City of New Hope.

The undersigned also understand and hereby agree to waive any and all rights to any and all public hearings, any and all notifications, any and all bids, and any and all assessment hearings that we may have been entitled to prior to performing the above mentioned work.

1. <u>Jim Boyner</u>	<u>Jim Schler</u>	<u>8633 - 33rd Ave. No.</u>
2. <u>Donald W. Sandberg</u>	<u>Pope Sandberg</u>	<u>8625 - 33rd Ave. No.</u>
3. <u>Janice W. Bales</u>	<u>—</u>	<u>8617 - 33rd Ave. No.</u>
4. <u>Hermuth Kober</u>	<u>Maslene Kakash</u>	<u>8609 - 33rd Ave. No.</u>
5. <u>Grace Fernstrom</u>	<u>Winnie Fernstrom</u>	<u>8601 - 33rd Ave. No.</u>
6. <u>Lucan Cohn</u>	<u>Charles Cohn</u>	<u>8525 - 33rd Ave. No.</u>
7. <u>Kathy Weishaar</u>	<u>Joseph A. Weishaar</u>	<u>8517 - 33rd Ave. No.</u>
8. <u>David L. Stedje</u>	<u>Jane A. Stedje</u>	<u>8509 - 33rd Ave. No.</u>
9. <u>W. O. Reinold</u>	<u>Carol Reinold</u>	<u>8501 - 33rd Ave. No.</u>
10. <u>Robert A. Leonardson</u>	<u>Mary Leonardson</u>	<u>8425 - 33rd Ave. No.</u>
11. <u>Warren J. Garbath</u>	<u>—</u>	<u>8417 - 33rd Ave. No.</u>
12. <u>Alk. K. K. K.</u>	<u>Janice L. Eaton</u>	<u>8409 - 33rd Ave. No.</u>
13. <u>John H. Dreier</u>	<u>Auelia Dreier</u>	<u>8401 - 33rd Ave. No.</u>
14. <u>Leonard H. Zornke</u>	<u>Carol M. Zornke</u>	<u>8325 - 33rd Ave. No.</u>
15. <u>David Distel</u>	<u>Mary B. Distel</u>	<u>8317 - 33rd Ave. No.</u>
16. <u>—</u>	<u>Karen Reese</u>	<u>8309 - 33rd Ave. No.</u>
17. <u>—</u>	<u>May L. Under</u>	<u>8301 - 33rd Ave. No.</u>

LeFevere  
Lefler  
Kennedy  
O'Brien &  
Drawz

A Professional  
Association

*1st Reading  
8/20/85*

2000 First Bank Place West  
Minneapolis  
Minnesota 55402

Telephone (612) 333-0543  
Telecopier (612) 333-0540

Clayton L. LeFevere  
Herbert P. Lefler  
J. Dennis O'Brien  
John E. Drawz  
David J. Kennedy  
John B. Dean  
Glenn E. Purdue  
Richard J. Schieffer  
Charles L. LeFevere  
Herbert P. Lefler III  
Jeffrey J. Strand  
Mary J. Bjorklund  
John G. Kressel  
Dayle Nolan  
Michael A. Nash  
Brian F. Rice  
Lorraine S. Clugg  
James J. Thomson, Jr.  
James M. Strommen  
Mary C. Nielsen  
Terry L. Hall  
Ronald H. Batty  
William P. Jordan  
Susan Dickel Minsberg  
Kurt J. Erickson

August 14, 1985

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

Re: Amendment to Platting Ordinance

Dear Jack:

Enclosed you will find the text of an ordinance  
repealing the section of the platting ordinance which  
prohibits the preparation of plats containing abstract  
and torrens property.

This change is recommended by Bill Sherburne since the  
existing language reflects a practice of the Hennepin  
County people which is no longer in effect.

Yours very truly,



David J. Kennedy

DJK:caw  
Enclosures  
cc: Bill Sherburne

85-14

AN ORDINANCE

RELATING TO PLATS AND PLANNING:  
REPEALING CRYSTAL CITY CODE,  
SUBSECTION 505.03, SUBDIVISION 3,  
CLAUSE e).

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code, Subsection 505.03,  
Subdivision 3, Clause e) is repealed.

Sec. 2. The ordinance is effective in accordance with  
Crystal City Code, Subsection 110.11.

\_\_\_\_\_  
Mayor

Attest:

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

M E M O R A N D U M

TO: John T. Irving, City Manager  
FROM: Tom Heenan, Sanitarian III  
RE: Animal Control Contract  
DATE: August 29, 1985

Funk Animal Hospital proposes to change the fees and charges portion of our contract for animal pound services.

The change increases daily fees for each animal boarded from \$4.40 to \$4.75. We are currently charging \$5.00 for animals boarded. This change appears to be appropriate and I would recommend approval.

TH:ch



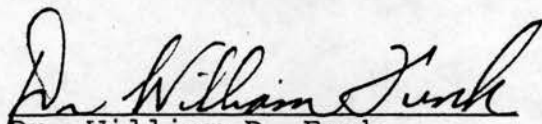
CONTRACT - Year July 1, 1985 to June 30, 1986

ADDENDUM - To Be Re-negotiated Annually

FEES AND CHARGES PAYABLE BY THE CITY TO THE POUNDKEEPER

Daily fee for each animal boarded (not to exceed six (6) days on unclaimed animals)	\$ 4.75
Humane destruction and disposal of each animal	10.00
Disposal of each already-dead animal carcass	7.00
Administrative fees and charges per month	110.00
Emergency After-hours Veterinary Services Supplied by Affiliated Emergency Veterinary Service Hospital - flat rate per animal	45.00

FOR  
FUNK ANIMAL HOSPITAL

  
Dr. William D. Funk

August 16, 1985  
Date

FOR  
CITY OF CRYSTAL

\_\_\_\_\_  
Mayor

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

\_\_\_\_\_  
Date

MEMO TO: Jack T. Irving  
 FROM: John A. Olson  
 DATE: August 29, 1985  
 SUBJECT: Major Changes in 1986 Budget Requests

You had indicated you wished to comment to the Council on any major changes from department requests to City Manager recommendation for the 1986 budget. The following is a compilation of those major changes in the different departments:

<u>Department</u>	<u>Account</u>	<u>Items Changed</u>
Finance (13)	4551	Micro Computer
City Buildings (14)	4551 4530	Carpeting in City Hall Partitions in Community Room and reduction in area where new ceiling would be placed
Police (15)	4100 4130 4310 4411  4540 (C.O.) 4551 (C.O.) 4552 (C.O.)	New Supervisor Community Service officers Reduction of Home Free request Elimination of 14-week session for supervisor 10 raincoats Micro computer 1 marked car, 2 staff vehicles, 1 CSO vehicle and 1 used vehicle
Inspections (17)	4100	1 Building Inspector
Civil Defense (18)	4552 (C.O.) 4553 (C.O.)	Patrol vehicle Cellular phone
Engineering (19)	4551 (C.O.)	Word processor and typewriter
Street (20)	4381 4552 (C.O.) 4553 (C.O.)	Overhaul of motor grader Dump truck Typewriter
Park (21)	4130  4235 4384 4540 (C.O.)	1 part-time person and 1 replace- ment for Tree Trust Reduction in ag lime and pathways Reduction in seal coating Loader, mower and sprinkler

Memo to Jack T. Irving  
 August 29, 1985  
 Page 2

<u>Department</u>	<u>Account</u>	<u>Items Changed</u>
Water (23)	4385	Increase for roof repair at reservoir
	4530	Building addition
	4540	Loading spout
Sewer (24)	4530	Building addition
Recreation (25)	4130	Replacement for Tree Trust
	4310	Change bus trips to account 4420
Health (26)	4100	1 Sanitarian
	4334	Reduction based on 1 less person and usage
Election (29)	4551	Election computer
Non Departmental (32)	4990	Contingency reserve increases for Thorson and motor grader overhaul
Tree Disease (34)	4130	No increase of Forester hours
Thorson	4100	Clerk
	4371	Decrease based on projected usage
	4372	Decrease based on projected usage
	4373	Decrease projecting non-usage (Thorson contingency increased)
	4383	Structural repairs and gym ceiling eliminated (PIR?)
	4530	Screens
	4550	TV for seniors
	4551	Office furniture for Clerk





NORTHFIELD POLICE DEPARTMENT

SAFETY CENTER • 300 WEST FIFTH STREET

NORTHFIELD, MINNESOTA 55057

RONALD PIERI

Chief of Police

August 23, 1985

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

Dear Jack,

It is with deep regret that I submit my resignation from the City of Crystal Housing and Redevelopment Authority. As you know I have moved from the City.

Please convey my thanks to the Chair and all of the members of the authority. While I was but a small part of the present projects under way in Crystal, I was impressed by their thoughtful decisions in attempting to do the best thing for the city.

I also want to thank the staff and commend them for their many hours spent in planning and preparing and responding to the HRA concerns.

I look forward to being invited to the Grand Opening ceremony for the shopping center.

Sincerely,

A handwritten signature in cursive script that reads "Ron Pieri".

Ron Pieri

August 30, 1985

Honorable Mayor & City Council  
City of Crystal, MN

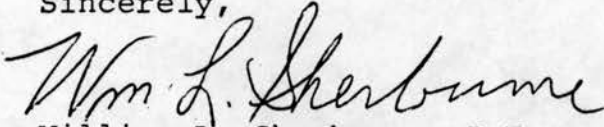
Re: Surety Release  
Olson Honey Company  
5201 Douglas Drive

Dear Councilmembers:

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

It is recommended that the work be approved by the City of Crystal subject to the guarantee provisions of the agreement effective this date, and that the surety of First Bank Robbinsdale, Letter of Credit No. 83-07 in the amount of \$7,500.00 be released, subject to said guarantee.

Sincerely,

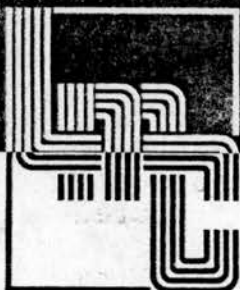
  
William L. Sherburne, P.E.  
City Engineer

WLS:jrs

cc: John T. Irving, City Manager  
Don Peterson, Building Inspector  
Don Olson, Olson Honey Company  
5201 Douglas Drive  
Crystal, MN 55429



# action alert



## league of minnesota cities

### CONGRESSIONAL ACTION ON FLSA NEEDS SUPPORT FROM CITIES

Legislation introduced in the U.S. Senate to provide exemption from Federal Fair Labor Standards overtime pay requirements for cities (and states) needs bipartisan support. All members of the Minnesota Congressional Delegation must hear immediately from local officials urging action to deal with both the problems of overtime compensation and volunteers. If cities do not generate significant momentum in Congress in the next month (September) for changes or exemptions, city lobbying efforts are not likely to successfully overcome serious opposition by labor organizations.

Resolutions from city councils are needed to urge Congressmen and Senator Boschwitz to support S. 1570, a bill proposed by Senator Don Nickles (R-Okla.). Senator Durenberger is one of the co-sponsors of this bill. The bill would permit an exemption from FLSA overtime pay requirements for state and local employees, permitting the use of compensatory time off in lieu of overtime compensation; grant exempt status (from FLSA) for individuals who volunteer services for state and local government; and eliminate the retroactive application of Federal Fair Labor Standards to state and local government.

There is no legislation comparable to S. 1570 in the U.S. House of Representatives. To date, response from House members has not been encouraging. Most proposals under consideration would only assist public safety employee work shifts to permit law enforcement and firefighter personnel to take compensatory time off in place of overtime pay if such an arrangement is made part of a contract or collective bargaining agreement. While several Minnesota Congressmen admit the impact of FLSA requirements is much broader than that addressed in current House proposals, to-date none have agreed to support more comprehensive exemptions for city employees. Without increased pressure from local officials, it is possible that the only changes cities will get will be to provide some adjustment of pay requirements for public safety employees (but even that may be limited, as noted above.)

The National League of Cities, along with other state and local government associations, supports S. 1570, which incorporates changes requested by NLC in a July 22 letter to President Reagan.

Strong support by cities on this matter is essential if Congressional action is to be forthcoming. Many members of Congress are simply not

hearing that the impact of Garcia v. San Antonio (U.S. Supreme Court decision of Feb. 19, 1985 mandating application of FLSA to state and local government) is causing problems for cities.

Liability questions for cities as well as the immediate high cost of volunteer services make FLSA one of the most significant challenges facing city officials. With a 2-3 year possible liability exposure to employee lawsuits and a 3 year limit for willful violation, cities stand to risk harsh and punitive actions resulting from FLSA enforcement scheduled to begin October 15, with retroactive liability to last April 15.

Some of the most damaging results will hamper volunteer firefighter services in many small cities where city employees holding regular city personnel positions also act as volunteer firefighters. According to FLSA regulations, such employees who earn \$2.50 or more per fire call are considered non-exempt and must be accorded all overtime compensation under FLSA requirements. Average hourly pay for both regular employment and volunteer firefighter duty is the generally applied method of computation to determine the base rate which is then multiplied by 1/2 times the number of hours over 40 to calculate the overtime pay due.

Emphasize the difficulties and complications that result for your city in applying the cumbersome FLSA regulations to city operations and personnel management. Be specific about increased costs and the harm resulting to the carrying out of basic city services.

Please send a copy of City Council Resolutions and/or correspondence to the LMC Office. Much depends on your response in this matter. We need to make our Congressional Delegation aware that this is not a partisan issue, but rather an essential issue of directly affecting the ability of cities to deliver basic service at a reasonable cost.





Metropolitan Council  
300 Metro Square Building  
Seventh and Robert Streets  
St. Paul, Minnesota 55101

Telephone (612) 291-6359

August 26, 1985

TO: Metropolitan Area Citizens and Governmental Officials

SUBJECT: Public Hearing on Part 3, Water Resources Management  
Development Guide, Water Availability and Use

On Thursday, Oct. 10, the Metropolitan Council will hold a public hearing at 7 p.m. in the Metropolitan Council Chambers to receive public comments on the new Part 3, Water Resources Management chapter of the Metropolitan Development Guide.

The new chapter contains information on the sources and use of water in the Metropolitan Area, and policies the Metropolitan Council will use to review proposed projects that may affect water resources. Recommendations are also made for actions by the Council and other agencies to protect those resources.

We encourage you to review this draft chapter and to attend the hearing to offer your comments. If you wish to speak at the hearing, please contact Lucy Thompson at 291-6521 by Wednesday, Oct. 9. Written comments may be sent to the Metropolitan Council, 300 Metro Square Bldg., St. Paul, Minn. 55101, Attention: Gary Oberts. The Council will accept written comments until Oct. 24.

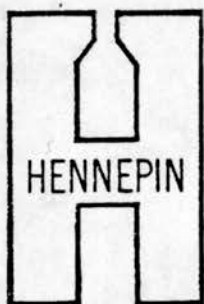
Additional copies of the public hearing draft are available free of charge from the Council's Communications Department, by calling 291-6464.

Sincerely,

*Sandra S. Gardebring*  
Sandra S. Gardebring, Chair

SSG:sje

Attachment



DATE: August 20, 1985  
TO: Citizens, Representatives of Organizations and  
Community Agencies and Other Interested Parties  
FROM: Sue Zuidema, Director, Hennepin County  
Community Health Department  
SUBJECT: 1986-87 Hennepin County Community Health  
Services Plan - Public Meetings

The Hennepin County Board of Commissioners invites citizens and representatives of organizations and community agencies to participate in public meetings on the 1986-87 Hennepin County Community Health Services Plan. The Plan includes the community health services to be offered by Hennepin County, Bloomington, Edina, Minneapolis, and Richfield in 1986 and 1987. A summary of it is enclosed.

The public meetings will be held on September 10, 11, and 12th. The meeting schedules are:

<u>Time</u>	<u>Location</u>
September 10 7:00 - 9:00 PM	Minnetonka City Hall Council Chambers 14600 Minnetonka Boulevard
September 11 7:00 - 9:00 PM	Richfield Community Ctr., General Room 7000 Nicollet Avenue South
September 12 7:00 - 9:00 PM	North Community YMCA 1711 West Broadway Minneapolis, MN Room: Senior Citizen's Center

Following a slide show about community health services in Hennepin County and a question and answer period, testimony will be taken from individuals and representatives of organizations or community agencies on the Plan. Guidelines for testimony and a list of locations at which the complete 1986-87 Hennepin County Community Health Services Plan is available for review are enclosed.

If you wish to present testimony or have any questions about the Plan or the public meetings, please contact Karen Lawson, Health Planner, at 348-4259.

mos  
Encl.



GUIDELINES FOR PUBLIC TESTIMONY ON THE 1986-87  
HENNEPIN COUNTY COMMUNITY HEALTH SERVICES PLAN

The Public Meetings are set for:

September 10, 1985 - 7:00 - 9:00 P.M.  
Minnetonka City Hall  
1400 Minnetonka Boulevard

September 11, 1985 - 7:00 9:00 P.M.  
Richfield Community Center, General Room  
7000 Nicollet Avenue South

September 12, 1985 - 7:00 - 9:00 P.M.  
North Community YMCA  
1711 West Broadway, Minneapolis, MN  
Room: Senior Citizen's Center

- o All persons who wish to testify are requested to notify the Hennepin County Community Health Department office, by telephone or mail, in advance of the meeting. Call or write to Karen Lawson at the Community Health Department, 501 Park Avenue, 4th Floor, Minneapolis, MN, 55415, Tel. 348-4259. Please indicate at which public meeting testimony will be given.
- o Testimony will be scheduled according to the chronological order of notification/registration received. Those interested in giving testimony may also register at the public meetings.
- o All persons will be requested to state, at the beginning of their testimony, their name and address, and, if applicable, the name and address of the agency or group represented.
- o Persons presenting individual viewpoints are encouraged to limit their comments to five minutes. Persons representing an organization or agency are encouraged to limit their comments to ten minutes.
- o Where possible, efforts should be made to coordinate testimony in order to avoid repetition and duplicative remarks.
- o A written copy of testimony is requested from individuals representing an organization or community agency.

LOCATIONS WHERE THE COMPLETE 1986-87  
HENNEPIN COUNTY COMMUNITY HEALTH SERVICES PLAN  
IS AVAILABLE FOR REVIEW:

1. Minneapolis Public Library  
300 Nicollet Mall  
Minneapolis, MN 55401
2. Hennepin County Government Board of Commissioners  
A-2400 Government Center  
300 South Sixth Street  
Minneapolis, MN 55487
3. Community Health Department  
4th Floor, McGill Building  
501 Park Avenue South  
Minneapolis, MN 55415
4. Minnetonka Public Library  
17507 Minnetonka Boulevard  
Minnetonka, MN



OFFICE OF THE ADMINISTRATOR  
A-2300 Government Center  
Minneapolis, Minnesota 55487-0233



August 21, 1985

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

Dear Mr. Irving:

The purpose of this letter is to advise you that Hennepin County will be sending the City of Crystal a check in the amount of \$2,441.48, as the portion of the Emergency Telephone Number 911 Automatic Location Identification (ALI) costs that were incurred and paid by the City of Crystal prior to June 30, 1984. As provided for in Hennepin County Board Resolution #85-3-94R2, the County will pay for all ALI costs from system inception to June 30, 1984. Crystal has already paid these charges so a refund is in order.

Thank you for your cooperation in this important matter. Call me at 348-7574 if you have any questions about this letter.

Sincerely,

Dale A. Ackmann  
County Administrator

cc: Mr. Bill Koniarski, Chairman, Metropolitan 911 Telephone Board  
Mr. Dick Moon, Northwestern Bell

**HENNEPIN COUNTY**

an equal opportunity employer



CRYSTAL HUMAN RELATIONS COMMISSION MEETING

August 26, 1985

MEMBERS PRESENT: Gregg Peppin, Ken Retzlaff, Jim Newstrom,  
Burke Hilden, Arlene Hanly, Sue Moravec

MEMBERS ABSENT: Don Fish\*

\*Excused Absence

1. The meeting was called to order at 7:03 p.m.
2. The minutes of the July meeting were approved as written.
3. The commission discussed no-fault grievance procedure training. Hanly and Moravec expressed interest in taking the training.
4. Hilden explained his new job as an enforcement officer with the Minnesota Department of Human Rights.
5. The commission discussed a human rights award. A task force containing Peppin, Moravec and Hanly will deal with publicity and criteria for the award.
6. Hilden discussed the last meeting of the directors for the League of Minnesota Human Rights Commissions. He said higher membership rates were discussed at the meeting. Retzlaff joined the Legislative Committee of the directors and both Retzlaff and Hilden joined the Public Relations Committee.
7. The commission discussed lobbying for the League of Minnesota Human Rights Commissions.
8. Moravec reported that she had spoken to an official from the Minnesota Employee Relations Department who said that state Civil Service exams used by local cities have not been checked for racial or sexual bias for seven years.
9. Moravec discussed the results of a survey that included questions regarding a neighborhood mediation project. The survey was sent out by Councilmember John Moravec. Sue Moravec said the majority of the respondents said they did not want a mediation project, although several commissionmembers agreed that public misperception and lack of information could have caused this result. The commission discussed a mediation project.
10. The commission discussed civil service exams and problems with racial and sexual bias in these tests.



Crystal Human Relations Commission Meeting  
August 26, 1985  
Page 2

11. The meeting was adjourned at 8:20 p.m.

Submitted,

Jim Newstrom,  
Secretary

# PROPOSAL SCHEDULE

SEAL COAT IMPROVEMENT NO. 65-D

ITEM NO.	QUANTITY	UNIT	ITEM	UNIT PRICE	EXPANDED TOTAL
1	62,600	Gal.	Bituminous Material for Seal Coat	0.87	54,462 <sup>00</sup>
2	3,260	Ton	Seal Coat Aggregate (FA-2)	13.49	43,977 <sup>40</sup>
3	140	Ton	Seal Coat Aggregate (FA-3)	22.49	3,148 <sup>60</sup>
4	300	Ton	Bituminous Mixture for Patrol or Paver Laid Patching	38 <sup>00</sup>	11,400 <sup>00</sup>
5	150	Ton	Bituminous Mixture for Hand Patching	45 <sup>00</sup>	6,750 <sup>00</sup>
6	200	Gal.	Tack Coat for Patching	2 <sup>00</sup>	400 <sup>00</sup>

TOTAL One hundred and Twenty Thousand and hundred and thirty Eight Dollars TOTAL \$ 120,138<sup>00</sup>  
(Written) 71 cents

The undersigned agrees to complete Seal Coat Improvement No. 65-D on or before September 1, 1985.

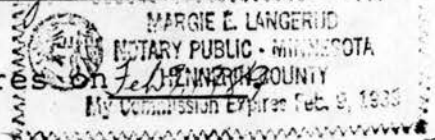
Enclosed is a certified check/bid bond in the amount of \$ \_\_\_\_\_.

FIRM NAME ALLIED BLACKTOP  
SIGNED E. J. Capistrano  
TITLE V. President  
TEL. NO. 612-425-0575  
ADDRESS 10503-89th Av. N.  
MAPLE GROVE, MINN 55369

Subscribed and sworn before me this 10<sup>th</sup> day of July, 1985.

Margie E. Langerud  
(Notary)

My Commission expires on Feb. 9, 1986



August 30, 1985

MEMO TO: John T. Irving, City Manager  
FROM: Delores Ahmann, City Clerk *DA*  
RE: City Election, November 5, 1985

Attached is a list of names of persons who are willing to be election judges at the City Election on November 5, 1985, at the polling places listed.

Please submit these names to the City Council for their consideration in appointing them.

da  
enc.

C I T Y   O F   C R Y S T A L  
ELECTION JUDGES & POLLING PLACES  
NOVEMBER 5, 1985

WARD 1, PRECINCT 1  
NEILL SCHOOL

D   \*Liz Reid  
5417 Vera Cruz  
537-1058   (29)

R   Judy Shuneson  
3157 Florida  
546-2256   (27)

D   Berniece Fitzpatrick  
2940 Louisiana  
545-0022   (27)

R   Dianah Sexter  
2937 Idaho  
545-6428   (27)

WARD 2, PRECINCT 2  
CITY HALL

D   \*Mary Hurt  
6609 - 38th Ave.  
533-2062   (27)

R   Helen Carlson  
6603 42nd Ave.  
537-6415   (27)

R   Ed Hassig  
6620 41st Ave.  
537-3748   (27)

D   Idee Stenzel  
6710 Markwood Drive  
537-3319   (27)

WARD 1, PRECINCT 2  
OLIVET BAPTIST CHURCH

R   \*Sandra Dolence  
6118 39th Ave.  
533-3792   (22)

D   Delores Girtz  
8332 - 32nd Ave.  
545-5296   (27)

D   Marcella Harris  
8116 - 35th Ave.  
544-7365   (27)

R   Doris Kieffer  
6418 37th Ave.  
537-4966   (27)

WARD 2, PRECINCT 3  
CHURCH OF THE OPEN DOOR

R   \*Cheryl Fristad  
5924 Kentucky Ave.  
535-0052   (28)

D   James Cook, Sr.  
4710 58th Ave. N. #202  
536-8807   (29)

D   Ethel Wolff  
5300 Kentucky Ave.  
537-9235   (28)

WARD 2, PRECINCT 1  
FAIR SCHOOL

R   \*Florence Gaulke  
3924 Douglas Drive  
537-6147   (22)

D   Hesther Truax  
3717 Vera Cruz  
537-6639   (22)

R   Paul Plasencia  
5841 Pennsylvania  
537-6095   (28)

D   Pearle Balzer  
3409 Perry  
588-4818   (22)

WARD 2, PRECINCT 4  
WINNETKA VILLAGE APTS.

D   \*Peg Wellik  
3648 Colorado  
537-1080   (22)

D   Lois Tabery  
7710 36th Ave. #207  
546-0694   (27)

R   Oliver Olson  
7720 36th Ave. #305  
544-3401   (27)

\*Head Judge



November 5, 1985

WARD 3, PRECINCT 1  
WELCOME PARK SHELTER

D \*Diane Malmberg  
6807 47th Ave.  
537-7470 (28)

R Vidar Fladmoe  
4501 Brunswick  
537-9410 (22)

D Emily Melhuse  
4552 Brunswick  
537-0442 (22)

WARD 4, PRECINCT 1  
V.F.W. POST #494

D \*Suzanne Smith  
5423 Xenia Ave.  
533-6995 (29)

R Florence Cook  
4710 58th Ave. #202  
536-8807 (29)

D Lois Weaver  
4710 58th Ave. #321  
537-2254 (29)

R JoAnn Keske  
5657 Perry  
533-7809 (29)

WARD 3, PRECINCT 2  
FOREST SCHOOL

R \*Laurie Radmacher  
6624 46th Place  
537-1020 (28)

D Barbara Halverson  
4807 Hampshire  
537-7907 (28)

R Winifred Durant  
6416 46th Place  
533-6107 (28)

D Pat Durand  
4710 58th Ave. #205  
535-4988 (29)

WARD 4, PRECINCT 2  
THORSON COMMUNITY CENTER

R \*Bernadine Plasencia  
5841 Pennsylvania  
537-6095 (28)

D Majorie Olson  
6600 Dudley  
537-6568 (28)

R Pat Scherr  
7600 59th Place  
533-6662 (28)

D Marilyn Blore  
5742 Rhode Island  
533-0759 (28)

WARD 3, PRECINCT 3  
CAVANAGH SCHOOL

D \*Beverly Hogan  
8317 32nd Place  
546-3914 (27)

R Jeanne Rose  
4701 Regent Ave.  
537-2455 (29)

D George Weaver  
4710 58th Ave. #321  
537-2254 (29)

45

CRYSTAL PLANNING COMMISSION MINUTES

AUGUST 12, 1985

The regular meeting of the Crystal Planning Commission convened at 7:30 p.m. with the following present: Bakken, Besnett, Feyereisen, Leppa, Magnuson, Malnati and Thorne; the following were absent: Christopher, Melich and Senden; also present were Building Inspector Peterson, City Engineer Sherburne and Recording Secretary Scofield. Christopher arrived at 7:32 p.m.

Moved by Commissioner Thorne and seconded by Commissioner Besnett to approve the minutes of the July 8, 1985, meeting.

Motion carried.

1. Chairman Feyereisen declared this was the time and the place as advertised for a public hearing to consider an amendment to the Comprehensive Plan (Housing).


Moved by Commissioner Thorne and seconded by Commissioner Bakken to recommend to the City Council to approve an amendment to the Comprehensive Plan (Housing) with the stipulation that if a mandatory inspection system is initiated it is to be submitted to both the Planning Commission and the City Council for review and acceptability.

Motion carried.

2. Chairman Feyereisen declared this was the time and the place as advertised for a public hearing to consider an amendment to the zoning ordinance relating to accessory buildings on property abutting Twin Lakes.

Moved by Commissioner Thorne and seconded by Commissioner Magnuson to recommend to the City Council to approve an amendment to the zoning ordinance relating to accessory buildings on property abutting Twin Lakes Section 515.07, Subd. 5 e) to read as follows: Notwithstanding the provisions of clauses b) and c) a detached accessory building or structure may be erected or located within a front yard on an interior lot abutting in whole on Twin Lakes provided it does not encroach in the 30 ft. front yard setback or 5 ft. side yard setback.

Motion carried.


- 
3. Lenard J. Braun reappeared regarding Variance Application #85-23T for variance in the required 7500 sq. ft. lot area to allow the construction of a single family home at 5409 - 56th Ave. N. This application was tabled at the May 13 meeting until a satisfactory drainage plan was presented.

Moved by Commissioner Magnuson and seconded by Commissioner Leppa that pursuant to Section 515.55 of the Crystal City Code to recommend to the City Council to vary or modify the strict application of Section 515.15, Subd. 2 c) 3) i) to grant a variance of 363.05 sq. ft. in the required 7500 sq. ft. lot area at 5409 - 56th Ave. N., that part of Lot 3 lying west of east 5', Block 2, Dundee Terrace, as requested in Application #85-23T of Lenard J. Braun, with the following conditions:

- a. A workable drainage plan be submitted in the event of a change in building plans.
- b. The builder furnish surety and enter into agreement with the City to construct drainage as approved as a condition of issuance of permit.

The findings of fact are: Has a workable drainage plan, should enter into agreement with the City and provide a bond and a building permit should not be issued until the agreement is okayed by the Building and Engineering Departments.

Motion carried 6-2.

- 
4. Steve Leppa of Northside Property Management appeared regarding Variance Application #85-38 to reduce the requirement for a 5' setback of curb to lot line at 5241 W. Broadway.

Moved by Commissioner Besnett and seconded by Commissioner Bakken that pursuant to Section 515.55 of the Crystal City Code to recommend to the City Council to vary or modify the strict application of Section 515.09, Subd. 4 h) 15) to grant a variance to reduce the requirement for a 5' setback of curb from property line to 1' along line adjoining proposed Lot 1 & Lot 2 at 5241 W. Broadway, Lot 1, Block 1, Conservation Systems Addition, as requested in Application #85-38 of Steve Leppa of Northside Property Management.

The findings of fact are: it seems to fit in with his plans for division of property along with mortgaging and not a problem with either side.

Motion carried.

(Commissioner Leppa abstained.)

5. Consideration of tentative approval of proposed plat Conservation Systems 2nd Addition located at 5241 West Broadway.

Moved by Commissioner Magnuson and seconded by Commissioner Besnett to recommend to the City Council to grant tentative approval of Conservation Systems 2nd Addition which is described as Lot 1, Block 1, Conservation Systems Addition.

Motion carried.

(Commissioner Leppa abstained.)

6. Architect Bert Shacter, Forrest Russell, Jane Miller and Ron Cabeen of Target appeared regarding a building permit to build a stockroom addition at 5537 West Broadway.

Moved by Commissioner Leppa and seconded by Commissioner Christopher to recommend to the City Council to approve authorization to issue building permit #6851 for a 133' x 94' stockroom addition at 5537 West Broadway, Lot 1, Block 1, Cardinal Court, subject to standard procedure.

Motion carried.



7. Chairman Feyereisen relinquished the gavel to Vice Chairman Thorne as he had a personal interest in this item.

Charles Hillstrom appeared regarding a building permit for remodeling at 3333 Vera Cruz.

Moved by Commissioner Magnuson and seconded by Commissioner Bakken to recommend to the City Council to approve authorization to issue building permit #6862 for remodeling at 3333 Vera Cruz, Lot 3, Block 6, Rosedale Acres, subject to standard procedure.

Motion carried.

8. Dennis Persons of Park Place Associates appeared regarding a building permit to build a retail, office and warehouse building at 5430 Douglas Drive.

Moved by Commissioner Magnuson and seconded by Commissioner Besnett to recommend to the City Council to approve authorization to issue building permit #6883 to build a retail, office and warehouse building, subject to standard procedure.

Motion carried.

9. Mr. and Mrs. Orval O. Perleberg appeared regarding Variance Application #85-40A to retain two curb cuts on their property at 4010 Douglas Drive.

Moved by Commissioner Leppa and seconded by Commissioner Thorne that pursuant to Section 515.55 of the Crystal City Code to recommend to the City Council to vary or modify the strict application of Section 515.09, Subd. 4 h) 10), to grant a variance to allow two curb cuts on a single family lot at 4010 Douglas Drive, West 147' of Lot 36, Glenwood Manor, as requested in Application #85-40A of Mr. and Mrs. Orval O. Perleberg.

The findings of fact are: the driveway is existing with asphalt pavement and it would be an imposition on the property owners to conform to code that did not exist when driveway was put in.

Motion carried.

10. Consideration of tentative approval of proposed plat Emond Addition located at 3448 Hampshire Ave. N.

Moved by Commissioner Besnett and seconded by Commissioner Magnuson to recommend to the City Council to grant tentative approval of Emond Addition which is described as Lot 11 and south half of Lot 10 except street, Block 2, Gardendale Acres.

Motion carried.

11. Continued from July 8 meeting a review of the Housing Maintenance Code. Andy Alberti, Building Inspector, explained the code's use in Brooklyn Center. Planning Commission Chairman



LeFevere  
Lefler  
Kennedy  
O'Brien &  
Drawz

A Professional  
Association

2000 First Bank Place West  
Minneapolis  
Minnesota 55402

Telephone (612) 333-0543  
Telecopier (612) 333-0540

Clayton L. LeFevere  
Herbert P. Lefler  
J. Dennis O'Brien  
John E. Drawz  
David J. Kennedy  
John B. Dean  
Glenn E. Purdue  
Richard J. Schieffer  
Charles L. LeFevere  
Herbert P. Lefler III  
Jeffrey J. Strand  
Mary J. Bjorklund  
John G. Kressel  
Dayle Nolan  
Michael A. Nash  
Brian F. Rice  
Lorraine S. Clugg  
James J. Thomson, Jr.  
James M. Strommen  
Mary C. Nielsen  
Terry L. Hall  
Ronald H. Batty  
William P. Jordan  
Susan Dickel Minsberg  
Kurt J. Erickson

August 29, 1985

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

RE: Nafsted Project

Dear Jack,

I understand that the Council will be considering Norm Nafsted's apartment Project proposal on Tuesday. You've asked me to outline the procedure to be followed if the Council agrees to assist the Project with tax increment financing and housing revenue bonds. I will be assuming the the Council wishes to conduct the Project rather than the HRA.

The steps are as follows:

1. Public hearing on a development program and tax increment financing plan for Development District No. 1 and TIF District No. 1-1.
2. Public hearing on the adoption of housing program for the Project combined with preliminary approval of housing revenue bonds to finance the Project.
3. Negotiation of a development agreement with Nafsted.
4. Sale of City general obligation tax increment bonds to finance the public development costs of the Project (e.g., sewer, water, soil correction, land write down, etc.).
5. Purchase and reconveyance of all or a portion of the site to Nafsted.
6. Sale of City housing revenue bonds, the proceeds of which will be loaned to Nafsted for Project costs (i.e., construction of the apartment buildings).

Mr. John T. Irving  
August 29, 1985  
Page 2

These steps are quite similar, but on a smaller scale, to those followed on the Bass Lake Road - Becker Park Redevelopment Project. The tax increment bonds will be general obligations of the City but will be retired from tax increments from the Project. The housing bonds are City bonds but (just like industrial revenue bonds) are payable solely from the rental revenues of the Project. In order for the housing bonds to remain tax-exempt, at least 20% of the apartment units must be kept available for persons of low and moderate income as currently defined by the Department of Housing and Urban Development.

From a staff point of view, a housing program, a development program and a tax increment financing plan must be prepared, and I think that between our office and Springsted that can be done fairly quickly as soon as we determine the exact scope of the Project.

Also, because of the recent Treasury Department proposals on tax-exempt bonds, I think it advisable that we attempt to complete the financing by the end of the year.

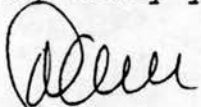
I am enclosing drafts of the following:

1. Resolution calling a public hearing on the establishment of the developed district and the TIF district;
2. Resolution calling a public hearing on the housing program; and
3. Resolution calling a public hearing on the issuance of the housing bonds.

I suggest that these hearings be held on October 1 to give adequate time to prepare the necessary documents.

I'll be happy to answer specific questions of the Council or yourself at the meeting on Tuesday.

Very truly yours,

  
David J. Kennedy

DJK:jd  
Enclosures

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

RESOLUTION CALLING A PUBLIC HEARING ON  
THE ESTABLISHMENT OF A DEVELOPMENT  
DISTRICT IN THE CITY AND A  
TAX INCREMENT FINANCING DISTRICT THEREIN

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

1. The City is authorized by Minnesota Statutes, Chapter 472A to establish Development Districts in the City to provide an impetus for commercial development.
2. The City Council has investigated the facts and has determined that it is necessary and desirable to the economic development of the City to establish one or more Development Districts.
3. The City is further authorized by Minnesota Statutes, Section 273.71 to 273.77 to establish tax increment financing districts and tax increment financing plans for such districts to finance all or a portion of the development costs of housing project.
4. This Council shall conduct a public hearing on the establishment of the Development District and a development program therefor and the establishment of a tax increment financing district and plan therefor at 7:00 p.m. on Tuesday, October 1, 1985. The Clerk is directed to publish notice of the hearing in the official newspaper at least ten days prior to October 1. The notice shall be in substantially the form attached hereto as Exhibit A.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk



EXHIBIT A

NOTICE OF PUBLIC HEARING ON ESTABLISHMENT OF  
DEVELOPMENT DISTRICT NO. 1 AND A RELATED TAX INCREMENT  
FINANCING DISTRICT NO. 1-1 IN THE CITY  
OF CRYSTAL, MINNESOTA

Notice is hereby given that the City Council of the City of Crystal will meet at 7:00 p.m. on

TUESDAY, OCTOBER 1, 1985

for the purpose of conducting a public hearing relating to the establishment of Development District No. 1 and a development program therefor in the City pursuant to Minnesota Statutes, Chapter 472A, and the establishment of tax increment financing district no. 1-1 and a tax increment financing plan therefor.

The boundaries of the proposed development district and tax increment financing district are generally as follows:

Bounded on the north by 32nd Avenue; on the east by Brunswick Avenue; on the west by Douglas Drive and on the south by approximately 30th Avenue North.

The purpose of the Districts is to stimulate economic development in the City by facilitating the construction of rental housing units in the Districts and other means which are set forth in the development program and the tax increment financing plan for the Districts, copies of which are available for public inspection in the office of the City Clerk during normal business hours, after September 17, 1985.

Any person desiring to express a view about the development program, the tax increment financing plan, or the Districts will be heard at the public hearing.

BY ORDER OF THE CITY COUNCIL

/s/ Delores Ahmann  
City Clerk

Dated: September 3, 1985

(Published in the North Hennepin Post  
September 19, 1985)



EXTRACT OF MINUTES OF MEETING  
OF THE CITY COUNCIL OF THE CITY  
OF CRYSTAL, HENNEPIN COUNTY,  
MINNESOTA

Pursuant to due call and notice thereof a regular meeting of the City Council of the City of Crystal, Hennepin County, Minnesota, was held at the City Hall in said City on Tuesday, September 3, 1985, commencing at \_\_\_\_\_ o'clock P.M.

The following members were present:

and the following were absent:

\* \* \*

\* \* \*

\* \* \*

Councilmember \_\_\_\_\_ moved the adoption of the following resolution:

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

RESOLUTION RELATING TO A PROPOSAL FOR THE  
ISSUANCE AND SALE OF MULTIFAMILY HOUSING  
REVENUE BONDS; THE ADOPTION OF A PROGRAM THEREFOR;  
AND CALLING A PUBLIC HEARING THEREON.

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

1. There has been presented to this Council by Norman Nafsted (Applicant) a proposal that the City issue and sell its Multifamily Housing Revenue Bonds (Bonds) to assist Applicant in the financing of the construction of a 360-unit rental apartment building in the City (Project) at a cost presently estimated to be \$18,000,000.

2. The Applicant has represented to the City that the construction of the Project is not feasible without the assistance of tax-exempt financing in the form of the Bonds, and it is hereby determined that it is necessary and desirable for the City to provide such assistance to the Project.

3. Pursuant to Minnesota Statutes, Chapter 462C, the issuance of the Bonds must be preceded by the adoption by the City of a Housing Program describing and approving the issuance of the Bonds after duly noticed public hearing. The City Clerk with the assistance of such financial and planning consultants as deemed necessary shall prepare the required Program and submit them to this Council for review and adoption.

4. This Council shall conduct a public hearing on the Housing Program at its Council meeting at 7:00 P.M. on Tuesday, October 1, 1985. Notice of the public hearing shall be published by the City Clerk as required by law in substantially the form attached hereto as Exhibit A.

5. It is the present intent of this Council to approve the Housing Program and to give preliminary approval to the issuance of the Bonds for the Project, it being hereby determined that the successful construction of the Project is essential to the orderly development of the City and the achievement of its goals of providing affordable housing for residents of the City.

6. Nothing in this resolution is to be construed as an undertaking by the City to enter into a development agreement or other agreement with the Applicant with respect to the Project. It is the intent of this Council that the adoption of the Housing Program and the issuance and sale of the Bonds is assistance of the Applicant's construction of the Project is contingent upon the execution of a satisfactory development agreement or other agreement by the City and the Applicant.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against:

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA     )  
                              )  
COUNTY OF HENNEPIN    ) SS.  
                              )  
CITY OF CRYSTAL        )

I, the undersigned, being the duly qualified and acting City Clerk of the City of Crystal, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of a regular meeting of the City Council of said City held on Tuesday, September 3, 1985, with the original thereof on file in my office and the same is a full, true and correct copy thereof, insofar as the same relates to the preliminary approval of Multifamily Housing Revenue Bonds (Norman Nafsted Project) for the City.

WITNESS My hand as such City Clerk and the corporate seal of the City this \_\_\_\_\_ day of \_\_\_\_\_, 1985.

\_\_\_\_\_  
City Clerk  
City of Crystal, Minnesota

(SEAL)

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Crystal, Minnesota, will conduct a public hearing in the Council Chambers at City Hall, Crystal, Minnesota at 7:00 p.m. on

October 1, 1985

to consider the adoption of a Housing Program to be adopted pursuant to Minnesota Statutes, Chapter 462C (Housing Act).

The proposed Housing Program consists of the acquisition and construction of approximately 360 units of rental housing together with related site improvements (Project) to be located at approximately \_\_\_\_\_ by Norman Nafsted. The Housing Program is to be financed by the issuance of revenue bonds, notes or other obligations of the City (Bonds) in an aggregate principal amount presently estimated to be in the amount of \$18,000,000. The Bonds will be payable solely from the revenues of the Project and will not constitute a debt of the City within the meaning of any constitutional or statutory limitation. The Program describes the need for the Project, the method of financing proposed and that the Project is to be constructed pursuant to Section 462.05, Subdivision 2 of the Housing Act.

A draft copy of the Program will be on file for public inspection in the office of the City Clerk after September 17, 1985. Any person wishing to express a view concerning the Housing Program will be heard at the hearing orally or in writing.

BY ORDER OF THE CITY COUNCIL

By /s/ Delores Ahmann  
City Clerk

Dated: September 3, 1985.



EXTRACT OF MINUTES OF MEETING  
OF THE CITY COUNCIL OF THE CITY  
OF CRYSTAL, HENNEPIN COUNTY,  
MINNESOTA

Pursuant to due call and notice thereof a regular meeting of the City Council of the City of Crystal, Hennepin County, Minnesota, was held at the City Hall in said City on Tuesday, September 3, 1985, commencing at \_\_\_\_\_ o'clock P.M.

The following members were present:

and the following were absent:

\* \* \*

\* \* \*

\* \* \*

Councilmember \_\_\_\_\_ moved the adoption of the following resolution:

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

RESOLUTION RELATING TO A PROPOSAL FOR THE  
ISSUANCE AND SALE OF MULTIFAMILY HOUSING  
REVENUE BONDS FOR A HOUSING PROJECT IN  
THE CITY; CALLING A PUBLIC HEARING THEREON.

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

1. The Council has this day called a public hearing for the adoption of a Housing Program and the issuance of Multifamily Housing Revenue Bonds (Bonds) to assist Norman Nafsted (Applicant) in the financing of a 360-unit rental apartment building in the City (Project). Applicant has represented to the City that the construction of the Project is not feasible without the assistance of tax-exempt financing in the form of the Bonds, and it is hereby determined that it is necessary and desirable for the City to provide such assistance to Project.

2. Pursuant to Minnesota Statutes, Chapter 462C and the Internal Revenue Code, Section 103, the issuance of the Bonds must be preceded by a public hearing after duly published notice.

3. The Council shall conduct a public hearing on the matter of granting preliminary approval of the issuance of the Bonds at 7:00 p.m. on Tuesday, October 1, 1985. Notice of the public hearing shall be published by the City Clerk as required by law in substantially the form attached hereto as Exhibit A.

5. It is the present intent of this Council to give preliminary approval to the Project and the issuance of the Bonds after the public hearing, it being hereby determined that the successful construction of Project is essential to the orderly development of the City and the achievement of its goals of providing affordable housing for residents of the City.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against:

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA    )  
                              )  
COUNTY OF HENNEPIN    ) SS.  
                              )  
CITY OF CRYSTAL        )

I, the undersigned, being the duly qualified and acting City Clerk of the City of Crystal, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of a regular meeting of the City Council of said City held on Tuesday, September 3, 1985, with the original thereof on file in my office and the same is a full, true and correct copy thereof, insofar as the same relates to the preliminary approval of Multifamily Housing Revenue Bonds (Norman Nafsted Project) for the City.

WITNESS My hand as such City Clerk and the corporate seal of the City this \_\_\_\_\_ day of \_\_\_\_\_, 1985.

\_\_\_\_\_  
City Clerk  
City of Crystal, Minnesota

(SEAL)

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Crystal, Minnesota, will conduct a public hearing in the Council Chambers at City Hall, Crystal, Minnesota at 7:00 p.m. on Tuesday,

October 1, 1985

to consider a proposal by Norman Nafsted (Applicant) that the City undertake and finance a project under Minnesota Statutes, Chapter 462C.

The project consists of the acquisition and construction of approximately 360-units of rental housing together with related site improvements to be located at approximately \_\_\_\_\_. The principal amount of Bonds or other obligations proposed to be issued by the City to finance the project is presently estimated to be \$18,000,000.

Any person wishing to express a view concerning the proposed project will be heard at the hearing orally or in writing.

BY ORDER OF THE CITY COUNCIL

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

Dated: September 3, 1985.



LeFevere  
Lefler  
Kennedy  
O'Brien &  
Drawz

A Professional  
Association

August 30, 1985

2000 First Bank Place West  
Minneapolis  
Minnesota 55402

Telephone (612) 333-0543  
Telecopier (612) 333-0540

Clayton L. LeFevere  
Herbert P. Lefler  
J. Dennis O'Brien  
John E. Drawz  
David J. Kennedy  
John B. Dean  
Glenn E. Purdue  
Richard J. Schieffer  
Charles L. LeFevere  
Herbert P. Lefler III  
Jeffrey J. Strand  
John G. Kressel  
Dayle Nolan  
Michael A. Nash  
Brian F. Rice  
Lorraine S. Clugg  
James J. Thomson, Jr.  
James M. Strommen  
Mary C. Nielsen  
Terry L. Hall  
Ronald H. Batty  
William P. Jordan  
Susan Dickel Minsberg  
Kurt J. Erickson  
William R. Skallerud  
Thomas R. Galt  
Rodney D. Anderson  
Gary R. Bryant-Wolf

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

RE: Partytime, Inc. v. City of Crystal

Dear Jack:

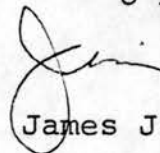
Enclosed are copies of the documents filed on behalf of the City in opposition to the motion for temporary injunction and in opposition to the request for writ of prohibition from the Court of Appeals. I have been informed by the Court of Appeals that the request for a writ of prohibition has been denied. I have not yet received the formal order from the court. I will forward a copy of that to you when I receive it.

The bottom line is that the ordinance prohibiting nude dancing in liquor establishments is now in effect. The lawsuit between the City and Partytime is still pending. I do not know how seriously the plaintiffs will be pursuing the lawsuit now that their request for a temporary injunction has been denied.

I will keep you advised of the status of the case. Please call me if you have any questions.

Sincerely yours,

LeFEVERE, LEFLER, KENNEDY,  
O'BRIEN & DRAWZ



James J. Thomson, Jr.

JJT/rat  
Enclosures

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

Parties, Inc., d/b/a Party-  
time and Pricilla Turpin,

Plaintiffs,

vs.

City of Crystal,

Defendant.

File No. 85-13916

DEFENDANT'S MEMORANDUM OF  
LAW IN OPPOSITION TO  
MOTION FOR  
TEMPORARY INJUNCTION

I.

INTRODUCTION

The City of Crystal has passed an ordinance regulating nude entertainment in establishments licensed to sell liquor. The ordinance will become effective on August 24, 1985. The Plaintiffs have brought a Motion for a temporary injunction to enjoin enforcement of the ordinance, alleging that the ordinance deprives Plaintiffs of a forum for their expression in violation of the Minnesota Constitution.

The Plaintiffs have failed to demonstrate the necessity for the injunction. The Plaintiffs have an adequate remedy at law and are unable to show that irreparable harm will occur if the ordinance is enforced. In addition, an analysis of the factors to be considered in determining whether an injunction should issue, reveals that an injunction should not be issued. Most importantly, the Plaintiffs will probably not prevail on the merits. Therefore, the Motion for a temporary injunction should be denied.

## II.

### FACTS

On July 26, 1985, the City of Crystal passed Ordinance No. 85-12, which relates to nude entertainment in certain licensed premises. The ordinance will become effective on August 24, 1985. The ordinance states: "It is unlawful for a licensee, owner, or manager of any licensed establishment to permit or allow any nudity, sado-masochistic abuse, or sexual conduct to occur in a licensed establishment." By definition, licensed establishment means establishments that have on-sale, non-intoxicating malt liquor, liquor or wine. On August 16, 1985, the City of Crystal was served with Plaintiffs' Motion for a temporary injunction to enjoin enforcement of Ordinance 85-12.

The Plaintiffs allege that if Crystal City Ordinance No. 85-12 goes into effect that their freedom of expression will be infringed upon and that they will suffer irreparable and irrevocable injuries. Plaintiff, Pricilla Turpin, states in her Affidavit that she "occasionally" performs at the Iron Horse, a licensed liquor establishment located in the City of Crystal. Plaintiff, Parties, Inc., submitted an Affidavit through Virgil Miller, the sole shareholder of that company. Parties, Inc. works as an agent for dancers and entertainers, only some of whom perform at the Iron Horse in the City of Crystal. Mr. Miller also claims that any restriction is irrevocable and irreparable.



### III.

#### ARGUMENT

- A. PLAINTIFFS DO NOT HAVE STANDING TO CHALLENGE THE VALIDITY OF THE ORDINANCE.

In order to have standing to challenge the constitutionality of the ordinance, the Plaintiffs must demonstrate an "injury in fact." Snyder's Drug Store, Inc. v. Minnesota Board of Pharmacy, 221 N.W.2d 162 (Minn. 1974). Plaintiffs must also demonstrate that they are the real party in interest. Minn. R. Civil Proc. 17.01; Minnesota Education Assn. v. Independent School Dist. 404, 287 N.W.2d 666 (Minn. 1980).

The Plaintiffs do not have standing in this case because if any party is injured by the ordinance, it is the owner of the Iron Horse, not the Plaintiffs. The owner of the Iron Horse is the liquor licensee and the owner is not challenging the validity of the ordinance. The Plaintiffs do not have a derivative right to pursue the owner's claim.

- B. THE TEMPORARY INJUNCTION SHOULD BE DENIED BECAUSE PLAINTIFFS HAVE NOT MET THE THRESHOLD REQUIREMENTS FOR OBTAINING EQUITABLE RELIEF.

Because a temporary injunction is an equitable remedy, the Plaintiffs must establish that their legal remedies are inadequate before they are entitled to a temporary injunction. Yager v. Thompson, 352 N.W.2d 71, 74 (Minn. Ct. App. 1984). Mere assertions by the Plaintiffs that they will not be able to calculate with absolute certainty a monetary remedy does not mean that they have no adequate remedy at



law. If Plaintiffs were entitled to money damages, such damages could be estimated with reasonable certainty. The Plaintiffs have an adequate remedy at law and, therefore, are not entitled to a temporary injunction.

To obtain a temporary injunction, the Plaintiffs must also establish that the injunction is required to prevent irreparable harm to them. Yager, 352 N.W.2d at 74. Because the Plaintiffs do have an adequate remedy at law and could be compensated with money damages, if such damages are sustained, they will not suffer irreparable harm. Again, a mere assertion by the Plaintiffs that somehow their harm will be irreparable is not sufficient to establish the necessity for an injunction.

The key word in this consideration is irreparable. Mere injuries, however substantial, in terms of money, time and energy necessarily expended in the absence of a stay, are not enough. The possibility that adequate compensatory or other corrective relief will be available at a later date, in the ordinary course of litigation, weighs heavily against a claim of irreparable harm.

Miller v. Foley, 317 N.W.2d at 713 (quoting Sampson v. Murray, 415 U.S. 61, 90 (1974) (emphasis in original). In this case, the injury is not irreparable and there is a possibility that relief will be available through the ordinary course of litigation. Therefore, the Plaintiffs are not entitled to a temporary injunction.

C. PLAINTIFFS DO NOT MEET THE STANDARD FOR A TEMPORARY INJUNCTION ESTABLISHED BY THE MINNESOTA SUPREME COURT.

The Minnesota Supreme Court set out the standard for a temporary injunction in Dahlberg Brothers, Inc. v. Ford

Motor Company, 272 Minn. 264, 137 N.W.2d 314 (1965), to determine whether a person is entitled to a temporary injunction. That standard test has been reaffirmed countless times and was re-interpreted recently in the case of Miller v. The City of St. Paul, 363 N.W.2d 806 (Minn. Ct. App. 1985). In Dahlberg Brothers, the court specified the factors to be considered in determining whether a temporary injunction should be issued. Those factors are:

- (1) The nature and background of the relationship between the parties preexisting the dispute giving rise to the request for relief.
- (2) The harm to be suffered by plaintiff if the temporary restraint is denied as compared to that inflicted on defendant if the injunction issues pending trial.
- (3) The likelihood that one party or the other will prevail on the merits when the fact situation is viewed in light of established precedents fixing the limits of equitable relief.
- (4) The aspects of the fact situation, if any, which permit or require consideration of public policy expressed in statutes, State and Federal.
- (5) Administrative burdens involved in judicial supervision and enforcement of the temporary decree.

(Quoted in Miller v. Foley, 317 N.W.2d 710, 712 [Minn. 1982]).

1. The past relationship of the parties does not warrant a temporary injunction.

The parties in this case have no past relationship. The relationship that the Plaintiffs have is with the Iron

Horse, and the Iron Horse has chosen to follow the ordinance adopted by the City of Crystal.

The cases that discuss this factor generally fall within two categories. One category concerns long-term employment relationships. In the case of Miller v. Foley, 317 N.W.2d 710 (Minn. 1982), supervisory personnel in the Ramsey County Attorney's office were terminated from their employment. Three of the employees brought a temporary injunction to restrain the County from terminating their employment. The Minnesota Supreme Court stated that the fact that the employees had been employed for a long period of time weighed in favor of granting the injunction. However, the Court stated "this factor is not determinative since the equity policy against enforcing personal service contracts requires an extraordinarily strong showing of harm to justify a temporary injunction." Id. at 712.

The other type of case in which the past relationship is an issue concerns the possession of property. Such was the case in Yager v. Thompson, 352 N.W.2d 71 (Minn. Ct. App. 1984). In that case, the Court of Appeals stated that the purpose of the injunction was to preserve the status quo until the case was adjudicated on its merits. In the Yager case, the court did not want to force one party out of possession of the property and then determine at the trial on the merits who should be in possession. In the Yager case also, the Court also went on to discuss the nature of the relationship with respect to the harm involved.



The Plaintiffs argue in their memorandum that because they have never received any complaints individually from the City of Crystal that their activities do not cause any problems and, therefore, they should be able to continue their activities. The Plaintiffs have not received any individual complaints because they do not have a relationship with the City of Crystal. It is the Iron Horse that has the relationship with the City of Crystal and the Iron Horse has received many complaints from the City of Crystal and from its citizens.

The City of Crystal is regulating establishments licensed to serve liquor as it is so empowered. The City is not denying the Plaintiffs a right to perform. The City is only denying the Plaintiffs the ability to perform nude in establishments licensed to sell liquor in the City of Crystal. Because the City's relationship is with the Iron Horse and the Iron Horse has chosen not to challenge the ordinance and the Plaintiffs cannot show irreparable harm, this factor weighs in favor of the Defendant.

2. The Plaintiffs will suffer no irreparable harm if their Motion for a temporary injunction is denied.

The Plaintiffs' claim that "Any restriction, no matter how minimal, suppressing freedom of expression, is irreparable and irrevocable" is unsubstantiated. The Plaintiffs are not being restricted from expressing themselves through nude entertainment. They are only being restricted in the City of Crystal in establishments licensed



to sell liquor. Nude dancing is not a protected form of expression in Minnesota when it is performed in an establishment licensed to serve liquor. Koppinger v. City of Fairmont, 248 N.W.2d 708, 711 (Minn. 1976).

The Plaintiffs argue that they will suffer economic hardship if the injunction is not granted. That type of hardship is not irreparable because it can be cured through money damages. Therefore, since the Plaintiffs will not suffer irreparable harm, this is not an appropriate case for issuance of a temporary injunction.

The City of Crystal will suffer hardship if the injunction is granted. The City of Crystal has been sued by the Plaintiffs and the outcome of Plaintiff's challenge will be determined by that lawsuit. As a matter of public policy, the City of Crystal should not be subjected to motions for temporary injunctions each time an ordinance is passed. As the law states, a person requesting an injunction must demonstrate certain factors before obtaining an injunction. The issues in this case can be determined at trial and no irreparable harm would be sustained by waiting until the outcome of the trial. In addition, the Court should not set a precedent permitting any ordinance to be challenged through a temporary injunction with mere assertions and no factual support.

The City of Crystal will suffer hardship if the requested injunction is granted. The City of Crystal has experienced numerous problems with the Iron Horse. The City

believes that there is a nexus between the nude entertainment at the Iron Horse and the increased problems, including congestion and police calls to respond to the Iron Horse.

The Minnesota Court of Appeals analyzed a similar situation in Miller v. City of St. Paul, 363 N.W.2d 806 (Minn. Ct. App. 1985). In that case, the Plaintiff requested a temporary injunction claiming that he would suffer irreparable harm if the bar he owned was closed pending a final determination on the merits. He argued that because the bar had been there for over 40 years and because it was his sole livelihood, that the motion should be granted. The Court of Appeals affirmed the trial court's decision not to issue a temporary injunction, stating that the Plaintiff had an adequate remedy at law and that the bar had created serious danger to the public health, safety and welfare. Id. at 811. In the present case the Plaintiffs have a much weaker argument than the Plaintiff in Miller concerning relative hardship. The Plaintiffs have many other forums in which to perform their activities and they are only limited from performing in establishments licensed to serve liquor. The City of Crystal is not closing the Plaintiffs' business or livelihood.

3. It is unlikely that the Plaintiffs will succeed on the merits.

The Plaintiffs claim that this case is one of first impression in Minnesota. However, in Koppinger v. City of Fairmont, 248 N.W.2d 708 (Minn. 1976), the Minnesota Supreme Court determined the constitutionality of an ordinance that

prohibited nudity. The Court squarely addressed the issue of freedom of expression. The Court did not limit its discussion to federal constitutionality. The Court stated the Plaintiff attacked the Fairmont City Code as violative of several provisions of United States and Minnesota Constitutions, particularly those provisions dealing with freedom of speech. The Court went on to quote the First Amendment to the Constitution of the United States and Minnesota Constitution Article I, Section 3. Therefore, this is not a case of first impression in Minnesota. In Koppinger, the Minnesota Supreme Court has squarely addressed the issue of freedom of expression and found that a narrowly-drafted ordinance would not violate the Minnesota Constitution or the Federal Constitution. Koppinger, 248 N.W.2d at 713. Unlike the case of Mickens v. City of Kodiak, 640 P.2d 818 (Alaska 1982), cited by the Plaintiffs, the Minnesota Supreme Court chose to follow those principles set out in California v. LaRue, 409 U.S. 109 (1972).

In California v. LaRue, 409 U.S. 109 (1972), the United States Supreme Court upheld the constitutionality of a statute that prohibited acts of "gross sexuality," including the display of genitals and live or filmed performances of sexual acts in establishments licensed to sell liquor. The Court reasoned that bar entertainment was subject to broad regulation under the 21st Amendment and that the nature of the entertainment was conduct as opposed to expression. The Minnesota Supreme Court in Koppinger followed LaRue and held



that "plaintiff's offering of topless and bottomless entertainment could be the subject of a narrowly drafted ordinance." Koppinger, 248 N.W.2d at 713 (emphasis in original).

Koppinger is controlling on the issue raised by the Plaintiffs. The Plaintiffs have tried to use the case of Bellanca v. New York State Liquor Authority, 429 N.E.2d 765 (N.Y. 1981), to say that because the New York Court of Appeals on remand found that prohibition of topless barroom dancing violates the New York State Constitution that, therefore, the Minnesota Court should do the same. The Bellanca case can be distinguished in many ways, one of which is the law at issue in that case related to only topless dancing. The ordinance in Crystal relates to nudity, sado-masochistic abuse, and sexual conduct. In addition, the fact that the New York Court of Appeals has chosen to rule that the subject legislation violates the New York Constitution does not mean that the Minnesota Supreme Court must find that it violates its Constitution. The Minnesota Supreme Court addressed this issue in Koppinger in 1976 and found that it did not violate the Minnesota Constitution or the Federal Constitution. In addition, the New York legislation related only to topless barroom dancing, which is quite different from the Crystal ordinance.

The Plaintiffs also attempt to use the Mickens case to strike down the ordinance in the City of Crystal. Plaintiffs state that since the ordinance and the constitutional



provisions in Alaska are similar to those at issue here, that the Minnesota Supreme Court must follow the Alaska Court. However, as earlier stated, the Minnesota Supreme Court already addressed this issue squarely in 1976 and chose to follow the LaRue case. Simply because the Alaska Supreme Court did not so choose does not mean that Minnesota must now reverse its Koppinger decision.

Because the Plaintiffs can show no Minnesota case which has overruled Koppinger, Koppinger is still controlling and the ordinance is valid. Therefore, because the City of Crystal will ultimately prevail on the merits, the temporary injunction should not be granted.

4. Denial of Plaintiff's motion would be in the public interest.

Minnesota has a valid interest in protecting public nudity. Koppinger, 248 N.W.2d at 707. The Minnesota Supreme Court stated that "nudity is not protect expression, but conduct, which the city has a substantial interest in regulating via its police power." Koppinger, 248 N.W.2d at 711. The Minnesota Supreme Court went on to state that in addition to moral interest, the City may have other interests as in preventing public commercial exploitation of sex and other disruptive and disorderly conduct which is attendant thereto: Koppinger, 248 N.W.2d at 711. The public interest would be served by denying this motion. The State has an interest in regulating nudity and can do so through its regulatory power over liquor conferred by the 21st Amendment. The Plaintiffs' argument with respect to public

policy only states that we must protect liberties conferred by the Minnesota State Constitution. As was stated above, those liberties have not been hampered in any way and this issue has already been addressed by the Minnesota Supreme Court. The Plaintiffs are free to express themselves through nude entertainment in places other than licensed liquor establishments in the City of Crystal.

#### IV.

#### CONCLUSION

The Motion for a temporary injunction should be denied. The Plaintiffs have not demonstrated that they meet the threshold requirement to be eligible for equitable relief. A temporary injunction is an extraordinary equitable remedy and is to be granted only when there is no adequate remedy at law. In addition, the Plaintiffs have not shown that they will suffer irreparable harm before a trial is held on the merits. The Plaintiffs have failed to meet the standard articulated by the Minnesota Supreme Court, the most important of which is the likelihood of success on merits. The Minnesota Supreme Court has already ruled on the issue raised by the Plaintiffs and has held that such an

ordinance does not violate the Federal Constitution or the Minnesota Constitution. Therefore, the temporary injunction should be denied.

DATED: \_\_\_\_\_

LeFevere, Lefler, Kennedy,  
O'Brien & Drawz

\_\_\_\_\_  
James J. Thomson, Jr.  
A.I.N. 145300  
Attorney for Defendant  
2000 First Bank Place West  
Minneapolis, MN 55402  
(612) 333-0543

DUE DATE: NOON, WEDNESDAY  
AUGUST 28, 1985

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

ACTION NEEDED MEMO: From the August 20, 1985, Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of August 20, 1985. 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 5409 - 56th Avenue North. ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Notice sent 8-21-85.
ASST. CITY MGR.		ACTION NEEDED: Place item on September 3, 1985 Council Agenda. ACTION TAKEN: Item placed on September 3, 1985, Council Agenda.
CITY ENGINEER	2.	Set public hearing to consider a request for a variance in setback to lot line at 5241 West Broadway. ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Notice mailed 8-21-85.
ASST. CITY MGR.		ACTION NEEDED: Place item on September 3, 1985 Council Agenda. ACTION TAKEN: Item placed on September 3, 1985, Council Agenda.



<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY ENGINEER	3.	Set public hearing to consider a request for tentative approval of plat at 5241 West Broadway. ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Notice published 9-5-85.
ASST. CITY MGR.		ACTION NEEDED: Place item on September 17, 1985 Council Agenda. ACTION TAKEN: Item to be placed on September 17, 1985, Council Agenda.
CITY ENGINEER	4.	Set public hearing to consider a request for two curb cuts at 4010 Douglas Drive. ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Notice mailed 8-21-85.
ASST. CITY MGR.		ACTION NEEDED: Place item on September 3, 1985 Council Agenda. ACTION TAKEN: Item placed on September 3, 1985, Council Agenda.
CITY ENGINEER	5.	Set public hearing to consider tentative approval of plat at 3448 Hampshire Avenue North. ACTION NEEDED: Notify affected property owners. ACTION TAKEN: Notice published 9-5-85.
ASST. CITY MGR.		ACTION NEEDED: Place item on September 17, 1985 Council Agenda. ACTION TAKEN: Item to be placed on September 17, 1985, Council Agenda.

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY CLERK	6.	Set public hearing to consider the commercial development bonds for PBM Associates. ACTION NEEDED: Prepare necessary public notices. ACTION TAKEN: Notices published.
ASST. CITY MGR.		ACTION NEEDED: Place item on September 3, 1985 Council Agenda. ACTION TAKEN: Item placed on September 3, 1985, Council Agenda.

REGULAR AGENDA

<u>DEPARTMENT</u>	<u>ITEM</u>	
BLDG. INSPECTOR	1.	Public hearing to consider a request for a variance in lot width to build a deck at 3540 Lee Avenue North. ACTION NEEDED: Notify property owner of Council approval. ACTION TAKEN: Applicant present at meeting.
CITY CLERK	2.	Consideration of a vacancy in the position of Ward 1 Councilmember. ACTION NEEDED: Publicize request for candidates for position; to apply before September 13; to appear at September 17 meeting. ACTION TAKEN: Articles sent to Star and Tribune and Post.
ASST. CITY MGR.		ACTION NEEDED: Place item on October 1, 1985 Council Agenda. ACTION TAKEN: Item to be placed on September 17, 1985, and October 1, 1985, Council Agenda.

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY CLERK	3.	Consideration of a request from Robert Kocur for a private kennel license at 6800 - 60th Avenue North. ACTION NEEDED: Notify applicant of Council denial. ACTION TAKEN: Notified 8-22-85.
BLDG. INSPECTOR	4.	Consideration of a request from Target for a building permit for an addition at 5537 West Broadway. ACTION NEEDED: Notify applicants of Council approval and issue building permit. ACTION TAKEN: Applicant present at meeting.
CITY ENGINEER	5.	Consideration of setting surety in the amount of \$15,000 for work at 5301 Douglas Drive. ACTION NEEDED: Sign agreement when submitted. ACTION TAKEN: Copy of letter sent.
BLDG. INSPECTOR		ACTION NEEDED: Issue building permit subject to receipt of bond and signed agreement. ACTION TAKEN: Awaiting construction plans.
CITY ENGINEER	6.	Consideration of setting surety in the amount of \$5,000 for work at 3333 Vera Cruz. ACTION NEEDED: Sign agreement when received. ACTION TAKEN: Agreement to be signed.
BLDG. INSPECTOR		ACTION NEEDED: Issue building permit subject to receipt of bond and signed agreement. ACTION TAKEN: Awaiting construction plans.



<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY ENGINEER	7.	Consideration of setting surety in the amount of \$112,000 for work at 5430 Douglas Drive. ACTION NEEDED: Sign agreement when received. ACTION TAKEN: To be signed when received.
BLDG. INSPECTOR		ACTION NEEDED: Issue building permit subject to receipt of bond and signed agreement. ACTION TAKEN: Awaiting building plans.
CITY ATTORNEY	8.	Consideration of Amendment No. 1 to a contract with Crystal Apartments Limited Partnership. ACTION NEEDED: Notify property owner of Council approval. ACTION TAKEN: Action Taken?
CITY ENGINEER	9.	Consideration of accepting surety in the amount of \$95,000 for work requirements at Cedarwood Court Apartments. ACTION NEEDED: Notify applicant of Council acceptance of surety and sign agreement when received. ACTION TAKEN: Copy sent to Brutger 8-21-85.
ASST. CITY MGR.	10.	Appearance by a representative of the Human Relations Commission regarding mediation services. ACTION NEEDED: Place item on Council Agenda when Commission is ready. ACTION TAKEN: Will be on agenda when notified.
CITY CLERK	11.	Consideration of a resolution approving Laws, 1985, Chapter 193. ACTION NEEDED: Note change approved by resolution and note sunset provision for future change. ACTION TAKEN: Certified Copy sent to secretary of state; law effective 8-22-85.

<u>DEPARTMENT</u>	<u>ITEM</u>	
ADMIN. ASST.	12.	Discussion of fertilizer in Twin Lake. ACTION NEEDED: Item referred to Environmental Commission for study. Place item on Environmental Commission agenda. ACTION TAKEN: To be placed on September Commission Agenda.
CITY CLERK	13.	Consideration of Second Reading of an ordinance amending provisions of the zoning code relative to accessory buildings on property abutting Twin Lake. ACTION NEEDED: Publish ordinance. ACTION TAKEN: Sent for publishing 8-22-85.
HOUSING & RE-DEV. COORDINATOR	14.	Consideration of amendment to the Comprehensive Plan Housing Chapter. ACTION NEEDED: Forward amendment to Metropolitan Council. ACTION TAKEN: Resolution certified; Amendment sent 8-23-85.
POLICE CHIEF	15.	Consideration of a resolution authorizing submission of grant application to extend the Quad-Cities D.W.I. Enforcement Project. ACTION NEEDED: Submit grant application as authorized. ACTION TAKEN: Application sent to State 8-30-85.
CITY ENGINEER	16.	Consideration of bids for resurfacing tennis courts at Bassett Creek Park. ACTION NEEDED: Notify low bidder of Council approval. ACTION TAKEN: Contract sent 8-21-85.

<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY ENGINEER	17.	Consideration of bids for sidewalk repair. ACTION NEEDED: Notify low bidder of Council approval and proceed with project. ACTION TAKEN: Contract sent 8-21-85.
CITY ENGINEER	18.	Consideration of surety release in the amount of \$19,500 for Liberty Garment at 6105 - 42nd Avenue North. ACTION NEEDED: Notify Liberty Garment of release of surety. ACTION TAKEN: Certified copies sent 8-22-85.
CITY ATTORNEY	19.	Consideration of a development agreement with PBM Associates. ACTION NEEDED: Execute developer's agreement. ACTION TAKEN: ?
ASST. CITY MGR.	20.	Consideration of First Reading of an ordinance amending provisions of the platting ordinance. ACTION NEEDED: Place item on September 3, 1985 Council Agenda. ACTION TAKEN: Item placed on September 3, 1985, Council Agenda.
ASST. CITY MGR.	21.	Consideration of logo for City. ACTION NEEDED: Notify four lowest bidders for interview by City Manager and Assistant City Manager. ACTION TAKEN: Bidders to be interviewed 9-5-85.
FINANCE DIRECTOR	22.	Consideration of disbursing \$11,000 from PIR for the monitoring system in the Police Department. ACTION NEEDED: Reserve funds from PIR as directed. ACTION TAKEN: Funds reserved?



<u>DEPARTMENT</u>	<u>ITEM</u>	
CITY MANAGER	23.	Consideration of sending letter to summer park employees. ACTION NEEDED: Send letter of appreciation and thanks to summer employees. ACTION TAKEN: Not completed.
CITY MANAGER	24.	Consideration of letter to Ron Pieri on behalf of Council. ACTION NEEDED: Send letter of thanks and appreciation to Ron Pieri for his work on the Council and HRA. ACTION TAKEN: Not completed.
CITY CLERK	25.	Consideration of sending John Moravec to the National League of Cities Conference in Seattle. ACTION NEEDED: Secure reservation for Mr. Moravec. ACTION TAKEN: In process.
CITY CLERK	26.	Licenses. ACTION NEEDED: Issue licenses. ACTION TAKEN: Issue date 8-21-85.

SENT WITH PRELIMINARY AGENDA 9/13/85

Council minutes of 9/3/85.

Planning Commission minutes of 8/12/85.

Planning Commission minutes of 9/9/85.

Improvement Needs memo from City Engr. re Skippers Restaurant proposal at 6230 - 56th Ave. N.

Petition for stop signs on 32nd Place at Yukon.

Letter from Fantasia Together Hair Designers requesting license for male therapeutic body massages

Memo from Redevelopment Coordinator of 9/3 and copy of agreement w/Greater Mpls. Day Care.

Letter from Asst. City Engr. of 9/13 re release of s surety for K Wong's Restaurant.

Letter of resignation from Mary Kay Messner from Environmental Commission.

Copy of plan/section drawing; copy of elevation drawing for Becker Park building.

Applications from Wm. F. Johnson; Pauline Langsdorf; Gregory Peppin; and David Anderson for Ward 1 Councilmember.

Letter from Karen Baker of Civil Service Comm.--does not wish to be reappointed for new term.

Park & Rec. Adv. Comm. minutes of 8/7/85.

Park & Rec. Dept. August monthly report.

Letter from League of MN. Cities of 9/6 re vacancies in Multi-member State Agencies.

HRA minutes of 8/8/85.

Gambling lic. appli. from Family Plus, Inc. for Iron Horse.

SENT WITH AGENDA 9/17/85

Improvement Needs memo from City Engr. of 9/4/85 re 5409 - 56th Ave. N. - Lenard Braun residence.

Letter of resignation from Gerald Newton from HRA.

SENT UNDER SEPARATE COVER ON 9/16/85

Letter from Ray Prozinski re Council seat-Ward 1

## COUNCIL AGENDA

September 17, 1985

Pursuant to due call and notice thereof, the regular meeting of the Crystal City Council was held on September 17, 1985, 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

abs Schaaf  
\_\_\_\_ Smothers  
\_\_\_\_ Herbes  
  
\_\_\_\_ Aaker  
\_\_\_\_ Moravec  
\_\_\_\_ Rygg

### Staff

\_\_\_\_ Irving  
\_\_\_\_ Kennedy  
\_\_\_\_ Olson  
\_\_\_\_ Sherburne  
\_\_\_\_ Peterson  
abs 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 3, 1985 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 1, 1985, 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 request from Heritage Builders for a variance of 10' in the required 30' front yard setback to build a 10' x 19' three-season porch at 6715 - 45th Place North.

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

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



REGULAR AGENDA

1. It being 7:00 P.M., or as soon thereafter as the matter can be heard, Mayor Aaker declared that this is the time and date as advertised for the public hearing at which time the City Council will consider tentative approval of proposed plat Conservation Systems 2nd Addition located at 5421 West Broadway. The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were: **(4 votes needed for approval)**

Moved by Councilmember Sm and seconded by Councilmember H to (grant) (deny) (continue until \_\_\_\_\_ the discussion of) tentative approval of the proposed plat Conservation Systems 2nd Addition located at 5421 West Broadway. 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 consider tentative approval of proposed plat Emond Addition located at 3448 Hampshire Avenue North. The Mayor asked those present to voice their opinions or ask questions concerning the proposed plat. Those present and heard were: **(4 votes needed for approval)**

Moved by Councilmember H and seconded by Councilmember M to (grant) (deny) (continue until \_\_\_\_\_ the discussion of) tentative approval of proposed plat Emond Addition located at 3448 Hampshire Avenue North. Motion Carried.

3. The City Council considered a request from Reed Banet, Paster Enterprises, for a building permit to build a 70' x 120' addition at 345 Willow Bend, Crystal Shopping Center. Reed Banet Co. Co. County Seat

Moved by Councilmember Sm and seconded by Councilmember H to (approve as recommended by the Planning Commission) (deny) (continue until \_\_\_\_\_ the discussion of) Building Permit #6952 to build a 70' x 120' retail store addition at 345 Willow Bend, Crystal Shopping Center. Motion Carried.

September 17, 1985

4. The City Council considered a request from the Knights of Columbus for a building permit to build a two-level 55' x 20' addition at 4947 West Broadway.

*Lloyd & Grandling  
Grandling, KC -*

Moved by Councilmember H and seconded by Councilmember Ry to (approve as recommended by the Planning Commission) (deny) (continue until the discussion of) Building Permit #6954 to build a two-level 55' x 20' addition at 4947 West Broadway. Motion Carried.

5. The City Council considered setting 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 Skippers Restaurant at 6230 - 56th Avenue N.

*Leon Orstad Skippers  
Mr. Mobley Dance Services in N.E.  
Herb Bachman Skippers*

① Moved by Councilmember H and seconded by Councilmember Sm 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 Skippers Restaurant at 6230 - 56th Avenue N. Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) setting surety in the amount of \$42,000 for Skippers Restaurant, 6230 - 56th Avenue N. Motion Carried.

② *— H = Sm in C. O. G. Inc. 11/21/85 14/1  
MC*

6. The City Council considered a petition for a two-way stop sign in the intersection of 32nd Place and Yukon Avenue North, one stop sign to face east and the other facing west to stop traffic on 32nd Place from both directions.

*Brad Boar  
32<sup>nd</sup> & Yukon*

*— M 19/1/85 = Sm - 11/1*

7. The City Council considered a request from Fantasia Together Hair Designers for a license for male therapeutic body massages.

Twila Donley - co. 200.  
① - 11/10/01 200 (21212) 11-10-01  
M = 5m  
MAPLE Grove - Mpls - Edin A (21212) - 11-10-01  
Twila  
11-10-01

- ✓ 8. The City Council considered entering into an agreement with Greater Minneapolis Daycare, and assigning administrative responsibilities to Hennepin County, and further for the Mayor and City Manager to sign such agreement.

Moved by Councilmember Ry and seconded by Councilmember Sm to (approve) (deny) (continue until the discussion of) the agreement with Greater Minneapolis Daycare and the City of Crystal. Motion Carried.

9. The City Council considered surety release in the amount of \$26,000 for K Wong's Restaurant, 5430 Lakeland Avenue N.

Moved by Councilmember H and seconded by Councilmember Sm to accept the work required as a condition of building permit approval for K Wong's Restaurant, 5430 Lakeland Ave. N., subject to guarantee provisions of the agreement, effective this date, and the surety in the amount of \$26,000 be released, subject to said guarantee, as recommended by the City Engineer. Motion Carried.



10. The City Council considered setting surety in the amount of \$7,200 as a guarantee of faithful performance of certain requirements in the condition of building permit approval for 5409 - 56th Ave. N., as recommended by the City Engineer.

Moved by Councilmember Ryan and seconded by Councilmember H to set surety in the amount of \$7,200 with a guarantee of faithful performance with certain work requirements as a condition of building permit approval for 5409 - 56th Ave. N.

Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (deny) (continue until \_\_\_\_\_ the discussion of) setting surety in the amount of \$7,200 for 5409 - 56th Ave. N.

Motion Carried.

11. The City Council considered the resignation of Mary Kay Messner from the Environmental Commission.

*Letter sent 9/18/85*

Moved by Councilmember M and seconded by Councilmember Ryan to accept the resignation of Mary Kay Messner of the Environmental Commission, and, further, to direct the City Manager to send her a letter of thanks and appreciation.

Motion Carried.

12. The City Council considered plans for the Becker Park Building.

*Mike Bjornberg Architect BRW  
Harold Appelbater BRW*

*— M G — Ryan & Co. Architects — M B*

13. The City Council considered a request from Family Plus, Inc. for a gambling license, for gambling to take place at the Iron Horse.

*— Jay Harris — M G  
Maurice Wicks Lobbyist for Lion Club*

*— M G*

September 17, 1985

14. ✓ The City Council considered a letter of resignation from Gerald F. Newton from the Crystal HRA effective August 26, 1985. 7-6-82 term

*my 11/5/85*

Moved by Councilmember M and seconded by Councilmember Sen to accept the resignation of Gerald F. Newton from the Crystal HRA effective August 26, 1985, and further, to direct the City Manager to send him a letter of thanks and appreciation for his service. Motion Carried.

15. Senator Ember Reichgott appeared before the Council to discuss any concerns the Council has about impending legislative action.

*Handwritten notes:*  
 5013-50<sup>th</sup> Ave. N. (Dale Barrett - KPOB, E, & P.O.R.)  
 Frank Richinski co. 7C,  
 7541-6<sup>th</sup> St.  
 Greg Reifert (6<sup>th</sup> St. & P.O.R.)  
 5014-50<sup>th</sup> Ave N.

*Sen R.P. Poffert (6<sup>th</sup> St.) 9/13/85*

*Handwritten notes:*  
 45 / 8:32 t 110 - 6.  
 2, 50 / 8:46 t -

16. The City Council interviewed the following applicants for Ward 1 Councilmember position. *Ward 1 Councilmember*

A. David Anderson. *David Anderson*

B. William F. Johnson.

C. Pauline Langsdorf.

D. Gregory Peppin.

E. Raymond Prozinski.

*Raymond Prozinski*

*Ward 1*

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

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



APPLICATIONS FOR LICENSE

September 17, 1985

AUCTIONEER: (\$18.25 per day)

Gregory Christian dba Quickie Auction at S & K Used Appliance,  
6220 - 56th Ave. N. on September 25, 1985

TREE TRIMMING: (\$55.00 per yr.)

Don Lawrence dba Design Tree Service

GAS FITTERS: (\$30.25)

Northland Mechanical Contr., Inc.

SIGN HANGERS: (\$66.00)

Theresa Bergan dba Crosstown Sign Inc.

PLUMBERS: (\$30.25)

Ken Boutin Plumbing  
Northland Mechanical Contrs., Inc.  
Patrick Surma

September 13, 1985

Dear Councilmembers:

Most of the items for Tuesday night's meeting seem to be fairly minor in nature, which should give you ample time to interview candidates for the vacancy in Ward 1. As you can see, at the present time we have three applicants whose applications are enclosed. It is my understanding that there is a possibility that before the day is out, that one or two more will be brought in. If so, they will be included. Staff may have a dilemma. As I indicated, there is a possibility of two more applicants, that we know of, coming in. It is my understanding that you set the cut-off date as of today, but if one or both of them, or any other came in on Monday or Tuesday, it would be my opinion that you would want them included for an interview. Unless I hear something different from you as a body, that will be my course of action.

The agenda should go somewhat as follows:

The minutes of the regular meeting of September 3, 1985, are enclosed for your review.

CONSENT AGENDA

ITEM

SUPPORTING DATA

- |   |       |
|---|-------|
| 1. Set Public Hearing to consider a request from Heritage Builders for a variance of 10' in the required 30' front yard setback to build a 10'x19' 3-season porch at 6715 - 45th Place N. | None. |
|---|-------|

We have one item for the Consent Agenda and it's setting a public hearing for a variance request. The recommended date for the hearing would be October 1.

The regular agenda should go somewhat as follows:

- |  |   |
|--|---|
| 1. Public Hearing to consider tentative approval of proposed plat Conservation Systems 2nd Addition located at 5241 West Broadway. | Planning Commission minutes of 8/12/85, Item 5. |
| 2. Public Hearing to consider tentative approval of proposed plat Emond Addition located at 3448 Hampshire Ave. N.                 | Planning Commission minutes of 8/12, item 10.   |

3. Consideration of a request from Reed Banet, Paster Enterprises, for a bldg. permit to build a 70'x120' addition at 345 Willow Bend, Crystal Shopping Center. Planning Commission minutes of 9/9/85, item 2.
4. Consideration of a request from the Knights of Columbus for a building permit to build an addition at 4947 West Broadway. Planning Commission minutes of 9/9, item 3.

The above four items have been to the Planning Commission, as you can see from the minutes of August 12 and September 9, 1985, and the Planning Commission recommended approval.

5. Consideration of setting surety in the amount of \$42,000 for a 45'x48' Skippers Restaurant at 6230 - 56th Ave. N. Planning Commission minutes of 9/9, item 4. *copy of improve - merit needs memo of 9/13.*

I call your attention to Item #4 on the Planning Commission minutes of 9/9. As you can see, the Planning Commission recommends denial of this and indicates why they recommended denial. Staff is somewhat puzzled by this denial because the Planning Commission on recent occasions has done just the opposite in the case of Burger King in the Nicklow Shopping Center; Rax and Golden Skillet in the Paster Shopping Center, and I am sure you are all aware that there is at least five separate buildings in the Paster Shopping Center. It seems to me that the representatives of Skippers Restaurant will make that argument to you on Tuesday evening. I am sure if there are any legal ramifications, Dave will be prepared to advise you.

6. Consideration of a request from residents for stop signs on 32nd Place at Yukon Avenue North. Copy of petition.
7. Consideration of a request from Fantasia Together Hair Designers for a license for male therapeutic body massages. Letter dated 9/6/85.

I believe Twila's letter is self-explanatory. I have asked her to appear to plead her case with you. It would be my opinion that Dave Kennedy may advise that there should be an amendment to the ordinance allowing this, if that is the Council's desire. As I understand it, it is very difficult to vary from the strict compliance in cases like this, based on other portions of the City Code, but I will let Dave advise you on that.

8. Consideration of entering into agreement with Greater Minneapolis Day Care, and assigning administrative responsibilities to Hennepin County. Memo from Redevelopment Coordinator dated 9/3 and copy of agreement.



## 8. (Continued)

I believe Leslie Nerenberg's memo is self-explanatory. If you have any further questions about this item, we will be prepared to answer them Tuesday evening.

- |     |   |  |
|-----|---|--|
| 9.  | Consideration of release of surety in the amount of \$26,000 for K Wong's Restaurant, 5430 Lakeland Ave. N. | Letter from Ass't. City Engineer dated 9/13/85.          |
| 10. | Consideration of the resignation of Mary Kay Messner from the Environmental Commission.                     | Letter of resignation dated 9/3/85.                      |
| 11. | Consideration of plans for the Becker Park building.  | Copy of plan/section drawing; copy of elevation drawing. |

Harold Skjelbostad will be in with the architect to present the plan for the park building for your approval. It has been reviewed by the Park & Recreation Advisory Commission and has met with their approval.

- |     |   |       |
|-----|---|-------|
| 12. | Senator Ember Reichgott appeared before the Council to discuss any concerns the Council has about impending legislative action. | None. |
|-----|---|-------|

Ember will be appearing before the Robbinsdale Council on the same night and I indicated if she got here sometime in the neighborhood of 8 to 8:30, you would still be in session, but if she gets here later, you can do the interviews for candidates for Ward 1 Council position prior to talking to Ember.

- |     |   |  |
|-----|---|--|
| 13. | Interviews of applicants for Ward 1 Councilmember position. | Applications from William F. Johnson; Pauline Langsdorf; and Gregory Peppin. |
|-----|---|--|

As I indicated earlier, there is a possibility of two more, and if they come between now and the Council meeting, I will ask the people to appear for an interview.

In the case of William F. Johnson, he indicated to me that he was in the insurance business and because of the hurricane in the South, he will be at a meeting in the Biloxi, Mississippi area that night and will not be able to attend and asked that he may be interviewed at a different time. I told him I would inform you of this, but could not guarantee what your reaction would be except that I knew whatever your decision was, you would respond or you would ask me to respond to him so he would know if he would be interviewed and why he would not be interviewed if that was the case.

That should take care of the agenda as I see it now. I have, however, included some information for your benefit, which is as follows:



1. Letter from Karen Baker of the Civil Service Commission dated 9/2/85, stating she does not wish to be reappointed for a new term.
2. Park & Recreation Advisory Commission minutes of 8/7/85.
3. Park & Recreation Dept. monthly report for August, 1985.
4. Letter from League of MN. Cities of 9/6 re vacancies in Multi-member State Agencies.
5. HRA minutes of 8/8/85.

Please note in the approved minutes of the HRA that both Ron Pieri and Jerry Newton have advised the HRA of their resignation dates. You did receive a letter from Ron Pieri and declared that vacancy. We have asked Jerry Newton to supply you or us with a letter regarding his resignation but as yet, we have not received it. We will forward it to you as soon as we get it.

I say this because I understand there is some concern about Jerry not officially resigning and having already moved out of town. The HRA met last night and neither Ron nor Jerry were there. It is my understanding and strong feeling that Jerry feels his resignation was accomplished when he announced it at the HRA meeting, but because of our request, has indicated he would write a letter. I have no doubt that he intends not to appear at any HRA meetings in the future so with or without the letter, it would be my opinion that the Council could, based on the HRA minutes, declare a vacancy if they so desire and proceed to replace him. Just thought I would mention that in case there were still some concerns.

By the way, I want to remind you to keep your schedule clear for September 24. You may recall that is the meeting that you scheduled for a work session on the budget. I have not heard from any of the Council on any budget items, but I want to remind you, if you do have some questions, please feel free to call at any time and I will respond as quickly as possible to your questions.

Have a nice weekend. See you Tuesday.

J A C K

da  
enc.

P.S. Just received Dave Anderson's application for Councilmember of Ward 1. I will enclose it also.

P.P.S. Also just received a gambling license application from Family Plus, Inc. to take place at the Iron Horse. As you may recall, the State licenses gambling so if you have no objection, you need take no action. If you do have an objection, you may adopt a resolution specifically disallowing such activity. I will enclose a copy of their application.

APPLICATIONS FOR LICENSE

September 17, 1985

AUCTIONEER: (\$18.25 per day)

Gregory Christian dba Quickie Auction at S & K Used Appliance,  
6220 - 56th Ave. N. on September 25, 1985

TREE TRIMMING: (\$55.00 per yr.)

Don Lawrence dba Design Tree Service

GAS FITTERS: (\$30.25)

Northland Mechanical Contr., Inc.

SIGN HANGERS: (\$66.00)

Theresa Bergan dba Crosstown Sign Inc.

PLUMBERS: (\$30.25)

Ken Boutin Plumbing  
Northland Mechanical Contrs., Inc.  
Patrick Surma

August 12, 1985 - Continued

- a. A workable drainage plan be submitted in the event of a change in building plans.
- b. The builder furnish surety and enter into agreement with the City to construct drainage as approved as a condition of issuance of permit.

The findings of fact are: Has a workable drainage plan, should enter into agreement with the City and provide a bond and a building permit should not be issued until the agreement is okayed by the Building and Engineering Departments.

Motion carried 6-2.


4. Steve Leppa of Northside Property Management appeared regarding Variance Application #85-38 to reduce the requirement for a 5' setback of curb to lot line at 5241 W. Broadway.

Moved by Commissioner Besnett and seconded by Commissioner Bakken that pursuant to Section 515.55 of the Crystal City Code to recommend to the City Council to vary or modify the strict application of Section 515.09, Subd. 4 h) 15) to grant a variance to reduce the requirement for a 5' setback of curb from property line to 1' along line adjoining proposed Lot 1 & Lot 2 at 5241 W. Broadway, Lot 1, Block 1, Conservation Systems Addition, as requested in Application #85-38 of Steve Leppa of Northside Property Management.

The findings of fact are: it seems to fit in with his plans for division of property along with mortgaging and not a problem with either side.

Motion carried.

(Commissioner Leppa abstained.)

- 
5. Consideration of tentative approval of proposed plat Conservation Systems 2nd Addition located at 5241 West Broadway.

Moved by Commissioner Magnuson and seconded by Commissioner Besnett to recommend to the City Council to grant tentative approval of Conservation Systems 2nd Addition which is described as Lot 1, Block 1, Conservation Systems Addition.

Motion carried.

(Commissioner Leppa abstained.)

6. Architect Bert Shacter, Forrest Russell, Jane Miller and Ron Cabeen of Target appeared regarding a building permit to build a stockroom addition at 5537 West Broadway.

Moved by Commissioner Leppa and seconded by Commissioner Christopher to recommend to the City Council to approve authorization to issue building permit #6851 for a 133' x 94' stockroom addition at 5537 West Broadway, Lot 1, Block 1, Cardinal Court, subject to standard procedure.

Motion carried.



7. Chairman Feyereisen relinquished the gavel to Vice Chairman Thorne as he had a personal interest in this item.

Charles Hillstrom appeared regarding a building permit for remodeling at 3333 Vera Cruz.

Moved by Commissioner Magnuson and seconded by Commissioner Bakken to recommend to the City Council to approve authorization to issue building permit #6862 for remodeling at 3333 Vera Cruz, Lot 3, Block 6, Rosedale Acres, subject to standard procedure.

Motion carried.

8. Dennis Persons of Park Place Associates appeared regarding a building permit to build a retail, office and warehouse building at 5430 Douglas Drive.

Moved by Commissioner Magnuson and seconded by Commissioner Besnett to recommend to the City Council to approve authorization to issue building permit #6883 to build a retail, office and warehouse building, subject to standard procedure.


Motion carried.

9. Mr. and Mrs. Orval O. Perleberg appeared regarding Variance Application #85-40A to retain two curb cuts on their property at 4010 Douglas Drive.

Moved by Commissioner Leppa and seconded by Commissioner Thorne that pursuant to Section 515.55 of the Crystal City Code to recommend to the City Council to vary or modify the strict application of Section 515.09, Subd. 4 h) 10), to grant a variance to allow two curb cuts on a single family lot at 4010 Douglas Drive, West 147' of Lot 36, Glenwood Manor, as requested in Application #85-40A of Mr. and Mrs. Orval O. Perleberg.

The findings of fact are: the driveway is existing with asphalt pavement and it would be an imposition on the property owners to conform to code that did not exist when driveway was put in.

Motion carried.

- 
10. Consideration of tentative approval of proposed plat Emond Addition located at 3448 Hampshire Ave. N.

Moved by Commissioner Besnett and seconded by Commissioner Magnuson to recommend to the City Council to grant tentative approval of Emond Addition which is described as Lot 11 and south half of Lot 10 except street, Block 2, Gardendale Acres.

Motion carried.

11. Continued from July 8 meeting a review of the Housing Maintenance Code. Andy Alberti, Building Inspector, explained the code's use in Brooklyn Center. Planning Commission Chairman



49

CRYSTAL PLANNING COMMISSION MINUTES

September 9, 1985

The regular meeting of the Crystal Planning Commission convened at 7:30 p.m. with the following present: Bakken, Besnett, Feyereisen, Magnuson, Malnati, Melich, Senden and Thorne; the following were absent: Christopher and Senden; also present were Building Inspector Peterson, Assistant Engineer Smith and Recording Secretary Scofield. Senden arrived at 7:32 p.m.

Moved by Commissioner Besnett and seconded by Commissioner Thorne to approve the minutes of the August 12, 1985, meeting.

Motion carried.

1. The next regular Planning Commission meeting falls on October 14, 1985, which is a legal holiday (Columbus Day).

Moved by Commissioner Thorne and seconded by Commissioner Melich that the next regular Planning Commission meeting will be held at 7:30 p.m., October 7, 1985.

Motion carried.

2. Reed Banet of Paster Enterprises appeared regarding a building permit to build a retail store addition (County Seat Outlet Store) to the shopping center at 345 Willow Bend.

Moved by Commissioner Bakken and seconded by Commissioner Magnuson to recommend to the City Council to approve authorization to issue building permit #6952 for a 70' x 120' retail store addition at 345 Willow Bend, Lot 1, Block 1, Crystal Shopping Center, subject to standard procedure.

Motion carried.

3. Lloyd J. Gramling of Knights of Columbus appeared regarding a building permit to build an addition at 4947 West Broadway.

Moved by Commissioner Thorne and seconded by Commissioner Malnati to recommend to the City Council to approve authorization to issue building permit #6954 for a two-level 55' x 20' addition at 4947 West Broadway, Lot 1, Block 1, Father William Blum Addition, subject to standard procedure.

Motion carried.

4. Happy D. Moselle of Lance, Inc. and Mike Townsend of Neal Perlich Realty appeared regarding a building permit to build a fast food restaurant (Skipper's) at 6230 - 56th Ave. N.

Moved by Commissioner Thorne and seconded by Commissioner Melich to recommend to the City Council to deny authorization to issue building permit #6962 for a 45' x 48' fast food restaurant at 6230 - 56th Ave. N., Lot 2, Block 1, Blakenborough Addition in the belief and conclusion that the plan does not conform to the Crystal City Code Section 515.07, Subdivision 3.

Motion carried

50  
September 9, 1985 - continued

5. Continued from the August 12, 1985, meeting a review of the Housing Maintenance Code with Tom Heenan of the Health Dept.

Moved by Commissioner Magnuson and seconded by Commissioner Besnett requesting Tom Heenan to make up a list of important changes he felt necessary and present it to the Planning Commission. If the Commission did not agree, a committee would meet to write changes.

Motion carried.

6. Continued from the August 12, 1985, meeting a discussion of off-street parking ordinance.

Moved by Commissioner Thorne and seconded by Commissioner Bakken to set a public hearing before the Planning Commission at 7:30 p.m., or as soon thereafter as the matter may be heard, October 7, 1985, to consider an amendment to the Zoning Ordinance said amendment to read:

Section 515.09, Subd. 4) h) 1) Parking Space Size. Each parking space shall be not less than 9 feet wide and 20 feet in length exclusive of access aisles, and each space shall be served adequately by access aisles.

Section 515.09, Subd. 8 cc) Furniture store. At least 1 off-street parking space for each 300 sq. ft. of floor area.

Section 515.09, Subd. 8 dd) Motor vehicle sales lots. At least 5 off-street parking spaces in addition to storage and display areas.

Motion carried.

Moved by Commissioner Besnett and seconded by Commissioner Bakken to adjourn.

Motion carried.

---

Chairman Feyereisen

---

Secretary Magnuson

September 13, 1985

Honorable Mayor & City Council  
City of Crystal, MN

Re: Improvement Needs  
Skipper's Restaurant  
6230 - 56th Ave. N.

Dear Councilmembers:

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

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

- Prepare and record plat of property.
- Grade boulevards to conform to Crystal standards.
- Construct concrete driveway apron across boulevard.
- Construct 3 curb openings at driveway and repair street adjacent.
- Close 3 driveway openings in curb and repair street adjacent.
- Remove existing concrete slab and foundation wall and back-fill.
- Construct B612 cast-in-place concrete barrier curb per approved plot plan.
- Construct parking area, access aisles and drives with a minimum of 6" Class 5 base and 2" bituminous surface.
- Repair existing bituminous surface as necessary and sealcoat.
- Stripe parking stalls with white paint.
- Erect 3 handicap parking stall signs.
- Construct storm sewer and appurtenances to collect and dispose of all surface water on the site.
- Repair existing screening fence.
- Erect stop signs at exits from parking area.
- Prepare and submit "as built" utility plans.
- Designate and sign fire lanes.
- Area lighting shall conform to Section 515.07, Subd. 10, of the Crystal City Code.
- Landscape all open areas.
- Provide all lot irons in place and to grade at the time of final acceptance.

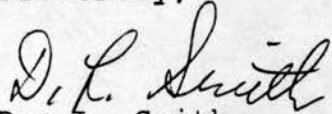
It is recommended that the above work be required as a condition of issuance of a building permit; that the work be completed prior to an issuance of an occupancy permit but not later than December 1, 1985; that the work be unconditionally guaranteed for a period of one year from date of final acceptance of all the work; and that surety in the amount of \$42,000 be required as a guar-



Re: Improvement Needs  
Skipper's Restaurant  
6230 - 56th Ave. N.  
September 13, 1985

antee of the faithful performance of the above construction and requirements.

Sincerely,



Dan L. Smith  
Assistant City Engineer

DLS:jrs

cc: John T. Irving, City Manager  
Don Peterson, Building Inspector  
Happy D. Moselle  
430 Industrial Blvd.  
Minneapolis, MN 55413

Encls

Received 9/12/85

We, the undersigned, residing in the area of 32 Place and Yukon Avenue North, request two stop signs be placed at this previously stated intersection. We request one stop sign face east and the other facing west to stop traffic on 32nd Place from both directions.

Name	Address
Sue Slominski	8632-32 <sup>nd</sup> Pl. N.
Dennis Olson	8624-32 <sup>nd</sup> Pl. N.
Mary Jo Olson	8624-32 Pl N
Gary E. Hopko	8616 32 <sup>nd</sup> PLACE N.
Judi Hopko	8616-32nd Pl. N.
Linda Martin	8608 32 <sup>nd</sup> Pl. No.
Jerry Martin	8608 32 <sup>nd</sup> Pl. No.
Marly Plumb	3217 Aquila Ave No
Willard Plumb	3217 Aquila Ave No
Grace Robbie	3225 Yukon Ave. N.
Ginn Robbie	" " " "
Lucy Schieman	8524- 32 Pl. N
Doug Paul	8517 32nd Pl N.
Lanay Schieman	8501 32 <sup>nd</sup> Pl. No.
Jerry Schieman	8524 - 32 <sup>nd</sup> PL N
Lorraine C Hoar	3224 Aquila Ave N
Bradford Hoar	3229 Aquila

# *Fantasia Together*

A full service salon for the entire family

## **HAIR DESIGNERS**

September 6, 1985

Mr. Jack Irving  
City of Crystal

Dear Mr. Irving,

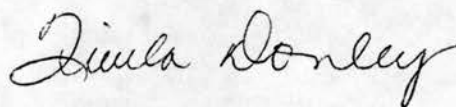
We are experiencing an increased interest in male Therapeutic Body Massages. Inquiries are coming via Chiropractic referrals, women who are requesting massage for their husbands and increased inquiries by male cliental, etc.

We would like you to consider issuing us a special use permit or license or whatever the city deems necessary, either directly to Fantasia Together Hair Designers or Sharlene Feickert for this purpose (if this could be done at no additional cost).

This is strictly a professional Therapeutic Massage. I feel this is a very reasonable request as I have been a reputable business owner in the Crystal area for 18 years, and our only motive is to expand our services to the community in the health and beauty field..

Thank you for your cooperation and immediate consideration on this matter.

Sincerely,



Twila Donley  
Owner

tw/rro



September 3, 1985

TO: John T. Irving, Executive Director  
FROM: Leslie Nerenberg, Redevelopment Coordinator *fn*  
RE: CDBG Year XI Daycare Contract

At the March 19, 1985, Council Meeting, the Council approved funding in the amount of \$10,000 for the CDBG Year XI Child Care Sliding Fee Program.

It is necessary for each community allocating CDBG funds to this program to execute the accompanying contract. The decision to assign its administrative responsibilities to Hennepin County is an option available to the City following execution of the contract. I would recommend that the City Council authorize execution of the contract and that the administrative responsibilities then be assigned to Hennepin County in an effort to streamline the administration of the program.

LN/lis

## Public Services Agreement/Daycare

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

### WITNESSETH:

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

WHEREAS, the City has allocated Urban Hennepin County Community Development Block Grant funds in program year XI, project number 018, for the purpose of supporting the Child Care Sliding Fee program administered by the Agency,

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

### I

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

The City reserves the right to assign its administrative responsibility, pursuant to the requirement of the Urban Hennepin County Community Development Block Grant program, to any other cooperating unit.

### II

The Agency agrees to provide the City:

1. Affidavit of Agency service fee schedule.
2. A financial statement for the past full year.
3. A statement of public revenue sources for the period June 1, 1985 through June 1, 1986.

### III

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

IV

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

V

The Agency provides assurance that it will comply with:

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

VI

The Agency, prior to financial reimbursement, shall provide the City or its assignee with:

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

VII

This Agreement is effective as of July 1, 1985, and shall continue in full force and effect until all funds made available under this Agreement have been expended in accordance with paragraphs I-VI, but no later than December 31, 1986.

IN TESTIMONY WHEREOF, the parties hereto have set their hands and affixed their seals this 29th day of August, 1985.

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



GREATER MINNEAPOLIS DAY CARE  
ASSOCIATION

CITY OF Crystal  
STATE OF MINNESOTA

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

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

and \_\_\_\_\_  
Its

and \_\_\_\_\_  
City Manager

September 11, 1985

Honorable Mayor & City Council  
City of Crystal, MN

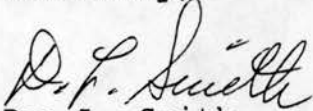
Re: Surety Release  
K Wong's Restaurant  
5430 Lakeland Ave. N.

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 No. 0040 drawn on the Crystal State Bank (North Star Bank Minnesota) in the amount of \$26,000 be released, subject to said guarantee.

Sincerely,



Dan L. Smith  
Assistant City Engineer

DLS:jrs

cc: John T. Irving, City Manager  
Don Peterson, Building Inspector  
James M. Wong  
5430 Lakeland Ave. N.  
Crystal, MN 55429

September 3, 1985

City of Crystal  
City Hall  
4141 Douglas Drive  
Crystal, Minnesota 55422

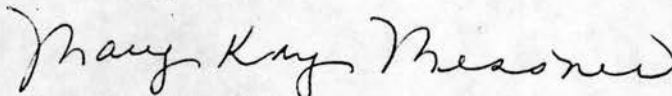
Attention: Nancy Dino

Nancy, at your request I am putting in writing my resignation from the City of Crystal Environmental Commission, effective immediately.

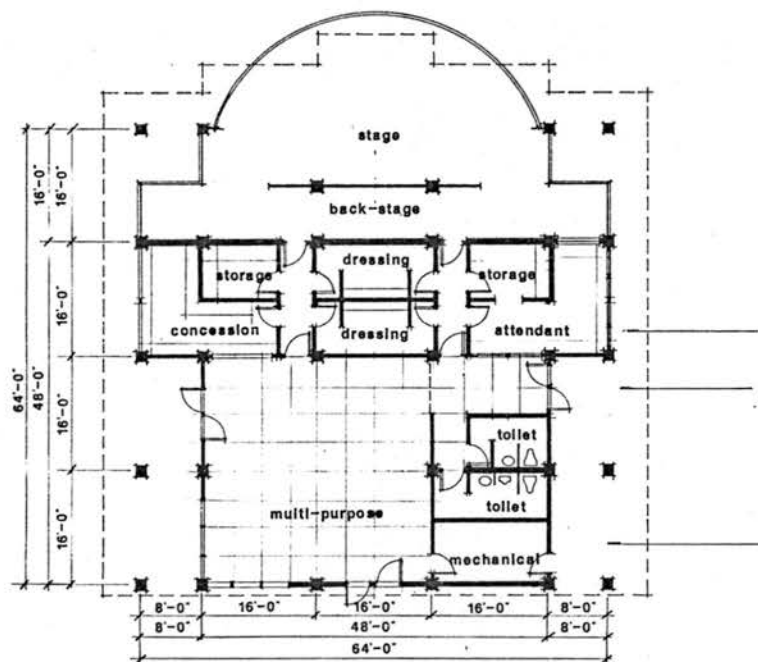
As I explained on the phone, I very much regret the necessity of doing this, but for financial reasons have had to take another job, working weekends at the Burger King, 6:00 A.M. to 2:00 P.M., both Saturdays and Sundays, to make ends meet, and I am just too exhausted to do anything else at all, beyond routine household tasks. I will have to keep to this schedule for an indefinite period, so everything else has to go on hold.

I have very much enjoyed meeting with you and Bill and the other members of the Council. Good luck to you all in your Council activities this year.

Sincerely,

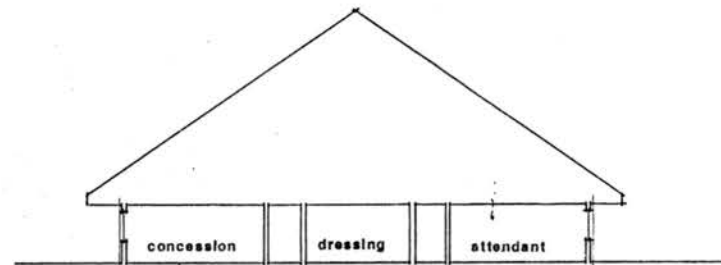
  
Mary Kay Messner





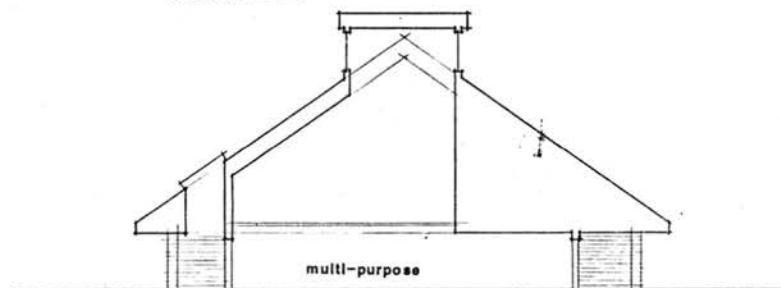
**PLAN**

Scale: 1/8" = 1'0"



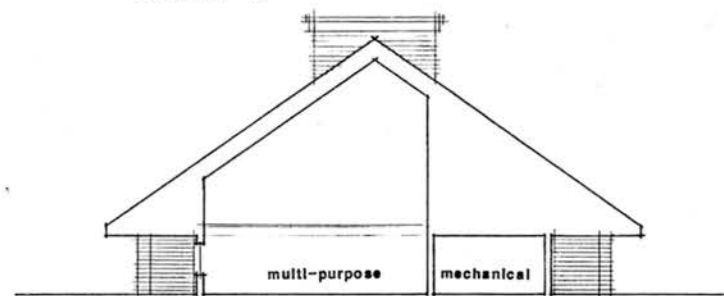
**SECTION**

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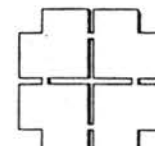
**SECTION**

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**SECTION**

Scale: 1/8" = 1'0"



REVISIONS

**BECKER PARK**

**BRW**  
PLANNING  
TRANSPORTATION  
ENGINEERING  
ARCHITECTURE  
INTERIOR DESIGN  
LANDSCAPE ARCHITECTURE  
10000 ROUTE 100, SUITE 100, WASHINGTON, D.C. 20001

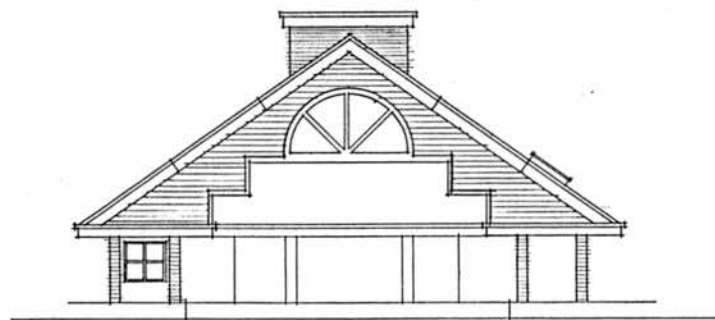
DATE:	
DESIGNED BY:	
DRAWN BY:	
CHECKED BY:	
PROJECT NO.:	
SHEET NO.:	<b>1</b>



SOUTH ELEVATION



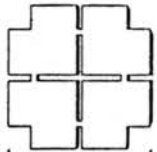
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



REVISIONS

BECKER PARK

BRW  
PLANNING  
TRANSPORTATION  
ARCHITECTURE  
LANDSCAPE ARCHITECTURE  
1000 N. 10TH ST., SUITE 100  
MINNEAPOLIS, MN 55412



1. OWNER: BECKER PARK  
2. ARCHITECT: BRW  
3. DATE: 10/1/01  
4. SCALE: 1/8" = 1'-0"

PROJECT NO.  
SHEET NO.

2

September 6, 1985

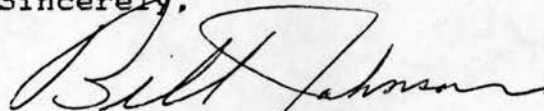
Delores Ahmann, City Clerk  
4141 Douglas Drive  
Crystal, Minnesota 55422

Responding to a notice of vacancy on the Crystal City Council, I would like to submit my name as an interested candidate. I have lived in Crystal for over 20 years and due to business demands, have never had the time to participate in civic affairs. My circumstances have changed and I now have time to involve myself in these areas.

I am 60 years old, married, a father and grandfather. Recently I cut back on my insurance business activities which involved extensive travel and sold my interest in a property management business which demanded much of my time. My present work schedule involves some limited insurance administration duties. Also I am a consultant to a local Third Party Insurance Administration Firm.

I am submitting the names of Mr.'s DeRoy and Eckblad as references and you have my invitation to contact either of these gentlemen.

Sincerely,



WILLIAM F. JOHNSON  
2702 Kentucky Avenue North  
Crystal, Minnesota 55427  
(612) 544-4829  
(612) 377-0241

Robert DeRoy, Business Representative  
INTERNATIONAL ASSOCIATION OF MACHINISTS  
AND AEROSPACE WORKERS, AFL-CIO #77  
1399 Eustis Street  
St. Paul, Minnesota 55108 (612) 645-7761

James O. Eckblad, President  
ALAN STURM AND ASSOCIATES  
1210 Glenwood Avenue  
Minneapolis, Minnesota 55405 (612) 377-0241

WFJ:dh



Mr. John Irving, City Manager  
Crystal City Hall  
4141 Douglar Drive  
Crystal, Mn. 55422  
September 10, 1985

Dear Mr. Irving:

I wish to be considered for the 1st Ward vacancy on the  
Crystal City Council.

I believe my demonstrated interest, and extensive background  
in government, particularly at the municipal level, have  
prepared me well to serve in this capacity.

A brief resume' is attached. Should you or any of the City  
Councilmembers have questions before or after the Council  
Meeting on September 17th, my home phone is 544-1317.

Sincerely,

A handwritten signature in cursive script, reading "Pauline A. Langsdorf". The signature is fluid and extends to the right with a long, sweeping tail.

Pauline A. Langsdorf  
8100 33rd Ave. N.  
Crystal, Mn. 55427

LANGSDORF, PAULINE A.  
8100 33rd Avenue North  
Crystal, MN 55427

Telephone: (612) 544-1317

---

## PROFESSIONAL

### EXPERIENCE

- 1982-Present Administrative Analyst, City of St. Louis Park (Police Department).  
Duties include the development and implementation of the "Neighborhood Watch" program, collecting and interpreting the statistical data on crime, jointly preparing/presenting the Police Budget, preparing the Annual Report, designing and preparing visuals for various presentations, supervise the internship program, hire and supervise Adult Crossing Aides, public speaking at neighborhood groups, interviewing candidates for non-sworn positions, jointly planning the computerization of the Police Department, Police representative to CPAC (Crime Prevention Advisory Committee-advisory to the Hennepin County Chiefs Association), Department representative on the City Employee CITE Committee, jointly designed Cable TV programs on crime prevention.
- 1980-1982 Inspectional Services Department, City of St. Louis Park, Clerk/Secretary.  
Working in Inspectional Services my duties included preparing reports, processing permits and handling citizen complaints.
- Other Pertinent Employment  
Substituting in the District 281 and Osseo schools and teaching full time in the Wayzata School District provided me with the opportunity to observe the schools serving our area. I've taught in all grades K-12. As the schools so strongly impact our community, this is valuable experience.

## EDUCATIONAL

### BACKGROUND

Graduate Student MAPA, (Master Arts Public Administration)  
Mankato State University, 31 credits to date

Graduate Student Art Education  
St. Cloud State University, 15 credits

Bachelor of Science in Art Education, English Minor  
University of Wisconsin, Madison, WI

### HONORS

"Man of the Year, Crystal" award 1970 from SUN Newspapers

"Conservation in Action" award 1972 from WCCO/Munsingwear

## STATE

### APPOINTMENT

Minnesota Environmental Education Board (Advisory of State Department of Education and Department of Natural Resources) - served 5 years - member of the Federal Grants Committee, elected to executive committee, served on the adult education, staffing, policy, and joint advisory committees.

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COMMUNITY

INVOLVEMENTS

Neighborhood Crime Watch Meetings - in my home

Church work - Community Concerns Task Force, Family Life Committee, Career Change Committee, speaker for various groups and functions, Joint Religious Legislative Committee (organizer for this area)

Environmental involvements - prepared Energy Study of Crystal/New Hope League of Women Voters, State League of Women Voters Legislative Lobbyist on Environmental Issues, lecturer for the Minneapolis Junior League on Environmental Decision Making, organized support to obtain Pilot Project in Environmental Education for School District 281, lecturer for board Credit courses for School District 281 on environmental topics in the community, formed committee to review proposed environmental bills for Legislative District Legislators, proposed Chaired, and served on Crystal's Environmental Advisory Commission.

Directed high school students in their community involvement commitments

Formed Winnetka Park Association - sponsored several neighborhood events; such as 4th of July, Halloween, Family winter outing, etc.

School Activities - Brownie leader, room mother, Discovery Room, playground equipment, etc.

Served on Crystal's Human Relations Commission

Obtained traveling theater for Crystal's Recreation Department



2716 Lamplighter Lane  
Crystal, MN 55422

September 12, 1985

Mayor Aaker and the City Councilmembers  
City of Crystal  
4141 Douglas Drive North  
Crystal, MN 55422

To the Mayor and City Councilmembers:

Service to one's community is both an honor and a privilege. It is with these feelings that I am applying for the position of First Ward Councilmember.

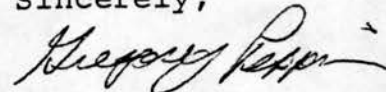
Having lived in Crystal for eleven years, I am aware of and familiar with current issues and future trends which will confront the city in the years ahead. As an intern for State Senator Earl Renneke the past two legislative sessions, I have done research on a variety of topics with direct relevance to Crystal. Two such topics are the Metropolitan Transit Commission and its reorganization and solid waste disposal alternatives recommended by the Metropolitan Council.

I am currently serving as Vice-chair of the Human Relations Commission where we have undertaken such projects as waiving the building permit fee for handicapped residents to make their homes accessible and review and possible revision of the cities affirmative action plan.

As a Political Science/History major I have studied the inter-relationship between federal, state and local governmental units and am confident of my abilities to understand and interpret rules, regulations and guidelines which Crystal is expected to adhere to.

Enclosed is a resume which outlines my educational and employment experiences. I look forward to appearing before the council to answer any questions you might have.

Sincerely,



Gregory Peppin

Enclosure

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

### CAREER OBJECTIVE

A position utilizing my skills in research and inquiry as well as my knowledge of the workings of state and federal government

### EDUCATION

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

### SIGNIFICANT COURSE WORK

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

### POLITICAL EXPERIENCE

Currently serving as Vice-Chair of the Crystal Human Relations Commission  
Delegate to the 5th District Convention  
Alternate to State Convention  
Doug Bergman Campaign, State District 46B

### WORK EXPERIENCE

January 1984 to May 1984	Legislative Internship for State Senator Earl Renneke (District 35) <u>Job description:</u> Traced progress of pending legislation (i.e., transit reorganization bill), research, assistance in office administration, constituent contacts.
May 1980 to present	Lunds Inc. 1151 Wayzata Boulevard Wayzata, MN 55391 Supervisor: Larry Walsh Position: Stock Clerk <u>Job description:</u> Stock, cashier, administered inventory procedures, front end manager.

### REFERENCES

Furnished upon request.

Sept. 12, 1985

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

Dear Mrs. Ahmann:

I would like to be considered as an applicant for the position of Ward 1 councilmember.

I have lived in the city of Crystal for 16½ years. I am a life-long resident of Hennepin County.

My current position is as an income tax examiner for the Minnesota Department of Revenue in the Brooklyn Center office. Before that, I worked in the State Auditor's office.

I am a graduate of Armstrong High School. My undergraduate work was done at the University of Minnesota where I graduated with honors with a B.A. in Political Science and a B.S. in Business Administration. My legal education was at William Mitchell College of Law in St. Paul where I received a Juris Doctor degree. I have a license to practice law and am a member of the Hennepin County, Minnesota State, and American Bar Associations. At present, I am a candidate for an M.B.A. in accounting at the University of Minnesota. During my educational career, I have been elected to Phi Beta Kappa (liberal arts), Beta Alpha Psi (accounting) and Beta Gamma Sigma (business) honor societies.

My community involvement is also extensive. I am active in my church, currently serving on the Endowment Fund Committee and formerly serving on the church council. At present, I serve on the Crystal Long-Range Planning Commission, Hennepin Soil and Water Conservation District, and the Elm Creek Watershed Management Commission. I am a member of the Sierra Club, and serve as an officer of the union representing professionals employed by the State of Minnesota.

I believe that my long-time residency in Crystal, my education and training, and my community involvement indicate that I can give the residents of Ward 1 the high quality of representation they deserve.

Sincerely,

*David Anderson*

David Anderson  
2949 Hampshire Ave. N.  
Crystal, MN 55427  
Home Telephone: 544-7195  
Work Telephone: 297-4875



September 2, 1985

Jack Irving, City Manager  
City of Crystal  
4141 Douglas Dr  
Crystal, MN 55422

Dear Mr Irving:

As you are aware, my term as a member of the Civil Service Commission expires at the end of this year. This letter is to advise you that I do not wish to be reappointed to this Commission. I am notifying you at this time so that in the event that another individual is recruited prior to the end of my term you will be able to replace me without undue delay. If someone is found who wishes to start sooner than that time, I am willing to resign at that point in time.

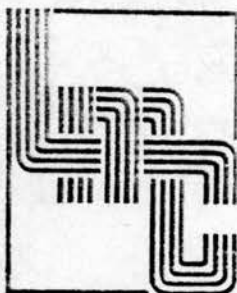
Very sincerely,



Karen Baker

cc: Art Cunningham, Chair  
Civil Service Commission





## league of minnesota cities

September 6, 1985

TO: City Clerks

FROM: Joel Jammik, Legislative Counsel

RE: Notice of Vacancies in Multi-Member State Agencies

The League has received notice from the state of several available positions in state agencies. Many of these agencies play very important roles in local government. Application forms may be obtained at the Office of the Secretary of State, 180 State Office Building, St. Paul, MN 55155, (612) 296-2805. The deadline for applications is September 24, 1985. The League strongly encourages interested city officials to submit their applications. Please pass this information on to your mayors and councilmembers.

For further information, please contact me at the League. We would be happy to assist in any way possible.

WATER RESOURCES BOARD LOCAL ADVISORY COMMITTEE has 15 vacancies open for persons representing counties, soil and water conservation districts, municipalities, townships and persons interested in water planning. The committee shall advise the Water Resources Board in the process of developing rules and information and an education program to implement the Comprehensive Local Water Management Act. Members are appointed by the Water Resources Board. Members receive expenses only. For specific information, contact the Water Resources Local Advisory Committee, 500 Lafayette Road, St. Paul, MN 55146; (612) 296-2840.

POLLUTION CONTROL AGENCY has one vacancy open for a member. The agency develops and implements programs to preserve and enhance the air, water and land resources of the state; adopts and enforces rules and regulations; issue permits to pollution sources. Members are appointed by the Governor and confirmed by the Senate. Members must file with the Ethical Practices Board; monthly meetings. Members receive \$35 per diem plus expenses. For specific information contact the Pollution Control Agency, 1935 W. County Road B-2, Roseville, MN 55113; (612) 296-7373.

MARKET ASSISTANCE PROGRAM COMMITTEE-LIQUOR LIABILITY has 12 vacancies open for the following members; a) four members representing casualty insurance companies; b) two members who are surplus lines agents or brokers; c) two members who are insurance agents; d) two members from the liquor industry; and e) two public members. The committee is established to assist liquor licensees in obtaining liquor liability insurance coverage. Members are appointed by the Commissioner of Commerce. Members receive no compensation or per diem. For specific information contact the Market Assistance Program Committee -- Liquor Liability, John Apitz, Department of Commerce, 500 Metro Square Bldg., St. Paul, MN 55101; (612) 297-1118.

183 university avenue east, st. paul, minnesota 55101 (612) 227-5600



Minnesota Charitable Gambling Control Board  
900 Summit State Bank Building  
310 4th Avenue South  
Minneapolis, MN 55415  
(612) 341-7676

FOR BOARD USE ONLY

### GAMBLING LICENSE APPLICATION (Class A, B, or C)

- INSTRUCTIONS:**
1. PRINT OR TYPE.
  2. Bring completed application to local governing body, obtain signature and date on all copies, and leave goldenrod copy. Applicant keeps pink copy and sends remaining copies to above address.
  3. Changes in application information must be submitted within 10 days after the change.

**Type of Application:**

- ☐ Class A - Fee \$100.00 (Bingo, Raffles, Paddlewheels, Tipboards, Pull-Tabs)  
☒ Class B - Fee \$ 50.00 (Raffles, Paddlewheels, Tipboards, Pull-Tabs)  
☐ Class C - Fee \$ 50.00 (Bingo only)

Make checks payable to: Minnesota Charitable Gambling Control Board.

Applicant (Official, legal name of organization) <b>FAMILY PLUS, INC.</b>	
Business Address <b>6121 EXCELSIOR BLVD. ROOM 100</b>	
City, State, Zip <b>ST. LOUIS PARK, MN. 55416</b>	
County <b>HENNEPIN</b>	
Business Telephone Number <b>(612 ) 920-0708</b>	Federal I.D. Number <b>41-1333502</b>
Type of Organization <input type="checkbox"/> Fraternal <input type="checkbox"/> Veterans <input type="checkbox"/> Religious <input checked="" type="checkbox"/> Other Nonprofit Organization	
Type of Organization Charter <input type="checkbox"/> International <input type="checkbox"/> National <input checked="" type="checkbox"/> State	
Number of Years in Existence (in Minnesota) <b>7yrs.</b>	Number of Articles of Incorporation (if incorporated) <b>16</b>
Location Where Articles are Filed <b>6121 EXCELSIOR BLVD. ROOM 100</b>	
Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
1. Does organization have a dues structure? If yes, number of active members _____	
<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Has organization been previously licensed by the Board? If yes, give date _____	
<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Has license ever been denied, suspended or revoked? If yes check all that apply: <input type="checkbox"/> Denied <input type="checkbox"/> Suspended <input type="checkbox"/> Revoked	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Is organization exempt from payment of U.S. income tax? If yes, attach copy of letter declaring exemption.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Is organization tax exempt from payment of Minnesota tax? If yes, attach copy of letter declaring exemption.	

Site Address <b>5630 LAKELAND AVENUE NORTH</b>		
City, State, Zip <b>CRYSTAL, MN. 55429</b>		
County <b>HENNEPIN</b>		
Yes	No	1. Are all gambling activities conducted at the above site? If no, complete a separate application form for each site as a separate license is issued for each site.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. Is site located within city/town limits?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3. Does organization own the site where gambling activity will be conducted? If no, attach copy of the lease for the site.
Lessor Name (if lease or rent) <b>THE IRON HORSE</b>		
Address <b>5630 LAKELAND AVENUE NORTH</b>		
City, State, Zip <b>CRYSTAL, MN. 55429</b>		
Gambling Manager Name <b>JOY HARRIS</b>		
Address <b>531 NORTH NEWTON AVENUE</b>		
City, State, Zip <b>MINNEAPOLIS, MN. 55405</b>		
The \$10,000 fidelity bond required by Minnesota Statutes 349.09 has been obtained.		
Company Name <b>ALLIED FIDELITY INS. CO.</b>		Bond Number <b>BOND PENDING</b>

**Name of Organization's Officers and Titles**

a. JERRY STRAUSS, CHAIRPERSON	c. RITA STELLICK, SECRETARY-TREASURER
b. MARGE ERICKSON, VICE-CHAIRPERSON	d. ALEXANDER, WILLIAM



Minnesota Charitable Gambling Control Board

**GAMBLING LICENSE APPLICATION**  
(Class A, B, or C)

**GAMBLING SITE AUTHORIZATION**

By my signature below, local law enforcement officers or agents of the Board are hereby authorized to enter upon the site, at any time gambling is being conducted, to observe the gambling and to enforce the law for any unauthorized game or practice.

**BANK RECORDS AUTHORIZATION**

By my signature below, the Board is hereby authorized to inspect the bank records of the General Gambling Bank Account whenever necessary to fulfill requirements of current gambling rules and law. **FAMILY PLUS, INC., NEW GAMBLING ACCOUNT.**

**OATH**

I hereby declare that

1. I have read this application and all information submitted to the Board;
2. All information submitted is true, accurate, and complete;
3. all other required information has been fully disclosed;
4. I am the chief executive officer of the organization;
5. I assume full responsibility for the fair and lawful operation of all activities to be conducted;
6. I will familiarize myself with the laws of the State of Minnesota respecting gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments thereto.

X	Official, Legal Name of Organization
X	Signature (Must be signed by Chief Executive Officer)
X	Title
X	Date

**ACKNOWLEDGEMENT OF NOTICE BY LOCAL GOVERNING BODY**

I hereby acknowledge receipt of a copy of this application. By acknowledging receipt, I admit having been served with notice that this application will be reviewed by the Charitable Gambling Control Board and if approved by the Board, will become effective 30 days from the date of receipt (noted below), unless a resolution of the local governing body is passed which specifically disallows such activity and a copy of that resolution is received by the Charitable Gambling Control Board within 30 days of the below noted date.

**LOCAL GOVERNING BODY**

Name of Local Governing Body <i>Peter H. Bergstad</i>
Signature of Person Receiving Application <i>Delores Ahman</i>
Date Received (This is date from which the 30 day approval begins) <i>Sept. 13, 1985</i>

**ORGANIZATION**

Name of Representative for Gambling License Applicant (serving notice) <b>JOY HARRIS, FOR FAMILY PLUS, INC.</b>
--

# CHARITABLE GAMBLING LEASE AGREEMENT

THIS LEASE AGREEMENT, made as of the 3 day of Sept 1985 by and between THE IRON HORSE (herein after referred to as "Lessor"), and FAMILY PLUS INC (hereinafter referred to as the "Organization").

WITNESSETH:

WHEREAS, Lessor is a BAR-RESTAURANT having its principal place of business at 5630 LAKELAND AVE N CRYSTAL MN 55429 and maintains a license to sell intoxicating beverages issued by the City of CRYSTAL Minnesota, which license is a PURSE authorizing sales at THE IRON HORSE under the name of WIDORIAN ENTERPRISES INC; and

WHEREAS, the Organization is a NON PROFIT organization organized under the laws of MINN having its principal place of business at 6125 ECELSAAR BLVD ST LOUIS PARK MN and which Organization is authorized by the laws of the State of Minnesota to conduct lawful gambling within the State upon issuance of the appropriate gambling license; and

WHEREAS, Lessor desires to lease to the Organization, and the Organization desires to lease from Lessor, certain space for the purpose of conducting lawful gambling;

NOW, THEREFORE, in consideration of the mutual covenants and undertakings contained herein, the parties agree as follows:

1. **Lease of Portion of Premises.** Lessor, in consideration of the rents and covenants hereinafter described, does hereby demise, lease and let to the Organization, and the Organization does hereby hire and take from the Lessor, the following-described premises located in the County of HENRIKSEN State of Minnesota:

Legal Description: THE IRON HORSE

Street Address: 5630 LAKELAND AVEN. CRYSTAL MN 55429

Demised Portion: SPACE BETWEEN LADIES' RESTROOMS IN LOWER LEVEL LOBBY, SEE DRAWING

which demised premises represents a portion of the above business premises as more fully described on the Premises Site Plan attached hereto and incorporated herein by reference as Exhibit A.

2. **Term of Lease.** The term of this Lease shall begin on the 1 day of OCT 1985 subject to the terms and conditions set forth herein. The term of this Lease shall end at midnight on the same calendar date as the beginning date one year thereafter.

3. **Lease Conditioned upon License.** The duties of Lessor and Organization under this Lease Agreement are expressly conditioned upon the issuance to the Organization of a gambling license by the Minnesota Charitable Gambling Control Board for a Class B License to conduct PULL TABS

Unless and until said license is issued to the Organization, the Organization shall have no duty to pay rent. Unless and until said license is issued to the Organization, Lessor shall have no duty to convey to Organization the above-demised premises.

4. **Rent.** The Organization shall pay to Lessor during the term of this Lease annual rent of \$2600.00 in monthly payments of \$216.67 each. If the first and last months of the lease term are not complete calendar months, the rent for those months shall be adjusted pro rata. Lessor is not required to send statements for rent to the Organization. Neither party may deduct claims against the other from the rent payments.

5. **Payment.** The Organization shall pay all monthly rent to Lessor at Lessor's principal place of business. Lessor may from time to time designate in writing another address for the payment of rent.

6. **Taxes.** Lessor shall pay all real estate taxes. The Organization shall pay all gambling taxes.

7. **Liability and Insurance.** Lessor will not be liable for injury, death or damage to or loss of personal property occurring upon the above-demised premises, nor to the Organization, its agents, employees or invitees, for injury, death or damage to or loss of personal property occurring within the above-demised premises. The Organization will hold Lessor harmless from any such claims or any other claims or expenses arising out of the Organization's use, alteration or occupation of the demised premises. The Organization will also keep in effect, at its cost, public liability insurance naming both Lessor and the Organization as insureds in the minimum amount of Twenty-Five Thousand and no/100 Dollars (\$25,000.00) combined single-limit for comprehensive general liability.

8. **Right to Make Alterations.** Lessor may construct or rehabilitate the above-demised premises, alter or replace structural elements and mechanical systems or make other changes in the demised premises without the consent of the Organization, so long as the usefulness of the demised premises is not significantly diminished. The Organization may install at its own expense leasehold improvements and alterations set forth on the Premises Improvement Plan attached hereto and incorporated herein by reference as Exhibit B.

9. **Subordination.** Lessor shall have the right to sell the above-demised premises or to make this Lease subject to any existing or future mortgages so long as such sale or foreclosure of the mortgage will not terminate this Lease, if the Organization is not then in default. The Organization will execute documents to this effect at Lessor's request.

10. **Surrender of the Premises.** Whenever the Lease expires or terminates, the Organization will remove all trade fixtures and property belonging to it, its agents or employees (but not leasehold improvements and alterations), repair any damage caused by removing items affixed to the above-demised premises and leave the demised premises in a reasonably orderly condition.

11. **Amendments to Lease Agreement.** This Agreement may be amended upon mutual, written consent and approval of both parties.

12. **Conduct of Gambling.** Lessor hereby agrees that it, and any employee or agent of the Lessor shall not participate in the selling, distributing, conduct, assisting or playing of lawful gambling at the demised premises. The Organization agrees to adhere to all ordinances governing gambling in Lessor's municipality and the regulations pertaining to gambling issued by the Minnesota Charitable Gambling Control Board and the laws of the State of Minnesota.

13. **Assignment.** This Lease may not be assigned by either party except upon mutual written consent and approval of both parties.

14. **Interpretations.** If any provisions of this Lease are in conflict with any statute, ordinance or rule of law of this State or any municipality wherein it may be sought to be implemented, then such provisions shall be deemed null and void to the extent that they may conflict therewith, but without invalidating the remaining provisions thereof. This Lease shall be governed by the laws of the State of Minnesota. This Lease shall be binding upon Lessor and the Organization and their respective legal representatives, successors and assigns.

IN WITNESS WHEREOF, and intending to be bound hereby, the Organization has caused this Lease to be executed by a duly authorized person as of the day and year first above written, and Lessor has accepted the same as set forth below

ACCEPTED by Lessor as of the 3 day of Sept 1985

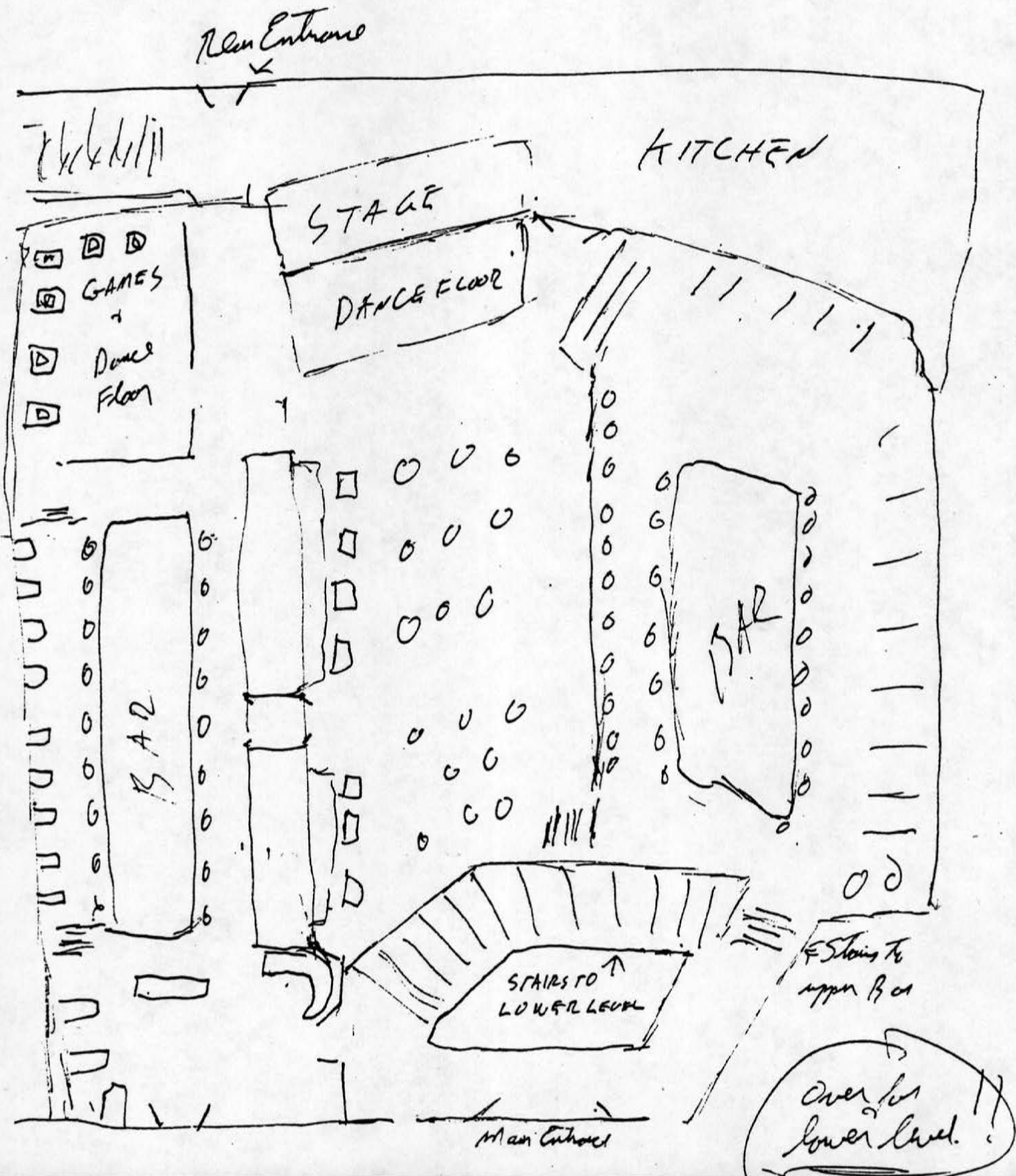
LESSOR:

THE IRON HORSE  
By: Jay M. Samuelson GM  
Its: \_\_\_\_\_

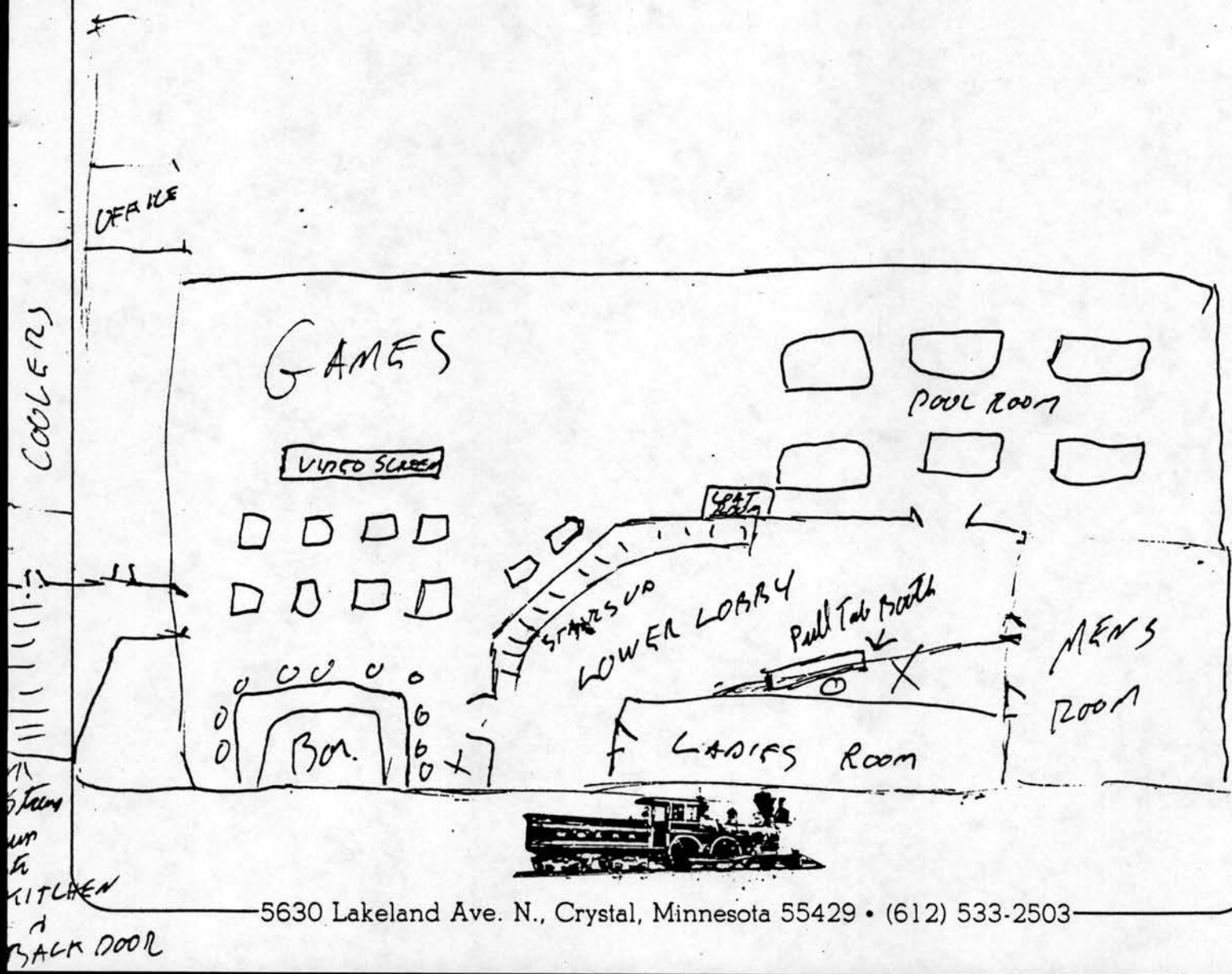
ORGANIZATION:

FAMILY PLUS INC  
By: Jay Hassel  
Its: Gambling Manager





# Iron Horse



Raymond O. Prozinski  
3027 Hampshire Rd.  
Crystal, MN, 55427

9-16-85

To: Delores Ahmann  
City Clerk  
City of Crystal

I wish to place my name before the City Council  
for consideration to fill the unexpired term  
as council member, Ward 1.

I have been a resident of this city continuously  
since 1957 and served several years on  
the Park and Recreation Advisory Commission.

I wish to become involved in city government  
and serve the best interests of my neighbors.

Thank you,

Raymond Prozinski



10 SEPTEMBER 1985

CITY MANAGER  
CITY OF CRYSTAL  
4141 DOUGLAS DRIVE  
CRYSTAL, MN 55439

DEAR JACK,

PLEASE ACCEPT MY RESIGNATION FROM THE CRYSTAL  
HRA EFFECTIVE 26 AUGUST 1985.

SINCERELY YOURS,

*Gerry*

GERALD F. NEWTON  
12095 DOGWOOD ST., N.W.  
COCOA RAPIDS, MN 55433



September 4, 1985

Honorable Mayor & City Council  
City of Crystal, MN

Re: Improvement Needs  
5409 - 56th Ave. N.  
Lenard Braun

Dear Councilmembers:

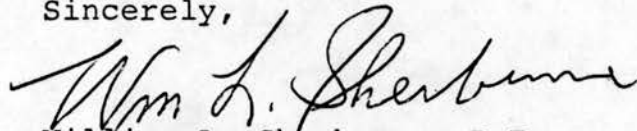
A study was made of the improvement needs as they pertain to the above-captioned site.

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 storm sewer and appurtenances to collect and dispose of surface water as shown on site plan.
- Grade site in accordance with plan submitted so that the property on the east can drain to the storm sewer.
- Sod all slopes steeper than 6:1.

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 180 days after issuance of building permit; 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 \$7,200.00 be required as a guarantee of the faithful performance of the above construction and requirements.

Sincerely,



William L. Sherburne, P.E.  
City Engineer

WLS:jrs

cc: John T. Irving, City Manager  
Don Peterson, Building Inspector  
Lenard J. Braun, 5417 - 56th Ave. N.  
Crystal, MN 55429

Encls

AGENDA 9/23/85

from Adm. Ass't. of 9/18 re rental of Room 117 at Thorson by Dist. 281; letter from Dist. 281 of 9/16 re same.

Memo from City Assessor of 9/9 re final revised 1985 assessed valuation estimate

Memo from City Treasurer re 1986 budget estimates dated 9/10/85

Memo from Ass't. City Mgr. re budget questions from Councilmember Herbes of 9/19 & answers.

Memo from Police Chief of 9/17 re pagers for Reserves  
Summary of Revenues as of 8/31/85.

SENT WITH AGENDA 9/24/85

Action Alert of 9/19 re possible Congressional action to regulate storm water discharges

Action Alert of 9/19 re possible Congressional action on Fair Labor Standards Legislation

Memo from Art Quady, Fire Chief of 9/17 re James Michels' Memorial.

18

September 24, 1985

Pursuant to due call and notice thereof, a Special meeting of the Crystal City Council was held on September 24, 1985, 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

Schaa f

**Smothers**

## Herbes

Aaker

Moravec

Rygg

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. Consideration of the lease agreement between Thorson Community Center and District 281 (if agreed upon by unanimous consent).

2. Ed Brandeen, Director of Parks and Recreation Department.



3. James Mossey, Chief of Police.

4. Miles Johnson, Finance Director.

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

September 23, 1985

Dear Councilmembers:

Some additional information and a reminder of tomorrow night's Special meeting as a workshop for the Council regarding the 1986 proposed budget.

I have been asked by Nancy Deno to ask you if you would take the time to act on a proposed rental arrangement for Thorson Community Center with District 281 for one of their programs on a part-time afternoon basis. I will enclose Nancy's memo for your information. Keep in mind that it will take unanimous agreement of the Council to discuss and act on this, should you decide to do so.

With the exception of John Schaaf, last Tuesday evening I gave you each a copy of the year-to-date summary of revenues and expenditures as of August 31. For John I am enclosing that with this memo.

I have also enclosed a copy of my most recent memo from Roger Olson regarding the assessed valuation figure to be used in this budget. Based on that memo, I asked Miles to refigure the needed mill rates. That memo is also enclosed for your information and can replace the previous memo you received as part of the proposed budget.

As I indicated at the Council meeting Tuesday evening, I received a number of questions from Betty Herbes regarding her review of the budget. Those questions and answers, prepared by John Olson, are also included in this packet. Staff will be able to answer any one of them in greater detail should you need that.

As you can see from the enclosed memo from Miles Johnson, there will be a slight increase (approximately 3 tenths of a mill). This should necessitate a slight increase in taxes for all Crystal taxpayers unless one of the other taxing jurisdictions reduces their levy in an amount sufficient to offset our slight increase.

I think I have told you verbally that staff has already removed approximately \$495,000 from the requests of the department heads. That was necessary to bring us under the levy limits imposed upon us by the Legislature. This budget, if adopted, will provide for approximately a \$4,000 cushion between this budget and the maximum levy limited by law. In previous years I have generally given you a run-down on the major things that have been taken out of each proposed departmental budget. As always, when a substantial amount must be taken out of a particular department budget, we together go over the standard day-to-day items and make adjustments where we mutually agree it is



necessary and in almost all cases, there is mutual agreement. In the case of capital outlay, or any substantial increase in any portion of the budget, I suggest to the department heads that they give me a prioritized list of their capital budget and any capital improvements they propose. When I receive them, we generally find them to be about the same as what we would have set had we done them by ourselves without their assistance and in most cases, we take the department head at his or her word and make reductions based on that prioritized list. That's not to say that from time to time we do deviate where I feel that one proposal deserves more merit than another. So what I am saying is that although in most cases there is mutual agreement in what is to be cut, that is not an absolute.

I'll briefly list by departments some of the major cuts I made and some basic reasons for those cuts.

<u>Department</u>	<u>Account</u>	<u>Items Changed</u>
1. Finance (13)	4551	Micro Computer
<p>You may recall in the 1985 budget we set a funded amount of approximately \$30,000 to upgrade our computer system for the City. We have done likewise for the 1986 budget, and although there is a possibility that we may do some upgrading in '85 and '86, sufficient funds for computerization upgrade will be in the budget so we removed it from the individual department budgets so it wasn't doubled up on.</p>		
2. City Buildings (14)	4551 4530	Carpeting in City Hall Partitions in Community Room and reduction in area where new ceiling would be placed
<p>We originally anticipated carpeting the main office and providing partitions in the Community Room so that more people could use that space on a given evening. The budget this year will not allow it so we are putting that off. We may be able to do it next year; if not, we may eventually look to the PIR fund for that kind of improvement, but at this time, we have removed it from budget consideration.</p>		
3. Police (15)	4100 4130 4310 4411  4540 (C.O.) 4551 (C.O.) 4552 (C.O.)	New Supervisor Community Service officers Reduction of Home Free request Elimination of 14-week session for supervisor 10 raincoats Micro computer 1 marked car, 2 staff vehicles, 1 CSO vehicle and 1 used vehicle

The Police Department didn't ask for a new person--they asked for one person to be upgraded to supervisor level. I am not thoroughly

convinced that's needed at this time, so I have taken out the funds. Budget would not allow for the expenditure of Community Service officers so that was removed and in doing so, we removed one vehicle. We reduced the amount requested for Home Free because it appeared to us that the level of service needed did not justify the amount of money that was being proposed. We will be dealing with these people in the future regarding the level of service needed in the City of Crystal and the costs associated with that. Sufficient funds remain in the budget to do everything necessary as far as the Police Department and I are concerned.

We eliminated a 14-week session at a supervisory school because we have provided in another portion of the budget sufficient funds to cover that education process if we decide it is necessary.

We removed a portion of the raincoats only to reduce the expenditures. The reason for the raincoats is explained in one of Betty Herbes' questions.

Again, the micro computer, if and when it is purchased, will come from a separate fund--the same fund suggested in the Finance Department requests.

I have also removed five vehicles from their request. The remaining number of vehicles in the Department will be sufficient to operate the Department.

4. Inspections (17)	4100	1 Building Inspector
---------------------	------	----------------------

Don Peterson requested one additional inspector. It is my opinion that, although at times that department is pressed, that pressing happens from time to time, and in my opinion, it does not justify an additional inspector, as I don't see that department missing any of their outside meetings, working overtime, or missing any of their requested vacations. They do get very busy from time to time because this is one of our largest building years in a long, long time, and maybe the largest for a long, long time. Had I received complaints about slowness in that department, I may have taken a different look at it, but to date, I have received none of that nature.

5. Civil Defense (18)	4552 (C.O.)	Patrol vehicle
	4553 (C.O.)	Cellular phone

We removed the request for the replacement of a vehicle and the cellular phone because of budget crunch and the vehicle will and must last another year at minimum. Regarding the phone, although it would be nice to have, other methods of communication will have to be used.

6. Engineering (19) 4551 (C.O.) Word processor and typewriter

Word processing for this department will serve as a micro computer terminal and, again, if purchased, will be purchased out of the funds provided for this activity in '85 or '86.

- |                |             |                          |
|----------------|-------------|--------------------------|
| 7. Street (20) | 4381        | Overhaul of motor grader |
|                | 4552 (C.O.) | Dump Truck               |
|                | 4553 (C.O.) | Typewriter               |

For the past few years, we have provided sufficient funds to overhaul the motor grader. As yet, it has not needed it and may not this year. Because of the budget crunch, we are gambling that it won't need it this year. Should our gamble prove wrong, we will have to use funds from the Emergency Allowance or PIR to make the necessary repairs. We needed these kinds of dollars to make the budget work this year.

We removed the dump truck because we feel we can get one more year out of it and it would help us make the budget this year. The typewriter is removed, basically because there are sufficient typewriters around should the need for one be established in the Street Department. At the present time; other people do the typewriting for the department.

- |              |             |   |
|--------------|-------------|---|
| 8. Park (21) | 4130        | 1 part-time person and 1 replacement for Tree Trust |
|              | 4235        | Reduction in ag lime and pathways                   |
|              | 4384        | Reduction in sealcoating                            |
|              | 4540 (C.O.) | Loader, mower and sprinkler                         |

Most of these reductions are made because of the necessity of reducing the budget to an allowable level with the exception of the one part-time person replacement for Tree Trust. It is our understanding that Tree Trust will be available to us again next year. That is some information the Park Department did not have when they made this request. The other items are just going to be put off for another year so that we can make this budget.

- |                |      |                                       |
|----------------|------|---------------------------------------|
| 9. Water (23)  | 4385 | Increase for roof repair at reservoir |
|                | 4530 | Building addition                     |
|                | 4540 | Loading spout                         |
| 10. Sewer (24) | 4530 | Building addition                     |

Although the sewer and water are separate enterprise funds and do not reflect on the taxes paid by the City, I have removed those items from the budget because I feel the building addition is not necessary at this time, and there are sufficient funds in the 1985 budget to repair the roof at the reservoir pump house. If that proves wrong, when bids are taken, we have increased the budget for the roof repair in 1986.

- |                     |      |                                  |
|---------------------|------|----------------------------------|
| 11. Recreation (25) | 4130 | Replacement for Tree Trust       |
|                     | 4310 | Change bus trips to account 4420 |



Again, they asked for people to replace the Tree Trust and, again, it is our information that Tree Trust people will be available so we will use them rather than other personnel.

Regarding 4310, we just changed the bus trips from that account to 4420, which is a more appropriate account.

- |                 |      |   |
|-----------------|------|---|
| 12. Health (26) | 4100 | 1 Sanitarian                                |
|                 | 4334 | Reduction based on 1 less person and usage. |

All reductions there, are because of the fact that I am not convinced that an additional sanitarian is needed. The support information the Sanitarian gave me did not convince me that it was necessary to have another person to make more inspections in food establishments. It seems to me that priorities can be set and additional inspections can be made with the present staff. This, coupled with the fact that we are slowly running out of space for them, convinced me that for at least another year, we would get by with the same personnel.

It is my understanding that the City of Brooklyn Park wishes an additional sanitarian to accommodate some of the services they want to provide in that town. I have suggested to them that maybe they would like to consider taking over the sanitarian program because I am aware of the space they have available to accommodate the present staff and any additional staff necessary. If they do, that adjustment in the budget will have to be made after the adoption time to accommodate them. Sufficient funds are in the Crystal budget to accommodate any adjustment necessary. It is my feeling that Brooklyn Park will probably back off for another year. At least I get that feeling from the staff I have talked to.

- |                   |      |                   |
|-------------------|------|-------------------|
| 13. Election (29) | 4551 | Election computer |
|-------------------|------|-------------------|

Although a new election computer would be nice and would very likely improve our counting speed, the budget this year would not accommodate the expenditure. Further study during the year 1986 may require further consideration with expenditure coming from another source. It is my opinion that if we can speed up the process prior to the next Presidential election, we should do so. Although this method we are using for voting and tallying votes has speeded up the operation in the polling place, it has not done so in the counting area and after the polls are closed. A high priority of the City should be to speed that process if at all possible and financially reasonable, but further study is necessary.

- |                           |      |   |
|---------------------------|------|---|
| 14. Non-Departmental (32) | 4990 | Contingency reserve increases for Thorson and motor grader overhaul |
|---------------------------|------|---|

We have increased this contingency fund to accomplish some needed repairs, if necessary, at Thorson and the motor grader overhaul which I remarked about earlier.

15. Tree Disease (34)      4130      No increase of Forester hours

The Department asked for an increase in Forester hours. I have removed that, again, to make the budget work.

16. Thorson      4100      Clerk  
                 4371      Decrease based on projected usage  
                 4372      Decrease based on projected usage  
                 4373      Decrease projecting non-usage  
                                 (Thorson contingency increased)  
                 4383      Structural repairs and gym ceiling  
                                 eliminated (PIR?)  
                 4530      Screens  
                 4550      TV for seniors  
                 4551      Office furniture for Clerk

You will be getting an additional memo that's being prepared by Nancy Deno regarding some of the structural repairs that are necessary. The budget will not handle all of these so it may be necessary to use PIR funds to accomplish some of those necessary repairs.

We have removed the clerk because the bussing project has made other arrangements to accommodate the necessary clerk-ing activities for that and we cannot justify a full-time clerk at this time at Thorson without that person doing work at least part-time on the bussing project.

Other items are reduced just because we felt that the usage would be less than anticipated. We removed the TV for seniors because that's already been purchased by another organization and given to Thorson for the seniors' use.

I hope this gives you a thumbnail sketch of what has been removed from the budgets requested by the department heads. I am sure this may raise questions in your mind and we will be prepared to answer them Tuesday evening. I plan to have Ed Brandeen, Jim Mossey and Miles Johnson in as you suggested and the proposed agenda is included.

See you tomorrow night.

J A C K

da  
enc.

P.S. A question was raised regarding the cost of pagers in the Civil Defense budget. I have enclosed a memo from Jim Mossey who indicates to me that the people who propose that in the Civil Defense budget got the numbers they used from Motorola. The memo should indicate how the number was arrived at.

September 24, 1985

MEMO TO: John T. Irving, City Manager  
FROM: Nancy Deno, Administrative Assistant  
SUBJECT: Rental of Room 117 - Revised Fee



Attached is another letter from Richard Sandmann, Supervisor of Resource and Classroom Services for District 281, concerning rental of Room 117 at Thorson.

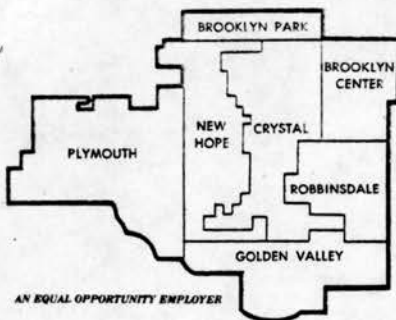
Since writing my last memo to you concerning this matter dated September 18, 1985, several changes have been made on rental conditions. I recommend we allow the rental of Room 117 to District 281 under the following revised circumstances:

- a. Rental fee of \*\$4.00/hour be charged for room usage as per the attached scheduled dates of room use by District 281.
- b. Room 117 will be available for use by the City of Crystal after 1:30 p.m. Monday through Friday and weekends, unless further arrangements are made and approved.
- c. A lease agreement be drafted by the City Attorney and signatures be obtained prior to room usage by District 281.

ND/lr

Enclosure





# INDEPENDENT SCHOOL DISTRICT 281

DONNA JEAN CARTER, Ph.D., SUPERINTENDENT

4148 WINNETKA AVENUE NORTH

MINNEAPOLIS, MINNESOTA 55427

(612) 533-2781

September 24, 1985

Ms. Nancy Deno  
Administrative Assistant  
City of Crystal

Dear Ms. Deno:

As a representative of the Robbinsdale Area Schools I am requesting the use of room 117 at Thorson Community Center from 8:30 a.m. to 1:30 p.m. Monday through Friday, October 21st - May 21st of the 1985-86 school year, a total of 128 days for 5 hours each day (see attached calendar).

The need for this room arises from the July U.S. Supreme Court decision in the Felton case and the Chapter I Services for Private School Children. This decision mandates Chapter I services be provided by the public schools on a neutral sight. This creates a problem because at this time all space in our public school buildings currently open are totally occupied.

I appreciate your consideration of this request.

Sincerely,

Richard Sandmann,  
Supervisor of Resource and  
Classroom Services

RS/da  
enc.

VISUAL CALENDAR - 85-86 YEAR

We will need Room 117 on the days that are not X'd out for each month of the school year.

**SEPTEMBER**

<del>1</del>	<del>2</del>	<del>3</del>	<del>4</del>	<del>5</del>	<del>6</del>
<del>7</del>	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30

**OCTOBER**

	<del>1</del>	<del>2</del>	<del>3</del>	<del>4</del>	
<del>5</del>	<del>6</del>	<del>7</del>	<del>8</del>	<del>9</del>	<del>10</del>
<del>11</del>	<del>12</del>	<del>13</del>	<del>14</del>	<del>15</del>	<del>16</del>
<del>17</del>	<del>18</del>	<del>19</del>	<del>20</del>	<del>21</del>	<del>22</del>
23	24	25	26	27	28

**NOVEMBER**

				1	
2	3	4	5	6	7
8	9	10	11	12	13
14	15	16	17	18	19
20	21	22	23	24	25

**DECEMBER**

1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30

**JANUARY**

		<del>1</del>	<del>2</del>	<del>3</del>	
4	5	6	7	8	9
10	11	12	13	14	15
16	17	18	19	20	21
22	23	24	25	26	27

**FEBRUARY**

1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24

**MARCH**

1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30

**APRIL**

	1	2	3	4	
5	6	7	8	9	10
11	12	13	14	15	16
17	18	19	20	21	22
23	24	25	26	27	28

**MAY**

			1	2	
3	4	5	6	7	8
9	10	11	12	13	14
15	16	17	18	19	20
21	22	23	24	25	26

**JUNE**

1	2	3	4	5	<del>6</del>
---	---	---	---	---	--------------

Total number of days each month are:

October 9 days; November 17 days; December 15 days;  
 January 18 days; February 18 days; March 15 days;  
 April 21 days; May 15 days; TOTAL 128 days.

September 18, 1985

MEMO TO: John T. Irving, City Manager

FROM: Nancy Deno, Administrative Assistant

SUBJECT: Rental of Room 117 at Thorson by District 281

Attached is a letter from Richard Sandmann, Supervisor of Resource and Classroom Services for District 281, concerning rental of 117 at Thorson.

I recommend we allow the rental of Room 117 to District 281 under the following circumstances:

- a. Rental fee of \$5.00/hour be charged for room usage - 8:00 a.m. to 1:00 p.m. Monday through Friday. \$5.00/hour is the current Meeting Room fee for Thorson.
- b. Room 117 will be used by District 281 from 8:00 a.m. to 1:00 p.m. Monday through Friday only, unless further arrangements are made and approved. Room 117 must be available for use as a meeting room afternoons, evenings, and weekends. (I have groups scheduled in the evenings in 117 through 1985.)
- c. A lease agreement be drafted by the City Attorney and signatures be obtained prior to room usage by District 281.

ND/lis

Enclosure

Jack -  
Can this item  
be placed on  
agenda? Sept 24th  
Nancy



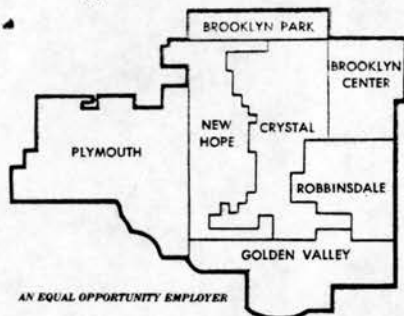
# INDEPENDENT SCHOOL DISTRICT 281

DONNA JEAN CARTER, Ph.D., SUPERINTENDENT

4148 WINNETKA AVENUE NORTH

MINNEAPOLIS, MINNESOTA 55427

(612) 533-2781



September 16, 1985

Ms. Nancy Deno  
Administrative Assistant  
City of Crystal

Dear Ms. Deno:

As a representative of the Robbinsdale Area Schools I am requesting the use of room 117 at Thorson Community Center from 8:00 a.m. to 1:00 p.m. Monday through Friday, October 1st - May 23rd of the 1985-86 school year.

The need for this room arises from the July U.S. Supreme Court decision in the Felton case and the Chapter I Services for Private School Children. This decision mandates Chapter I services be provided by the public schools on a neutral sight. This creates a problem because at this time all space in our public school buildings currently open are totally occupied.

I appreciate your consideration of this request.

Sincerely,

*Richard Sandmann*

Richard Sandmann,  
Supervisor of Resource and  
Classroom Services

RS/da

M E M O R A N D U M

TO: John T. Irving, City Manager  
FROM: Roger M. Olson, City Assessor  
SUBJECT: Final Revised 1985 Assessed Valuation Estimate  
DATE: September 9, 1985

Real Property 8-5-85 run shows	128,239,089
Personal Property (Estimated)	+ 2,700,000
Fiscal Disparities net gain (Estimated)	+ 13,187,121
Tax Increment	<u>- 2,955,051</u>
	141,171,159

Use 141,250,000 for budgetary Projections for  
1985 payable 1986.

This Final Revised Assessed Valuation Estimate is based  
on new figures by Hennepin County, which includes all  
legislative changes as well as the 10% increase in  
Commercial and Industrial Values, and the actual  
tabulation of the Tax Increment.

cc: Miles Johnson  
John Olson

September 10, 1985

TO: John T. Irving, City Manager  
FROM: Miles D. Johnson, City Treasurer  
SUBJECT: 1986 Budget Estimates

The latest numbers, after completion of Form #280 (Special Levies), are as follows:

	<u>1984-85</u>		<u>1985-86</u>	
	<u>\$</u>	<u>Mills</u>	<u>\$</u>	<u>Mills</u>
General Fund	1,840,987.	13.449	1,951,318.	13.815
Audit Fund	12,000.	.088	12,500.	.089
Police Relief Assn.	217,794.	1.591	203,546.	1.441
Fire Relief Assn.	30,800.	.225	30,800.	.218
Debt Service Fund	25,300.	.185	24,400.	.173
City Pension Fund	200,000.	1.462	220,000.	1.558
	<u>2,326,881.</u>	<u>17.000</u>	<u>2,446,880.</u>	<u>17.294</u>
HRA (Incl. Relocation)	46,332.	.363	51,546.	.363
		<u>17.363</u>		<u>17.657</u>

The above 1985-86 mill calculations are based on the preliminary estimated assessed valuations of \$141,250,000. (dated 9-9-85)

1986 Levy Limits

Calculations of Levy Limits

General Fund (Max.)	\$ 1,955,634.
Audit Fund	12,500.
Police Relief	203,546.
Fire Relief	30,800.
Debt Service Fund	24,400.
City Pension Fund	220,000.
	<u>\$ 2,446,880.</u>
Less amount to be <u>excluded</u> from Levy Limits	- 439,593.
	<u>\$ 2,007,287.</u>



MEMORANDUM

TO: John T. Irving, City Manager  
FROM: James F. Mossey, Chief of Police  
DATE: September 17, 1985  
RE: Pagers for Reserves



The pagers requested for the police reserves are listed at \$325.00 each, \$15.00 for carrying cases, and \$25.00 for group call. Group Call is a system for using one button to page all the pagers at the same time. The total is then \$365.00 per pager. We have added 15% increase for 1986 price adjustment. Therefore, the pagers will cost \$420.00. Or, as follows:

\$325.00	Pager
15.00	Carrying Case
25.00	Group Call
<u>\$365.00</u>	
15%	1986 price increase
<u>\$420.00</u>	Total Cost

If you have any questions, please give me a call.

JFM/bc

CITY OF CRYSTAL  
JUSTIFICATION OF CAPITAL OUTLAYS REQUESTS  
BUDGET YEAR 1986

- 
1. Department: Police Reserves                      Dept. No. 18                      Acct. No.
- 
2. Give description and quantity of item requested. Indicated date desired.  
15 radio controlled-tone activated pagers with group call and carrying cases,  
chargers and batteries.                      needed 1/86
- 
3. Describe the necessity for and/or benefits or savings expected from this item.  
The reserve officers would carry these pagers with them and thus be available for immediate call out. This  
procedure would allow for the dispatchers to follow a one-step call-out system similar to the Fire Dept. call-out.
- 
4. If the item requires an increase in personal services for the activity, state the job title(s) contingent upon the item.
- N/A
- 
5. Indicate any expenses necessary to place this item in operation and whether these expenses are included in your budget request.
- N/A
- 
6. List any item which will be replaced by this purchase. State recommendations for disposition of this item. For example,  
trade-in, salvage, discard, etc.  
7 Motorola Monitor pagers to be transferred to other areas, or traded.
- 
7. Estimated Cost: \$6,300
- 
- Quantity: 15                      Unit Cost: \$420.00                      Total Cost: \$6,300.00
-

325 PAGER

15 CARRING CASE

25 GROUP CALL

---

365

X.15% increase in 1986

---

420.<sup>00</sup> per unit



September 19, 1985

MEMO TO: John T. Irving, City Manager

FROM: John A. Olson, Assistant City Manager

SUBJECT: Budget Questions from Councilmember Betty Herbes

The following are answers to questions raised by Councilmember Betty Herbes concerning the 1986 Budget request:

1. Police Unfunded Accrued Liability—Miles Johnson will be providing a report on the Unfunded Liability and it will be attached to this memo.
2. Department 14, Page 33, Account 4373 (Heating oil)—We have budgeted for heating oil for the last several years; however, we have not used any or very little because Minnegasco has changed its policy on interruptable gas service. The temperature at which they change from gas to oil has been lowered so that there are fewer times which we switch to oil. The tanks are almost full and we felt no need to continue with this expenditure at least for 1986.
3. Department 14, Page 35, Account 4990 (Exercise facility—how come it has not started?)—This is an amount in 1985 for exercise facility for employees. We are awaiting architect final plans and costs, and, at this time, we are in the final process of establishing a proper evaluation and exercise program to go along with the facility.
4. Department 15, Page 42, Account 4552 (What was requested for \$106,500?)—The request was for five marked vehicles, two staff vehicles, one CSO vehicle, and one used vehicle in the Police Department.
5. Department 15, Page 39, Account 4310 (What is this?)—This is an expenditure for the Home Free domestic abuse project which we have participated in the last couple of years.
6. Department 15, Page 41, Account 4391 (Why is there \$8,000 more in this account?)—The Police Department has consolidated all of the maintenance agreements for the communications system into one category. This includes the new console and base station and the portable units and the mobile units.
7. Department 15, Page 41, Account 4404 (Why is this \$5,000 more?)—This expenditure is for the Posse information system and the maintenance of that system with Logis (the computer joint organization of which the City is a member).

8. Department 15, Page 42, Capital Outlay Account 4540 (When were raincoats last purchased?)—In the past raincoats were supplied in each vehicle. A good portion of the time they sit in the vehicle and getting dirty and aging to the point of being unusable. This expenditure is to purchase a raincoat for each officer so that the raincoats are kept in better condition.
9. Department 15, Page 42, Capital Outlay Account 4551 (What is a micro-cassette recorder for \$900 and who are we buying them from?)—This expenditure is for three micro recorders for use by officers for dictating information. No company has been designated.
10. Department 15, Page 42, Capital Outlay Account 4552 (Will the marked vehicles have power windows and power door locks?)—The marked vehicles requested in the budget will have power windows and power door locks as bid through Hennepin County.
11. Department 16, Page 44, Account 4551—Clothing (What is the \$1,125 more for clothing?)—This expenditure is to purchase coveralls for all Fire Department personnel.
12. Department 16, Page 49, Capital Outlay Account 4530 (The 10 mobile radios were in the Budget for last year)—The Police Department and Fire Department are purchasing mobile radios on a three-year purchase plan; therefore, they have allocated money in 1985, 1986, and will do so in 1987 to complete the purchase of the radios.
13. Department 18, Page 62, Account 4410 (What is the \$4,000 for?)—The \$4,000 in the Miscellaneous Account should be in the 4411 Conference and Schools Account and has been requested to provide emergency medical technician training for all police reserve members.
14. Department 18, Page 63, Capital Outlay Account 4540 (Who are the 15 pages for and who are we purchasing them from? Is this a bid?)—The pages requested are to replace existing pages for the 15 police reserve members. No company has been designated as a supplier for this item.
15. Department 21, Page 83, Account 4384 (What streets are involved?)—The expenditures for the seal coating of the streets adjacent to the parks and also for some pathways and for overlays on pathways and basketball courts.
16. Department 22, Page 88, Account 4310 (What professional services are for weeds?)—The Weed Department Budget was presented in two options—one was to purchase new equipment in the amount of approximately \$23,000; the other option was to contract out for the actual weed cutting from persons who do this for other cities. We chose to recommend the method of hiring someone to do our weed cutting rather than purchasing the equipment and mowing as we have been in the past. We have been nursing the equipment along for the last three or four years, and it has reached the point for replacement.

17. Department 23, Page 94, Account 4237 (How come this account is so much higher than in 1983?)—This account is used for purchasing new meters and horns. New construction of homes, apartments, and commercial buildings has required the purchase of more meters, including some larger meters at higher cost. In addition, the present 20-year old meters are more difficult to repair because of the lack of parts. We are purchasing new meters to replace them instead of repairing them.
18. Department 25, Page 110, Account 4361 (No insurance for this year?)—The insurance in this account was insurance for for the ski hill. All our insurance has been consolidated into one account in Department 32. We attempted in 1985 to break out costs for this insurance and also insurance for the swimming pool. However, it is more difficult to keep track of and, therefore, we are consolidating all our insurance into one account.
19. Department 25, Page 111, Account 4410 (What is this?)—In the past, the dues and memberships for teams in the Minnesota Park and Recreation Association have been charged to 4413. However, this makes it difficult for us to break out the costs of normal dues and subscriptions which the department itself requests for its personnel. Therefore, during the Budget review process, we requested the Recreation Department to break out an amount of money equal to costs for teams to be registered as members of MPRA. This is the account in which we placed that amount. We hope this will help the accounting process.
20. Department 26, Page 119, Capital Outlay Account 4551 (What is the \$6,500 for a micro computer?)—As you may remember, the Health Department is a three-city joint powers operation. The City of Crystal charges the other two cities for the cost of running this department. In 1985 and 1986 we have consolidated all computer requests into one budget amount so that we may purchase like equipment. However, because we charge other cities for the cost of running the Health Department, we have left this amount in the department and will then bill the other cities for its purchase. We still will coordinate the purchase of this equipment with the rest of the equipment in the City.
21. Department 31, Page 152, Account 4361 (Where's the insurance for the swimming pool?)—As I explained in Department 25, insurance has been consolidated into Department 32. The experiment with breaking out the cost of insurance in each department did not work and, therefore, again it is consolidated into insurance categories in Department 32.

I hope these answers are sufficient to the questions. If more information is needed, we can provide it either before or at the special meeting on September 24, 1985.

JAO/lb



September 19, 1985

Honorable City Council  
City of Crystal

I have been asked to do some comparisons and to make comments on the unfunded accrued liability of the City of Crystal Police Pension Fund. The following is some statistical data to be shared:

	<u>1982</u>	<u>1983</u>	<u>1984</u>
Accrued Liabilities	\$ 4,571,559	\$ 5,392,713	\$ 5,711,290
Actuarial Assets	2,414,724	2,734,933	3,103,815
Unfunded Accrued Liability	2,156,835	2,657,780	2,607,475
% Funded	53%	51%	54.3%
Service Pensioners	7	7	8
Disabilitants	5	6	7
Widows and Survivors	1	1	1
Active Members	17	16	14
Average Age of Active Members	42.9	43.7	43.3
Service Years " "	13.4	14.3	14.6
City Tax Levy	\$ 109,520	\$ 172,233	\$ 217,794
State Aid for Deficit (1st Year 1982)	\$ 13,524	\$ 13,524	\$ 13,524
Auto Insurance Rebate (Ratio, City Pension/PERA)	\$ 46,873	\$ 44,788	\$ 39,914
Base Pension w/20 years (Fully escalated) (1985 is \$1,021.56)	\$ 842.19	\$ 917.88	\$ 973.00
Average Rate of Return or Portfolio	12.71%	11.48%	11.07%

The above figures are just a few of many figures that have been taken from either the yearly actuarial survey of Gabriel, Roeder, Smith & Company or the annual financial report which I prepare.

The increase in the funding level of the City of Crystal (1985-86 \$203,546), which has reached a reasonable plateau, has helped stabilize the deficit. This deficit will be funded by 2010 as set by Minnesota Statutes. The abnormally large proportion of disabilitants to normal service pensions has been a major factor in the unpredictable level of the unfunded accrued liability.

Crystal City Council  
September 19, 1985

Page 2

The distribution of the "Auto Insurance Rebate" is in a ratio of Police Officers under State PERA pension to City of Crystal Police Pension (active employees).

The last active employee in the City of Crystal Pension Plan will not reach age 50 until the year 2002.

  
Miles D. Johnson,  
City Treasurer

MDJ/mc

SUMMARY OF REVENUES AS OF AUGUST 31, 1985  
Normal Percentage = 66.7%

GENERAL FUND 01

Acct. No.	TAXES	Estimated Revenue	Receipts Current Mo.	Receipts Yr. to Date	Percentage Received
3011	Current Ad Valorem Taxes	1,796,112.00	87,671.57	803,485.01	44.7
3012	Deliq. Ad Valorem Taxes	.00	.00	56,719.08	
3013	Penalties & Interest	6,000.00	.00	5,955.52	99.3
3014	Forfeited Tax Sale	.00	.00	2,979.65	
3015	Prepaid Special Assessment	.00	.00	.00	.0
	Sub Total	1,802,112.00	87,671.57	869,139.26	48.2
	<u>LICENSES &amp; PERMITS</u>				
3111	Liquor Licenses, On Sale 6/30*	49,500.00	.00	27,500.00	55.6
3112	Liquor Licenses, Off Sale 6/30*	2,200.00	.00	2,083.35	94.7
3113	Beer & Tavern Licenses 6/30*	6,500.00	.00	6,999.00	107.7
3114	Club Licenses 6/30*	2,100.00	.00	2,620.00	124.8
3115	Garbage & Refuse Licenses 6/30*	1,600.00	.00	1,567.50	98.0
3116	TaxiCab Licenses	400.00	.00	.00	
3117	Music Box, Misc. Licenses	12,000.00	.00	4,247.50	35.4
3118	Food Handling Licenses	12,000.00	267.25	3,451.01	28.8
3119	Gas Pump & Station Licenses	2,200.00	.00	647.33	29.4
3121	Bowling Alley Licenses	580.00	.00	.00	
3123	Cigarette Licenses	900.00	4.00	173.50	19.3
3124	Misc. Licenses	3,000.00	.00	277.81	9.3
3125	Billboard, Sign Hangers Licenses	900.00	.00	756.75	84.1
3126	Plumbing, Gas Licenses & Cards	5,000.00	60.50	3,182.50	63.7
3127	Sign Licenses 5/15*	11,200.00	.00	9,824.25	87.7
3128	Tree Trim Licenses	600.00	55.00	495.00	82.5

\* Due date if other than 12/31



## SUMMARY OF REVENUES AS OF AUGUST 31, 1985 (continued)

Page 2

Acct. No.	TAXES	Estimated Revenue	Receipts Current Mo.	Receipts Yr. to Date	Percentage Received
3150	Dog Licenses & Pound Fees 5/31*	7,000.00	402.00	6,052.50	86.5
3151	Building Permits	65,000.00	8,631.29	95,133.38	146.4
3153	Plumbing Permits	9,000.00	1,740.25	9,798.50	108.9
3154	Sewer Permits	1,000.00	255.00	1,875.00	187.5
3155	Water Permits	1,200.00	285.00	1,965.00	163.8
3157	Driveway Permits	300.00	195.00	1,395.00	465.0
3158	Street Excavation Permit	3,000.00	.00	5,384.00	179.5
3159	Misc. Permits	.00	18.00	18.00	
3161	Gas Permits	5,500.00	505.50	5,243.50	95.3
3162	Burglar Alarm Permits 5/15*	1,900.00	.00	1,518.00	79.9
3163	Mechanical Permits	10,000.00	1,038.04	10,335.04	103.4
3164	Sign Permits	2,200.00	179.20	1,492.57	67.8
3165	Parking Permits	.00	10.00	60.00	
3166	Restaurant Hoods	.00	75.00	700.00	.0
	Sub Total	216,780.00	13,721.03	204,795.99	94.5
	<u>STATE SHARED TAXES</u>				
3350	Local Government Aid	1,388,809.00	231,468.14	462,936.28	33.3
3351	State Aid Streets	50,000.00	.00	66,212.10	132.4
3352	Machinery Tax Replacements	.00	.00	.00	.0
	Sub Total	1,438,809.00	231,468.14	529,148.38	36.8

\* Due date if other than 12/31

## SUMMARY OF REVENUES AS OF AUGUST 31, 1985 (continued)

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Acct. No.	OTHER SERVICES	Estimated Revenue	Receipts Current Mo.	Receipts Yr. to Date	Percentage Received
3500	Misc. Receipts	8,000.00	268.44	2,170.55	27.1
3501	NWSCC and CAC	.00	20.87-	2,473.77	
3511	Spec. Rezoning Appli. Chge.	6,500.00	75.00	3,900.00	60.0
3512	Sale of Maps, Documents, etc.	200.00	25.50	125.89	62.9
3513	Engineering & Clerical Fees	35,000.00	.00	.00	
3514	Weed Cutting Charges	1,000.00	251.04	522.08	52.2
3515	Filing Fees	.00	.00	35.00	
3516	License Investigation	1,000.00	200.00	1,125.00	
3517	Jail & Breathalyzer Test	1,500.00	.00	.00	
3568	Accident Reports	700.00	138.50	819.50	117.1
3569	Special Assessment Searches	2,200.00	380.00	3,045.00	138.4
3570	Sanitarian Cost & Reimbursements	75,000.00	.00	20,924.27	27.9
3580	Recreation Program Receipts	127,564.00	4,271.83	93,075.73	73.0
3581	Crystal Facilities Used	.00	.00	182.70	
3582	Non-Budget Activities	300.00	3,365.00-	138.29	46.1
3590	Refunds & Reimbursements	74,500.00	.00	13,289.04	17.8
3592	Misc. Land & Equipment Sales	10,000.00	23,058.05	28,226.55	282.3
3593	Miscellaneous Transfers	.00	.00	.00	
3594	Building Sub-Rental	500.00	120.00	690.00	138.0
3595	Waste Oil Revenues	2,500.00	.00	1,266.10	50.6
3599	Interest Earned	140,000.00	.00	.00	
3610	Court Fines	145,000.00	.00	168,999.45	116.6
3630	Forfeited Bail	.00	.00	2,935.00	
	Previous Year Fund Balance	500,000.00	.00	500,000.00	.0
	Sub Total	631,464.00	25,312.49	343,943.92	54.5
	FUND TOTALS	4,589,165.00	358,173.23	2,447,027.55	47.6

\* Includes a prior month correction

## SUMMARY OF REVENUES AS OF AUGUST 31, 1985 (continued)

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Acct. No.		Estimated Revenue	Receipts Current Mo.	Receipts Yr. to Date	Percentage Received
	<u>FUND #83 THORSON SCHOOL</u>				
3500	Miscellaneous Receipts	.00	.00	5.00	
3580	Recreation Program Receipts	13,862.00	240.00	4,161.25	30.0
3582	Non-Budgeted Activities	.00	200.00-	181.84-	
3770	Office Rental	106,470.00	12,185.58	59,363.66	55.8
3771	Gym Rental	200.00	.00	5,643.49	821.7
	TOTALS	120,532.00	12,225.58	68,991.56	57.2
	<u>FUND #81 UTILITY FUND</u>				
3500	Miscellaneous Receipts	.00	211.42	211.42	
3580		.00	.00	156.00	
3739	Misc. Income - Water	2,000.00	53.55	592.58	29.6
3740	Water Sales	680,000.00	91,676.05	459,891.64	67.6
3741	Penalties Earned - Water	12,000.00	1,065.27	8,417.91	70.1
3742	Sale of Meters	8,000.00	3,190.60	10,516.55	131.5
3744	Metro Waste Reimbursement	5,000.00	.00	.00	
3759	Misc. Income - Sewer	1,000.00	89.25	42,312.08	231.2
3760	Sewer Service Revenue	845,324.00	88,941.23	652,190.92	66.5
3761	Penalties Earned - Sewer	14,000.00	935.56	10,921.51	78.0
	TOTALS	1,579,324.00	186,162.93	1,101,889.41	69.8
	<u>FUND #82 STREET LIGHTING</u>				
3764	Street Lighting Revenue	97,455.00	10,268.57	67,041.28	68.8
3765	Penalties Earned	1,500.00	125.46	1,284.36	69.0
	TOTALS	98,955.00	10,394.03	68,325.64	69.0



SUMMARY OF GENERAL FUND SPENDING  
as of August 31, 1985  
Normal Percentage = 66.7%

DEPARTMENT	#	BUDGET AMOUNT	ENCUMBRANCES	CURRENT EXPENDITURES	TOTAL *EXPENSES	RATIO	UNEMCUMBERED BALANCE
Mayor & Council	10	\$ 90,450	520.00	12,485.91	70,844.03	78.9	19,085.97
Administration	11	408,682	647.35	31,081.24	247,017.23	60.6	161,017.42
Assessing	12	86,085		7,502.24	52,528.60	61.0	33,556.04
Finance	13	89,370	129.00	7,106.88	54,855.40	61.5	34,385.60
City Buildings	14	183,725	3,266.46	16,479.94	97,027.57	54.6	83,430.97
Police	15	1,146,025	904.94	88,917.78	755,960.81	65.0	408,359.25
Fire	16	164,767	6,387.65	8,133.38	82,720.35	54.1	75,659.00
Planning & Inspection	17	79,757		6,408.55	48,690.42	61.0	31,066.58
Civil Defense	18	48,900	70.00	2,989.55	29,803.25	61.1	19,026.75
Engineering	19	172,710		12,829.93	107,559.58	62.3	65,150.42
Street	20	488,401	1,749.41	29,431.41	270,702.47	55.8	215,949.12
Park	21	352,874	3,728.76	29,734.32	204,890.09	59.1	144,255.15
Weed	22	5,870		1,000.81	3,402.59	58.0	2,467.41
Recreation	25	276,978	2,956.43	33,057.82	179,853.95	66.4	93,167.62
Health	26	106,936	167.62	9,763.52	61,072.60	57.3	45,695.78
Civil Service	27	16,100		2,218.18	6,853.68	42.6	9,246.32
Legal	28	75,000		8,513.50	51,414.19	68.6	23,585.81
Elections	29	14,725	260.00	11.92	371.95	4.3	14,093.05
Misc. Commissions	30	1,715		86.20	522.35	30.5	1,192.65
Swimming Pool	31	71,901		22,811.26	52,632.46	73.2	19,268.54
Non-Departmental	32	685,424		77,321.46	465,475.63	67.9	219,948.37
Tree Disease	34	48,395	.00	606.09	30,909.48	63.9	17,485.52
TOTALS		4,634.040	21,787.62	408,491.89	2,875,108.68	62.5	1,737,093.70
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Thorson - Fund #83		181,671	494.22	12,585.51	79,004.82	43.8	102,171.96
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Utility Fund - #81							
Water	23	776,187	5,990.05	19,391.99	432,308.30	56.5	337,888.65
Sewer	24	899,962	5,463.96	65,246.10	570,406.46	64.0	324,091.58
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TOTALS		1,676,149	11,454.01	84,638.09	1,002,714.76	60.5	661,980.23