

Crystal (Minn.).
City Council Minutes and Agenda Packets.

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COUNCIL AGENDA

August 4, 1987

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on August 4, 1987, at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota. The Secretary of the Council called the roll and the following were present:

Council	members	Staff		
PL	angsdorf			
P R	Rygg	P	Olson	
1 N	Moravec	P	Kennedy	7:0)
P s	mothers	-8	Monk	
P A	Aaker	P	Peterson	
P 1	ерра	P	Deno	
P H	Ierbes	-8	George	

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

The City Council considered the minutes of the regular City Council meeting of July 21, 1987 and the Special City Council meeting of July 28, 1987.

Moved by Councilr (approve) (approve, making	nember <u>#</u> and the following excep	seconded by	Councilmemb	er <u>Sm.</u> to
the minutes of the regular		ing of July 21	1, 1987 and the	to) Special City
Council meeting of July 2	8, 1987.		Moti	on Carried.

REGULAR AGENDA

. \$125.44

1. The Mayor and City Council presented recycling checks to Boy Scout Troop #530 and St. Raphael's School. \$542.92 (from met Council Torrage Payment Program)

7:05 Kennidy arrived

2. John Evans, Metropolitan Councilmember, presented a \$5,000 incentive grant check to the City of Crystal for recycling.

Mayar received check.

3. It being 7:00 P.M., or soon thereafter as the matter may be heard, Mayor Aaker declared this was the date and time as advertised for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request from Randy Lee Asleson for a variance of 6'1" in the required 30' side street side yard setback for the construction of a 24' x 35' addition to the existing house at 6105 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 A and seconded by Councilmember Mor. to (approve as recommended by and based on the findings of fact of the Planning Commission) (deny) (continue until the discussion of) the authorization pursuant to Section 515.55 of the Crystal City code to vary or modify the strict application of Section 515.13, Subd. 3 a) 2) iii) to grant a variance of 6'1" in the required 30' side street side yard setback for the construction of a 24' x 35' addition to the existing house at 6105 Douglas Drive as requested in application #87-48.

4. It being 7:00 P.M., or as soon thereafter as the matter may be heard, Mayor Aaker declared this was the date and time as advertised for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request from Anthony Nicklow for a variance of 6.25' in the required 22' front yard setback for construction of a 14' x 30'6" deck on the existing building at 3516 Lilac Drive (Nicklow's Restaurant). 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)

Tony 2. Nicklow E.

Stewart Christine? = Litter, weeds, parking problems, Handicap

Sturges Banker = State restrictions on parking?

R/Sm. 81 gr 6. 500) 15 - 1 -400,

Moved by Councilmember and seconded by Councilmember to (approve as recommeded by and based on the findings of fact of the Planning Commission) (deny) (continue until _______ the discussion of) the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.13, Subd. 2 b) 1) to grant a variance of 6.25' in the required 22' front yard setback for construction of a 14' x 30'6" deck on the existing building at 3516 Lilac Drive as requested in application #87-49.

5. It being 7:00 P.M., or as soon thereafter as the matter may be heard, Mayor Aaker declared this was the date and time as advertised for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request from James and Patricia Zwack for a variance of 12' in the required 40' rear yard setback to build an 8' x 14' addition to the existing house at 5419 - 50th Avenue North. 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)

Spring Ken Lindberg, 5334 Hampshire aux. No. Dan Mruz 4944 Vera Cruz = concerned about resale of his property James Zwack, owner appeared

Moved by Councilmember Line and seconded by Councilmember Line to (grant as recommended by and based on the findings of fact of the Planning Commission) (deny) (continue until the discussion of) the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.13, Subd. 4 a) to grant a variance of 12' in the required 40' rear yard setback for an 8' x 14' addition to the existing house at 5419 - 50th Avenue North as requested in application #87-50.

Motion Carried.)

b.	declared this was the date and time as advertised for a continued public hearing at which time the City Council will consider Storm Sewer Project #87-4. The Mayor asked those present to voice their opinions or ask questions concerning this storm sewer project. Those present and heard were:
A	Jor Sow Rohn 500 tillshire Blod.
	Jor Sow Rohn 500 Wilshire Blod. Against Ken Lindberg, 5334 Lampshire Aus. Ho. John Paulson, 320-41. Edge wood, Holden Valley (57 th Kentucky)
	against Frank Sprague, 5517 BCR (56 aux No.)
	t (lived) Elwood 57th & Elmhurst
	against Lerry thompson, 57 Street 6517-57 th aus. No. against Ray Whathiew, 5756 Nevada

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

RESOLUTION NO. 87-

RESOLUTION REGARDING BASS LAKE ROAD STORM SEWER RELIEF PROJECT #87-4; AUTHORIZING PREPARATION OF CONSTRUCTION PLANS AND SPECIFICATION, AND TO SOLICIT CONSTRUCTION BIDS FOR SUCH PROJECT

By roll call and voting aye: [], [m, [44], , , , , ; voting no: [], [], [], [], [], [], [], []
Moved by Councilmember In. and seconded by Councilmember Leve to (deny) (continue until the discussion of) the resolution regarding the Bass Lake Road Storm Sewer Relief Project #87-4.
Motion Carried.

Mayor declared Searing Closed Recess 8:55

Coun	ich Agenda	- 3 -	August 4, 1987
8. 4	The City Council considered site retail center at 3640 Winnetka A	venue North	
* 7.	Dan Revich, Pri-x Marcia Ditch	Star Development - 3140 Utak Ale	ue. No.
2			
	Moved by Councilmember surety in the amount of \$83,000 requirements as a condition of twinnetka Avenue North.	as a guarantee of fait	for a retail center at 3640
		0	Motion Carried.
	Moved by Councilmember (continue until \$83,000 for a retail center at 36 months to continue)	and seconded by Co the discussion of) setting 40 Winnetka Avenue Nor with	uncilmember to (deny) ng surety in the amount of th. Motion Carried.
7 8.	The City Council considered a rec #86-10 that was issued on May 6	quest from Gerald Smith	for an extension of Variance
	Moved by Councilmember (deny) (continue until	and seconded by Courthe discussion o	ncilmember In to (approve) f) an extension of Variance
	(deny) (continue until #86-10 for Gerald Smith to expir	e 8-4-88 ach	Motion Carried
9.	The City Council considered a readdress? 34,5 Lausiana	quest for a monument sig	gn at Olivet Baptist Church.
	Moved by Councilmember (approve) (deny) (continue until monument sign at Olivet Baptist	the dis	y Councilmember Rygg, to coussion of) a request for a
	monament sign at onvet baptist	Onar Cir.	Motion Carried.

10.	The City Council considered the First Reading of an ordinance amending the Civil Service System and consideration of a Civil Service Handbook.
	Moved by Councilmember / and seconded by Councilmember Rygg to adopt the following ordinance:
	ORDINANCE NO. 87-
	and further, that the second and final reading be held on August 18, 1987.
	Moved by Councilmember and seconded by Councilmember to (deny) (continue until the discussion of) the First Reading of an ordinance amending the Civil Service System and consideration of a Civil Service Handbook.
	Interior Supt. Motion Carried.
11.	The City Council considered a development study of the 36th Avenue/Highway 100 business area.
	Model Made
	In a grant of the or of the one of the one

12.	The City Council considered the Second Reading of an ordinance relating to recreational vehicles.
	vehicles. Waven Ditch, 3140 Utah Que. Ho.
	Moved by Councilmember Legga and seconded by Councilmember Im. to adopt
	the following ordinance:
	ORDINANCE NO. 87-8
	AN ORDINANCE RELATING TO THE PARKING OF RECREATIONAL VEHICLES: AMENDING CRYSTAL CITY CODE, SECTION 1330, BY AMENDING A SUBSECTION
	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 recreational vehicles.
	Motion Carried.
3.	The City Council considered the Second Reading of an ordinance relating to permit fees for building, plumbing, and gas installation.
	Moved by Councilmember &m. and seconded by Councilmember Leppa to adopt the following ordinance:
	ORDINANCE NO. 87-9
	AN ORDINANCE RELATING TO ADOPTION BY REFERENCE: AMENDING CRYSTAL CITY CODE SUBSECTION 100.07
	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 permit fees for building, plumbing, and gas installation. Motion Carreid.

The City Council considered selecting a consultant to conduct a space-needs study for 14. City Hall and a community center. memo?

Mir & BWBR archt.

m/sm vom p ~ 18th ~ 1.

The City Council considered surety release for site improvements in the amount of 15. \$42,000 for Burger King at 3526 Lilac Drive.

Moved by Councilmember Line and seconded by Councilmember Line to accept the work required as a condition of building permit approval for Burger King at 3526 Lilac Drive, subject to guarantee provisions of the agreement, effective this date, and that surety in the amount of \$42,000 be released subject to said guarantee as recommended by the City Engineer.

Motion Carried.

Motion Carried.

16.	The City Council considered a resolution approving a joint cooperation agreement between Hennepin County and the City of Crystal for the Community Development Block Grant Program.
	Moved by Councilmember $\mathcal{M}_{\mathcal{U}}$ and seconded by Councilmember \mathcal{L}_{m} to adopt
	the following resolution, the reading of which was dispensed with by unanimous consent:
	RESOLUTION NO. 87-44
	RESOLUTION APPROVING A JOINT COOPERATION AGREEMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
	By roll call and voting aye: Althorsepsilon
	Moved by Councilmember and seconded by Councilmember to (deny) (continue until the discussion of) a resolution approving a joint cooperation agreement between Hennepin County and the City of Crystal for the Community Development Block Grant Program. Motion Carried.
17.	The City Council considered a joint and cooperative agreement between the City of Crystal and the City of Robbinsdale for a recycleable waste collection facility. Julie Jones, Recycling Coordinator 19 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9
Clay	Moved by Councilmember depen and seconded by Councilmember sm. to adopt the following resolution, the reading of which was dispensed with by unanimous consent:
	RESOLUTION NO. 87-45
	RESOLUTION REGARDING A JOINT AND COOPERATIVE AGREEMENT BETWEEN THE CITY OF CRYSTAL AND THE CITY OF ROBBINSDALE FOR A RECYCLEABLE WASTE COLLECTION FACILITY
	By roll call and voting aye: fl, , , ; voting
	no:,; absent, not voting:, Motion Carried, resolution declared adopted.
	Moved by Councilmember and seconded by Councilmember to (deny) (continue until the discussion of) a joint and cooperative agreement between the City of Crystal and the City of Robbinsdale for a recycleable waste collection facility. Motion Carried.

18. Bill Monk, City Engineer, appeared before the City Council to discuss the recent storm.

(807 7 Ee fr) (6,230 re) 1, 2 00 0 be 7 m 1 2. Siral James Murphy 4408 Louisiana furtum windight Herry Futh (Michael, Mary Anne Janeke 4401 Lausiana memory some form on the Colon of the Co James Becker 4416 " Mr. Nacholm, 4337 Laussiana 6 Miles constald.

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shring)	M 61 46
Jan Mow 13,000 J	PIR Del
Jenny Port	Lessellition 87-46 (Resolution) 87-46 (Resol
Juden Port	First Reading of ordinaries on gambling.
2, Song Ryng	First Reader)
3 H Im charitable	gan e
41011	n
Moved by Councilmember a the list of license applications.	and seconded by Councilmember K to approve Motion Carried.
	V

Moved by Councilmember and seconded by Councilmember Liptuto adjourn the meeting.

Motion Carried.

Meeting adjourned at 1/115 p.M.

APPLICATIONS FOR LICENSE August 4, 1987

FOOD ESTABLISHMENT - Itinerant (\$27.50 lst day + \$11.00 each addnl day)

Tastee Treats, 6325 Edgemont Blvd. Brooklyn Park, MN for Crystal Frolics Parade, July 26, 1987

PLUMBERS (30.25)

Northridge Plumbing Co. 11604 Flintwood St., Coon Rapids

Joseph E. Peters dba: Joseph E. Peters Plumbing 4520 Abbott Ave. S., Minneapolis

Sent with Preliminary Agenda on July 31, 1987

- Minutes of July 21, 1987 and Special Meeting of July 28, 1987.
- Crystal Planning Commission minutes of 7-13-87.
- Memo from City Engr. dated 7/29/87 re: Bass Lake Road Storm Sewer Relief Project 87-4.
- Memo from City Engr. dated 7/1/87 re: Site Plan for Retail Complex at 3640 Winnetka Avenue.
- Memo from Building Inspector dated 7/28/87 re:
- Lapse of variance, 4731 Xenia Avenue.
- Memo from Building Inspector dated 7/31/87 re: Signs at Olivet Baptist Church.
- Letter from City Attorney dated 7/23/87 re: Recreational Vehicles Ordinance; copy of ordinance.
 Also Adoption by Reference Ordinance(permit fees for building department).
- Memo from Building Inspector dated 7/27/87 re: Permit Fees.
- Letter from Acting City Mgr. dated 7/27/87 to solicit proposals for space-needs study of City operations.
- Memo from City Engineer dated 7/29/87 re: Surety Release for Burger King at 3526 Lilac Drive.
- Resolution approving a joint cooperation agreement for the Community Development Block Grant Program.
- Copy of Contract No. 70463 Joint Cooperation Agreement between Hennepin County and Crystal for CDBG funds.
- Notice of Withdrawal for Jeff Sweet of Midwest Auto Malls, Inc. from City Engineer.
- Memo from Community Development Coordinator dated 7/29/87 re: Bass Lake Road & 169 Project Standing.
- Crystal Human Relations Commission minutes of 7/27/87.
- Copy of letter to 281 Supt., Donna J. Carter from Acting City Mgr. dated 7/27/87 re: Thorson School.
- Park & Recreation Advisory Commission agenda for August 5, 1987.

Distributed in packets August 4, 1987

Memo from City Clerk dated 8/4/87 re: airline reservations - 1987 NLC Congress of Cities.

Darlene

July 31, 1987

Dear Councilmembers:

As in the past, I will be sending you the Tentative Agenda with comments as appropriate. I do not believe comments are necessary on the first five (5) items.

Item #6:

As you recall, this item was placed on the agenda at the request of a councilmember. The facts of the project have been discussed previously and included in the packet is the report from the City Engineer.

Item #8:

The request for an extension of this variance is unusual since it was applied for in 1986. However, you may wish to extend this variance based on the discussion with the homeowner at Tuesday's meeting.

Item #10:

Based on the discussion at the Special Meeting on July 28, 1987, the First Reading of the ordinance changes is on this meeting's agenda. The information from the City Attorney on the ordinance changes will be enclosed if we receive it in time. If not, it will be distributed at Tuesday night's meeting.

Item #11:

At the last meeting the Council did not discuss whether it wished to proceed with the development study for the 36th Avenue and Highway 100 area. I believe it is important to do so to establish a greater and higher use for the Mielke Field property. This study would have to be done whether the special task force on Mielke Field had requested it or not. Since it will take more time than the task force is given to respond to the School Board it should not be a factor in task force discussions but it is important to the City to conduct a study which determines the best use of that property and the commercial property in that area.

Item #14:

The proposals from consultants for a space-needs study will be delivered to me Monday. I will be reviewing those proposals and bringing in a recommendation that the Council hire a consultant to conduct the study with a report due the Council on September 1, 1987.

Councilmembers

July 31, 1987

Item #17:

As I understand it a revised agreement will be distributed to the Council Tuesday night. An explanation of those changes will be given you by the committee members at the meeting.

These are all of the items which we have received for the Council meeting. I hope you have a good weekend and I will see you Tuesday night.

JOHN

TENTATIVE AGENDA

FOR THE AUGUST 4, 1987, COUNCIL MEETING

1. Minutes of the regular meeting of July 21, 1987 and the Special meeting of July 28, 1987.

REGULAR AGENDA

ITE	<u>M</u>	SUPPORTING DATA	COMMENTS
1.	Presentation of recycling checks to Boy Scout Troop #530, and St. Raphael's School.	None	None
2.	Presentation of \$5,000 incentive grant check for recycling from Metropolitan Councilmember, John Evans, to the City of Crystal.	None	Mr. Evans will be at the meeting to present check.
3.	Public hearing to consider a request from Randy Lee Asleson for a variance of 6'1" in the required 30' side street side yard setback for construction of a 24' x 35' addition to the existing house at 6105 Douglas Drive.	Planning Commission minutes of 7-13-87, Item 4.	Planning Commission recommended approval.
4.	Public hearing to consider a request from Anthony Nicklow for a variance of 6.25' in the required 22' front yard setback for construction of a 14' x 30'6" deck on the existing building at 3516 Lilac Drive (Nicklow's restaurant).	Planning Commission minutes of 7-13-87, Item 5.	Planning Commission recommended approval.
5.	Public hearing to consider a request from James and Patricia Zwack for a variance of 12' in the required 40' rear yard setback to build an 8' x 14' addition to the existing house at 5419 - 50th Avenue North.	Planning Commission minutes of 7-13-87, Item 6.	Planning Commission recommended approval.
6.	Continued public hearing concerning the Bass Lake Road Storm Sewer Relief Trunk Project No. 87-4.	Report from City Engineer.	None

Tentative Agenda - Page 2

ITEM		SUPPORTING DATA	COMMENTS
7.	Consideration of site improvement surety in the amount of \$83,000 for a retail center at 3640 Winnetka Avenue North.	Memo from City Engineer dated 7/1/87; updated 7/29/87; Planning Commission minutes of 7-13-87, Item 9.	Planning Commission recommended approval of building permit; building permit could be issued subject to receipt of surety and signed agreement.
8.	Consideration of a request for an extension of Variance #86-10 that was granted to Gerald Smith on May 6, 1986.	Memo from Building Inspector dated 7-28-87 and copy of original variance.	None
9.	Consideration of a request for a monument sign at Olivet Baptist Church.	Memo from Building Inspector 7-31-87.	None
10.	Consideration of First Reading of an ordinance amending the Civil Service System and consideration of a Civil Service Handbook.	Letter from City Attorney and copy of ordinance changes will be distributed Tuesday evening.	None
11.	Consideration of a development study for the 36th Avenue/Highway 100 business area.	None	None
12.	Consideration of the Second Reading of an ordinance relating to recreational vehicles.	Copy of ordinance and letter from City Attorney dated 7-23-87.	None
13.	Consideration of the Second Reading of an ordinance relating to permit fees for building, plumbing and gas installation.	Copy of ordinance and memo from Building Inspector dated 7-27-87.	None
14.	Consideration of selecting a consultant to conduct a space-needs study for City Hall and a community center.	Copy of Request For Proposals letter.	None
15.	Consideration of surety release for site improvements in the amount of \$42,000 for Burger King at 3526 Lilac Drive.	Memo from City Engineer dated 7-29-87.	None

Tentative Agenda - Page 3

ITEM		SUPPORTING DATA	COMMENTS
16.	Consideration of a resolution approving a joint cooperation agreement between Hennepin County and the City of Crystal for the Community Development Block Grant Program.	Copy of resolution and copy of contract with the 1987 changes highlighted; this resolution allows for the continuation of the CDBG Program.	None
17.	Consideration of a joint and cooperative agreement between the City of Crystal and the City of Robbinsdale for a recycleable waste collection facility.	Copy of contract distributed at last meeting.	None
18.	Report from City Engineer regarding recent storm.	None	City Engineer will make a verbal report on Tuesday night.

INFORMATIONAL ITEMS:

- 1. Notice of Withdrawal from City Engineer (request for rezoning and conditional use permits applications #87-44, #87-45 and #87-46 for property located at 6918 and 6924 56th Avenue North).
- 2. Memo from Community Development Coordinator dated 7-29-87 re: Bass Lake Road & 169 Project Standing.
- 3. Human Relations Commission minutes of 7-27-87.
- 4. Letter to Superintendent Carter of School District 281 from Acting City Manager dated 7-27-87 regarding Thorson School.
- 5. Park and Recreation Advisory Commission agenda for their August 5, 1987 meeting.

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on July 21, 1987, at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota. The Secretary of the Council called the roll and the following were present: Langsdorf, Rygg, Moravec, Smothers, Aaker, Leppa, Herbes. Also present were the following staff members: John A. Olson, Acting City Manager; David Kennedy, City Attorney (7:06 P.M.); William Monk, City Engineer; Donald Peterson, Building Inspector; Nancy Deno, Administrative Assistant; Darlene George, City Clerk.

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

The City Council considered the minutes of the regular City Council meeting of July 7, 1987.

Moved by Councilmember Smothers and seconded by Councilmember Leppa to approve the minutes of the regular Council meeting of July 7, 1987.

Motion Carried.

The City Council considered the following items on the Consent Agenda:

- 1. Set 7:00 P.M., or as soon thereafter as the matter may be heard, August 4, 1987, as the date and time for a public hearing at which time the City Council will sit as a Board of Adjustments & Appeals to consider a request from Randy Lee Asleson for a variance of 6'l" in the required 30' side street sideyard setback for construction of a 24' x 35' addition to the existing house at 6105 Douglas Drive.
- 2. Set 7:00 P.M., or as soon thereafter as the matter may be heard, August 4, 1987, as the date and time for a public hearing at which time the City Council will sit as a Board of Adjustments & Appeals to consider a request from Anthony Nicklow for a variance of 6.25' in the required 22' front yard setback for construction of a 14' x 30'6" deck on the existing building at 3516 Lilac Drive (Nicklow's Restaurant).
- 3. Set 7:00 P.M., or as soon thereafter as the matter may be heard, August 4, 1987, as the date and time for a public hearing at which time the City Council will sit as a Board of Adjustments & Appeals to consider a request from James and Patricia Zwack for a variance of 12' in the required 40' rear yard setback to build an 8' x 14' addition to the existing house at 5419 50th Avenue North.

4. Consideration of a request from the Elks Club to sell pulltabs on August 22, 1987, between the hours of 6 P.M. until midnight at 5354 Douglas Drive (John T. Irving Fire Station) for the Crystal Firefighters' Benefit.

Moved by Councilmember Herbes and seconded by Councilmember Smothers to approve the Consent Agenda.

Motion Carried.

The City Council considered the findings of fact for Sunnybrooke Development Project, 32nd and Brunswick Avenue North. The findings of fact were read to the Council and audience by the City Engineer.

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

RESOLUTION NO. 87-40

RESOLUTION REGARDING FINDINGS OF FACT FOR SUNNYBROOKE PLANNED UNIT DEVELOPMENT

WHEREAS, the City Council has considered and reviewed extensive background information pertaining to the Sunnybrooke PUD including memoranda and reports prepared by the City staff, memoranda and reports prepared by the applicant and his consultants, and the minutes of the previous Planning Commission public hearings on this matter;

WHEREAS, the City Council on July 7, 1987, conducted a public meeting at which the applicant and his representatives spoke and at which members of the community spoke;

WHEREAS, the City Council has been fully advised as to the scope and nature of the development;

NOW, THEREFORE, BE IT RESOLVED that the following findings and conclusions are adopted in connection with the application of the Sunnybrooke PUD:

- 1. The proposed plan is inconsistent with the City's adopted Comprehensive Plan which contemplates a mixture of low, medium, and high density residential uses for the property.
- 2. The proposed density of 19.1 units per acre exceeds the recommended density set forth in the Land Use section of the Comprehensive Plan and the allowable density within the property's present zoning designation of R-1, Single Family Residential, as defined in the Crystal Zoning Ordinance.

- 3. The traffic generated by the development will have a negative impact on traffic circulation in the area as local streets are used to access 36th Avenue, Douglas Drive and T.H. 100. Brunswick and 32nd Avenues will be significantly impacted by the addition of approximately 1,500 vehicle trips per day generated by the proposed apartment complex.
- 4. A need for more apartments in the area has not been demonstrated.
- 5. Because of the size and intensity of the development, indications suggest the proposal would have a negative impact on property values in the area especially for the residential property immediately adjacent.
- 6. A substantial number of residents in the surrounding neighborhood have opposed the development and have submitted a petition to the City Council. The objections of the neighbors are justified and supported by the potential adverse consequences of the development, such as increased traffic and potential diminished value of some of the homes in the area.
- 7. While areas of poor soils exist on the site, this fact in and of itself does not offset the negative impacts or justify the higher density proposed.
- 8. Given the land use and traffic issues listed above, rezoning of the site from R-1, Single Family Residential, to PUD, Planned Unit Development, and the corresponding amendment to Crystal's Comprehensive Plan are not in the best interests of the public health, safety and welfare of the City.

By roll call and voting aye: Langsdorf, Rygg, Moravec, Smothers, Leppa, Herbes, Aaker. Motion carried, resolution declared adopted

Mayor	

ATTEST:

City Clerk

Moved by Councilmember Smothers and seconded by Councilmember Leppa to deny a First Reading of an ordinance rezoning property at the Sunnybrooke site from R-1 to PUD, based on the findings set forth in Resolution No. 87-40.

Motion Carried.

Moved by Councilmember Langsdorf and seconded by Councilmember Moravec to deny conditional use permit #87-37 for a site plan approval of PUD, based on findings set forth in Resolution No. 87-40.

Moved by Councilmember Herbes and seconded by Councilmember Moravec to deny conditional use permit #87-38 for elderly housing at the Sunnybrooke site, based on findings set forth in Resolution No. 87-40.

Motion Carried.

Moved by Councilmember Moravec and seconded by Councilmember Smothers to table indefinitely, the establishment of a tax increment financing district regarding Sunnybrooke site to allow the use of tax increment financing to pay for such site improvements.

Motion Carried.

The City Council considered a developer's agreement with Brutger Companies for the construction of a senior citizen apartment building. A draft of the agreement was explained by the City Attorney.

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

RESOLUTION NO. 87-41

RESOLUTION AUTHORIZING EXECUTION OF CONTRACT FOR PRIVATE DEVELOPMENT

WHEREAS, the City and the HRA have created and established the Bass Lake Road-Becker Park Redevelopment Project Area (Project Area) pursuant to the authority granted in Minnesota Statutes, Sections 273.71 to 273.77 and Chapter 462 (collectively, the Act); and

WHEREAS, the HRA and the City have, pursuant to the Act, duly established a Redevelopment Tax Increment Financing District (TIF District) and adopted a tax increment financing plan (TIF Plan) to finance all or a portion of the public redevelopment costs of the Projected Area;

WHEREAS, in order to achieve the objectives of the Redevelopment Plan as hereinafter defined and particularly to make land in the Project Area available for redevelopment by private enterprise for and in accordance with the uses specified in the Redevelopment Plan, the City and HRA have determined to provide substantial aid and assistance through the sale of bonds or other obligations to finance the public redevelopment costs of the Project Area; and

WHEREAS, Crystal Senior Housing Limited Partnership (Developer) has proposed a development as hereinafter defined within the Project Area which the HRA has determined will promote and carry out the objectives for which redevelopment in the

District has been undertaken, will assist in carrying out the Project Area and the TIF objectives of the TIF Plan, will be in the vital best interests of the City and the health, safety, morals and welfare of its residents, and is in accord with the public purposes and provisions of the applicable state and local laws and requirements under which redevelopment in the District has been undertaken and is being assisted; and

WHEREAS, the City Council has been presented, for its consideration, with a proposed contract for the private development of lands within the TIF District by the Developer (Proposed Contract); and

WHEREAS, the City Council has been fully informed of the terms and provisions of the Proposed Contract and approves of the same.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Crystal as follows:

- The Mayor and City Manager are hereby authorized and directed to execute, on behalf of the City, a document in substantial conformance with the Proposed Contract.
- 2. The Mayor and City Manager are hereby authorized to take all acts and do all things reasonably necessary to carry out the obligations of the City in accordance with such contract.

By roll call and voting aye: Langsdorf, Rygg, Moravec, Smothers, Leppa, Herbes, Aaker. Motion carried, resolution declared adopted.

		Mayor	PALLE.
ATTEST:			

City Clerk

Ginny Thom appeared before the City Council on behalf of the Frolics Queen Candidates to request that they be allowed to sell Crystal Logo Pins during the Frolics.

Moved by Councilmember Smothers and seconded by Councilmember Leppa to allow the Crystal Frolics queen candidates to sell Crystal logo pins during the Crystal Frolics at \$2 each, reimbursing the City for their cost for the pins of \$1.05 each.

Motion Carried.

The City Council considered a request from St. Raphael's Church for a permit for temporary signs and a waiver of fee to advertise the St. Raphael's Festival which will be held August 7, 8, and 9, 1987 at 7301 Bass Lake Road.

Moved by Councilmember Smothers and seconded by Councilmember Herbes to approve a permit for temporary signs and a waiver of fee for a period of August 1 through 10, 1987 to advertise the St. Raphael's Festival which will be held August 7, 8 and 9, 1987 at 7301 Bass Lake Road.

Motion Carried.

The City Council considered a request from the Fire Relief Association to allow 3.2 beer stands and a waiver of fees at Becker Park, Welcome Park, and Valley Place Park on July 24, 25, and 26, 1987 for the Crystal Frolics. A representative of the Fire Relief Association appeared and was heard.

Moved by Councilmember Rygg and seconded by Councilmember Herbes to approve a request from the Crystal Fire Relief Association to allow 3.2 beer stands and waiver of fees at Becker Park, Welcome Park, and Valley Place Park on July 24, 25, and 26, 1987 for the Crystal Frolics.

Motion Carried.

The City Council considered a request from Crystal Lions Club to operate a 3.2 beer stand and waiver of fee at 5354 Douglas Drive (John T. Irving Fire Station) on August 22, 1987, for the Crystal Firefighters' Benefit.

Moved by Councilmember Leppa and seconded by Councilmember Rygg to approve a 3.2 beer license and waiver of fee at 5354 Douglas Drive (John T. Irving Fire Station) on August 22, 1987, for the Crystal Firefighters' Benefit.

Motion Carried.

The City Council considered a request from Crystal Firemens' Relief Association to hold a raffle and a street dance in the parking lot of 5354 Douglas Drive (John T. Irving Fire Station) on August 22, 1987, for the Crystal Firefighters' Benefit.

Moved by Councilmember Smothers and seconded by Councilmember Moravec to approve a license to hold a raffle and a street dance in the parking lot of 5354 Douglas Drive (John T. Irving Fire Station) on August 22, 1987, for the Crystal Firefighters' Benefit.

Motion Carried.

The City Council considered a building permit for remodeling at 4711 - 36th Avenue North. Earl Mattson appeared and was heard.

Moved by Councilmember Rygg and seconded by Councilmember Moravec to approve building permit #8429 for remodeling of the existing building located at 4711 - 36th Avenue North.

Motion Carried.

The City Council considered a contract with Minnesota Health Department regarding Environmental Health Delegation Agreement.

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

RESOLUTION NO. 87-42

RESOLUTION APPROVING THE ENVIRONMENTAL HEALTH DELEGATION AGREEMENT

WHEREAS, the State, as set out in Laws of Minnesota, 1987, Chapter 309, Minnesota Statutes, Chapters 144, 145, 156A., 157, 326, 327 has the responsibility to inspect and regulate facilities for the purpose of preventing and abating environmental health hazards; and

WHEREAS, the City has an environmental health staff which is authorized and has the capability to provide technical advice, review plans, sample, inspect and enforce the rules for the facilities as addressed in the attachment hereto;

NOW, THEREFORE, BE IT RESOLVED that the City of Crystal hereby approves the Environmental Health Delegation Agreement, including Attachment I, whereby the City agrees to perform outlined environmental health services,

AND BE IT FURTHER RESOLVED that the Mayor and City Manager be authorized to sign such agreement.

authoriz	ed to sig	n such a	agreement.			
By roll Leppa, adopted.	Herbes,	voting Aaker.	aye: Lan Motion	gsdorf, Ry carried,	gg, Moravec, resolution	Smothers, declared
ATTEST:					Mayor	
	City Cl	erk				
	0107 01	CLA				

The City Council considered the First Reading of an ordinance relating to recreational vehicles.

Moved by Councilmember Herbes and seconded by Councilmember Leppa to adopt the following ordinance using Option No. 1 in the letter from City Engineer dated July 15, 1987:

ORDINANCE NO. 87-

AN ORDINANCE RELATING TO RECREATIONAL VEHICLES AND EQUIPMENT: AMENDING CRYSTAL CITY CODE, SECTION 1330

and further, that the second and final reading be held on August 4, 1987.

Motion Carried.

The City Council considered final approval of the plat Liberty Estates Addition located at 6000 Lakeland Avenue.

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

RESOLUTION NO. 87-43

RESOLUTION APPROVING PLAT

WHEREAS, the City of Crystal is a Municipal Corporation, organized and existing under the laws of the State of Minnesota, and

WHEREAS, the City Council of the City of Crystal has adopted subdivision regulations for the orderly, economic, and safe development of land within the City, and

WHEREAS, the City Council has considered the application for a subdivision plat for Liberty Estates Addition, as submitted by Donald C. Larson of Liberty Realty Company,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Crystal hereby approves the plat entitled LIBERTY ESTATES ADDITION, City of Crystal, Hennepin County, Minnesota.

By roll call and voting aye: Langsdorf, Rygg, Moravec, Smothers, Leppa, Herbes, Aaker. Motion carried, resolution declared adopted.

Mayor	

ATTEST:

City	Clerk

The City Council considered the Second Reading of an ordinance relating to burglar alarms.

Moved by Councilmember Leppa and seconded by Councilmember Smothers to adopt the following ordinance:

ORDINANCE NO. 87-7

AN ORDINANCE RELATING TO PUBLIC SAFETY
AMENDING CRYSTAL CITY CODE, CHAPTER IX BY ADDING A SECTION

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

Motion Carried.

The City Council considered the First Reading of an ordinance changing permit fees for building permits, plumbing permits, and gas fittings.

Moved by Councilmember Leppa and seconded by Councilmember Smothers to adopt the following ordinance:

ORDINANCE NO. 87-

AN ORDINANCE RELATING TO BUILDING, PLUMBING, AND GAS INSTALLATION; AMENDING CRYSTAL CITY CODE SUBSECTION 1015.12

and further, that the second and final reading be held on August 4, 1987.

Motion Carried.

The City Council considered the status of Thorson Community Center.

Moved by Councilmember Smothers and seconded by Councilmember Leppa to communicate to School District #281 that the market value established by the appraisal is unacceptable to the City of Crystal.

Motion Carried.

Moved by Councilmember Langsdorf and seconded by Councilmember Smothers to direct staff to prepare a report on alternative sites for the athletic field.

Motion Carried.

Moved by Councilmember Leppa and seconded by Councilmember Langsdorf to grant Waste Management Board a lease extension not to include the three (3) month cancellation clause.

Motion Carried.

The City Council considered a request from the Long-Range Planning Commission to solicit proposals for a space-needs study for City Hall.

Moved by Councilmember Moravec and seconded by Councilmember Smothers to direct City staff to solicit proposals for a space-needs study for the south side and addition to the north side of City Hall and a Community Center, and procedure by which the proposers will proceed, along with cost estimates.

Motion Carried.

The City Council discussed the status of Mielke Field Task Force and its suggestions to the City Council.

Moved by Councilmember Langsdorf and seconded by Councilmember Smothers to direct the City Attorney and City staff to prepare legal options the City has in dealing with the parking and other problems with Mielke Field.

Motion Carried.

The City Council discussed license requirements for hazardous waste haulers.

The City Council discussed parking restrictions requested by Adventures in Video, 6316 Bass Lake Road.

A Recycling Subcommittee report was given by Councilmember Langsdorf.

The City Council by common consent directed the City Attorney to investigate the impact of recent legislation on the City of Crystal charitable gambling ordinance.

The City Council discussed airing Special Meeting of July 28, 1987 with the Civil Service Commission on cable television.

Moved by Councilmember Smothers and seconded by Councilmember Leppa to discontinue airing of the Special City Council Meeting of July 28, 1987 on cable television.

By roll call and voting aye: Langsdorf, Rygg, Smothers, Leppa, Herbes; voting no: Moravec, Aaker.

Motion Carried.

Moved by Councilmember Herbes and seconded by Councilmember Langsdorf to approve the list of license applications, as submitted by the Deputy City Clerk to the City Council in the preliminary agenda, a copy of which is on file in the office of the City Clerk, with the addition of a Solicitor's Permit for Clean Water Action Project, 2395 University Avenue, St. Paul, MN, and further, that such list be incorporated into and made a part of this motion as though set forth in full herein.

Motion Carried.

Moved by Councilmember Herbes and seconded by Councilmember Langsdorf to adjourn the meeting.

Motion Carried.

The meeting was adjourned at 8:46 P.M.

	Mayor	48
ATTEST:		

28 JUNE 1987

Pursuant to due call and notice given in the manner prescribed by Section 3.01 of the City Charter, the Special meeting of the Crystal City Council was held on July 28, 1987, at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota. The Secretary of the Council called the roll and the following were present: Langsdorf, Rygg, Smothers, Aaker, Herbes. Those absent were: Moravec, Leppa. Also present were the following staff members: David Kennedy, City Attorney; John A. Olson, Acting City Manager.

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

The City Council discussed the City of Crystal Handbook with the Civil Service Commission.

Moved by Councilmember Herbes and seconded by Councilmember Smothers to place the Civil Service Handbook on the August 4, 1987 Council agenda to consider the necessary ordinance changes for First Reading and direct the City Attorney to prepare the changes and review the Handbook with labor attorneys on staff.

Motion Carried.

Moved by Councilmember Smothers and seconded by Councilmember Herbes to adjourn the meeting.

Motion Carried.

The meeting was adjourned at 9:04 P.M.

CRYSTAL PLANNING COMMISSION MINUTES

July 13, 1987

The meeting of the Crystal Planning Commission convened at 7:30 p.m. with the following present: Anderson, Barden, Christopher, Elsen, Feyereisen, Guertin, Halpaus, Kamp, Magnuson and Nystrom; also present were Building Inspector Peterson, City Engineer Monk and Recording Secretary Scofield.

Moved by Commissioner Magnuson and seconded by Commissioner Elsen to approve the minutes of the June 8, 1987, meeting.

Motion carried.

Marilyn Kamp was sworn in as commissioner.

 Chairperson Feyereisen declared this was a continuation of the public hearing to consider Application #87-35 as submitted by Kelley Monroe of C & K Properties to rezone from B-4 District (Community Commercial) to B-3 District (Auto-Oriented Commercial) property located at 5407 and 5413 Florida Ave. N. The applicant withdrew his application.

Moved by Commissioner Magnuson and seconded by Commissioner Christopher to close the public hearing.

Motion carried.

Moved by Commissioner Barden and seconded by Commissioner Halpaus to note applicant has withdrawn Application #87-35.

Motion carried.

Chairperson Feyereisen declared this was the time and the place as advertised for a public hearing to consider Application #87-44 as submitted by Jeff Sweet of Midwest Auto Malls, Inc. to rezone from B-3 District (Auto-Oriented Commercial) and B-4 District (Community Commercial) to PUD District (Planned Unit Development); Application #87-45 for a conditional use permit for the site plan of a PUD (Section 515.51, Subd. 2 b) and Application #87-46 for a conditional use permit to allow automotive repair in a B-3 zone (Section 515.35, Subd. 4 c) property located at 6918 and 6924 - 56th Ave. N. The applicant requested this item be continued to next meeting (August 10) as he is having problems clearing up the title.

The following was heard: Jerry Choromanski of The Bank North (formerly Crystal State Bank) stated he felt it would be a setback of the beautification project of Bass Lake Road (does not want an 8-bay automotive operation that may detract from their addition).

July 13, 1987 - Continued

A. Moved by Commissioner Magnuson and seconded by Commissioner Christopher to continue until August 10 the discussion of Application #87-44, as submitted by Jeff Sweet of Midwest Auto Malls, Inc. to rezone from B-3 District (Auto-Oriented Commercial) and B-4 District (Community Commercial) to PUD District (Planned Unit Development) property located at 6918 and 6924 - 56th Ave. N., P.I.D. #05-118-21-42-0033 and #05-118-21-42-0009, and to renotify property owners within 350'.

Motion carried.

- B. No action was taken by Commission on Application #87-45, as submitted by Jeff Sweet of Midwest Auto Malls, Inc., for a conditional use permit for site plan of a PUD at the property as described above since Commission continued until August 10 application #87-44 for rezoning.
- C. No action was taken by Commission on Application #87-46, as submitted by Jeff Sweet of Midwest Auto Malls, Inc. for a conditional use permit to allow automotive repair in a B-3 zone at the property as described above since Commission continued until August 10 application #87-44 for rezoning.
- Consideration of a building permit for an auto mall at 6918 and 6924 - 56th Ave. N.
 - Moved by Commissioner Magnuson and seconded by Commissioner Christopher to continue until August 10 the discussion of issuing building permit #8436 to Construction 70 to construct two buildings (127'x52' and 65'x68') for an auto mall at 6918 and 6924 56th Ave. N., subject to standard procedure.

Motion carried.

4. Randy Lee Asleson appeared regarding Variance Application #87-48 for an addition to the house which will encroach in the required 30' side street side yard setback at 6105 Douglas Drive North.

Moved by Commissioner Christopher and seconded by Commissioner Magnuson 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 515.13, Subd. 3 a) 2) iii), to grant a variance of 6' 1" in the required 30' side street side yard setback for construction of a 24'x35' addition to the existing house at 6105 Douglas Drive North, P.I.D. #05-118-21-11-0072, as requested in Application #87-48 of Randy Lee Asleson.

July 13, 1987 - Continued

The findings of fact are: Believe it will enhance property, addition is in line with rest of house and no detriment to neighborhood.

Motion carried.

5. Consideration of Variance Application #87-49 as requested by Nicklow's for a deck on the existing building which will encroach in the required 22' front yard setback at 3516 Lilac Drive.

Moved by Commissioner Elsen and seconded by Commissioner Christopher 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 515.13, Subd. 2 b) 1) to grant a variance of 6.25' in the required 22' front yard setback for construction of a 14'x30' 6" deck on the existing building at 3516 Lilac Drive, P.I.D. #07-029-24-22-0079, as requested in Application #87-49 of Nicklow's.

The findings of fact are: The addition appears to be something the City would have no problem with and customers would enjoy.

The following voted aye: Christopher, Elsen, Feyereisen, Guertin, Halpaus, Kamp and Nystrom. The following voted no: Anderson, Barden and Magnuson.

Motion carried 7-3.

6. Consideration of Variance Application #87-50 as requested by James and Patricia Zwack for an addition to the house which will encroach in the required 40' rear yard setback at 5419 - 50th Ave. N.

Moved by Commissioner Christopher and seconded by Commissioner Elsen 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 515.13, Subd. 4 a), to grant a variance of 12' in the required 40' rear yard setback for an 8'x14' addition to the existing house at 5419 - 50th Ave. N., P.I.D. #09-118-21-13-0001, as requested in Application #87-50 of James and Patricia Zwack.

The findings of fact are: Addition to house would enhance property. It is a typical corner lot, and the addition does not intensify the non-conformance.

The following voted aye: Anderson, Barden, Christopher, Elsen, Feyereisen, Guertin, Halpaus, Kamp and Magnuson.

July 13, 1987 - Continued

The following voted no: Nystrom.

Motion carried 9-1.

7. Merle Mattson of Noble Investments appeared regarding a building permit for remodeling of the existing building at 4711 - 36th Ave. N. (presently American Council of the Blind and will be Snyder Drugs).

Moved by Commissioner Magnuson and seconded by Commissioner Christopher to recommend to the City Council to approve authorization to issue building permit #8429 for remodeling of the existing building located at 4711 - 36th Ave. N., P.I.D. #07-029-24-21-0097, subject to standard procedure.

Motion carried.

 Consideration of final plat approval of Liberty Estates located at 6000 Lakeland Ave. N., P.I.D. #05-118-21-11-0032.

Moved by Commissioner Christopher and seconded by Commissioner Elsen to recommend to the City Council to grant final plat approval of Liberty Estates which is unplatted property.

Motion carried.

9. Mark Ravich, President of Tri-Star Development Corp., appeared regarding a building permit for construction of a shopping center at 3640 Winnetka Ave. N.

Moved by Commissioner Elsen and seconded by Commissioner Kamp to recommend to the City Council to approve authorization to issue building permit #8426 to NCL Construction for construction of an 80'x210' shopping center at 3640 Winnetka Ave. N., P.I.D. #17-118-21-33-0005, subject to standard procedure.

The following voted aye: Anderson, Barden, Christopher, Elsen, Feyereisen, Guertin, Halpaus and Kamp. The following voted no: Magnuson and Nystrom

Motion carried 8-2.

Moved by Commissioner Magnuson and seconded by Commissioner Barden to adjourn.

Motion carried.

Chairperson	Feyereisen
-	

TO: John A. Olson, Acting City Manager

FROM: Bill Monk, City Engineer

DATE: July 29, 1987

RE: Bass Lake Road Storm Sewer Relief Project 87-4

On April 21 the City Council held a public hearing to consider construction of a 72-inch storm sewer trunk line, as located on the attached map, being proposed to provide relief for the existing Bass Lake Road trunk line. The estimated project cost was listed as \$652,000 with a residential assessment rate of \$0.0243 per square foot (map of affected area attached). Action at this hearing was continued until staff could prepare a report on the operational status of the Bass Lake Road storm sewer system.

As directed, an inspection was performed of the entire northern drainage system including all trunk and lateral lines. While numerous deficiencies in the lateral pipes were identified, including root growth in pipe joints, gravel and sand build up in pipe inverts, grout work in manholes and pipes and catch basin deterioration, the overall system was found operational. Since the inspection was conducted in May, the majority of the identified repair work has been completed.

Consistent with Council authorization of July 7, notices of a hearing continuance were forwarded to the 1,750 affected property owners. Key issues involved with consideration of this project include the following:

- Approximately \$292,000 has been expended in State Aid funds by Crystal to install portions of the proposed relief system along West Broadway (56th Ave. to 55th Ave.) and 55th Avenue (West Broadway to Douglas Drive).
- The Bass Lake Road Storm Sewer Trunk was installed in 1953 at an assessment rate of \$0.00833 per square foot for residential property in the "J" District. The only other storm sewer trunk assessment to this area occurred in 1972 when the oversizing costs of the railroad trunk line were assessed at a rate of \$0.00725 per square foot.
- Use of State Aid funds to offset 25% of the project costs or \$163,000 would reduce the proposed residential assessment to \$0.0182 per square foot. Based on the current balance in Crystal's State Aid account, the 25% share could be funded within the City's 1987 allotment. Based on this reduced assessment rate a standard lot of 9,500 square feet would be assessed \$173 which would normally be spread over a 3 to 5 year term at a 7-1/2% interest rate.

Re: Bass Lake Road Storm Sewer Relief Project 87-4 July 29, 1987 Page 2

- Given the existing storm sewer flow conditions, the Bass Lake Road system operates under a head condition even in light rainfalls. This means the pipes are constantly under pressure during periods of surface run off. Extensive repair was recently completed on a 500 foot long section of the easternmost portion of the trunk line to halt pipe separation caused by this pressure situation. A back flow preventer was also installed in a manhole at the intersection of Wilshire and Quail Avenues to ease recurring flooding in this low lying area.
- The rain of July 23 did highlight the benefits of a flat drainage basin in that the water spread out over the entire district and minimized the impact. Inlet and back flow conditions did cause high water levels throughout the watershed, especially along West Broadway, in Becker Park and at the Quail/Wilshire intersection; however, property damage reports would indicate the area fared better than anticipated.
- The southern diversion of a portion of the flow from the Bass Lake Road drainage area has been shown in the City's water management plan since 1968. The plan has not been significantly modified since that time. The proposed drainage project is consistent with said management plan and completes the trunk storm sewer system in the northern half of the City.

This office continues to believe the Bass Lake Road storm sewer relief line is needed to both relieve the capacity problems presently being experienced and protect the significant investment represented by in-place facilities. Although the pipe throughout the system is in fairly good shape, it is 25 years old and showing signs of its age given the flow conditions.

Approval of a resolution authorizing preparation of contract documents and solicitation of bids is recommended. Copies of the OSM feasibility study as distributed previously can be made available if needed.

WM:irs

Encls

Notice of Continuance

CITY OF CRYSTAL

NOTICE OF PUBLIC HEARING

STORM SEWER IMPROVEMENT NO. 87-4 (J DISTRICT)

AUGUST 4, 1987

NOTICE IS HEREBY GIVEN that the Crystal City Council will meet in the Council Chambers at the Crystal City Hall, 4141 Douglas Drive, on Tuesday, August 4, 1987, at 7:00 p.m., or as soon thereafter as the matter can be heard, to continue the hearing of April 21, 1987, related to Storm Sewer Project No. 87-4. Said improvement includes construction of 3,000 feet of 72-inch diameter storm sewer and appurtenances to provide relief for the over capacity Bass Lake Road storm sewer trunk. Said project shall proceed pursuant to MN Statutes, Sections 429.011 to 429.111. The area proposed to be assessed for such improvement is the watershed tributary to said Bass Lake Road trunk sewer and includes property north of the Minneapolis-St. Paul and Sault Sainte Marie Railroad right-of-way as said line traverses Crystal in an east/west direction.

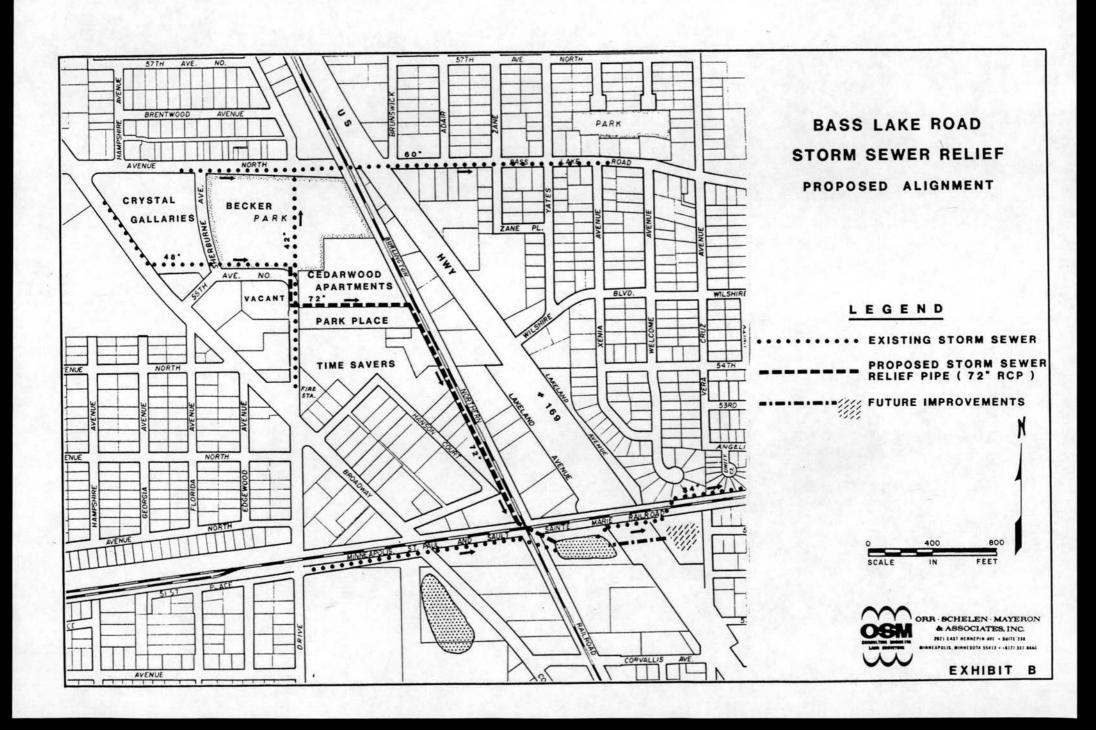
Such persons as desire to be heard with reference to the proposed improvement will be heard at this meeting.

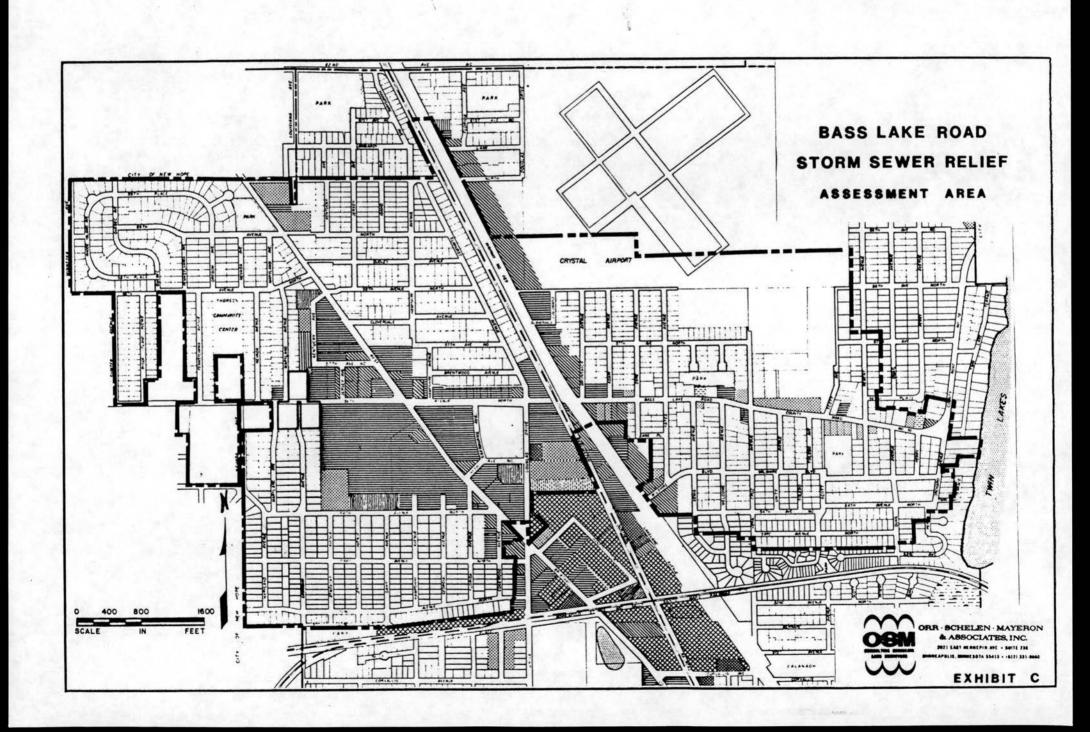
DATED: July 7, 1987 .

BY ORDER OF THE CITY COUNCIL CITY OF CRYSTAL DARLENE GEORGE, CITY CLERK

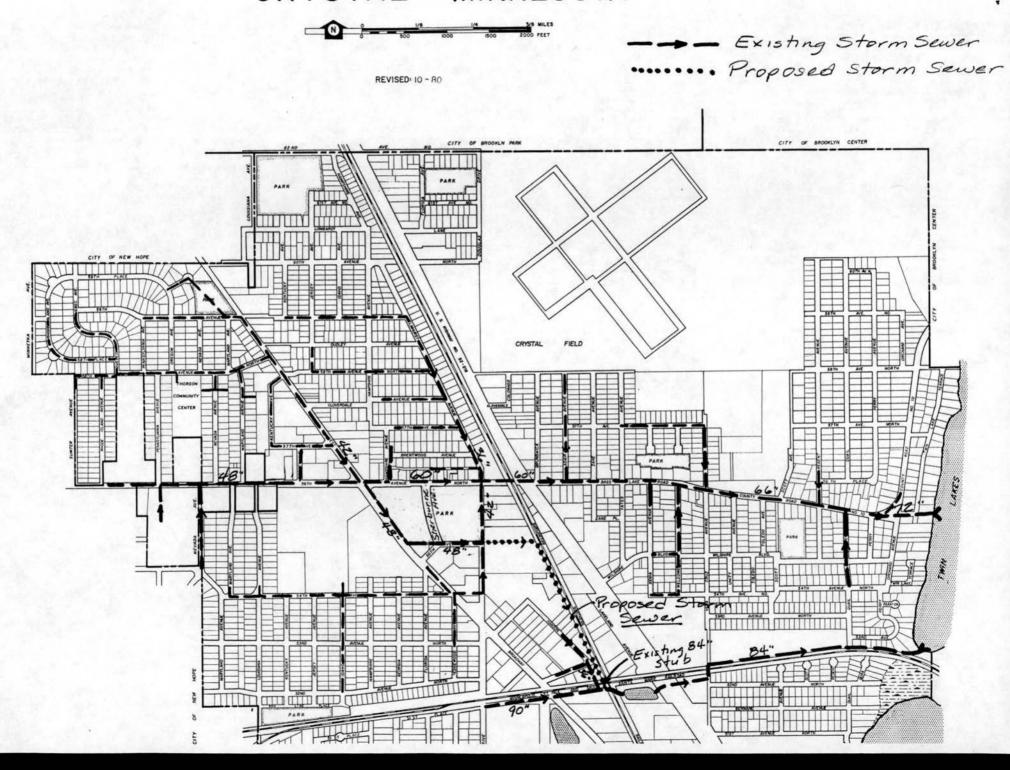
(Published in The North Hennepin Post July 23 and 30, 1987)

Original Notice CITY OF CRYSTAL NOTICE OF PUBLIC HEARING STORM SEWER IMPROVEMENT NO. 87-4 (J DISTRICT) APRIL 21, 1987 NOTICE IS HEREBY GIVEN that the Crystal City Council will meet in the Council Chambers at the Crystal City Hall, 4141 Douglas Drive, on Tuesday, April 21, 1987, at 7:00 p.m., or as soon thereafter as the matter can be heard, to hear and consider all oral and written arguments related to Storm Sewer Project No. 87-4. Said improvement includes construction of 3,000 feet of 72-inch diameter storm sewer and appurtenances to provide relief for the over capacity Bass Lake Road storm sewer trunk. Said project shall be handled pursuant to MN Statutes, Sections 429.011 to 429.111. The area proposed to be assessed for such improvement is the watershed tributary to said Bass Lake Road trunk sewer and includes property north of the Minneapolis-St. Paul and Sault Sainte Marie Railroad right-of-way as said line traverses Crystal in an east/west direction. Properties included in the proposed assessment area are more specifically noted on the attached map. The estimated cost of the storm sewer improvements is \$652,000 and is proposed to be assessed on a square foot basis at the following unit rates for various development types: Single and Duplex Residential \$0.0243 Multiple Family Residential 0.0365 Commercial/Industrial 0.0486 Based on the above, a 70' x 135' lot would be assessed \$230. Such persons as desire to be heard with reference to the proposed improvement will be heard at this meeting. BY ORDER OF THE CITY COUNCIL DARLENE GEORGE, CITY CLERK (Published in The North Hennepin Post April 9 and 16, 1987)





CRYSTAL · MINNESOTA



July 28, 1987

To: John Olson, Acting City Manager

From: Don Peterson, Chief Building Inspector

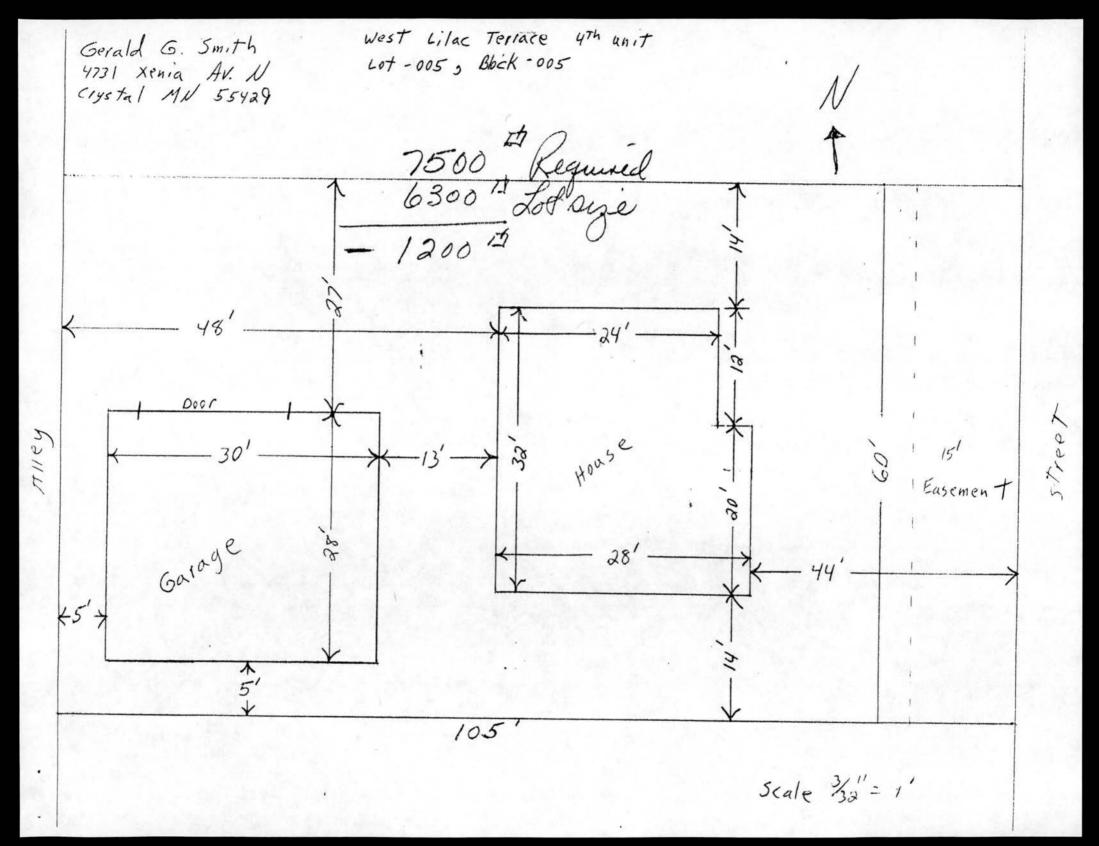
Re: Lapse of Variance

Section 515.55 Subd 7 Lapse of Variance of Appeal requires work granted under the variance to be completed within one year.

On July 21, 1987 and application was made by Gorco Construction Company to build a 24' X 30' detached garage for Gerald Smith at 4731 Xenia. Mr. Smith had applied for a variance to the required square feet of lot area as his lot is 1200 square feet short per ordinance. Variance #86-10 was granted on May 6, 1986.

I called Mr. Smith and made him aware of the ordinance requirements. He said he had experienced financial problems and couldn't build last year. He will be present at the Council meeting to answer any questions.

DHP/sjg



CITY OF CRYSTAL

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

	Date: 3-3/-86
TYPE OF REQUEST: () Rezoning (X) Variance () Sign Variance	() Conditional Use Permit () Plat Approval e () Other
Street Location of Property: 473	1 Xenia Av. W. Crustal
Legal Description of Property: West	Lilar Terrore 4th +
Lot - 005 , Block - 005	The second secon
Property Identification Number: 09	1-118-21 31 0001
Owner: Getald 6 Smith (Print Name)	
	(9stal MN: 55429 (612) 533-3839
Applicant: Same (Print Name)	
(Address)	(Phone No.)
DESCRIPTION OF REQUEST: To build	garages to store cars,
gar-	
ATPLICANT'S STATEMENT WHY THIS REQUEST (attach additional sheets if necessary	
To store cars, Boat, &	other household items
out of sight of the	public To make Keep
neighborhood neat looking	I and also for security,
NOTE: Attach plan or survey of propos	al.
THIS PROPERTY IS: TORRENS / ABSTRACT (Circle one)	Meul & Smith (Applicant's Signature)
	(Owner's Signature)
(Office Use of the contract of	Only)
(Approved) (Denied) - Planning Comm	
(Approved) (Denied) - City Council	5/6/86 (Date)

TO: Planning Commission

FROM: Bill Monk, City Engineer

DATE: July 1, 1987

RE: Site Plan for Retail Complex at 3640 Winnetka Ave.

A revised site plan has been submitted for the property at 3640 Winnetka Avenue (see attached maps). Due to these plan revisions and the involvement of a new developer, the plan must be reconsidered by the Commission. The latest proposal is slightly smaller in size and involves only retail uses (no office). The retail uses are consistent with the present B-4 zoning designation. Additionally, the layout is consistent with parking, setback, structure and utility provisions of City Code.

A detailed site plan will be available for presentation at the upcoming meeting.

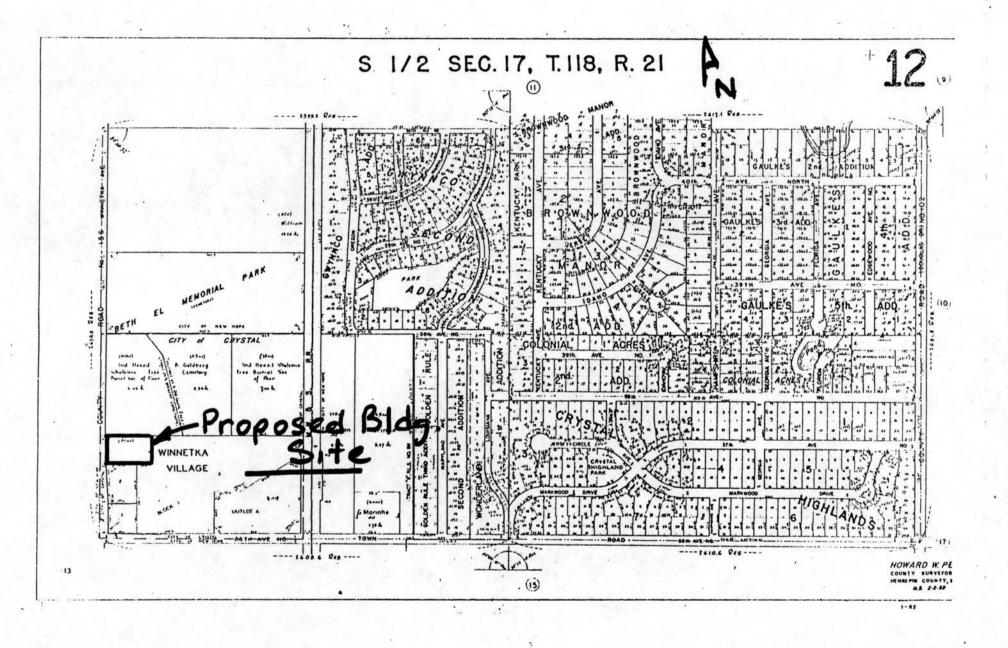
WM:jrs

Encl

7/29/87 UPDATE

On July 13 the Planning Commission recommended approval of the building permit for the retail center at 3640 Winnetka Avenue. A copy of the detailed plans along with the site improvement agreement are attached to assist the Council in consideration of the surety issue.

Encls



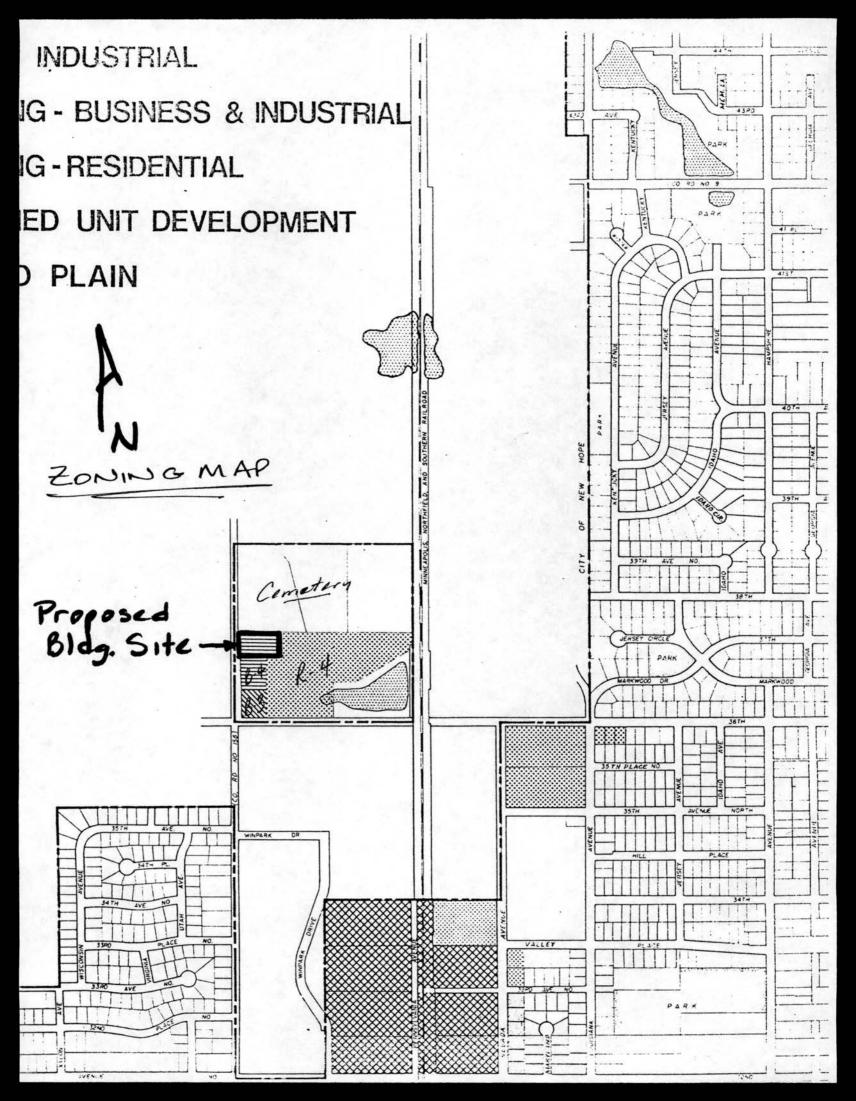


EXHIBIT "A"

AGREEMENT

THIS AGREEMENT made by and between the City of Crystal, a municipal corporation in the State of Minnesota, hereinafter called the City, the first party, and___ hereinafter called the second party,

WHEREAS, second party has requested that the City Council approve the issuance of a building permit.

WHEREAS, as a prerequisite to the approval of said permit, the City Council require the construction of certain improvements for the orderly development of property known as Retail Building, 3640 Winnetka Avenue North.

NOW THEREFORE, in consideration of the granting of said permit, said second party agrees and covenants as follows:

- Prepare and record plat of property.
- Construct concrete driveway apron across boulevard.
- Construct curb opening at driveway and repair street adjacent.
- Construct V6 (minimum section) cast-in-place concrete barrier curb.
- Construct parking area, access aisles and drives with a minimum of 6" Class 5 base and 2" bituminous surface.
- Stripe parking stalls with white paint.
- Erect 2 handicap parking stall signs.
- Construct storm sewer and appurtenances to collect and dispose of all surface water on the site consistent with the conditions of the Bassett Creek Water Management Commission.
- Provide screening from adjacent property in accordance with Section 515.07, Subd. 9, of the Crystal City Code.
 Erect stop sign at exit from parking area.
 Prepare and submit "as built" utility plans.

- Designate and sign fire lanes.
 Note how area lighting if proposed will conform to Section 515.07, Subd. 10, of the Crystal City Code.
 Landscape all open and disturbed areas (to ionclude overall
- site grading and retaining wall construction as per approved grading plan).
 Provide all lot irons in place and to grade at the time of
- final acceptance.

That the second party warrants and guarantees all work done under the agreement against any defect in workmanship, materials, or otherwise that may occur within one year from the date of final acceptance by the City of all said work and other requirements.

That construction work be completed prior to issuance of the occupancy permit but not later than one year from issuance of building permit.

To hold the City harmless from any and all claims which may arise from third parties for any loss or damage sustained resulting from pursuance of the above-described work.

That all just claims incurred in the completion of aforementioned work requirements shall be paid in full by said second party to all persons doing work or furnishing skill, tools, machinery, services, materials, equipment, supplies or insurance.

All work pursuant hereto shall be in compliance with existing laws, ordinances, pertinent regulations, standards, specifications of the City of Crystal, and subject to approval of the City Engineer.

In the event that said second party has not completed any or all of the aforementioned work and requirements on the completion date as set forth herein, then in that event said second party shall be considered in default. Should said second party be in default, then said second party authorizes said City, its officers, its employees or its authorized agents to enter upon said second party's property and to complete any or all such uncompleted or improperly performed work or other requirements in conformity with this agreement.

That surety be deposited with the City in the amount of \$83,000 to insure the faithful performance of the above construction work and requirements, said surety to be in the form and manner as prescribed by law.

IN WITNESS WHE	REOF we have	hereunto set our hands this
day of	<u> </u>	
CENT		CITY OF CRYSTAL
SEAL		
ATTEST:		
		MAYOR
CITY CLERK		
		CITY MANAGER
IN THE PRESENCE OF:		SECOND PARTY
		SECOND PARTY

July 31, 1987

To: John Olson, Acting City Manager

From: Don Peterson, Chief Building Inspector

Re: Signs at Olivet Baptist Church

Sec 406.16 subd 10 Governmental and other Public Signs addresses in part; -- "churches -- are exempt from the annual license fee provided by Chapter X. Permits for such signs shall be issued by the Building Inspector only after approval by the City Council."

Olivet Baptist Church proposes a 5' X 20' Masonry monument sign on Nevada Ave. and a 4' X 12' Masonry monument sign on Louisiana Ave. Both signs will meet all requirements of the sign ordinance.

Subd. 9. Multiple Dwellings: Lease, Rental. Signs for the purpose of leasing or renting dwelling units in buildings containing two or more units. Such signs may not exceed 4 square feet in R-2 and R-3 districts, or 12 square feet in R-4 and C-3 districts. Only one sign per premise is permitted, except for corner properties where one is permitted facing each abutting street.

Subd. 10. Governmental and Other Public Signs. This subsection applies to signs, other than those specified in Subdivision 2, erected by the State, any political subdivision of the State, churches, cemeteries, public and private institutions of learning, and institutions of purely public charity. Any such sign erected in residential zoning districts shall conform as nearly as possible to the architecture of the building on which it is erected or to which it relates and to the architecture of other buildings and structures in the immediate vicinity of the sign. A sign permit and annual license is required for such signs, but they are exempt from the annual license fee provided by Chapter X. Permits for such signs shall be issued by the Building Inspector only after approval by the City Council. The application for the permit shall contain the Building Inspector's comments as to the architectural conformance required by this subsection.

Subd. 11. Product Identification Signs. A product identification sign is any emblem, decal, design illustration, or device, not located on a sign structure, which is placed on and intended to draw attention to a product contained in a container, vehicle or structure, or to a service offered by the owner of such container, vehicle or structure.

Subd. 12. Garage Sale Signs. Signs identifying the location and times of a garage sale may be placed on the property at which the sale is to be conducted or on the property of others with their consent. Such signs may not exceed 4 square feet in area per side, and may not be placed on or attached to any utility pole or public sign, and are subject to the provisions of Subsection 406.13, Subdivision 8. Garage sale signs shall be removed within 24 hours of the time stated on such sign for the conclusion of the sale, and such time shall be stated on the sign. For purposes of this subsection a garage sale is an occasional sale, of limited duration, of used goods or merchandise conducted by a property owner on his or her premises.

Subd. 13. Recreational Area Signs. Signs may be placed on the interior surface of any fencing surrounding a private recreational area used for organized sports functions including, but not limited to, Little League, Babe Ruth Leagues and similar activities. Any sign immediately adjacent to such recreational areas existing on the effective date of this ordinance are authorized by this subdivision, but no additional signs of this type may be erected. (Ord. No. 73.11, Sec. 8; Ord. No. 74.11, Sec. 7).

406.17. Free-Standing, Projecting and Roof Signs (C-1, C-2, M-1, M-2). Subdivision 1. Number and type of signs in C-1, C-2, M-1 and M-2 Districts. A business property is limited to the following number and type of signs:

One free-standing sign in addition to wall signs, or

One roof sign in addition to wall signs, or

One projecting sign in addition to wall signs, or

One projecting sign and one roof sign.



ORDINANCE NO. 87

AN ORDINANCE RELATING TO THE CITY CIVIL SERVICE SYSTEM: AMENDING CRYSTAL CODE SECTION 310: REPEALING CRYSTAL CITY CODE, SUBSECTIONS 310.11, SUBDIVISION 3, AND 310.27, SUBDIVISIONS 2 AND 3.

THE CITY OF CRYSTAL DOES ORDAIN:

- Section 1. Crystal City Code, Subsection 310.01, is amended by adding a subdivision to read:
- Subd. 15. "Permanent part time employment" means the employment of persons on a part time basis for a period not exceeding 30 hours per week.
- Sec. 2. Crystal City Code, Subsection 310.07, Subdivision 8 is amended to read:
- Subd. 8. Temporary, Permanent Part Time and Provisional Employment. The Commission may provide by rule for temporary, permanent part time and provisional employment.
- Sec. 3. Crystal City Code, Subsection 310.11 is amended by adding a subdivision to read:
- Subd. 3A. Notice. Notice of the existence of a vacancy shall be given by one publication in the official newspaper of the City at least 14 days in advance of closing of applications for the position and by posting notice in the City Hall for a similar period. A written notice shall also be mailed in advance of the examination to each person who has submitted an application meeting the minimum qualifications of the position.
- Sec. 4. Crystal City Code, Section 310 is amended by adding a subsection to read as follows:
- 310.16. Reemployment Lists. Subdivision 1. Occupational Reemployment List. Employees laid off or bumped, or demoted in lieu of layoff, shall have their names placed on a reemployment list by the classification and related position in which the employee was last employed in the inverse order of layoff. An employee who was placed on the occupational reemployment list may return to work within the same job classification from which the employee was demoted, bumped or laid off or a related position in a lower salary range for a period of two years from the time of demotion, bumping or layoff.
- Subd. 2. General Reemployment List. An employee laid off, or demoted in lieu of layoff will, upon written request

to the Commission, be placed on a general reemployment list. The general reemployment list shall be composed of individuals from all departments of the City with their rank to be in the inverse order of layoff. Former employees considered for placement from the general reemployment list shall successfully complete a reemployment examination for any job classification or related position in which the former employee has not previously served. Former employees applying for a job who have either successfully obtained a passing score on a reemployment examination for the position sought, or who have previously served in the job classification or related position with a higher salary range, shall be placed in the job vacancy in accordance with their inverse order of layoff. All applicants must meet the minimum qualifications for the job classification.

- Subd. 3. Period of Eligibility. The eligibility of all candidates on reemployment lists expire two years from the date of their separation from the service.
- Subd. 4. Notification of Vacancies. An employee on layoff whose name has been placed on a reemployment list shall be notified in writing of job vacancies. An employee on layoff who wishes to be considered for a job vacancy must indicate that intent by written request directed to the Commission within ten days of the mailing of the notice.
- Sec. 5. Crystal City Code, Subsection 310.17, Subdivision 2, is amended to read:
- Subd. 2. <u>Cause</u>. No permanent employee in the classified service shall be dismissed, except for just cause, which shall not be religious, racial, or political. No such action shall be taken except after the employee has been given notice of the action in writing by the Appointing Authority. A copy of the notice shall be transmitted to the Civil Service Commission. Upon written request made by the employee within 15 days after receipt of such notice, the Geneit City Manager shall file the charges of inefficiency or misconduct on which the dismissal is based with the employee concerned and with the secretary of the Commission and a hearing shall be held by the Commission thereon after ten days' written notice to the employee of the time and place of the hearing. Action of the Geneit City Manager shall be final if no such written request is made within 15 days after receipt of the notice of dismissal.
- Sec. 6. Crystal City Code, Subsection 310.17, Subdivision 5, is amended to read:
- Subd. 5. Written Findings. Findings and orders sustaining disciplinary actions or compelling reinstatement shall be in writing and filed within five ten working days after the completion of the hearing among the records of the

secretary of the Civil Service Commission. The secretary shall give written notice of the decision to any employees concerned and to the Council.

- Sec. 7. Crystal City Code, Subsection 310.27, is amended by adding a subdivision to read:
- Subd. 2a. No officer, agent, clerk, or employee of the City shall, directly or indirectly, during hours of employment solicit or receive funds or at any time use authority or official influence to compel any officer or employee in the classified service to apply for membership in or become a member of any organization, or to pay or promise to pay any assessment, subscription, or contribution, or to take part in any political activity. Any person who violates any provision of this section shall be guilty of a misdemeanor, and shall be punished accordingly, and any officer or employee in the classified service found guilty of violating any provision of this section is automatically separated from the service.
- Sec 8. Crystal City Code, Subsection 310.27, Subdivision 4, is amended to read:
- Subd. 4. City Elective Office. An employee of the City who becomes a candidate for any an elective office of the City shall must apply for and be granted a leave of absence without pay from his the position. The leave of absence shall-eentinue continues until his the candidacy is determined by Council canvass, and during incumbency in the office. The-leave-of-absence-shall-be-without-pay:
- Sec. 9. Crystal City Code, Section 310, is amended by adding a Subsection to read:
- 310.26. Grievance Procedure. The Commission may adopt rules providing for grievance administration for City employees not covered by union contract.
- Sec. 10. Crystal City Code, Subsection 310.11, Subdivision 3 and Subsection 310.27, Subdivisions 2 and 3 are repealed.
- Sec. 11. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11.

Attest:	Mayor	
Clerk		

LeFevere Lefler Kennedy O'Brien & Drawz

a Professional Association

July 23, 1987

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 Joseph E. Hamilton John B. Dean Glenn E. Purdue Richard J. Schieffer Charles L. LeFevere Herbert P. Lefler III James J. Thomson, Jr. Thomas R. Galt Dayle Nolan John G. Kressel Steven B. Schmidt James M. Strommen Ronald H. Batty William P. Jordan William R. Skallerud Rodney D. Anderson Corrine A. Heine David D. Beaudoin Paul E. Rasmussen Steven M. Tallen Mary Frances Skala Christopher J. Harristhal Timothy J. Pawlenty Rolf A. Sponheim

Julie A. Bergh

Mr. John Olson Acting City Manager City of Crystal 4141 Douglas Drive North Crystal, Minnesota 55422

> Re: Recreational Vehicles Ordinance; Adoption by Reference Ordinance

Dear John:

Enclosed you will find a draft of an ordinance amending the Recreational Vehicle section of the code relating to Category II vehicles. This can be presented to the council for second reading at the next council meeting.

Also enclosed is a draft of an ordinance for first reading that amends Subsection 100.07 relating to Adoption by Reference.

As you recall, we adopt this ordinance annually and it automatically updates all statutory and code references in the ordinance code. I have spoken to Don Peterson about this and I think this will take care of his fee adjustment problem.

Yours very truly,

LEFEVERE, LEFLER, KENNEDY,

Q'BRIEN & DRAWZ

David J. Kennedy

DJK:1b enclosures ORDINANCE NO. 87

AN ORDINANCE RELATING TO RECREATIONAL VEHICLES:

AMENDING CRYSTAL CITY CODE

SUBSECTION 1330.03, SUBDIVISION 4.

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code, Subsection 1330.03, Subdivision 4, is amended to read as follows:

Subd. 4. "Category I Vehicles and Equipment" means those vehicles and equipment which do not exceed 28 32 feet in body length, excluding bumpers and tongues; "Category II Vehicles and Equipment" means all other such vehicles and equipment.

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

Mayor	THE PARTY OF THE P	

Attest:

City Clerk

00110D13.F16

To: John Olson, Acting City Manager

From: Don Peterson, Chief Building Inspector

Re: Fees

The following Cities presently have adopted or are in the process of adopting the 1985 Uniform Building Code Fee Schedule; New Hope, Golden Valley, Robbinsdale, and Brooklyn Park.

The Crystal City Code Section 100.07 Official Statues; Codes, Regulations and Ordinances when amended will adopt the Uniform Building Code and its fee schedule and the Minneapolis Fee Schedule for Plumbing, Heating, Air Conditioning, Refrigeration, House Moving and Wrecking as referenced in Section 1015.12 Permit Fees.

I have spoken with Dave Kennedy and I believe he has or is in the process of preparing an amendment to Section 100.07 of the Crystal City Code for the City Councils action.

ORDINANCE	NO.	87	
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AN ORDINANCE RELATING TO ADOPTION BY REFERENCE: AMENDING CRYSTAL CITY CODE SUBSECTION 100.07.

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code, Subsection 100.07 is amended to read as follows:

100.07. Official Statutes; Codes, Regulations; and Ordinances. References in this Code to Minnesota Statutes are to Minnesota Statutes 1986, Minnesota Statutes-1985-Supplement, and Laws of Minnesota 1986 1987 unless otherwise provided in this Code. References in this Code to Rules and Regulations of state agencies, codes, and ordinances of other municipalities are to those documents in effect on July 1, 1986 1987, unless otherwise provided.

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

	Mayor	311
Attest:		

City Clerk

00110D12.F16

Dear

The Crystal City Council has requested me to solicit proposals from interior space designers and architects for a space-needs study of the City operations.

The City's Long-Range Planning Commission has received requests from various City departments for expansion of the City Hall facility and for a new community center building.

The City Council is requesting a study of space-needs to be conducted to determine if, in fact, additions to City Hall are necessary based on the expressed needs of the departments or if rearrangement of present facilities can provide for more efficient use.

In addition, the City is presently leasing an elementary school from the local school district to house a community center including senior citizen programs. This facility has serious structural problems and the City Council has indicated it does not wish to continue leasing the school.

A needs study is also requested to determine what type and how much space is needed to build a new community center to house the senior citizen programs and other recreational activities.

Any study must include the following:

- a. review of the requests by departments to the Long-Range Commission
- b. interviews of all departments to determine suggested space-needs
- c. review of any space-needs study already conducted
- d. a report to the City Council on the recommended space-needs to include suggested interior layout, estimated cost of any addition to the present City Hall, and estimated cost of a new community center together with suggested overall size of building.

If you are interested in submitting a proposal, I would like them to be sent to me by Monday, August 3, along with your estimated cost for conducting such a study.

John A. Olson Acting City Manager TO: John A. Olson, Acting City Manager

FROM: Bill Monk, City Engineer

DATE: July 29, 1987

RE: Surety Release for Burger King at 3526 Lilac Drive

Site improvements required as a condition of building permit issuance and listed in the attached letter have been completed by Burger King at 3526 Lilac Drive. Said improvements have been constructed according to the approved site plan and are consistent with City standards. It is the recommendation of this office that the \$42,000 performance bond presently on file be released in accordance with provisions of the improvement agreement dated October 16, 1984, subject to a one-year warranty of all construction.

WM:jrs

Encls

Honorable Mayor & City Council City of Crystal, MN

RE: Improvement Needs Burger King, 3526 North Lilac Drive

Dear Councilmembers:

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

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

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

It is recommended that the above work be required as a condition of issuance of a building permit; that the work be completed prior to issuance of an occupancy permit but not later than June 15, 1985; that the work be unconditionally guaranteed for a period of one year from date of final acceptance of all the work; and that surety in the amount of \$42,000 be required as a guarantee of the faithful performance of the above construction and requirements.

Very truly yours,

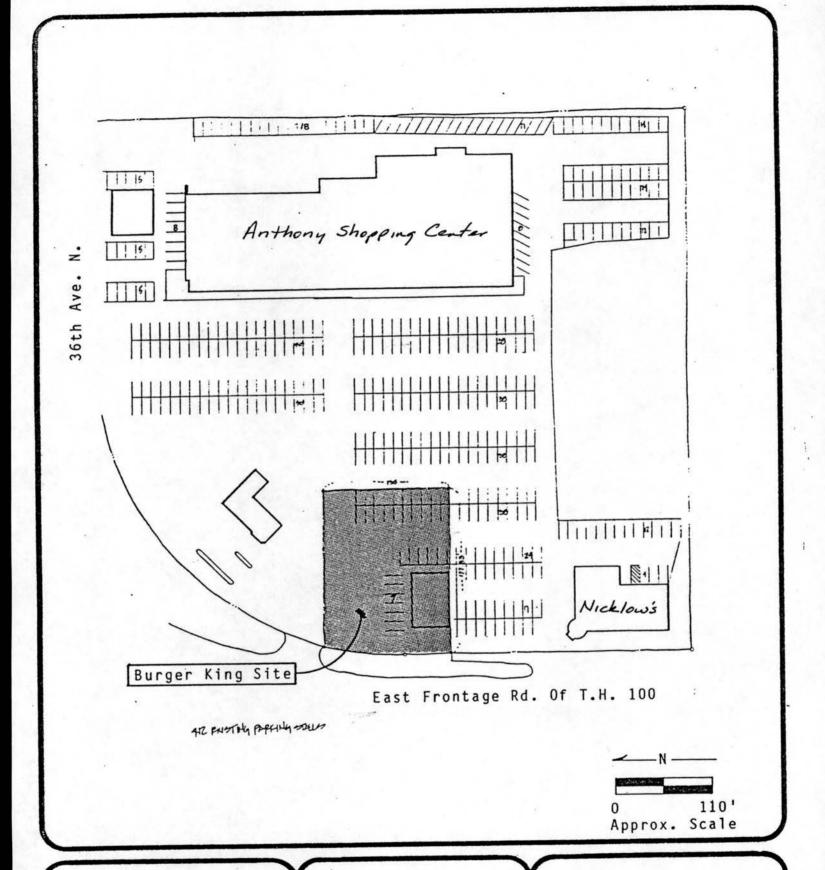
Wm. L. Sherburne.
William L. Sherburne, P.E.

City Engineer

WLS: jrs

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

Encls



BURGER KING CORPORATION

BENSHOOF AND ASSOCIATES

PROPOSED RESTAURANT

FIGURE 1

EXISTING SHOPPING CENTER AND PARKING LOT LAYOUT

RESOLUTION NO. 87-

RESOLUTION APPROVING A JOINT COOPERATION AGREEMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the City of Crystal, Minnesota and the County of Hennepin have in effect a Joint Cooperation Agreement, County Contract No. 40421, for the purposes of qualifying as an Urban County under the United States Department of Housing and Urban Development Community Development Block Grant program, and

WHEREAS, the City and the County wish to terminate the Agreement and execute a new Joint Cooperation Agreement, County Contract No. 70463, to reconstitute the Urban County for purposes of the Community Development Block Grant program,

NOW, THEREFORE, BE IT RESOLVED that the current Joint Cooperation Agreement between the City and the County, County Contract No. 40421, be terminated effective September 30, 1987, and a new Joint Cooperation Agreement between the City and the County, County Contract No. 70463, be executed effective October 1, 1987, and that the Mayor and the City Manager be authorized to sign the Agreement on behalf of the City.

RESOLUTION NO. 87-45

RESOLUTION APPROVING A JOINT AND COOPERATIVE AGREEMENT BETWEEN THE CITY OF CRYSTAL AND THE CITY OF ROBBINSDALE FOR A RECYCLABLE WASTE COLLECTION FACILITY

WHEREAS, the City of Crystal has committed to pursue potential recycling programs to meet the requirements of the Hennepin County Solid Waste Source-Separation Plan as stated in Ordinance Thirteen; and

WHEREAS, the City of Crystal has agreed to implement a recycling drop-off site in a Grant Agreement with Metropolitan Council in order to receive grant funds; and

WHEREAS, the City of Robbinsdale is interested in sharing their existing recycling drop-off site at 4601 Toledo Avenue, Robbinsdale, Minnesota; and

WHEREAS, it is in each cities' best financial interest to share costs of a recycling site;

NOW, THEREFORE, BE IT RESOLVED that the City of Crystal enter into a Joint Cooperative Agreement between the City of Crystal and the City of Robbinsdale for a Recycling Waste Collection Facility, and

BE IT FURTHER RESOLVED that a clause be added into the agreement that requires each city to obtain the same amount of liability insurance which meets Minnesota Statutes.

Contract	No.	70463	
Concract	NO.	70403	

JOINT COOPERATION AGREEMENT

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

WITNESSETH;

COOPERATING UNIT and COUNTY agree that it is desirable and in the interests of their citizens that COUNTY secure Community Development Block Grant funds as an Urban County within the provisions of the Act as herein defined and, therefore, in consideration of the mutual covenants and promises contained in this Agreement, the parties mutually agree to the following terms and conditions.

I. DEFINITIONS

The definitions contained in 42 USC 5302 of the Act and 24 CFR Part 570.3 of the Regulations are incorporated herein by reference and made a part hereof, and the terms defined in this section have the meanings given them:

A. "The Act" means the Housing and Community Development Act of 1973, Title 1 of Public Law 93, 383, as amended by the Housing and Community Development Reconciliation Amendments of 1985, 42USC5301ET.SEQ.

B. "Regulations" means the rules and regulations promulgated pursuant to the Act, including but not limited to 24 CFR Part 570.

C. "HUD" means the United States Department of Housing and Urban Devel-

D. "Cooperating Unit" means any city or town in Hennepin County which has entered into a cooperation agreement which is identical to this Agreement, as well as Hennepin County which is a party to each Agreement.

E. "Statement of Objectives and Projected Use of Funds" means the document bearing that title or similarly required statements or documents submitted to HUD for authorization to expend the entitlement amount and which is developed by the COUNTY in conjunction with COOPERATING UNITS as part of the Community Development Block Grant Program.

II. PURPOSE

The purpose of this Agreement is to authorize COUNTY and COOPERATING UNIT to cooperate in undertaking, or assisting in undertaking, community renewal and lower income housing activities, specifically urban renewal and publicly assisted housing and authorizes COUNTY to carry out these and other eligible activities which will be funded from annual Community Development Block Grants from Fiscal Years 1988, 1989 and 1990.

III. AGREEMENT

- A. The term of this Agreement is for a period commencing on the effective date of October 1, 1987, and terminating no sooner than the end of program year sixteen (XVI) covered by the Statement of Objectives and the Projected Use of Funds for the basic grant amount authorized by HUD subsequent to the effective date.
- B. Notwithstanding any other provision of this Agreement, this Agreement shall be terminated at the end of the three-year program period during which HUD withdraws its designation of COUNTY as an Urban County under the Act.
- C. This Agreement shall be executed by the appropriate officers of COOPERATING UNIT and COUNTY pursuant to authority granted them by their respective governing bodies, and a copy of the authorizing resolution and executed Agreement shall be filed promptly by the COOPERATING UNIT in the office of the Hennepin County Administrator, and in no event shall the Agreement be filed later than August 28, 1987.

IV. ACTIVITIES

COOPERATING UNIT agrees that awarded grant funds will be used to undertake and carry out within the terms of this Agreement certain projects involving one or more of the essential activities eligible for funding under the Act. COUNTY agrees and will assist COOPERATING UNIT in the undertaking of such essential activities by providing the services specified in this Agreement. The parties mutually agree to comply with all applicable requirements of the Act and the Regulations and other relevant Federal and/or Minnesota statutes or regulations in the use of basic grant amounts. Nothing in this Article shall be construed to lessen or abrogate COUNTY's responsibility to assume all obligations of an applicant under the Act, including the development of the Statement of Objectives and Projected Use of Funds pursuant to 24 CFR 570.300 et.seq.

- A. COOPERATING UNIT further specifically agrees as follows:
 - COOPERATING UNIT will in accord with a COUNTY established schedule prepare and provide to COUNTY, in a prescribed form, an annual request for the use of Community Development Block Grant Funds consistent with this Agreement, program regulations and the Urban Hennepin County Statement of Objectives.

- 2. COOPERATING UNIT shall use all funds received pursuant to the Agreement for each annual program within eighteen (18) months of the authorization by HUD of the basic grant amount. Expenditure period extensions may be requested in cases where the authorized activity has been initiated and/or subject of a contract.
- 3. COOPERATING UNIT shall use funds provided pursuant to Section V. of this Agreement to undertake no more than three (3) grant funded activities administered by the COOPERATING UNIT. Each activity shall have a budget of at least seventy-five hundred dollars (\$7,500), or the total amount of the planning allocation of COOPERATING UNIT if less than seventy-five hundred dollars (\$7,500). A COOPERATING UNIT may assign less than seventy-five hundred dollars (\$7,500) to an activity when the activity is one that is programmed by at least one other COOPERATING UNIT and administered by only one COOPERATING UNIT on behalf of the others, provided that the total activity budget is at least seventy-five hundred dollars (\$7,500).
- 4. COOPERATING UNIT will take actions necessary to accomplish the community development program and housing assistance goals as contained in the Urban Hennepin County Housing Assistance Plan.
- 5. COOPERATING UNIT shall ensure that all programs and/or activities funded in part or in full by grant funds received pursuant to this Agreement shall be undertaken affirmatively with regard to fair housing, employment and business opportunities for minorities and women. It shall in implementing all programs and/or activities funded by the basic grant amount comply with all applicable federal and Minnesota Laws, statutes, rules and regulations with regard to civil rights, affirmative action and equal employment opportunities and Administrative Rule issued by the COUNTY.
- COOPERATING UNIT shall participate in the citizen participation process as established in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.
- COOPERATING UNITS shall comply with all of the administrative guidelines of the COUNTY now in effect or as hereafter promulgated.
- COOPERATING UNITS shall prepare, execute, and cause to be filed all documents protecting the interests of the parties hereto or any other party of interest as may be designated by the COUNTY.
- B. COUNTY further specifically agrees as follows:
 - COUNTY shall prepare and submit to HUD and appropriate reviewing agencies on an annual basis all plans, statements and program documents necessary for receipt of a basic grant amount under the Act.

- 2. COUNTY shall provide, to the maximum extent feasible, technical assistance and coordinating services to COOPERATING UNIT in the preparation and submission of the request for funding.
- COUNTY shall provide ongoing technical assistance to COOPERATING UNIT to aid COUNTY in fulfilling its responsibility to HUD for accomplishment of the community development program and housing assistance goals.
- 4. COUNTY shall upon official request by COOPERATING UNIT agree to administer local housing rehabilitation grant programs funded pursuant to the Agreement, provided that COUNTY shall receive ten percent (10%) of the allocation by COOPERATING UNIT to the activity as reimbursement for costs associated with its operation.
- COUNTY will, as necessary for clarification and coordination of program administration, develop and implement Administrative Rules consistent with the Act, Regulations and HUD administrative directives.

V. ALLOCATION OF BASIC GRANT AMOUNTS

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

- A. COUNTY shall retain ten percent (10%) of the annual basic grant amount for the undertaking of eligible activities.
- B. The balance of the basic grant amount shall be apportioned by COUNTY to COOPERATING UNITS in accordance with the formula stated in part C of this section for the purpose of allowing the COOPERATING UNITS to make requests for the use of funds so aportioned. The allocation is for planning purposes only and is not a guarantee of funding.
- C. Each COOPERATING UNIT will use as a target for planning purposes an amount which bears the same ratio to the balance of the basic grant amount as the average of the ratios between:
 - The population of COOPERATING UNIT and the population of all COOPERATING UNITS.
 - The extent of poverty in COOPERATING UNIT and the extent of poverty in all COOPERATING UNITS.
 - The extent of overcrowded housing by units in COOPERATING UNIT and the extent of overcrowded housing by units in all COOPERAT-ING UNITS.
 - 4. In determining the average of the above ratios, the ratio involving the extent of poverty shall be counted twice.

D. It is the intent of this section that said planning allocation utilize the same basic elements for allocation of funds as are set forth in 24 CFR 570.4. The COUNTY shall develop these ratios based upon data to be furnished by HUD. The COUNTY assumes no duty to gather such data independently and assumes no liability for any errors in the data furnished by HUD.

VI. COUNTYWIDE DISCRETIONARY ACCOUNT

- A. In the event that any COOPERATING UNIT cannot commit, expend or does not request its planning allocation, or a portion thereof, pursuant to Section V of this Agreement, COUNTY will assign the unexpended or unallocated grant funds to the Countywide Discretionary Account. The assignment shall also include funds pursuant to Section IV paragraph A.2. of this Agreement.
- B. COUNTY will retain ten percent (10%) of all funds placed in the Countywide Discretionary Account to defray administrative expenses.
- C. COUNTY will, on or before March 1 of each year, inform each COOPER-ATING UNIT of the Countywide Discretionary Account balance and will provide each COOPERATING UNIT the opportunity to make a request for use of all or a portion of the funds.

VII. FINANCIAL MATTERS

- A. Reimbursement to the COOPERATING UNIT for expenditures for the implementation of activities funded under the Act shall be made upon receipt by the COUNTY of Summary of Project Disbursement form and Hennepin County Warrant Request, and supporting documentation.
- B. All funds received by COUNTY under the Act as reimbursement for payment to COOPERATING UNITS for expenditure of local funds for activities funded under the Act shall be deposited in the County Treasury.
- C. COOPERATING UNIT and COUNTY shall maintain financial and other records and accounts in accordance with requirements of the Act and Regulations. Such records and accounts will be in such form as to permit reports required of the County to be prepared therefrom and to permit the tracing of grant funds and program income to final expenditure.
- D. COOPERATING UNIT and COUNTY agree to make available all records and accounts with respect to matters covered by this Agreement at all reasonable times to their respective personnel and duly authorized federal officials. Such records shall be retained as provided by law, but in no event for a period of less than three years from the last receipt of program income resulting from activity implementation. COUNTY shall perform all audits of the basic grant amount and resulting program income as required under the Act and Regulations.

E. COOPERATING UNIT shall return all program income derived from activities funded in total or part from the basic grant amount COUNTY upon its generation, except as derived from activities with approved reolving accounts.



- 1. COUNTY will retain ten percent (10%) of all program income to defray administration expenses.
- 2. The remaining 90 percent (90%) of the program income shall be credited to the grant authority of the COOPERATING UNIT whose activity generated the income and be used for fundable and eligible Community Development Block Grant activities consistent with this Agreement.
- F. Should an approved activity be determined to represent an ineligible expenditure of grant funds, the COOPERATING UNIT responsible shall reimburse the COUNTY for such ineligible expense.
 - All reimbursements for ineligible expenditures shall be placed in the Countywide Discretionary Account, except as provided for in Section VII.F.2. of this Agreement.
 - When it is determined by the COUNTY that grant funds have been expended on an eligible activity and through no fault of the COOPERATING UNIT the project fails or is no longer eligible, the program reimbursement shall be treated as program income in Section VII.E. of this Agreement.

VII. EXECUTION

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

nerem sec forch.	
Upon proper execution, this Agreement will be legally	COUNTY OF HENNEPIN, STATE OF MINNESOTA
valid and binding.	By: Chairman of its County Board
	And:
Assistant County Attorney	Deputy/Associate County Administrator
Date:	ATTEST:
	Deputy County Auditor
APPROVED AS TO EXECUTION:	CITY OF:
	By:
Assistant County Attorney	Its
DATE:	And:
CITY MUST CHECK ONE:	Its
The City is organized pursuant	
to: Plan A Plan B Charter	

JOINT AND COOPERATIVE AGREEMENT CITIES OF CRYSTAL AND ROBBINSDALE RECYCLABLE WASTE COLLECTION FACILITY

I. PARTIES:

The parties to this agreement are:

CITY OF CRYSTAL ("Crystal"), a Minnesota municipal corporation having its principal offices at 4141 Douglas Drive North, Crystal, Minnesota 55422;

and

CITY OF ROBBINSDALE ("Robbinsdale"), a Minnesota municipal corporation having its principal offices at 4221 Lake Road, Robbinsdale, Minnesota 55422.

II. BACKGROUND AND PURPOSE:

Robbinsdale now operates a facility for the collection of certain recyclable waste materials (the "Facility"). The Facility is located on property of Robbinsdale and within its boundaries. A plot plan of the Facility is attached hereto as Exhibit "A" and is made a part hereof. Robbinsdale provides the personnel for the operation of the Facility on the days when it is open.

It is the purpose of this agreement to provide the basis upon which the parties may jointly and cooperatively operate the Facility including any additions to or betterments thereof to serve the two cities. By so providing, the parties believe that they can effect economies and provide a higher quality of service to both cities.

This agreement is made pursuant to the authority granted by <u>Minnesota</u> Statutes, Section 471.59.

III. CONTRACT PROVISIONS:

In consideration of their mutual covenants and agreements as hereinafter set forth, the parties therefor contract and agree as follows:

A. <u>Use of Facility</u>. Crystal hereby contracts to use the Facility (including additions thereto and any betterments thereof) and Robbinsdale hereby agrees to make available to Crystal and to use the Facility with Crystal for the purpose of collecting and disposing of certain recyclable materials. Robbinsdale shall continue to own the Facility during and after termination of this agreement. Initially, the Facility shall consist of that area delineated on the attached Exhibit "A" and designated as "Disposal Facility Area." Any later additions to or betterments of the Facility made pursuant to this agreement shall become part of it.

- B. Days of Use by Each Party. Crystal will use and provide personnel for the operation of the Facility on the first and third Saturdays of each month and Robbinsdale will do so on the second and fourth Saturdays of each month. The Facility shall be open from 9:00 A.M. TO 1:00 P.M. on each such Saturday and shall accept recyclable materials from both communities on the days when it is open. The Facility need not be kept open by a party on a Saturday which is a legal holiday in the State of Minnesota. By mutual agreement, the parties may provide for the operation of the Facility on the fifth Saturday of any month having five (5) Saturdays.
- C. <u>Recyclable Materials</u>. The recyclable waste materials which may be accepted by either party at the Facility are glass, aluminum, ferrous metal, newspapers (not including magazines or other glossy paper), white goods and cardboard. Other acceptable materials may be added by written agreement between the parties.
- D. <u>Personnel</u>. Each city shall provide personnel for the operation of the Facility on the days when it has responsibility for its operation. Such personnel may be volunteers, employees of that city or persons provided by contract with that city. The personnel provided at the Facility during hours of operation by that city shall include one (1) adult person to supervise the operation of the Facility and one (1) adult person to record the information necessary to administer any rebates or other benefits granted by the parties to persons delivering recyclable materials to the Facility
- E. <u>Management</u>. The operation of the Facility during the time that this agreement is in effect shall be under the supervision of a Management Committee consisting of three (3) representatives from each of the parties. One representative from each party shall be its city manager or a designate chosen by the city manager. The second representative shall be a city council member or a citizen appointed by the City Council. The third representative shall be an appointed staff member.

Powers, duties and responsibilities of the Management Committee shall include but not be limited to the following:

- 1. Development of policies relating to the operation of the Facility.
- 2. Oversight of operation and Facility performance.
- 3. Administrative decisions relating to Facility improvements and betterments.
- 4. Development of cost estimates and cost-sharing estimates as hereinafter provided.
- 5. Development of budgets for submission to the city councils of the parties.

6. Providing for cost-sharing adjustments based upon actual experiences, as hereinafter provided.

The Management Committee shall meet at least annually not later than June 1 of each year commencing in 1988 to review Facility operations and prepare a budget for the unsuing calendar year. At such meetings, the Management Committee shall also review this agreement for any recommended modifications. Additional meetings of the Management Committee may be held at any time upon call of any Committee member.

- F. 1987 and 1988 Costs and Payments. Joint operation of the Facility under this agreement shall commence on October 1, 1987. In order to provide a fund for the operation of the Facility from that date until the end of 1988, each of the parties shall provide the sum of Eight Thousand Dollars (\$8,000) for the first cost-sharing period of fifteen (15) months and adjusted accordingly by the Management Committee with respect to estimated costs for future cost-sharing periods (refer to Exhibit "B" for the estimated budget for the first fifteen-month (15), cost-sharing period), to be held and accounted for by Robbinsdale. The funds so provided shall provide initial working capital for the operation of the Facility. Such funds shall be paid or transferred into the account on or before September 15, 1987.
- G. <u>Basis of Cost-Sharing</u>. The first cost-sharing period under this agreement shall be from October 1, 1987, through December 31, 1988. Thereafter each calendar year shall be a cost-sharing period for the purposes of this agreement.

The amount of costs to be shared by the parties shall be determined as follows:

- 1. The Actual Total Costs for the cost-sharing period shall be allocated between the two parties on the basis of the respective participation ratios of recyclable material collected from each of the cities.
- 2. The costs to be considered in determining the "Estimated Total Costs" shall include the following:
 - a. Direction signs as shown on Exhibit "A-1"
 - b. Improvements and betterments to the facilities as agreed upon from time to time by the Management Committee.
 - c. Costs of landfilling white goods, or other materials accepted at the Facility, when necessary.
 - d. Costs of maintenance and restoration of those streets leading to and from the Facility, designated on Exhibit "A-2".
 - e. Costs of insuring the Facility and its operation for the purpose of rectifying unforeseen costs (i.e. the clean-up of hazardous waste if dumped at the site either by accident or no knowledge of the act by either party).

- f. Costs of ordinary cleaning, repair and maintenance of the Facility. (Extraordinary cleanup expenses or damage occurring while a party is operating the Facility shall be paid for by that party.)
- g. Costs of providing police, fire or other services of either of the parties in connection with or as a result of the operation of the Facility.
- h. In those instances where additions to or betterments of the Facility are not to be fully paid for in the year when they are made, a charge for depreciation calculated on a straight line basis and based upon the estimated useful lives of such additions and betterments.
- i. Other costs as may be agreed upon in advance in writing by the parties acting through the Management Committee.
- j. Costs for contracting hauling of recyclable materials.
- H. Preparation of Estimates for Purposes of Cost-Sharing. Each year the Management Committee shall estimate the total costs of operating the Facility and making additions to and betterments thereof for the ensuing cost-sharing period. It shall also determine what percentage of the total tonnage of recyclable materials is estimated to originate from each of the cities. These estimates of the percentage of the materials which each city will provide shall be based upon the best judgment of the Management Committee based upon prior years' experience. For the first cost-sharing period, because of the absence of such experience, each party shall have an estimated percentage of fifty percent (50%).

Such estimates shall be made each year no later than June 1 and shall be used for the purposes of calculating the estimated costs for each city for the ensuing cost-sharing period. Such estimated costs shall be incorporated into the budgets of the two cities. If such amount is not finally approved as part of the budget of a city, its city manager shall forthwith notify the city manager of the other city. Failure to approve a city's estimated share of the costs of the Facility in its budget shall be grounds for termination of this agreement as hereinafter provided.

- I. <u>Minimum Cost to Both Parties</u>. In no event shall either party's estimated or actual share of the Facility in any cost-sharing period be less than twenty-five percent (25%).
- J. Periodic Payments of Estimated Costs. After the initial cost-sharing period, each city shall pay one-fourth (1/4) of its estimated annual cost into the operating account on or before each of the following dates during the cost-sharing year: January 15, April 15, July 15 and October 15. This provision shall be applicable each year commencing with the year 1989. If the funds deposited by the parties are found to be insufficient to pay the actual costs being incurred by

the parties during the year, the parties shall each deposit additional funds as necessary to pay such actual costs. Such additional payments shall be made on the basis of the percentage shares applicable to the particular year involved.

- K. Recalculation and Adjustments. After the cost-sharing period (ordinarily the calendar year), the actual costs of operating the Facility for the preceding cost-sharing period shall be computed. The total ratio or percentage of participation of recyclable materials originating in each of the cities shall also be computed. The actual costs of operating the system shall then be allocated between the two cities on the basis of the tonnage of recyclable materials originating in each of the cities. Such recalculation, based upon actual experience, shall be made not later than April 1 following the end of the cost-sharing period. When such recalculation has been made appropriate, adjustments of cost distributions between the parties shall be made to reflect actual experience and the parties shall receive refunds or make additional payments as necessary to reflect such adjustments.
- L. <u>Disbursements of and Accountability for Funds</u>. Disbursement of funds to pay shared costs shall be the responsibility of Robbinsdale. The method of disbursement shall be, as far as practicable, the same method provided by law for the disbursement of funds by Robbinsdale. Contracts let and purchases made, involving shared costs of operating, maintaining and improving the Facility, shall conform to the requirements applicable to contracts and purchases of the city of Robbinsdale. Robbinsdale shall provide Crystal with a full accounting of all funds received by and all funds disbursed from the special account.
- M. Ownership and Distribution of Property. Upon termination of this agreement as herein provided, any funds remaining in the special account and not needed to pay shared costs incurred prior to the effective date of the termination, shall be returned to the parties in the same proportions which the parties contributed funds during the final cost-sharing period under this agreement.
- N. Ownership and Disposal of Recyclable Materials. Each party shall be deemed to be the owner of the recyclable materials they have obtained through the ratio of participation by their respective residents. Both parties shall have the right and obligation to dispose of the recyclable materials gained by respective participation ratios and have the right to the revenues of the sale of those recyclable materials.
- O. <u>Keeping of and Access to Records</u>. During the time that either city is operating the Facility, it shall keep such records as are necessary to administer the rebate or other benefit programs of both cities. The parties, acting through the Management Committee, shall undertake to develop uniform records for both communities for that purpose as well as for the collection of other information necessary to the administration of this agreement such as the tonnages of recycled materials collected by each party. In the administration of this

agreement, the parties will each provide the other with full access to all books and records relating to any information used in connection with this agreement or the operation of the Facility.

- P. Indemnification for Non-Insured Losses. The parties shall undertake to obtain the necessary insurance to provide protection against claims and losses resulting from the operation of the Facility, which costs of insurance shall be included in the costs to be shared. Nevertheless, in the event that Robbinsdale is subjected to any uninsured claims arising out of the operation of the Facility, under circumstances where it cannot be ascertained which of the parties is responsible for the circumstances giving rise to the claim, Crystal agrees to indemnify and save Robbinsdale harmless against one-half (1/2) of any such claims and any costs and expenses of defending the same.
- Q. Use of and Responsibility for Other Facilities. Robbinsdale has restroom and lunchroom facilities adjacent to the Facility which may be used by personnel provided by Crystal in its operation of the Facility. In the event that such accommodations are used by Crystal personnel, Crystal shall be responsible for cleanup of such accommodations and for the repair of any damage to such accommodations occurring during such use.
- R. <u>Curbside Pickup</u>. Either city may provide for curbside pickup of recyclable waste within its boundaries even though such action has the effect of reducing the tonnage of recyclable materials collected at the Facility.
- S. <u>Termination of Agreement</u>. This agreement shall be effective upon its duly authorized execution by the parties. It shall continue in force for an initial period of three-and-one-fourth (3 1/4) years and thereafter from year-to-year subject to termination by either party. Such termination shall be effective by serving written notice thereof upon the other party not later than July 1 of the year at the end of which such termination is to be effective.

If, however, either party fails to approve its share of the proposed budget for the operation of the Facility by October 10 of any year (commencing in 1988), it shall give immediate written notice thereof to the other party. The other party shall thereupon have thirty (30) days after the receipt of such notice to give notice of termination of this agreement, effective at the end of the then current calendar year.

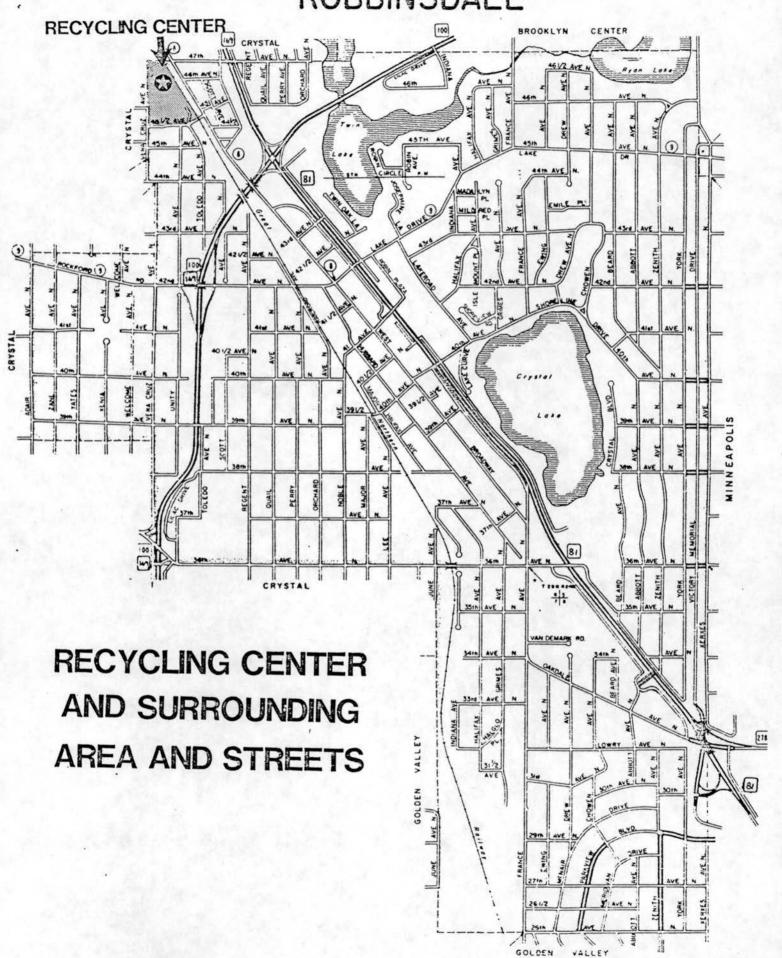
Termination of the agreement by either party at the end of the calendar year shall not affect the obligation of either party to perform the agreement for and during the period that the agreement is in effect. Neither shall such termination affect the recalculation of cost of sharing determined after the closing of the calendar year as hereinbefore provided; nor shall it affect the obligation of Crystal to indemnify Robbinsdale for uninsured claims as hereinbefore provided.

- T. <u>Liability</u>. Each party agrees to hold the other party harmless against any claims, actions or costs or expenses of defending any such claims or actions arising out of or by reason of its operation of the Facility. Each party shall assume responsibility for and shall be liable for any workers or unemployment compensation, withholding, social security or similar obligation, for persons employed or otherwise engaged by it in con-nection with its operation of the Facility.
- U. <u>Cooperative Effort</u>. Each party agrees that it will cooperate fully and in a timely manner to take the actions necessary to facilitate and accomplish the foregoing provisions of this agreement.

Dated this day of	
CITY OF CRYSTAL	CITY OF ROBBINSDALE
By Its Mayor	By Its Mayor
By Its City Manager	By Its City Manager
(CITY SEAL)	(CITY SEAL)



ROBBINSDALE



BUDGET FOR THE FIRST COST SHARING PERIOD OCTOBER 1, 1987 TO DECEMBER 31, 1988

Robbinsdale - Crystal Recycling Center

ITEM			COST
Contracted hauler to t Recyclable materials (Blaine)	\$ 921.60/mo. x 15 mos.
	Subtotal		\$ <u>13,824.00</u> 1
Miscellaneous costs	Subtotal		\$_2,185.00 ²
	Estimated Total	Costs	\$16,000.00 x .50 ³
The amount deposited is by Robbinsdale	nto the Operations	Fund	\$ 8,000.00
The amount deposited is by Crystal	nto the Operations	Fund	\$ 8,000.00

¹Estimated by current rates of generation.

²This covers item listed in the contract at Section G, Subd. 2a through 2i.

^{350%} of costs for both parties for the first 15 months.

NOTICE OF WITHDRAWAL

CITY OF CRYSTAL, MN

Applicant Jeff Sweet of Midwest Auto Malls, Inc. has withdrawn his request for rezoning and conditional use permits applications #87-44, #87-45 and #87-46 for property located at 6918 and 6924 - 56th Avenue North previously scheduled for continuation of public hearing for August 10 at the Planning Commission Meeting. Applicant was proposing to construct two automotive service buildings on the property.

William Monk City Engineer July 29, 1987

MEMO TO: John A. Olson, Acting City Manager

FROM: Julie Jones, Community Development Coordinator

RE: Bass Lake Road & 169 Project Standing

According to Sandra Lugge of Von Klug and Associates and John Drawz, city attorney, there are five properties at this time on which aquisitions need to be finalized. Those properties are:

- 1. Rapid Oil Change (Court Date set for September 18)* 5602 Lakeland Ave. N.
- 2. Norling Motors (Court date set for September 14)
 5548 Lakeland Ave. N.
 may also involve \$20,000 relocation costs
- Apartment Buildings (No court date set)
 6001 6017 Bass Lake Road
- 4. The Paddock (Court date set for September 15 & 16) 5540 Lakeland Ave. N. and 5917 - 27 Bass Lake Road
- 5. V. Bents Farms (No court date set) 5563 Lakeland Ave. N. (Insti-Prints)

Bill Monk, the City Engineer, anticipates that demolition on the Bass Lake Road and 169 intersection will begin between September 15, 1987, and October 15, 1987. The demolition will be complete this year, however, it is possible that some of the frontage work will be started this year.

*NOTE - All court dates are subject to change

JJ:kg

July 29, 1987

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RE: Bass Lake Road & 169 Project Standing

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JJ:kg

CRYSTAL HUMAN RELATIONS COMMISSION July 27, 1987

Members present: Darla Carlson, Carolyn Carlson, Gregg Peppin, Jean Wild,

Burke Hilden, Glenda Sims

Members absent: James Darner, Scott Kerner

1. June minutes approved.

- 2. Announcement read that the Governor has appointed a new human rights chief-Stephen W. Cooper.
- 3. Gregg has not been able to reach Art Cunningham, Civil Service Commission, to discuss the Affirmative Action Policy.
- 4. Human Rights Award The commission interviewed 3 people for the Human Rights Award, Arthur Cunningham, Sue Jourdain, J.J. Choromanski, looking for those traits that best exemplify human rights in Crystal. The group would like the award presented at the City Council meeting September 15. A secret ballot was taken. The two absent members will also be given a chance to vote before the choice is announced. (Jim & Scott: call either Gregg or Carolyn immediately). Publicity in the Post will be asked for. The Commissioners will plan to be present for the presentation.

Next meeting: August 24 at 7 pm.

Meeting adjourned at 7:44 pm.

Carolyn Carlson Secretary

CC:mg

Dr. Donna J. Carter Superintendent Independent School District 281 4148 Winnetka Avenue North New Hope, Minnesota 55427

Dear Dr. Carter:

At its meeting of July 21, 1987, the Crystal City Council reviewed the appraisal of Thorson Elementary School.

It appears that, although competently done, the appraisal includes value to the improvements such as air conditioning, outside play equipment, parking, lighting, boiler repair and new water heater as adding to the value of the building.

These are, of course, a part of the value of the property, however, when taken into consideration by the City we must discount these improvements as necessary costs of operating and maintaining the building as a community center.

In addition, to maintain the building in the future the City will have to incur costs of more than \$600,000.

These items were at the heart of the discussion regarding the appraisal and although the City, through Mr. Irving, requested the appraisal, the City Council wishes District 281 to know that if Thorson Elementary School is offered for sale to the City at the appraisal price, the City Council would not be interested.

The City Council has also directed the staff to review the Thorson site and compare it with any present or future site for the community center programs.

Just for clarification purposes, incidentally, the appraisal indicates that the gymnasium has a hardwood floor. The Thorson gymnasium has a tile floor and is badly in need of repair.

If you have questions concerning the City Council's discussion or wish to discuss the Thorson property further please feel free to call me.

Sincerely.

John A. Olson,

Acting City Manager

JAO:djg

PARK & RECREATION ADVISORY COMMISSION

Agenda - August 5, 1987

Crystal Highlands Park (37th & Jersey Ave. N.)

- 1. Call meeting to order 7:00 p.m.
- 2. Approval of minutes.
- 3. Review Monthly Report.
- 4. Hear citizen comment from Crystal Highlands Park area.
- 5. Review of City Council Meeting of June 16 --
 - A. City Council approved apparatus and equipment for Yunkers Park.
 - B. City Council approves purchase and installation of exercise course at North Lions.
- 6. Review Crystal Frolics events, parade, etc.
- 7. Review dedication program at Becker Park (from July meeting).
- 8. Review Long-Range Planning Meeting Burt.
- 9. Review Thorson Community Center and space needs study.
- 10. Other business.
- 11. Adjournment.

CITY COUNCIL AGENDA

July 28, 1987

Pursuant to due call and notice given in the manner prescribed by Section 3.01 of the City Charter, the Special meeting of the Crystal City Council was held on July 28, 1987, 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	Staff
XX_ Langsdorf	xx_ Kennedy
xx_ Rygg	xx_ Olson
Moravec	Monk
xx_ Smothers	Peterson
xx_ Aaker	Deno
Leppa	George
xx_ Herbes	

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

The City Council discussed the City of Crystal Handbook with the Civil Service Commission.

Moved by c. Herbes and 2nd by C. Smothers to place the Civil Service Handbook on the next Council agenda to consider the necessary ordiancne changes for 1st reading and direct the City Attorney to prepare the changes and review the Handbook with labor attorneys on staff.

Motion Carried

Motion Carried.

The meeting was adjourned at 9:04 P.M.

Darlene

COUNCIL AGENDA

August 18, 1987

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on August 18, 1987, 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	Staff
Langsdorf	
P Rygg	P Olson
Moravec	P Kennedy 7:02
P Smothers	Monk
	Peterson
P Leppa	P Deno
Herbes	P George
	the regular City Council meeting of August
Moved by Councilmember Am. a (approve) (approve, making the following exceptions)	
the minutes of the regular City Council m	to)
and makes of the regular orty country in	Motion Carried.

REGULAR AGENDA

	UNITED PORTER IN LEGISLATION OF A STATE OF THE PARTY OF THE
	The City Council considered site improvement surety in the amount of \$83,000 for a retail center at 3640 Winnetka Avenue North. Rauch, Tri-Stor Sleulopment
	Sm/Here 1 3 60 of Layoho
/	
	Moved by Councilmember Image and seconded by Councilmember Indies to set Interest for surety in the amount of \$83,000 as a guarantee of faithful performance of certain requirements as a condition of building permit approval for a retail center at 3640 Winnetka Avenue North. Hyp: Herbo Lepp Im. Rygg Mo: Hoke Mon Rang. Motion Carried.
7	Moved by Councilmember and seconded by Councilmember to (deny) (continue until the discussion of) setting surety in the amount of \$83,000 for a retail center at 3640 Winnetka Avenue North. Motion Carried.
2.	The City Council considered a petition for a three-way stop sign at the intersection of Utah and Northern Drive. Mrs. Race, Soco Martheur Arme
	Gatrick Cannon, 3132 Utale Que. No.
	Lange Mowing de Le 32 nd + Morthers drive.
	-4100,
a. Coler of	The City Council considered the application of Judy Rice, Linda Museus, and Julie Rydh for appointment to the Human Relations Commission. (2 apartings)
o di	
	en e
	Moved by Councilmember Mor. and seconded by Councilmember Lypa to appoint of two openings of unexpired terms, expiring December 31, 1987.
	are two openings) for unexpired terms, expiring December 31, 1987.

如

Lecess 8: 20pim

The City Council considered a request from R. J. Spomer of Perkins Restaurant for a building permit to construct a 10'8" x 41'6" solarium to existing building at 5420 West Broadway.

Mot Leppa

Mere Seppa

Mere Leppa

Le

Moved by Councilmember and seconded by Councilmember to (approve as recommeded by the Planning Commission) (deny) (continue until the discussion of) building permit #8514 to construct a 10'8" x 41'6" solarium to the existing building located at 5420 West Broadway, subject to standard procedure.

Motion Carried.

Consideration of the proposals from consultants for space-needs as outlined by the Long-Range Planning Commission. Bill Hennemuth, Ricke Carroll Muller associates Inc. Dan Moll, armstrong Porseth Skald + Rydeen, Inc. Wil Johnson + Steve Patrick, BWBR archts. Mark Wentzell + Suzanne Kochevan, Ellerbe, Inc. Kurt Dale, Rick Christenson + Learge Klein, anderson Dale archts, Inc. Jack Boarman, Loarman + associates Heather Beal, Dave Hall, Ed Kodet, Kodet achitectural Group, Ltd. Curt breen, Laurence, Long Hallenkamp, Karsunsky Frank Crickion archts. Inc.

Word Laurence, Greg Hallenkamp, Karsunsky Frank Crickion archts. Inc.

Moved by Councilmember Legge and seconded by Councilmember Im. to approve hiring and Lalles arches. Inc. 11 as the consultant for the space-needs study for the City of Crystal as outlined by the Long-Range Planning Commission. no: Hertes Rygg Moraul Motion Carried. Ayk: Lepper Lang. Sm Aaher Discussion of possible interim sites for programs now located at Thorson Community 7.

Ray Mathiew 5756? Nevala av. Center. nancy Deno-report

Bygg/smgg 1 roles w

8. Consideration of a report from Crystal HRA regarding a potential shortfall of funds for the Bass Lake Road/Becker Park Tax Increment District.

Le Mar. table me HRAU can Tro

Motion Carried.

Counc	il Agenda		- 5 -	August 18, 1987
9.	The City Council e intent to organize	onsidered setting refuse and recycl	a public hearing to announce ting collections.	he City of Crystal's
	7:00 p.m., or as so the date and time	on thereafter as for a public hea	and seconded by Councilm the matter may be heard, Sepring at which time the City of the City of Crystal.	tember 15, 1987, as
10.	The City Council Program with Robb		nended agreement for the Co	operative Recycling
	Moved by Co	ition, the reading	and seconded by Councilment of which was dispensed with by	mber <u>Leggu</u> to adopt unanimous consent:
		ON ADOPTING A	MENDED AGREEMENT WITH DR A RECYCLABLE WASTE TION FACILITY	CITY
	By roll call and vo	ting aye: #\	sent, not voting: Motion Carried, resolution	; voting
	Moved by Continue until adopting amended a Facility.	ouncilmember	and seconded by Councilme the discussion of) considers ty of Robbinsdale for a Recycle	mber to (deny) ation of a resolution able Waste Collection Motion Carried.

Motion Carried.

Counci	1 Agenda	- 0 -	August 10, 1307
11.	The City Council considered at LOGIS.	the appointment of an Alternate	to the Board of Directors
	Moved by Councilmen	nber <u>Sm.</u> and seconded by Counc	ilmember Kerke to appoint
	Maney Jens as the of Crystal at LOGIS, effect	Alternate Member for the Board tive August 1, 1987.	of Directors for the City Motion Carried.
12.	The City Council considere Citizens Housing Project.	ed a resolution regarding the sal	le of land for the Senior
	Moved by Councilmer the following resolution, the	mber Move and seconded by Coun reading of which was dispensed w	cilmember Lega to adopt with by unanimous consent:
		RESOLUTION NO. 87-48	
		ON REGARDING SALE OF PUBL	
	By roll call and voting aye	; absent, not voting:	,,; voting olution declared adopted.

Moved by Councilmember and seconded by Councilmember to (deny) (continue until the discussion of) resolution regarding the sale of land for the Senior Citizens Housing Project.

Council Agenda

-6-

August 18, 1987

#.5

- 2 my 6 - 1 P R. B. 2 2 - 6.

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

Motion Carried.

Moved by Councilmember Sed, and seconded by Councilmember to adjourn the meeting.

Motion Carried.

Meeting adjourned at 10:44

Motion Carried.

Herb/Lang & Sher - " un ce

APPLICATIONS FOR LICENSE August 18, 1987

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

Art Willman & Sons, Minneapolis, MN

PLUMBERS - \$30.25

Nikko Plumbing 2499 Morningside Road, Long Lake

GAS FITTERS - \$30.25

B & C Heating, Inc. P.O. Box 385, Spring Park

SIGN HANGERS - \$66.00

Anchor Signs Inc. dba Universal Sign Co., 1033 Thomas Ave., St. Paul

Sign Art Co., Inc. P.O. Box 19669, St. Paul

Sent with Preliminary Agenda on 8/14/87

Minutes of the 8/4/87 Council meeting.

Memo from City Engr. dated 8/13/87 re: retail complex at 3640 Winnetka Avenue.

Memo from City Engr. dated 7/13/87 re: stop sign petition for Northern Dr. & Utah Avenue.

Applications for appointment to the Human Relations Commission from Linda Museus, Judy Rice, and Julie Rydh.

Letter from Ginny Thom and Ed Thonander of the Crystal Frolics Committee 1988.

Memo from Building Inspector dated 8/14/87 re: building permit approval for Perkins Restaurant.

Planning Commission minutes of 8/10/87.

Letter to consultants for space-needs study from Acting City Manager dated 8/13/87.

Memo from Administrative Assistant dated 8/14/87 re: Thorson Programs - Interim Locations.

Memo from Chairman of HRA and Acting City Manager dated 8/14/87 re: Bass Lake Road/Becker Park Tax Increment District.

Copy of Notice of Hearing by City Council - A Resolution of Intent to Implement Cooperative Refuse Collection in the City of Crystal.

Copy of resolution regarding sale of public land - relationship to comprehensive plan.

Park & Rec. Advisory Commission minutes of 6/3/87.

Park & Rec. Department monthly report for June 1987. Park & Rec. Department monthly report for July 1987.

Code pages for Alarm System (Section 955).

Minutes of the Long-Range Planning Commission for 5/12/87,6/9/87, and 7/14/87.

Letter from City Engineer to Nicklow's dated 8/10/87 re: variance for deck.

Memo from Administrative Assistant dated 8/14/87 re: Insurance - Robbinsdale/Crystal Recycling Center.

Included in packet on 8/18/87

Memo from City Clerk to councilmembers attending NLC Conference dated 8/18/87 re: air reservations. Memo from Don Slater of League of MN Cities dated

8/14/87 re: Regional Meeting Issue Papers.

Invitation to Councilmembers from Recycling Coordinator dated 8/18/87 re: Super Cycle Tour. Memo to Acting CIty Mgr. from Recycling Coordinator re: Contract with Robbinsdale

Revised notice of hearing by City Council - A
Resolution of Intnet to Implement Cooperative Refuse and Recycling Collection in the City of
Crystal.

Memo to Acting City Mgr. from Recycling Coordinator dated 8/18/87 re: October Yardwaste Collection

Program.

Copy of resolution adopting amended agreement between the City of Crystal and the City of Robbinsdale for a recyclable waste collection facility.

Larlene

August 14, 1987

Dear Councilmembers:

Although the agenda appears somewhat short, I believe there are items on the agenda which could take some time. I will not be commenting on all items because they either have been considered in the past or are self-explanatory.

Item #1:

The information provided by the City Engineer, I believe, covers what you had requested at the last meeting. If the motion made at the last meeting is any indication, there appeared to be a possibility you might deny this project. I think the staff would caution that you had approved a similar project earlier and not approving one now may create some difficulty. However, the approval of this project is your prerogative and staff will comply with your action.

Item #4:

The staff has just received the letter from Ed Thonander and Ginny Thom regarding the Crystal Frolics. Although you may wish to act on this on Tuesday night, I would suggest that staff has some time to address the items brought up by the letter. I believe we have sufficient time before the next Frolics to review these requests.

Item #6:

As you will note by the letter sent to the consultants, they will be called in one at a time to answer questions that you might have on their reports. Most all of them had asked not to be present in the room or for others present in the room when they make their presentation. Tuesday I will randomly select an order of appearance so they know Tuesday night when they can appear before the Council. I believe 5 to 10 minutes is sufficient to ask questions concerning the proposal and any longer than that will prolong the over-all meeting considerably.

Item #8:

We will be able to answer preliminary questions regarding this item at Tuesday night's meeting, however as the memo indicates, the HRA wishes to conduct a complete study of the situation before it presents full details to the City Council. If we cannot answer questions you might have Tuesday night we will note them and include them as part of the report from the HRA.

Item #11:

The HRA held its public hearing on the sale of land last Thursday and approved the sale. This step is necessary in order to sell the site for senior housing to Brutger Companies.

The Long-Range Planning Commission minutes included in this packet have not been officially approved by the Commission but are provided for your information on its progress.

We have included a considerable amount of material for you to read before the meeting. I hope this is not too cumbersome for you and I hope you do not have to spend the entire weekend reading all of this.

JOHN

APPLICATIONS FOR LICENSE August 18, 1987

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

Art Willman & Sons, Minneapolis, MN

PLUMBERS - \$30.25

Nikko Plumbing 2499 Morningside Road, Long Lake

GAS FITTERS - \$30.25

B & C Heating, Inc. P.O. Box 385, Spring Park

SIGN HANGERS - \$66.00

Anchor Signs Inc. dba Universal Sign Co., 1033 Thomas Ave., St. Paul Sign Art Co., Inc. P.O. Box 19669, St. Paul

TENTATIVE AGENDA

FOR THE AUGUST 18, 1987, COUNCIL MEETING

1. Minutes of the regular meeting of August 4, 1987.

REGULAR AGENDA

ITEM		SUPPORTING DATA	COMMENTS
1.	Consideration of setting surety in the amount of \$83,000 for retail center at 3640 Winnetka Avenue North.	Memo from City Engineer dated 8/13/87.	Item was continued from Aug. 4 Council agenda to allow staff to further review access and grading issues.
2.	Consideration of a petition for a three-way stop sign at the intersection of Utah and Northern Drive.	Memo from City Engineer dated 8/13/87.	None
3.	Consideration of the applications of Judy Rice, Linda Museus, & Julie Ryah for appointment to the Human Relations Commission.	Copy of applications.	There are two vacancies, both terms expire 12/31/87.
4.	Appearance by Ed Thonander to discuss the Crystal Frolics for 1988.	Letter from Ginny Thom and Ed Thonander.	None
5.	Consideration of a request from R. J. Spomer of Perkins Restaurant for building permit to construct a 10'8" x 41'6" solarium to existing building at 5420 West Broadway.	Plans, site plans, seating & elevations. Planning Commission Minutes of 8/10/87, item #3.	Planning Commission recommends approval.

Tentative Agenda - page 2

ITEM		SUPPORTING DATA	COMMENTS
6.	Consideration of the proposals from consultants for space-needs as outlined by the Longe-Range Planning Commission.	Copy of letter to consultants dated 8/13/87.	Consultants will be called in one at a time for questions and answers on proposals.
7.	Discussion of possible interim sites for programs now located at Thorson Community Center.	Memo from Administrative Assistant dated 8//87.	Recommendation is to approve motion to close the building effective June 30, 198 and approve interim planning proposal as presented to Council.
8.	Consideration of a report from Crystal HRA regarding a potential shortfall of funds for the Bass Lake Road - Becker Park Tax Increment District.	Copy of memo from HRA Chairman and Acting City Manager dated 8/14/87.	None
9.	Consideration of setting a public hearing to announce City of Crystal's intent to organize refuse collections.	Copy of public hearing notice.	Council can set hearing for September 15 Council meeting or special meeting.
10.	Consideration of the appointment of an Alternate to the Board of Directors of LOGIS.	None.	Mr. Irving was the representative to LOGIS and as Computer Coordinator has recommended that Nancy Deno be appointed Alternate to attend board meetings until a City Manager is appointed.
11.	Consideration of a resolution regarding the sale of land for the Senior Citizens Housing Project.	Copy of resolution.	None

Tentative Agenda - Page 3

INFORMATIONAL ITEMS:

- Park & Recreation Advisory Commission minutes of June 3, 1987. 1.
- Crystal Park & Recreation Department monthly report for June, 1987.
- Crystal Park & Recreation Department monthly report for July, 1987. 3.
- 5.
- Code pages pertaining to alarm system.

 Long-Range Planning Commission minutes of May, June, and July.

 Letter to Anthony Nicklow of Nicklow's Restaurant, dated 8/10/87, from the City Engineer as a follow-up of issues raised at the time of Council's approval of a variance request for a deck on the existing restaurant.
- 7. Memo from Administrative Assistant to Acting City Manager regarding insurance for Robbinsdale/Crystal Recycling Program.

4 AUGUST 1987

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on August 4, 1987, at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota. The Secretary of the Council called the roll and the following were present: Langsdorf, Rygg, Moravec, Smothers, Aaker, Leppa, Herbes. Also present were the following staff members: John A. Olson, Acting City Manager; David Kennedy, City Attorney; William Monk, City Engineer; Donald Peterson, Building Inspector; Nancy Deno, Administrative Assistant; Darlene George, City Clerk.

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

The City Council considered the minutes of the Regular City Council meeting of July 21, 1987 and the Special City Council meeting of July 28, 1987.

Moved by Councilmember Herbes and seconded by Councilmember Smothers to approve the minutes of the regular City Council meeting of July 21, 1987 and the Special City Council meeting of July 28, 1987.

Motion Carried.

The Mayor and City Council presented checks funded by the Metropolitan Council Tonnage Payment Program to Boy Scout Troop #530 in the amount of \$125.44 and to St. Raphael's School in the amount of \$542.92 for their recycling efforts.

John Evans, Metropolitan Council member, presented a \$5,000 incentive grant check to the City of Crystal for recycling. The check was received by the Mayor.

It being 7:00 P.M., or as soon thereafter as the matter may be heard, Mayor Aaker declared this was the date and time as advertised for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request from Randy Lee Asleson for a variance of 6'l" in the required 30' side street side yard setback for the construction of a 24' x 35' addition to the existing house at 6105 Douglas Drive. The Mayor asked those present to voice their opinions or ask questions concerning the variance.

Moved by Councilmember Herbes and seconded by Councilmember Moravec to approve as recommended by and based on the findings of fact of the Planning Commission the authorization pursuant to Section 515.55 of the Crystal City code to vary or modify the strict application of Section 515.13, Subd. 3 a) 2) iii) to grant a variance of 6'l" in the required 30' side street side yard setback for the construction of a 24' x 35' addition to the existing house at 6105 Douglas Drive as requested in application #87-48.

4 AUGUST 1987

It being 7:00 P.M., or as soon thereafter as the matter may be heard, Mayor Aaker declared this was the date and time as advertised for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request from Anthony Nicklow for a variance of 6.25' in the required 22' front yard setback for construction of a 14' x 30'6" deck on the existing building at 3516 Lilac Drive (Nicklow's Restaurant). The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and heard were:

Tony Nicklow, Nicklow's Restaurant Stewart Onsum, resident Sturgiss Banker, resident

Moved by Councilmember Smothers and seconded by Councilmember Leppa to approve as recommended by and based on the findings of fact of the Planning Commission, the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.13, Subd. 2 b) 1) to grant a variance of 6.25' in the required 22' front yard setback for construction of a 14' x 30'6" deck on the existing building at 3516 Lilac Drive as requested in application #87-49.

Motion Carried.

Moved by Councilmember Rygg and seconded by Councilmember Smothers to direct staff to investigate parking concerns of the residents present pertaining to the Nicklow variance and take necessary measures to correct them.

Motion Carried.

It being 7:00 P.M., or as soon thereafter as the matter may be heard, Mayor Aaker declared this was the date and time as advertised for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request from James and Patricia Zwack for a variance of 12' in the required 40' rear yard setback to build an 8' x 14' addition to the existing house at 5419 - 50th Avenue North. The Mayor asked those present to voice their opinions or ask questions concerning the variance. Those present and opposing the variance were:

Ken Lindberg, 5334 Hampshire Avenue North Dan Mruz, 4944 Vera Cruz Avenue North

Also present and heard was James Zwack, property owner.

Moved by Councilmember Leppa and seconded by Councilmember Smothers to grant as recommended by and based on the findings of fact of the Planning Commission, the authorization pursuant to

Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.13, Subd. 4 a) to grant a variance of 12' in the required 40' rear yard setback for an 8' x 14' addition to the existing house at 5419-50th Avenue North as requested in application #87-50.

Motion Carried.

It being 7:00 P.M., or as soon thereafter as the matter may be heard, Mayor Aaker declared this was the date and time as advertised for a continued public hearing at which time the City Council will consider Storm Sewer Project #87-4. The Mayor asked those present to voice their opinions or ask questions concerning this storm sewer project. Those present and heard were:

Darrell Rahn, 5001 Wilshire Boulevard
Kenneth Lindberg, 5334 Hampshire Avenue North
John Paulson, 320 North Edgewood, Golden Valley (owns
property at 57th & Kentucky in Crystal)
Frank Sprague, 5517 - 56th Avenue North
Chris Elwood, 57th & Elmhurst Avenue
Leroy Thompson, 6517 - 57th Avenue North
Ray Mathieu, 5756 Nevada Avenue North.

Moved by Councilmember Smothers and seconded by Councilmember Herbes to deny the resolution regarding the Bass Lake Road Storm Sewer Relief Project #87-4.

By roll call and voting aye: Herbes, Smothers, Rygg; voting no: Langsdorf, Moravec, Aaker, Leppa.

Motion Carried.

A recess was called at 8:55 P.M.

The City Council considered a request from Gerald Smith, 4731 Xenia Avenue North for an extension of Variance #86-10 that was issued on May 6, 1986.

Moved by Councilmember Herbes and seconded by Councilmember Smothers to approve an extension of Variance #86-10 for Gerald Smith, 4731 Xenia Avenue North, to expire August 4, 1988.

Motion Carried.

The City Council considered site improvement surety in the amount of \$83,000 for a retail center at 3640 Winnetka Avenue North. Those present and heard were:

Dan Ravich, Tri-Star Development Marcia Ditch, 3140 Utah Avenue North

Moved by Councilmember Smothers to deny setting surety in the amount of \$83,000 for a retail center at 3640 Winnetka Avenue

North.

Motion failed for lack of a second.

Moved by Councilmember Moravec and seconded by Councilmember Langsdorf to continue discussion to the August 18, 1987 meeting to allow staff to further review access and grading issues.

Motion Carried.

The City Council considered a request for a monument sign at Olivet Baptist Church, 3415 Louisiana Avenue North.

Moved by Councilmember Smothers and seconded by Councilmember Rygg to approve a request for a monument sign at Olivet Baptist Church.

Motion Carried.

The City Council considered the First Reading of an ordinance amending the Civil Service System and consideration of a Civil Service Handbook.

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

ORDINANCE NO. 87-

AN ORDINANCE AMENDING THE CIVIL SERVICE SYSTEM

and further, that the second and final reading be held on September 1, 1987.

Motion Carried.

The City Council considered a development study of the 36th Avenue/Highway 100 business area.

By common consent the City Council gave its support for the development study to be done by the Crystal Housing and Redevelopment Authority.

The City Council considered the Second Reading of an ordinance relating to recreational vehicles. Those present and heard were:

Warren Ditch, 3140 Utah Avenue North

Moved by Councilmember Leppa and seconded by Councilmember Smothers to adopt the following ordinance:

ORDINANCE NO. 87-8

AN ORDINANCE RELATING TO THE PARKING OF RECREATIONAL VEHICLES: AMENDING CRYSTAL CITY CODE, SECTION 1330, BY AMENDING A SUBSECTION

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

Motion Carried.

The City Council considered the Second Reading of an ordinance relating to permit fees for building, plumbing, and gas installation.

Moved by Councilmember Smothers and seconded by Councilmember Leppa to adopt the following ordinance:

ORDINANCE NO. 87-9

AN ORDINANCE RELATING TO ADOPTION BY REFERENCE:
AMENDING CRYSTAL CITY CODE SUBSECTION 100.07

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

Motion Carried.

The City Council considered selecting a consultant to conduct a space-needs study for City Hall and a community center.

Moved by Councilmember Moravec and seconded by Councilmember Smothers that the Council review all of the ten (10) proposals that had been submitted to the Acting City Manager and direct staff to contact all consultants who submitted a proposal and ask that they appear at the August 18, 1987 City Council meeting for reviewal of these proposals.

Motion Carried.

The City Council considered surety release for site improvements in the amount of \$42,000 for Burger King at 3526 Lilac Drive.

Moved by Councilmember Leppa and seconded by Councilmember Smothers to accept the work required as a condition of building permit approval for Burger King at 3526 Lilac Drive, subject to guarantee provisions of the agreement, effective this date, and that surety in the amount of \$42,000 be released subject to said guarantee as recommended by the City Engineer.

Motion Carried.

The City Council considered a resolution approving a joint cooperation agreement between Hennepin County and the City of Crystal for the Community Development Block Grant Program.

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

RESOLUTION APPROVING A JOINT COOPERATION AGREEMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the City of Crystal, Minnesota and the County of Hennepin have in effect a Joint Cooperation Agreement, County Contract No. 40421, for the purposes of qualifying as an Urban County under the United States Department of Housing and Urban Development Community Development Block Grant program, and

WHEREAS, the City and the County wish to terminate the Agreement and execute a new Joint Cooperation Agreement, County Contract No. 70463, to reconstitute the Urban County for purposes of the Community Development Block Grant program,

NOW, THEREFORE, BE IT RESOLVED that the current Joint Cooperation Agreement between the City and the County, County Contract No. 40421, be terminated effective September 30, 1987, and a new Joint Cooperation Agreement between the City and the County, County Contract No. 70463, be executed effective October 1, 1987, and that the Mayor and the CIty Manager be authorized to sign the Agreement on behalf of the City.

By roll call and voting aye: Langsdorf, Rygg, Moravec, Smothers, Leppa, Herbes, Aaker. Motion Carried, resolution declared adopted.

	Mayor
ATTEST:	

City Clerk

The City Council considered a joint and cooperative agreement between the City of Crystal and the City of Robbinsdale for a recycleable waste collection facility.

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

RESOLUTION NO. 87-45

RESOLUTION APPROVING A JOINT AND COOPERATIVE AGREEMENT BETWEEN THE CITY OF CRYSTAL AND THE CITY OF ROBBINSDALE FOR A RECYCLABLE WASTE COLLECTION FACILITY

WHEREAS, the City of Crystal has committed to pursue potential recycling programs to meet the requirements of the

Hennepin County Solid Waste Source-Separation Plan as stated in Ordinance Thirteen; and

WHEREAS, the City of Crystal has agreed to implement a recycling drop-off site in a Grant Agreement with Metropolitan Council in order to receive grant funds; and

WHEREAS, the City of Robbinsdale is interested in sharing their existing recycling drop-off site at 4601 Toledo Avenue, Robbinsdale, Minnesota; and

WHEREAS, it is in each city's best financial interest to share costs of a recycling site,

NOW, THEREFORE, BE IT RESOLVED that the City of Crystal enter into a Joint Cooperative Agreement between the City of Crystal and the City of Robbinsdale for a recycling waste collection facility, and

BE IT FURTHER RESOLVED that a clause be added into the Agreement that requires each city to obtain the same amount of liability insurance which meets Minnesota Statutes.

By roll call and voting aye: Langsdorf, Rygg, Moravec, Smothers, Leppa, Herbes, Aaker. Motion Carried, resolution declared adopted.

Mayor	

ATTEST:

City Clerk

The City Engineer reviewed problem spots from the July 23, 1987 storm and noted several areas where follow-up reports would be coming back to the Council. The following residents were in attendance to further highlight the problems in the Memory Lane Pond area:

Ruth and Henry Michael, 4400 Louisiana Avenue North James Murphy, 4408 Louisiana Avenue North Mary Anne Jaedike, 4401 Louisiana Avenue James Becker, 4416 Louisiana Avenue North Mr. Nasholm, 4337 Louisiana Avenue North

By common consent the City Council directed the City Engineer to follow up on sanitary sewer back-up and Memory Lane Pond outlet issues.

Moved by Councilmember Herbes and seconded by Councilmember Rygg

to approve the list of license applications, as submitted by the City Clerk to the City Council in the preliminary agenda, a copy of which is on file in the office of the City Clerk, and further, that such list be incorporated into and made a part of this motion as though set forth in full herein.

Motion Carried.

Moved by Councilmember Leppa and seconded by Councilmember Moravec to approve the use of \$3,000 to be taken from the General Fund of the 1987 Budget for travel and housing for out-of-town candidates for the position of City Manager of Crystal.

Motion Carried.

The City Council considered the method of financing park improvements approved at the City Council meeting of June 16, 1987.

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

RESOLUTION NO. 87-46

RESOLUTION DISBURSING FUNDS FROM THE PERMANENT IMPROVEMENT REVOLVING FUND

WHEREAS, the City Council of the City of Crystal has determined that it is in the best interests of the City to make certain improvements, as presented in the Crystal Park & Recreation Department Five-Year Capital Improvement Program (1987-1991) at the June 16, 1987 City Council meeting,

AND WHEREAS, it has been determined that it is in the best interests of the City to make certain improvements to Yunkers Park, 8617 - 31st Avenue North and to the exercise area of North Lions Park, Kentucky & Lombardy Avenue North, and

WHEREAS, the cost of such improvements is estimated to be \$13,000 for Yunkers Park and \$2,000 for the exercise area at North Lions Park,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Crystal authorizes the disbursement of \$15,000 for improvements as noted above from the Permanent Improvement Account of the Permanent Improvement Revolving Fund.

By roll call and voting aye: Langsdorf, Rygg, Moravec, Smothers, Leppa, Herbes, Aaker.

Motion Carried, resolution declared adopted.

	Mayor
ATTEST:	
City Clerk	
City Cierk	
The City Council considered the Flating to lawful gambling in the	irst Reading of an ordinance re- City of Crystal.
Moved by Councilmember Herbes Smothers to adopt the following o	
ORDINANCE	NO. 87-
IN THE CITY: AMENDING SECTION 1100: REPEALING SUBSECTION 1100.1	NG CRYSTAL CITY CODE,
Moved by Councilmember Herbes and to continue discussion of the langust 18, 1987 meeting.	
	Motion Carried.
Moved by Councilmember Herbes and to adjourn the meeting.	seconded by Councilmember Leppa
	Motion Carried.
The meeting was adjourned at 11:1	5 P.M.
	Mayor
ATTEST:	
City Clerk	

TO: John A. Olson, Acting City Manager

FROM: Bill Monk, City Engineer

DATE: August 13, 1987

RE: Retail Complex at 3640 Winnetka Avenue

As directed by the City Council at its meeting of August 4, this office has conducted additional review of the grading and access related to the retail center proposed for 3640 Winnetka Avenue.

Review of the access issue was performed in conjunction with Hennepin County personnel. Field work determined that the proposed access location exceeded County sight distance requirements to both the north and the south. Additionally, the driveway's placement relates well to the end of the existing median in Winnetka Avenue. While the County and City attempt to avoid separate business access points on major thoroughfares, County staff did state the location noted on the plans was about the best available to service this particular site.

In grading this site, the developer has committed to extensive retaining wall construction to optimize use of the property while avoiding steep slopes and the resulting maintenance. The retaining walls (as noted on the grading plan distributed previously) for the most part replace the existing steep slopes on both the north and south sides of the site. These walls are considered structures by the City and will be designed and certified as a part of the building permit process. Additionally, the financial surety proposed in the amount of \$83,000 includes costs of wall installation to insure proper and complete construction.

In review of the previous plan for this site about 5 months ago, the Bassett Creek Water Management Commission made some technical suggestions concerning design of the storm sewer system. Comments concerning the flood plain were not forthcoming because the plan proposed only minimal disturbance below the 887 elevation of the flood plain. Additionally, Crystal's run-off storage needs provided by the wetlands adjacent to this site are only minimally impacted by development of this property. It should be noted that this plan will be submitted to the Water Commission for its comments. Any conditions of that permit approval will be incorporated into the final design plan.

As noted in the previous staff report, this property has existed as a free standing parcel of record for many years. With the existing B-4 zoning, the proposed retail uses are permitted and no variances are required. This office continues to support the

Re: Retail Complex at 3640 Winnetka Avenue

August 13, 1987

Page 2

recommendation of the Planning Commission from July 13. Approval of the financial surety and building permit is recommended.

An exhibit will be available on Tuesday night highlighting the grading issues referred to in this report.

WM:jrs

Encls

TO: Planning Commission

FROM: Bill Monk, City Engineer

DATE: July 1, 1987

RE: Site Plan for Retail Complex at 3640 Winnetka Ave.

A revised site plan has been submitted for the property at 3640 Winnetka Avenue (see attached maps). Due to these plan revisions and the involvement of a new developer, the plan must be reconsidered by the Commission. The latest proposal is slightly smaller in size and involves only retail uses (no office). The retail uses are consistent with the present B-4 zoning designation. Additionally, the layout is consistent with parking, setback, structure and utility provisions of City Code.

A detailed site plan will be available for presentation at the upcoming meeting.

WM:jrs

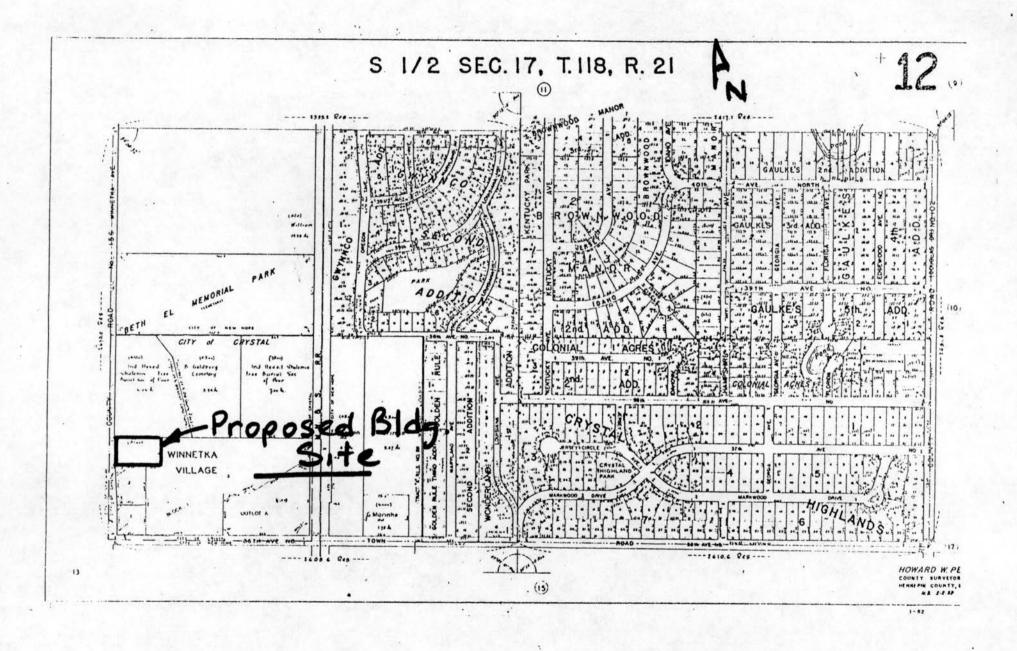
Monte

Encl

7/29/87 UPDATE

On July 13 the Planning Commission recommended approval of the building permit for the retail center at 3640 Winnetka Avenue. A copy of the detailed plans along with the site improvement agreement are attached to assist the Council in consideration of the surety issue.

Encls



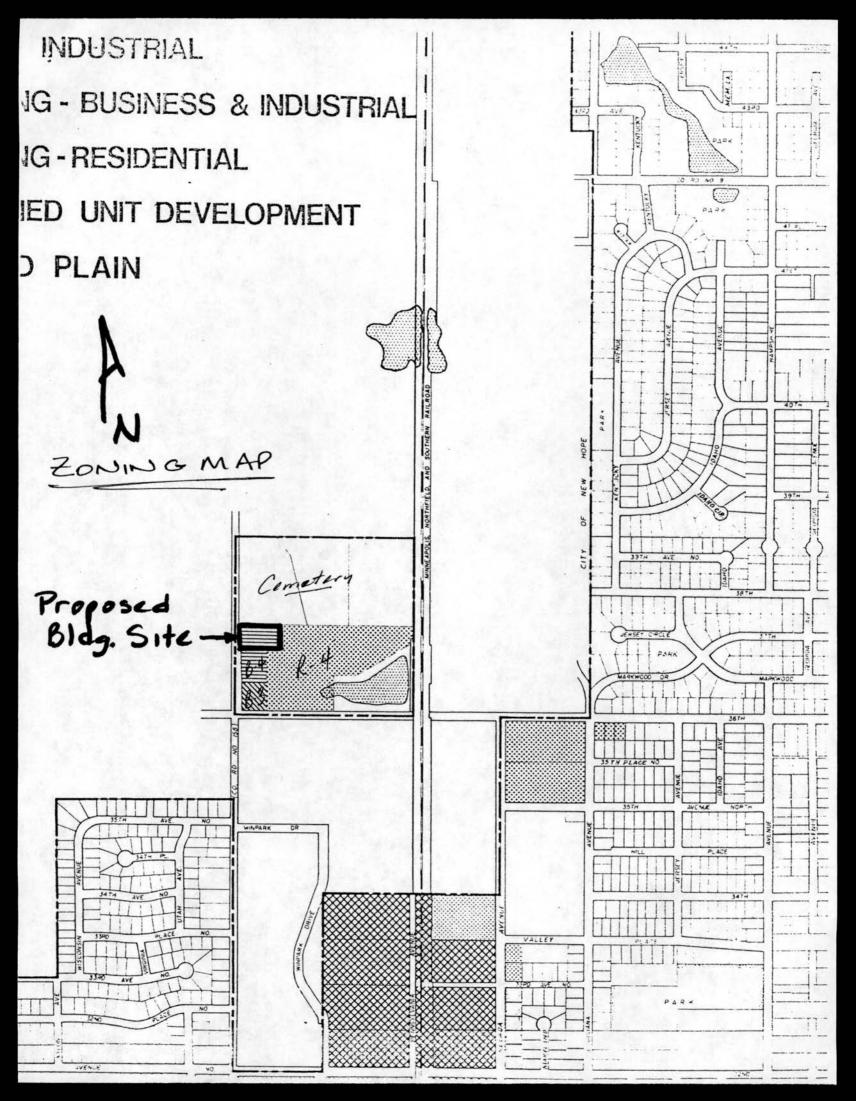


EXHIBIT "A"

AGREEMENT

THIS AGREEMENT made by and between the City of Crystal, a municipal corporation in the State of Minnesota, hereinafter called the City, the first party, and hereinafter called the second party,

WHEREAS, second party has requested that the City Council approve the issuance of a building permit.

WHEREAS, as a prerequisite to the approval of said permit, the City Council require the construction of certain improvements for the orderly development of property known as Retail Building, 3640 Winnetka Avenue North.

NOW THEREFORE, in consideration of the granting of said permit, said second party agrees and covenants as follows:

- Prepare and record plat of property.

Construct concrete driveway apron across boulevard.
 Construct curb opening at driveway and repair street adjacent.

- Construct V6 (minimum section) cast-in-place concrete barrier curb.

Construct parking area, access aisles and drives with a minimum of 6" Class 5 base and 2" bituminous surface.

- Stripe parking stalls with white paint. - Erect 2 handicap parking stall signs.

- Construct storm sewer and appurtenances to collect and dispose of all surface water on the site consistent with the conditions of the Bassett Creek Water Management Commission.

- Provide screening from adjacent property in accordance with Section 515.07, Subd. 9, of the Crystal City Code.
- Erect stop sign at exit from parking area.
- Prepare and submit "as built" utility plans.

Designate and sign fire lanes.

- Note how area lighting if proposed will conform to Section 515.07, Subd. 10, of the Crystal City Code.

- Landscape all open and disturbed areas (to ionclude overall site grading and retaining wall construction as per approved grading plan). - Provide all lot irons in place and to grade at the time of

final acceptance.

That the second party warrants and guarantees all work done under the agreement against any defect in workmanship, materials, or otherwise that may occur within one year from the date of final acceptance by the City of all said work and other requirements.

That construction work be completed prior to issuance of the occupancy permit but not later than one year from issuance of building permit.

To hold the City harmless from any and all claims which may arise from third parties for any loss or damage sustained resulting from pursuance of the above-described work.

That all just claims incurred in the completion of aforementioned work requirements shall be paid in full by said second party to all persons doing work or furnishing skill, tools, machinery, services, materials, equipment, supplies or insurance.

All work pursuant hereto shall be in compliance with existing laws, ordinances, pertinent regulations, standards, specifications of the City of Crystal, and subject to approval of the City Engineer.

In the event that said second party has not completed any or all of the aforementioned work and requirements on the completion date as set forth herein, then in that event said second party shall be considered in default. Should said second party be in default, then said second party authorizes said City, its officers, its employees or its authorized agents to enter upon said second party's property and to complete any or all such uncompleted or improperly performed work or other requirements in conformity with this agreement.

That surety be deposited with the City in the amount of \$83,000 to insure the faithful performance of the above construction work and requirements, said surety to be in the form and manner as prescribed by law.

IN WITNESS WHEREOF we have	hereunto set our hands this
day of	
SEAL	CITY OF CRYSTAL
ATTEST:	
	MAYOR
CITY CLERK	CITY MANAGER
IN THE PRESENCE OF:	SECOND PARTY
	SECOND PARTY

TO: John A. Olson, Acting City Manager

FROM: Bill Monk, City Engineer

DATE: July 13, 1987

RE: Stop Sign Petition

As noted on the attached petition and map, a request has been received to create a 3-way stop situation at the intersection of Northern Drive and Utah Avenue. In discussing the situation with one of the petitioners, it appears the major concern involves vehicles exiting 32nd Avenue and proceeding south on Utah which has a pronounced downward slope.

It is evident that a sizable area of residential traffic would use Utah and Northern as access routes when their destinations are to the north and east. However, almost all this traffic is considered local as there is little if any thru traffic attempting to reach locations beyond the area shown on the map.

This office has no problem with placement of a stop sign on Northern Drive at Utah Avenue, but the stop movements on Utah Avenue do raise several questions:

- Utah Avenue runs on a cross slope through this intersection; so traffic will be required to stop on an incline going north and a downward grade going south. Such a layout can cause a traction problem during the winter months. The grades will also cause an increase in the noise level for homes in the immediate area.
- Northbound traffic on Utah will be required to stop directly adjacent to an existing driveway which is never a good situation for the affected property owner.
- The short distance between 32nd Avenue and Northern Drive may actually have the effect of encouraging drivers to "pass through" (slow but not stop) the stop sign. This can create an even more dangerous situation than exists presently.

The petition is not without merit in what it is attempting to achieve. As noted above, this office is not sure the stop signs will achieve the intended purpose and may actually cause other problems. Additionally, this situation does not meet criteria used on other recent approvals where stop signs were employed because of issues related to restricted site distance, proximity to a public facility (school, playground, etc.), over capacity intersection, or undesired shortcut.

Stop Sign Petition August 13, 1987 Page 2

As with any stop sign request several options are available including: do nothing, place a stop sign on Northern Drive only, or install a three-way stop arrangement. This office feels the existing situation with no stop signs is best as it keeps the traffic on Utah somewhat slower in checking the intersection before proceeding. A fair amount of this hesitation would be lost with the Northern Drive stop sign. A stop sign on Northern Drive, however, could easily be accommodated if this movement is contributing to the problem as viewed by the residents.

As a final note, if stop signs should be approved on Utah Ave., they should be placed in both directions. Stopping two legs of a "T" intersection creates turning conflicts and is not recommended in any case.

WM:jrs

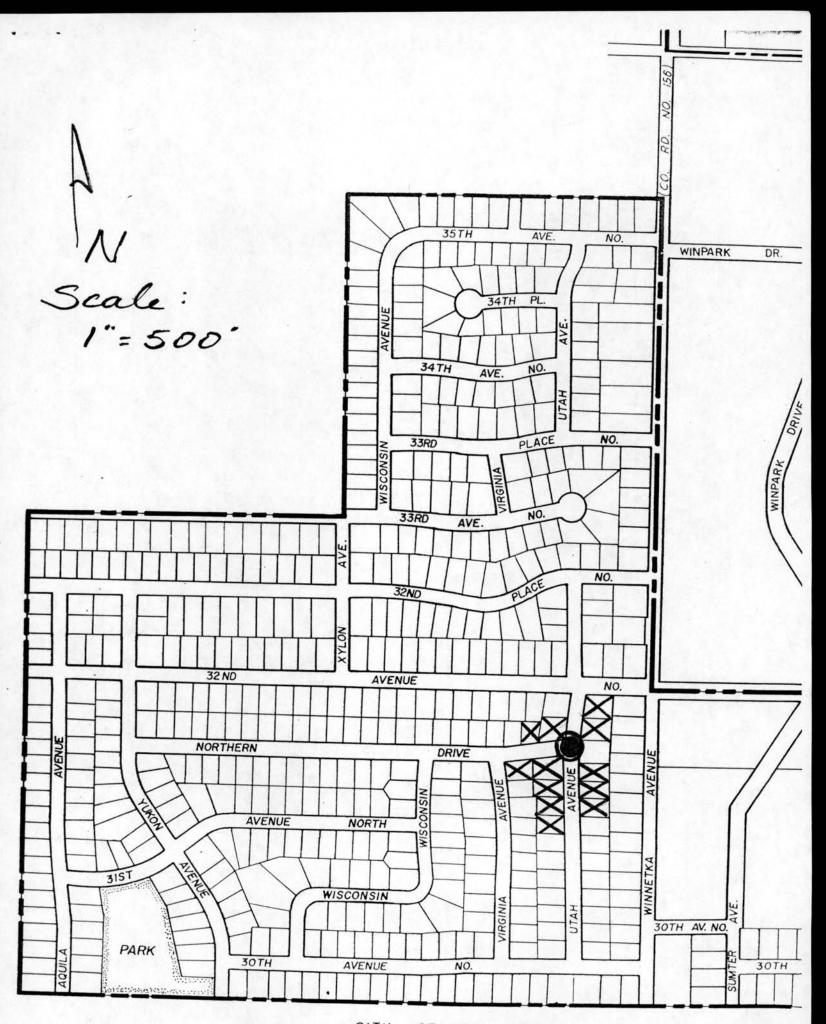
mal

Encls

We, the undersigned, request the installation of 3-way stop signs at the intersection of Northern Drive N. and Utah Avenue North, City of Crystal, Minnesota.

At this particular intersection, which is situated at the bottom of a hill, cars tend to take the turn at high speeds; thereby endangering the lives of persons nearby, especially the many young children who live and play in this area. We appreciate attention being given to this matter in an effort to ensure greater safety for all concerned.

NAME	ADDRESS	TELEPHONE
UR. + MRS Peter Ros	5 8000 NORTHERN DR. N	545.3594
	asf 3/08 Wah and	546-2784
	3125 ho Utan ave no	544-0886
	te 3140 utch au ne	5454910
// / -	3/16 retak augn	545-836
DIA Y.	12 3124 21til ho.	545-1081
	3109 Utal Avance lo	541-9709
	3119 Utah Avenue NO	541-9709
	e 3101 Utal No.	546-4887
11" (1)	3132 LAH NO.	544.5203
Howand P.O.	1023148 UtahAve.N.	545-7841
James Larson	the state of the s	345-8577
I MA	- 8016 Northern DR	593-1403
flow Sevenson	3117 Utch	545-7002



CITY OF CRYSTAL

(see attached)

APPLICATION FOR APPOINTMENT TO THE

			HUMAN RELATION	13	CO.1.10010N
Name Jud	y Rice	Address	4403 Zane Av N	N., Crystal, MN	55422
					Zip #
Phone (hom	e) <u>533-8990</u>	(Office)	569-4105		
Resident o	f Crystal Since	(year) <u>1986</u>			
Occupation	Yellow Pages Adver		ant/ Employer	US West Direct	
Education: major cour	(please indicate se of study) 3r	e highest gra	ade completed	or highest d	egree and
and organi	other activities zational members tment you are see	hips, partic	ularly those		
Ebbers					
information believe ar	please briefly do n which you would e particularly re pages if necess	d like the C elevant to t	ity Council t	co consider or	which you

Date Submitted: July 27 , 19 87 .

ACTIVITIES AND AWARDS

President, Debate Club, Anoka High School, 1966-1967

Toastmasters, 1966-1967

National Honor Society, 1963-1967

Speech Contest: 1st Place at District & Regional Levels in Discussion 2nd Place at State Level in Discussion

Youth "Pastor of the Year" - Brooklyn Center Baptist Church, 1966

Student Of The Month - Anoka High School, 1967

1st Place Essay Contest: "Why Hire The Handicapped" - State of Minnesota, 1967

1st Place Essay Contest - Anokan (Yearbook), 1967

1 of 7 High School students selected to write for Anoka City Newspaper, 1967

Teen Topper - Mpls Star and Tribune, 1967

Developed Brochure for Lansing Metropolitan Development Authority, 1974

Youth Leader, 1st Baptist Church, Lansing, 1974

Leader, Special Olympics, 1977-1978

Swimming Teacher for Cokato Group Homes, 1978

Swimming Teacher- Dassel Cokato High School, 1978

Swimming Teacher - Hutchinson Park and Recreation Dept, 1978

Children's Church and Youth Group Leader, Lake Jennie Covenant Church, Dassel - 1979

Editor of Hotline (a 15-state newspaper for Cargill's Producer Mktg Dept, 1983)

Presented 15-minute session on Self-Evaluation and Self Esteem, NWBell, 1984

Presented 30 minute training session on "Proving Value of Yellow Pages" USWD, 1985

Representative to Trade Shows and State Fair, USWD, 1985, 1986, 1987

President's Club: Top Sales Person in 5-state area, 1985, 1986

Research & Writing

I have done a great deal of writing and editing. Having worked on the city newspaper in high school and serving as editor to a company newspaper at Cargill, I am particularly accustomed to researching a particular topic or event, including many which are related to the "community" and/or "human relations."

Writing articles and poems such as "Why Hire The Handicapped" (1st place, essay contest, 1967, sponsored by the Vocational Rehabilitation Dept) and "What If A Child" (1980-enclosed) has evolved from my long-time interest in and commitment to the rights of the individual and the preservation of his/her dignity and freedom.

Hands-On Experience

I have worked with intellectually handicapped adults and children through MAWSECO, the Special Olympics and in other community-sponsored activities. In Lansing, Michigan I worked for the Lansing Metropolitan Development Authority. In this capacity, many aspects of the Lansing area were researched and promoted, including "quality of life" and "human relations."

Finally, via public speaking, I have learned the essence of communicating: <u>i.e.</u>, encouraging people to ask the right questions, and then persuading them to search for the right answers. This would be my goal if selected to serve as a member of the Human Relations Commission for the City of Crystal.

Judy Rice 6/24/87

Judy Rico

WHAT IF A CHILD

By Judy Rice

(Dedicated to all "special" children)

What if a child, although putting his "all" forth Does not--cannot-fulfill
The hopes and the dreams which others have for him And demands they have made, quite at will?

What if a child is viewed as a "problem"

By parents and teachers he's had,

What if his peers simply choose to ignore him

Or label him "different" or "bad"?

What if a child never knows he's a child But some type of misfit instead, What if a child never dreams as a child, But his hopes change to fear and to dread?

What if a child never glows with the pride Of winning or being "the best," What if in daring to try, he attains Nothing better than just "something less"?

What if a child, unwanted, unloved, Must ward off the anger and pain, Must fight to survive—growing old, very young, Giving up what he cannot regain?

Now what shall be done with this child and his burden, Shall we take what remains of his dreams? Will the seeds of hope and trust be aborted, Since he does not, cannot fit our schemes?

Or can we accept him as "special" and "different" With "different" a beautiful word? Can our hearts and minds perceive his uniqueness? Will his cry for survival be heard?

What if instead of just "listening", we hear, And instead of just "looking", we see, What if instead of just "pushing", we touch, And feel something other than "me."

What if instead of a mold, we give wings, And urge each young dreamer to fly, What if instead of "you're not good enough" We tell him, "I love you for trying."

And finally, what if all dreams for all children
To be perfect in body, mind, face,
Were replaced by a prayer for each child to be blessed

His own inner courage and grace.

The wisest man ever to live on this earth Of one group he made special mention: "Suffer the children to come unto me, For of such is the kingdom of heaven."

APPLICATION FOR APPOINTMENT TO THE

	- Human Relations	COMMISSION
NameLinda E. Museus Address	3926 Idaho Ave. N., Cry	
		Zip #
Phone (home) 5361471 (Office)	344-1555	
Resident of Crystal Since (year) 19	85 and from 1964 - 1971	
Occupation Attorney	Employer Law Offices	s of Louis D. Ba
Education: (please indicate highest grant major course of study) B.A Anthrope	rade completed or highest ology; J.D University o	degree and f Minnesota
Civic and other activities: (please I and organizational memberships, partic the appointment you are seeking) Hand	cularly those which may be	relevant to
Hanover Advocating Responsible Govern	ment, Etc. (citizens' activ	vist group),
1977-1980; Common Cause in Minnesota	, governing board member 19	981 - present,
President, 1985-1987; ERA Alliance of		
Minn. Trial Lawyers Assn., 1981-prese		
present Comments (please briefly describe other information which you would like the of believe are particularly relevant to t additional pages if necessary.)	City Council to consider or	r which you
I have long had an interest in people, This interest was heightened through a feel passionately that people deserve an equal basis. I believe that these through dialogue and action on the level last resort, through the legal system. government in making it responsive to that these interests coincide in the atto contribute any skills and knowledge city in which to live.	my studies in anthropology. to be treated by their gover rights are best addressed wel at which they occur and an interest the needs of its constituted area of human relations and	renment on first through lonly, as a rest in local ents. I think

Date Submitted: July 28 , 19 87.

APPLICATION FOR APPOINTMENT TO THE

	Human Relations	COMMISSION
Name Julie Rydh Addres	ss 5950 w. Broadway #	6 55428
•		Zip #
Phone (home) <u>537-8765</u> (Office	ce) <u>541-7837</u>	
Resident of Crystal Since (year)	986	
Occupation Marketing Visit Coordinato	Employer Hone	ywell
Education: (please indicate highest major course of study) BA - Mass Co	grade completed or his	ghest degree and
Civic and other activities: (please and organizational memberships, parties appointment you are seeking) in the appointment you are seeking) in the appointment you are seeking)	ticularly those which repull sponsor at a unsured teletianships with 4	may be relevant to
United Way picnic Chair at Honeyweel	facility	

Comments (please briefly describe other qualifications, experience and other information which you would like the City Council to consider or which you believe are particularly relevant to the appointment you are seeking. Use additional pages if necessary.)

I believe I have a sensitivity for those in the minority, those less fortunite and the youth of today: I have getten in the midst of a youth group, heard their concerns, their excitements of gripes. I have gotten in the apartment of a financially poor, handicapped woman, helped her clean & move to a new subsidized housing complex.

Some of my work experience & in business, advertising and publications.

Date	Submitted:	7-29	, 1987.

DEAR CITY COUNCIL MEMBERS:

WE WOULD LIKE TO THANK YOU FOR YOUR SUPPORT DURING THE 1987 CRYSTAL FROLICS YEAR. WITH THE CITY, AND COMMUNITY ORGANIZATIONS WORKING TOGETHER WE WERE ABLE TO BRING THE CRYSTAL FROLICS BACK TO BECKER. THERE WERE MANY OLD AND NEW FUNCTIONS HELD THIS YEAR. AT THIS POINT WE ARE WORKING AT PUTTING TOGETHER THE 1988 CRYSTAL FROLICS. LISTED BELOW ARE THE COMMITTEES NEEDS FOR 1988 CRYSTAL FROLICS.

- 1. FOR RIDES WE WILL NEED SHERBURNE AVE BETWEEN BASS LAKE ROAD AND 55th. AVE. WE ALSO WOULD LIKE 55th. AVE AFTER THE BANKS DRIVEWAY DOWN TO THE PARKS PARKING LOT.
- 2. THE PARKING LOT ON SHERBURNE AVE FOR FOOD BOOTHS AND CONCESSION STANDS.
- 3. THE CRYSTAL FROLICS WOULD STAY THE SAME WITH ADDING A JAIL FOR OUR LOCAL FOOD SHELF, AND MAYBE CITY FOOD BOOTHS. FIREWORKS THIS YEAR WILL DEPEND ON FUNDING.
- 4. WE WOULD LIKE A LIST OF ALL INCOME REGARDING THE CRYSTAL FROLICS THE CITY RECIEVED FROM GROUPS, ENTRIES FEES, AND DONATIONS WITHIN THE CITY.
- 5. WE WOULD ALSO LIKE TO KNOW WHAT KIND OF STAFF THE CITY WILL PROVIDE FOR THE 1988 CRYSTAL FROLICS WEEKEND.
- 6. WHAT KIND OF EQUIPMENT WILL THE CITY PROVIDE FOR 1988 CRYSTAL FROLICS WEEKEND.
- 7. WHAT KIND OF BACK UP MONEY CAN WE GET FROM THE CITY TOWARDS OUR 1988 BUDGET.

THANK YOU AGAIN FOR YOUR SUPPORT IN 1987. WE ARE LOOKING FORWARD TO WORKING WITH YOU IN THE COMMING YEAR.

GINNY THOM
ED THONANDER
CRYSTAL FROLICS COMMITTEE 1988

DEAR CITY COUNCIL MEMBERS:

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GINNY THOM

ED THONANDER

CRYSTAL FROLICS COMMITTEE 1988

August 13, 1987

Ed Kodet Kodet Architectural Group, Ltd. 15 Groveland Terrace Minneapolis, Minnesota 55403

Dear Mr. Kodet:

As I indicated to you in a previous letter, the City Council of the City of Crystal is planning to review all ten proposals for a space-needs-study submitted by consultants. The format of the meeting with the consultants will be as follows - a five to ten minute session in which the consultant will be asked questions concerning the proposal. The consultants will be called in one at a time from the lobby and asked questions and then they may leave.

As I understand from Council discussion, there will be no need to make a presentation concerning your proposal. The Council will have received your written proposals and will ask questions based on those.

Although the City Council meeting starts at 7:00 p.m. this item is number six on the agenda and I do not expect that it will be taken up prior to 7:30, so please be here at 7:30 p.m., Tuesday, August 18, and wait in the lobby. We will have an order of appearance for you that night so you know when you will be interviewed.

If you have questions between now and the meeting, please feel free to call me.

Yours truly,

John A. Olson Acting City Manager

JAO/js

MEMO TO: John Olson, Acting City Manager

FROM: Nancy Deno, Administrative Assistant

RE: Thorson Programs - Interim Locations

On August 11, 1987, I met with the Park and Recreation Department to discuss possible program locations for all Thorson activities. The following is a listing of interim program alternative sites:

A. Senior Center - Congregate Dining

The Senior Executive Committee is very concerned that the "Membership Family" will be without a home when Thorson closes. It is the recommendation from staff and the Senior Executive Committee to keep all Senior Activities together throughout this process.

Move directly from Thorson to a new Community Center This allows for membership and programs to remain intact while construction of a new center is underway and completed.

2) Elks Lodge

Room size approximately 40° x 80', kitchen facilities, handicap parking and accessibility, available days and several evenings. Rental fees unknown at this time.

A request must be made in writing to the Elks Lodge for use of the facility. Lodge members meet on August 19.

Problems: inadequate storage, may need to hire custodial service.

3) K.C. Hall

Requested use of main floor. Has adequate parking, kitchen facilities, handicap accessibility, open for use days and some evenings, K.C. Hall provides custodians.

Current fees: \$150/day for usage; there is a possibility to negotiate a monthly rental fee from the organization. Request for usage must be in writing.

Problems: inadequate storage.

4) VFW

Not a possibility at this time. VFW is open for their members daily use.

5) Churches

Most Churches have a social hall or a meeting room. The problem is that accessibility is typically poor, and the kitchen facilities are not large enough to support the dining program.

6) St. Raphael's

Not a possibility, no space available.

7) Olivet Baptist Church

May be a possibility. The City must make a formal request to the Board for usage.

8) Becker Park

To use this facility, membership would have to be cut in half. No kitchen facilities for dining program.

9) Fair School

The school is presently at a full capacity - no space available for Senior Programs.

10) Cavanagh

Same as Fair.

11) North and South Fire Stations

Inadequate Parking - North Fire Station. Not Handicap accessible - South Fire Station.

12) Community Room - City Hall Lower Level

Inadequate parking on lower level. No kitchen for dining program.

B. Youth and Adult Classes

Most classes such as calligraphy, painting, etc. can be held at Becker Park or other City Buildings.

C. Adult Fitness

Classes that normally meet in the gym at Thorson will have problems finding adequate space in the area. Gym space is very limited, and is in high demand by all schools and surrounding communities. Program may have to be eliminated.

D. Open Gym

Saturdays. Same problem as Adult Fitness.

E. Adult Volleyball

1988 - 1989 Season. School District does not schedule for the 1988-89 season at this date.

Anticipate same problems as Adult Fitness.

F. Youth Cooking

No approved kitchen facilities available. Program would be eliminated.

G. Dancing - Talent Shows - Youth

No space available, programs would be eliminated.

H. Special Events

Seniors Cook-outs, Christmas Dinner, etc. No space available, program would have to be eliminated.

DATE:

August 11, 1987

MEMO TO:

Nancy Deno, Administrative Assistant

FROM:

Jeane Fackler, Recreation Supervisor

RE:

Thorson Programs

Here is a listing of programs currently running at Thorson:

Youth Art Pre-Schoo

Pre-School Gym & Crafts

Discovery Dlub Floor Hockey

Youth Special Events

Hallow55n Party/Haunted House

Santa Snack Bunny Brunch

Drama Class

Open Gym

Bridge Lessons

Calligraphy

Adult Fitness

Aerobic Dance

Silk Flowers

Sketch & Paint

Crafts (Fair)

Greeting Cards

Stitch & Sew

Adult Volleyball

TMH/EMH

Senior Classes

Brunch Bunch

Health Info.

Stress Seminar

Special Interest Groups

Garden Club

Theater Group

Chorus

Movies

Senior Trips

Drop in Center

Book Talkers

Bridge

Duplicate Bridge

500

Evening Bridge

Pool Players

Hikers

Cribbage

OWL

Scrapbook Committee

P. 2. Memo - Thorson Programs - 8/11/87

Executive Board
Over 50 & Fit
Cookout
Horseshoe
Shuffleboard
Out to Lunch Bunch
Dance Lessons
Senior Special Events
Dances
Parties
Luncheons/Dinners
Casino Day
Sr. Membership

August 14, 1987

TO: Mayor Thomas Aaker and City Councilmembers

FROM: John R. Schaaf, Chairman, Crystal HRA

John A. Olson, Acting City Manager

RE: Bass Lake Road - Becker Park Tax Increment District

At its meeting of August 13, the Crystal Housing Redevelopment Authority was apprised by its staff of a potential shortfall in revenues for the Bass Lake Road - Becker Park Tax Increment District. This shortfall, at this point, appears to be between \$1.5 and \$2 million.

The HRA, in reviewing the material provided by staff at the meeting, moved to conduct a full inquiry into the cause of the shortfall and to present to the Council the method by which this shortfall can be eliminated.

Preliminary discussions with the Financial Consultants, Springsted, Inc., indicates that this shortfall can be eliminated by an additional bond issue. The bond issue can be covered by existing tax increment revenue and will not hamper the district in paying its obligations nor will it result in a tax levy to City residents.

Once the HRA has completed its work it will provide the Council with a full report as to the status of the district. If additional bonds are required this will necessitate an amendment to the tax increment district. A public hearing by the City Council is required to amend the district. In addition, if bonds need to be sold, the Council will have to authorize a bond sale.

It is anticipated that the HRA will have the background information available to the City Council prior to the meeting of September 15 at which time the HRA will request that the Council authorize bond sale and set a public hearing on the amendment to the district.

The information attached to this memo is preliminary in nature and is provided only to give background on what the HRA is basing its study.

JO/js

attachment

\$1,839,036

Expenditures		Budget	Actual
Land acquisition (includes real es	state taxes, fixtures)	\$5,675,263	\$ 6,749,34
Relocation assistance		683,980	768,97
Building demolition		150,000	58,73
Construction		2,321,580	2,351,55
Engineer, legal		498,139	741,07
Administration			
		\$9,328,962	\$10,669,682
Revenue Sources			
Sale of land, fixtures, rent		1,291,588	1,153,262
CDBG grant		592,088	510,000
Federal revenue share		342,033	342,033
PIR - city funds		419,800	419,800
funicipal state aid		1,498,661	1,364,819
Special assessments		178,484	104,732
lennepin County		338,820	
N/Dot. funds			
Future assessments		130,492	
		\$4,791,966	\$3,894,646
Shortage budget		\$4,536,996	
hortage actual			6,775,036
onds issue sale (1985)	\$5,865,000		
ess capitalized interest	-815,000	4,936,000	4,936,000
ond discount			
Seable funds	4,936,000	-0-	

Shortage after bonding

Bass Lake Road Tax Increment Finance Plan Status Report

		ystal llery		derly 1 Fise		dult i mily	Pub Park	lic ing	Bec Park			et Impr. scaping	Se	torm ewer -56th
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual						02 H 924
and acquisition	\$2,088,900	\$2,079,402	\$210,000	\$450,000	\$1,050,000	\$1,430,374	\$654,403		Budget	Actual	Budget	Actual	Budget	Actual
eal estate taxes		67,569*		(Interest reduc)			\$034,403	\$662,544	\$1,671,960	\$1,660,048		\$311,466		
ixtures		18,540		-		9,377		30,692		29,328				
elocation	242,280	376,476		-	100,000	75,548	99,800	71,504	241,900	245,446		4.1		
ilding Demolition						28,369	75,000		75,000	30,369				
nstruction							114,983	See Becker Pk.	885,950	1,324,322	1,213,322	777,129 (NSP) 71,270	107,325	178,834
gr., Legal, Appraisals	42,700	-	700	1,000 est.	700		20,150		175,972 unpa	537,819** aid (est) 8,000	234,750 unpa	125,571 id (est) 56,000	23,167	12,68
	\$2,373,880	\$2,541,987	\$210,700	\$451,000	\$1,150,700	\$1,543,668	\$964,336	\$764,740	\$3,050,782	\$3,835,332	\$1,448,072	\$1,341,436	\$130,492	\$191,519

^{**} Includes Engr., Legal, etc, for "Public Parking" & "Crystal Gallery."

Recap	Total	Budget Exp.	\$ 9,328,962
	Total	Actual Exp.	10,669,682

\$1,340,720

^{*} Real estate taxes also inclused some taxes paid for property in "Public Parking" & Becker Park Development."

August 14, 1987

TO: Mayor Thomas Aaker and City Councilmembers

FROM: John R. Schaaf, Chairman, Crystal HRA

John A. Olson, Acting City Manager

RE: Bass Lake Road - Becker Park Tax Increment District

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The information attached to this memo is preliminary in nature and is provided only to give background on what the HRA is basing its study.

JO/js

attachment

NOTICE OF HEARING BY CITY COUNCIL A RESOLUTION OF INTENT TO IMPLEMENT

COOPERATIVE REFUSE AND RECYCLING COLLECTION IN THE CITY OF CRYSTAL

To Whom It May Concern:

Notice is hereby given that the City Council of the City of Crystal, Minnesota will meet in the City Council Chambers, Crystal City Hall, 4141 Douglas Dr. N., at 7:00 P.M. on Tuesday, September 15, 1987 to consider the resolution of intent to organize collection of refuse among haulers within the City of Crystal and inviting the participation of interested persons in planning and establishing a Cooperative Refuse and Recycling Collection System.

Such persons who desire to be heard with reference to the above will be heard at this meeting.

/s/ John A. Olson

NOTICE OF HEARING BY CITY COUNCIL A RESOLUTION OF INTENT TO IMPLEMENT COOPERATIVE REFUSE COLLECTION IN THE CITY OF CRYSTAL

To Whom It May Concern:

Notice is hereby given that the City Council of the City of Crystal, Minnesota will meet in the City Council Chambers, Crystal City Hall, 4141 Douglas Dr. N., at 7:00 P.M. on Tuesday, September 15, 1987 to consider the resolution of intent to organize collection of refuse among the current haulers within the City of Crystal and inviting the participation of interested persons in planning and establishing the Cooperative Collection System.

Such persons who desire to be heard with reference to the above will be heard at this meeting.

/s/ John A. Olson



CITY CRYSTAL 4141 Douglas Drive North • Crystal, MN 55422-1696 • 537-8421

ADMINISTRATIVE OFFICE

RESOLUTION NO. 87-

RESOLUTION ADOPTING AMENDED
AGREEMENT BETWEEN THE CITY OF CRYSTAL AND
THE CITY OF ROBBINSDALE FOR A RECYCLABLE
WASTE COLLECTION FACILITY

WHEREAS, the City of Crystal has committed to pursue potential recycling programs to meet the requirements of the Hennepin County Solid Waste Source-Separation Plan as stated in Ordinance Thirteen; and

WHEREAS, the City of Crystal has agreed to implement a recycling drop-off site in a Grant Agreement with Metropolitan Council in order to receive grant funds; and

WHEREAS, the City of Robbinsdale is interested in sharing their existing recycling drop-off site at 4601 Toledo Avenue, Robbinsdale, Minnesota; and

WHEREAS, it is in each cities' best financial interest to share costs of a recycling site; and

WHEREAS, an amendment has been made to the agreement enabling expansion of the facility's operating hours upon agreement of both city's Management Committees;

NOW, THEREFORE, BE IT RESOLVED that the City of Crystal enter into the amended Joint Cooperative Agreement between the City of Crystal and the City of Robbinsdale for a Recycling Waste Collection Facility.

	Mayor	
ATTEST:		

TO: John A. Olson, Acting City Manager

FROM: Julie Jones, Recycling Coordinator ()

RE: CONTRACT WITH ROBBINSDALE

Attached is the revised contract with Robbinsdale for joint use of their recycling center. The change which was requested by Robbinsdale's Mayor at their last council meeting is highlighted on page 2. This minor change will enable us to extend the sites operating hours in the future if we choose.

I am pleased to report that both cities insurance agents have notified us that this agreement does not establish a joint powers entity so that there will be no additional insurance fees for the project. Thus no change was made to the agreement in regards to insurance requirements.

Due to the change in this agreement on page 2, the City Council needs to approve the agreement once again. I suggest that we place this on the agenda of the August 18th council meeting.

JOINT AND COOPERATIVE AGREEMENT CITIES OF CRYSTAL AND ROBBINSDALE RECYCLABLE WASTE COLLECTION FACILITY

I. PARTIES:

The parties to this agreement are:

CITY OF CRYSTAL ("Crystal"), a Minnesota municipal corporation having its principal offices at 4141 Douglas Drive North, Crystal, Minnesota 55422;

and '

CITY OF ROBBINSDALE ("Robbinsdale"), a Minnesota municipal corporation having its principal offices at 4221 Lake Road, Robbinsdale, Minnesota 55422.

II. BACKGROUND AND PURPOSE:

Robbinsdale now operates a facility for the collection of certain recyclable waste materials (the "Facility"). The Facility is located on property of Robbinsdale and within its boundaries. A plot plan of the Facility is attached hereto as Exhibit "A" and is made a part hereof. Robbinsdale provides the personnel for the operation of the Facility on the days when it is open.

It is the purpose of this agreement to provide the basis upon which the parties may jointly and cooperatively operate the Facility including any additions to or betterments thereof to serve the two cities. By so providing, the parties believe that they can effect economies and provide a higher quality of service to both cities.

This agreement is made pursuant to the authority granted by <u>Minnesota</u> Statutes, Section 471.59.

III. CONTRACT PROVISIONS:

In consideration of their mutual covenants and agreements as hereinafter set forth, the parties therefor contract and agree as follows:

A. <u>Use of Facility</u>. Crystal hereby contracts to use the Facility (including additions thereto and any betterments thereof) and Robbinsdale hereby agrees to make available to Crystal and to use the Facility with Crystal for the purpose of collecting and disposing of certain recyclable materials. Robbinsdale shall continue to own the Facility during and after termination of this agreement. Initially, the Facility shall consist of that area delineated on the attached Exhibit "A" and designated as "Disposal Facility Area." Any later additions to or betterments of the Facility made pursuant to this agreement shall become part of it.

- B. Days of Use by Each Party. Crystal will use and provide personnel for the operation of the Facility on the first and third Saturdays of each month and Robbinsdale will do so on the second and fourth Saturdays of each month. The Facility shall be open from 9:00 a.m. to 1:00 p.m. on each Saturday with the condition that hours may be adjusted for seasonal purposes with the approval of both parties and the established management committee. The Center shall accept recyclable materials from both communities on the days when it is open. The Facility need not be kept open by a party on a Saturday which is a legal holiday in the State of Minnesota. By mutual agreement, the parties may provide for the operation of the Facility on the fifth Saturday of any month having five (5) Saturdays.
- C. <u>Recyclable Materials</u>. The recyclable waste materials which may be accepted by either party at the Facility are glass, aluminum, ferrous metal, newspapers (not including magazines or other glossy paper), white goods and cardboard. Other acceptable materials may be added by written agreement between the parties.
- D. <u>Personnel</u>. Each city shall provide personnel for the operation of the Facility on the days when it has responsibility for its operation. Such personnel may be volunteers, employees of that city or persons provided by contract with that city. The personnel provided at the Facility during hours of operation by that city shall include one (1) adult person to supervise the operation of the Facility and one (1) adult person to record the information necessary to administer any rebates or other benefits granted by the parties to persons delivering recyclable materials to the Facility
- E. <u>Management</u>. The operation of the Facility during the time that this agreement is in effect shall be under the supervision of a Management Committee consisting of three (3) representatives from each of the parties. One representative from each party shall be its city manager or a designate chosen by the city manager. The second representative shall be a city council member or a citizen appointed by the City Council. The third representative shall be an appointed staff member.

Powers, duties and responsibilities of the Management Committee shall include but not be limited to the following:

- 1. Development of policies relating to the operation of the Facility.
- 2. Oversight of operation and Facility performance.
- 3. Administrative decisions relating to Facility improvements and betterments.
- 4. Development of cost estimates and cost-sharing estimates as hereinafter provided.
- 5. Development of budgets for submission to the city councils of the parties.

6. Providing for cost-sharing adjustments based upon actual experiences, as hereinafter provided.

The Management Committee shall meet at least annually not later than June 1 of each year commencing in 1988 to review Facility operations and prepare a budget for the unsuing calendar year. At such meetings, the Management Committee shall also review this agreement for any recommended modifications. Additional meetings of the Management Committee may be held at any time upon call of any Committee member.

- F. 1987 and 1988 Costs and Payments. Joint operation of the Facility under this agreement shall commence on October 1, 1987. In order to provide a fund for the operation of the Facility from that date until the end of 1988, each of the parties shall provide the sum of Eight Thousand Dollars (\$8,000) for the first cost-sharing period of fifteen (15) months and adjusted accordingly by the Management Committee with respect to estimated costs for future cost-sharing periods (refer to Exhibit "B" for the estimated budget for the first fifteen-month (15), cost-sharing period), to be held and accounted for by Robbinsdale. The funds so provided shall provide initial working capital for the operation of the Facility. Such funds shall be paid or transferred into the account on or before September 15, 1987.
- G. <u>Basis of Cost-Sharing</u>. The first cost-sharing period under this agreement shall be from October 1, 1987, through December 31, 1988. Thereafter each calendar year shall be a cost-sharing period for the purposes of this agreement.

The amount of costs to be shared by the parties shall be determined as follows:

- 1. The Actual Total Costs for the cost-sharing period shall be allocated between the two parties on the basis of the respective participation ratios of recyclable material collected from each of the cities.
- 2. The costs to be considered in determining the "Estimated Total Costs" shall include the following:
 - a. Direction signs as shown on Exhibit "A-1"
 - b. Improvements and betterments to the facilities as agreed upon from time to time by the Management Committee.
 - c. Costs of landfilling white goods, or other materials accepted at the Facility, when necessary.
 - d. Costs of maintenance and restoration of those streets leading to and from the Facility, designated on Exhibit "A-2".
 - e. Costs of insuring the Facility and its operation for the purpose of rectifying unforeseen costs (i.e. the clean-up of hazardous waste if dumped at the site either by accident or no knowledge of the act by either party).

- f. Costs of ordinary cleaning, repair and maintenance of the Facility. (Extraordinary cleanup expenses or damage occurring while a party is operating the Facility shall be paid for by that party.)
- g. Costs of providing police, fire or other services of either of the parties in connection with or as a result of the operation of the Facility.
- h. In those instances where additions to or betterments of the Facility are not to be fully paid for in the year when they are made, a charge for depreciation calculated on a straight line basis and based upon the estimated useful lives of such additions and betterments.
- i. Other costs as may be agreed upon in advance in writing by the parties acting through the Management Committee.
- j. Costs for contracting hauling of recyclable materials.
- H. Preparation of Estimates for Purposes of Cost-Sharing. Each year the Management Committee shall estimate the total costs of operating the Facility and making additions to and betterments thereof for the ensuing cost-sharing period. It shall also determine what percentage of the total tonnage of recyclable materials is estimated to originate from each of the cities. These estimates of the percentage of the materials which each city will provide shall be based upon the best judgment of the Management Committee based upon prior years' experience. For the first cost-sharing period, because of the absence of such experience, each party shall have an estimated percentage of fifty percent (50%).

Such estimates shall be made each year no later than June 1 and shall be used for the purposes of calculating the estimated costs for each city for the ensuing cost-sharing period. Such estimated costs shall be incorporated into the budgets of the two cities. If such amount is not finally approved as part of the budget of a city, its city manager shall forthwith notify the city manager of the other city. Failure to approve a city's estimated share of the costs of the Facility in its budget shall be grounds for termination of this agreement as hereinafter provided.

- I. <u>Minimum Cost to Both Parties</u>. In no event shall either party's estimated or actual share of the Facility in any cost-sharing period be less than twenty-five percent (25%).
- J. Periodic Payments of Estimated Costs. After the initial cost-sharing period, each city shall pay one-fourth (1/4) of its estimated annual cost into the operating account on or before each of the following dates during the cost-sharing year: January 15, April 15, July 15 and October 15. This provision shall be applicable each year commencing with the year 1989. If the funds deposited by the parties are found to be insufficient to pay the actual costs being incurred by

the parties during the year, the parties shall each deposit additional funds as necessary to pay such actual costs. Such additional payments shall be made on the basis of the percentage shares applicable to the particular year involved.

- K. Recalculation and Adjustments. After the cost-sharing period (ordinarily the calendar year), the actual costs of operating the Facility for the preceding cost-sharing period shall be computed. The total ratio or percentage of participation of recyclable materials originating in each of the cities shall also be computed. The actual costs of operating the system shall then be allocated between the two cities on the basis of the tonnage of recyclable materials originating in each of the cities. Such recalculation, based upon actual experience, shall be made not later than April 1 following the end of the cost-sharing period. When such recalculation has been made appropriate, adjustments of cost distributions between the parties shall be made to reflect actual experience and the parties shall receive refunds or make additional payments as necessary to reflect such adjustments.
 - L. <u>Disbursements of and Accountability for Funds</u>. Disbursement of funds to pay shared costs shall be the responsibility of Robbinsdale. The method of disbursement shall be, as far as practicable, the same method provided by law for the disbursement of funds by Robbinsdale. Contracts let and purchases made, involving shared costs of operating, maintaining and improving the Facility, shall conform to the requirements applicable to contracts and purchases of the city of Robbinsdale. Robbinsdale shall provide Crystal with a full accounting of all funds received by and all funds disbursed from the special account.
 - M. Ownership and Distribution of Property. Upon termination of this agreement as herein provided, any funds remaining in the special account and not needed to pay shared costs incurred prior to the effective date of the termination, shall be returned to the parties in the same proportions which the parties contributed funds during the final cost-sharing period under this agreement.
 - N. Ownership and Disposal of Recyclable Materials. Each party shall be deemed to be the owner of the recyclable materials they have obtained through the ratio of participation by their respective residents. Both parties shall have the right and obligation to dispose of the recyclable materials gained by respective participation ratios and have the right to the revenues of the sale of those recyclable materials.
 - O. <u>Keeping of and Access to Records</u>. During the time that either city is operating the Facility, it shall keep such records as are necessary to administer the rebate or other benefit programs of both cities. The parties, acting through the Management Committee, shall undertake to develop uniform records for both communities for that purpose as well as for the collection of other information necessary to the administration of this agreement such as the tonnages of recycled materials collected by each party. In the administration of this

agreement, the parties will each provide the other with full access to all books and records relating to any information used in connection with this agreement or the operation of the Facility.

- P. Indemnification for Non-Insured Losses. The parties shall undertake to obtain the necessary insurance to provide protection against claims and losses resulting from the operation of the Facility, which costs of insurance shall be included in the costs to be shared. Nevertheless, in the event that Robbinsdale is subjected to any uninsured claims arising out of the operation of the Facility, under circumstances where it cannot be ascertained which of the parties is responsible for the circumstances giving rise to the claim, Crystal agrees to indemnify and save Robbinsdale harmless against one-half (1/2) of any such claims and any costs and expenses of defending the same.
- Q. <u>Use of and Responsibility for Other Facilities</u>. Robbinsdale has restroom and lunchroom facilities adjacent to the Facility which may be used by personnel provided by Crystal in its operation of the Facility. In the event that such accommodations are used by Crystal personnel, Crystal shall be responsible for cleanup of such accommodations and for the repair of any damage to such accommodations occurring during such use.
- R. <u>Curbside Pickup</u>. Either city may provide for curbside pickup of recyclable waste within its boundaries even though such action has the effect of reducing the tonnage of recyclable materials collected at the Facility.
- S. <u>Termination of Agreement</u>. This agreement shall be effective upon its duly authorized execution by the parties. It shall continue in force for an initial period of three-and-one-fourth (3 1/4) years and thereafter from year-to-year subject to termination by either party. Such termination shall be effective by serving written notice thereof upon the other party not later than July 1 of the year at the end of which such termination is to be effective.
- If, however, either party fails to approve its share of the proposed budget for the operation of the Facility by October 10 of any year (commencing in 1988), it shall give immediate written notice thereof to the other party. The other party shall thereupon have thirty (30) days after the receipt of such notice to give notice of termination of this agreement, effective at the end of the then current calendar year.

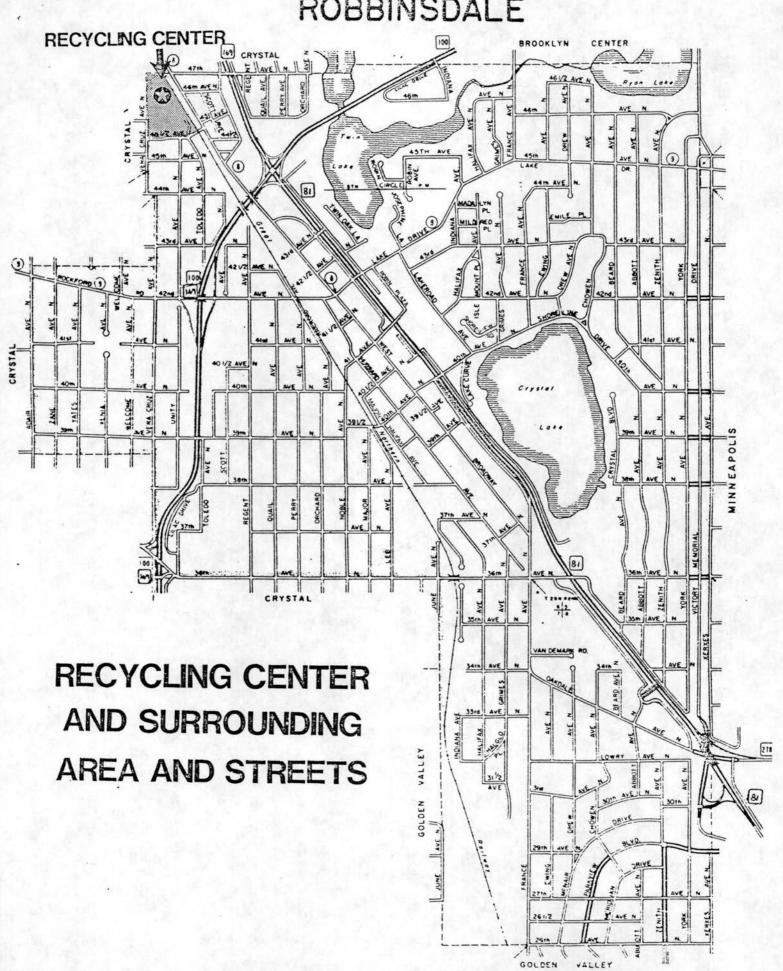
Termination of the agreement by either party at the end of the calendar year shall not affect the obligation of either party to perform the agreement for and during the period that the agreement is in effect. Neither shall such termination affect the recalculation of cost of sharing determined after the closing of the calendar year as hereinbefore provided; nor shall it affect the obligation of Crystal to indemnify Robbinsdale for uninsured claims as hereinbefore provided.

- T. <u>Liability</u>. Each party agrees to hold the other party harmless against any claims, actions or costs or expenses of defending any such claims or actions arising out of or by reason of its operation of the Facility. Each party shall assume responsibility for and shall be liable for any workers or unemployment compensation, withholding, social security or similar obligation, for persons employed or otherwise engaged by it in con-nection with its operation of the Facility.
- U. <u>Cooperative Effort</u>. Each party agrees that it will cooperate fully and in a timely manner to take the actions necessary to facilitate and accomplish the foregoing provisions of this agreement.

Dated this day of	, 1987.	
CITY OF CRYSTAL	CITY OF ROBBINSDALE	
By Its Mayor	By Its Mayor	
By Its City Manager	By	
(CITY SEAL)	(CITY SEAL)	

New Signage Proposed to ID, both Robbinsdale and Crystal Recycling Center CONTAINE Drop-off-Area O SAND/SALT PILES STORAGE - SHED

ROBBINSDALE



BUDGET FOR THE FIRST COST SHARING PERIOD OCTOBER 1, 1987 TO DECEMBER 31, 1988

Robbinsdale - Crystal Recycling Center

ITEM		COST
Contracted hauler to the Recyclable materials	tranport (Waste Management - Blai	\$ 921.60/mo. x 15 mos.
	Subtotal	\$ <u>13,824.00</u> 1
Miscellaneous costs	Subtotal	\$ <u>2,185.00</u> ²
	Estimated Total Cost	\$16,000.00 <u>x</u> .50 ³
The amount deposited i by Robbinsdale	into the Operations Fund	\$ 8,000.00
The amount deposited i by Crystal	into the Operations Fund	\$ 8,000.00

¹Estimated by current rates of generation.

²This covers item listed in the contract at Section G, Subd. 2a through 2i.

^{350%} of costs for both parties for the first 15 months.

August 18, 1987

Memo to: John A. Olson, Acting City Manager
From: Julie Jones, Recycling Coordinator (7.4).
RE: October Yardwaste Collection Program

Attached is a letter I have sent to Crystal's refuse haulers. The intent of this letter is to get the haulers in the area to agree to collect their customers yardwaste separately from the other trash and take it to the Maple Grove Compost Site, where they can dump it free of charge.

If we do not get the refuse haulers to agree to this idea, it is possible that we will want to solicit bids to accomplish this project. If that is the case, I will be making such a request at the September 1st council meeting.



CITY CRYSTAL 4141 Douglas Drive North • Crystal, MN 55422-1696 • 537-8421

ADMINISTRATIVE OFFICE

August 17, 1987

Dear Refuse Hauler:

In recent studies it has been found to be a financial advantage of refuse haulers to have yardwaste separated from the waste stream. This savings is realized since there are no tipping fees for yardwaste at the Maple Grove Compost Site.

The City of Crystal is willing to work with the refuse haulers of Crystal to establish a month-long project in October for separate yardwaste pickup. Publicity would be provided by the City and Hennepin County to get residents to participate in such a project. All haulers would be asked to provide a separate form of yardwaste pick up for their customers. Weighing of the yardwaste would be required by the County to document recycling tonnage figures. However, the City is willing to absorb the fees that haulers would incur at the scales.

The reason we have chosen only the month of October is that this is the time of the year where generation of yardwaste is highest. Thus, this is the time of year where a hauler's savings in tipping fees would be the greatest. It is also the time when the most tons of yardwaste can be recycled into compost.

Please contact me with your suggestions on how to make this project run smoothly.

Sincerely,

Clubic Clones

Julie Jones, Recycling Coordinator

JJ/mg



4141 Douglas Drive North • Crystal, MN 55422-1696 • 537-8421

ADMINISTRATIVE OFFICE

August 18, 1987

Invitation to: City Council Members From: Julie Jones, Recycling Coordinator

Super Cycle Tour

Considering that major decisions regarding recycling in the City of Crystal are close at hand, I feel that it is important that everyone involved with this issue gather as many facts on the subject as possible

Super Cycle is the largest recycling company in the area, and they are also very interested in handling a curbside recycling program in Crystal. Thus, I have arranged a tour of Super Cycle's facility in St. Paul.

The tour will be at 6 p.m., August 20, 1987 at: Super Cycle

775 Rice Street St. Paul, MN

Directions to Super Cycle are:

94 E to Marion St. exit Left at stoplight onto Marion Street 4th stoplight, take a left on Rice Street Go over bridge At bottom of bridge on left is Super-Cycle Name of building is Ramsey County Recycling Center. RESOLUTION NO.

RESOLUTION REGARDING SALE OF PUBLIC LAND - RELATIONSHIP TO COMPREHENSIVE PLAN

WHEREAS, the City of Crystal (City) and the Housing Authority in and for the City of Crystal (HRA) have created and established the Bass Lake Road - Becker Park Redevelopment Project Area (Project Area) pursuant to lawful authority; and

WHEREAS, the City and HRA have duly established a Redevelopment Tax

Increment Financing District (TIF District) for the Project Area; and

WHEREAS, the Project Area includes a parcel of land owned by the HRA and legally described as follows, to wit:

Lot 1, Block 2, HRA 3rd Addition according to the plan thereof (Property); and

WHEREAS, the Redevelopment Plan for the Project Area (Plan) provides for the development of the Property as a housing project for senior citizens; and

WHEREAS, the City's Comprehensive Plan does not limit, regulate, restrict or control in any way the manner or mode of disposal of the Property by the HRA; and

WHEREAS, the City and the HRA have heretofore entered into a Contract for Private Development with a developer to develop the Property in a manner consistent with the Plan; and

WHEREAS, the HRA has heretofore authorized the sale of the Property to the developer pursuant to Minnesota Statutes, Section 462.525; and

WHEREAS, Minnesota Statutes, Section 462.356 provides that prior to disposal of public lands either the municipal planning commission must determine that the disposal is in compliance with comprehensive municipal plan, or

the City Council must determine that the disposal bears no relationship to the comprehensive plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Crystal that the disposition of the Property by the HRA is not controlled or regulated in any manner by the Comprehensive Plan and therefore has no relationship thereto.

Dated:, 1987.	
ATTEST:	Thomas Aaker, Mayor
Delores Ahmann, City Clerk Naclene Leoge	

1226RE02.E14

RESOLUTION NO.

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Dated:, 1987.	
	Thomas Aaker, Mayor
ATTEST:	
Delores Ahmann, City Clerk	

1226RE02.E14

August 14, 1987

To: John Olson, Acting City Manager

From: Don Peterson, Chief Building Inspector

Re: Building Permit Approval for Perkins Restaurant

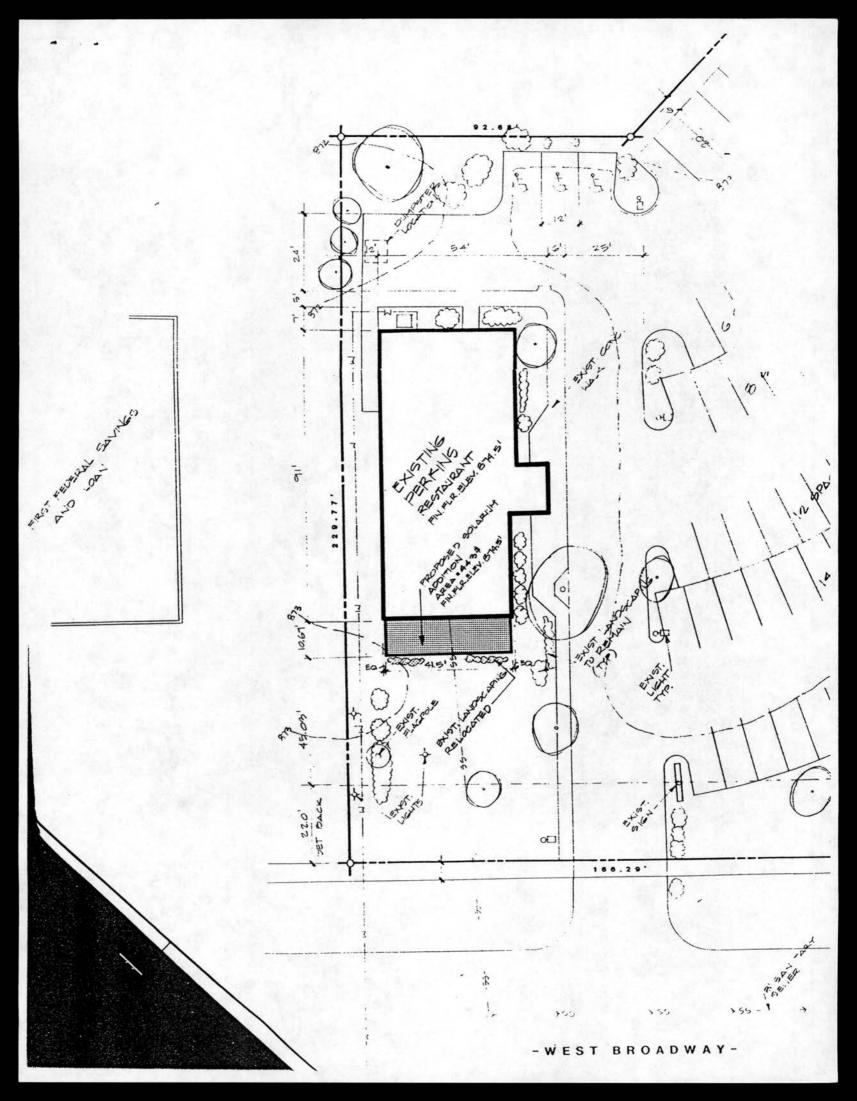
Perkins Restaurant proposes to add a 10'8" X 41'6" solarium to their existing restaurant at 5420 West Broadway.

With the addition, the building would be 45' behind the required 22' front yard set back.

There are 101 existing parking spaces. Including the addition 87 are required; thus a parking variance will not be needed.

The addition will add 42 seats, which will require 5 S.A.C. units. These will be paid for at the time of issuance of the building permit.

Planning Commission recommended approval and I will have site, floor, and elevation plans available.



CRYSTAL PLANNING COMMISSION MINUTES

August 10, 1987

The meeting of the Crystal Planning Commission convened at 7:30 p.m. with the following present: Barden, Christopher, Elsen, Feyereisen, Guertin, Halpaus, Kamp, Magnuson and Nystrom; the following was absent Anderson; also present were Building Inspector Peterson, City Engineer Monk and Recording Secretary Scofield.

Moved by Commissioner Barden and seconded by Commissioner Magnuson to approve the minutes of the July 13, 1987, meeting.

Motion carried.

- 1. Chairperson Feyereisen declared applicant Jeff Sweet of Midwest Auto Malls, Inc. had withdrawn Application #87-44 to rezone from B-3 District (Auto-Oriented Commercial) and B-4 District (Community Commercial) to PUD District (Planned Unit Development); Application #87-45 for a conditional use permit for approval of site plan within a PUD District (Section 515.51, Subd. 2 b) and Application #87-46 for a conditional use permit to allow automotive repair in a B-3 zone (Section 515.35, Subd. 4 c) property located at 6918 and 6924 56th Ave. N. The withdrawal was noted by the Planning Commission.
- Consideration of Application #87-51 for rezoning property from R-1 District to B-4 District at 3401 Vera Cruz Ave. N. and 3402 Welcome Ave. N. as requested by H. W. Elfstrom.

Moved by Commissioner Magnuson and seconded by Commissioner Halpaus to set a public hearing before the Planning Commission at 7:30 p.m., or as soon thereafter as the matter may be heard, Monday, September 14, 1987, to consider the request of H. W. Elfstrom in Application #87-51 to rezone from R-1 District (Single Family Residential) to B-4 District (Community Commercial), West 176.75' of Lot 12, Block 1 except street, Rosedale Acres. Motion carried.

3. R. J. Spomer of Perkins Restaurants appeared regarding a building permit to construct a solarium to the existing building at 5420 West Broadway.

Moved by Commissioner Barden and seconded by Commissioner Christopher to recommend to the City Council to approve authorization to issue building permit #8514 to construct a 10'8" x 41'6" solarium to the existing building located at

August 10, 1987 - Continued

5420 West Broadway, P.I.D. #05-118-21-44-0007, subject to standard procedure.

Motion carried.

4. Consideration of Application #87-52 for rezoning of properties from B-3 and B-4 Districts to PUD District; Application #87-53 for a conditional use permit for approval of site plan within a PUD District; Application #87-54 for a conditional use permit for fuel station and automotive repair in a PUD District; and Application #87-55 for a conditional use permit for a car wash in a PUD District at 5273 and 5269 West Broadway and 5200 Douglas Drive as requested by Crystal Auto Mall Partnership.

Moved by Commissioner Magnuson and seconded by Commissioner Barden to set a public hearing before the Planning Commission at 7:30 p.m., or as soon thereafter as the matter may be heard, Monday, September 14, 1987, to consider the request of Crystal Auto Mall Partnership in Application #87-52 to rezone properties from B-3 District (Auto-Oriented Commercial) and B-4 District (Community Commercial) to PUD District (Planned Unit Development); Application #87-53 for a conditional use permit for approval of site plan within a PUD District; Application #87-54 for a conditional use permit for fuel station and automotive repair in a PUD District; and Application #87-55 for a conditional use permit for a car wash in a PUD District at 5273 and 5269 West Broadway and 5200 Douglas Drive, P.I.D. #09-118-21-22-0042 and #09-118-21-22-0050 Motion carried.

Moved by Commissioner Magnuson and seconded by Commissioner Elsen to adjourn.

Motion carried.

Chairperson	Fevereisen

Secretary Christopher

CRYSTAL PARK & RECREATION ADVISORY COMMISSION June 3, 1987 Becker Park

The regular meeting of the Crystal Park and Recreation Advisory Commission was called to order at 7:04 p.m. by Chairperson Garry Grimes. Members present were: Ms. Saunders, Mr. Hoffmann, Mr. Carlson, Ms. Reid, Ms. Pitts, Mr. Stockhaus, and Mr. Genis. Also present were: Mr. Smothers, council liaison, and Mr. Brandeen and Ms. Hackett from the department staff. Others in attendance were: Ms. Herbes and Mr. Rygg, city council members, and several residents from the Becker Park area.

The minutes from the May 27 special meeting were approved as sent.

Ms. Hackett reviewed the monthly report, highlighting major activities.

The commission was introduced.

Citizens from the Becker Park area made the following comments:

1. Softball spectators expressed their concern that the 4 foot fence in front of the bleachers is not adequate protection from line drives, overthrows, pop flys, etc. A request was made to have the fence height raised so that spectators would have the same protection as the players. Mr. Brandeen reported that the city's insurance carrier had said that the city is not under provision to provide spectator fencing as spectators have the option of standing behind the backstop. Mr. Stockhaus felt if the city provides bleachers, it could fall under the category of an attractive nuisance. Ms. Carlson cited a similar ruling made in hockey arenas. Ms. Reid felt the park should be made as safe as possible.

Motion - Mr. Carlson: Moved to recommend that the Becker Park foul line fences be raised to a height of 6 feet and this height extend as far as the length of the bleachers.

Second - Mr. Stockhaus.

Motion carried - Unanimous.

- 2. Several residents expressed concern over changing the name of Becker Park. The Becker Park name is well-known in softball, frolics activities, etc.
- 3. Comments also were made by residents regarding the manner in which the park renaming was handled.

Mr. Grimes summarized the Park & Recreation Advisory Commission's appearance at the June 2 city council meeting. Mr. Grimes, Mr. Hoffmann, Ms. Reid, and Mr. Carlson made presentations regarding three areas of concern:

1. Renaming of Becker Park not being referred to the commission for a recommendation.

CP&R Advisory Commission Meeting p. 2

- 2. Inability of the city Long Range Planning Commission to act on the 5-Year Plan.
 - 3. New city logo which supercedes the Park & Recreation logo.

Mr. Genis asked the outcome of the meeting. Mr. Grimes reported that the motion was read again and the vote was 4-3 for the name change. Ms. Saunders, Ms. Reid and Mr. Hoffmann felt that the issue of the commission not being asked for a recommendation on the proposed name change was totally ignored by the council members for the change. Mr. Genis felt that if the commission is not appreciated and used as it was intended, then members should consider resigning. Mr. Stockhaus agreed and added that the council should follow the methods established for the use of commissions. Ms. Herbes asked the commission to hold off any decisions regarding resigning. Mr. Rygg also asked the commission to work with the council to resolve this issue so that both groups can move ahead in a constructive vein. Mr. Grimes read an excerpt from a textbook regarding the role of commissions in a city. Mr. Stockhaus felt that this should be copied and given to the council at the special meeting. Mr. Grimes distributed copies of the Commission's Guideline on Naming Park Facilities. Ms. Herbes had a copy of the January 1977 council minutes in which these guidelines were accepted by the council. Mr. Rygg asked the Commission to have a compromise proposal to present at the joint meeting. Mr. Carlson suggested a plaque with the names of the mayor (Mr. Meintsma) and the council of the year the redevelopment was passed. Other ideas included naming of a structure within the park for Mr. Meintsma. Mr. Rygg also told the commission that they could call a public hearing on this matter but hoped that would be used as a last resort.

The agenda of this joint meeting was discussed. Mr. Hoffman felt that the Long Range Plan should be discussed also. Mr. Grimes will call Mr. Irving to set up the meeting. First choice day is Wednesday, June 10.

Ms. Reid reviewed the last Crystal Frolics meeting. Commission help is needed for publicity. All ads are due by June 29 for the tabloid. The Float is decorated. The queen candidates are having a salad luncheon June 13.

Mr. Brandeen reported on the Arts Committee meeting. A concert schedule was distributed. Approximately \$9,000 in donations have been received to date. A grant application was made to the Metro Council for 1988 for a Crystal Jazz Festival. Posters and brochures are at the printer. The Dedication Day program was reviewed. Mr. Smothers requested to add a concert July 30. The Crystal Lions will sponsor the "Decades." The Lions and Elks are selling mugs for 50 cents at the Dedication.

The July meeting will be held July 1 at Thorson Center - a bocce demonstration will be included.

CP&R Advisory Commission Meeting p. 3

Mr. Smothers told the commission that he had commented at the last council meeting that costs should be obtained regarding keeping of the Park & Recreaton logo for department use.

A Frolics Fun Run Coordinator is needed. If anyone knows of someone, please call Mr. Brandeen. A coordinator is needed or the race cannot be held.

The meeting was adjourned at 8:52 p.m.

Respectfully submitted,

Gene Hackett Recorder

Crystal Park & Recreation Department MONTHLY REPORT

June 1987

*All numbers are individual registrations unless noted.

ON GOING PROGRAMS: June start

- Senior Center Activities

 Membership is: 576 Daily attendance is 40-50.
- 2. Adult Tennis Lessons (Adults/Day & Evening)
 -10 registered (1986: 9)/June classes held at Becker courts.
- 3. Youth Tennis Lessons (Youth/Day)
 -29 registered (1986:40)/June classes held at Valley Place and Becker courts/
 classes continue into August.
- 4. Teen Tennis League (Youth/Day)

 10 registered (1986: 17)/program meets at Valley Place Park/matches are held with other communities.
- 5. Youth Baseball (Youth/Day and Evenings)
 T-Softball: 16 teams (1986: 15 teams) 178 total participants (1986: 179)/
 Day program 11 teams and evenings program 5 teams/Teams formed at Lions Valley,
 North Lions, Bassett Creek, Welcome (2), Forest (2), Broadway, Yunker, Crystal
 Highlands, Twin Oak, Fair (4-evenings) and Cavanagh (1 -evenings)

Mite Softball: 12 teams (1986: 13 teams)/122 total participants (1986: 163)/
Day program - 8 teams and evenings program - 4 teams/Teams formed at Lions Valley
Place (2), Bassett Creek, Broadway, Welcome (2), Forest, Twin Oak, and Fair
(4-evenings).

Baseball: 2 teams (1986: 3 teams)/24 total participants (1986: 40)/teams formed at Forest and North Lions.

6. Youth Softball (Youth/Evenings)
34 League: 4 teams (1986: 4 teams)/56 total participants (1986: 64)/
Teams formed at the following locations: Bassett/Valley Place, Broadway/
North Lions, Forest, Twin Oak/Welcome.

56 League: 4 teams (1986: 4 teams)/64 total participants (1986: 58)/teams formed at the following locations: Broadway/North Lions, Forest, Bassett Creek/Valley Place, and Welcome/Twin Oak.

Jr. Boys: 3 teams (1986: 4 teams)/77 total participants (1986: 44)/7teams total in the league/teams formed at: Broadway, Forest, and North Lions.

Sr. Boys: 5 teams (1986: 6 teams)/75 total participants (1986: 84)/8 total teams in the league/teams are formed on their own.

- 7. Swim Lessons (Youth/Day & Evening)
 -Session I: (day) 81 (1986: 52)/Evening classes: 2-3year olds 33 (1986: 20)
 4/5 year olds 24 (1986: 33); Beginners 47 (1986: 37); Advanced Beginners 21 (1986: 6); Diving 11.
- 8. <u>General Swimming</u> (All age/Day and Evening) 116,372 (1986: 11,604)
- 9. Tiny Tots (Preschool/Weekday mornings and 1 evening session)

 -94 registered (1986: 120) (Classes meet twice per week/Registration by park:
 Bassett Creek 11, Twin Oak 8, Welcome 10, Broadway 5, Fair 2, Valley Place 8,
 Forest 12, Yunkers 2, Lee 3, Library 10, Becker 3, Cavanagh 4, Crystal Highlands 3,
 Thorson 5, North Lions 8.
- 10. Arts and Crafts (Youth/Weekday afternoons)

 -16 registered age 6-8 (1986: 38) 24 registered age 9 and up (1986: 26)/ classes meet once per week/Registration by park: Valley Place 20/15, Broadway 0/1, North Lions 20/1, Crystal Highlands 0/7, Twin Oak 0/1, Welcome 2/1, Bassett Creek 0/1, Forest 2/0, Fair 4/0, Library 2/1, Becker 1/1, Cavanagh 2/1, Skyway 0/4, Yunkers 2/0.
- 11. Summer Playgrounds: Attendance June 15 30, 1987 in ()

Fair (M,W)	9	(37)	Valley Place	134	(100)
Forest	260	(65)	We I come	155	(120)
Iron Horse (M,W)	18	(59)	Yunkers	192	(103)
Lee (T,TH,F)	37	(60)	Bassett Creek	201	(85)
North Bass Lk	67	((85)	Broadway (M, W)	88	(66)
North Lions	232	(139)	Cavanagh (M,W)	. 33	(40)
Skyway	112	(30)	Crystal Highlands	63	(50)
Twin Oak	490	(210)	Becker (M,W)	60	(n/a)

- 12. Neighborhood Volleyball (Adults/Weekday evenings)
 -20 teams (1986: 20 teams)/matches played in Crystal Parks.
- 13. Gymnastics (Youth/Weekday mornings)
 -35 registered (1986: 37)/classes meet at Sandburg and Armstrong.
- 14. Adult Tennis League (Adult/Weekday evening)
 -33 registered (1986: 27)/weekly play at Crystal courts.

ON GOING PROGRAMS

1. Senior Center Activities

Welcome - 4

Cribbage - 36

Hiking - 9

Booktalkers - 12

500 (day) - 60

500 (eve.) - 48

OWL - 24

Scrapbook - 4

Poker for Fun - 21

Bridge (day) - 64
Bridge (eve.) - 40
Duplicate Bridge - 32
Executive Committee -11
Paint Class - 10
Pool - 18
Special Events:
Cook Out - 64 attended

2. Adult Activities

Men's Softball League Women's Softball League Co-Rec Softball League Women/Sr. Golf League Men Golf League Over 50 & Fitt Complete Body Workout

3. Youth Activities

None

4. Other Activities (*Co-sponsored with other agencies)

*TMR-EMR

Playground Events:

Chu Chuck Es Cheese 80 attended

Shakopee Water Slide - 51

Softball Practice Permits: 241 (1986: 156)

Pichic Permits: 19 (1986: 19)

*Tripsters -

Twins Game 48 attended/24 crystal Murphys Landing 48 attended/13 crystal

BECKER PARK DEDICATION - 200 attended

Becker	Park	Concerts
--------	------	----------

6/16 Zuhrah Concert Band	51
6/19 Nightlife	78
6/21 American Brass Review	57
6/23 Post 435 American Legion	45
6/25 Heart of the Beast Puppet and Mask Theatre	193
6/28 Wild Goose Chase Cloggers	Cancelled
6/30 JC Band	70

PROGRAMS COMPLETED

None

Crystal Park & Recreation Department MONTHLY REPORT July 1937

*All numbers are infividual registrations unless noted.

ON GOING PROGRAMS: July start.

- Senior Center Activities

 Membership is: 555. Daily attendance is 50-60.
- Youth Tennis Lessons (Youth/Daytime)

 Session III: 15 (1986: 6)/Class at Bassett Creek
 Session IV: 15 (1986: 19)/Class at Welcome
- Swim Lessons (Youth/Day & Evening)

 Session II: 153 (1986: 136)
 Evening Swim: 11 for 2/3 year olds (1986: 14)
- 4. <u>General Swimming</u> (All Age) -18,741 (1986: 16,400)
- 5. <u>Gymnastics</u> (Youth/Weekdays)
 -23 registered (1986: 25)/Classes meet at Sandburg & Armstrong

ON GOING PROGRAMS

1. Senior Center Activities

Welcome = 4
Cribbage - 36
Out-to-Lunch Bunch - 26 attended J.J. Hills Restaurant
Hiking - 9
Booktalkers - 12
500 (day) - 60
500 (evening) - 48
OWL - 24
Scrapbook - 4
Poker for Fun - 21
Bridge (day) - 64
Bridge (evening) - 40
Duplicate Bridge - 32
Paint Class - 10
Pool - 18
Special Events:
Cook Out - 52

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2. Adult Activities
    Men's Softball League
    Women's Softball League
     Co-Rec Softball League
    Women/Sr. Golf League
    Men's Golf League
    Adult Tennis Leagues
    Neighborhood Volleyball
    Complete Body Workout - 17 registered for July
    Youth Activities
    Teen Tennis League
    Baseball
    Softball
    Tiny Tots
    Arts & Crafts
Playgrounds: 1985 attendance in ().
Forest - 388 (256)
                                                            Lions Valley Place - 212 (235)
         Iron Horse (T,TH,F) - 54 (110)
                                                            Welcome - 168 (161)
         Lee (T,TH,F) - 166 (115)
                                                            Yunkers - 252 (149)
         N. Bass Lake (T,TH,F) - 130 (130)
N. Lions - 280 (225)
Skyway (T,TH,F) - 125 (125)
                                                            Bassett Creek - 212 (151)
Broadway - 218 (118)
Cavanagh (M,W) - 196 (90)
         Twin Oak - 390 (380)
                                                            Crystal Highlands - 110 (110)
                                                            Becker (M,W) - 164 (n/a)
    Other Activities (*Co-sponsored with ther agencies) Playground Events
        Bike Rodeo - 45
        New Zoo - 50
       Elm Creek - 34
*TMH-EMH
    Softball Permits: 106 (1986: 77)
    Picnic Permits: 16 (1986: 13)
    Crystal Frolics:
          Pool Fun Day - 284
          Tennis Tournament - 20 singles/12 doubles teams
          Softball Tournament - 52 teams
          Kiddie Parade - 75
Fun Walk/Run - 20
          Seniors Cribbage Tourney - 44
          Seniors Bridge Tourney - 72
          Seniors 500 Tourney - 72
*Tripsters - Canterbury Downs
               71 Tota1/28 Crystal
*Tripsters - Norenburg Gardens
               75 Total/18 Crystal
*Breakaway - Lake City
               40 Total/33 Crystal
```

Becker Concerts:

July 2	Minneapolis Pops Orchestra***	325
4	The Mrozinski Brothers Band (Olde Tyme Music)*	450
7	St. Louis Park Community Bank	125
8	Westwind Community Band	80
9	Unleashed - Park Avenue	150
12	Stoney Lonesome (Folk, Bluegrass)****	150
13	Shirley Witherspoon Group/Gene Adams Trio*	85
15	The Medicine Show Band (Dixieland)****	120
16	St. Paul Police Band	75
17	Pentimento Theatre Co. "El Grande De Coca Cola" A Musical	100
18		
19	Rincon del Flamencos/Classical Dance of India (Moustaphi)	45
23	Theatre in a Trunk	112
24	Shangoya***	1,000
25	Sideshow	.,
	The Teddy Bear Band	150
26	Higher Ground (Jazz)****	75
28	Rockin' Hollywoods (50's Rock)*	1,500
	Total	4.355

Underwritten by The Bank Crystal

** Underwritten by the Target Stores-Crystal

Underwritten by the Membership of VFW Post 494 of Crystal
Additional funding made possible by the Musician's Union
Trust Fund of Local 30-73

PROGRAMS COMPLETED

1. Adult Tennis Lessons 1987: 10 registered 1986: 9 registered

Objective: To provide instruction in basic tennis skills.

Successes: Instructor excellent. Class went well

Problems: Interest in this activity continues to decline.

Recommendations: Offer spring lessons only.

Section 955 - Alarm System (Ord. No. 87-7)

- 955.01. <u>Purpose and Scope</u>. Subdivision 1. This section regulates the use of burglary and safety alarms, establishes users' fees, and establishes a system of administration therefor.
- Subd. 2. The purpose of this section is to protect the public safety services of the City from misuse of public safety alarms and to provide for the maximum possible service to public safety alarm users.
- 955.03. <u>Definitions</u>. Subdivision 1. For purposes of this section the terms defined in this subsection have the meanings given them.
- Subd. 2. "Alarm user" means a person in control of any building, structure, or facility wherein an alarm system is maintained.
- Subd. 3. "Police communications center" is the City facility used to receive emergency requests for service and general information from the public.
- Subd. 4. "Alarm system" means an alarm installation designed to be used for the prevention or detection of burglary or robbery on the premises which contain an alarm installation: Automobile alarm devices are not an alarm system.
- Subd. 5. "False alarm" means an alarm signal eliciting a response by police personnel when a situation requiring a response does not, in fact, exist, and which is caused by the activation of the alarm system through mechanical failure, alarm malfunction, improper installation or the inadvertence of the owner or lessee of an alarm system: The term does not include alarms caused by climatic conditions such as tornadoes, thunderstorms, utility line mishaps, violent conditions of nature or any other conditions which are clearly beyond the control of the alarm manufacturer, installer or owner.

- 955.05. User fees. Subdivision 1. A public safety alarm system that reports more than three false alarms to the City in a single calendar year and that has received notice of such violations will cause the alarm user to be charged a user fee of \$50 per each false alarm in excess of three false alarms in a calendar year, \$100 per each false alarm in excess of ten false alarms in a calendar year, and \$150 per each false alarm in excess of 15 false alarms in a calendar year.
- Subd. 2. An alarm user that is required by the City to pay a user fee as the result of a false alarm may make a written appeal of the false alarm charge to the Police Chief within ten days of notice by the City of the false alarm charge. Following review and determination by the Police Chief the decision may be appealed to the City Manager who will make a final determination as to whether the user is to be charged with a false alarm.
- 955.07. Payment of fees. Subdivision 1. Payment of user fees are paid to the City Treasurer within 30 days from the date of notice by the City to the alarm user. Failure to pay the fee will cause the alarm user to be considered delinquent and subject to a penalty of an additional 5% of the unpaid fee for each additional 30-day period that the fee remains unpaid.
- Subd. 2. Delinquent charges for user fees will be certified by the Clerk to the City Assessor who shall prepare an assessment roll each year providing for assessment of the delinquent amounts against the respective properties served. The assessment roll shall be delivered by the Clerk to the City Council for adoption on or before October 10 of each year.
- 955.09. Alarm report. If an alarm user has incurred five false alarms within one calendar year, the alarm user shall submit a written report to the Chief of Police within ten days after being notified of the fifth false alarm, describing actions taken or to be taken to discover and eliminate the cause of the false alarms. Failure to submit the written report is a violation of this section.
- 955.11. Administrative rules. The Chief of Police shall prepare such rules as may be necessary for the implementation of this section.
- 955.13. Confidentiality. Subdivision 1. Information submitted in compliance with this section will be held in confidence and exempt from discovery to the extent permitted by law.
- Subd. 2. Subject to requirements of confidentiality, the Chief of Police may develop and maintain statistics for the purpose of ongoing alarm systems evaluation.

- 955.15. Communications Center. Subdivision 1. No automatic dialing devices shall be connection to the Police Communications Center through any telephone line. Use of automatic dialing devices is a violation of this section.
- Subd. 2. The Chief of Police may prepare rules and regulations for the efficient operation of the Police Communications Center.
- 955.17. Enforcement and penalties. Failure or omission to comply with any section of this section is a petty misdemeanor.

MINUTES OF THE LONG-RANGE PLANNING COMMISSION May 12, 1987

The regular meeting of the Long-Range Planning Commission was called to order by Mayor-Thomas Aaker at 7:05 P.M.

Those members present were: Vincent Kieffer, Adrian Rygg, Jane Elsen, Michael Culhane, Thomas Aaker, Burton Genis, David Anderson, and Gary Joselyn.

Staff members present were: John T. Irving, City Manager, William Monk, City Engineer, John Olson, Assistant City Manager, Art Quady, Fire Chief, and Nancy Deno, Administrative Assistant.

Moved by Commission member Elsen and seconded by Commission member Kieffer to approve the minutes of the April 14 meeting.

Motion Carried

Mayor Aaker asked Nancy Deno to explain the capital improvements for Thorson Community Center. Ms. Deno explained the structual needs for the building listing five items as immediate needs: stress cracking in the walls in the gym and stage, reroofing the entire building, deteriorated masonry on the exterior, exterior trim and windows of the entire building, and the replacement of the gym ceiling, lights, and floor. She indicated that these items should be completed in either 1987 or 1988 but that they were waiting to be completed pending the decision by District 281; whether the City would continue to use the building. Mr. Irving then explained the lease arrangements with District 281 and the discussions that have been held thus far.

The Commission then discussed the lease and the immediate needs of the building. Ms. Deno then presented the remaining capital improvements in the building. Further discussion was held as to what could be done to speed the process of reaching a decision regarding the future of the building.

Mayor Aaker then asked Art Quady to explain the needs of the Fire Department. Prior to the explanation of Mr. Quady, the Fire Chief asked that the narrative of the Fire Department, the Park Department, and the Police Department project what the future needs of each department and what each department will be like in five years.

Mr. Quady went through the items for capital improvements in the next five years and the ability to fight fires with the equipment used today. Mr. Quady and the Commission members discussed in detail the use of a hose drying tower and the needs for remodeling of the south fire station.

The Mayor then discussed what was to be included in discussion at the next meeting which will be the remaining departments, a reorganizing of the requests into budgetary items and major capital improvement items, and the five-year capital improvement programs for four streets, sidewalks and curb and gutter.

Having no further business the meeting was adjourned at 8:30 P.M. The next regular meeting of the Long-Range Planning Commission is June 9, 1987.

MINUTES OF THE LONG-RANGE PLANNING COMMISSION June 9, 1987

Mayor Thomas Aaker called the regular meeting of the Long-Range Planning Commission to order at 7:02 P.M.

Those members present were: Scott Kerner, Hugh Munns, Jane Elsen, Vince Kieffer, Adrian Rygg, Tom Aaker, and Paulette Magnuson.

Staff members present were: John T. Irving, City Manager, and John A. Olson, Assistant City Manager.

Mayor Aaker indicated that because the minutes were received late and that all members did not have a chance to review them that the minutes of the May meeting would be approved at the July meeting.

The Mayor asked Mr. Olson to review the notebook handed out to the Commission members at the meeting. Mr. Olson indicated that this was a composition of items from the departments which he believed would not be or could not be included in each year's budget for the next five years.

The Mayor then asked members to review each year and ask questions as they proceeded through the document.

The Commission members discussed the need to evaluate the construction of a seperate police building in 1988 and 1989. The Commission members discussed whether there was a need for a seperate building or that expansion of the City Hall would be more appropriate.

Commissioner Magnuson asked if the same consultant doing the work for the southside redesign could do work on the northside and come up with a proposal on space needs for the Police Department. Following discussion on that point Mr. Olson indicated that he would be talking with the space consultant on June 11 and would request cost figures on doing a space study for the Police Department.

Following completion of the discussion of five-year improvements, Mr. Olson indicated that at the next meeting the Commission would receive the report on streets from the Engineering Department and also another section of the capital improvements program which would include the budgeted items for the next five years.

Having no further business, the meeting was adjorned at 8:12 P.M. The next regular meeting of the Long-Range Planning Commission will be July 14, 1987.

MINUTES OF THE LONG-RANGE PLANNING COMMISSION July 14, 1987

The regular meeting of the Long-Range Planning Commission was called to order by Mayor-Thomas Aaker at 7:05 p.m.

Members present were: David Anderson, Jane Elsen, Mike Culhane, Adrian Rygg, Paulette Magnuson, Vincent Kieffer, Greg Peppin (for Scott Kerner), and Burton Genis.

Staff members present were: John A. Olson, Acting City Manager and William Monk, City Engineer.

Moved by Commissioner Rygg and seconded by Commissioner Magnuson to approve the minutes of the May meeting.

Motion Carried.

The June minutes were not included with the meeting announcement and therefore will not be approved until the August meeting.

Mr. Olson discussed the consultant's estimate for the space planning and design of the city hall for both the administrative wing and the police wing. The discussion was held as to the approximate cost of such a study and the estimated cost of the improvements to the building. Mayor Aaker, on behalf of the commission, asked that the item be brought to the City Council for consideration at its next meeting.

Mayor Aaker then asked Mr. Olson to discuss information regarding Thorson Community Center. Mr. Olson indicated that the City had received a copy of the appraisal for Thorson and the value was placed at \$735,000. He also informed the Commission that late Tuesday he had received information that the Waste Management Board of the State of Minnesota was moving out of Thorson at the end of 1987. This would mean that a tenant which rented half of the building would be gone and would severely cut revenues for the community center. A discussion followed as to the dollar amount of necessary changes to bring Thorson into reasonable condition and Mayor Aaker then asked that on behalf of the Commission this item be placed on the Council agenda for the next Council meeting.

Mr. Olson then went through the budgeted item section of the five-year-plan, reviewing any areas which were questioned by the Commission members.

Following this presentation, Mr. Monk reviewed the street capital improvements program and his recommendations regarding types of improvements, costs, and methods of payment. Mr. Monk suggested that the Commision members review the document and ask further questions at the next meeting.

Mayor Aaker asked Mr. Olson what would be on the agenda for the next meeting. Mr. Olson indicated that the narrative goals would be sent to the Commission along with any further material for the five-year-planning document and also a discussion of the street capital improvements program with a review of the payment program suggested by Mr. Monk.

Having no further business the meeting was adjourned at 8:30 p.m. The next regular meeting of the Long-Range Planning Commission is August 11, 1987.



ADMINISTRATIVE OFFICE

August 10, 1987

Mr. Anthony Nicklow Nicklow's 3516 Lilac Drive Crystal, MN 55422

Dear Mr. Nicklow:

Not on agerda No copy Newspaper + Public

As the City Council approved your variance request for a deck on the west (front) side of the existing restaurant, City staff was directed to check several other issues raised by area residents. This office has now had an opportunity to review those items and submits the following findings:

- Given the layout noted on the attached site plan, ten (10) handicapped parking stalls are required to service the overall site as dictated by Mn Building Code. There are presently two (2) handicapped stalls with the one by the restaurant quite difficult to locate. The required number of parking stalls for the handicapped must be provided for the entire center. These stalls must be distributed across the center as close as possible to business entrances and must meet Code requirements for width (12') and signage.
- To contain parking within the designated blacktop stalls, curb needs to be installed in two areas as noted in green on the attached plan. The southernmost curb extension noted is not totally consistent with previous site plans; however, it is evident the existing parking layout does not and may never match those plans. A driveway opening could be incorporated into this section of curb to allow use by delivery vehicles to access the south side loading area. However, all driving and maneuvering areas south of the curb must be blacktopped as per City standards.
- According to the previously approved plans, the open area just south of the super market was to be landscaped (seeded and maintained at a minimum). The



4141 Douglas Drive North • Crystal, MN 55422-1696 • 537-8421

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Mr. Anthony Nicklow August 10, 1987 Page 2

area is presently overgrown with weeds between 1 to 2 feet in height.

- A recurring litter problem was raised and has been confirmed by Health Department personnel. A short (4') chain link fence along the south boundary of the center's parking area has been suggested as a method to keep litter away from the adjacent residential properties. The fence would also assist in simplifying pick-up operations.

Should the items noted above be resolved, I feel the City would be in a position to consider release of the bond still on file to guarantee site improvements for Mr. Donut as executed in 1980. I am prepared to meet with you concerning these improvements should you have questions or there be any confusion over the descriptions.

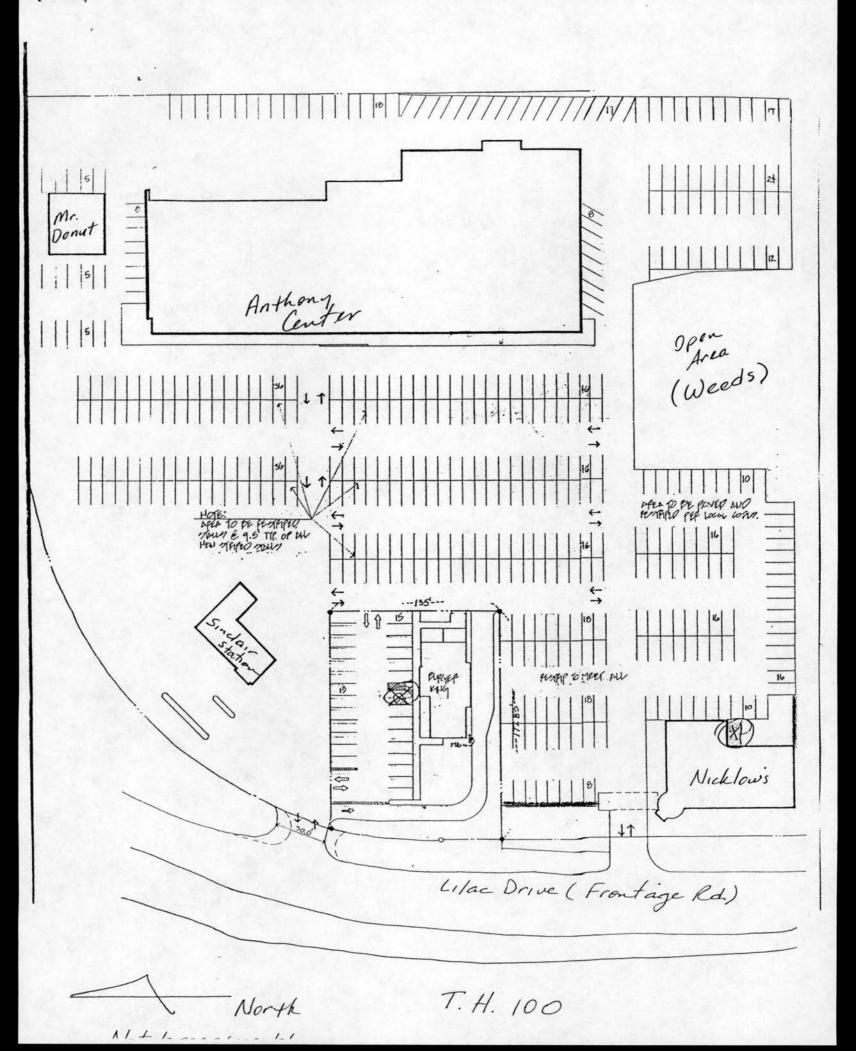
As a final note, this office will be contacting the State concerning the possibility of parking restrictions along Lilac Drive (frontage road) between 36th and 35th Avenues.

Sincerely,

William Monk City Engineer

WM:jrs

cc: City Council John Olson



August 14, 1987

MEMO TO: John Olson, Acting City Manager

1. Dem FROM: Nancy Deno, Administrative Assistant

RE: Insurance - Robbinsdale - Crystal Recycling Center

Attached is a memo we received from our Insurance Carrier regarding the cooperative use of the Robbinsdale Recycling Center. The memo states that since we are not creating a new Joint Powers entity our current General Liability Policy will include coverage for such an agreement.

No additional insurance needs to be purchased at this time for coverage of the Robbinsdale - Crystal Recycling Cooperative Center.

ND:kg

August 11, 1987

Carl Bennetsen Youngdahl and Associates 10261 Yellow Circle Drive Minneapolis, Mn. 55343

Dear Carl:

This is confirm our phone conversation of August 7 concerning the contract for cooperative use of the recycling center which the cities of Robbinsdale and Crystal propose to enter. As we discussed, the contract does not appear to present any special problems for liability coverage.

As I understand the contract, it does not create a new joint powers entity. It provides essentially that Crystal will be permitted to use the existing facility which Robbinsdale currently owns and operates, and in return Crystal will reimburse Robbinsdale for a specified share of the facility's actual operating expenses.

Since the contract does not create a new separate joint powers entity, neither city will need to take any additional action to cover this activity through its LMCIT coverage. Each city's current coverage will apply to that city's respective exposure for this operation.

As always, feel free to give me a call if you have any questions or need anything further.

Sincerely,

Peter Tritz

Research Director

cc George O'Connor, NSRS Jack Irving, City Manager, Crystal August 14, 1987

MEMO TO: John Olson, Acting City Manager

FROM: Nancy Deno, Administrative Assistant

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As always, feel free to give me a call if you have any questions or need anything further.

1

Peter Tritz Research Director

cc George O'Connor, NSRS Jack Irving, City Manager, Crystal August 18, 1987

TO: City of Crystal Councilmembers

FROM: Darlene George, City Clerk

RE: Air Reservations - 1987 NLC Congress of Cities

Attached please find a copy of your air reservations for your reference.

Crystal Travel delivered the tickets today. I will keep them in the safe until such time as you desire to pick them up. If you would rather keep them yourselves until they are needed please let me know.



August 14, 1987

TO: Mayors, Managers, and Clerk

FROM: Donald A. Slater, Executive Director

RE: Regional Meeting Issue Papers

Last year at the League's regional meetings we presented materials on policy issues which were being considered by the LMC legislative policy committees. We took votes on those issues and presented the opinions of the regional meeting participants to the policy committees as they completed the League's 1987 Legislative Policies and Priorities for Legislative Action.

At the conclusion of this process, we evaluated the results of a survey asking regional meeting participants how they felt about working on legislative policy issues at the regional meetings. The responses were overwhelmingly in favor of continuing the involvement of the regional meetings as an integral part of the policy process.

The League Board of Directors agreed to extend the consideration of policy issues to the 1987 regional meetings, but asked that the staff work on methods to improve the process. To give you advance information on the issues to be considered, League staff have prepared issue papers on policy questions designated by each of the LMC legislative policy committees. We have also developed voting cards so that we may get a more *definitive expression of opinion on each of these issues. We are looking for other ways to improve the quality of the presentation of these materials to regional meetings, and I am most interested in your suggestions for improvement.

Attached are the issue papers for the 1987 regional meetings. Please distribute these to your councilmembers and be prepared to cast your votes on these issues at the regional meeting you will be attending. If you are unable to attend a regional meeting, please fill out the voting card and return it to Lynda Woulfe, League of Minnesota Cities, 183 University Avenue East, St. Paul, MN 55101 by September 14.

I look forward to your participation in this very important aspect of developing the League's 1988 Legislative Policies and Priorities for Legislative Action.



TAX INCREMENT FINANCING

QUESTION: Should the League sponsor responsible tax increment finance legislation in the 1988 legislative session?

BACKGROUND

Over 200 Minnesota cities employ tax increment finance (TIF) as a major development tool. The number of cities using TIF has steadily risen over the years, particularly in the 1980's. In 1981, 98 cities operated TIF districts. As of 1987, 216 cities initiated TIF programs. A majority of these cities are located outside of the metropolitan area and they fall into all categories of population.

The dramatic growth in TIF projects in Minnesota has been fueled by the decline in federal assistance programs, the uncertainty of state aid, and the flexible nature of TIF. Over the past decade, the federal government has terminated most of its development assistance programs and substantially cut funding for its remaining development programs.

Meanwhile, the state has initiated a number of new development assistance programs only to see these efforts become embroiled in major political controversies. Recently, the department administering development assistance, the Department of Trade and Economic Development, was reorganized. This was followed by the creation of a new economic development effort charged with responsibility for a wide range of new programs. How cities fit into the new law is unclear.

Tax increment finance, on the other hand, remains the one program which provides maximum local flexibility and accountability. Although TIF can be complex and time consuming, city government dictates the pace of activity, initiates the projects, and controls the local program without interference from other levels of governments.

TIF, however, has been a lightening rod for state legislative proposals that would curtail cities' TIF authorities. Even after the enactment of a major TIF reform in 1979, the Legislature barely let the issue rest for a session. More recently, during the 1986 session, a restrictive TIF bill passed the House but died in conference. The League opposed this bill and worked for modifications in it. During the 1987 session, the House seemed less interested in TIF but did consider a proposal to reimburse counties for costs associated with TIF project improvements. This provision died in conference. The 1988 Legislature is very likely to reopen the TIF issue. A number of legislative committees have already signaled their intentions to hold extensive hearings on the issue.

TAX INCREMENT FINANCING (con't)

The proposed changes in TIF have been numerous. The most frequently suggested changes have been: to give counties authority to veto TIF programs; to place a percentage limit on the amount of TIF a city can engage in; to redefine the soil correction test; to require pre-1979 projects to conform to provisions adopted by the 1979 Legislature; to reimburse the county auditor for administration of TIF projects; to change the definition of redevelopment projects.

Current League Position

League policy states that we are willing to work with the Legislature to improve the program or correct any problems with it. This begs the question of whether the League should initiate legislation or, alternatively, resist any legislative proposals during the 1988.

YES, LEAGUE SHOULD INITIATE LEGISLATION.

The League should initiate TIF legislation during the session to head off potentially damaging legislation. The organization, county with intense pressure from Hennepin the support of Dakota Counties, seeks to severely limit TIF and several legislators support this view. Unless the League leads and controls the legislative effort responsibly revise program, severe limits could become law. The League has a reasonable bill already drafted. It should negotiate with the county organization, giving only those concessions which do not damage city authority, and develop a strong coalition. The League should attempt to settle the issue for foreseeable future building and maintaining coalition to oppose further tinkering with TIF.

NO, LEAGUE SHOULD RESIST ALL EFFORTS TO AMEND TIF IN 1988.

The 1988 legislative session promises to be dominated by tax issues which will leave little time for the tax writing committees to deal with TIF. The House Tax Committee does not appear to be interested in considering TIF at this time.

If the League sponsors proposal, it could later be transformed into something which the League would want. Moreover, the Legislature could still take up a major TIF reform bill even if League-sponsored bill is accepted as is.

Overall, it's best to leave well enough alone and not buy trouble.



LOCAL GOVERNMENT ELECTION DAY

QUESTION: Should the League continue to oppose a Local Government Election Day.

BACKGROUND:

This proposal would require all city, school district, and special district elections (including county and municipal judge elections) to be held on the first Tuesday after the first Monday in November in odd years. Federal and state elections would be held in even years. Townships would have the option to retain present election days or change to the local government day. No primaries would be required for cities under 2500 population unless the city decides by ordinance or resolution. Primaries for non-partisan offices would not be required when no more than twice the number of persons to be elected file for an office. This proposed legislation would supersede all city charters, special laws, etc. Terms would be extended until the first Monday in January of the even year.

Currently 642 cities conduct their municipal elections in November of the even year. Only 98 cities conduct their elections in November of the odd year. Annual elections are held by 58 cities and 31 cities have their municipal elections in other months according to charter provisions. Of the cities holding their elections in the even year, 78 percent are under 2500 population. The majority of school district elections are held annually in May.

CURRENT LEAGUE POLICY:

League policy opposes designating a Local Government Election Day.

YES, THE LEAGUE SHOULD CONTINUE TO OPPOSE LOCAL GOVERNMENT ELECTIONDAY.

There is no proof that a Local Government Election Day would increase voter participation or create more interest in local races. Cities should not have to conduct elections each year (local in odd years, state and federal in even years), thereby doubling their election costs. Combining school and city elections could be very confusing in a city which has multiple school districts or in school district which covers several cities.

NO, THE LEAGUE SHOULD NOT OPPOSE A LOCAL GOVERNMENT ELECTION DAY

Designating a Local Government Day would be advantageous for the voter. They would soon realize that every first Tuesday in November is an election day. Media campaigns to get out the vote could be uniform throughout the state. Local get "lost" elections would not among the federal and state offices voted on in the even elections.

VOTING EQUIPMENT

QUESTION: Should the League continue to oppose legislation that would make current voting equipment obsolete by requiring expensive retrofitting or reprogramming costs.

BACKGROUND:

In addition to paper ballots, Minnesota uses three types of voting devices: LEVER MACHINES, the oldest form of voting device; ELECTRONIC VOTING MACHINES, known as PUNCH CARD machines; and OPTICAL SCAN equipment, the newest technology recently certified for use. Vendors submit equipment to the Secretary of State for certification. Once certified, equipment may be sold to local units of government. Current law allows cities to select the equipment which best suits local needs.

CURRENT LEAGUE POLICY:

The League supports current law and opposes any state-mandated system of voting equipment.

YES, THE LEAGUE SHOULD CONTINUE TO OPPOSE LEGISLATION THAT WOULD MAKE OBSOLETE CURRENT CITY VOTING EQUIPMENT.

Requirements, such as color-coding ballots to distinguish between parties, party-row balloting or other programming changes are expensive to cities. They are of no benefit in city elections since city elections are non-partisan. In addition, the timing of legislative mandates often makes the equipment unusable for a particular election. Designating party affiliation on the ballot is sufficient for state and federal offices. Additional designations are superfluous and unnecessary.

NO, THE LEAGUE SHOULD NOT OPPOSE LEGISLATIVE MANDATES REQUIRING RETROFITTING OF EQUIPMENT TO HELP VOTERS IDENTIFY CANDIDATES OF POLITICAL PARTIES.

Cities should not oppose legislation that is designed to help the voter select the candidates they wish to vote for. Color-coding of ballots or party balloting would be helpful to the voter in finding the candidate they wish to vote for on ballot. Candidates (and major political parties) could use the color in all their promotion materials, thereby identification easier on election day. State mandated equipment would provide for faster tabulation of results. Elections and education of voters would be simpler.



LAND USE LEGISLATION

QUESTION: Should the League support changes to the state's planning and zoning laws that would reduce cities' flexibility in structuring their planning commissions and boards of adjustment, reduce cities' ability to extend their subdivision regulations, require comprehensive plans prior to zoning, and consolidate and make consistent various planning and zoning laws?

BACKGROUND

The Governor's Advisory Council on State-Local Relations undertook a thorough review of the state's planning and zoning laws. The League participated in that study. A subcommittee of local elected officials was formed to review the recommendations developed by a technical committee composed of planning officials from townships, cities, counties, regional development commissions, and the state. Those recommendations have been collected in a report on land use legislation and draft legislation has been prepared, with introduction in the 1988 session probable.

CURRENT LEAGUE POSITION

The Land Use, Energy, Environment, and Transportation committee is currently debating the merits of the proposal. Staff has identified certain issues of substantial importance to cities that may cause problems if adopted as currently proposed. The Report's recommendations are in the left column.

YES, THE LEAGUE SHOULD SUPPORT THE FOLLOWING RECOMMENDATIONS

1. REQUIRE THE CREATION OF A SEPARATE BOARD OF ADJUSTMENT.

This board would rule on variances, etc. which must have at least one but no more than one planning commission or council representative. Appeals from this separate body would go directly to district court. This provision is intended to "depoliticze" the variance review process.

NO, THE LEAGUE SHOULD OPPOSE THE FOLLOWING RECOMMENDATIONS

1. REQUIRE THE CREATION OF A SEPARATE BOARD OF ADJUSTMENT.

This requirement unnecessarily limits the authority of a city to establish a structure that meets its unique situation. Smaller communities may find it difficult to recruit board members. An intermediate appeal to the council should be provided.

2. CHANGING THE REQUIREMENT OF UNDUE HARDSHIP TO AN EASIER STANDARD OF UNNECESSARY DIFFICULTY.

This would loosen the current standard to reflect common practice in granting variances from the strict application of zoning ordinances.

3. REQUIRE THE ADOPTION OF A COMPREHENSIVE PLAN IN ORDER TO HAVE ZONING OR OTHER LAND USE CONTROLS.

The comprehensive plan can be as little as a statement of goals, objectives, and policies, and present and proposed land use maps. Recent cases have called into question the common practice of passing ordinances without a supporting comprehensive plan. Metropolitan cities have had this requirement for several years. Cities would have a five year grace period, after which failure to adopt a comprehesive plan would invalidate all offical controls.

4. PROHIBIT THE PRACTICE OF CONDITIONAL REZONING.

Conditional rezoning is defined as making a district change conditioned on the applicant meeting certain requirements. An example is to grant rezoning from multi-family to commercial if the applicant agrees to construct apartment buildings in conjunction with the commercial development.

2. CHANGING THE REQUIREMENT OF UNDUE HARDSHIP TO EASIER STANDARD.

The existing requirement is fine. Loosening the requirement would make it more difficult to implement the requirements of a zoning ordinance.

3. REQUIRE ADOPTION OF COMPREHENSIVE PLAN.

The proposed requirement is overly onerous for cities. Courts will use inconsistencies to supercede local decisions. The five year grace period is impractical.

4. PROHIBIT THE PRACTICE OF CONDITIONAL REZONING.

Conditional zoning provides added flexibility and safeguards against changes in development proposals.



TRANSPORTATION FUNDING

QUESTION: What changes in the state's transportation funding mechanisms should the league support?

BACKGROUND

Governor Perpich and other political leaders have listed the lack of an adequate transportation funding program as the single biggest failure of the 1987 legislature. Funding inadequacy was almost assured when the Governor proposed suspending the transfer of the estimated \$225 million generated by the Motor Vehicle Excise Tax (MVET) from the state's general fund to the highway and transit fund. The Legislature agreed with the non-transfer of MVET and these MVET funds, along with an approximate \$700 million dollar tax increase, were used to balance the state general fund.

The Minnesota Department of Transportation recently cancelled approximately \$90 million in proposed highway projects because of the shortage in road funds. Many of the projects were in Greater Minnesota. Metropolitan projects were spared somewhat because many qualify for additional federal funds.

Additional road funding is necessary. The administration has apparently abandoned as a possible source the transfer of the MVET. An increase in the gas tax or a one percent sales tax on general retail sales seem to be preferred at this time. A one cent increase in the gas tax results in approximately \$20 million of revenue annually. Currently, Minnesota's gas tax is 17 cents per gallon. A one percent sales tax in the metro area would generate approximately \$130 million annually.

Tied in with the funding issue are the issues of jurisdiction studies and turnbacks, and potential constitutional amendments regarding dedication of the motor vehicle excise tax to the highway fund and the current allocation (62-29-9) of road funds among the state (62%), counties (29%), and cities over 5,000 population (9%). Jurisdictional studies that attempt to establish the level of use for particular roads (i.e., classifying roads as collectors, arterials, etc.) will soon be completed. Some advocate the assignment of road maintenance responsibilities to the level of government that best matches the jurisdictional classification of the road.

CURRENT LEAGUE POSITION

The Land Use, Energy, Environment, and Transportation Committee is currently debating the funding issue. Existing League policy advocates dedicating the MVET, opposing large scale turnbacks, requiring all turned-back roads to be brought up to standards acceptable to the receiving jurisdiction, and modifying the allocation formula to provide for the funding of roads located in cities under 5,000 population by reducing the 29% county share.

TRANSPORTATION FUNDING (con't)

YES, LEAGUE SHOULD SUPPORT:

1. METRO SALES TAX

Additional road funding is necessary. Most road needs are in the metropolitan area. A metro sales tax would provide a stable and adequate source of funds for the metro area.

2. GAS TAX INCREASE

The gas tax is a user based tax, and levied state wide, thus justifying a proportional split between metro and rural areas.

3. MVET TRANSFER/DEDICATION

Large, stable, user based funding source. Would implement legislative policy established 15 years ago.

4. JURISDICTIONAL REASSIGNMENTS

Would make users of roads responsible for owning, upkeep; local roads-local governments, state roads-state government. Would reduce funding pressure on state. Promotes good government, efficiency.

5. CHANGE 62-29-9 FORMULA, REDUCING COUNTY SHARE TO FUND SMALL CITY ROADS

Current allocation does not provide direct funding to cities under 5,000 and townships. Assumes all roads in those jurisdictions are either local roads or are on county and state aid systems.

NO, LEAGUE SHOULD OPPOSE:

1. METRO SALES TAX

A sales tax, unlike MVET or the gas tax, is not user based. Rural area needs would not be adequately funded.

2. GAS TAX INCREASE

Minnesota already has one of the highest gas taxes in the nation. Only generates \$20 million per penny.

3. MVET TRANSFER/DEDICATION

General fund loses \$200 million annually, fund is dedicated, limits discretion in use of funds.

4. JURISDICTIONAL REASSIGNMENT

May not reduce overall mileage of roads in state. to property tax payers. Would shift responsibility for road upkeep from users to property tax payers, create new local problems.

5. CHANGE 62-29-9 FORMULA

Current allocation method is fair, balances mileage and level of use. Funding for a state system, not local roads. Would require constitutional amendment to change.



HOMESTEAD CREDIT

QUESTION: Should the League oppose changes in the homestead credit adopted by the 1987 Legislature?

BACKGROUND

The 1987 Legislature adopted major changes in the homestead credit program. Beginning in 1989, the current residential homestead credit program will be eliminated. For the homeowner, the homestead credit will be replaced by a "homestead value exemption." This means that a certain value of the homestead property will be exempt from property taxes — for 1989, this exempt value would be 52 percent of the assessed value of the first \$68,000 of the market value of the home. The homestead credit shown on the homeowner's tax bill will be equal to the total local mill rate (including city, county, school and town portions of the property tax) multiplied by the exempted value. The city and other local governments will spread their levies and determine their mill rates by excluding the assessed value exempted under the new program.

For cities and other units of local government (counties, schools, and townships), the old homestead credit program will be replaced by a "homestead credit replacement aid." In the first year of implementation (1989), the homestead credit replacement aid paid to a city is supposed to be roughly equal to what it received in the prior year. However, due to formula changes, high-mill rate areas will generally receive more aid in 1989 and low-mill rate areas will generally receive less aid. In 1990 and all future years, this base amount of homestead credit replacement aid paid to a city will be increased only by two escalator factors: 1) inflation and 2) growth in a city's exempted homestead values. Increases in a city's mill rate will not increase the homestead credit replacement aid.

CURRENT LEAGUE POSITION: The Revenue Sources Committee is currently debating whether to oppose the new homestead credit replacement aid or take a more cautious approach, urging the Legislature to be aware of all the effects of the new credit before implementing it.

YES, LEAGUE SHOULD OPPOSE THE NEW HOMESTEAD CREDIT PROGRAM

Cuts in the new homestead credit program could be made more easily because there would no longer be a direct link between the homestead credit paid to homeowners and the reimbursement to cities for revenue through the homestead exemption. Under the old homestead credit program, it was difficult for the Legislature to cut the credit without it showing up on the taxpayer's bill. Under the new program, however, the Legislature could cut the homestead replacement aid to cities, but the credit appearing on the homeowner's bill would remain the same or even go up under certain circumstances.

The new homestead credit replacement aid is another "aid" program, like local government aid. Annual battles over formula changes are more likely.

It would be easy for the Legislature to cut the homestead replacement aid --even in the middle of the budget year-- with no warning to cities which depend upon that source of revenue.

In establishing the initial homestead replacement aid amount (upon which all future aid would be based), higher mill rate areas would be advantaged and low mill rate areas would be disadvantaged.

In the future, a city which has growing needs and must increase its not receive mil1 rate will increasing homestead credit payments. This could force large and abrupt increases in the taxes non-exempt property paid on (commercial/industrial property, the non-exempt portion of homestead values, renters).

NO, LEAGUE SHOULD NOT OPPOSE NEW HOMESTEAD CREDIT PROGRAM.

It is good policy to sever the link between homestead credit payments and property tax levels of local governments. The old program provided too much of an incentive to local governments to raise their taxes since, in most cases, 54 % of the tax increase was picked up by the state through the homestead credit.

The Legislature will be able to have more direct control over expenditures for the new homestead credit replacement aid since it can easily change or, if necessary, temporarily suspend the two escaltor factors in the homestead credit formula.

Expenditures for the homestead credit program will be more predictable since the homestead credit will no longer be linked to local property tax levels. This will help stabilize the state's budget situation.

If the state faces budget problems, expenditures for the homestead credit program could be easily cut, providing the state with a better tool for dealing with budget crises.

In the past, some argued that cities were not accountable for their tax and spending increases since local property taxpayers were partly protected against local tax increases by the homestead credit. With this new homestead credit design, no one can make that argument.



LEVY LIMIT LEGISLATION

QUESTION: Should the League designate the elimination of levy limits as an A priority, proposing legislation and making it a high priority?

BACKGROUND:

The 1987 Legislature imposed a very tight three percent levy limit on all cities for payable 1988. The new levy limit is more severe than prior limits because first, most "special" levies (previously allowed outside the limit) are suspended for one year (except for bonded debt and certain pension costs) and second, the new levy limit is imposed on small cities (under 5000 population) for the first time since 1982.

Despite legislators' assurances that tighter levy limits would be temporarily imposed for only one year, the new tax law actually imposes tighter levy limit restrictions beyond 1988. Smaller cities (under 5000 population) would be permanently subject to levy limits. The impetus for tighter limits came largely from legislators' fears that local property tax levels would increase dramatically next year because of changes in the school aid formula, the loss of federal assistance (particularly general revenue sharing), and limits the state placed on state aid through the LGA and homestead credit programs.

YES, ELIMINATING LEVY LIMITS SHOULD BE AN "A" PRIORITY FOR LEAGUE

Of all revenue issues (including LGA, homestead credit and property tax reform), tight levy limits have the most harmful effect on cities' abilities to operate financially and to provide the services their residents need. They are particularly unworkable for small cities which have small budgets and can experience large year-to-year increases in their budgets.

Tight levy limits force cities to issue more debt which is not always the most economical or most appropriate manner for financing expenditures. Levy limits also prevent many cities from building up adequate reserves.

Levy limits are severely limiting cities' abilities to compensate for cuts in state and federal financial aid as well as making it impossible to deal with rising costs forced by state and federal mandates.

Levy limits are inconsistent with the principles of local self-government and local accountability.

Levy limits are arbitrary when applied uniformly to all cities since cities vary markedly in their needs and abilities to raise revenue.

NO, ELIMINATING LEVY LIMITS SHOULD NOT BE AN "A" PRIORITY FOR LEAGUE

Designating the elimination of levy limits as an A priority will take away from the League's resources to lobby against harmful changes in the homestead credit program and to lobby for increases in the LGA program.

Since the school aid formula changes which are likely to force up local property tax levels will have their most dramatic effect in 1989, it is unrealistic to make a major effort to eliminate levy limits for 1989. The League should wait until the "dust has settled" on the school aid changes.

Certain key legislators on the tax committees strongly oppose the removal of levy limits. These legislators are in a position to single-handedly block any bill eliminating levy limits no matter what the League does. They argue that they will not consider the removal of limits until comprehensive property tax reform is achieved.

Rather than making a major effort to eliminate levy limits, the League should try to get incremental changes in the law that would at least temporarily loosen up the limits.

CITY SERVICE CHARGES FOR TAX-EXEMPT PROPERTY

 $\underline{\mathtt{QUESTION:}}$ Should cities be able to impose a service charge on $\overline{\mathtt{tax-exempt}}$ property?

BACKGROUND:

Last year the House included in its tax bill a proposal to grant cities the option to impose, by resolution, a service charge for "basic municipal services" provided to tax-exempt properties. This was designed as an option which cities could voluntarily exercise. Service charges collected by the city would be deducted from the city's levy limit.

In exercising this option, the city could not be selective in applying the charges. They would have to apply equally to all tax-exempt property in the city. However, the city could not impose service charges on buildings owned by federal, state, or local governments, Indian tribes, or on buildings subject to payments in lieu of property taxes. Under the proposal, basic municipal services would be the amount a city spends for "police, fire, street and road construction and maintenance, street lighting, sanitation, or other similar property related public services." Service charges would be related to the assessed value of the tax-exempt property and the total costs of basic municipal services.

CURRENT LEAGUE POSITION:

League supports requiring tax-exempt property (except houses of worship) to reimburse cities for costs of police, fire and street services.

YES, THE LEAGUE SHOULD CONTINUE TO SUPPORT IMPOSING SERVICES CHARGES ON TAX-EXEMPT PROPERTY

It is clear that tax-exempt property benefits from city services (police, fire protection and street services).

It is inequitable to provide free services to tax-exempt property. Other city property ends up bearing higher tax burdens as a result.

Certain cities have a high concentration of tax-exempt property and are in a particularly disadvantaged situation.

Some tax-exempt properties, such as hospitals or nursing homes, are almost like profit-making businesses.

NO, LEAGUE SHOULD NOT SUPPORT IMPOSING SERVICE CHARGES ON TAX-EXEMPT PROPERTY

Most tax-exempt property, particularly charities and hospitals, are dedicated to serving the public and shouldn't be charged for services.

The proposal is "all or nothing." It does not allow cities to pick and choose among the tax-exempt properties in assessing services charges. Thus, unfair burdens will fall on certain tax-exempt properties that cities may want to protect.

This proposal is not really helpful since any revenue a city gains from services charges must be deducted against its levy limit. Hence, it is not new money.

This proposal really only benefits cities which have high concentrations of tax-exempt property.



RELATIVE PROPERTY TAX BURDENS FOR CERTAIN TYPES OF PROPERTY

QUESTION: Are local property tax levels for certain types of property too high, especially in relation to other types of property?

BACKGROUND:

Wide disparities often exist between the tax burdens of various types of property in certain communities. Listed in the table below are the statewide average effective property tax rates (that is, the tax burden in relation to the property's market value) that are projected by the House Research Department for 1988.

EFFECTIVE PROPERTY TAX RATES BY TYPE OF PROPERTY, 1988*

Type of Property	Effective Tax	Rate
Residential Homesteads	1.30	ક
Residential Non-homesteads	3.41	
Apartments	4.07	
Agricultural Homesteads	0.83	
Agricultural Non-homesteads	1.42	
Commercial/Industrial under \$60	0,000 2.96	
Commercial/Industrial over \$60,	,000 5.05	
	1.42 0,000 2.96	

^{*} Based on House Research computer simulation, 8CM

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RELATIVE TAX BURDENS FOR CERTAIN TYPES OF PROPERTY (con't)

RESIDENTIAL HOMESTEAD BURDENS

Property taxes on homestead are low, but it is important to keep them low since homeowners vote. Many home owners are elderly and cannot afford higher property taxes. While home owners' property taxes may be low, they have high sales and income tax burdens, especially relative to businesses.

Tax burdens for homesteads are too low and need to increase somewhat so that the property taxes for businesses can be lowered. Ultimately, a community's ability to retain businesses will affect jobs for local residents and local growth and wealth.

RESIDENTIAL NON-HOMESTEADS/APARTMENTS

Property taxes on rental buildings are too high. These high taxes are often passed on to residents in the form of higher rents. Renters are often low-income persons or elderly living on fixed incomes. The renters' credit and circuit breaker programs are designed to provide property tax relief to renters. If more relief is needed it should be given with these programs rather than directly reducing property taxes for apartment owners who may not pass on these tax cuts to their renters.

AGRICULTURAL HOMESTEADS

Property taxes for homesteaded farms should remain low, particularly since many farmers, especially small farmers, are experiencing financial stress.

Effective property tax rates for farms are about the lowest for any type of property. They could be increased without hurting farmers who are under financial stress since the income tax is designed to help out low-income persons.

COMMERCIAL/INDUSTRIAL

The high property taxes which many businesses must pay are an excessive burden and may discourage some businesses from locating or remaining in a community. This causes loss of jobs and economic activity for a community. Small business can be particularly hard hit, especially if they are located in already depressed areas where rapidly declining farm values have caused tax burdens to shift to the businesses in cities.

Although businesses may pay more in property taxes than homeowners, businesses tend to pay relatively less in corporate income taxes. Thus their combined property and income tax burden is no greater. Reports show that over half of all MN corporations paid no corporate income tax in 1984, including 192 of the top corporations with annual earnings over \$50 million.



LOCAL OPTION TAXES

QUESTION: Should the League support granting cities a local-option to raise other non-traditional taxes, such as local sales or local income taxes?

BACKGROUND:

Local governments have traditionally relied on the property tax and state aids for a major portion of their revenues. Since 1971, local governments have been generally prohibited from levying local sales or income taxes. At the same time (1971), property tax levy limitations were imposed on local governments. These tax reforms (known as the "Minnesota Miracle") were enacted in exchange for a state commitment to use state-raised sales and income tax revenues to finance property tax relief for local governments. In recent years, however, state budget problems combined with political pressure to hold down state income and sales taxes have led to substantial reductions in state aids. The result has been that cities have been forced to rely more heavily on local property taxes.

CURRENT LEAGUE POSITION:

League policy recommends that cities be given local option to raise other non-traditional revenue sources, such as sales taxes, to enhance local financial flexibility. Policy states that local option taxes should supplement, not replace, the traditional revenues of cities.

YES, LEAGUE SHOULD CONTINUE TO SUPPORT LOCAL OPTION TAXES

As state and federal aids are cut, cities need to turn to other sources of revenue, not just the property tax, to fill the revenue gap. Property taxes are already to high in many places.

Strict levy limits are also preventing cities from using the property tax when they need to in order to maintain services. Local option taxes could alleviate that situation.

NO, LEAGUE SHOULD NO LONGER SUPPORT LOCAL OPTION TAXES

Allowing local-option taxes would mean rich communities would get richer and poor communities poorer since it is richer communities that would likely have more sales activity and local income to tax.

With the availability of local option taxes, the state would cut back on state aids even more.

Income and sales tax revenue are not reliable revenue sources since they fluctuate widely depending upon economic conditions.

LEAGUE OF MINNESOTA CITIES LEGISLATIVE ISSUES VOTING CARD

City:		Name:		
Attending Regional Meeting at:				
Tax Increment Financing (TIF)				
Support	Oppose	League-sponsored TIF legislation		
Voting Equipment				
Support	Oppose	Legislation making current voting equipment obsolete		
Local Government Election Day				
Support	Oppose	Continue to oppose a local government election day		
Land Use Legislation				
Support	Oppose	1. Separate Board of Adjustment		
Support	Oppose	 Change definition of undue hardship 		
Support	Oppose	 Requirement for comprehensive plan 		
Support	Oppose	4. Prohibit conditional zoning		
Support	Oppose	 Zoning controls consistent with comprehensive plan 		
Support	Oppose	6. Change the ability of cities to extend subdivision regulations		
Support	Oppose	7. Fringe Area Growth Proposal		
Transportation Funding				
Support	Oppose	1. Metro Sales Tax		
Support	Oppose	2. Gas Tax Increase		
Support	Oppose	3. MVET Transfer/Dedication		
Support	Oppose	4. Jurisdictional Reassignment		
Support	Oppose	5. Changing the 62/29/9 allocation forumla		

Homestead Credit Program			
Support Oppose Changes to or new homestead credit program			
Levy Limit Legislation			
Support Oppose Should the League make the removal of levy limits an			
"A" priority			
City Service Charges for Tax-Exempt Property			
Support Oppose Should cities be able to voluntarily impose service charges on tax-exempt property			
Relative Tax Burdens for Certain Types of Property			
Residential Homestead taxes are:			
Too High About Right Too Low			
Residential Nonhomestead/Apartment taxes are:			
Too High About Right Too Low			
Agricultural Homestead taxes are:			
Too High About Right Too Low			
Commercial/Industrial taxes are:			
Too High About Right Too Low			
Local Option Taxes			
Support Oppose Should the League support local option taxes?			
COMMENTS:			

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